



Foreign &
Commonwealth
Office

Sudan and South Sudan Unit
Foreign and Commonwealth Office
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Website: <https://www.gov.uk>

29 November 2016

Your Freedom Of Information Request: FOI 0733-16

Thank you for your request for information which we received on 1 August 2016. In your request you asked for:

- “1. Can we receive copies of the electronic, paper and/or (if available) audio correspondence between British Embassy Khartoum and Sudan Unit in the Foreign and & Commonwealth Office relating to the EU-Horn of African Migration Route Initiative, otherwise known as the Khartoum Process, dating from the Declaration of the Ministerial Conference of the Khartoum Process held in Rome on 28 November 2014 to the date on which this request is processed?*
- 2. We seek disclosure of any formal advice put to Ministers suggesting a change in policy toward engagement with Sudan in the context of launching the UK-Sudan strategic dialogue.”*

I am writing to confirm that we have now completed the search for the information which you requested.

I can confirm that the Foreign and Commonwealth Office does hold information relevant to your request.

Some of this information has been assessed as falling under the exemption in Section 27(1) as there is a need to protect information that would be likely to prejudice relations between the United Kingdom and other states and international organisations if it was disclosed. In this case, the release of information could harm our relations with our international partners.

Some of the information has been assessed as falling under the exemption in Section 35(1)(a). It is recognised that there is public interest in the greater transparency in the decision making process to ensure accountability within public authorities. However, officials need to be able to conduct rigorous and candid risk assessments of their policies and programmes including considerations of pros and cons without there being a risk of premature disclosure which might close off better options and inhibit the free and frank discussion of all policy options. For these reasons we consider that the public interest in maintaining this exemption outweighs the public interest in disclosing it.

Some of the information you have requested, is personal data relating to third parties, the disclosure of which would contravene one of the data protection principles. In such circumstances sections 40(2) and (3) of the Freedom of Information Act apply. In this case, our view is that disclosure would breach the first data protection principle. This states that personal data should be processed fairly and lawfully. It is the fairness aspect of this principle, which, in our view, would be breached by disclosure. In such circumstances, s.40 confers an absolute exemption on disclosure. There is, therefore, no public interest test to apply.

Further to this, the FCO can neither confirm nor deny whether it holds any additional information that would meet the terms of your request, in reliance on the exemptions in sections 23(5) and 24(2) of the Freedom of Information Act 2000. To the extent that section 24(2) applies, the department has determined that in all circumstances of the case, the public interest in maintaining exclusion of the duty to confirm or deny outweighs the public interest in confirming whether or not the information is held, and to give a statement of the reasons why the exception applies would involve the disclosure of exempt information. Therefore, under section 17(4) of the Act, the FCO is not obliged to give such a statement. However, this should not be taken as necessarily indicating that any further information what would meet your request exists or does not exist

Yours sincerely,

Sudan and South Sudan Unit



We keep and use information in line with the Data Protection Act 1998. We may release this personal information to other UK government departments and public authorities.