



Foreign &  
Commonwealth  
Office

Legal Directorate  
Foreign and Commonwealth Office  
King Charles Street  
London SW1A 2AH

Website: [www.fco.gov.uk/foi](http://www.fco.gov.uk/foi)

15 August 2017

Dear

**FREEDOM OF INFORMATION ACT 2000 - REQUEST REF: 0701-17**

Thank you for your email of 23 July 2017 asking for information under the Freedom of Information Act (FOIA) 2000. You asked:

*“Can you please tell me also how many “unilateral declarations” have been made, after a “friendly settlement” could not be reached?”*

On the 27 July we contacted you asking if you could clarify the scope of your request since as it was too broad and would go over the statutory limit set under the FOIA and we would be unable to proceed with it. We asked if you could i) specify the timeframe for which you are seeking the information, for example the last 5 years and ii) whether your request is limited to cases which originated from MOJ, as was the case with your original request. The same day you replied to us saying that you

*“would like to see the figures for the last 10 years, but five will do if ten is a huge effort. Likewise, if you can give separate figures for the MoJ (and indeed other departments), then that would be beneficial, but not essential.”*

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

I can confirm that the FCO does hold information relevant to your request. However the information had not previously been compiled in the form you requested, but had to be found in the content of the respective case files which were interrogated for these purposes. We applied search terms which we hope should have revealed all relevant cases, but we cannot guarantee that the records are complete, due to the annual weeding of case files for which we no longer retain records (in this instance for the period 2007-2010). We have not included every case where a Unilateral Declaration was considered or even proposed, only those in which the case proceedings were ended by way of a Unilateral Declaration. We have sought to identify the lead department in each case, but there may occasionally be more than one department involved, and, of course, departments’ portfolios do change.

The information you have requested is as follows:

Year	Number	Lead Department
2011	10	Home Office 2, Ministry of Justice 8
2012	2	Ministry of Justice 1, Scottish Govt Legal Directorate 1
2013	4	Ministry of Justice 1, +3 other cases, lead unknown due to weeded records
2014	4	Home Office 1, Ministry of Justice 1, Scottish Govt Legal Directorate 1, UK Borders Authority 1
2015	None	None
2016	2	Ministry of Justice 1, Scottish Govt Legal Directorate 1
2017	None	None

Yours sincerely

Legal Directorate



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