



Foreign &
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FREEDOM OF INFORMATION ACT 2000 – REQUEST REF: FOI 0201-17

Thank you for your call and email of 23rd February 2017 asking for information under the Freedom of Information Act (FOIA) 2000. Your request was:

Request for documents: draft Model UK IPPA of 1972/73 and other documents

- 1) The 1972/73 UK model Investment Promotion and Protection Agreement (IPPA) referred to in the attached Foreign and Commonwealth Office (FCO) Memorandum dated 21 February 1973;
- 2) Any other FCO memorandum which discusses the 1972/73 UK model IPPA;
- 3) Any other versions of the UK model IPPA, including those prepared by the FCO in connection with the UK model IPPA;
- 4) Any FCO memoranda which discuss the above versions of the UK model IPPA; and
- 5) The travaux préparatoires and/or other preparatory documents in relation to the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of India for the Promotion and Protection of Investments which entered into force on 6 January 1995.

Your FOI request has been allocated to two different Foreign and Commonwealth Office (FCO) departments due to the timing periods in relation to the documents requested. Questions 1 and 2 (under FOI 0200-17) have been allocated to our Historical Team, who will be in touch with you separately.

With regards to question 3 and 4, we have now completed our search and consultation process and I can confirm that the FCO does hold some information relevant to your request.

However, we have withheld this information under the provision contained in section 27(1)(a) of the Freedom of Information Act (FOIA).

The application of section 27(1)(a) requires us to consider the public interest test arguments in favour of releasing and withholding the information. We acknowledge that releasing information on this issue would increase public knowledge about our relations with India. However, section 27(1)(a) recognises that the effective conduct of international relations depends upon maintaining trust and confidence between governments. If the United Kingdom does not maintain this trust and confidence, its ability to protect and promote UK interests through international relations will be hampered, which will not be in the public interest. The disclosure of information detailing our relationship with the Indian Government could potentially damage the bilateral relationship between the UK and India. This would reduce the UK Government's ability to protect and promote UK interests through its relations with India, which would not be in the public interest. For these reasons we consider that the public interest in maintaining this exemption outweighs the public interest in disclosing it.

With regards to question 5, I can confirm that the FCO has information relevant to your enquiry. However, under section 21 of the FOIA the FCO is not obliged to provide information to a request if the information sought is already reasonably available or accessible to you. A reply to a previous FOI request (reference number 0089-17) provides all the information that the FCO can release and explains why information is withheld at the [Gov.uk website](#).

Yours sincerely,

Economic Growth and Business Department