



Foreign &
Commonwealth
Office

Arms Export Policy Department
Foreign and Commonwealth Office
King Charles Street
London SW1A 2AH

Website: <https://www.gov.uk>

20 July 2016

Your Freedom Of Information (FOI) Request: 0336-16

Thank you for your request for information which we received on 24 March 2016. In your request you asked for;

*Information relating to the export of ships to Nigeria.
If you need to narrow your searches to certain departments, please narrow them to:*

- *West Africa Directorate (incl: British Embassy in Nigeria)*
- *Office of the Secretary of State*

For the period March 2014 and October 2014

1. Any documentation including communications concerning

- a. MV Horten or its export license ML9a1*
- b. CAS Global*
- c. Global West Vessel Services,*

In your search for documents please ensure that you search for communications between the FCO and

- i. UKTI*
- ii. Cabinet Office*
- iii. Department of Business and Skills*

As noted in our previous letters, I can confirm that the Foreign and Commonwealth Office does hold information falling within the terms of your request.

Please find attached the information that the FCO can release to you. Some of the information has been withheld. The sections of the FOI act under which the information has been withheld and our reasoning for doing so is set out below.

Section 27 – International Relations

The application of Section 27 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 Norway, Nigeria and Togo. However, Section 27 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 Norwegian, Togolese and Nigerian Governments could potentially damage the UK's bilateral relationship with these States and hamper the Government's ability to act in pursuit of key foreign policy priorities including in counter terrorism and EU affairs. For these reasons, we consider that the public interest in maintaining this exemption outweighs the public interest in disclosure.

Section 30 – Investigations and Other Proceedings

Section 30 is also a qualified exemption. Whilst we acknowledge that there is a public interest in adding to the understanding and knowledge of this subject, release of the redacted material would compromise the ability of investigations into this subject currently underway or likely to be conducted in future. We have therefore concluded that release would not be in the public interest.

Section 40 – Personal Information

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.

Section 35 – The Formation of Government Policy

Some information has been withheld under section 35 as it relates to the formulation of government policy. This exemption requires the application of a public interest test. There is public interest in protecting policy-making processes and ensuring this process remains able to deliver effective government. This is considered against the public interest in making publicly available information about policy-making processes. We consider that the balance of the public interest lies in favour of withholding certain information in relation to your request. The information withheld includes the free and frank discussion of policy options and risk assessments relating to arms export licensing advice and the internal and external affairs of other States. The release of this information would inhibit officials' ability to make robust risk assessments in future.

Arms Export Policy Department



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.