



Foreign &
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17 August 2017

FREEDOM OF INFORMATION ACT 2000 REQUEST REF: 0603-17

Thank you for your request for information which we received on 23 June 2017. In your request you asked for;

any official reports produced by the FCO that has examined the human rights abuses in Burundi in the 2 year period between 2015 to 2017

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 (FCO) does hold information relevant to your request.

Please find attached the information that the FCO can release to you.

Some of the information has been withheld using sections 38 (Health and Safety), 27 (international relations) and 40 (personal information). In addition to the attached information you can also find further FCO reporting on the human rights situation on Burundi in the FCO Annual Human Rights and Democracy report 2015 at <https://www.gov.uk/government/publications/human-rights-and-democracy-report-2015>

Some of the information that you have requested has been withheld under Section 38 (1) (a) – information that would endanger the physical or mental health of any individual. Section 38 is a qualified exemption and as such a public interest test has to be applied.

We recognise that there is a public interest in transparent and open government, and releasing information that would inform public debate on our work. We understand that customers often feel that we should not protect the names of our officers acting in an official capacity, especially where a complaint has been made. However, in this case, we need to consider whether the release of some of the information we hold could potentially pose a significant risk to the personal safety of individuals working in Burundi, particularly our locally engaged staff. We have to balance the public interest with the need to ensure that our staff is able to carry out their jobs without fear of undue repercussions and as their employer we have a duty of care to ensure that they are not individually targeted for perceived failings of the department as a whole. As noted in the report of the United Nations Independent Investigation on Burundi (UNIIB) published on 20 September 2016, Burundian civil society actors, notably human rights defenders and journalists, have been being primary targets of systematic repression by authorities. Independent journalists have been subjected to

harassment, death threats, arrests, torture, and the closure of their offices and/or destruction of their equipment.

Some of the information within the scope of your request is exempt under Sections 27(1) and (2) of the Act as it relates to confidential Government to Government discussions with the Government of Burundi and other States such as the United States of America. Section 27 is a qualified exemption and is subject to a public interest test. We acknowledge that releasing information on this issue would increase public knowledge about our relations with the Government of Burundi and other partners in relation to the situation in Burundi.

Releasing information shared with the UK on a confidential basis could undermine the UK's ability to work with the Government of Burundi and other governments to find a solution to the current political impasse and human rights situation. If we want to continue to play an influencing role, then our bilateral relationships with both Burundi and other interested partners such as the United States need protecting. The effective conduct of international relations depends upon maintaining trust and confidence between Governments. This relationship of trust allows for the free and frank exchange of information on the understanding that it will be treated in confidence. If the United Kingdom does not respect such confidences, its ability to protect and promote UK interests through international relations will be hampered. The States concerned may be reluctant to share sensitive information with the UK Government in future and may be less likely to respect the confidentiality of information supplied by the UK Government to them, to the detriment of UK interests.

We recognise that there is public interest in this particular subject, and that there has been debate concerning the deteriorating human rights situation in Burundi. But for all the reasons mentioned above we consider that in all the circumstances of the case, the public interest in maintaining this exemption outweighs the public interest in disclosure.

Some of the withheld information is personal data relating to third parties. It is our view that disclosure of this information would breach the first data protection principle, which states that personal data should be processed fairly and lawfully. Section 40(2) and (3) of the Freedom of Information Act therefore apply. It is the fairness aspect of this principle which we think would be breached by disclosure in this case. In such circumstances section 40 confers an absolute exemption on disclosure. We do not therefore have to apply the public interest test.

Yours sincerely,

Central Africa Team

