



Foreign &  
Commonwealth  
Office

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

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

05 January 2018

## **FREEDOM OF INFORMATION ACT 2000 - REQUEST REF: 1085-17**

Thank you for your e-mail of 16 November 2017 asking for information under the Freedom of Information Act (FOIA) 2000. You asked:

*I am sending this request under the Freedom of Information Act to ask for the 19 January 1995 teletype from first secretary James Bevan, Washington to FCO London about US policy towards the Baltic states.*

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.

We have carefully considered if we can release this information and conducted the appropriate Public Interest Tests. We can release some of the information and this is attached in the accompanying document.

However, we do not intend to release some of the other information relevant to your request as it is exempt from release under the following exemptions of the Freedom of Information Act 2000 (FOIA):

- section 27 (1) (a) (c) (d) (International relations)
- section 40 (2) and (3) (Personal information)

### **Section 27 (1) (a) (c) and (d) International Relations**

Some of the information you have requested is being withheld under section 27 (1) (a) (c) and (d) of the FOIA. Section 27 (1) (a) (c) and (d) provides that information is exempt if its disclosure would or would be likely to prejudice the relations between the United Kingdom and any other state, the interests of the UK abroad, or the promotion or protection by the United Kingdom of its interests abroad.

In applying section 27, we have had to balance the public interest in withholding the information against the public interest in disclosing it. Factors in favour of disclosure include the strong public interest in transparency and accountability. Disclosure would also increase public knowledge of relations with the United States. Factors against disclosure include the strong public interest in ensuring that the FCO is able to conduct the UK's international relations effectively and protect UK interests abroad. The effective conduct of the UK's

international relations depends upon maintaining trust and confidence with other governments and international organisations. To do this there must be good working relationships with other governments and international organisations based on confidence and trust. 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 UK does not maintain this trust and confidence, its ability to act as a significant player in the international arena, and protect and promote UK interests through international relations, will be hampered. Other governments and international organisations may be more reluctant to share 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.

For these reasons, we consider that the public interest in maintaining this exemption outweighs the public interest in disclosing it.

### **Section 40 (2) and (3) 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 FOIA 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 section 40 confers an absolute exemption on disclosure. There is, therefore, no public interest test to apply.

Yours sincerely,

**US and Canada 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.