



Foreign &
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by e-mail to:

request-161208-02ff3d87@whatdotheyknow.com

6 June 2013

Dear Sir/Madam,

FREEDOM OF INFORMATION ACT 2000 REQUEST REF: 0437-13

Thank you for your email dated 13 May 2013 asking for information under the Freedom of Information Act. Your request was:

I am writing to make an open government request for all the information to which I am entitled under the freedom of information act. In order to assist you with this request, I am outlining my query as specifically as possible.

I write with reference to the below press release from UK Mission to the UN that the organisation UN Watch has on its website:

“ UK Press Release: Statement on comments by UN Special Rapporteur, Richard Falk – 24 April 2013

The Spokesperson of the UK Mission to the UN said:

‘The UK objects strongly to recent remarks made by UN Special Rapporteur for the Palestinian Territories, Richard Falk, linking the Boston bombings to “American global domination” and “Tel Aviv”.

This is the third time we have had cause to express our concerns about Mr Falk’s antisemitic remarks. It is important to the UK that Special Rapporteurs uphold the highest standards in their work and we have twice previously made clear that remarks by Mr Falk were unacceptable.’ “

1 Could you please confirm that the above quoted press release was issued by the UK Mission to the UN and to who the press release was issued and in what format, orally, faxed, email etc?

2 If this press release is genuine, has it been altered or abridged and if so what is the wording of the official press release.

3 To what other agencies other than UN Watch was the press release issued?

4 Why was this particular press release not included anywhere on the UK Mission to the UN website and is notably excluded from the section entitled 'Announcements'?

4 The precise phrases in Richard Falk's original article that the UK Mission to the UN have construed to be anti semitic and an explanation why?

I understand that under the act, I should be entitled to a response within 20 working days. I look forward to hearing from you in the near future.

I am writing to confirm that we have now completed the search for the information which you requested. I can confirm that original version of the Spokesperson of the UK Mission to the UN's press release is as above. It has not been altered or abridged. It should be noted that not all of our statements are uploaded onto the website.

The statement was e-mailed to a routine list of UK Mission press contacts in New York. I attach a list of the majority of the organisations on this list. It is not a complete list because we use a list of e-mail addresses and some of the addresses do not make clear the organisation that the journalist works for. Because of this, 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.

Shortly after the appalling event in Boston, Her Majesty the Queen, the Prime Minister and Foreign and Commonwealth Office (FCO) Ministers offered condolences to the President and the people of America, and our thoughts go out to those victims and their family and friends. Nothing can justify this attack. We therefore strongly objected to the comments by the UN Special Rapporteur in this context that the *"United States has been fortunate not to experience worse blowbacks."* The relevant paragraph from Richard Falk's article for the *Foreign Policy Journal* reads:

"The American global domination project is bound to generate all kinds of resistance in the post-colonial world. In some respects, the United States has been fortunate not to experience worse blowbacks, and these may yet happen, especially if there is no disposition to rethink US relations to others in the world, starting with the Middle East".

In the same article Mr Falk said that *"as long as Tel Aviv has the compliant ear of the American political establishment, those who wish for peace and justice in the world should not rest easy."* We believe this article is resonant of the longstanding antisemitic practice of blaming Jews (through the State of Israel by proxy) for all that is wrong in the world. This is unacceptable.

We do strongly support the work of Special Rapporteurs as they are a vital part of the UN Human Rights System and it is important that they are able to act independently. However we objected strongly to Mr Falk's remarks and will continue to raise our objections whenever any Special Rapporteur fails to uphold the standards required in his/her work. The U.N.

spokesman Martin Nesirky also said that Secretary-General Ban Ki-moon rejected Falk's comments, which could undermine the U.N.'s credibility and work. "The Secretary-General immediately condemned the Boston marathon bombing and he strongly believes that nothing can justify such an attack."

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I hope you are satisfied with this reply. However, if you wish to make a complaint or if you would like a review of our decision, please write to the Information Rights Team, Foreign and Commonwealth Office, Room K4.10-13, King Charles Street, London, SW1A 2AH. E-mail: dp-foi.img@fco.gov.uk. You have 40 working days to do so from the date of this letter.

If you are not content with the outcome of your complaint, you may then apply directly to the Information Commissioner for a decision. Generally, the Information Commissioner cannot make a decision unless you have exhausted the complaints procedure provided by the FCO. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

Yours sincerely,

Philippa Thompson

Deputy Team Leader
Equality and Non-Discrimination Team



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