



Foreign &  
Commonwealth  
Office

**Protocol Directorate**  
Foreign and Commonwealth Office  
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Website: <https://www.gov.uk>

17 February 2016

### **Your Freedom Of Information Request: 1116-15**

Thank you for your request for information which we received on 20 November 2015. In your request you asked the Foreign and Commonwealth Office;

- 1. Has the FCO ever sought waivers of immunity from foreign governments in respect of diplomats working in the UK. In addition, have the government ever refused to seek a waiver of immunity for diplomats based in the UK?*
- 2. If so, can you please provide information on all previous instances, including who the diplomats involved were and why a waiver of immunity was suggested/sought by the FCO?*
- 3. I would also like to know, in each of these instances, whether the sought waiver of immunity was successful or unsuccessful.*
- 4. Are the FCO aware of the current civil case between Ms Christina Estrada and her ex-husband Dr Walid Juffali?*
- 5. Has the Foreign and Commonwealth Office ever had any correspondence with Ms Christina Estrada, or representatives of Ms Christina Estrada, over matters concerning waivers of immunity?*
- 6. If so, what form did this correspondence take and what was the IMO's position?*
- 7. If the court's conclusion is that Dr Juffali is entitled to diplomatic immunity in this civil case, would the FCO consider asking or St Lucia's government to waive Dr Juffali's immunity?*

I can confirm that the Foreign and Commonwealth Office does hold information falling within the terms of your request.

In answer to question 1, this information is already in the public domain. Under section 21 of the Act, we are not required to provide information in response to a request if it is already reasonably accessible to you. The information you requested on whether the FCO ever sought waivers of immunity from foreign governments in respect of diplomats working in the UK is available at <https://www.gov.uk/government/speeches/written-ministerial-statement-on-alleged-serious-and-significant-offences-diplomatic-immunity>

In answer to questions 2, 3 and 7 this information is considered to be exempt in relation to your request under Section 27(1)(a) of the FOIA which recognises the need to protect information that would likely to prejudice relations between the United Kingdom and other states if it was disclosed.

In regard to your question 4, I can confirm that the FCO is aware of the civil case between Ms Christina Estrada and her ex-husband Dr Walid Juffali.

In regard to your question 5, I can confirm that the FCO has received correspondence from representatives of Ms Christina Estrada, and in regard to the first part of your question 6, the correspondence took the form of letters and telephone conversations between Ms Estrada's representatives and the FCO.

In regard to the second part of your question 6, this information is considered to be exempt under section 27(2) of the Freedom of Information Act which recognises the need to protect information provided in confidence to the UK Government by an international organisation. In this case, the information being withheld is confidential information obtained from the International Maritime Organisation.

#### **Section 27 (1) and (2): Public Interest Test**

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 discussion with other States and international organisations (in this instance, with St Lucia, and the International Maritime Organisation). 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. 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.

Yours sincerely,

Diplomatic Missions and International Organisations Unit  
Protocol Directorate



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