

FOI 0558-15 Digest

From: [Redacted Section 40]

Sent: 07 August 2014 12:56

To: [Redacted Section 40]

Subject: RE: FOI Request: Ref. 0711-14 from (Flight records in and out of Diego Garcia)

We should also think whether the records constitute sensitive military information. If so, Section 26(1)(b) might apply: "likely to prejudice the operational effectiveness of Armed Forces of the Crown or any armed forces with whom they are working" (my emphasis).

Are there any precedents from how we/MOD have handled FOI requests relating to operations at US bases in the UK? SecPol might be able to advise.

[Redacted Section 40]

From: [Redacted Section 40]

Sent: 07 August 2014 12:26

To: [Redacted Section 40]

Subject: RE: FOI Request: Ref. 0711-14 from (Flight records in and out of Diego Garcia)

[Redacted Section 40]

Thanks. I think we're therefore going to have to ask the US about their views on disclosing these specific 2004 records.

CTD colleagues, I see no alternative at this stage, given the records are held here and clearly subject to FOI, but you will want to consider how to frame this potential disclosure against any broader release of records which Ministers will have a view on. With that in mind, and given the current deadline for response is 19 August, I suggest we need to PIT this. Please shout if you disagree.

[Redacted Section 40], I will separately send through a scan of everything in scope for you to consult with State (it is just a week's worth of one Gen Decs, but is quite large). I suggest your lines will be (others please chip in as you see fit):

[Redacted Section 27]

[Redacted Section 40]

From: [Redacted Section 40]

Sent: 12 August 2014 11:29

To: [Redacted Section 40]

Cc: [Redacted Section 40]

Subject: RE: FOI Request: Ref. 0711-14 from (Flight records in and out of Diego Garcia)

[Redacted Section 40]

Did I send you this? Its what the RAF sent to me.

Para 12 essentially sums up our current policy with regard to flight records of other nations' aircrafts. I.e. we will treat them as confidential and consult the appropriate other governments in the event that we get an FOI request.

Does this answer your question?

[Redacted Section 40]

From: [Redacted Section 40]
Sent: 11 August 2014 11:29
To: [Redacted Section 40]
Cc: [Redacted Section 40]
Subject: RE: FOI Request: Ref. 0711-14 from (Flight records in and out of Diego Garcia)

[Redacted Section 40]

[Redacted Section 27]

When we have a response back from RAF, it would be good to also have had the legal discussion take place before you ask about release of specific records.

[Redacted Section 27]

[Redacted Section 40]

From: [Redacted Section 40]
Sent: 07 August 2014 15:31
To: [Redacted Section 40]
Subject: FW: FOI Request: Ref. 0711-14 from (Flight records in and out of Diego Garcia)

FYI we're just scanning the docs and confirming with ... whether he genuinely only wants 7 which he seems to have asked for, or all of them. The scans will come to you tomorrow now I think,

[Redacted Section 40]

From: [Redacted Section 40]
Sent: 12 August 2014 13:23
To: [Redacted Section 40]
Subject: RE: FOI Request: Ref. 0711-14 from (Flight records in and out of Diego Garcia)

[Redacted Section 40]

Many thanks for sight of this document. This appears to me to reinforce our view that the information is BIOTA information, albeit that it would be held confidentially and we would discuss any disclosure of detailed information with the US. This accords with the process that [Redacted Section 40] and [Redacted Section 40] colleagues are working to.

Best wishes

[Redacted Section 40]

From: [Redacted Section 40]
Sent: 20 February 2015 17:29

To: [Redacted Section 40]
Cc: [Redacted Section 40]
Subject: RE: Allocation FOI Request: Ref. 0711-14 from (Flight records in and out of Diego Garcia)

OK, let's go with your response then. Thank v much

[Redacted Section 40]

From: [Redacted Section 40]
Sent: 20 February 2015 16:53
To: [Redacted Section 40]
Cc: [Redacted Section 40]
Subject: RE: Allocation FOI Request: Ref. 0711-14 from (Flight records in and out of Diego Garcia)

[Redacted Section 40],

The exempted information comprises one week's worth of 'general declarations' for movements within DG in March 2004 (example attached), and a monthly flight log.

The attached, though not the specific documents that fall within the scope of request, are examples of these two document types, which are used routinely to document all traffic going in and out of the Territory. [Redacted Section 24, Section 27] The attached email provides further background on the discussions that have been had in relation to this FOI, both internally and bilaterally.

If of use, I will ask [Redacted Section 40] to provide you with copies of the specific documents and/or talk you through in more detail how we've reached where we are.

Best regards,

[Redacted Section 40]

From: [Redacted Section 40]
Sent: 20 February 2015 17:57
To: [Redacted Section 40]
Cc: [Redacted Section 40]
Subject: Re: Allocation FOI Request: Ref. 0711-14 from (Flight records in and out of Diego Garcia)

Thank you. What does the exempted information contain?

[Redacted Section 40]

From: [Redacted Section 40]
Sent: Friday, February 20, 2015 02:16 PM
To: [Redacted Section 40]
Cc: [Redacted Section 40]

Subject: FW: Allocation FOI Request: Ref. 0711-14 from (Flight records in and out of Diego Garcia)

[Redacted Section 40],

I'd be grateful for your consideration/clearance of the attached draft FOI response, which has been cleared by [Redacted Section 35].

As you may recall, and has a long-standing interest in BIOT. You'll note that the request was received on 22 July 2014. The delay in responding has been due, in large part, to lengthy consultation with the US about release of the relevant docs. Please let me know if useful to discuss further.

Although we've until 9 March to reply, IMD are keen that we respond as soon as we're able (to avoid their having to include this long-standing case in their annual stats).

Best regards,

[Redacted Section 40]

From: [Redacted Section 40]

Sent: 22 July 2014 17:57

To: [Redacted Section 40]

Cc: [Redacted Section 40]

Subject: FW: Allocation FOI Request: Ref. 0711-14 from (Flight records in and out of Diego Garcia)

[Redacted Section 40]

Another FOI from ... regarding flight records in and out of Diego Garcia. Please note that the deadline for this is 12 August and [Redacted Section 40] is your case manager

As mentioned below, you may wish to cross reference this reply with FOI 0630-13 from last year. Please remember to save any relevant documents into a relevant folder in your shared area

[Redacted Section 40]

From: [Redacted Section 40]

Sent: 23 February 2015 10:18

To: [Redacted Section 40]

Cc: [Redacted Section 40]

Subject: FW: Allocation FOI Request: Ref. 0711-14 from (Flight records in and out of Diego Garcia)

[Redacted Section 40]

This draft is cleared to issue after accepting any tracked changes.

The reply should be sent as a PDF doc. Please bcc me a copy when issued.

You should also register a copy of this final response letter on I-records.

Regards

[Redacted Section 40]