



Foreign &
Commonwealth
Office

**British Indian Ocean Territory
Administration**
Overseas Territories Directorate
Foreign and Commonwealth Office
King Charles Street
London SW1A 2AH

Website: <https://www.gov.uk>

11 November 2015

FREEDOM OF INFORMATION ACT 2000 - REQUEST REF: 0919-15

Thank you for your email of 18 September 2015 asking for information under the Freedom of Information Act (FOIA) 2000. You asked:

'I'd like to request information on the British Overseas Territory Diego Garcia, and the airbase, buildings and territorial waters and waters past this within 50 miles (including her marine reserve) which you may hold information on. This is not just on British subjects but extended to any subjects who occupy this described area through the lease agreed with the United States government or any other subject known to be present.

I'd like to know if any suspects/subjects of any kind have been held or detained in this described area, either charged, not charged, or under any kind of suspicion, since the lease was signed in 1966 (amended to 2000-2015). This may include people held in aircraft who have landed on the island (evidenced by flight logs), or in ships (or other such vessels) that operate in the described areas.

I'd like to know if any ships moored for 6 months or longer in these water, their identifying features (and those with none which are known to fit this description).'

I am writing to advise you that following a search of our paper and electronic records, we have no further / new information since we responded to previous FOI requests on the same topic:

Under section 21 of the Act, we are not required to provide information that is already reasonably accessible to you. Our responses to two previous FOI requests on this subject are available on the gov.uk website. There are also three written parliamentary questions on this subject, links to all these are provided below.

FOI response dated 22 September 2014:

<https://www.gov.uk/government/publications/foi-release-prisoners-on-diego-garcia>

FOI response dated 22 October 2014:

<https://www.gov.uk/government/publications/foi-release-prisoners-held-in-diego-garcias-prison>

And the following written questions:

17 June 2014:

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2014-06-09/HL126/>

21 July 2014:

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2014-07-07/HL849/>

14 October 2014:

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2014-09-26/HL1931/>

In respect to your final question about whether any ships were moored for 6 months or longer, and their identifying features, the FCO may hold some of the information you ask for. However, section 12 of the Freedom of Information Act makes provision for public authorities to refuse requests for information where the cost of dealing with them would exceed the appropriate limit. The limit has been specified in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004. For central government the appropriate limit is set at £600. This represents the estimated cost of one or more persons spending 3 ½ working days in determining whether the Department holds the information, and locating, retrieving and extracting it. This part of your request as presently formulated is widely-framed and I estimate that it will take more than 3 ½ working days to locate, retrieve and extract this information. In these circumstances we are not obliged under the Act to comply with your request. You may therefore wish to refine your request to narrow its scope to bring it within the appropriate limit. You could refine it by covering one year only; or by excluding the “identifying features” element. We will then consider whether we can provide the information requested within the appropriate cost limit. This would of course be subject to the consideration of whether any of the other exemptions under the FOI Act apply

We were considering this information under section 27 and section 31 of the FOIA, but as it is already in the public domain we consider that these do not apply.

You can find responses to other FOI requests on the FCO's [website](#).

Yours sincerely,

Assistant Administrator
British Indian Ocean Territory Administration

