



Foreign &
Commonwealth
Office

South America Department
Foreign and Commonwealth Office
King Charles Street
London SW1A 2AH

9 July 2015

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

Dear

FREEDOM OF INFORMATION ACT 2000 REQUEST REF: FOI 0372-15

Thank you for your email of 13 April asking for information under the Freedom of Information Act (FOIA) 2000. You asked:

Last week, Argentine Ambassador Alicia Castro was summoned to the British Foreign and Commonwealth Office "to demand an explanation over criticism of the UK government's plan to expand its defences on the islands", according to a recent article published in The Guardian (<http://www.theguardian.com/uk-news/2015/apr/09/foreign-office-summons-argentinian-ambassador-over-falklands-defence-row>).

Can you please provide me with a copy of the letter/email sent to the Argentine Embassy in order to go to the Foreign Office and explain the issue mentioned before? Was there any formal answer from the Argentine Embassy in paper or by email? In that case, please, provide me with a copy, too.

*Could you tell me what the Argentine Ambassador said during this meeting? And the British Foreign Office? I am aware that the FCO released a statement over this issue, but here I am asking for full **detailed information**.*

If you have a transcription of the meeting, please, provide me with a copy.

Finally, I would like to know the names of all the people (British and Argentine) that took part during the meeting, how much time did it last and a copy of all the correspondence between the Argentine Embassy in the UK and the Foreign Office for the last two months.

Following additional contact with you to clarify the last part of your request for *all the correspondence between the Argentine Embassy in the UK and the Foreign Office for the last two months*, we have interpreted this as follows: *all correspondence, from 16 February to 13 April, between the Argentine Embassy in the UK and the Foreign and Commonwealth Office, that relates to Argentina's response to the UK government's announcement regarding*

its defences on the Falkland Islands, and following this – the summons of the Argentine ambassador to the Foreign and Commonwealth Office on 8 April 2015.

We previously wrote to you about your request on 13 May 2015 to say that an exemption applied to your request – section 35 (1) (a) Formulation of Government policy. However, after further consideration we now assess that section 27(1) and (2) apply to the information you have requested.

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.

Please find attached a digest of information that the FCO can release to you. You also asked for the names of those who attended the meeting. I can confirm that Her Excellency Alicia Castro, Ambassador to Argentina; Simon Fraser, Permanent Under Secretary to the Foreign & Commonwealth Office and Kate Smith, Director Americas, Foreign & Commonwealth Office were present. There are however, exemptions to releasing personal data (see below) that applies to other people who were present at the meeting. The meeting lasted for approximately 30 minutes.

Section 27

Some of the information within the scope of your request is exempt under section 27(1) and (2) of the Act as it relates to confidential Government to Government discussion with another State (in this instance, with Argentina about the Falkland Islands). The application of section 27(1) and (2) requires us to consider the public interest test arguments in favour of releasing and withholding the information. 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, which will not be in the public interest. We recognise that there is public interest in this particular subject and a general public interest in transparency and accountability 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.

Section 40

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 section 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.

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Yours sincerely,

South America Department



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