



Foreign &
Commonwealth
Office

12 April 2017

Europe Directorate – External, Western and
Southern Department
Foreign and Commonwealth Office
King Charles Street
London SW1A 2AH

Website: www.gov.uk

Dear

FREEDOM OF INFORMATION ACT 2000 REQUEST REF: 0277-17

Thank you for your email of 17 March 2017 asking for information under the Freedom of Information Act (FOIA) 2000. You asked:

Please provide all communications between the British Embassy in Madrid and the FCO in London concerning the possibility and implications of British expatriates living in Spain returning to the UK as a result of Brexit.

Please provide information from June 23rd 2016 to date.

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.

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. Some information you requested has been generated externally and was shared between the British Embassy in Madrid and the FCO in London. It is available via the following links: <http://www.ecreu.com/pdfs/alternative-white-paper-presented-by-UK-%20citizens-in-europe.pdf>, <https://es.slideshare.net/entornoescorial/euro-citizens-brexitchcerns> and (in Spanish) http://www.elconfidencial.com/espana/2017-02-27/brexit-costa-blanca-marina-alta-alicante-britanicos-turismo_1337775/. The headline of the final link translates as 'The mystery of the thousands of British nationals lost in the Costa Blanca. Official figures speak of thousands of BN leaving the Alicante coast. It is unclear whether the census figures are inaccurate or Brits are really returning to the UK.'

Some of the information you requested is exempt under section 35(1)(a), which relates to the formulation or development of government policy. This exemption requires the application of a public interest test. It is recognised that there is a public interest in the greater transparency in the decision making process to ensure accountability within public authorities. However, officials need to be able to conduct rigorous and candid risk

assessments of their policies, including considerations of pros and cons, without a risk of premature disclosure which may close off better options and inhibit the free and frank discussion of all policy options. The information you have requested refers to the UK's Exit from the EU, a matter which is ongoing and still under discussion. It is our view that disclosure of this information would risk undermining future decision making. For these reasons we consider that the public interest in maintaining this exemption outweighs the public interest in disclosure of the information.

Furthermore, some of the information within scope is exempt under section 27(1)(a), as its disclosure would be likely to prejudice relations between the United Kingdom and another state. As in the case of section 35, the application of section 27(1)(a) requires us to apply a public interest test. We acknowledge that releasing information on this issue would increase public knowledge about our relations with Spain. However, s.27 (1)(a) recognises that the effective conduct of international relations depends upon maintaining trust and confidence between governments. If the United Kingdom does not maintain this trust and confidence, its ability to protect and promote UK interests through international relations will be hampered, which is not in the public interest. For these reasons we consider that, the public interest in maintaining this exemption outweighs the public interest in disclosing it.

Yours sincerely

Europe Directorate – External, Western and Southern Department



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