



An Roinn Gnóthaí Eachtracha agus Trádála
Baile Átha Cliath 2

Department of Foreign Affairs and Trade
Dublin 2

16 February 2017

Ellen Coyne
The Times
4th Floor
Bishop's Square
Redmond's Hill
Dublin 2

Our Ref: FOI/Req/2017/014

Dear Ms. Coyne,

I refer to your recently submitted request for information, made under the terms of the Freedom of Information Act 2014, in which you requested the following:

- 1. All correspondence sent or received by the department over the last year and a half relating to legislation to protect veterans from being investigated for killings during the Troubles*
- 2. All correspondence between the departments and the Northern Ireland Office, the office of the first and deputy first minister of Northern Ireland, the UK Department of Defence on the possible legislation*
- 3. Any internal briefing notes on the possibility of passing such a law, in particular any examination the department has carried out on whether or not such legislation would comply with the Stormont house agreement*

Policy on legacy investigations

The Government is committed to the architecture set out in the Stormont House Agreement which provides the best framework for dealing comprehensively with the legacy of the past. There are no amnesties from prosecution provided for in the Good Friday Agreement or any subsequent agreements including Stormont House. The Government would not look favourably on any proposal to introduce such a measure - for state or non-state actors. The Government's position is that the rule of law including the requirement for effective investigations of unlawful killings must be upheld by all responsible authorities.

Freedom of Information Request

Further to your request under the Freedom of Information Act, I have identified 2 records which fall within the scope of your request. After consideration of the records and the relevant sections of the Act, I have made the decision to release one of these records. I note that this record concerns correspondence that you have had with the Department Press Office, and therefore that the information contained in it is already available to you.

1. Schedule of records

A schedule of records is enclosed with this letter, which shows the documents relevant to your request.

2. Reasons for decision

The refusal to release the first record is based upon the exemptions in the Act relating to "Security, Defence and International relations" 33(1)(d) and 33(2)(b)(i).

In relation to section 33 of the Act, my decision has been informed by consideration of the potential for the release of this record to create difficulty in the conduct of relations between this country and another State, thereby prejudicing the future supply of information required for the effective conduct of international relations.

In relation to section 33(1)(d) I have carefully considered both the nature and source of the record and am satisfied that the public interest is best served in refusing access to this record. I have also refused access under section 33(2)(b)(i); this is a mandatory exemption and so I am obliged to refuse the release of the record.

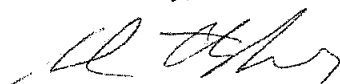
3. Rights of appeal

Should you wish to appeal this decision, you may do so in writing to the Freedom of Information Unit, Department of Foreign Affairs and Trade, 76-78 Harcourt Street, Dublin 2 or by email to foi@dfa.ie. A fee applies for an appeal for access to non-personal information; the level of this fee has been set at €30. For methods of payment, please contact FOI Unit at foi@dfa.ie or on 01 408 2857.

You should make your appeal within 4 weeks (20 working days) from the date of this notification. However, the making of a late appeal may be permitted in appropriate circumstances. The appeal will involve a complete reconsideration of the matter by a more senior member of the staff of this Department.

Should you have any questions or concerns regarding the above, please contact me by telephone on 01 408 2684.

Yours sincerely,



Marie-Claire Hughes
Ireland, UK and Americas Division
Department of Foreign Affairs and Trade