



An Roinn Gnóthaí Eachtracha agus Trádála
Department of Foreign Affairs and Trade

Our Ref: FoI/Req/17/121

19 July 2017

Mr. Ken Foxe

Dear Mr. Foxe,

I refer to the request which you have made under the Freedom of Information Act 2014 (the Act) for access to records held by this Department, as follows:

“Copy of the following submission (taken from the recent FOI release to me): Ireland vs the UK 1978 (17/02).”

I refer also to the acknowledgement of your request which was sent to you on 4 July 2017.

I am the deciding officer in this case and I have identified one record which falls within the scope of your request. The record is listed in the schedule attached. Having considered the record and the relevant provisions of the Act I have made a decision to part-grant access to a copy of the record the subject of your request.

In accordance with section 18 of the Act, a redaction has been made to the copy of the record pursuant to section 37(1) of the Act which obliges me to refuse to grant access to a record in cases where such a disclosure would involve the release of personal information.

I have decided to refuse to grant access to the documentation attached to the record at Tabs A and B pursuant to section 15(1) (d) of the Act on the basis that the information is already in the public domain. Arrangements to access the documents can be made by contacting the Registry of the European Court of Human Rights (European Court of Human Rights, Council of Europe, 67075 Strasbourg CEDEX, France, telephone +33 (0)3 88 41 20 18).

I have decided to refuse access to the documentation attached to the record at Tab C pursuant to section 33(1) (c) and (d) of the Act. The Department's strongly held position is that the granting of access to the record will adversely affect the State's relations and could reasonably be expected to adversely affect matters relating to Northern Ireland. I have considered the possibility and likelihood that the release of the record could result in negative consequences and their likely severity. On balance I believe significant adverse consequences could

reasonably be expected to occur if this record is released and I am satisfied that the balance favours refusal rather than release.

Right 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@dfat.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@dfat.ie, or 01-4082857.

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.

Yours sincerely



Peter White

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SCHEDULE		
Record Description	Granted/Part-Granted/Refused	Section exempted under:
1. Submission to Minister in respect of Ireland v United Kingdom, Application for a revision of the 1978 judgment of the European Court of Human Rights, submission date 15 February 2017	Part-Granted	Section 37(1) Section 15(1)(d) Section 33(1)(c) and (d)