



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

Our Ref: Fol/Req/19/157

10th May 2019

Dear Mr O'Dwyer,

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

- 1. All briefing material prepared for the Tánaiste in advance of his meeting with Chris Murphy, Democratic senator, and the US chargé d'Affaires on March 22.*
- 2. Minutes and all other records of the same meeting.*
- 3. All correspondence between the Tánaiste; Secretary General Niall Burgess; or Barrie Robinson, Political Director, Political Division and the US chargé d'Affaires sent or received in March 2019.*

I refer also to the acknowledgement of your request which was sent to you on 24th April 2019.

I have identified 6 records that fall within the scope of your request. The records are listed in the schedule attached and I have made a decision to grant full release of 4 records and part grant the release of 2 records.

Where access has been only partially released the case relates to section 37(1) Personal Information and section 33 (2) (b) (i) and (ii) Security, defence and international relations.

Section 33 – Security, defence and international relations

While Section 33. (2) (b) (i) and (ii) Security, defence and international relations, is a mandatory exemption I feel it is warranted that I give reasoning to why it has been used. The Department of Foreign Affairs and Trade operates in a complex and diverse international environment. A mutuality of confidence exists in the communication between this Department and our interlocutors. This is particularly the case in respect of diplomatic communications. I have considered the possibility and likelihood that the release of these records could result in negative consequences, and prejudice the ability of this Department to effectively discharge its functions and to continue to engage with outside interlocutors and stakeholders. To do otherwise would risk compromising the State's capacity to engage with international partners through diplomatic and other channels. This is particularly the case where records relate to analysis, actions and information obtained in confidence from external interlocutors who are engaging on a sensitive issue.

Section 37 – Personal information

While Section 37(1) Personal Information is a mandatory exemption I am still obliged to consider whether the public interest would be best served by releasing the records in full. I have taken into account the benefit to the public to be given access to correspondence in a manner which demonstrates transparency and accountability of the Department. The information redacted relates to personal contact information and does not affect the substance of the record. I have particularly considered whether releasing the personal information would provide any additional benefit in this regard. I have weighed this against the right of individuals to have their personal information remain private and have found that there is a clear prerogative for this information to remain private.

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@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 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,
James Rowan

*Americas Unit
Ireland, UK and Americas Division
Department of Foreign Affairs and Trade*