



An Roinn Gnóthaí Eachtracha
Department of Foreign Affairs

Our Ref: FoI/Req/21/202

22 October 2021

Mark Hilliard
Irish Times

Dear Mark,

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

The original request was: *“Internal memos, emails and communications among staff at the Abu Dhabi embassy (Afghanistan section) with regard to the evacuation of, and assistance for, Irish citizens, residents and dependants from Afghanistan within the last three months.”*

You later agreed to reduce the scope to 1 August – 2 September, and extended the deadline for response to 13 October. The nature of records requested remained the same.

The deadline for response was further extended to 22 October. The nature of records requested remained the same.

I have identified 107 records that fall within the scope of your request. The records are listed in the schedule attached. I have made a decision to grant 16, part-grant 58 and refuse 33 of the records. The released records can be downloaded at <https://dfa-ie.sharefile.eu/d-s493b92f2ddaa49de8c36e760a4747856>

The schedule of records attached details the documents deemed relevant to your request. The schedule also indicates which records have been granted, part-granted and refused on the basis of exemptions provided for in the Act. Certain records have been redacted/refused for the following reasons:

Section 32 – Law enforcement and public safety

Section 32 (1) (b) states *A head may refuse to grant an FOI request if access to the record concerned could, in the opinion of the head, reasonably be expected to...endanger the life or safety of any person...*

I am of the view that release of certain records, especially those concerning Human Rights Defenders, may reasonably be construed as compromising the safety of individuals and this

information has therefore been refused in full. I am satisfied that the balance favours refusing these records in full.

Section 33 – Security, defence and international relations

Section 33 (1) (d) states *A head may refuse to grant an FOI request in relation to a record (and in particular but without prejudice to the generality otherwise of this subsection, to a record to which subsection (2) applies) if, in the opinion of the head, access to it could reasonably be expected to affect adversely...the international relations of the State.*

I am of the view that release of certain records or parts thereof, may reasonably be expected to adversely affect the international relations of the State and this information has therefore been redacted/refused in full. I have considered the possibility and likelihood that the release of the records could result in negative consequences and their likely severity. I am satisfied that the balance favours refusing/part-granting these records.

Section 33 (2) (a) states *This subsection applies to a record that...contains information that relates to the tactics, strategy or operations of the Defence Forces in or outside the State...in which case (that is to say, either of the cases falling within subparagraph (i) or (ii)), the request shall be refused.*

I am of the view that release of certain records or parts thereof, may reasonably be expected to adversely effect the operation of the State's Defence Forces and this information has therefore been refused in full. I am satisfied that the balance favours refusing these records.

Section 33 (2) (b) states *This subsection applies to a record that...contains a communication between a Minister of the Government or his or her Department or Office and a diplomatic mission or consular post in the State or of the State or a communication between the Government or an officer of a Minister of the Government or another person acting on behalf of such a Minister and another government or a person acting on behalf of another Government...in which case (that is to say, either of the cases falling within subparagraph (i) or (ii)), the request shall be refused.*

I have decided to refuse records that are diplomatic communications between the Embassy of Ireland Abu Dhabi and the UAE authorities. A mutuality of confidence exists in the communication between this Department and our interlocutors. The Department needs to maintain this level of confidentiality in respect of diplomatic communications to enable it effectively discharge its functions. I am of the view that release of these records may reasonably be expected to adversely affect the international relations of the State and have decided to refuse access to these records.

Section 37 – Personal information

Section 37 (1) states *Subject to this section, a head shall refuse to grant an FOI request if, in the opinion of the head, access to the record concerned would involve the disclosure of personal information (including personal information relating to a deceased individual).*

I have decided to refuse/redact records that contain personal information. 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. I have particularly considered if the release of personal information of individuals would provide any additional benefit in this regard. I have weighted this against the right of the individuals to have their personal information remain private. The personal information which has been redacted/refused does not have any bearing on the substance or details of the records and I am satisfied that on balance the decision to partially redact/refuse to release is correct.

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, (€10 for medical card holders). A copy of the medical card should be provided to avail of the reduced fee. For methods of payment, please contact FOI Unit at foi@dfa.ie, or 01-4082618.

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,

Shirley Pollock
Embassy of Ireland
Abu Dhabi