



An Roinn Gnóthaí Eachtracha
Department of Foreign Affairs

Our Ref: Fol/Req/21/024

Date: 16 February 2021

Dear Mr. Mooney

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:

I wish to obtain the following records under the Freedom of Information Act. I wish to obtain all notes and records concerning the visit by Mr. You Quan, who is a member of the Central Committee Secretariat of the Communist Party of China, and Head of the United Front Work Department. He travelled to Ireland between 5-7 June in 2019 and met with the Ceann Comhairle.

I also wish to obtain all notes and records held by the Department concerning Mr. Qiangba Puncog, the Former Vice-Chairman of Standing Committee of the National People's Congress and incumbent President of China Society for Human Rights Studies (CSHRS). He visited Ireland between 15-18 June 2019.

I refer also to the acknowledgement of your request which was sent to you on 27 January 2021.

The above-mentioned visits took place in June 2019 as part of a series of high-level visits marking the 40th anniversary of diplomatic relations between Ireland and China.

I have identified 82 records that fall within the scope of your request. The records are listed in the schedule attached. I have made a decision to grant 13 of the records, part-grant 6 of the records, and refuse 63 of the records.

Where access has been refused, the records are exempt from release under Section 33(1)(d), which stipulates that a head may refuse to grant an FOI request in relation to a record if, in the opinion of the head, access to it could reasonably be expected to adversely affect international relations of the State. Subsection 33(2)(b)(ii) is also relevant for a number of these records, as it applies to a record that contains a communication between a Minister of 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 - other than a record containing analysis, opinions, advice, recommendations and the results of

consultations or information, the release of which, in the opinion of the head, could reasonably be expected to affect adversely the international relations of the state.

In this instance, a number of the records contain diplomatic communication between the Department and a resident diplomatic mission. A mutuality of confidence exists in the communication between this Department and our interlocutors, and this is particularly the case in respect of diplomatic communications. A number of the records also contain information pertaining to the security protocols involved in a high-level visit, as well as discussions surrounding the programme, agenda and briefing required for this visit. 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.

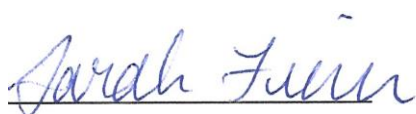
In addition to this, I have also applied Section 37(1) Personal Information to a small number of these records. While this is a mandatory exemption I am still obliged to consider whether the public interest would be best served by releasing the records in full. I have taken into account the benefit to 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, (€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



Sarah Finn
Desk Officer, Asia Pacific Unit