



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

Our Ref: FOI Req 18-026

Date: 14 March 2018

Dear Requester,

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:

*"A copy of the emails, cables, reports, memos from the 1st of January 2016 to the 31st of January 2018 mentioning and referring to the case of Giulio Regeni, the Italian Cambridge Ph.D."*

I refer also to the acknowledgement of your request which was sent to you on 5 March 2018. I have identified 106 records that fall within the scope of your request. The records are listed in the schedule attached. I have made a decision to grant 3, part-grant 25, and refuse 78 of the records. Where access has been refused, the records are exempt from release under sections 15, 33, 35 and/or 37 of the Freedom of Information Act 2014 (Act). I also note that several records have been excluded under Section 42(j) of Act. Under this section, the Act does not apply to records given to a member of Government or a Minister of State for the purposes of proceedings in either House of the Oireachtas or any committee or subcommittee thereof.

Under Section 15, information may be exempted from release if it is already in the public domain. I have exempted from release information from 4 records under this section.

Exemptions under Section 33 relate to the Security, defence and international relations of the State. I have refused or part-refused 46 records under Sections 33(2)(b)(i) and/or 33(2)(b)(ii). These are mandatory exemptions under the legislation, and I am obliged to refuse access to information from records falling within those sections. I have also exempted information from a further 15 records under Section 33(1)(d) of the Act, on the basis that access to said information could reasonably be expected to adversely affect the international relations of the State. The Department of Foreign Affairs and Trade is responsible for managing relations between Ireland and 178 countries. Based on the Department's direct knowledge and expertise in international relations, its strongly held position is that the mere granting of access to this information would adversely affect the State's relations by, among other things, introducing major doubts with regard to the security and confidentiality of our diplomatic communications. It is important to maintain that mutuality of trust in order to protect and promote Ireland's interests internationally. My decision to refuse access to the information contained in these 15 records is informed by my consideration of the likelihood that its release could result in negative consequences, and the likely severity of said consequences.

Under Section 35, I have also exempted from release information from a further 9 records. The information refused under Section 35 was given in confidence, on the understanding that it would be treated as confidential. This is also a mandatory exemption. I have taken into consideration your right to access information, however I am satisfied that releasing the information in these records would probably impair the workings of this Department (in particular by undermining the sourcing of such information in future) without any countervailing benefit to the broader public interest.

Finally, under Section 37(1) – Personal Information, I have exempted information from 17 records from release. Section 37(1) is also a mandatory exemption. I have considered the public interest in the context of the public right to access information. However, I am satisfied that, on balance, the broader community interest, as distinct from your particular interest, is best served by protecting the privacy (including personal contact details) of the individuals concerned.

#### 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](mailto: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](mailto:foi@dfa.ie), or +353 (0)14082857.

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,

A handwritten signature in blue ink, appearing to read 'Liam O'Flaherty', written over a horizontal line.

Liam O'Flaherty  
Middle East and North Africa Unit  
Department of Foreign Affairs and Trade  
+353 (0)1408-2260, [liam.oflaherty@dfa.ie](mailto:liam.oflaherty@dfa.ie)