



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

Our Ref: FoI/Req/18/300

9 January 2019

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:

'I would like to make an FOI request in relation to Dublin City Council and Israel. Motions were passed in April and in July on goods and services produced in Israeli settlements, on boycotting Hewlett Packard goods and services due to the company's association with Israel, and on calling on the government to expel the Israeli ambassador. The motions were:

- 1. Motion on notice at the July meeting.*
- 2. Emergency motion 3 at the April meeting.*
- 3. Motion on notice at the April meeting.*

I am looking for any correspondence to/from the department on this subject, either with the council or with other interested parties for the period 1 March to 30 July 2018. This is restricted to records held by officers in the Middle East Unit who were covering Israel and Palestine during the period in question.'

I refer also to the acknowledgement of your request which was sent to you on 6 December 2018. I also wish to thank you for your cooperation in refining the scope of your request.

I have identified 6 records that fall within the scope of your request. The records are listed in the schedule attached. I have made a decision to grant 1, part-grant 3 and refuse 2 of the records.

The schedule sets out the grounds for refusal which relate to each record. Those include:

Section 33 (1) (d) of the Act, which relates to records which, if released, could reasonably be expected to adversely affect the international relations of the State. The granting of access to this information would adversely affect the State's relations by, among other things, undermining confidence in 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.

Section 35 (1) (a), which refers to records containing information given to an FOI body in confidence. I believe that granting access to information which falls under this exemption would prejudice such giving of information in future, which would hinder the Department's ability to carry out its work. I am therefore obliged to refuse access to these records.

Section 36 (1) (b) of the Act, which states that a record shall be refused if it contains "financial, commercial, scientific or technical or other information whose disclosure could reasonably be expected to...prejudice the competitive position of that person in the conduct of his or her profession or business or otherwise in his or her occupation". I have considered the public interest arguments, which include the need for transparency and accountability around the workings of the Department. However, the argument against release of the information is that the company concerned would be impeded in its pursuit of its business should the information be disclosed. On balance, I am satisfied that access to this record should be refused.

One record was refused under Section 33(2) (b) (i) of the Act- Security, Defence and International Relations. This is a mandatory exemption and I am obliged to refuse access.

Where access has been part-granted, these records have been redacted under Section 37 of the Act, to withhold personal information (e.g. email addresses, telephone numbers, home addresses etc.). The records are otherwise complete. Details of Department of Foreign Affairs and Trade officials dealing with the matter have not been redacted.

Please note that, while every reasonable effort has been made to identify all records that fall within the scope of your request, given that all correspondence to this Department is not always filed under the subject matter (e.g. Dublin City Council Motions), we cannot guarantee that all records have been identified. However, we have no reason to believe that any records have been overlooked.

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,

A handwritten signature in black ink, appearing to be 'Lydia Bowers', written over a horizontal line.

Lydia Bowers

Middle East and North Africa Unit

Department of Foreign Affairs and Trade