



An Roinn Gnóthaí Eachtracha agus Trádála
Baile Átha Cliath 2

Department of Foreign Affairs and Trade
Dublin 2

14 October 2016

Niall Sargent

Our Ref: FoI / Req/ 2016/132

Dear Mr Sargent

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 list of all meetings (national & European level) from 1 Jan 2016-Present in relation to the EU-Turkey Joint Action Plan at which a Representative(s) of the department was present, to include date, location, and all Irish participants and their organization /agency;
- A list of all meetings (national & European level) from 1 Jan 2016-Present in relation to the Steering Committee of the Facility for Refugees in Turkey at which a Representative(s) of the department was present, to include date, location, and all Irish participants and their organization /agency;
- A copy of all meeting (national level) minutes from 1 Jan 2016-Present at which Ireland's funding of the €3 billion EU refugee facility for Turkey was discussed;
- A copy of all contracts from 1 Jan 2016-Present concerning Ireland's funding of the €3 billion EU refugee facility for Turkey;
- A copy of all official* correspondence from 1 Jan 2016-Present concerning Ireland's funding of the €3 billion EU refugee facility for Turkey;
- A copy of all official correspondence from 1 Jan 2016-Present concerning Ireland's role on the Steering Committee of the Facility for Refugees in Turkey
- A copy of all reports (incl drafts) and memos (incl drafts) from 1 July 2016-Present concerning Ireland's funding of the €3 billion EU refugee facility for Turkey

I refer also to the acknowledgement of your request which was sent to you on 28 September 2016.

I have identified 77 records that fall within the scope of your request. The records are listed in the schedule attached. I have made a decision to grant 14, part-grant 3 and refuse 60 of the records.

Where access has been refused, the records are exempt from release under sections 28, 29, 30, 33.1(d) and 35.

I have included a separate Excel Spreadsheet showing the list of meetings requested by you.

In relation to Section 29 of the Act, Deliberations of FOI Bodies, I have exempted Records 28-30, 32, 34 (part), 41, 46 and 58. I have considered whether the public interest would be better served by releasing the record in question in terms of the right of the public to have access to information and the need for transparency in decision making processes. However, given the sources and nature of the records I am satisfied that on balance the public interest would not be best served by releasing the information.

The Department of Foreign Affairs and Trade is responsible for managing relations between Ireland and 178 countries. In order to effectively carry out this role, the conduct of international relations depends upon the creation and maintenance of trust and confidence between governments. If the Department does not maintain the mutuality of trust, its ability to protect and promote Ireland's interests through the effective conduct of international relations will be hampered and could reasonably be expected to adversely affect the international relations of the State. For these reasons, many of the Records to which I have exempted access have been withheld under Section 33 of the Freedom of Information Act, 2014.

I have exempted records 33, 47 under Section 30 –Functions and Negotiations of FOI Bodies as release of the information would disclose positions taken by the Department. As outline above, release of the information would have a signification adverse impact on the effective conduct of international relations by this Department. I have considered the right of the public to have access to information and the need for an open and accountable civil service. I am satisfied that the balance favours refusal rather than release.

Section 35 of the Freedom of Information Act, 2014, establishes a duty to refuse access to a record if it contains information given body in confidence and on the understanding that it would be treated by it as confidential. I am required to apply public interest arguments in favour of releasing or withholding the information. The factors I have considered include the right of the public to access information and the need for an open and accountable civil service. However, I feel that releasing the information would impair both future sources of important information and the decision making of the Department. On balance I am satisfied that the public interest is best served by not releasing the records. I have exempted access to Record 8 under this Section of the Act.

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@dfat.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@dfat.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

Derek Hannon
Deputy Director
Europe Division
DL 408 2621
