



An Roinn Gnóthaí Eachtracha agus Trádála
Baile Átha Cliath 2

Department of Foreign Affairs and Trade
Dublin 2

22 December 2016

Our Ref: Fol/Req/2016/198

Mr. Wayne O'Connor,
Sunday Independent
Independent House
27-32 Talbot Street
Dublin 1

Dear Mr. O'Connor,

I refer to the request which you have made under the Freedom of Information Act 2014 for access to non-personal records held by this Department from 1 January 2016 and the date of your request, 29 November 2016, as follows:

- Any records, correspondence, reports, memos and briefing documents prepared for/by the department about Irish citizens among fighters/recruiters working with/for Islamic State (IS, Isis, Isil);
- Any records, correspondence, reports, memos and briefing documents prepared for/by the department about Khalid Kelly (also known as Terrence Kelly or Abu Osama Irelandi);
- Any records, correspondence, reports, memos and briefing documents prepared for/by the department about Irish people detained in the Middle East for alleged involvement in international conflicts; and
- Any records, correspondence, reports, memos and briefing documents prepared for/by the department about Irish people involved in conflicts in the Middle East.

I refer also to the acknowledgement of your request which was sent to you on the 7th December.

The policy of the Department of Foreign Affairs and Trade is not to comment in detail on individual consular cases and, under data protection legislation, we are precluded from providing sensitive, personal information to third parties.

I have, otherwise, identified 8 records in this Department that fall within the scope of your request. The records are detailed in the schedule attached.

Records 1-5 constitute weekly briefing documents on the Syrian conflict for use during Leaders Questions. Extracts from those briefings fall within the scope of your request. I have made a decision to grant in full those extracts.

In the case of Record Number 6, I have made a decision to refuse access to the record on the basis of an exemption provided for under Section 33.1(d) of the 2014 Act. It is my opinion that access to this

detail "could reasonably be expected to affect adversely...the international relations of the State" and specifically under an exemption provided under Section 33.2(b)(ii) where a record which "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—...other than a record containing analysis, opinions, advice, recommendations and the results of consultations or information which, in the opinion of the head, could reasonably be expected to affect adversely the international relations of the State".

I have made a decision to release Records 7 and 8 in part. I have redacted the names and email addresses of those Department of Justice officials with responsibilities in the area of counter-terrorism on the grounds that this information is considered to be personal in nature, which, if published, may adversely affect the personal safety and security of the individuals concerned and which, in my opinion, under Section 33.1 (a) and(b) "access to it could reasonably be expected to affect adversely (a) the security of the State, (b) the defence of the State. I have redacted the name of the subject of the correspondence in both records 7 and 8 on the basis of an exemption provided for under Section 33.1(d) of the 2014 Act. It is my opinion that access to this detail "could reasonably be expected to affect adversely...the international relations of the State" and specifically under an exemption provided under Section 33.2(b)(ii) where a record which "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—...other than a record containing analysis, opinions, advice, recommendations and the results of consultations or information which, in the opinion of the head, could reasonably be expected to affect adversely the international relations of the State".

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



Bob Patterson
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International terrorism, Illicit Drugs, Afghanistan
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