



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

Our Ref: Fol/Req/19/236

17 September 2019

Dear Mr Doyle,

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 make a request under the Freedom of Information Act. I am seeking copies of all correspondent (internal and external) with the Department of Foreign Affairs relating to an Irish citizen in Syria, commonly known to be Lisa Smith. I understand that specifics relating to her case/consular assistance will fall outside FOI - however, I believe emails/letters relating to public opinion, PR strategy, ministerial briefings and similar does come within the scope of FOI.

I am happy to receive this information in print or electronic format, depending on what is most convenient for your department.'

I refer also to the acknowledgement of your request which was sent to you on 8 August 2019.

I have identified 214 records that fall within the scope of your request. The records are listed in the schedule attached. I have made a decision to part-grant the release of 85 records and refuse the release of 129 records.

In relation to the 85 records, the release of which has been part-granted, personal information has been redacted from all records under Section 37(1). While Section 37(1) Personal Information 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. In the main, 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.

I have decided to refuse the release of 2 records under Section 28 of the Act as they relate to discussions at cabinet.

I have decided to refuse the release of 127 records in accordance with Section 29(1) of the Act as they relate to a deliberative process. I have considered whether the public interest would be better served by releasing the records in terms of the right of the public to have access to information and the need for accountability and transparency in the decision making processes of public bodies. However, I am satisfied that the release of these records would negatively impact on the decision making and information sharing process of this Department and would adversely affect the ability of this Department to continue its work on this sensitive case and with the same interlocutors.

I have decided to refuse the release of 124 records in accordance with Section 30(1)(c) of the Act, on the basis that access to the records concerned could reasonably be expected to disclose positions taken, or to be taken, or plans, procedures, criteria, or instructions used or followed, or to be used or followed, for the purpose of any negotiations carried on or being or to be, carried on by or on behalf of the Department in relation to this highly sensitive consular case. On balance, I believe the public interest rests in not releasing these records at this time.

49 records have been refused release under Section 32(1)(b) of the Act, as I believe their release could reasonably be expected to endanger the life or safety of an individual.

112 records have been refused release under Section 33(1)(d) as I believe their release could reasonably be expected to affect adversely the international relations of the State.

International relations are the cornerstone of the work of the Department of Foreign Affairs & Trade. Our ability to conduct business with our international partners in confidence with regard to sensitive matters is fundamental to the conduct of international relations. I believe that the release of the records, which pertain to a highly sensitive consular case, would adversely affect the international relations of the State and the State's ability to engage with international partners in this and future sensitive cases.

4 records have been refused release under Section 33(2)(b)(ii). This is a mandatory exemption where the record is a diplomatic communication and where the release of the information could reasonably be expected to affect adversely the international relations of the state

107 records have been refused release under Section 35(1) as the records contain information given in confidence and on the understanding that it would be treated as confidential. I believe that the release of this information would prejudice the giving of further similar information to the Department, which would have a major impact on the Department's ability to manage this sensitive consular case as well as future complex cases. I believe that it is of vital importance to the work of the Department that further similar information should continue to be provided.

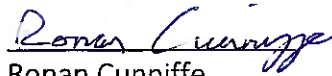
29 records have been refused release under Section 37 (1) of the Act, as I believe that their release would involve the disclosure of personal information.

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



Ronan Cunniffe

Consular Directorate