



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

Our Ref: Fol/Req/18/011

Date: 14 February 2018

Dear Mr. McEnroe,

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 US decision to relocate the US Embassy in Israel to Jerusalem' with other Government Departments and Ministers; from the Embassies of the USA and Israel, as well as the Palestinian Mission, accredited to Ireland; and from the Irish Embassy in Tel Aviv or the Irish Representative Office in Ramallah, for the period 1st to 31st December 2017.

I refer also to the acknowledgement of your request which was sent to you on 31 January. I have identified 39 records that fall within the scope of your request. The records are listed in the schedule attached. I have made a decision to grant 11, part-grant 23 and refuse 5 of the records. Where access has been refused, the records are exempt from release under sections 33, 35 and 37 of the Act.

Exemptions under Section 33 relate to the Security, defence and international relations of the State. I have refused or part-refused 10 records under Sections 33(2)(b)(i) and 33(2)(b)(ii). These are mandatory exemptions under the legislation and I am obliged to refuse access to records falling within those sections. I have also exempted information from a further 7 records under Section 33(1)(d) of the Act. 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 records will adversely affect the State's relations by introducing major doubts with regard to the security and confidentiality of our diplomatic communications. It is important to maintain that mutuality of trust to protect and promote Ireland's interests internationally. I have considered the possibility and likelihood that the release of the records could result in negative consequences and their likely severity. On balance I am satisfied that the balance favours refusal rather than release.

Under Section 35, I have also exempted from release information from a further 8 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 considered your right to access information however I am satisfied that releasing the information would impair future sources of such information and impair the workings of this Department without any countervailing benefit to the broader public interest.

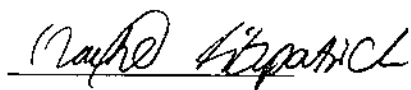
Finally, under Section 37(1) – Personal Information, I have exempted information from 3 records from release. S37(1) is also a mandatory exemption and I am obliged to refuse access to these records. I have considered the public interest in the context of the public right to access information. However, I am satisfied that on balance the broader community interest, as distinct to your particular interest, is best served by protecting the privacy of officers and refusing access to the 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. 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 read "Rachel Fitzpatrick", written over a horizontal line.

Rachel Fitzpatrick
Middle East and North Africa Unit
Department of Foreign Affairs and Trade
01-408-2182, rachel.fitzpatrick@dfa.ie