



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

Our Ref: Fol/Req/18/068

18 April 2018

Dear Mr O’Caoimh,

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:

*Records created between 23 June 2016 and 29 March 2017 referencing a veto on the part of Ireland in respect of any final EU withdrawal agreement with the UK.*

I have identified 16 documents that fall within the scope of your request. The records are listed in the schedule attached. I have made a decision not to grant access to the documents listed on the basis of sections 15(1)(d), 30(1)(c) and 33(1)(d) of the Freedom of Information Act 2014, as amended.

As regards records exempted under Section 15(1)(d) of the Act – *Refusal on administrative grounds to grant FOI requests*, as referenced in the schedule, I am satisfied that the information contained in these records is already publicly available.

As regards records exempted under Section 30 of the Act - *Functions and Negotiations of FOI Bodies*, as referenced in the schedule, I am satisfied that premature release of certain records would result in the disclosure of 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 Government or this Department. I have considered whether the public interest would be better served by releasing the records in question in terms of the right of the public to have access to information and the need for an open and accountable civil service. However, I am satisfied that on balance the public interest would not be best served by releasing the information.

For records exempted under Section 33(1)(d) - *Security, defence and international relations*, as referenced in the schedule, I have considered the possibility and likelihood that the release of the records could result in negative consequences for Ireland’s international relations and their likely severity. This Department is responsible for managing relations between Ireland and 178 countries, in a complex and diverse environment. Based on the Department’s direct knowledge and expertise in international relations, its strongly held position is that the mere

granting of access to scheduled records will adversely affect the State's relations. I am therefore satisfied that the balance favours refusal rather than release.

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](mailto: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](mailto: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



Niamh Moore