



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

Our Ref: Fol/Req/18/263

Date 5 November 2018

Ms Clare Daly
Dáil Éireann
Leinster House
Kildare Street
Dublin 2

Dear Deputy Daly,

I refer to the request which you have made, dated 5 October 2018, under the Freedom of Information Act 2014 for access to records held by this Department, as follows:

All correspondence between the Department of Foreign Affairs and the European Council, European Commission and European Foreign Affairs Council in regard to EUNAVFOR Med (Operation Sophia) discussing Ireland's role in Operation Sophia, which makes specific reference to Irish expertise in maritime search and rescue;

Minutes of all meetings between the Minister/Department of Foreign Affairs and European Council, European Commission and European Foreign Affairs Council representatives in regard to EUNAVFOR Med (Operation Sophia) which involve discussion of Ireland's role in Operation Sophia, and which include specific reference to Irish expertise in maritime search and rescue;

All correspondence between the Department of Foreign Affairs and the European Council, European Commission and European Foreign Affairs Council in which it is set out/agreed that Ireland is participating in Operation Sophia solely in a humanitarian search and rescue role; and

Minutes of all meetings between the Minister/Department of Foreign Affairs and European Council, European Commission and European Foreign Affairs Council representatives in regard to EUNAVFOR Med (Operation Sophia) which involve discussion of Ireland's role in Operation Sophia and which involve specific reference to Ireland participating in Operation Sophia solely in a humanitarian search and rescue role.

I refer also to the acknowledgement of your request which was sent to you on 17 October 2018 and your subsequent letter of 23 October 2018 in reply to that acknowledgement.

I have identified 4 records that fall within the scope of your request. The records are listed in the schedule attached.

I have made a decision to refuse access to all four records on the following basis:

I have made a decision to refuse access to the records concerned 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". In making this decision I have considered the public interest in favour of disclosure but have determined that the release of such records would impair the decision-making process without a countervailing benefit to the public and would go against the expectation of the preservation of confidentiality.

I am required to refuse access to the records on the basis of an exemption provided for under Section 33 (2) (a) of the 2014 Act that such records contain "information that relates to the tactics, strategy or operations of the Defence Forces in or outside the State".

Finally, I am required to refuse access to the records concerned on the basis of an exemption provided for under Section 33 (3) (c) ii where a head "shall refuse to grant an FOI request" if the records concerned contain "information communicated in confidence...from, to, or within an international organisation of states or a subsidiary organ of such an organisation or an institution or body of the European Union, or relates to negotiations between the State and such an organisation, organ, institution or body, or is a record of such a body containing information the disclosure of which is prohibited by the organisation, organ, institution or body".

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



Bob Patterson
Deputy Director

International Security Policy Unit/Department of Foreign Affairs and Trade