



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

Mr. Jack Power

Our Ref: Fol/Req/2018/283

5 December 2018

Dear Mr Power,

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:

Any correspondence between (sent and received, including attachments) between the Chinese embassy in Ireland and the Department, between 1st January 2017 and 31st October 2018, in relation to the following areas:

- The Confucius Institute of Ireland/the Confucius Centre being constructed in UCD
- The expansion of the Irish embassy in China
- Contacts between Irish politicians/Government and Taiwan
- Criticism of the Chinese Government, or the Communist Party of China.

I refer also to the acknowledgement of your request which was sent to you on 9 November.

I have identified 9 records that fall within the scope of your request. The records are listed in the schedule attached. I have made a decision to refuse all of these records.

Access to these documents has been refused under Security, Defence and international Relations - Section 33(1)(d) and Section 33(2)(b)(i). The Department of Foreign Affairs and Trade is responsible for managing relations between Ireland and 178 countries. Successful diplomatic relations depends upon the creation and maintenance of trust and confidence between governments. Based on the Department's direct knowledge and expertise in conducting international relations in a complex and diverse environment, its strongly held position is that the 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 potential impact that the release of the records could have in our capacity to conduct our international relations. On balance I am satisfied that this favours refusal rather than release.

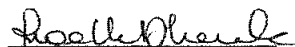
I have also considered Section 35 (1)(a) of the Act in making my decision not to release certain documents. The factors I have considered include the right of the public to have access to information; the need for an open, transparent and accountable civil service and the need for decision-making to be scrutinised. On balance, I am satisfied that the public interest would not be better served by the release of these records. This decision is grounded in the fact that the Department of Foreign Affairs and Trade is regularly provided with information by interlocutors on the basis that it be treated confidentially. Access to such information can prove essential in allowing the Department to advance Ireland's interests abroad. In this instance, the release of such material could reasonably be expected to preclude further access to such information, with adverse consequences for the ability of the Department to carry out its functions.

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



Fiona Nic Dhonnacha
Deputy Director
Asia Pacific Unit