



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

Our Ref: FOI/Req/19/055

Date: 22 February 2019

Dear Mr. Horgan-Jones,

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:

Please find below a request under the Freedom of Information Act 2014 for:

1. All records associated with this entry in the lobbying database:

<https://www.lobbying.ie/return/37140/microsoft-ireland-operations-ltd>

I refer also to the acknowledgement of your request which was sent to you on 04 February 2019.

I have identified 3 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 one of the records and to refuse two of the records. The decision to part-grant is on the basis of an exemption provided for under Section 29 (1) (a) of the 2014 Act where “A head may refuse to grant an FOI request...if the record concerned contains matter relating to the deliberative processes of an FOI body.” The decision to refuse is on the basis of an exemption provided for under section 35 (1) (a) of the 2014 Act where “a head shall refuse to grant an FOI request if...the record concerned contains information given to an FOI body, in confidence and on the understanding that it would be treated by it as confidential”.

The meeting with Mr Frank, Microsoft’s Vice-President for EU Government Affairs, was an introduction to a set of ‘Principles of digital peace’ which were being developed principally by France. Microsoft were one of the private sector partners to the initiative and were making representations to governments with a view to endorsing the principles. The draft principles later became the ‘Paris Call to Action for Trust and Security in Cyberspace’, as launched by France on 12 November 2018. The Call to Action has to date received the backing of more than 500 supporters, including 64 States, 328 entities of the private sector and 129 international and civil society organisations.

In relation to Section 29 of the Act, Deliberations of FOI Bodies, 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 transparency in the decision making process. However, given the sources and nature of the records I am satisfied that on balance the public interest would not be best served by releasing the information.

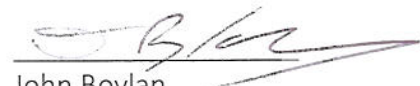
With regard to information refused under Section 35 of the Act, Information received in Confidence, this relates to information given in confidence on the understanding that it would be treated as confidential. This is also a mandatory exemption. I have considered your right to access information, however 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.

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



John Boylan
Deputy Director
International Security Policy Unit
Department of Foreign Affairs and Trade