



Our Ref: FOI Req 19-193

Date: 2 August 2019

Dear Mr. Brady,

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 held by the Middle East and North Africa Unit and/or the Tánaiste’s office of the Department of Foreign Affairs and Trade, as follows:

- *Any correspondence with the Saudi Embassy in Dublin and/or the Saudi government, since June 2018.*
- *Any records - emails, memos, documents, etc. - circulated regarding any Government visits to Saudi Arabia, or visits by Saudis officials to Ireland, which are planned to take place between June 2019 and June 2020 inclusive.*
- *Any records - emails, memos, documents, etc. - relating to the killing of Saudi journalist Jamal Khashoggi, in October 2018 and in June 2019.”*

I have identified 120 records that fall within the scope of your request. The records are listed in the schedule attached. I have made a decision to grant 14, part-grant 33, and refuse 73 of the records. Where access has been refused, the records are exempt from release under sections 29, 33, 35, and/or 37 of the Freedom of Information Act 2014 (the Act). I also note that 9 records have been excluded under Section 42(j) of the Act. This section applies to records given to a member of Government or a Minister of State for the purposes of proceedings in either House of the Oireachtas or any committee or subcommittee thereof; the Act does not apply to such records and these are excluded from the schedule.

Exemptions under Section 33 relate to the security, defence and international relations of the State. I have refused or part-refused 90 records under Sections 33(2)(b)(i) and/or 33(2)(b)(ii). These are mandatory exemptions under the legislation, and I am obliged to refuse access to information from records falling within those sections.

I have also exempted information from 78 records under Section 33(1)(d) of the Act, on the basis that access to said information could reasonably be expected to adversely affect the international relations of the State. 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 this information would adversely affect the State’s relations by, among other things, introducing major doubts with regard to the security and confidentiality of our diplomatic communications. It is important to maintain that mutuality of trust in order to protect and promote Ireland’s interests internationally. My decision to refuse access to the information contained in these 78 records is informed by my consideration of the likelihood that its release could result in negative consequences, and the likely severity of said consequences.

One document has been withheld under Section 33(3)(c)(i). This document relates to information communicated in confidence and is connected with the protection of human rights. 10 documents have been withheld under Section 33(3)(c)(ii), as these documents relate to European Union (EU) negotiations. These are mandatory exemptions.

Under Section 35(1)(a), I have exempted from release information from 17 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 taken into consideration your right to access information, however I am satisfied that releasing the information in these records would probably impair the workings of this Department (in particular by undermining the sourcing of such information in future) without any countervailing benefit to the broader public interest.

Finally, under Section 37(1), I have exempted information from 28 records. Section 37(1) refers to personal information and is a mandatory exemption. 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 from your particular interest, is best served by protecting the privacy (including contact details) of the individuals concerned.

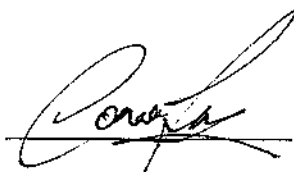
To note, Record 101 (the Report of the UN Special Rapporteur regarding the killing of Jamal Khashoggi) is annexed separately to the main body of documents, due to its significant size.

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 +353 (0) 1 408 2857.

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,



Conor Finn
Middle East and North Africa Unit
Department of Foreign Affairs and Trade
+353 (0) 1 408 2184, conor.finn@dfa.ie