



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

Our Ref: Fol/Req/19/356

Date: 24 January 2020

Dear Mr. Keena,

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

'All correspondence between the Asia Pacific Unit and the Secretary General's Office and Tánaiste's Office on the topic of Xinjiang/ Uyghurs, from January 2017 to December 2019.'

I refer also to the acknowledgement of your request, which was sent to you on 19 December 2019.

Ireland remains deeply concerned over the human rights situation in Xinjiang, and has consistently raised our concerns with Chinese authorities. This has been done publicly in multilateral fora, including signing a Joint Letter at the Human Rights Council in Geneva in July 2019, and our signature of a Joint Statement at the UN Third Committee in New York in October 2019. We also continue to raise this issue with our Chinese counterparts in bilateral meetings at official and political level, both in Dublin and in Beijing.

The issues concerned has demanded considerable work by the department and has generated several documents, notes and e-mail messages. I have identified 49 such records that fall within the scope of your request. These records are listed in the attached schedule.

I have made a decision to part-grant 7 records, and refuse 42 records.

The decision to part-grant the records has been taken in correspondence with Section 37(1) of the Freedom of Information Act. While Section 37(1) Personal information is a mandatory exemption, I am still obliged to consider whether the public interest would be best served by releasing the records in full. I have taken into account the benefit to the public to be given access to correspondence in a manner which demonstrates transparency and accountability of the Department. I have particularly considered whether releasing the personal information, which includes names, addresses, email addresses etc., would provide any additional benefit in this regard. I have weighed this against the right of individuals to have their personal information remain private. The personal information which I have redacted does not have any bearing on the substance or detail of the records, and does not diminish or alter the views expressed, and as such, I am satisfied that on balance the decision to partially redact the records and remove identifiable information is correct.

The decision to refuse the records has been taken in correspondence with Section 33(1)(d) of the Freedom of Information Act. Section 33(1)(d) stipulates that a head may refuse to grant an FOI request in relation to a record if, in the opinion of the head, access to it could reasonably be expected to adversely affect international relations. I have considered the possibility and likelihood that the release of these records could result in negative consequences, and prejudice the ability of this Department to effectively discharge its functions. Given the sensitivity of this topic, and its live and ongoing nature, I believe that this exemption is applicable to these records.

A number of Parliamentary Questions have been answered on this topic in recent months, which are already in the public domain and which you may find useful. These can be found on the website of the Houses of the Oireachtas

(<https://www.oireachtas.ie/en/debates/questions/>), in particular the below reference numbers:

- 52647/19
- 51603/19
- 50717/19
- 49786/19
- 49581/19
- 44896/19
- 43766/19
- 31147/19
- 17190/19
- 16139/19
- 14565/19
- 51686/18
- 45328/18

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



Sarah Finn