



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

Our Ref: Fol/Req/19/362

22 January 2020

Dear Mr. Corkery

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:

All correspondence exchanged between the Tánaiste or any Department of Foreign Affairs officials at, or above, the grade of principal officer and the European Ombudsman, Emily O'Reilly, or any of her officials at, or above, a similar grade. The correspondence should include all correspondence or communication, sent by email, text message, whatsapp, letter or any other format, between January 1, 2017 and December 18, 2019.

I refer also to the acknowledgement of your request which was sent to you on 30th December 2019.

I have identified thirty-two records that fall within the scope of your request. The records are listed in the schedule attached. I have made a decision to grant access to twenty of the records, part-grant access to two of the records and refuse ten of the records.

Where access has been refused, the records are exempt from release under section 33(3)(c)(ii) of the Freedom of Information Act 2014, as amended.

For records exempted under Section 33(3)(c)(ii), as referenced in the schedule, access has been refused where records contain information communicated in confidence “*from, to, or within an institution or body of the European Union, or relates to negotiations between the State and such an organisation.*”

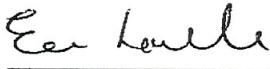
Where access has been refused, the records fall within the scope of this exemption as the office of the European Ombudsman falls within the definition of an institution or body of the European Union for the purposes of the Act.

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



Eoin Lavelle
EU Division
Department of Foreign Affairs and Trade