



An Roinn Gnóthaí Eachtracha
Department of Foreign Affairs

Our Ref: FOI/Req/21/072

Date: 15 April 2021

Dear Mr. Tierney,

I refer to the request that you have made under the Freedom of Information Act 2014 (the Act) for access to the following records held by this Department:

Correspondence received by the Department of Foreign Affairs in relation to damage carried out to Irish Aid funded projects in the oPt since 2018. Correspondence and/or briefing material prepared for the Minister for Foreign Affairs by Department officials on same, including from the Irish Representative in Ramallah.

Correspondence and/or reports received by the Department of Foreign Affairs regarding how much damage the Israeli authorities have caused to Irish Aid funded projects in the oPt since 2018, up to and including demolitions in Khirbet Humsa on 16 February 2021.

I have identified 175 records that fall within the scope of your request. I have made a decision to grant 2, part-grant 11, and refuse 162 records. Please find attached a schedule, and copies of the records to which access has been granted. Where access has been refused, the records are exempt from release under Sections 33, 35, 36 or 37 of the Freedom of Information Act 2014 (the Act).

Exemptions under Section 33 – security, defence and international relations

I have exempted information from 162 records under Section 33(1)(d) of the Act, including 6 records for which this is the sole exemption used, 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 is responsible for managing relations between Ireland and 193 countries. Based on the Department's direct knowledge and expertise in international relations, its strongly held position is that the granting of access to this information would adversely affect the State's relations. My decision to refuse access to information contained in these 162 records is informed by my consideration of the likelihood that its release could result in negative consequences, and the likely severity of said consequences.

I have exempted information from 2 records under Section 33(2)(b)(ii) of the Act. These records constitute communications between the Minister and a diplomatic mission of the State and include analysis that could reasonably be expected to adversely affect the international relations of the State if released. On this basis I have therefore decided to refuse these records.

I have exempted 148 records under Section 33(3)(c)(ii) of the Act. These records contain information communicated in confidence from, to, or within an international organisation of states or a subsidiary of such an organisation. The majority of these records pertain to the West Bank Protection Consortium and the UN Office for the Coordination of Humanitarian Affairs in the occupied Palestinian territory. More information on the West Bank Protection Consortium can be found under ‘context’ below.

Exemptions under Section 36 – Commercially sensitive information

I have refused access to 6 records under Section 36(1)(b) in light of the commercially sensitive nature of the information they contain. Upon consideration of public interest in this information, I considered the public’s right to scrutinise the accountability of officers and administrative procedures within this Department and the management of public funds, the public’s engagement with this Department’s policies and practices, and the right of the public to have access to information. Conversely, I considered this Department’s responsibilities as a donor and the expectations of the partner upon entering into this partnership with the Department. As set out above, the information provided by partner organisations is done so in confidence. In order to avoid any diminution in the level of trust between donor and partner, and mindful that release of the associated records could reasonably affect and/or deter the organisations’ receipt of donor funding from other sources in future, resulting in financial loss, I have adjudicated against the release of these records. I am satisfied the public interest is best served by this decision.

Exemptions under Section 37 – Personal information

I am part-granting 11 records which fall under Section 37(1) of the Act, relating to personal information. It is a mandatory exemption and protects the privacy (including contact details) of the individuals concerned.

Context

Your request relates to demolitions in the occupied Palestinian territory, specifically where Irish Aid funding has been involved, and so you may find the below context useful.

The practice of demolition and confiscation of humanitarian assets is contrary to Israel’s obligations under International Law, including provisions of international humanitarian law, and in particular the Fourth Geneva Convention. Ireland, through the West Bank Protection Consortium and its Embassy in Tel Aviv, has engaged directly with the Israeli authorities on this issue and has called on Israel to halt demolitions and to allow for legal construction for Palestinian residents.

Following demolitions in Humsa Al Bqai’a in Area C of the West Bank in early 2021, Minister Coveney made a statement on 5 February in which he called on Israel, as the occupying power, to fulfil its obligations towards this community and to cease its harmful practice of evictions and demolitions of Palestinian property. The full statement can be found [here](#).

Ireland along with a group of EU and other States is a member of the West Bank Protection Consortium. The Consortium (WBPC) plays a leading role in supporting threatened

communities from forcible transfer, coordinating the provision of essential services to them, including material and humanitarian assistance and legal aid. Established at the initiative of the EU's Humanitarian Agency, ECHO, the Consortium includes a number of donor countries, including Ireland, and International Non-Governmental Organisations. WBPC donors have raised the issue of compensation directly with the Israeli authorities and has sought compensation of over €650,000 in respect of confiscated or demolished assets to date. This figure represents costs for the whole Consortium and is not attributable per donor.

Detailed data on demolitions can be found on the United Nations Office for coordination of humanitarian affairs (OCHA) in the occupied Palestinian territory (oPt) here:

<https://www.ochaopt.org/data/demolition>. Further information relevant to your query, but which did not fall within the scope of your request under the Freedom of Information Act 2014, can be found in annex to this letter.

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, 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 staff from this Department.

Yours sincerely,



Sinéad Collins

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Annex

Recent statements by Minister Coveney

5 February 2021 – Statement by Minister Coveney on Israeli actions at Humsa Al Bqai’a
<https://www.dfa.ie/news-and-media/press-releases/press-release-archive/2021/february/statement-by-minister-simon-coveney-on-israeli-actions-at-humsa-al-bqaiia.php>

26 January 2021 - Statement by Minister Coveney at UNSC Debate on the Middle East, Including the Palestinian Question
<https://www.dfa.ie/pmun/newyork/news-and-speeches/securitycouncilstatements/statementsarchive/statement-by-minister-coveney-at-uns-c-debate-on-the-middle-east-including-the-palestinian-question.html>

17 January 2021 - Statement by the Minister for Foreign Affairs on settlement announcements in the West Bank [including line on confiscations and demolitions]
<https://www.dfa.ie/news-and-media/press-releases/press-release-archive/2021/january/statement-by-the-minister-for-foreign-affairs-on-settlement-announcements-in-the-west-bank.php>

17 November 2020 - Statement by Minister for Foreign Affairs Simon Coveney on settlement announcements in the West Bank
<https://www.dfa.ie/news-and-media/press-releases/press-release-archive/2020/november/statement-by-minister-for-foreign-affairs-simon-coveney-on-settlement-announcements-in-the-west-bank.php>

16 October 2020 - Statement by the Minister Simon Coveney on settlement announcements in the West Bank
<https://www.dfa.ie/news-and-media/press-releases/press-release-archive/2020/october/statement-by-the-minister-simon-coveney-on-settlement-announcements-in-the-west-bank.php>

22 July 2019 - Tánaiste statement on demolitions in Sur Bahir area of the Jerusalem governorate
<https://www.dfa.ie/news-and-media/press-releases/press-release-archive/2019/july/tanaiste-statement-on-demolitions-in-sur-bahir-area-of-the-jerusalem-governorate--.php>

4 July 2018 - Statement by the Tánaiste on Palestinian villages of Abu Nuwar and Khan al Ahmar
<https://www.dfa.ie/news-and-media/press-releases/press-release-archive/2018/july/tanaiste-village-abu-nuwar/statement-by-the-tanaiste-on-palestinian-villages-of-abu-nuwar-and-khan-al-ahmar.php>

31 May 2018 - Statement by the Tánaiste on the threat of demolition to a Palestinian community
<https://www.dfa.ie/news-and-media/press-releases/press-release-archive/2018/may/tanaiste-statement-palestinian-community/statement-by-the-tanaiste-on-the-threat-of-demolition-to-a-palestinian-community.php>

Answers to relevant recent Parliamentary Questions

3 March 2021 – Written answer to three Parliamentary Questions on demolitions

https://www.oireachtas.ie/en/debates/question/2021-03-03/370/#pq_370

26 November 2020 – Transcript of answer to priority Parliamentary Question on demolitions

https://www.oireachtas.ie/en/debates/question/2020-11-26/3/#pq_3

26 November 2020 – Written answer to Parliamentary Question on import of goods from Israel and demolitions

https://www.oireachtas.ie/en/debates/question/2020-11-26/8/#pq_8

26 November 2020 – Written answer to Parliamentary Question on demolitions and Ireland's UNSC tenure

https://www.oireachtas.ie/en/debates/question/2020-11-26/34/#pq_34

26 November 2020 – Written answer to Parliamentary Question on demolitions

https://www.oireachtas.ie/en/debates/question/2020-11-26/39/#pq_39

24 November 2020 – Written answer to Parliamentary Question on demolitions

https://www.oireachtas.ie/en/debates/question/2020-11-24/408/#pq_408

11 November 2020 – Written answer to two Parliamentary Questions on demolitions

https://www.oireachtas.ie/en/debates/question/2020-11-11/109/#pq_109

21 October 2020 – Written answer to Parliamentary Question on demolitions

https://www.oireachtas.ie/en/debates/question/2020-10-21/118/#pq_118

15 October 2020 – Written answer to two Parliamentary Questions on demolitions

https://www.oireachtas.ie/en/debates/question/2020-10-15/156/#pq_156

Recent EU 6-monthly reports on demolitions

Six-Month Report on Demolitions and Seizures in the West Bank, including East Jerusalem
Reporting Period: 1 January – 30 June 2020

https://www.un.org/unispal/wp-content/uploads/2020/11/EUDEMERT_181120.pdf

Six-Month Report on Demolitions and Seizures in the West Bank, including East Jerusalem
Reporting Period: 1 July – 31 December 2019

https://www.un.org/unispal/wp-content/uploads/2020/06/EUHOMEDEMERT_300520.pdf

Six-Month Report on Demolitions and Seizures in the West Bank, including East Jerusalem
Reporting Period: 1 January – 30 June 2019

<https://www.un.org/unispal/document/eu-six-month-report-on-demolitions-and-seizures-in-the-west-bank-including-east-jerusalem-1-jan-30-june-2019-press-release/>