

Our Ref: Fol/Req/18/304

16 January 2019

Simon Carswell,
The Irish Times

Dear Mr. Carswell,

I refer to the request which you have made under the Freedom of Information Act (2014) for access to records held by the Department of Foreign Affairs and Trade, as follows:

- ***Copies of any correspondence since 1 June, 2018 between Department of Foreign Affairs officials at Ireland's Permanent Representation to the European Union in Brussels and representatives of Facebook, Google, LinkedIn, Twitter and AirBnB.***
- ***Copies of any memos or notes of meetings between DFA officials at the Perm Rep and representatives of Facebook, Google, LinkedIn, Twitter and AirBnB.***

I refer also to the acknowledgement of your request sent to you on 14 December 2018.

I am the Deciding Officer in this case, and I have made a final decision to part-grant your request. This letter explains that decision, and contains:

- i. A schedule of all the records covered by your request.
- ii. An explanation of the relevant findings concerning the records to which access is denied, and
- iii. A statement of how you can appeal this decision should you wish to do so.

Schedule of Records

A schedule is enclosed with this letter. It shows the documents which this body considers relevant to your request. It describes each document and refers to the sections of the FOI Act which apply to prevent release. The schedule also refers you to sections of the detailed explanation given under heading 2 below, which are relevant to the document in question.

Findings, particulars and reasons for the decisions to deny access.

The sections of the Act which can apply to deny access to documents are known as its exemption provisions.

Section 30 – Functions and negotiations of FOI bodies

Under Section 30(1) (c) of the Act, release of these records would disclose positions taken by the Government in ongoing negotiations. As outlined above, release of the information would have a significant adverse impact on the effective conduct of international relations by this Department. I have considered the right of the public to have access to information

and the need for an open and accountable civil service. I am satisfied that the balance favours refusal rather than release.

Section 35 – Information obtained in confidence

With regard to information refused under Section 35(1) (a) of the Act, 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 risk impairing future sources of such information and impair the workings of this Department without any countervailing benefit to the broader public interest.

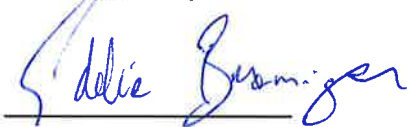
Right of Appeal

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.

Should you have anything you wish to discuss regarding the above, please telephone me at 00 32 490 56 48 43.

Yours sincerely



Eddie Brannigan

*Head of Press Relations and Information unit
Permanent Representation of Ireland to the EU*