



An Roinn Gnóthaí Eachtracha
Department of Foreign Affairs

Our Ref: Fol/Req/21/146

Date: 24 September 2021

Dear Mr Foxe,

I refer to the request which you made on 20 July 2021 under the Freedom of Information Act 2014 for access to records held by this Department as follows:

...copies of all records held referring or relating to the chartering of a private jet for use by Minister Coveney and his delegation for his trip to China in late May

I also refer to the acknowledgement of your request, which was sent to you on 29 July.

36 records fall within the scope of this request. As noted in the schedule, I have made the decision to grant access to 6 records and to part-grant access to a further 29 records. Access to one record has been refused.

Section 37

Where records have been part-granted, minimal redactions have been applied to the following records: 1, 6a, 6b, 7, 8, 9a, 9b, 10a, 10b, 11a, 11b, 12, 13, 14, 15, 16a, 16b, 16c, 17a, 17b, 17c, 18a, 18b, 20, 22, 23, 24, 25, and 27 in order to protect the personal information contained therein. These redactions have been applied with due reference to Section 37(1) of the Act, which you'll note is a mandatory exemption. The information redacted relates to personal information and personal contact details of interlocutors whose organisation is clearly identified within the relevant record(s) and does not affect the substance of the record released.

I have considered the possibility whether any potential benefit to the public may arise in granting access to the full record in these cases and have clearly determined that there is no such benefit. I have weighed this against the right of individuals to have their personal information remain private and have found that there is a clear prerogative for this information to remain private.

Section 33

Records 10a, 11a, 16a, 17a, and 22 also fall under the exemption as set out in Section 33(1)(d) of the Act – Security, defence and international relations: the international relations

of the State. 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 of the State. In reviewing the records in question, I have sought to release as much information as possible in every case. In applying minimal redactions under this exemption to the records cited above, I have exempted only those specific and very limited sections of the records, which, if released, could prejudice the ability of this Department to effectively discharge its functions. I am satisfied that the exemption has been applied correctly in these cases and that the redactions applied have a negligible impact on the substance of the record.

Section 36

Record 26 has been refused under the exemption set out in Section 36(1)(d) of the Act – Commercially sensitive information. The exemption stipulates that a head shall refuse to grant an FOI request if the record concerned contains “*financial, commercial, scientific or technical or other information whose disclosure could reasonably be expected to result in a material financial loss or gain to the person to whom the information relates, or could prejudice the competitive position of that person in the conduct of his or her profession or business or otherwise in his or her occupation.*” The record in question contains commercial information and opinion such that a commercially deleterious effect could reasonably be expected to result for the person(s) to whom it relates if it were released. Furthermore, release of the record could also be expected to adversely impact the conduct of the profession for those involved.

Travel to China

Minister Coveney’s visit to China in May 2021 was the first by the Minister for Foreign Affairs since 2018. It served as an indispensable opportunity for Ireland to engage with a permanent member of the United Nations Security Council (UNSC) at a crucial time for Ireland’s interests, both at the UNSC and in bilateral terms. The COVID-19 context added considerable logistical difficulty and heightened risks for travel for this visit. The safety and security of the Minister and accompanying officials, in the context of the pandemic and then-prevailing public health guidelines in China, informed the modality of travel chosen.

The location for the meetings with Ministers of the Chinese Government in Guiyang, the capital of Guizhou province, southwest China, was at the request of the Chinese Government to minimise the risk of transmission of COVID-19. It is the policy of the Government of Ireland to explore the best value commercial options for Ministerial air travel wherever available. Given the remote location of the meeting, the strong preference of the Government of China for the use of a chartered aircraft—and taking account of the strict pandemic restrictions in place for meetings with Ministers of the Chinese Government—no commercial flight options could service travel to the meeting location. There was no alternative to the use of a chartered aircraft to safely fulfil essential Ministerial engagements in this instance.

The meeting between Minister Coveney and Minister Wang Yi took place in the context of Ireland's membership of the UNSC and covered a wide range of vital issues relevant to the Council, Ireland's bilateral relationship with China, and EU-China relations. As a permanent member of the UNSC, ongoing engagement with China is of benefit to ensure effective response to Council issues, and the situations in Syria, Ethiopia and Myanmar were discussed. The Minister also took the opportunity to raise key issues of bilateral interest, including the case of Mr. Richard O'Halloran and access to the Chinese market for Irish beef. Additionally, Minister Coveney outlined Ireland's position on the treatment of Uyghurs and other minorities in Xinjiang and expressed concern at the introduction of the National Security Law in Hong Kong. EU-China relations were also covered, including the need to develop a common approach on global issues such as the COVID-19 pandemic and climate change.

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, (€10 for medical card holders). A copy of the medical card should be provided to avail of the reduced fee. For methods of payment, please contact FOI Unit at foi@dfa.ie, or 01-4082618.

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,

Ciarán Doyle

Office of the Minister for Foreign Affairs
Department of Foreign Affairs
