



An Roinn Gnóthaí Eachtracha
Department of Foreign Affairs

Our Ref: Fol/Req/21/138

Date: 30 July 2021

Dear Mr Haugh,

I refer to the request which you made on 5 July 2021 under the Freedom of Information Act 2014 for access to records held by this Department as follows:

Please send me all internal comms on attempts to buy or secure vaccines from other countries from January 1 to today's date.

Please send me all comms between the minister or his officials and other countries on the prospect of buying or securing vaccines from January 1 to today's date.

I also refer to the acknowledgement of your request, which was sent to you on 14 July.

Three records fall within the scope of this request. As noted in the schedule, I have made the decision to refuse access to all three of these records, which fall under two separate mandatory exemptions set out in the Freedom of Information Act 2014.

Records Refused

Records 1, 2, and 3 have been refused under the exemption 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)** refers to records which, if released, could reasonably be expected to adversely affect the international relations of the State.

All three records also fall under the exemption provided for under **Section 30(1)(c)** – given that the records “disclose positions taken, or to be taken, or plans, procedures, criteria or instructions used or followed, or to be used or followed, for the purpose of any negotiations carried on or being, or to be, carried on by or on behalf of the Government or an FOI body.”

The Department of Foreign Affairs is responsible for managing relations and communications between Ireland and 178 countries in a complex and diverse environment. Successful diplomatic relations depend upon the creation and maintenance of trust and confidence between governments and the representatives of those governments. This includes the

essential ability for representatives of the Government to share views in confidence with international partners on sensitive issues of mutual concern, including details of potential bilateral negotiations and any related advice and recommendations transmitted in confidence pertaining to these.

Based on the Department's direct knowledge and expertise in international relations, its strongly held position is that the mere granting of access to records that detail confidential briefings on bilateral negotiations, and/or that may reveal a Government representative's likely position(s) on those issues may adversely affect the State's relations and effectiveness in that work.

I have considered the likelihood that the release of the records in this case could result in negative consequences and have taken into account their likely severity. On balance, I am satisfied that the public interest is best served by refusal rather than release in this case. It remains imperative that the Minister for Foreign Affairs can discuss important issues in the interest of the State frankly and openly in confidence with the representatives of other states. The release of confidential materials in this case would undermine that essential trust upon which the Department's work in maintaining Ireland's international reputation depends, not least in the effort to best ensure the health and safety of the people of Ireland in the context of the COVID-19 pandemic and the procurement of vaccines.

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
