

Our Ref: FoI/Req/161197

Wayne O'Connor  
Sunday Independent,  
Third Floor,  
27-32 Talbot St,  
Dublin 1.

Dear Mr O'Connor,

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:

*In accordance with the Freedom of Information Act, I request access to the following records which are non-personal and which I believe are held by the Department of Foreign Affairs about the Cuba, Fidel Castro and the death of Fidel Castro between November 25, 2016 and the date of this letter.*

- *Briefing documents prepared for the Minister about Cuba, Mr Castro, the death of Mr Castro and Ireland's Government's position in relation to the above.*
- *Correspondence, documents, memos and reports prepared by the department or circulated within the department/government in relation to these matters.*
- *Any correspondence between the department, minister and President Michael D Higgins or the president's staff in relation to Cuba, Fidel Castro and the death of Fidel Castro.*
- *Any correspondence between the Irish and Cuban governments on the matter.*

I therefore wish to cover the timeframe 25/11/16 to 29/11/16.

I refer also to the acknowledgement of your request which was sent to you on 7 December.

I have identified 41 records that fall within the scope of your request. The records are listed in the schedule attached. I have made a decision to grant 20 of the records, part-grant 5 of the records, and refuse 16 of the records.

Where access has been refused, the records are exempt from release under sections S33 (1)(d) *International Relations*, S28(1)(a) *Meeting of the Government*, S29 (1)(a) *Deliberative Process*.

I have considered whether the public interest would be better served by releasing the records in question in terms of the right of the public to have access to information. Given the source and nature of the records I am satisfied that premature release of certain records would negatively impact on the decision-making processes of this Department, disclose positions taken by the Department and would substantially impair the good relations we have with another State. On balance the public interest would not be best served by releasing these records.

I have exempted 12 records and part-refused 4 records under Section 33- security, defence and international relations.

This Department manages relations between Ireland and 178 countries, operating in a complex and diverse international environment, in a variety of locations and under varying local laws and customs. In order to effectively carry out its role, the Department must maintain trust and confidence between governments and other interlocutors. If the Department does not maintain

the mutuality of trust, its ability to protect and promote Ireland's interests could reasonably be expected to be adversely affected. I feel release of the information would have a significantly adverse impact on the effective conduct of the functions of this Department. I have considered the right of the public to have access to information and the need for an open and accountable civil and Foreign Service. I am satisfied that the balance favours refusal rather than release.

You may be aware that any record relating to the President is exempt under 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@dfat.ie](mailto:foi@dfat.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@dfat.ie](mailto:foi@dfat.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,

A handwritten signature in black ink that reads "Niamh Kelly". The signature is written in a cursive, flowing style.

Niamh Kelly