



Our Reference: **FOI/2017/0072**

19<sup>th</sup> June 2017

Mr. L. Herrick  
Irish Council for Civil Liberties,  
9-13 Blackhall Place,  
Dublin 7.

Dear Mr. Herrick,

I refer to your request under the Freedom of Information Act 2014 received in this office on the 15<sup>th</sup> June 2017, requesting the following information:

1. All agreements, memoranda of understanding and/ or other arrangements with foreign countries concerning the sharing between Ireland and any other country, or international institution, of foreign-intelligence surveillance data.
2. All policies, guidelines, opinions, reports and memoranda concerning:
  - The circumstances in which Ireland may share foreign-intelligence surveillance data with another country.
  - Any limitations on the sharing of foreign-intelligence surveillance data with other countries.
  - The circumstances in which Ireland may request or otherwise acquire from another country electronic-surveillance data.
  - Any limitations on the acquisition (whether by request or otherwise) of electronic surveillance data.
  - Any limitations on Ireland's retention, use, or dissemination of electronic surveillance data requested or otherwise acquired from another country, including use of such data or data derived from it in civil, criminal, administrative, or other proceedings.
  - The circumstances, if any, in which Ireland may request or otherwise acquire electronic-surveillance data from another country.

The decision maker handling your request is **Ms. Aine Fitzpatrick** and she can be contacted at **045 492213**. A final decision on your request would normally be sent to you within 4 weeks, where a week is defined as 5 working days excluding the weekend and public holidays. This means that you can expect a decision letter to issue not later than **Thursday 13<sup>th</sup> July 2017**.

There are some limited situations under the FOI Act which could mean that the period for a final decision may be longer than this 4 week period. If this occurs in the case of your request, you will be advised promptly in writing setting out the reason and the new decision date.


Should our final decision not reach you on time, please feel free to contact the decision maker named above to discuss any problems that may have arisen. If you have not heard from us once the allotted time has expired, you are automatically entitled to appeal for a review of the matter. This review proceeds on the legal basis that the initial request is considered to be refused once the specified time for responding to it has expired. The review is a full and new examination of the matter carried out by a more senior member of staff

In the event that you need to request such a review, you can do so by writing to

FOI Monitoring Unit,  
Department of Defence,  
Station Road,  
Newbridge,  
Co. Kildare,  
W12 AD93

or alternatively by sending an e-mail to [foi@defence.ie](mailto:foi@defence.ie). You should state that you are seeking this review because an initial decision was not sent to you within the time allowed for a response. In that event, you would normally have 4 weeks (after the initial decision should have been sent to you) in which to make the appeal. Consideration will be given to late applications in appropriate circumstances.

Yours sincerely

  
Amanda Lockhart  
Freedom of Information Office  
Department of Defence



Our Reference : **FOI/2017/0072**

5 July 2017

Mr. L. Herrick  
Irish Council for Civil Liberties  
9-13 Blackhall Place  
Dublin 7

Dear Mr. Herrick,

I refer to your request under the Freedom of Information Act 2014 received in this office on the 15<sup>th</sup> June 2017, requesting the following information:

1. *All agreements, memoranda of understanding and/or other arrangements with foreign countries concerning the sharing between Ireland and any other country, or international institution, of foreign-intelligence surveillance data.*
2. *All policies, guidelines, opinions, reports and memoranda concerning:*
  - *The circumstances in which Ireland may share foreign-intelligence surveillance data with another country.*
  - *Any limitations on the sharing of foreign-intelligence surveillance data with other countries.*
  - *The circumstances in which Ireland may request or otherwise acquire from another country electronic-surveillance data.*
  - *Any limitations on the acquisition (whether by request or otherwise) of electronic surveillance data.*
  - *Any limitations on Ireland's retention, use or dissemination of electronic surveillance data requested or otherwise acquired from another country, including use of such data or data derived from it in civil, criminal, administrative or other proceedings.*
  - *The circumstances, if any, in which Ireland may request or otherwise acquire electronic-surveillance data from another country.*

I am the decision maker handling your request and I have made a final decision regarding the records you are seeking. I wish to advise you that the information requested cannot be disclosed on security grounds.

This decision is made under Section 33 of the FOI Act. Section 33 (Security, defence and international relations) of the Act states that an FOI request may be refused if:

*"33. (1) A head may refuse to grant an FOI request in relation to a record (and in particular but without prejudice to the generality otherwise of this subsection, to a record to which subsection (2) applies) if, in the opinion of the head, access to it could reasonably be expected to affect adversely –*

- a) the security of the State,*
- b) the defence of the State,*
- c) matters relating to Northern Ireland, or*
- d) the international relations of the State. "*

If there is any aspect of this decision on your request with which you are not satisfied, you may appeal the decision in writing to:

FOI Monitoring Unit  
Department of Defence,  
Station Road,  
Newbridge,  
Co. Kildare  
W12 AD93

Please refer to this decision in your letter. You must make an appeal within 4 weeks of the date of the date of this notification, but the making of a late appeal maybe permitted in appropriate circumstances. This appeal will involve a complete consideration of the matter by a more senior member of staff of this department and the decision will be communicated within 3 weeks.

Please ensure envelope is marked **Internal Review**.

In accordance with the Freedom of Information Act 2014, the fee for an internal review is now €30 (€10 for medical card holders and their dependents).

Yours Sincerely,



Áine Fitzpatrick  
Executive Branch