



Attachment A

DECISION RECORD

Request Details

FOI Request FA 17/02/00878
File Number ADF2017/23304

Original scope of request

1. On 23 February 2017 you requested:

The most recent report or briefing document covering any suspension, cancellation or delay to Australia's humanitarian migration and resettlement program targeting people in Syria imposed by the Syrian government between 24 November 2007 and 24 June 2010.

Documents in scope

2. The Department has identified one document, totalling four pages, falling within the scope of your request. This document was in the possession of the Department on 23 February 2017 when your request was received.

Authority to make decision

3. I am an officer authorised under section 23 of the FOI Act to make decisions in respect of requests to access documents or to amend or annotate Departmental records.

Information considered

4. In reaching my decision, I have considered the following:
 - The *Freedom of Information Act 1982*;
 - Consultations with relevant business areas; and
 - The Australian Information Commissioner's guidelines relating to access to documents held by government.

Decision

5. I have decided to release the document to you in part.

Exemptions applied

International relations

6. Section 33(a)(iii) of the FOI Act permits exemption of a document if the disclosure of the document would, or could reasonably be expected to cause damage to the international relations of the Commonwealth.

7. *The Office of the Australian Information Commissioner (OAIC) Guidelines state:*

The phrase 'international relations' has been interpreted as meaning the ability of the Australian Government to maintain good working relations with other governments and international organisations and to protect the flow of confidential information between them. The exemption is not confined to relations at the formal diplomatic or ministerial level. It also covers relations between Australian Government agencies and agencies of other countries (5.36)... The expectation of damage to international relations must be reasonable in all the circumstances, having regard to the nature of the information; the circumstances in which it was communicated; and the nature and extent of the relationship. There must also be real and substantial grounds for the exemption that are supported by evidence. These grounds are not fixed in advance, but vary according to the circumstances of each case.(5.37).

8. The document within scope of this FOI request was prepared to seek agreement from the Minister to comply with requests by the Syrian Arab Republic Government (SARG) in relation to interviewing applicants for humanitarian visas located in Syria.

9. The responsible business area of the Department has advised that release of relevant exempted parts of the document could reasonably be expected to cause damage to the relationship between the Commonwealth and the Syrian Arab Republic Government (SARG). The exempted material contains an opinion of a sensitive nature as communicated by the SARG to the Australian Government. Release of the information would likely impact on the Commonwealth's ability to work collaboratively with the SARG in the delivery of Humanitarian Programmes in the future.

10. The exemptions also include information regarding the actions of other countries, which if released would likely damage the relationship of the Department with those countries.

Deletion of irrelevant material under s.22(1)(a)(ii) of the FOI Act

11. I find that the documents relevant to your request contain material which is irrelevant to your FOI request. I have withheld or deleted that material accordingly. These deletions are detailed in the documents released.

12. The material deleted under s.22(1)(a)(ii) comprises phone numbers of Senior Executive Service Departmental staff. The intention to treat this information as irrelevant was advised to you in the Department's acknowledgment letter sent to you on 24 February 2017. You did not raise any objections to this approach.



Authorised decision maker
Department of Immigration and Border Protection
Email: foi@border.gov.au

29 May 2017



Attachment B

SCHEDULE OF DOCUMENTS TO DECISION RECORD

FOI Request FA 17/02/00878
File Number ADF2017/23304

No.	Date of document	Folios	Description	Decision on release	Applicable part/s of the FOI Act
1.	20/01/2010	1-4	Submission to the Minister – Processing requirements for humanitarian visa applicants in Syria.	Irrelevant material deleted Exempt in part	s.22(1)(a)(ii) s.33(a)(iii)