



Our Ref: FOI/Req/21/108

18 June 2021,

Dear Mr Moran,

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

All records relating to Ireland's funding of the UNESCO devised programme on comprehensive sex education - Our Rights, Our Lives, Our Future (O3) Programme.

These records to include details of the total level of funding to date; future funding planned; the overall cost of the programme by UNESCO; progress reports on the implementation of the programme in African countries; difficulties encountered in its implementation in any African countries, particularly in Ghana; what oversight the Government of Ireland has over the programme and how this has and will be implemented, monitored and evaluated; how results of the programme are measured in accordance with good international development practice; and what Ministerial meetings with other parties/countries, if any, took place concerning this programme to date.

I refer also to your email 12 May when you confirmed that you would refine the scope of your request to 2019 and 2020, and records from Assistant Principal and above, noting that routine administrative records are not required. I have prepared my response based on these criteria.

I have identified nine records that fall within the scope of your request. The records are listed in the schedule attached. I have made a decision to grant the release of three of the records, to part-grant release of one, and to refuse five.

Where a record has been refused, the information is exempt from release under *Section 30 1 (a), Section 33 (1) (d), section 33 (3) (c) (ii) and Section 35(1) (a)*. One record contains personal information, and this has been redacted in line with *Section 37 (1)*.

Explanation for use of Section 30 (1) (a)

Section 30 (1) (a) of the FOI Act states that;



“A head may refuse to grant an FOI request if access to the record concerned could, in the opinion of the head, reasonably be expected to—

(a) prejudice the effectiveness of tests, examinations, investigations, inquiries or audits conducted by or on behalf of an FOI body or the procedures or methods employed for the conduct thereof,”

This exemption has been applied in relation to three documents. These records relate to internal Departmental communications on the management and review of our partnership with UNESCO. It is important that mechanisms and standards exist by which the Department can manage and audit our partnerships. Release of these records will prejudice the effectiveness of and reduce our capacity to effectively monitor and audit partnerships by providing information that potential partners can use to take advantage of the system.

Explanation for use of Section 33 (1) (d)

Section 33 (1) (d) of the FOI Act states that;

(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—

(d) the international relations of the State.”

I have refused three records under section 33(1) (d). These records contain information that could reasonably be expected to affect adversely the international relations of the State. The Department of Foreign Affairs is responsible for managing relations between Ireland and 193 countries. Based on the Department’s direct knowledge and expertise in international relations, its strongly held position is that the granting of access to this information would adversely affect the State’s relations.

Section 33 (3) (c) (ii) states that;

(3) “A head shall refuse to grant an FOI request if the record concerned—

(c) contains information communicated in confidence—

(ii) from, to, or within an international organization of states or a subsidiary organ of such an organization or an institution or body of the European Union, or relates to negotiations between the State and such an organization, organ, institution or within or in relation to such an organization, organ, institution or body, or is a record of such a body containing information the disclosure of which is prohibited by the organization, organ, institution or body,”



I have refused two records under Section 33(3)(c)(ii). The records contain information communicated in confidence from a subsidiary body of an international organisation of states, UNESCO. These records were shared on the understanding that they would not be disclosed.

Explanation for use of Section 35 (1) (a)

Section 35 (1) (a) of the FOI Act states that;

“35. (1) Subject to this section, a head shall refuse to grant an FOI request if—
(a) the record concerned contains information given to an FOI body, in confidence and on the understanding that it would be treated by it as confidential (including such information as aforesaid that a person was required by law, or could have been required by the body pursuant to law, to give to the body) and, in the opinion of the head, its disclosure would be likely to prejudice the giving to the body of further similar information from the same person or other persons and it is of importance to the body that such further similar information as aforesaid should continue to be given to the body, or ...”

This exemption has been applied in relation to five records that relate to confidential communications regarding the UNESCO O3 programme. In applying this exemption, I have considered the public’s right to access information. However, these documents contain information that was:

- given in confidence,
- given on the understanding that it would be treated as confidential.
- Further, disclosure of this information is likely to prejudice the giving to the Department of similar information in future by UNESCO or other organisations.
- It is of importance to the Department that such information continue to be shared in future.

Explanation for use of Section 37 (1)

Section 37 (1) of the FOI act states;

Subject to this section, a head shall refuse to grant an FOI request if, in the opinion of the head, access to the record concerned would involve the disclosure of personal information (including personal information relating to a deceased individual).

This exemption has been applied to one record. This record has been part granted, with the personal information redacted.



With regard to total funding to date, due to COVID-19 restrictions it is not possible to access all of these records at this time. Therefore, I have made a decision to create a record that provides an overview of these transactions, showing Ireland's funding to date. Requests for information on the overall cost of the programme are best directed to UNESCO.

Progress on implementation is contained in the released reports, and further reports and material may be sought directly from UNESCO.

With regard to programme monitoring and implementation, Ireland engages on a regular basis with UNESCO regarding implementation progress as is standard with all our strategic multi-lateral partnerships. Our engagement is guided by our policy for international development, A Better World.

For information, Ireland supports the UNESCO programme in 4 countries only: Zimbabwe, Zambia, Ethiopia and Uganda. Therefore, to date Ireland has not supported any UNESCO O3 activities in Ghana or elsewhere. Should you require information regarding UNESCO O3 activities in countries across Africa more broadly, we would advise you to seek this information directly from UNESCO.

Finally, no Ministerial level meetings have taken place with regard to the UNESCO O3 programme.

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, 76-78 Harcourt Street, Dublin O2 DX45 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. For methods of payment, please contact FOI Unit at foi@dfa.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

pp. David Kenny
Emma Warwick