



**AN BILLE UM IMSCARADH MISEAN SÍOCHÁNA
IDIRNÁISIÚNTA 2003
INTERNATIONAL PEACE MISSIONS DEPLOYMENT
BILL 2003**

EXPLANATORY MEMORANDUM

Introduction

In 1999 EU leaders agreed to create the Rapid Reaction Force (RRF), an EU capability designed to undertake humanitarian and crisis management tasks to which Ireland committed troops. However, under current legislation it is stipulated that Irish troops can only be deployed under certain circumstances, commonly referred to as a “triple lock” system. This means that the Defence Forces can only take part in military operations that are specifically endorsed by a United Nations resolution, approved by Dáil Éireann, and agreed within the Government.

It can clearly be seen that this “triple lock” system is excessively restrictive. For example, the Defence Forces could not take part in an EU peacekeeping force sent to Macedonia (FYROM), even though this force replaced NATO forces in the region and had both EU and UN support, though not a formal UN resolution.

The International Peace Missions Deployment Bill will allow for continued participation in an International UN Force and will also allow for participation in other peace missions, such as the mission in Macedonia, that are in keeping with the Purposes and Principles of the UN Charter.

Given the long and proud tradition of the Defence Forces in peacekeeping and peace enforcement activities internationally, reform of the “triple lock” system is especially critical. Without reform, the “triple lock” system will continue to prohibit participation of the Defence Forces in certain peacekeeping activities.

The International Peace Missions Deployment Bill 2003 follows the recent publication of the Fine Gael document “Beyond Neutrality” which stated that security and defence issues, such as the “triple lock” system, needed to be revisited within an EU framework.

Purpose of the Bill

The purpose of the Bill is to amend the Defence Acts so as to allow Ireland to send troops to participate in peace missions, even where those missions have not received the formal sanction of a UN resolution. However, the Bill specifically requires that any deployment be in accord with the Purposes and Principles of the UN Charter.

Provisions of the Bill

The Bill is comprised of six sections.

Section 1 defines terms used in the Bill.

Section 2 inserts two new definitions into the Defence (Amendment) (No. 2) Act of 1960, they are: “International Peace Mission” and “United Nations Charter”.

Section 3 makes a textual amendment to the Defence (Amendment) (No. 2) Act 1960 so as to allow the despatch of Irish troops as part of an International Peace Mission if the Dáil is satisfied that the mission is in keeping with the Purposes and Principles of the UN Charter and a resolution has been passed by the Dáil.

Section 4 makes an amendment to the Defence (Amendment) (No. 2) Act of 1960 so as to ensure that all enlisted members of the Defence Forces will be eligible for service as part of an International Peace Mission.

Section 5 ensures that relevant references to UN forces in the Defence Act 1954 as amended by the Act of 1960 are amended so as to also incorporate reference to an International Peace Mission.

Section 6 is the short title.

Na Teachtaí Gabriel De Mhistéal agus Donnchadh Mac Fhionnlaoich, Nollaig, 2003.