



TITHE AN OIREACHTAIS

**An Comhchoiste um
Ghnóthaí Eachtracha agus Trádáil agus Cosaint**

Clár Oibre 2018

HOUSES OF THE OIREACHTAS

**JOINT COMMITTEE ON FOREIGN AFFAIRS AND TRADE
AND DEFENCE**

Work Programme 2018

32/FA&T&D/01

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Joint Committee on Foreign Affairs and Trade and Defence

2018 Work Programme

Background

The Joint Committee on Foreign Affairs and Trade and Defence was established following Orders of Dáil Éireann on 16 June 2016 and of Seanad Éireann on 21 July 2016. Standing Orders [DSO 89(4); SSO 75(4)] require that

"as soon as may be following its appointment and thereafter at any intervals, each Select Committee shall prepare a work programme and shall lay such programme before [Dáil/Seanad] Éireann".

This Work Programme details business that the Committee must transact between now and the end of the year in accordance with its orders of reference, as well as key policy issues from which items may be selected for consideration.

In so far as possible, the Joint Committee will try to maintain a reasonable balance in its work between all of its policy responsibilities.

Select Committee

The function of Select Committee is to consider Bills, Estimates and other business referred to it by Dáil Éireann which relate to the relevant Department.

1. Legislation (Bills)

The following Bills which the Select Committee must deal with are currently progressing through the Oireachtas:

There are no bills progressing at present.

2. Pre-Legislative Scrutiny

In addition, the Government Legislative Programme makes provision for the publication of a number of Bills. Following changes to Standing Orders (agreed by the Dáil on 17 October 2013), Ministers are now required, except in exceptional circumstances, to bring the general scheme or draft heads of a Bill to a Select Committee for consideration. Committees are empowered to consider the draft heads of Bills but they are not required to do so – it is the prerogative of the Committee to decide on a case by case basis whether it wishes to engage in pre-legislative scrutiny on any particular Bill.

3. Estimates and other Financial Matters

Select Committees are tasked with consideration of annual Estimates for Public Services that fall within their remit.

The Estimates which the Select Committee deals with are:

- *Revised Estimates for Public Service (Foreign Affairs and Trade group of votes, 27 and 28).*
- *Revised Estimates for Public Service (Defence group of votes, 35 and 36)*

The Estimates are Ministers' spending plans for the coming financial year. When the Estimates are referred to Select Committee for consideration, the Committee has a valuable opportunity to question the Minister for Foreign Affairs and Trade and the Minister with responsibility for Defence about financial allocations and associated output targets for the coming year.

Note: The Select Committee is required to **consider** the estimates but is **not** empowered to amend them.

A Supplementary Estimate may be considered if additional monies are required by the relevant Government Department(s).

In addition, the examination of the Annual Output Statements (AOS) and Value for Money (VFM) Reviews is another important part of scrutinising Government expenditure. There are no VFM reviews on hand at present.

As part of the introduction of a new system in which the Estimates have been presented under the Comprehensive Expenditure Review Report published in November 2011, it is the Committee's intention to focus on what the Department has committed to achieving, how moneys are allocated between services and in addition to explore the policy issues underpinning the various spending provisions as well as to consider these matters as fully as possible. The proposed approach presents Departmental Estimates on a Strategic Programme basis, consistent with the presentation of the respective Annual Output Statements and Statements of Strategy. These Estimates have been supplemented with certain performance information regarding the outputs and impacts of Programme expenditure.

In keeping with a whole of year approach, it is the Committee's intention to have an exchange of views with the Minister for Foreign Affairs and Trade and the Minister with responsibility for Defence later in the year on the emerging position for the remainder of 2017 and the proposed financial allocation for 2018.

4. Referrals of Motions and Other Matters

From time to time, matters may arise and may be referred to the Select

Committee by the Dáil. It is not possible to say in advance what those matters might be or when they might arise.

Joint Committee

The Work Programme of the Joint Committee is not an exhaustive statement of the matters which the Committee will consider during 2017. The work listed is that which the Joint Committee considers at this point will require its attention during the year. The Committee will review its priorities on a continuous basis in response to events.

The Joint Committee notes that it has explicit responsibility under Standing Orders for considering a wide range of matters in respect of the Department of Foreign Affairs and Trade and the Department of Defence and associated public bodies. In addition to the policy matters listed for priority attention in section 4 below, the Joint Committee will pay particular attention to the following during 2017:

1. EU BUSINESS

EU scrutiny will remain a standing item on the agendas for meetings of the Joint Committee. In accordance with Standing Orders, the Committee will continue to consider EU draft legislative acts, other proposals for EU legislation and related policy issues and non-legislative documents published by any EU institution in relation to EU policy matters. The Committee aims to meet more often with the Minister for Foreign Affairs and Trade, and/or a Minister of State as appropriate to discuss matters listed for consideration on the agenda for meetings of the Foreign Affairs Council and the outcome of such meetings. The Committee will also meet the Secretary General of the Department of Foreign Affairs and Trade to discuss the ministerial bi-annual reports for 2017 on the operation of the European Union (Scrutiny) Act 2002.

The Joint Committee will examine the Work Programme of the EU Commission for 2018 and will identify specific proposals which it wishes to prioritise for attention.

The Joint Committee will meet with the Minister/Minister of State with responsibility for Defence at least 3 times per annum to discuss ongoing matters within his Department's responsibility and to discuss proposals at EU level that have potential to directly and indirectly affect Ireland's defence policy and Defence Forces.

2. Policy issues concerning bodies partly or wholly funded by the State

NGOs are very important partners in the delivery of the Irish Aid programme. The Committee believes that parliamentary scrutiny, through the Committee, of the policies which underpin the relationship between Irish Aid and its NGO partners will help to ensure that taxpayers can remain fully confident that public money is used effectively and to the maximum benefit of the world's poorest peoples.

3. STRATEGY STATEMENTS

The Committee is empowered to consider strategy statements in respect of the Department laid before the Houses pursuant to the Public Service Management Act 1997. The Committee will continue to examine the extent to which the Department is on target to achieve the goals set out in its Statement of Strategy 2016-2019.

4. MATTERS SELECTED FOR PRIORITY ATTENTION IN 2018

The Joint Committee is conscious that international affairs are in a state of constant flux and that the degree of attention which it gives to particular matters will, to some extent, be dictated by events during 2017. Some matters will recede in importance and others will come to the fore as the year progresses. The selection of priorities by the Committee is informed by matters as they stand in January 2017.

The Joint Committee has selected 14 key policy matters for which the Minister for Foreign Affairs and Trade and the Minister with responsibility for Defence are officially responsible and to which it will give high priority attention in 2018. These are as follows:-

- Monitoring progress towards achieving the targets set in the Sustainable Development Goals
- EU Common Foreign and Security Policy and Common Security and Defence Policy (CFSP/CSDP). In this context, the Committee will attend the Inter-Parliamentary Conferences on the CFSP and CSDP during the Bulgarian and Austrian Presidencies
- The Irish Aid programme, with particular reference to added-value for expenditure, the work of the European Development Fund and the effective use of resources
- The Middle East Peace Process and, in particular, strengthening international support for a two-state solution and ending violations of international law
- The political stability and humanitarian relief in Syria and its neighbourhood
- Global migration including the plight of in Libya
- The trade promotion role of the Department of Foreign Affairs and Trade
- The protection and promotion of human rights around the world, in particular in international agreements to which the European Union is a

party

- The Irish diaspora worldwide, with particular reference to the undocumented in the US, furtherance of immigration reform in the US and the impact of Brexit on Irish, resident in the UK
- Monitor the implementation of the White Paper on Defence
- The plight of the Rohingya people in Myanmar and Bangladesh
- Review and report on the Emigrant Support Programme
- PESCO and Irish Neutrality
- Optimising the efficiency of the Irish diplomatic and consular network abroad including recently announced plans for expanding the diplomatic and consular footprint. The Committee will continue to monitor consular cases which have implications for policy matter under consideration by the Committee.

Where the Committee is considering any of the matters that it has listed for priority attention which relate to conflict resolution, the Committee may inform its discussion by drawing, where appropriate, on some of the principles applied to the peace process in Northern Ireland.

The Joint Committee has identified a second tier of issues to which it will give attention in 2018:

- Development of the role of the European External Action Service, including its relationship with national Parliaments;
- Evolution of democratic structures of government in the Arab world;
- Bi-lateral relations with committees on foreign affairs of other parliaments;
- Engage with minority religious denominations with a view to getting a better understanding of various international issues.
- Review of the Irish Air Corps
- Continued use of Lariam in the Defence forces
- The need to find a solution to the on-going disturbances in Ukraine with the signing of the Eastern Partnership Agreement.
- Turkey, with particular reference to the breakdown of the peace process with the PKK, the recent attempted coup, and human rights violations
- The ongoing war and humanitarian crisis in Yemen
- The peace process in Colombia

- Dangers faced by Human Rights Defenders, environmental and Indigenous activists in the Americas
- The effects of the continuing embargo in Cuba
- Consideration of Reports by the Ombudsman for the Defence Forces

5. TRAVEL

The Dáil and Seanad have conferred on the Joint Committee the power to undertake travel in accordance with Standing Orders 85(9) [Dáil] and 71(9) [Seanad]. The power to undertake travel is subject, under these Standing Orders, to (i) recommendations made by the Working Group of Committee Chairmen and (ii) the consent of the Houses of the Oireachtas Commission, and normal accounting procedures.

In considering proposals to undertake travel in the context of its Work Programme, the Joint Committee will have particular regard to the need for prudence in the use of resources and value for money.

The Joint Committee envisages at this point that it may bring forward proposals for travel in respect of some of the options set out in the following table:

<i>Destination</i>	<i>Context</i>
Bulgaria and Austria	Attendance at meetings of the CFSP/CSDP in Sofia and in Vienna as both Bulgaria and hold the Presidency of the Council of the EU in 2018
Lithuania	Bi-lateral visit to Vilnius on foot of an invitation from the Foreign Affairs committee of the Saimeas
Washington/New York	Meetings with congress in relation to Ireland/US relations, the furtherance of immigration reform in the US and the impact following the US Presidential election and the changes implemented to the rights of Irish undocumented.
Irish Aid Partner Country	Commitment by the Committee to visit an Irish Aid partner country to review the delivery of the Irish Aid programme there.
Qatar	Invitation by the Government of Qatar to the Chairman to participate in its annual Doha Forum on the Middle East.
U.K.	Meeting with committee(s) in Westminster re: 1.) Brexit and 2) fact finding visit to various immigration centres outside of the London area.
Lebanon/Israel and Palestine	(1) Visit to the peace keeping forces. (2) Meet with representatives in Israel and Palestine respect of the Middle East Peace Process
Chile	Invitation received to visit in 2018. Agreed by Committee.

Agreement of Work Programme.

This Work Programme for 2018 of the Joint Committee on Foreign Affairs and Trade and Defence was agreed by the Committee at its meeting on 1st February, 2018. In accordance with Standing Orders of Dáil Éireann and Seanad Éireann, it was agreed that the Work Programme be laid before both Houses of the Oireachtas.

It was also agreed that the Work Programme will be published on the Committee's page of the Oireachtas website.

Brendan Smith, TD
Chairman
1st February, 2018

Appendix (1)

COMMITTEE ON FOREIGN AFFAIRS AND TRADE AND DEFENCE

TERMS OF REFERENCE

a. Functions of the Committee – derived from Standing Orders [DSO 84A; SSO 70A]

- (1) The Select Committee shall consider and report to the Dáil on—
 - (a) such aspects of the expenditure, administration and policy of a Government Department or Departments and associated public bodies as the Committee may select, and
 - (b) European Union matters within the remit of the relevant Department or Departments.
- (2) The Select Committee appointed pursuant to this Standing Order may be joined with a Select Committee appointed by Seanad Éireann for the purposes of the functions set out in this Standing Order, other than at paragraph (3), and to report thereon to both Houses of the Oireachtas.
- (3) Without prejudice to the generality of paragraph (1), the Select Committee appointed pursuant to this Standing Order shall consider, in respect of the relevant Department or Departments, such—
 - (a) Bills,
 - (b) proposals contained in any motion, including any motion within the meaning of Standing Order 187,
 - (c) Estimates for Public Services, and
 - (d) other mattersas shall be referred to the Select Committee by the Dáil, and
 - (e) Annual Output Statements including performance, efficiency and effectiveness in the use of public monies, and
 - (f) such Value for Money and Policy Reviews as the Select Committee may select.
- (4) The Joint Committee may consider the following matters in respect of the relevant Department or Departments and associated public bodies:
 - (a) matters of policy and governance for which the Minister is officially responsible,
 - (b) public affairs administered by the Department,
 - (c) policy issues arising from Value for Money and Policy Reviews conducted or commissioned by the Department,
 - (d) Government policy and governance in respect of bodies under the aegis of the Department,
 - (e) policy and governance issues concerning bodies which are partly

or wholly funded by the State or which are established or appointed by a member of the Government or the Oireachtas,

(f) the general scheme or draft heads of any Bill,

(g) any post-enactment report laid before either House or both Houses by a member of the Government or Minister of State on any Bill enacted by the Houses of the Oireachtas,

(h) statutory instruments, including those laid or laid in draft before either House or both Houses and those made under the European Communities Acts 1972 to 2009,

(i) strategy statements laid before either or both Houses of the Oireachtas pursuant to the Public Service Management Act 1997,

(j) annual reports or annual reports and accounts, required by law, and laid before either or both Houses of the Oireachtas, of the Department or bodies referred to in subparagraphs (d) and (e) and the overall performance and operational results, statements of strategy and corporate plans of such bodies, and

(k) such other matters as may be referred to it by the Dáil from time to time.

(5) Without prejudice to the generality of paragraph (1), the Joint Committee appointed pursuant to this Standing Order shall consider, in respect of the relevant Department or Departments—

(a) EU draft legislative acts standing referred to the Select Committee under Standing Order 114, including the compliance of such acts with the principle of subsidiarity,

(b) other proposals for EU legislation and related policy issues, including programmes and guidelines prepared by the European Commission as a basis of possible legislative action,

(c) non-legislative documents published by any EU institution in relation to EU policy matters, and

(d) matters listed for consideration on the agenda for meetings of the relevant EU Council of Ministers and the outcome of such meetings.

(6) The Chairman of the Joint Committee appointed pursuant to this Standing Order, who shall be a member of Dáil Éireann, shall also be the Chairman of the Select Committee.

(7) The following may attend meetings of the Select or Joint Committee appointed pursuant to this Standing Order, for the purposes of the functions set out in paragraph (5) and may take part in proceedings without having a right to vote or to move motions and amendments:

(a) Members of the European Parliament elected from constituencies in Ireland, including Northern Ireland,

(b) Members of the Irish delegation to the Parliamentary Assembly of the Council of Europe, and

(c) at the invitation of the Committee, other Members of the European Parliament.

b. Scope and Context of Activities of Committees (as derived from Standing Orders) [DSO 84; SSO 70]

- (1) The Joint Committee may only consider such matters, engage in such activities, exercise such powers and discharge such functions as are specifically authorised under its orders of reference and under Standing Orders.
- (2) Such matters, activities, powers and functions shall be relevant to, and shall arise only in the context of, the preparation of a report to the Dáil and/or Seanad.
- (3) The Joint Committee shall not consider any matter which is being considered, or of which notice has been given of a proposal to consider, by the Committee of Public Accounts pursuant to Standing Order 186 and/or the Comptroller and Auditor General (Amendment) Act 1993.
- (4) The Joint Committee shall refrain from inquiring into in public session or publishing confidential information regarding any matter if so requested, for stated reasons given in writing, by—
 - (a) a member of the Government or a Minister of State, or
 - (b) the principal office-holder of a body under the aegis of a Department or which is partly or wholly funded by the State or established or appointed by a member of the Government or by the Oireachtas:

Provided that the Chairman may appeal any such request made to the Ceann Comhairle / Cathaoirleach whose decision shall be final.

- (5) It shall be an instruction to all Select Committees to which Bills are referred that they shall ensure that not more than two Select Committees shall meet to consider a Bill on any given day, unless the Dáil, after due notice given by the Chairman of the Select Committee, waives this instruction on motion made by the Taoiseach pursuant to Dáil Standing Order 28. The Chairmen of Select Committees shall have responsibility for compliance with this instruction.

APPENDIX 2

Joint Committee on Foreign Affairs and Trade and Defence

Deputies: Seán Barrett (FG)
 Seán Crowe (SF)
 Noel Grealish (RTG)
 Tony McLoughlin (FG)
 Darragh O'Brien (FF)
 Maureen O'Sullivan (I4C) [Vice Chair]
 Brendan Smith (FF) [Chairman]

Senators: Ivana Bacik (LAB)
 Mark Daly(FF)
 Billy Lawless(IG)
 Gabrielle McFadden (FG)

Notes:

1. Deputies nominated by the Dáil Committee of Selection and appointed by Order of the Dáil of 16 June 2016.
2. Senators appointed to the Committee by order of the Seanad on 22 July 2016