



**Tithe an
Oireachtais**
**Houses of the
Oireachtas**

**AN COMHCHOISTE UM
GHNÓTHAÍ EACHTRACHA AGUS COSAINT**

Clár Oibre 2021

JOINT COMMITTEE ON FOREIGN AFFAIRS AND DEFENCE

Work Programme 2021

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Introduction

The Joint Committee on Foreign Affairs and Defence was established following Orders of Dáil Éireann on 30th July 2020 and of Seanad Éireann on 18th September 2020. Standing Orders [DSO 100(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.

The Terms of Reference of the Joint Committee are, for completeness, at Appendix 1 and the membership of the Joint Committee is detailed at Appendix 2.

Select Committee

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

A) Legislation (Bills)

As of January 2021, there are no Bills are before the Committee.

B) Estimates and other Financial Matters

Select Committees are tasked with consideration of annual Estimates for Public Services that fall within their remit. 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 engage with the Minister for Foreign Affairs and the Minister for Defence regarding financial allocations and associated output targets for the coming year. A Supplementary Estimate may also be considered if additional monies are required by the relevant Government Department. Note: The Select Committee is required to consider the estimates but is not empowered to amend them.

In its consideration of estimates, 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.

In keeping with a whole of year approach, it is also the Committee’s intention to have an exchange of views with the Minister for Foreign Affairs and the Minister for Defence later in the year on the emerging position on the proposed financial allocation for 2022. In addition, the examination of the Annual Output Statements (AOS) and Value for Money (VFM) Reviews is another important part of scrutinising Government expenditure.

C) Referrals of Motions and Other Matters

From time to time, matters may arise and may be referred to the Select Committee by the Dáil. At January 2021, there are two motions/proposals before the Committee for consideration:

- A motion for the approval of Dáil Éireann of the report by the Minister for Defence regarding service by the Defence Forces with the United Nations in 2019; and
- A motion for the approval of Dáil Éireann concerning Ireland's participation in the European Defence Agency Project – Maritime Surveillance (MARSUR) Networking – Operational Support and Development (MARSUR III) pursuant to section 2 of the Defence (Miscellaneous Provisions) Act 2009

Joint Committee

The Work Programme of the Joint Committee is not an exhaustive statement of the matters which the Committee will consider during 2021. 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 the Department of Defence bodies under the aegis of those Departments. 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 2021:

A. 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 will meet with the Minister for Foreign Affairs 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 Joint Committee will prioritise participation in the EU Common Foreign and Security Policy and Common Security and Defence Policy (CFSP/CSDP) Conferences.

The Committee will also meet with the Minister for Defence as required 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.

B) Policy issues concerning bodies partly or wholly funded by the State

Non-Governmental Organisations or 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 Value for Money.

C) Pre-Legislative Scrutiny/Post-enactment

The Joint Committee is also empowered to consider the examination of the general scheme or draft heads of Bills and to consider any post-enactment report on any Bill enacted by the Houses of the Oireachtas in respect of the Department of Foreign Affairs and the Department of Defence.

D) Pre-Committee Stage Scrutiny of Private Members' Bills

Pre-Committee Stage scrutiny under Dáil Standing Order 178, shall be conducted from a policy, legal and financial perspective, and in accordance with the guidelines set out in the Memorandum of Understanding agreed between the Dáil and the Government and laid before Dáil Éireann.

E) Matters selected for Priority consideration

The Joint Committee has selected 11 key policy matters¹ for which the Minister for Foreign Affairs and the Minister for Defence are officially responsible and to which it will give high priority attention in 2021. These are as follows: -

- A. Middle East Peace Process and strengthening international support
- B. Global migration (root causes, current trends, global south migration)
- C. Sustainable Development Goals (monitoring progress in achieving targets)
- D. Covid vaccine equality
- E. Irish Overseas Development Aid
- F. Defence and the Defence Forces Commission
- G. Ireland's role on the UN Security Council
- H. Cyber Security and Defence / Intelligence Activity / Coastal Security
- I. Global Ireland Strategy
- J. Irish diaspora
- K. CFSP and CSDP- European External Action Service, including its relationship with national Parliaments

The Joint Committee has also identified specific issues which it will monitor and may progress in 2021. These issues are not for priority consideration but are considered to be very important. These issues include but not limited to:

- A. Bi-lateral relations with committees on foreign affairs of other parliaments
- B. The plight of Uyghur Muslims in China
- C. Conflict in South Sudan/Ethiopia and spill over into neighbouring states
- D. The peace process in Colombia
- E. The dangers faced by Human Rights Defenders, environmental and Indigenous activists in the Americas
- F. EU Eastern Neighbourhood

¹ See Appendix 3 for table outlining further detail on priority topics, including potential actions and witnesses.

F) Travel

The Dáil and Seanad have conferred on the Joint Committee the power to undertake travel in accordance with Standing Orders 96(15) [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 value for money (VFM) considerations.

The Joint Committee may bring forward proposals for travel in respect of some of the options and extant invitations set out below (subject to travel restrictions)

Potential travel episodes in 2021

<i>Destination</i>	<i>Context</i>
Portugal and Slovenia	Attendance at meetings of the CFSP/CSDP in Lisbon (to be held via videoconference 3/4 th March 2021) and in Ljubljana as both Portugal and Slovenia hold the Presidency of the Council of the EU in 2021.
Columbia	Invitation received to visit: (1) to engage with legislators and key players and groups involved in the Colombian Peace Process and (2) to review the efforts being made to accommodate those immigrants from Venezuela. Agreed by Committee.
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
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.
New York & Washington D.C.	(1) Visit to Irish Perm Rep. to UN (2) meetings with National, State and City legislators (3) meetings with Irish Diaspora Groups and those in receipt of funding under the auspices of the Emigrant Support Programme.
Irish Defence Forces	(1) Army HQ, Curragh (2) Air corps HQ, Baldonnel (3) Naval service HQ, Haulbowline

Agreement of Work Programme

This Work Programme for 2021 of the Joint Committee on Foreign Affairs and Trade and Defence was agreed by the Committee at its meeting on 21st January, 2021 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.

A handwritten signature in black ink, appearing to read 'Charles Flanagan', with a stylized flourish at the end.

Charles Flanagan T.D.,
Chairman
21st January 2021

APPENDIX 1

COMMITTEE ON FOREIGN AFFAIRS AND TRADE AND DEFENCE

TERMS OF REFERENCE

a. Functions of the Committee – derived from Standing Orders [DSO 95; SSO 70]

The Dáil may appoint a Select Committee to 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) A 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), a 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 220,

(c) Estimates for Public Services, and

(d) other matters,

as 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 moneys, and

(f) such Value for Money and Policy Reviews as the Select Committee may select.

(4) Without prejudice to the generality of paragraph (1), a Select Committee appointed pursuant

to this Standing Order 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) scrutiny of private members' Bills in accordance with Standing Order 178, or detailed scrutiny

of private members' Bills in accordance with Standing Order 161,

(h) 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,

(i) 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,

(j) strategy statements laid before either or both Houses of the Oireachtas pursuant to the Public

Service Management Act 1997,

(k) 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

(f) 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), a Select 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 133,

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) Where a Select Committee appointed pursuant to this Standing Order has been joined with a

Select Committee appointed by Seanad Éireann, the Chairman of the Dáil Select Committee shall also

be the Chairman of the Joint Committee.

(7) The following may attend meetings of a 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.

(8) A Select Committee appointed pursuant to this Standing Order may, in respect of any Ombudsman

charged with oversight of public services within the policy remit of the relevant Department or

Departments, consider—

(a) such motions relating to the appointment of an Ombudsman as may be referred to the Committee, and

(b) such Ombudsman reports laid before either or both Houses of the Oireachtas as the Committee

may select: Provided that the provisions of Standing Order 130 apply where the Select Committee has not considered the Ombudsman report, or a portion or portions thereof, within

two months (excluding Christmas, Easter or summer recess periods) of the report being laid before either or both Houses of the Oireachtas.

b. Scope and Context of Activities of Committees (as derived from Standing Orders) [DSO 94; 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 Ceannt 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

Membership of the Committee

Deputies:

Cathal Berry	Independent
John Brady	Sinn Féin
Sorca Clarke	Sinn Féin
Barry Cowen	Fianna Fáil
Charles Flanagan [<i>Chair</i>]	Fine Gael
Gary Gannon	Social Democrats
James Lawless	Fianna Fáil
Brian Leddin	Green Party
David Stanton	Fine Gael

Senators:

Catherine Ardagh	Fianna Fáil
Gerard Craughwell	Independent
Níall O'Donnghaile	Sinn Féin
Joe O'Reilly	Fine Gael
Diarmuid Wilson	Fianna Fáil

Notes:

APPENDIX 3

Table of Priority Topics

Topic	Action	Potential Witnesses
Middle East Peace Process and strengthening international support	Continue to monitor the situation and meet with relevant stakeholders	
Global Migration (root causes, current trends, global south migration)	Continue to monitor the situation and meet with relevant stakeholders	NGOs, including MSF
Sustainable Development Goals	Continue to monitor progress in achieving targets	<ul style="list-style-type: none"> • Irish Aid • Minister for Foreign Affairs • Dochas and other NGOs
Covid Vaccine Equality	Covid-19 Global Vaccine (Covax) Initiative	<ul style="list-style-type: none"> • World Health Organisation • HSE
Irish Overseas Development Aid	Continue to monitor the situation and meet with relevant stakeholders	<ul style="list-style-type: none"> • Minister for Foreign Affairs • Dochas and other NGOs • Irish Aid
Defence and the Defence Forces Commission	Continue to monitor the situation and meet with relevant stakeholders <ul style="list-style-type: none"> • White Paper on Defence • High-Level Implementation Plan • Defence Forces Commission • Role, structure and work of Civil Defence • Reserve Defence Forces • Issues faced by former members of Defence Forces 	<ul style="list-style-type: none"> • Minister for Defence • Chief of Staff • Defence Forces Representative bodies • Commission for the Defence Forces • O.N.E. / I.U.N.V.A.

Joint Committee on Foreign Affairs and Defence: Work Programme 2021

Ireland's role on the UN Security Council	With particular reference to Ireland's role as Co-Chair of the Committee on Women, Peace and Security UNSCR 1325 and related resolutions	<ul style="list-style-type: none"> • Minister for Foreign Affairs • Officials
Cyber Security and Defence / Intelligence Activity / Coastal Security		<ul style="list-style-type: none"> • National Cyber Security Centre
Global Ireland Strategy	<p>Review of the Irish diplomatic and consular network including:</p> <ul style="list-style-type: none"> • The expansion of diplomatic and consular footprint • Emigrant Support Programme • Examine the proposed strategy for the Caribbean and Latin America • Periodic engagement with Ambassadors and Embassies 	<ul style="list-style-type: none"> • Minister for Foreign Affairs / Officials from DFA
Irish Diaspora	<p>With particular reference to:</p> <ul style="list-style-type: none"> • the undocumented in the US; • furtherance of immigration reform in the US; and • the impact of Brexit 	
EU Common Foreign and Security Policy and Common Security and Defence Policy (CFSP/CSDP).	<ul style="list-style-type: none"> • European External Action Service, including its relationships with national parliaments • Committee will attend the Inter-Parliamentary Conferences on the CFSP and CSDP during the Portuguese (virtual) and Slovenian Presidencies 	