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Chuaigh an Ceann Comhairle i gceannas ar 10.30 a.m.

Paidir.
Prayer.

Leaders' Questions.

Mr. Kenny: It is becoming increasingly obvious that this Government is on its last legs. As the Taoiseach heads to his Fianna Fáil Ard-Fheis at the weekend, I am sure he will be looking back on ten years of promises, and maybe he will make a few more. Given that we will not have the opportunity presented to us this morning again, perhaps he will reflect on a few of the promises he made before he makes any new ones.

An Ceann Comhairle: The Deputy should ask one topical question.

(Interruptions).

Mr. J. O'Keeffe: Broken promises.

The Taoiseach: He will probably start in 1950.

Mr. Kenny: That was a very timely intervention, a Cheann Comhairle. I have no intention of reading out the Government's programme for 2002 but I recall the former Minister for Health and Children, Deputy Martin, saying on 6 May 2002 that the Government would permanently end waiting lists in our hospitals within two years. One should remember that promise.

I remember the promise on prisons and crime to the effect that the Government would avoid overcrowding and reopening the revolving door. The Minister for Justice, Equality and Law Reform is not even present.

Mr. Penrose: He is the revolving door.

Mr. Kenny: On class sizes, it was promised that the average pupil-teacher ratio in classes for children under nine would be below 20:1 by 2007. This was the third promise. In respect of the transport chaos on the M50, the Taoiseach said he would develop the metro for Dublin, achieving a link to Dublin Airport by 2007. Let us not forget the memorable words of the former Minister for the Environment, Heritage and Local Government, Deputy Cullen, that the €52 million investment by this Government on behalf of taxpayers is absolutely secure and that we would see those machines used.

Mr. Allen: They are secure in warehouses.

Mr. McCormack: Absolutely stored.

An Ceann Comhairle: Again, I draw the Deputy's attention to the Standing Order. There is a limit on the time allowed for questions.

Mr. Kenny: It is a matter of broken promises.

An Ceann Comhairle: A brief question on one matter is allowed.

Mr. O'Dowd: If there were only one, he would be brief.

A Deputy: One matter is the failure of the Government.

Mr. J. O'Keefe: It is hard to be brief on broken promises.

Mr. Kenny: In fairness to the Taoiseach, he responded for 20 minutes yesterday. I have mentioned five of the promises he made in the past ten years.

Mr. M. Ahern: What about the 100 Deputy Kenny did not deliver on?

Mr. Kenny: I thank the Minister of State, Deputy Michael Ahern. Will the Taoiseach tell me, man to man, whether any of those five promises, on which he really would like to have delivered, keeps him awake at night? Will he answer this in the House before we hear the de Róiste judgment at the weekend?

The Taoiseach: I will try to reply to the Deputy's questions in the order in which he asked them, although I know he was meant to ask only one question.

On prisons, we have reformed the prison system and built new prisons.

Mr. Allen: And closed a few.

The Taoiseach: No, we got away from the revolving door that existed when the Deputy's party was last in Government—

Mr. Durkan: He escaped.

The Taoiseach: —when nobody served his time and when prisons were just holiday camps. Offenders were imprisoned for just a few days and then let out again; that is the way it was.

Mr. J. O'Keefe: There were 3,000 early releases last year.

(Interruptions).

An Ceann Comhairle: Allow the Taoiseach without interruption.

The Taoiseach: On class sizes, we have employed 8,000 extra teachers in primary schools since 1997 and the pupil-teacher ratio is now down to 27:1 or 28:1. There has been an enormous improvement in respect of disadvantaged children and the class size in this respect is 13 in secondary school. This is as good as any international standard.

Mr. Howlin: We have the second largest class sizes in Europe.

Ms O'Sullivan: What about primary schools?

The Taoiseach: A considerable number of primary schools have under 20 per class.

Ms O. Mitchell: There are many with over 35.

The Taoiseach: There is one teacher for every 28 pupils.

The voting machines—

Mr. McCormack: They are safely stored.

The Taoiseach: —worked quite well in the last election — they worked excellently. Fine Gael is afraid of them and wants to return to paper and pencils. Even though we are a country of technology, Fine Gael would rather go back to the old way — a haon, a dó, a trí and use the pencils. Ireland is the largest exporter of technology and everybody is using it with their bank cards, etc. Fine Gael wants us to use pens and peann luaidhes again. That is its policy and if we keep going in that direction we will all be unemployed again.

Mr. M. Higgins: We could use them as ATMs.

Mr. Allen: We might be unemployed—

(Interruptions).

An Ceann Comhairle: Allow the Taoiseach without interruption.

The Taoiseach: Which one did I miss?

Mr. Kenny: The M50.

Mr. J. O'Keefe: The whole lot.

The Taoiseach: Was it the 600,000 extra jobs or was it delivering our tax policies? Was it bringing almost full employment to the country or having the best economy in the world?

Mr. Durkan: Hospitals.

Mr. Allen: What about the waiting lists?

Ms O. Mitchell: Waiting lists.

The Taoiseach: Was it cutting the national debt to 25%?

Mr. Ring: Hold it now—

(Interruptions).

An Ceann Comhairle: The Taoiseach without interruption.

The Taoiseach: Deputy Ring should leave Deputy Kenny alone in Mayo and not be hassling him.

Mr. Kenny: Sometimes the Taoiseach is fallible also. I will take his points in the order in which he made them.

Mr. Ring: What did he say?

An Ceann Comhairle: Allow Deputy Kenny without interruption.

Mr. Kenny: The Taoiseach said he ended the revolving door and sorted out all the business concerning crime and justice. Last year 470 prisoners were released early from Cork jail to make way for new inmates. Is this not an indication that the revolving door is still alive and well? There are 110,000 children in classes of 30 or more, despite the Taoiseach's assertion that the pupil-teacher ratio is now reduced to 28:1. It took some pressure from this side of the House to force a change within the Department of Education and Science to provide language support teachers in the numbers required.

The Taoiseach said the electronic voting machines worked "quite well". The population is waiting to dispatch this Government with their "peann luaidhes" when they get the opportunity. I remind the Taoiseach of Deputy Cullen's statement that the money is absolutely secure and that the machines will be used. I suppose the Taoiseach will get up at the weekend and say they will be used some other time.

Mr. Cullen: They will be used. Deputy Kenny wanted to use on-line voting.

Mr. Howlin: Where will they be used?

Mr. J. O'Keefe: The Minister, Deputy Cullen, should hang his head in shame.

Mr. Ring: Voters can play with them as they are stuck on the M50.

Mr. Kenny: They will not be used in the lifetime of the next Government.

The €750 million car park that is the M50 and the port tunnel were blocked this morning, causing chaos for hundreds of thousands of commuters. The virtual metro is supposed to be in operation this year.

There were 40,000 operations cancelled and 29,000 people are waiting to see a consultant. Why must four out of five patients wait at least 12 weeks to see a consultant or have endoscopy investigations carried out? I pointed out yesterday the seriousness of the situation where a GP in Kildare said the system had effectively killed a patient and a consultant in Tralee said that patients die while on the waiting list for endoscopy investigations. I pointed out what is happening in hospital after hospital.

After making those five promises, do any of them keep the Taoiseach awake at night? If he could go back over the past ten years, given the economic strength brought about by the workers of Ireland, which of them would he deliver on? Will the Taoiseach admit that his much vaunted promises have ended in failure? He promised a lot but there is still a lot to be done.

I was going to say that Deputy O'Connor's posters caused the rumpus on the M50 this morning but obviously that is not the case.

Mr. Roche: It was not the millions the Deputy spent on posters.

The Taoiseach: I have answered the issue of prisoners. We had a major problem with early releases but now we do not have that problem — the statistics and facts back that up.

Mr. J. O'Keefe: There were 3,000 early releases last year.

The Taoiseach: I know Deputy Kenny admitted last week that if he has the opportunity he will do away with remission for prisoners. I do not know if the Labour Party would support that if it is ever with him in government, but prisoners will note that remission for ordinary prisoners will be taken away if Deputy Kenny has an opportunity to do so.

Mr. Crawford: They will vote for Fianna Fáil.

The Taoiseach: On class size, there are almost 5,000 more primary school teachers than in 2002 and 8,000 more teachers. Class sizes have reduced dramatically, with the average primary class size falling to 24. With the unprecedented increases in support staff, there is now one teacher for every 17 primary school children, down from one for every 22.

Mr. Howlin: We have the second largest class sizes in Europe.

Mr. Kenny: There are 10,000 children in classes of more than 40.

The Taoiseach: Children who need extra help are getting more support than ever before and the majority of extra teachers hired have been targeted, rightly, to provide extra support for children with special needs, those in disadvantaged areas and those who need help with their English. Not only have these additional teachers made an immeasurable difference in the lives of all these children, they provide vital back-up in the classrooms. The policies we have implemented have helped, with more than 1,200 extra teachers in primary schools in the past few years.

At second level, there is now one teacher for every 13 students. That is a considerable reduction on the figure in 1997. Those are the facts.

Ms O'Sullivan: There are 100,000 children in classes of 30 or more.

The Taoiseach: As I said yesterday, as in every health service in the world, there are clearly some difficulties in some areas of health, although not in a large proportion of areas. I acknowledge what has been achieved: a 7% increase in day care cases to over 590,000, an increase in out-patient attendances to more than 2.766 million, over 1.2 million attendances at accident and emergency departments and substantially reduced waiting times. Treatment is provided for 150,000 cancer patients and treatment is provided for 17,000 inpatients and appointments have been arranged for 9,000 outpatients under the National Treatment Purchase Fund.

Dr. Cowley: People must wait four months for essential cancer treatment.

The Taoiseach: There are 780,000 extra home care hours, bringing the total to 11.8 million, additional home care packages and additional day care packages. Every day there are new announcements and new movements helping the health service.

Mr. Stagg: Is that the Taoiseach's speech for this weekend?

The Taoiseach: Deputy Kenny asked about the voting machines. I must remind him that he promised not alone that we would have voting machines—

Mr. J. O'Keeffe: Machines that would work.

The Taoiseach: His party wants to go back to pencils—

Mr. Kenny: Peann luaidhe.

The Taoiseach: Peann luaidhe, which he does not believe in and is ridiculous. He promised at University College Galway that he would bring in voting on the Internet. That is what he said.

Mr. Kenny: No, I did not.

The Taoiseach: His party wants pencils. I wanted voting machines and he wanted to use the Internet so he should not accuse me.

Mr. J. O'Keeffe: It is a broken down system from a broken down Government.

Mr. Kenny: I can confirm that those voting machines will not be used in the lifetime of our Government.

The Taoiseach: Deputy Kenny had his chance so he should sit down. I admit in the national Parliament today that there was a delay on the M50.

A van ran into a truck so I am very sorry that it disrupted people.

A Deputy: The Taoiseach was not driving.

The Taoiseach: I was not driving.

Mr. Crawford: The Taoiseach does not have a licence.

The Taoiseach: It shows the huge success of the tunnel in only a few months that as soon as there was a delay everything happened. I was waiting since Christmas to see what day would the Opposition stand up, but it had to wait, because it is a huge success, another massive part of the planning infrastructure of the Government.

Ms O. Mitchell: It can only carry 12,000 cars a day at full capacity.

The Taoiseach: Because a van ran into a truck, the only thing the Opposition can raise in the national Parliament is that a van ran into a truck.

Mr. McHugh: What make was the truck?

Mr. Connaughton: The M50 is the largest car park in Europe.

An Ceann Comhairle: I remind Members of the House that it is Leaders' Questions and only the leaders of the parties are entitled to submit a question and a member of the Government responds. I ask Members to behave in some reasonable manner so the Member submitting the question and the Taoiseach replying can do so in silence.

Mr. Rabbitte: If the Taoiseach keeps this up, he can be his own warm-up man for the jamboree at the weekend.

Yesterday I asked, and the Taoiseach refused to answer, how many tens of millions of euro of taxpayers' money will be bestowed on the lads from the tent at the Galway Races to build private hospitals on the public grounds of our existing hospitals. This morning, I would like to raise another public expenditure decision, related to the subject matter of a parliamentary question on 22 February, where the questioners were advised that it was expected to identify the preferred bidder for the prison at Thornton Hall by the end of February 2007. Was the preferred bidder identified by the end of February, as pledged, and will the Taoiseach tell us who it is?

How does he propose to protect taxpayers' money in the contract, given the record on this site? The Comptroller and Auditor General, in his report for the year 2005, published in September 2006, deplored the manner of purchase of the lands at Thornton Hall and said that at least twice the market value was paid for them. He went on to say: "In the circumstances, a well managed, confidential, third party approach

might have allowed the Prison Service to procure suitable land at a much lower price than was paid for the land at Thornton.”

Mr. Purcell, although working in the abstract, turned out to be right. At the weekend we learned that the adjacent site, which was inspected by the perceptive Minister for Justice, Equality and Law Reform, Deputy McDowell, at the time as a possible alternative, was sold recently for €100,000 per acre, whereas the Minister paid €200,000 per acre for the site at Thornton Hall. This is the man who lectures those on this side of the House on economics and hard decision taking. They say a fool and his money is easily parted but the Minister is no fool and the money he was parted from was taxpayers' money doled out in the most foolish purchase because, as the Comptroller and Auditor General said, they saw him coming. Imagine putting it around that one had €30 million to spend and asking if anyone could come up with a site. What does he expect in those circumstances? This is the most profligate waste of taxpayers' money by a blundering Minister that rivals—

An Ceann Comhairle: Deputy, your time has concluded.

Mr. Rabbitte: —anything Deputy Kenny has instanced about the other decisions on which the Taoiseach wasted so much money during the lifetime of this Government. What guarantees can the Taoiseach give the taxpayer that this pattern on the Thornton Hall project will not continue? I notice the Minister forgot to factor in an access to the site. The Lord knows how much he will pay for the roadway in because they know he is coming now. He appears to be an easy touch but he is paying with taxpayers' money, yet the Taoiseach boasts about the progress made on the prisons. This is a laughable decision by an incompetent Government.

The Taoiseach: That is Deputy Rabbitte's view.

Mr. Rabbitte: It is the Comptroller and Auditor General's view.

Ms O. Mitchell: Some will say it is the common view.

The Taoiseach: The Government's view is that we wanted to build a modern prison that had all the facilities unlike some of our prisons that have deplorable facilities and bad sanitary facilities, which have been highlighted in the yearly reports from the prison inspectorate. We wanted to build a state-of-the-art prison on a large site that could accommodate a large prison, with all the ancillary facilities, on the outskirts of the city. A number of sites were checked. This site was sourced. The contracts were prepared. Deputy Rabbitte said we should not have made public the figure. When

we were dealing with the metro a few weeks ago Deputy Rabbitte demanded of me that we should make public the figure. He now says we should not have made public the figure. In the other case he wanted the figures published. It is an inconsistency in his argument. The Government's position is that we want to build a modern prison on a substantive site that has all the facilities for prisoners in the 21st century, with proper security and access. Controversies will always arise when a prison is being built although having been involved in a different Ministry some years ago when the prison in Castlerea was opened, people were glad of a prison in their area from an employment and security point of view. This is the site we opted for and the one on which we will build a prison. That is the Government's position.

Mr. Rabbitte: It is not my view. It is the view of the Comptroller and Auditor General. It is the view of experts who saw the sale of the adjacent site at the weekend. It is not akin to Castlerea. If the Taoiseach believes the people at Killsallaghan have the same view as the people of Castlerea, he should make one of his flying visits to the area. He moves around the country faster than the MRSA bug. The Taoiseach claims to defend this decision, which is such a manifest waste of money he can send out his very sincere Minister for Social and Family Affairs yesterday to lecture this side of the House on public expenditure decisions. This is the same Minister, Deputy Seamus Brennan, who went to Cork and told the people he would give them an airport debt free.

A Deputy: They are still waiting.

Mr. Rabbitte: This is the same Minister who said Mary Robinson would not be right for the Park—

Mr. M. Ahern: This is the same Minister who—

Mr. Roche: This is the same Minister who delivered social welfare—

An Ceann Comhairle: Minister, allow Deputy Rabbitte speak. Deputy Rabbitte, your time has concluded.

Mr. Rabbitte: —because it would cause a flight of capital. This is the same Minister, Deputy Seamus Brennan, who was the architect of the 1977 package of proposals and who puts on his very sincere face and tells the Opposition that their proposals will cost too much. I wonder in that instance what he thinks of the proposals of the Minister for Justice, Equality and Law Reform, Deputy McDowell—

An Ceann Comhairle: Deputy Rabbitte, your time has concluded.

Mr. Roche: He is the Minister who delivered for pensioners.

An Ceann Comhairle: Minister, allow Deputy Rabbitte to conclude.

Mr. Rabbitte: —who promised to spend €6.8 billion at his party conference. The Taoiseach is in no position to lecture about value for money and waste of public money when he stands over a decision like Thornton Hall. It has been a waste of money. It did not meet valuation criteria. It was embarked on in the manner that has been rigorously criticised not by me but by the Comptroller and Auditor General yet the Taoiseach tells this House and says he wants a leading prison. So what? Why did he not buy one or build one and get value for money rather than giving away tens of millions of taxpayers' money in this fashion that has been indicted by people who know what they are talking about? The adjacent site sold for half of the value. The Comptroller and Auditor General said the evaluation criteria was not followed and now we are stuck with it.

The Taoiseach: The Tánaiste and Minister for Justice, Equality and Law Reform has given full documents and details to the Comptroller and Auditor General and I will not go into that debate here. I should have said to Deputy Rabbitte that the evaluation has been completed and I understand the preferred bidder will be announced by Easter. We required a modern, stand alone large prison on a secure site that had adequate facilities.

Ms Burton: With no road access.

An Ceann Comhairle: Deputy Burton, you are not the leader of your party. I ask you to allow your leader to hear the answer.

The Taoiseach: That was the priority of Government.

Mr. J. O'Keeffe: The dearest farm in Europe.

The Taoiseach: It is the same old story with the Opposition. They criticise existing facilities but we are trying to improve the lot of unfortunate people in society who require proper facilities when they are incarcerated. That is a fair approach.

Mr. Allen: They are a crowd of wasters.

(Interruptions).

An Ceann Comhairle: I ask the Minister to allow the Taoiseach to answer without interruption.

The Taoiseach: The issues of planning, design and all of those matters will be resolved as is always the case. To continue having prisons in confined sites is not a good idea.

Mr. J. O'Keeffe: That is not what we are saying.

Mr. Howlin: What sites?

The Taoiseach: In sites like the Central Mental Hospital in Dundrum—

Ms Burton: That is an enormous site.

The Taoiseach: —and Mountjoy. I am talking about sites that are ancient and where it is not possible to turn them into modern facilities for people.

Mr. J. O'Keeffe: Why did the Taoiseach waste €30 million?

The Taoiseach: I am surprised at the members of the Labour Party. If my colleague, Deputy Joe Costello, who is the leader of the prisoners' rights organisation, were here he would be appalled to hear the Labour Party Members opposing prisons.

Mr. Stagg: The Taoiseach is getting his local campaign going.

The Taoiseach: In fairness to him he has been consistent. He always wanted them all out, but I want to put them in good facilities.

Mr. Stagg: The Taoiseach wants them all in.

Mr. Rabbitte: They would be all out if the Government did not build unconfined prisons.

The Taoiseach: It is unreasonable of the Labour Party not to want to provide proper facilities.

Mr. Roche: They would let them all out.

The Taoiseach: I want to put them into decent facilities and not do what Deputy Costello wanted or what the Labour Party is calling for now, which is to keep them in facilities that are 150 or 200 years old.

Ms Burton: The women's prison was built only a decade ago.

An Ceann Comhairle: I call Deputy Ó Caoláin.

Mr. Rabbitte: So now we will have prisons that are not confined.

Mr. Roche: When those opposite were in power they were all walking out the doors.

An Ceann Comhairle: Sorry, Deputy Rabbitte, you asked your question. Deputy Ó Caoláin, without interruption.

Caoimhghín Ó Caoláin: Is the Taoiseach aware that many thousands of medical card holders are being deprived of dental treatment to which they are entitled because dentists have felt compelled to withdraw from the dental service treatment scheme? Is he further aware that this situation is set to worsen as the Irish Dental Association is in the course of a ballot of its members to withdraw from the scheme in protest at the failure of the Health Service Executive and the Department of Health and Children to engage with the association and complete a thorough review of the scheme? Is the Taoiseach aware that because of this and the impending result of that ballot, medical card holders are now being denied access to critical dental treatment through the general medical services scheme upon which they are totally dependent? Would the Taoiseach not agree that the scheme is far from comprehensive? However, we are now faced with its total collapse. Can the Taoiseach confirm that part of the reason for the current impasse is the advice received by the HSE and the Department of Health and Children from the Attorney General claiming that they cannot negotiate fees for this scheme with the Irish Dental Association because of the Competition Act? Is this the same advice that has been given regarding the role of the Irish Pharmaceutical Union in representing its membership?

An Ceann Comhairle: The Deputy's time has concluded.

Caoimhghín Ó Caoláin: Whatever the legal position, does the Taoiseach realise that if this problem is not resolved the scheme will collapse and many people will be left without the treatment to which they are entitled? Will he urge the Minister for Health and Children to immediately intervene and use her offices to facilitate the recommencement of direct engagement with the Irish Dental Association to stave off the worst-case scenario that I indicated earlier?

The Taoiseach: The dental service that operates at the moment is a very good service and we certainly do not want a disruption of that service. The private dentists who operate the system are a hugely valuable part of providing the services for medical card patients. This issue, like the pharmacy issue, has gone on for some considerable time. The negotiations have been ongoing in one form or another for several years. However, the Government must keep the dentists as part of the system because otherwise we would not be able to run the service. At the same time we must protect public expenditure and taxpayers' interest in it. It is the intention of the Minister, the Department of Health and Children

and all of us to ensure the service continues. There is ongoing attention. The negotiations between the Irish Dental Association and the Department have been quite a long-running saga.

Caoimhghín Ó Caoláin: I thank the Taoiseach for his reply. However, he has not indicated whether he will use his position as Taoiseach to impress on the Minister the importance of her immediately intervening to break the logjam. Now is the time to do it, in advance of any decision by the members of the Irish Dental Association. As the Taoiseach should know dentists have been pulling——

Ms Burton: Pulling teeth.

Caoimhghín Ó Caoláin: ——out of this scheme in ever increasing numbers from as far back as 2005. Dental treatment is supposed to be a key element of primary care provision, something to which the Taoiseach and his Government are allegedly committed — another one of the promises referred to already this morning. In reality we do not have the network of primary care centres including dental providers, both dentists and the various skilled people across that discipline, providing this service, all of which was promised within the health strategy. Why has all this been dropped? What is the Taoiseach now prepared to do to rescue the situation——

An Ceann Comhairle: The Deputy's time has concluded.

Caoimhghín Ó Caoláin: ——particularly for those who are dependent on medical cards for access to the whole raft of health care services including dental services? These are the people who will now suffer most from a further deterioration of the situation between the Irish Dental Association, the HSE and the Department of Health and Children. Ultimately the buck stops with the Taoiseach. What is he now prepared to do about it?

The Taoiseach: I will not intervene in a process that has been ongoing for some time. The negotiations are going on. The service has improved. The Deputy is incorrect. The dental service has improved in schools and for the general public through community medicine and the primary care teams. These are industrial relations negotiations about the fee and remuneration dentists will receive. Obviously the Government supports trying to reach a conclusion to that. We value the professionalism of our dentists who operate the scheme for medical card holders. As in any industrial relations issue, we need to ensure we negotiate a package that is fair to all sides.

Ceisteanna — Questions.

European Council Meetings.

1. **Mr. Rabbitte** asked the Taoiseach his priorities for the European Council Meeting of 8 and 9 March 2007; and if he will make a statement on the matter. [6452/07]

2. **Mr. Kenny** asked the Taoiseach if the agenda for the March 2007 meeting of the European Council has been finalised; and if he will make a statement on the matter. [6751/07]

3. **Mr. Kenny** asked the Taoiseach the bilateral meetings he will hold on the margins of the next European Council meeting; and if he will make a statement on the matter. [6752/07]

4. **Mr. Rabbitte** asked the Taoiseach if he will make a statement on the outcome of his recent meeting with the President of Poland, Mr. Lech Kaczynski. [7294/07]

5. **Mr. Kenny** asked the Taoiseach if he will report on his recent meeting with the President of Poland, Mr. Lech Kaczynski; and if he will make a statement on the matter. [7809/07]

6. **Mr. J. Higgins** asked the Taoiseach his priorities for the March 2007 European Council meeting. [8938/07]

7. **Mr. J. Higgins** asked the Taoiseach if he will report on his meeting with the President of Poland, Mr. Lech Kaczynski. [8939/07]

8. **Mr. Sargent** asked the Taoiseach if he will report on the European Council of 8 and 9 March 2007; and if he will make a statement on the matter. [9548/07]

9. **Mr. Rabbitte** asked the Taoiseach if he will make a statement on the outcome of the EU summit on 8 and 9 March 2007. [9620/07]

10. **Caoimhghín Ó Caoláin** asked the Taoiseach his priorities for the next meeting of the European Council; and if he will make a statement on the matter. [9642/07]

The Taoiseach: I propose to take Questions Nos. 1 to 10, inclusive, together.

I attended the spring European Council on 8 and 9 March in Brussels. As I will make a statement on the Council later today, I will at this stage merely give a summary account of its proceedings.

The main focus of the European Council was climate change and energy policy. Our discussions focused on the strategy for international

climate protection and safeguarding Europe's energy supplies. A step-change is needed in our approach to developing renewable sources of energy and it was the view of the Council that this will only happen with binding targets. The Council has now agreed these targets. In particular, we have set a target following the post-Kyoto negotiations of a 30% reduction in emissions of greenhouse gases over the 1990 level. We have also agreed that in any event the European Union will achieve at a minimum a 20% reduction. In addition, we agreed a binding 20% target for renewable energy. These targets are ambitious but achievable.

The European Council also discussed the forthcoming Berlin declaration to mark the 50th anniversary of the Treaty of Rome, transatlantic trade relations, the Lisbon Agenda and the Union's international relations.

While at the European Council, I met the British Prime Minister, Mr. Blair, and we discussed the assembly elections in Northern Ireland. We issued a joint statement after the meeting.

On 19 February, I met the President of Poland, who was on an official visit to Ireland. Our meeting was a cordial one during which we discussed a wide range of issues of common interest to both Poland and Ireland. Our discussions focussed in particular on the prospects of progress on the constitutional treaty.

Mr. Rabbitte: I thank the Taoiseach for his reply. What is the purpose of so-called "people-friendly" declaration to commemorate the 50th anniversary of the Union at the forthcoming meeting in Berlin next Sunday? Is it the Taoiseach's intention to attend that meeting? Has the Government signed off on the declaration and is it agreed at this stage?

The Taoiseach: On the purpose of the declaration, the German Presidency indicated from long before its Presidency that it would work to try to communicate a vision for the future, acknowledging what has happened and the success of moving Europe from the war-torn Europe of the past. The Deputy will appreciate that is a matter close to the heart of Chancellor Merkel. It should also indicate where Europe should go in the future and particularly set a vision and strategy for which the next generation in Europe should strive.

Several meetings have taken place. A contact group has been meeting since late in autumn, involving two officials from each of the offices of all the prime ministers in Europe, drafting this document. The Chancellor's view from the start, which I support, is that it should not be a lengthy Europe-speak document that would not attract the interests of European citizens in the enlarged Europe. It should be a straightforward simple one setting out the advantages of Europe today and

into the future. I have not seen the draft but obviously it was discussed at the European Council. It was discussed at the dinner and some contentious issues were raised but not many. Those contentious issues came mainly from the eastern European countries but not from the original 15 countries. Most of the contentious issues relate to the EU neighbourhood policy relationships with Russia, Ukraine and others into the future. I will attend the European Council meeting at which 27 Heads of State will be present. We hope to get the final draft of the declaration from the Chancellor tomorrow.

Mr. Rabbitte: On the energy dimension, after the summit the Minister for the Environment, Heritage and Local Government, Deputy Roche, announced that the Government would take an initiative to either ban or tax the traditional light bulb. Has the Minister decided to turn out the lights or will the Government impose a tax on light bulbs? What contribution will the Government make on the issue? Having watched the Minister for Finance answering questions yesterday it did not strike me that banning the traditional light bulb was going down big in Tullamore.

The Taoiseach: It is going down big in Europe. The view on this issue is that the proper thing to do in the short term is to move away and effectively ban the traditional light bulb. As in all of these issues there is much scientific knowledge on the effects and people can move into the future with a different form of lighting. The overwhelming evidence is that if we want to save energy — and we can — this is one way of doing it. Certainly the view of the European Council is that we should ban traditional light bulbs. Imposing a tax on light bulbs would not——

Mr. Rabbitte: What is the Taoiseach's view?

The Taoiseach: To ban them.

Mr. Kenny: To ban light bulbs.

The Taoiseach: It is one of these things.

Mr. Kenny: A spark of light on the electronic voting machines.

Mary Coughlan: The Deputy should go back to the Tilley lamp.

Mr. Kenny: I note that the chief executive of Ryanair was speaking about the animals on his farm in Mullingar and the contribution they make to greenhouse gases. On a more serious note, was the issue of the massive smog coating discussed with any airline pilots flying in the Far East and from Indonesia across through China?

An Ceann Comhairle: That question might be more appropriate for the line Minister. This is a general question on the European Council meeting.

Mr. Kenny: Europe, as the Taoiseach is aware, wants to play its part in regard to Kyoto and so on and we can lead by example. Obviously, Europe, as a group of countries interested in this matter, will need to make contact with the Far Eastern countries where there are huge coal fired stations in operation. Was that matter discussed?

On 5 March, Eurochambers published its economic analysis which stated that the US had reached European GDP levels 30 years ago and that we are lagging way behind in terms of the competitiveness of our economy. The theory behind the Lisbon Agenda was that by 2010 the European Union would be the most competitive economy. The Taoiseach and I know we have not measured up in that regard. If one includes Bulgaria and Romania in the figures the gap is much wider. At the round table discussions with the Heads of State was there agreement to revise the Lisbon Agenda or a realisation that we are not as competitive as the US economy? Despite the fact that a sizeable number of jobs were created throughout Europe we are still not where we were supposed to be when the Heads of Government signed off on this in 2000? Did any realistic discussion take place in terms of revising the Lisbon Agenda to bring us to a stage where we can measure up to targets we can actually achieve?

The Taoiseach: On the first question, the view of the European Council is that while the targets agreed are ambitious and would not be achieved across each individual country the collective figures for Europe can be achieved. When one looks at all the reports and the evidence, the emissions from Ireland and England are 1.5% of the total and even for Europe that is small. If everyone took the view that because one is small one can do nothing, nobody would get anywhere.

Mr. Sargent: Hear, hear.

The Taoiseach: The view is that every country from the smallest to the largest has to play its part. To make an impact in the years ahead China, India, America and Asia have to be pulled into it in one form or another and that will take a huge international drive and effort. In the meantime we have set out our indicators in Green Papers within the climate change strategy.

On the second issue, given that Germany is doing far better now and has reversed the tide, employment is increasing and the economic performance of a number of countries is improving but, for most, economic growth would be under 2%. A number of countries are seeing a reversal of the unemployment slump of the past few years

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but competitiveness continues to be the issue. Competitiveness into the future against the US and other parts of the world is based very much on research and development. This is where products will be researched and invented. That will be the big challenge and the reason the US is doing well but it has other difficulties of its own on the jobs front and its own economy. Similar difficulties are being experienced in other parts of the world. The Chinese, in particular, do not pay the same attention to environmental issues although there are indications that they are beginning to look at these issues in a more serious manner and have put out indicators showing where they are investing in the future. I think that global message is getting through.

In a number of areas the 2010 targets of the Lisbon Agenda will not be reached. However, they will be reached in some areas, particularly in graduate numbers, the number of PhDs and increasing the money in research and development. In Europe we are still light years ahead of other parts of the world in regard to the proportion of budgets put into research and development. Last week I looked at data in the US on the amount of money it is putting into energy for the future and it amounts to billions of dollars. Given that so many universities are linked in with the multinationals it is almost inevitable it will find alternative energy products and ways of dealing with issues when it is putting that amount of effort into research. That will help it to drive other economies into the decades ahead.

Mr. Sargent: I listened to the Taoiseach say there were not many contentious issues. One would have to agree that climate change debate in the EU is as contentious as they come, unless one adopts a “hear no emissions, see no emissions, speak no emissions” type of approach. Is the Taoiseach finding that the previous *béal bocht* approach with our European neighbours will not work this time when it comes to setting a target which in EU terms has been set conservatively at 20%? The EU Commission wanted 30%. Even with 20% below 1990 levels, is it the case that we will not be in a position to argue for a special dispensation in Ireland as with Kyoto? This was to have been an 8% reduction below 1990 levels, but we got away with a 13% increase and are now 23% above 1990 levels. Following the European Council meeting, will the Taoiseach tell the people that not just the EU, but Ireland, will have a target of at least 20%? Given that we are a wealthy country in comparison with other European countries, as the Taoiseach keeps telling us, perhaps even more needs to be done to pull our weight. Following the European Council meeting, will the Taoiseach give an Irish target? Will this target be the 20% target agreed in the EU or will it be

greater than that, possibly the 30% target the Commission wishes to see?

The Taoiseach: Deputy Sargent misunderstood my reply to Deputy Rabbitte in respect of contentious issues. I was only talking about the drafting of the EU declaration. I stated that there were no contentious issues around that.

We are regarded as very forward in respect of all these issues. We are not taking a “*béal bocht*” approach. Ireland’s record and achievements in this area are considered to be outstanding.

Mr. Sargent: A “*béal bocht*” approach was taken at Kyoto.

An Ceann Comhairle: Allow the Taoiseach to continue without interruption.

The Taoiseach: In reply to the Deputy’s question, we should take a forward view. Everyone must play his part. In reply to Deputy Kenny, I said that we should try to achieve the maximum possible target. The 20% target is the target we have set ourselves. In particular, I very much admire the Danes, who have taken a really aggressive stance on this matter. I know it is not possible for us to deal with some of these issues. The Danes have their own way of dealing with things. For example, in the area of wind farms, the Danes simply decided that they will go there and that is that.

We should take an aggressive stance on the matter. It might not matter two tossers for the next ten years, but, ultimately, it will be a terrible mistake not to. If everybody does not make a contribution, it will affect another generation possibly two generations ahead. I do not think anyone should sit on their hands. The scientific evidence is overwhelming. It does not create difficulty in the foreseeable future, but in 30 or 40 years time it will. It is far easier to take the decisions now rather than wait until we get to that position. I strongly support this stance.

Caoimhghín Ó Caoláin: I expect the Taoiseach recalls that the Lisbon strategy was supposed to make what it stated was a “decisive impact” on the eradication of poverty by 2010. Does he recall how I referred yesterday to the fact that SIPTU drew attention to the exploitation of building workers in certain areas, particularly in the midlands and the west? Does he not agree that the Lisbon strategy is not working domestically or internationally in terms of the member states and that measures both here and collectively through the European Council must be employed to address the major deficiencies and failures in ensuring that the goals of the Lisbon strategy are realised?

Insufficient attention is paid to the exploitation of workers, many of whom are being forced into low-wage return for their labour. This is hap-

pening right under our noses in constituencies across the country which the Taoiseach has visited and will visit over the course of the coming weeks.

An Ceann Comhairle: Has the Deputy a question for the Taoiseach?

Caoimhghín Ó Caoláin: What is the Taoiseach prepared to do at home and in respect of the European Council as a vehicle for wider redress of the failures of the Lisbon strategy to really make a difference where low wages and poverty are at stake?

The Taoiseach: The Lisbon strategy has worked extremely well in many areas. It was about education, tackling disadvantage, putting more money into research, trying to generate sustainable employment and competitiveness across Europe. Domestically, we have far surpassed anything in Europe in this regard and are at the top of the European table in most, though not all, areas. There will be challenges for the future at Europe and domestic level. We have seen the implementation of the national poverty strategy, tens of thousands of young people taken out of poverty and huge improvements in welfare to tackle inequalities. It never stops. We will always continue to put money into communities at risk, such as the Traveller community or communities with drug-related problems. Our domestic figures compared to our European partners are excellent. Our figures in respect of generating employment are second to none.

The Deputy is aware that a range of legislation exists to deal with migrant workers in the economy. The legislation before the House will strengthen some of the procedures and stop individuals who are trying to abuse employment laws and to cut labour rates. We have the highest minimum wage and laws and procedures that we must enforce. We have a range of measures to protect migrant workers.

Abuses are not wide-ranging. I spoke recently with trade unions about complaints. A substantial number of complaints, some of which are serious, have been made, but, in fairness, there is not an enormous number of rogue employers or self-employed people involved in this. These abuses can be rooted out, but this will require some tough action. We have the highest minimum wage, which is untaxed, and a good return. We have opened up to other EU countries, with the exception of Bulgaria and Romania. We must ensure that people of other nationalities do not commit abuses and are not abused by employers. Obviously, in the future, we must keep a keen eye on this through the enforcement of new legislation. It is a new problem for us. A large number of inspectors are being recruited to undertake this task.

Mr. Allen: In respect of the conclusions of the meeting, I noticed an omission under international affairs. It referred to the Palestine-Israel issue, but there appeared to be a serious omission in respect of the ongoing problem with Iran. Did any discussion take place about the ongoing nuclear issue in respect of Iran?

What is the Taoiseach's opinion on the role played by Germany, France and the UK, who are acting as our agents in discussions with Iran? How appropriate is it for these countries, two of which are nuclear nations, to be part of these discussions? Does the Taoiseach see any role for Ireland, which was one of the architects of the Nuclear Non-Proliferation Treaty, NPT, in those discussions? Does he agree that it is time that the impasse relating to the review of the NPT is dealt with once and for all in view of a recent report which stated that ongoing proliferation will spiral out of control unless a major reform of the NPT takes place? One can see what happened with the proposed agreement between the US and India. What are the Taoiseach's views on this front?

In respect of the conclusion under the heading of external affairs relating to energy supplies, it states that a joint or co-ordinated approach should be taken by EU countries in respect of external countries. How does this square with the bilateral deal concluded by Germany with Russia? How is that hindering a joint approach by the European Union on energy supplies?

The Taoiseach: The first issue was discussed by the foreign ministers in a separate session of the Council so I was not part of those discussions. The EU 3 are competent and capable and they are answering to the General Affairs and External Affairs Council, GAERC, all of the time on these issues. The view of the European Council is this issue should be resolved by diplomatic means and that we should continue to apply pressure. Obviously, there is dissatisfaction at the insufficient progress in the talks. The first round of sanctions will be strengthened again and we will see further sanctions. That was indicated last week both in the UN when I met the Secretary General, Ban Ki-Moon, and the President. The efforts will be diplomatic. I do not foresee any other approach.

Traditionally, we have been totally committed to nuclear non-proliferation and that continues to be the case. The Deputy is correct that if there is not further progress, one runs the risk of undermining many of the successes of the traditional policy on nuclear non-proliferation. I am concerned by the new-found hope among the nuclear countries based around the view that the definition of clean energy is nuclear energy. I fundamentally oppose that view and that is the Irish position. It would be more in their line if they were to put their efforts in cleaning up some of the existing nuclear plants. Our commitment to

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the nuclear non-proliferation treaty remains firm. We have highlighted that at every opportunity.

What was the second issue raised by Deputy Allen?

Mr. Allen: The bilateral agreements on energy supplies.

The Taoiseach: A number of countries have bilateral agreements with Russia. This is one of the difficulties. As Deputy Allen is aware, the EU-Russia agreement runs out at the end of November. Because of the Polish difficulties, which I understand, it was not possible to conclude those negotiations and form a new EU-Russia agreement prior to the last EU-Russia Summit. Having spoken to the President of Poland on his visit to this country, I believe there is some movement but I am not sure it will be possible to conclude a new agreement in the coming months. There is provision in the agreement for a roll-over of the existing agreement after November 2007.

Most members of the European Union take the view that if we do not have an EU-Russia agreement, we will have a proliferation of individual bilateral agreements which would be mad. Having been asked by a number of colleagues to lobby on this issue, I urged the President of Poland on his visit to this country to move and make an agreement. That will be reiterated to him again on Sunday. It would be preferable to avoid everyone paddling their own canoes in this regard and, ultimately, it would be going against what we have just done, to have a comprehensive energy policy. To do that, we need a strong EU-Russia agreement. It is important that is done before the end of November.

Mr. McEntee: I wish to raise the issue of Laytown school and a misleading statement to the Dáil that was made last night by the Minister for Education and Science.

An Ceann Comhairle: That does not arise at this stage. These questions relate to the European Council. I call Deputy Rabbitte.

Mr. Rabbitte: Speaking of the President of Poland, while he was here at the National Forum on Europe, he made some remarks that were regarded as very offensive by the gay and lesbian community. Did the Taoiseach register any view with the President when he met him on this issue?

As I understand, it is part of the package that it would be legally binding to make renewable energy account for 20% of the energy mix by 2020. Did the Government support that target being legally binding? Does the Taoiseach believe that target is achievable by 2020? Will he outline a few specific examples he thinks we will have to take in order to meet that target?

The Taoiseach: Regarding the President's remarks, unfortunately my two meetings with him were concluded before I was made aware of the remarks. As I stated at the time, I would not in any way agree with those remarks. In fairness to him, I subsequently read the full text of what he said and in spite of some of the things he said, he said he did understand the rights of the gay community. He said both things on that particular occasion. I do not agree with the comments he made.

What happened in the Council is that there would not have been agreement on the package if it was to be legally binding across each individual country. We would support that but the agreement was that it would be legally binding on the community as a whole to collectively achieve that figure. This was based on the understanding that a number of countries — at least six and it may be more — stated they would not achieve that target under any circumstances and, therefore, would not agree that it should be collectively and individually binding. They said it was just not possible for them to do that.

I believe the target is achievable. Based on the evidence in this country, wind and wave power are very good technologies. Some good commercial companies are involved in wave power, some of which are based off the Scottish coast, but some companies based here are in a position to develop the technology after 20 years of effort in this area and that can significantly improve the renewables industry. Many other initiatives are spelled out in the Green Paper on Energy and in our climate strategy which will be published shortly.

Mr. Sargent: It was interesting to hear the Taoiseach's reply, given that Sustainable Energy Ireland, SEI, has referred to our increasing demand for electricity which will, unfortunately, offset what he referred to unless we get that under control. The SEI predicted an increase of 30% in demand.

I wish to ask the Taoiseach about a reply he gave me. I am still waiting for an exact answer. He gave me a reply stating we support 20% of a reduction below 1990 levels in the EU, which is the overall EU target. I appreciate his support for this target but my question related to Ireland's specific contribution towards that, and whether it will be 20% of Ireland's emissions——

An Ceann Comhairle: That is a question for the line Minister.

Mr. Sargent: It relates to the outcome of the European Council. Each country is asked——

An Ceann Comhairle: Detailed questions are for the line Minister.

Mr. Sargent: —to play its part. I am simply asking the Taoiseach to articulate what part this country will play in meeting that target. That is all. I wanted to ask the Taoiseach about that because he made a worrying comment to the effect that it did not matter two tossers for the next ten years. Does he understand about the increase in heavy rainfall which, for example, has doubled since the 1960s? That heavy rainfall has resulted in flash flooding, which the Taoiseach will know all about in Drumcondra. Dust storms have trebled in China since the 1960s and glaciers in South America will be gone within 25 years.

An Ceann Comhairle: The question is more appropriate to the line Minister.

Mr. Sargent: According to the World Health Organisation, 150,000 people are dying per year from climate change related problems. This is happening now. Al Gore says we have ten years to deal with the problem, not to start to do so. I want to know whether we are going to come down from 23% over 1990 levels and then go further below 1990 levels by 20% or 30%. I want to hear about Ireland's involvement, not the European involvement.

The Taoiseach: I am sorry if I did not make that clear. I believe that Ireland can achieve a 20% reduction in emissions through clean technologies, cutting back agricultural emissions, and the use of biofuels and new home technologies, which have been an enormous success. I know there have been difficulties for the past ten years, but I have read and studied the entire Stern report, a very substantial document.

Mr. Kenny: And Al Gore's report.

The Taoiseach: The target date in it is 2050. All the benchmarks relate to that date.

Mr. Sargent: We must start now.

The Taoiseach: I said as much in my initial reply; it is the only way to proceed. A range of things is happening, and people are very committed. This affects forestry, agriculture and biofuels policy, and some countries, particularly the United States, are investing literally billions in research to find alternative products. I do not think that those products will be invented in Ireland, although it would be nice if they were. However, other countries are investing billions in research, with hundreds of scientists working on projects. I know that the Deputy peruses the data, and I believe that it is inevitable they will produce new technologies that will help. However, rather than wait for them, we have committed ourselves to a range of known actions, which can only be a good thing.

Mr. Sargent: There is no silver bullet.

Mr. Rabbitte: I want to ask a question, but I do not know how many minutes remain. With regard to what happened yesterday, it is not fair to embark on a new batch of questions when there is no opportunity to answer. How can the Taoiseach be so confident that Ireland will meet the targets when we have officially budgeted €300 million to purchase carbon credits in the next few years? What is the basis for our confidence that we can meet the EU target?

Perhaps I might also ask regarding the draft EU constitution. Did the issue arise at the meeting or on its margins? What is the Taoiseach's current view of the possibility of the draft constitution surviving in its present form, and does the Government have a settled view on when the Irish people might be given the opportunity to vote on it?

The Taoiseach: It is not a question of being confident but of being committed. We have substantially decoupled Irish economic growth from emissions, something evident when one considers the figures for the past 16 years. An enormous range of issues have been considered only in the last few years, including the climate change strategy and the Green Paper on Energy.

The credits are part of the system, and everywhere else they are considered as such rather than a disadvantage or a means of circumventing commitments. They must be taken into account as part of the Kyoto Protocol. There is nothing wrong with them if the issue is simply how one saves carbon emissions. Reducing them in any country helps the global position. It is a question of having either a global position or global crisis, and if reductions are achieved in one place rather than another as part of a system, I see nothing wrong with that. However, we should try to maximise our role, which is clearly that to which we have committed ourselves.

Chancellor Merkel decided not to deal with the constitution before the declaration on the future of Europe had been completed. However, the Presidency has continued since the start of this year, building on preliminary work last summer, to talk to countries and explore what people would accept, particularly French and Dutch politicians, including all candidates for the former country's presidency. The Presidency has been conducting similar surveys in all the other countries, and Chancellor Merkel will discuss the issue at lunch on Sunday. She has made a commitment to state a position for the June European Council meeting if she can secure agreement.

My view is that in the short period after the French election in June, the time available to the Presidency to deal with the issue will be very tight. A few weeks separate the French election and the June European Council meeting. Mr.

[The Taoiseach.]

Sarkozy has been most positive on the issue, stating that, if elected, he would move very quickly; I have not heard the same from the Dutch.

There is a view, which I find difficult, that we should try to change the format of the constitution rather than the document itself, moving many of its parts into various annexes, afterwards trying to secure parliamentary ratification in several countries. I detect growing support for such a strategy in the European Council. However, that would leave Ireland with its own issues to address. Several countries might take that option in June if there is success, but I suspect that it will take longer.

Requests to move Adjournment of Dáil under Standing Order 31.

An Ceann Comhairle: Before coming to the Order of Business, I propose to deal with notices under Standing Order 31 dealing with two different topics.

Mr. Sherlock: I wish to seek the adjournment of the Dáil under Standing Order 31 to debate the following specific and important matter of public interest requiring urgent consideration, namely, the jobs crisis now taking hold in Youghal, County Cork, where hundreds of people have lost their jobs recently and there are insufficient resources to upskill and train those who have lost their livelihoods.

Dr. Cowley: I wish to seek the Adjournment of the Dáil under Standing Order 31 to discuss a matter of major national importance, namely, why local authorities are using taxpayers' money to frighten the courts into not enforcing notices imposed on them by the Health and Safety Authority for breaches of road safety regulations, and in particular why Donegal County Council is seeking an injunction at taxpayers' expense restraining the HSA from investigating it or prosecuting its staff regarding an accident in which Sinéad McDaid was tragically killed at road works in Carndonagh, Donegal. It is a disgrace.

An Ceann Comhairle: Having considered the matters raised, I deem them not to be in order under Standing Order 31.

Order of Business.

The Taoiseach: It is proposed to take No.18, Statements on European Council, Brussels; No. 19, Social Welfare and Pensions Bill 2007 — Order for Report, Report and Final Stages; and No. 20, Carbon Fund Bill 2006 — Order for Report and Report and Final Stages.

It is proposed, notwithstanding anything in Standing Orders, that: (1) the Dáil shall sit later than 8.30 p.m. tonight, and business shall be interrupted not later than 10.30 p.m.; and the suspen-

sion of sitting pursuant to Standing Order 23(1) shall take place at 1.30 p.m., or on the conclusion of No. 18, whichever is the later, until 2.30 p.m.; (2) the proceedings on No. 18 shall, if not previously concluded, be brought to a conclusion after 80 minutes, and the following arrangements shall apply: (i) the statements shall, if not previously concluded, be brought to a conclusion after 60 minutes, and shall be confined to the Taoiseach and to the main spokespersons for the Fine Gael Party, the Labour Party and the Technical Group, who shall be called upon in that order and who may share their time, which shall not exceed 15 minutes in each case; (ii) immediately following the statements, a Minister or Minister of State shall take questions for a period not exceeding 20 minutes; (3) the Report and Final Stages of No. 19 shall be taken today, and the proceedings thereon shall, if not previously concluded, be brought to a conclusion at 7 p.m. tonight by one question, which shall be put from the Chair, and which shall, regarding amendments, include only those set down or accepted by the Minister for Social and Family Affairs; (4) the Report and Final Stages of No. 20 shall be taken tonight, and the proceedings thereon shall, if not previously concluded, be brought to a conclusion at 10.30 p.m. by one question, which shall be put from the Chair, and which shall regarding amendments, include only those set down or accepted by the Minister for the Environment, Heritage and Local Government; (5) Private Members' business, No. 67, motion re education, school places and class sizes (resumed), shall be taken at 7 p.m. tonight, or on the conclusion of No. 19, whichever is the later, and shall be brought to a conclusion after 90 minutes.

An Ceann Comhairle: There are five proposals to be put to the House. Is the proposal for the late sitting agreed? Agreed.

Is the proposal for dealing with No. 18, statements on the European Council, agreed? Agreed.

Is the proposal for dealing with No. 19, Social Welfare and Pensions Bill 2007 — Order for Report, Report and Final Stages, agreed?

Mr. Stagg: That is not agreed to for the same reason we opposed the guillotine for other Bills. There is quite a large number of amendments to be dealt with on this legislation but they cannot possibly be dealt with during the time allocated. That is why we oppose the guillotine.

Caoimhghín Ó Caoláin: I oppose the proposal to guillotine debate on this Bill. At this time yesterday, we had evidence of the Government's approach to the Health Bill. In that case, it was not possible to address all of the critical amendments that had been tabled by Members, including the relevant Minister. Will this be the pattern for the remaining period of this Dáil? If so, it is a bad way of doing

12 o'clock

business. The Social Welfare and Pensions Bill 2007 is an important Bill and all its elements deserve to be addressed properly.

Mr. Boyle: We, too, are concerned about the amount of time being made available for the Social Welfare and Pensions Bill. There is a particularly contentious item in the Schedule to

the Bill, which will never be reached in the time available to us — it concerns the transfer of responsibility for community welfare officers. On those grounds, we oppose what the Government is proposing on the Order of Business.

Question put: “That the proposal for dealing with Item No. 19 be agreed to.”

The Dáil divided: Tá, 72; Níl, 59.

Tá

Ahern, Bertie.
 Ahern, Dermot.
 Ahern, Michael.
 Ahern, Noel.
 Ardagh, Seán.
 Blaney, Niall.
 Brady, Johnny.
 Brady, Martin.
 Brennan, Seamus.
 Browne, John.
 Callanan, Joe.
 Carey, Pat.
 Carty, John.
 Collins, Michael.
 Cooper-Flynn, Beverley.
 Coughlan, Mary.
 Cowen, Brian.
 Cregan, John.
 Curran, John.
 Davern, Noel.
 de Valera, Síle.
 Dempsey, Tony.
 Dennehy, John.
 Devins, Jimmy.
 Ellis, John.
 Finneran, Michael.
 Fitzpatrick, Dermot.
 Fleming, Seán.
 Gallagher, Pat The Cope.
 Glennon, Jim.
 Grealish, Noel.
 Hanafin, Mary.
 Haughey, Seán.
 Jacob, Joe.
 Keaveney, Cecilia.
 Kelleher, Billy.

Kelly, Peter.
 Killeen, Tony.
 Kirk, Seamus.
 Kitt, Tom.
 Lenihan, Brian.
 Lenihan, Conor.
 McDowell, Michael.
 McEllistrim, Thomas.
 McGuinness, John.
 Moloney, John.
 Moynihan, Michael.
 Mulcahy, Michael.
 Nolan, M.J.
 Ó Fearghaíl, Seán.
 O'Connor, Charlie.
 O'Dea, Willie.
 O'Donnell, Liz.
 O'Donoghue, John.
 O'Donovan, Denis.
 O'Flynn, Noel.
 O'Keefe, Ned.
 O'Malley, Fiona.
 O'Malley, Tim.
 Parlon, Tom.
 Power, Peter.
 Power, Seán.
 Sexton, Mae.
 Smith, Brendan.
 Smith, Michael.
 Treacy, Noel.
 Wallace, Dan.
 Wallace, Mary.
 Walsh, Joe.
 Wilkinson, Ollie.
 Woods, Michael.
 Wright, G.V.

Níl

Allen, Bernard.
 Boyle, Dan.
 Breen, James.
 Breen, Pat.
 Broughan, Thomas P.
 Bruton, Richard.
 Burton, Joan.
 Connaughton, Paul.
 Connolly, Paudge.
 Costello, Joe.
 Cowley, Jerry.
 Crawford, Seymour.
 Crowe, Seán.
 Cuffe, Ciarán.
 Deenihan, Jimmy.
 Durkan, Bernard J.
 Gilmore, Eamon.
 Gogarty, Paul.
 Gormley, John.
 Hayes, Tom.
 Higgins, Joe.
 Higgins, Michael D.
 Hogan, Phil.
 Howlin, Brendan.

Kehoe, Paul.
 Kenny, Enda.
 Lynch, Kathleen.
 McCormack, Pádraic.
 McEntee, Shane.
 McGrath, Finian.
 McGrath, Paul.
 McHugh, Paddy.
 McManus, Liz.
 Mitchell, Olivia.
 Morgan, Arthur.
 Murphy, Catherine.
 Naughten, Denis.
 Neville, Dan.
 Ó Caoláin, Caoimhghín.
 Ó Snodaigh, Aengus.
 O'Dowd, Fergus.
 O'Keefe, Jim.
 O'Shea, Brian.
 O'Sullivan, Jan.
 Pattison, Seamus.
 Penrose, Willie.
 Quinn, Ruairí.
 Rabbitte, Pat.

Níl—*continued*

Ring, Michael.
Ryan, Seán.
Sargent, Trevor.
Sherlock, Joe.
Shortall, Róisín.
Stagg, Emmet.

Stanton, David.
Timmins, Billy.
Twomey, Liam.
Upton, Mary.
Wall, Jack.

Tellers: Tá, Deputies Kitt and Kelleher; Níl, Deputies Kehoe and Stagg.

Question declared carried.

An Ceann Comhairle: Is the proposal for dealing with No. 20, Order for Report and Final Stages of the Carbon Fund Bill 2006, agreed to?

Mr. Sargent: The proposal is not agreed. I presume the Ceann Comhairle is referring to the Carbon Fund Bill and the Green Party is opposing the taking of this Bill with all Stages to be concluded by tonight. This matter will present the country with a very important crossroads and we may choose to go down the road of unnecessarily throwing away taxpayers' money; €270 million is a lot of money to waste on carbon credits. Will the Taoiseach reconsider this Bill and give us more time to consider alternatives because he is, essentially, playing with a carbon casino? This

subject has been described by others as a huddle of gangsters plotting the most profitable scam to dodge even the woefully inadequate Kyoto targets and it is no way to comply with what we discussed earlier, bringing carbon emissions to 20% or 30% below 1990 levels. We object to this legislation being taken tonight.

Mr. Stagg: I will not address the substance of the Bill but we oppose the principle of applying guillotines to such Bills.

Caoimhghín Ó Caoláin: On behalf of the Sinn Féin Deputies I also record our opposition to the Bill, both its substance and the methodology of its passage, that is, the application of the guillotine.

Question put: "That the proposal for dealing with No. 20 be agreed to."

The Dáil divided: Tá, 72; Níl, 59.

Tá

Ahern, Bertie.
Ahern, Dermot.
Ahern, Michael.
Ahern, Noel.
Ardagh, Seán.
Blaney, Niall.
Brady, Johnny.
Brady, Martin.
Brennan, Seamus.
Browne, John.
Callanan, Joe.
Carey, Pat.
Carty, John.
Collins, Michael.
Cooper-Flynn, Beverley.
Coughlan, Mary.
Cowen, Brian.
Cregan, John.
Curran, John.
Davern, Noel.
de Valera, Síle.
Dempsey, Tony.
Dennehy, John.
Devins, Jimmy.
Ellis, John.
Finneran, Michael.
Fitzpatrick, Dermot.
Fleming, Seán.
Gallagher, Pat The Cope.
Glennon, Jim.
Grealish, Noel.
Hanafin, Mary.
Haughey, Seán.
Jacob, Joe.
Keaveney, Cecilia.
Kelleher, Billy.

Kelly, Peter.
Killeen, Tony.
Kirk, Seamus.
Kitt, Tom.
Lenihan, Brian.
Lenihan, Conor.
McDowell, Michael.
McEllistram, Thomas.
McGuinness, John.
Moloney, John.
Moynihan, Michael.
Mulcahy, Michael.
Nolan, M.J.
Ó Fearghaíl, Seán.
O'Connor, Charlie.
O'Dea, Willie.
O'Donnell, Liz.
O'Donoghue, John.
O'Donovan, Denis.
O'Flynn, Noel.
O'Keefe, Ned.
O'Malley, Fiona.
O'Malley, Tim.
Parlon, Tom.
Power, Peter.
Power, Seán.
Sexton, Mae.
Smith, Brendan.
Smith, Michael.
Treacy, Noel.
Wallace, Dan.
Wallace, Mary.
Walsh, Joe.
Wilkinson, Ollie.
Woods, Michael.
Wright, G.V.

Níl

Boyle, Dan.
 Breen, James.
 Breen, Pat.
 Broughan, Thomas P.
 Bruton, Richard.
 Burton, Joan.
 Connaughton, Paul.
 Connolly, Paudge.
 Costello, Joe.
 Cowley, Jerry.
 Crawford, Seymour.
 Crowe, Seán.
 Cuffe, Ciarán.
 Deenihan, Jimmy.
 Durkan, Bernard J.
 Ferris, Martin.
 Gilmore, Eamon.
 Gogarty, Paul.
 Gormley, John.
 Hayes, Tom.
 Higgins, Joe.
 Higgins, Michael D.
 Hogan, Phil.
 Howlin, Brendan.
 Kehoe, Paul.
 Kenny, Enda.
 Lynch, Kathleen.
 McCormack, Pádraic.
 McEntee, Shane.
 McGrath, Finian.

McGrath, Paul.
 McHugh, Paddy.
 McManus, Liz.
 Mitchell, Olivia.
 Morgan, Arthur.
 Murphy, Catherine.
 Naughten, Denis.
 Neville, Dan.
 Ó Caoláin, Caoimhghín.
 Ó Snodaigh, Aengus.
 O'Dowd, Fergus.
 O'Keeffe, Jim.
 O'Shea, Brian.
 O'Sullivan, Jan.
 Pattison, Seamus.
 Penrose, Willie.
 Quinn, Ruairí.
 Rabbitte, Pat.
 Ring, Michael.
 Ryan, Seán.
 Sargent, Trevor.
 Sherlock, Joe.
 Shortall, Róisín.
 Stagg, Emmet.
 Stanton, David.
 Timmins, Billy.
 Twomey, Liam.
 Upton, Mary.
 Wall, Jack.

Tellers: Tá, Deputies Kitt and Kelleher; Níl, Deputies Kehoe and Stagg.

Question declared carried.

An Ceann Comhairle: Is the proposal for dealing with Private Members' business agreed? Agreed.

Mr. Kenny: In respect of the legislation which set up the Health Service Executive, I note from some newspaper reports today that exceptionally—

An Ceann Comhairle: Ciúnas in the lobby, please.

Mr. Kenny: —high overtime payments are being made to some staff who were brought in on contract. Was the range of overtime allowances approved by Cabinet? Is a proper ethical framework in place to ensure conflicts of interest do not arise involving these personnel who invariably have other outside interests?

The Taoiseach: I am informed that section 24 of the Health Act 2004 empowers the HSE to engage such advisers as it considers necessary for the performance of its functions. Any fees due to the advisers so engaged are payable by the HSE out of the funds at its disposal. The matter is covered in the legislation.

Mr. Kenny: Is the range of payments—

An Ceann Comhairle: The question does not arise on the Order of Business.

Mr. Kenny: Is the range of payments approved by the Cabinet or the HSE?

An Ceann Comhairle: The Deputy should address the question to the line Minister.

The Taoiseach: The HSE.

Mr. Kenny: The HSE sets the figures.

Mr. Rabbitte: I have a question regarding the police ombudsman commission. My colleague in the other House, Senator Tuffy, received a reply from the commission chairman, Mr. Justice Kevin Haugh, in response to a query she made about the accidental killing at Lucan indicating he could not inquire into the matter because the commencement order—

An Ceann Comhairle: Does the Deputy have a question appropriate to the Order of Business?

Mr. Rabbitte: —had not been made. Why is that the case? When will the commencement order be made?

I also have a question regarding a promise made on legislation necessary to implement the State's commitment under the St. Andrews Agreement. There appears to be a lacuna in the legislation. The British-Irish Agreement of 1999, as the Taoiseach will know, made provision for North-South bodies and envisaged that there would be relevant legislation regarding parliamentary accountability of such bodies,

[Mr. Rabbitte.]

North and South. It seems we have not introduced such legislation here, although it may well be that the Taoiseach can draw my attention to where I am wrong in this regard. It appears that in the matter of the supervision of the North-South bodies we were required to introduce such legislation and have not done so. Under the Agreement we would be required to do so before the devolution of powers is complete next Monday if, as I hope, powers are devolved. Can the Taoiseach reassure me on that point?

The Taoiseach: On the first matter, I will bring Deputy Rabbitte's point to the attention of the Tánaiste. On the second issue, I will have to check the position but, as I understand it, when we did the care and maintenance agreement after the institutions collapsed, we had to formally agree that. There is also an agreement which has to be signed based on the British-Irish Agreement and the amendment to the 1999 Act when the institutions are devolved, hopefully on Monday. I assume that covers the Deputy's question but I will check the point.

An Ceann Comhairle: We move on to No. 18, statements on the European Council.

Mr. Sargent: May I ask a question on the Order of Business?

Ms Shortall: On the Order of Business, I indicated—

An Ceann Comhairle: I ask the Deputies to listen to the Chair for a moment. The House spent 45 minutes on Leaders' Questions. We will not spend 20 minutes on the Order of Business for the simple reason that the House has just passed an order that we will spend 80 minutes continuously on European statements, which would bring us to 1.40 p.m. The staff of the House will be here until 11.10 p.m. and in fairness to them, we should move on in order that they and everybody else can have the sos. I will call Deputy Shortall first tomorrow.

Ms Shortall: It is the right of Members to raise questions on the Order of Business. The Ceann Comhairle has not allowed any questions.

An Ceann Comhairle: A number of Deputies' names featured on the list before Deputy Shortall's name. I call on the Taoiseach to make his statement on the European Council.

European Council Meeting: Statements.

The Taoiseach: I attended the spring meeting of the European Council in Brussels on Thursday and Friday, 8 and 9 March. I was accompanied at the meeting by the Minister for Foreign Affairs, Deputy Dermot Ahern, and the Minister for Finance, Deputy Cowen.

This European Council meeting, at which we agreed ambitious but achievable targets on energy and climate change, will be remembered as pivotal in the development of the European Union. That we were able to craft these ambitious targets in the enlarged Union shows once again that it can make a pivotal difference to the key issues and challenges facing its citizens. During the meeting, I noted briefly in Irish that this meeting was the first European Council since Irish was introduced as an official working language of the European Union. This will stand as one of the major achievements of Ireland in Europe.

At the dinner of Heads of State or Government on the Thursday night, Chancellor Merkel outlined her plans for the Berlin declaration which is to be made on the 50th anniversary of the signing of the Treaty of Rome this coming Sunday. This will mark a major milestone in the history of the EU. This great occasion will be marked by the adoption of the Berlin declaration, which will pay tribute to the Union's considerable store of achievement during the past half-century.

It is fitting that the Treaty of Rome should be celebrated in this manner, for European integration has been one of the outstanding political achievements of our time. It has played a vital role in rescuing Europe from the wreckage of the early post-war period. It has helped usher in a prolonged era of peace and prosperity for Europe. The vast European Single Market and the creation of the euro are just two of the conspicuous successes that stem from the bold, creative vision contained in the Treaty of Rome.

The Berlin declaration will not just look back at the Union's successes. It will also reaffirm its democratic values and core principles. The declaration will look to the future, highlighting the key economic and political challenges facing Europeans in a changing global environment. I am supportive of the Presidency's desire for a short, evocative 50th anniversary declaration that will speak to the European public in clear terms about the Union's continuing relevance. As leaders, we must express our determination to ensure the Union can continue serving the people of Europe in the years and decades ahead.

I hope the Berlin declaration will help point the way for the Union to deal with the constitutional treaty in the coming months. The treaty commands strong and wide support. It offers answers to many key questions about the future direction and functioning of the Union. I am confident the German Presidency will succeed in its aim of taking the necessary decisions at the June European Council to bring the treaty back into the spotlight. I recognise that those who now have difficulties with the treaty must be accommodated, but this must not result in the substance and balance of the 2004 agreement being undermined.

The main business of the Council was the ongoing progress on the Lisbon Agenda, the development of a European energy policy and

the adoption of ambitious new targets on climate change. The Council noted that Europe is enjoying an economic upswing and that reforms are starting to translate into growth and jobs. It is clear beyond a shadow of a doubt that the renewed Lisbon strategy for growth and jobs is beginning to deliver results. An expected growth rate of 2.7% in 2007 and an expected 7 million new jobs created during the 2007-08 period are just two of the positive indicators that the Lisbon Agenda is working.

It is important that we step up the pace to modernise Europe and its economy. The conclusions in regard to the Lisbon Agenda contain, at Ireland's suggestion, a welcome reference to the need to examine how multilateral discipline in respect of state aids can be strengthened. Such an approach will ensure that external competition is fully taken into account in state aids policy.

We also agreed to aim for a 25% reduction in the administrative burdens resulting from European legislation and that member states should set comparable targets at national level. It is important that each member state takes appropriate action nationally to ensure we reduce unnecessary burdens on business, thereby increasing national competitiveness and growth. In this regard, I have agreed with the Minister for Enterprise, Trade and Employment, Deputy Martin, that he will develop and advance a national-level strategy for the reduction of administrative burdens on business to complement the efforts being taken at European level.

Ireland, however, has largely pre-empted the agreement reached last week by the European Council, and we have already significantly advanced work in identifying where unnecessary regulatory burdens lie. Last year, we commissioned the ESRI to conduct a major survey of more than 800 firms on their experiences of regulation. The results of this survey, which I published last week, are encouraging, indicating that Irish businesses consider the amount of regulation in the State is about right, that regulations are appropriately enforced and, in terms of the overall challenges faced by business, rank behind labour costs, increased competition and other business costs.

However, we must look more at how we can reduce the red tape and paperwork in some areas, such as taxation and statistical returns, particularly for smaller businesses. In addition to simplifying our systems and making forms more user-friendly, we must also consider reducing or streamlining the number of times business needs to send in returns and examine how information technology can be of assistance in reducing costs for business.

At the dinner of Heads of State or Government, we also discussed transatlantic trade relations and the significant benefits that would accrue to both Europe and the United States from the smooth and efficient functioning of

transatlantic economic and trade relations. This is of particular importance to Ireland. I took the opportunity when I met Prime Minister Blair to stress the importance to Ireland of early agreement on the open skies arrangements between the EU and the United States. The draft agreement negotiated at official level is acceptable from our point of view and I hope that agreement can be reached at the Transport Council of Ministers meeting tomorrow.

The most important elements of Council work were the discussions and conclusions on energy and climate change. President Barroso gave an excellent presentation on the energy action plan, which provided the backdrop to our discussions on the strategy for international climate protection and safeguarding Europe's energy supplies. A step change is needed in Europe's approach to developing renewable sources of energy, and the Council agreed this will only happen with binding targets. The Council has now agreed these targets.

In particular, we have set a target, following the post-Kyoto negotiations, of a 30% reduction in emissions of greenhouse gases over the 1990 level. We have also agreed that, in any event, the European Union will achieve at minimum a 20% reduction. We further agreed a binding 20% target for renewable energy. These targets are ambitious but achievable. Europe has stepped up to the mark and taken the lead on this global issue. It is up to the global community to follow.

The Council added a specific provision to the action plan inviting the Commission rapidly to submit proposals to enable energy efficiency requirements on office and street lighting to be adopted by 2008, and on incandescent lamps and other forms of lighting in private households by 2009. It is clear that if we are to achieve our overall targets, specific measures of this nature will be essential.

Ireland will do its part. The Government's White Paper on Energy, which was launched on Monday, 12 March, following the Council meeting, is a sign of our national commitment to a secure, sustainable and competitive energy agenda. Of particular importance to the climate change debate will be the White Paper's commitments to achieve 15% of electricity consumption from renewable sources by 2010 and 33% by 2020, at least 400 MW by 2010 and 800 MW by 2020 from combined heat and power, at least 500 MW installed capacity from the ocean by 2020 and a target of 20% energy savings by 2020, with a 33% target in the public sector.

The Council also considered several international measures. In particular, it agreed there should, if possible, be an EU-Africa summit later this year under the Portuguese Presidency. The Middle East peace process was also discussed, with the Council acknowledging the important role being played by Saudi Arabia and Arab leaders and welcoming the agreement reached in Mecca on 8 February on the formation of a

[The Taoiseach.]

Palestinian Government of national unity. The immediate effect of the agreement was to end the violence between Palestinian groups, which had threatened a slide into civil war. On 17 March, the Palestinian Parliament approved the appointment of a national unity Government, based on the Mecca agreement.

We have welcomed this positive development. It is a tribute to the sustained efforts of President Mahmoud Abbas to create a political consensus in Palestine around the concept of a negotiated two-state solution. The Government will work closely with our EU partners over the next few weeks to ensure there is a creative response by the Union, which will encourage political progress. The Union must be ready to work with President Abbas and with the new Government on the basis of an end to all violence and a demonstrated and active commitment to a two-state solution. The EU will co-ordinate with our international partners, the Israeli Government and the Palestinians to achieve the resumption of a credible political process that can provide lasting peace.

The European Council reiterated its strong commitment to the sovereignty, independence and territorial integrity of Lebanon. Ireland is playing its part, not least through the 150-strong contingent serving with the reinforced UNIFIL mission in southern Lebanon. We hope the forthcoming Arab summit in Riyadh on 28 March will provide the opportunity for movement to end the political crisis in Lebanon.

I met with Prime Minister Blair on the margins of the meeting. After the meeting, we issued a joint statement that has also been laid before the House. I congratulate those elected in Northern Ireland and wish them the best as they take up their mandate in the Assembly and Executive. The election was the second last step in the St. Andrews timetable. The next and final step is the formation of the Executive.

Taken as a whole, the vote is a clear endorsement for the St. Andrews Agreement. Politics in Northern Ireland has changed and there is no going back. The election was about securing a mandate for power-sharing on 26 March. It is clear that this is what the people want. The onus is now on the political parties to deliver on that mandate.

This European Council marked a major step change in the approach of the European Union to energy and climate change issues. The targets we have set ourselves are ambitious and the agenda ahead of us is daunting. However, I firmly believe that the failure to take resolute action at this time can only lead in the longer term to unthinkable damage both to our environment and to the lives of our children. It is incumbent on all of us as leaders and as citizens to take the decisions now that will avoid the catastrophic effects global warming may carry. Europe, in taking a lead in this area, has given a clear signal

that the European Union is still one of the most progressive and effective international organisations on the planet. We need to see concomitant efforts by other developed countries and by some of the more advanced developing countries if we are to tackle the problem of global warming. This can be done without overly affecting either competitiveness or the quality of life of the ordinary citizen. Failure to act would have dramatic and adverse effects on both competitiveness and the quality of life of our citizens.

The European Council was a success and proved that European member states can work together in a harmonious and coherent way to deal with the real problems facing both them and their citizens.

Mr. Kenny: I wish to share my time with Deputy Allen.

Acting Chairman (Dr. Cowley): Is that agreed? Agreed.

Mr. Kenny: The next decade will see massive changes both within Europe and on a world scale. We will have two American presidential elections and whatever the American people decide will bring a consequent attitude towards foreign affairs and places outside the United States. The current difficulties between the various factions within the Islamic world, Sunnis and Shias, the question of Iran and Iraq, the geopolitics of Kazakhstan, Uzbekistan, the emergence of Russia as a power broker in energy, both in gas and oil, and the emergence of 40 million highly qualified English speaking graduates from India onto the world market in the area of IT, engineering and chemistry etc. will all add to a mix that creates a world where it is difficult to determine our future accurately.

I find, and perhaps the Taoiseach finds the same at his meetings, that when one sits with the EPP groupings representing the different countries, not all of whom are prime ministers but some of whom aspire to that position, there is always a difficulty in agreeing what Europe should be about, as oftentimes put forward by the President of the Commission. Invariably, the different prime ministers and leaders of the various countries focus on their individual problems. I suppose it is only realistic that irrespective of where they are from, they are all politicians and represent their people and their points of view. This leaves us with a series of challenges, individually as countries and collectively as the European Union.

The issue of transatlantic trade needs to be examined in the context of the next 20 years. With \$1 billion a day in trade currently crossing the Atlantic each day, I foresee a time when we could well have the evolution of a free trade area between Europe and the United States. I know this would be resisted in some quarters, but given the fact we need a strong America and a strong

Europe, the opportunity for trade has phenomenal potential. The same opportunities for trade are there with regard to Latin America and Canada. The open skies agreement, which I expect will be concluded successfully, will play a significant role in this area. It will probably lead to huge increases in air freight and offer potential to regional and national airports here.

We have never measured up to the targets set following post-Kyoto negotiations of a 30% reduction in emissions of greenhouse gases. While the targets are ambitious, they are achievable. We lie in 22nd place out of the 27 EU countries. The White Paper sets out targets. We are to have 15% of electricity consumption from renewable sources by 2010 and 33% by 2020. The Government must focus on three areas in this regard. We need downward pressure on electricity prices and there has been some discussion on this. The other day, a plant in the mid-west recorded that its electricity cost for last year was €1.3 million. If the same number of kilowatt hours were burned in a similar plant on the Continent, the cost would be between €500,000 and €600,000. This may not be a critical amount in terms of a large plant, but in a smaller plant it has serious implications. The Government needs to invest in renewables and to put the interconnectors in place both North-South and east-west. It has been messing around on this issue for the past ten years. The United States has developed capacity for clean coal technology and is reputed to have 300 years' supply, which will emerge in due course onto the market.

There has been a degree of concern in Ireland about the cost of unit production in industry. The Government has an impact on this cost in terms of the inflation rate, public utility charges, transport etc. This issue has become more of a concern for those involved in industry. The bottom line is important in terms of mobility of the industry and the effect globalisation can have, both from the investment point of view or the unfortunate aspect of downsizing of employment. Infrastructure and inflation are serious elements in this area.

Earlier, I outlined the gap between Europe and the United States. One of the weaknesses is the inability of European leaders as a group to concentrate and focus on improving competitive levels to where they were intended to be after the agreement of 2000 that the European Union should be the most competitive offset against the United States. We are still a long way from that. The Taoiseach will represent us at the 50th celebrations of the European Union. I hope the Union will focus on the issue of competitiveness over the next ten to 15 years when pupils currently entering secondary school will be leaders in society, innovators and entrepreneurs. From a national and European perspective, it is up to our politicians and leaders to lay foundations now on which we will be able to compete and lead over the next 25 years, a period that will be important

in staking out Ireland's future as a small, important democracy, but also part of Europe.

I share the Taoiseach's view on Northern Ireland and hope this matter will be concluded by next week. I met Gerry Adams in the hall yesterday. I hope the Government will respond, possibly by the weekend, in terms of putting together a financial package for necessary infrastructure North and South of the Border. Such a package would be an inducement to the politicians to do the business.

Mr. Allen: The March European Council made a number of key recommendations in the environmental sphere. In particular, European leaders agreed that the European Union would make commitments to reduce greenhouse gas emissions and that negotiations concerning global, post-2012 climate change issues would be launched at the UN international climate conference beginning at the end of 2007, to be concluded by 2009.

Progress in terms of the European response to global warming and greenhouse gas emissions is positive. However, the European face of this Government stands in sharp contrast to its national face. We have failed in the following areas: we missed all our Kyoto targets and Ireland's greenhouse gas emissions are twice the set target; Ireland is ranked 22nd out of the 27 EU countries when it comes to wind, wave and biomass energy generation, despite having the best potential energy generation in these sectors; some 83% of Ireland's recyclable waste is exported according to the EPA; the European Commission took Ireland to the Court of Justice over the appalling state of waste treatment facilities in the country; and under the Fianna Fáil-Progressive Democrats Government, Ireland has consistently come bottom of EU league tables on recycling. I welcome moves at European Council level to take action on the environment, but the record of this Government tells a different story. Without national action, European initiatives will not result in the type of improvements that our environment so badly needs.

Yesterday I received responses to questions about compliance with EU directives. The Department of the Environment, Heritage and Local Government has not complied with seven directives and the Department of Transport has failed to transpose, or is partially transposing, 51 directives. That is a dismal record.

Fine Gael supports the EU constitutional treaty in its present form. Any document of this size, which impacts on so many member state citizens, must contain compromises and finely balance the wishes of individual member states with the needs of all countries choosing to work together in the Union. For this reason, it is difficult to see a way forward for the constitution which involves making selective change to the document. Making any changes to a document

[Mr. Allen.]

agreed by so many countries — post agreement — is fraught with difficulty.

The German Presidency hopes to have a road-map for action on the constitution by the end of June. This will mark the third anniversary of the hammering out of an agreement on the document under the Irish Presidency. It is not clear how extensive the changes to the text will be. While it has been suggested that a “mini treaty” may be the way forward, I caution against rushing to agree a less ambitious text than the current one.

Changes to the text will be extremely difficult to agree outside the type of process which led to the agreement in the first place. Eighteen member states have ratified the text, including two by public referendum, Spain and Luxembourg. Changes to the text may undermine the support of key groups for the current draft of the constitution. For example, positive elements of the document in the realm of social policy are important in selling the real need for this document, and removing some of the pillars of the current draft could risk pulling the whole structure down.

I was disappointed that the European Council did not consider the question of global nuclear armament. In the context of developments in Iran and North Korea, it is neither advisable nor wise of the European Union not to keep this issue close to the top of the political and diplomatic agenda. The United Nations report of the high-level panel on threats, challenges and change, published in 2004, warned that “we are approaching a point at which the erosion of the non-proliferation regime could become irreversible and result in a cascade of proliferation”. The European Council should also have considered ongoing negotiations with Iran, and the recent deal with North Korea about disarmament.

In addition, it was a grave error by the international community to defer the review of the Nuclear Non-Proliferation Treaty until 2010. Ireland was a key player in the negotiation of the treaty in the 1960s, and our position then should inform our approach now. The treaty can be strengthened and its scope widened to include the various threats and challenges posed in the 21st century. This must be done urgently because the current vacuum is dangerous and the double standards and hypocrisy about this issue are despicable. I urge that this matter be addressed soon and discussed at the next European Council meeting.

Mr. Costello: I welcome the opportunity to make some statements on the European Council meeting of 8 and 9 March. It was in ways an historic meeting coming on the eve of the 50th anniversary of the foundation of the European Union. There were some indications at the meeting of the launch of some important initiatives which hopefully will be included in the Berlin declaration.

Europe is at a crossroads. There has been trouble over the constitutional treaty resulting in a period of reflection for a couple of years after the people of France and the Netherlands voted substantially against it. There seems to be little appetite for further enlargement, to judge by the remarks of European leaders at the meeting. Although there has been overall economic progress with a 2.7% increase in employment there have been seven interest rate increases in the past 15 months. These are worrying factors but there are developments to look forward to as well.

While the Palestinian question was not central to the deliberations at the meeting it is a critical issue and pertinent to the Minister for Foreign Affairs who is present. Saudi Arabia has mediated an agreement of the unity Government. In the conclusions of the Brussels summit however the position of European leaders on this agreement appeared to be fudged. Section 41 of the conclusions stated:

The European Council welcomed the fact that an agreement has been reached in Mecca on 8 February on the formation of a Palestinian national unity government. It expresses its appreciation for the role of Saudi Arabia and Arab leaders in bringing about Palestinian reconciliation. The EU stands ready to work with a legitimate Palestinian government that adopts a platform reflecting the Quartet principles. It encourages the Quartet to continue its active contribution to the Middle East Peace Process.

It does not mention the unity Government as the legitimate Government. Norway, however, has fully and formally recognised the unity Government. We should seize the opportunity to recognise the unity Government formally. We are fudging it to the extent that we are abandoning the peace process to a limbo by making preconditions and asking the unity Government to jump through hoops, before we recognise it as legitimate. We should be more forthright. The European Union missed the opportunity to give stronger recognition to the unity Government. It could have stated its intention to henceforth channel funds from the Union directly to that Government rather than bypassing it as it did previous governments.

I hope the Minister will take these remarks on board. Ireland because of its close friendship with the Palestinian people should show that it is prepared to take the initiative to ensure this new Government works and brings peace to the area.

The central initiative agreed at the meeting was on climate change. I was pleased to see the German Presidency seizing global leadership for the European Union on this issue in the most profound way possible by establishing legally binding targets. To achieve, by 2020, reductions in carbon emissions far in excess of those achieved by 2007, considering that we must achieve a reduction of 8% by 2013 and a further

reduction of 12% between 2013 and 2020, is a tall order. This is particularly the case because we have been going backwards in respect of achieving our targets, as Deputy Allen pointed out. Rather than making progress, we have been sliding. Ireland needs to put together a far more streamlined plan to set targets, establish auditing mechanisms and put structures in place that will make a real input into achieving our targets.

We did not start very well in this year's budget because the Minister for Finance, Deputy Cowen, provided €300 million for the purchase of carbon allowances from poorer countries up to 2013 rather than introducing sufficient measures to reduce emissions. It is unacceptable that we should budget to purchase carbon credits from poorer countries over the next five years as it is doing nothing for the strategy and totally contradicts the views aired on 8 and 9 March. It does nothing to achieve the targets set on these dates. If we continue to buy our way out of the problem, there is not a hope in hell that we will be anywhere close to meeting our reduction targets for 2020. Not only will we not meet the 30% target, we will not achieve the 20% reduction in emissions required in the period 1990 to 2020.

EU member states have agreed to reach a global deal to achieve a reduction of 30% by 2030 if other states on the global stage, including the United States, Australia, China and India, are willing. This is wishful thinking and will certainly be wishful thinking for Ireland unless it gets its act together. I certainly welcome the binding targets established on carbon emissions, the renewable energy mix and the boosting of energy efficiency by 2020.

The issue of nuclear energy is clearly controversial and a number of member states, led by France, argued strongly that nuclear energy should be included in the energy efficiency mix given that it yields very low carbon emissions, even though it is not strictly a renewable form of energy. This issue must be resolved. I agreed with the remarks of the Minister for Foreign Affairs, as reported, that this was not part of the agenda we would discuss.

There is certainly no harm in discussing all the options, including nuclear energy and its impact in the European context, but it would be wrong for us to go back down the nuclear energy road or even open the debate on this because we have such strong sources of renewable energy available to us. We, as an island community, have more wind and water than any other country in the European Union. One should remember that our land space under water is ten times greater than that over the water, thereby affording us access to a huge source of renewable energy, including wind and tidal energy. It is in this area that research and development should be conducted and in which investment should be made as quickly as possible.

The proposal regarding energy-efficient domestic bulbs is a great idea. The sooner we

have these in place in offices, local authorities, homes and on streets, the better.

Aengus Ó Snodaigh: In the Dáil.

Mr. Costello: Yes, and in the Dáil. We have incandescent bulbs in the Dáil and our first step might be to ensure energy-efficient lighting in the Houses of the Oireachtas, both in our offices and in the Chambers.

We could talk quite a bit about the constitutional treaty but, interestingly, the Heads of State did not do so at the summit talks. It is the central issue and in many ways it was the elephant in the room. It became quite obvious during the discussions that Angela Merkel heard very divisive opinions in her bilateral discussions with the member states prior to the summit and to drawing up the Berlin declaration, which will be launched next Sunday. It seems from the remarks made that the treaty may not even be included as a major section or will only be included in passing. This would be a terrible shame.

Any initiative that by-passes the central issue engaging the Union at present, that is, the constitutional treaty, will be a failure. The delays in respect of the treaty have limited progress of all sorts, including political progress, in addition to enlargement and developments concerning fundamental rights and the values of the Union, which are all enshrined in the treaty. The treaty must be a central part of the declaration and, if not, the German Chancellor will simply have taken on board the more negative aspects of what has been said to her. Let us remember that 18 of the 27 member states have signed up to the treaty, either by way of referendum or parliamentary vote. All the Heads of State have signed the document prior to its being put forward for approval in the member states, which suggests it is not a draft treaty. It is a matter of signing up to the original document.

If there is a dilution or diminution of the substance of the document, we will have to return to all the matters that arose initially. The only way forward is to enhance the document, which can certainly be achieved through the initiative on climate change and through intergovernmental protocols on global leadership regarding the elimination of world poverty and 21st century slavery. Human trafficking is a form of slavery. These are major issues with which we can engage without upsetting the balance of the constitutional treaty. However, we must not by-pass it and pretend it does not exist.

Considerable emphasis was placed on the Lisbon Agenda, which is very welcome. A world-class economy and world-class society in the European Union must go side by side. The increase in overall employment of 2.7% so far in 2007 was particularly welcome.

There were many pluses and minuses in the discussions during the summit on 8 and 9 March but we will not know what progress is taking place

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until we see the Berlin declaration and determine whether the initiative has really been seized by the German Presidency and whether we will be able to address the major issues of the constitutional treaty, enlargement and reaching the targets on climate change, which we need to achieve so badly. We will await the declaration in anticipation.

Mr. Sargent: Ba mhaith liom cúpla focal a rá faoin gcruinniú ar an 8 agus 9 Márta seo caite. Tá áthas orm go raibh stádas na Gaeilge in ord agus in eagar ag an gcruinniú, go raibh fada buan an stádas sin.

Leis an 50ú bliain sroichte againn, mar chomór-adh ar an Aontas Eorpach tá sé go maith féachaint ar ár gcomhghleacaithe i dtíortha agus stáit eile an Aontais. I mention our colleagues from other member states because many of them living in this country ask why people from around the EU who live here are not in a position to cast a vote in this country. It is high time we embraced the spirit of solidarity at the heart of the European project and put that right. It is increasingly difficult to accept that people from other EU member states with whom we work closely on a range of issues are essentially alienated from our democracy because they cannot vote in the forthcoming general election.

The European Council meeting stressed energy security and climate change as issues of social justice and human rights. In future the degree to which Ireland can turn its back on fossil fuel dependency will be the ultimate measures of its economic success and development. It will determine its competitiveness and international standing. The countries that seize the business opportunities presented by the new energy reality will prosper. In Germany, 170,000 jobs have been created through Government support for the renewable energy industry. The decisions taken at the EU Council earlier this month, while modest and conservative, are a step in the right direction.

The Government, however, has failed to join the dots on this issue. Judged by its actions, it is in denial about climate change. It has failed to deliver emissions reductions, to set targets at national level or to say how it will reach the targets it has agreed at EU level. Those failures are damaging Ireland's standing on the international stage, increasingly damaging our economy and causing job losses, resulting in Ireland missing out on business opportunities. Irish renewable energy companies, such as Airtricity and OpenHydro, are making huge investments in China, the United States and Scotland rather than in Ireland because the necessary support is not in place here.

The Government's failures mean Ireland is losing credibility in the European Union. When emissions targets were set for 2012, the EU did

its best to give Ireland a dig out by allowing us a 13% overrun on 1990 levels. We are now at least 25.4% above 1990 levels. Emissions jumped by 2% in 2005 and that upward trend continues — they jumped 7% in the transport sector alone.

Our EU partners will not give us that dig out again because the Government has shown that it cannot be trusted with this issue. Playing an *béal bocht* will no longer wash. We are now expected to pull our weight and pay our way. Already the taxpayer is paying hundreds of millions of euro for the Government's failure through the carbon fund, which will inevitably be voted through by the Government tonight. The message to poorer countries is that our business as usual approach is more important than their development as they are expected to allow us to continue on our hapless way.

I am sure the Taoiseach keeps an eye on information from the Environmental Protection Agency and Sustainable Energy Ireland because last week the EPA published a report showing that drought and flooding will become more common in Ireland. The author of the report, Dr. John Sweeney, said the Government is foolishly trying to buy its way out of trouble, and he is right. The Government adviser in Sustainable Energy Ireland, Mr. Martin Howley, has effectively outed the Minister for Communications, Marine and Natural Resources's recent commitment to 33% renewable energy generation as an example of fraudulent green-washing. The target translates as 6% energy generation from renewables, which is fundamentally pathetic.

When taken with the Government's heating and transport energy needs, the figure adds up to an overall target of 12% of total renewable energy generation by 2020. With existing policies under this Government it is not possible to even meet the conservative EU targets. Ireland cannot meet the energy and climate change targets agreed at the European Council meeting. That fundamentally points to the need for green government for us to survive and to thrive.

Aengus Ó Snodaigh: Loic Comhairle na nAirí ar phobal na hÉireann agus ar phobal na hEorpa. Leanann an Taoiseach, mar aon le hUachtaráin agus Príomh-Airí na dtíortha eile, ag déanamh de réir na mboc móra seachas gnáthphobal na tíre anseo agus i dtíortha eile na hEorpa. Bhí sé i gceist ag straitéis Lisbon decisive impact on the eradication of poverty a dhéanamh faoin bhliain 2010. Tá fós méadú ar líon siúd atá i gcónaí i mbochtanas. Tá 62 milliún daoine san Aontas faoi bhagairt ag an bhochtanas agus tá lucht an rachmais tar éis tairbhe a bhaint as straitéis Lisbon agus tá an gnáthdhuine thíos leis.

Those lucky enough to have work are being pushed into low paid jobs with deteriorating working conditions and decreasing job security. Income inequalities continue to grow and now a secret declaration is being negotiated by the EU leaders for a solemn proclamation in Berlin on 25

March to mark the 50th anniversary of the EU. The current draft includes the phrase “we, the peoples of Europe”, which is ironic because it was drawn up by the German Chancellor’s small and secretive clique. The European Parliament debated the declaration last week without even seeing a draft. Member states have sight of only four passages, a fifth of the entire text, and we do not expect to see the full draft, which is to include a deadline for the *de facto* introduction of the constitution, until later this evening. This does not bode well for those who wish to see full democratic scrutiny and transparency in future treaty negotiations.

Níl aon duine ann a deir nach bhfuil buntáistí bainte againn as an Aontas Eorpach ach tá eagla ar chinnirí na hEorpa páirt a ghlacadh i ndíospóireacht ionraic agus oscailte faoi láidreachta agus laigí an Aontais, go háirithe an bóthar atá romhainn.

The defeat of the EU constitution in referenda in France and the Netherlands has left the EU leaders running for cover. They are still convinced they are right about the constitution but are unable to find democratic justification for it. Instead they are throwing up a smokescreen of nice sounding words which they hope will obscure the fact that they intend to introduce the constitution without democratic debate and scrutiny, without dialogue and, above all, without for one instant asking if the course they are set on is good for the people of Europe.

The Berlin declaration is an example of the removal of the future direction of the EU from public debate. This is because EU leaders have been unable to win the public argument. If they succeed in putting through the constitution, it will further stifle public debate on EU policy on social and economic affairs, civil liberties and peace and neutrality. It will make for free and unfettered competition and all that implies in terms of privatisation of public services and will undermine workers’ rights on pay and conditions, a constitutional requirement rather than a policy choice under the democratic control of elected representatives.

Is é an t-aon rud atá soiléir faoi seo ná gur deis eile amú é. Is gá do pholasaithe an Aontais Eorpaigh a bheith dírithe ar fhás, geilleagar inbhuanaithe, athrú aeráide, agus poist de chaighdeán maith. Ba cheart dóibh tabhairt faoi mhíchothromas ioncaim chomh maith. Is athrú bunúsach san fhócas atá de dhíth. Tá sraith tosaíochtaí nua uainn, tosaíochtaí sóisialta, eacnamúil agus timpeallachta, a mheallfaidh infheistíocht sa gheilleagar sóisialta agus a fheabhsóidh seirbhísí poiblí ó thaobh an chaighdeáin de. Chuirfidh na tosaíochtaí sin deireadh le bochtanas agus idirdhealú sóisialta.

Mr. Connolly: The March European Council meeting was dominated by the development of an energy policy for Europe. With climate change such a pressing and visible issue, it is no surprise

that the question of renewable energy targets form the core of the Council’s recommendations. The Council’s plan encompasses the opening up of gas and electricity markets, security of supply, energy efficiency and renewable energy, and research and development of energy efficiency technologies.

The reaction of European businessmen to the ambitious plan to cut CO₂ emissions by 20% by 2020 not surprisingly has been somewhat dubious. To put the 20% target into perspective, in 2004 13.7% of the power generation from the 25 member states came from renewable sources. That 13.7% figure has not changed much in the past 15 years, and 70% of that power generation came from hydropower.

The EU’s drive to increase renewal power output to 20% of all energy production is made more difficult by the inevitable time lag before any concerted action is taken. Essentially, the announcement by the Council is a direction to the Commission to prepare some practical mechanism for implementing a broad policy objective on renewables. That will take at least one year following which the mechanism — perhaps an EU directive — will go to the European Parliament for adoption after the inevitable series of political compromises. That will take another year or more.

The question then arises of making renewable power generation mandatory. The European Stability and Growth Pact is a reminder of the difficulty involved in managing binding targets. That practical mechanism will of necessity prove to be extremely complicated. Land-locked nations without mountains lack easy access to renewable resources such as wind or hydropower. The 2020 goal, therefore, must take into consideration the construction of new interconnection capacity and the measurement of imported renewable power across countries.

Business executives are concerned that the EU’s pledge could not only stifle economic growth but also prove pointless if other industrial nations do not follow suit. In Sweden, the chief executive of the state-owned energy giant, Vattenfall, agreed that the EU’s commitment to cutting carbon dioxide emissions required action in the form of technology development. He said that unless there is much improvement in the way carbon emissions are captured and stored there is no way to solve the problem. He also stated that he does not believe China and India will stop building coal-powered plants to wait for Europe to build the technology.

The European Commission believes that energy security and climate change are two sides of the same coin in that the development of renewable technology such as wind, solar and hydropower energy should increase security of supply. The European Commissioner for Energy said recently that the indigenous oil and gas supply is reducing. He also said that with fewer carbon needs a market is created that favours the

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development of new technology, with less carbon meaning more energy security. He further added that unless Europe makes a greater shift to renewables, it will be forced to continue paying even higher prices for petroleum products. That will entail creating a new mechanism to enforce tough mandatory targets for renewable power generation to reach the 20% EU renewable power generation target by 2020. However, the European Council could have done more to make the existing emissions trading scheme work. That is an effective mechanism to encourage renewable energy generation in Europe. The European Commission should contemplate setting up a different structure when the current one, compared to the many alternatives, has been allowed to falter badly.

Acting Chairman: We will now have questions and answers on the European Council.

Mr. Allen: We will have enough questions at 2.30 p.m.

Mr. Costello: First, on my opening remarks about the Palestinian question, how does the Minister perceive the unity Government that was established in February, the response of the European Union member states to that Government and the response that emanated from the summit? Was it, as I suggested, something of a fudge in that less than wholehearted support was given? While it was welcomed it appeared to be a conditional welcome. Second, does he believe that the European Union should proceed now to channel funding through that Government rather than through other agencies or groups, as is the current position? Will the Minister consider following in the footsteps of Norway in giving full formal recognition to this Government of unity?

Mr. D. Ahern: I thank the Deputy for his remarks. When the European Council met the Government had not been finally formed and ratified. Indeed, as we met, negotiations were still going on regarding the make-up of the Government and therefore any reference in the Council conclusions to it would have had to be on the basis of the position that existed at that time. Since that time the Government has been announced and Ireland has been at the forefront in giving that a positive welcome, but people must be conscious of the fact that members of that Government remain part of Hamas and still have as their charter the destruction of Israel. That is one of the reasons the international community must be extremely careful in the way it responds to this issue.

As we are aware from our experience and as used to be portrayed, we cannot have the ballot box in one hand and the Armalite in the other. If we transpose that to the Hamas situation, the international community has been very careful,

not least in regard to the contact it has with that Government but also in the context of EU funds and our taxpayers' money in that we must be certain that the money being expended by the EU in Palestine is going to the people and not towards some of the aims of that organisation.

In principle we very much welcome the formation of the unity Government and the efforts by President Abbas. It is fair to say, however, there will be others who have a slightly different view, not just in the EU but also outside it. It is Ireland's job to convince the EU to use its good offices to support this effort by the Palestinians to gain some unity of purpose and allow them to negotiate with the rest of the world on a relatively equal basis, but we must take every day as it comes. Regarding contact with the Palestinian Government, Ireland would have no problem relating to the non-Hamas Ministers of that Government, including the Minister for Finance and the Minister for Foreign Affairs, who are non-Hamas. A number of the members of that Government are non-Hamas. We need to be extremely careful regarding the efforts by the international community to ascertain once and for all whether this Government will do all in its power to stop the violence. Since the formation of the Government some Hamas-originated violence has been meted out in Gaza. We need to take it very carefully and work as a unit within the EU given that EU taxpayers' resources are being expended. We need to be absolutely certain that it is going to the people who deserve it and not for any ulterior motives.

Mr. Costello: I understood that recognition of the State of Israel was implicit in the arrangement made. Given that it was mediated through Saudi Arabia and the other Arab states which give such recognition, therefore implicitly Hamas was changing its clothes in this matter. Even if it has not been formally stated as such, are there not considerable grounds for progress to be made through now seizing the opportunity for the European Union to have direct talks with the unity Government, obviously with the carrot that the funding would go through that Government as quickly as possible rather than bypassing it?

Mr. D. Ahern: I do not believe that a member of Hamas will ever formally recognise the State of Israel because it goes against the charter under which Hamas was formed. If the Deputy ever gets the opportunity to go to Israel one of the first things the Israeli Foreign Minister would do would be to give him a copy of the Hamas charter, which clearly indicates its core aim is the destruction of Israel.

Mr. Costello: The IRA charter was to discredit this State.

Mr. D. Ahern: The international community is waiting to see how by their actions the members

of the national unity Government will address the issue. While perhaps not giving formal recognition to Israel it may implicitly understand and recognise that the only solution to the conflict in the Middle East is through the recognition of a two-state solution, which in effect would recognise the existence of Israel. The international community should approach its discussions and negotiations with the national unity Government on the basis that while perhaps not explicitly recognising the State of Israel it would by all its actions ensure that we all move towards the end result of a two-state solution.

Mr. Allen: Earlier I had the opportunity to question the Taoiseach on a potential energy policy agreement with Russia and the effect the bilateral agreement reached between Russia and Germany would have on a common European Union energy policy. To what extent does the Minister believe the bilateral agreement between Germany and Russia has undermined a pan-European approach?

On nuclear proliferation, I found it strange that there was no reference to Iran, Korea and the nuclear issue in the statement issued following the meeting. Did any discussion take place on the United States-India nuclear agreement and its impact on the NPT? Did any discussion take place on the need to carry out an immediate review of the NPT rather than waiting until 2010?

Mr. D. Ahern: As always the main issues at the spring European Council meeting were economic. However, this time discussion on climate change was very much to the fore, which was greatly welcomed by Ireland. The NPT review is following the normal five-year cycle, which leads up to 2010. We are now co-ordinating the preparations with others for the first preparatory committee meeting next month. As I have said previously, Ireland was very disappointed with the last review, which was not for the want of trying on our behalf. In the coming months we will continue to work to ensure that some tangible results come from the NPT review.

On the agreement between Russia and Germany, and the energy discussions, obviously countries will have bilateral arrangements with other countries as happens all the time particularly on mainland Europe. However, in coming months the EU as a whole will negotiate with Russia on an energy agreement between the two blocs.

The issue of Iran is always discussed and was discussed among Ministers in more or less an informal way. It did not form part of the conclusions of the Council. However, at a separate meeting, Foreign Ministers discussed the Middle East and the Iranian situation as well as Sudan.

Mr. Allen: What about the US-India agreement?

Mr. D. Ahern: There was no discussion when I was present on the EU and India. Later this afternoon I will be answering questions on the matter. The issue of the EU-India agreement has been prolonged. It is not likely that any real movement in that regard will take place for some considerable time.

Mr. Sargent: Further to my earlier remarks on the 50th anniversary of the European Union, does the Minister anticipate any movement on extending the franchise to other EU member state citizens to allow them to vote in this country in all elections rather than in the limited number of elections, as is the case at the moment? What progress might he envisage in that regard and how soon might it be made?

As previously mentioned, the issue of using CFL light bulbs rather than the older less energy-efficient ones, mainly the incandescent light bulbs, was discussed at the European Council meeting. The Taoiseach said earlier that the Government was considering banning the use of the older light bulbs. Is that a competence within each member state or is it a competence that can be dealt with at European-wide level? What progress will Ireland make if it is a national competence and when might it come about? Will any change be made to eliminate or reduce the 66% import duty on CFL bulbs coming from China? What is to be decided by the Government in that regard?

I note the Minister said that economic issues are normally dealt with at the spring Council meeting and now it is climate change. However, the Stern report would probably indicate that climate change is the ultimate economic issue that Europe needs to address if we are to get through this challenge. As mentioned by Deputy Costello, when it comes to the German Government there seems to be a focus on targets for reducing carbon dioxide emissions. Does the Minister envisage the Government adopting a targets approach along the lines of the Bill proposed by my party, the Climate Change Targets Bill? Has it been indicated to our EU colleagues that we will adopt a targeted approach or what indication has been given as to what Ireland will do to play its part in reducing 20% or 30% below the 1990 levels given that our levels are approximately 25% above the 1990 levels? What measures have our EU partners been given to understand will be put into effect in Ireland?

Mr. D. Ahern: In regard to EU citizens having a vote in Ireland, they have a vote in local and European elections.

Mr. Sargent: That is all.

Mr. D. Ahern: I am not aware of any move to give them the right to vote in general elections. That issue would have to be taken up with the Department of the Environment, Heritage and

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Local Government. It would also have to be dealt with on a European-wide basis because not every country has the same rules across borders.

The Government is strongly considering a move to deal in some way with the incandescent light bulbs. That is being actively considered in the context of the soon-to-be-released climate change strategy which will be an ambitious document. I have been involved in some of the discussions at Cabinet level. In the context of our discussions at the European Council meeting, in recent years Ireland may have been at the rear of the exhortation in achieving targets but this time we were the vanguard in putting in place very ambitious targets and trying to get the EU to be the world leader in regard to our commitments to deal with the climate change issue.

On the question of the implementation of targets, they are agreed at international level and are subject to binding requirements under international law. There has been some criticism from the far side of the Chamber in regard to our Kyoto commitments but we are on course to meet those commitments.

Mr. Costello: Not until 2012.

Mr. D. Ahern: That is the case despite our recent figures. It is the case that our greenhouse gas emissions have been over the targets agreed but one has to take into account that the economy grew by 150% since 1990. We have commitments to meet in regard to climate change and climate change strategy but at the same time we have a duty to ensure it is not done in such a way that it is unsustainable from an economic point of view and that people are not put out of jobs in Ireland.

Mr. Sargent: It is new jobs we need.

Mr. D. Ahern: That is the balance that we on this side of the House have a duty and a responsibility to ensure. We have to ensure that on the one hand we are not making pyrrhic gestures in that we are trying to exhort all other blocs in the world to do their duty in responding to the Stern report. There is no point in Ireland on its own, or the EU on its own or most of the western world on its own responding to climate change in a very dramatic way that could perhaps put its economies in jeopardy while at the same time other blocs—

Mr. Sargent: We are serious offenders.

Mr. D. Ahern: —such as China, India and Asia are not playing their part for climate change.

Mr. Sargent: They emit far less per person.

Mr. D. Ahern: It is important that we treat this issue on a national basis, as we are doing, by setting detailed targets and putting this country to

the pin of its collar over the next 20 years and at international level exhorting all those other more powerful blocs which are not fulfilling their commitments in any shape or form to ensure they rise to the very considerable challenge ahead of them.

Mr. Sargent: Ireland is not fulfilling its commitments. That is the bottom line.

Mr. Costello: I wish to ask two questions.

Acting Chairman: Sorry, Deputy Allen indicated first. Only 28 seconds remain and by an order of the House the questions and answers have to conclude in 20 minutes.

Mr. Allen: The Minister said most of the time was taken up with economic and environmental issues, but in regard to global issues has any discussion taken place recently on Burma and the fact that there appears to be a difference of opinion between the US and Europe on how to tackle the ongoing problem at UN level?

Mr. D. Ahern: There was no discussion on that matter at the European Council. That matter would normally be discussed at GAERC meetings.

Sitting suspended at 1.35 p.m. and resumed at 2.30 p.m.

Ceisteanna — Questions (Resumed).

Priority Questions.

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Human Rights Issues.

80. **Mr. Allen** asked the Minister for Foreign Affairs the steps his Department is taking, both directly and through European Union channels, to protest at the ongoing serious and unacceptable erosion of democracy in Zimbabwe, as highlighted by the recent assault on the leader of the opposition in that country; and if he will make a statement on the matter. [10616/07]

84. **Mr. M. Higgins** asked the Minister for Foreign Affairs if he will provide his views on recent reports emanating from Zimbabwe regarding the imprisonment, and alleged torture, of the leader of the country's main opposition party, the Movement for Democratic Change; the initiatives which Ireland can and will, within the context of the European Union, take in that regard; and if he will make a statement on the matter. [10502/07]

Minister for Foreign Affairs (Mr. D. Ahern): I propose to take Questions Nos. 80 and 84 together.

The political, economic and human rights situation in Zimbabwe is a matter of the most

serious concern. There is no indication that the Zimbabwean Government is willing to alter the malign policies which have destroyed the country's economy nor is there any sign of an intention to introduce real and necessary democratic reforms. On the contrary, we have seen increased repression, with large-scale arrests of peaceful demonstrators and, this month, incontrovertible evidence that opposition activists have been seriously ill-treated in police detention.

The actions of the Zimbabwean police at a peaceful church-sponsored rally organised by the Save Zimbabwe Campaign on 11 March resulted in one death and several injuries. Many of those who were arrested, including Morgan Tsvangarai, the leader of the opposition Movement for Democratic Change, suffered further serious injuries while they were in police custody.

Not only did the Zimbabwean Government fail to discharge its responsibility for the safety and well-being of those in custody, but the open and unapologetic attitude of President Mugabe and the Zimbabwean leadership in respect of this shocking incident has been frankly outrageous. The police action in the break-up of the protest contravenes the internationally recognised rights of freedom of speech and of assembly. The ill-treatment of those in custody also infringes international human rights standards, including the African Charter on Human and People's Rights, of which Zimbabwe is a signatory.

On 12 March, the EU Presidency issued a statement on behalf of the EU condemning the violent break-up of the protest on 11 March and the ongoing violent suppression of freedom of opinion and of assembly, as well as of many other fundamental rights in Zimbabwe.

EU heads of mission resident in Harare attempted to visit the opposition leaders in prison. However, they were denied access to those detained. On 17 March, the Chairman of the African Union Commission, Mr. Alpha Konare, expressed deep concern at recent developments in Zimbabwe and recalled the need for scrupulous respect for human rights and democratic principles there.

I also issued a statement on behalf of the Government condemning the disgraceful actions of the police and expressing my condolences to the family of the protester who was killed. I urged the Zimbabwean Government to cease suppressing the basic fundamental rights of its people. I noted that a new approach, which includes dialogue between all political forces, is needed to resolve Zimbabwe's serious political, social and economic problems. Now is the time for the international community, including the EU and the members of the Southern African Development Community, SADC, to work together to help bring about peaceful change in Zimbabwe.

In a further development, an opposition MP, Nelson Chamisa, was arrested and brutally treated while on his way to an EU meeting in

Brussels on 18 March, while on 17 March two other opposition MPs were prevented from leaving Zimbabwe for medical treatment. The EU Presidency has issued a statement expressing its outrage at these acts and calling on the Zimbabwean Government to release all detained opposition politicians immediately to enable them to have access to legal assistance and medical care and to allow representatives of the EU Presidency to visit them.

As a mark of the EU's concern, EU presidencies in the SADC countries have taken the step of expressing to their host governments the concern of the EU and its member states about the recent developments in Zimbabwe. Senior EU officials are discussing in Brussels today the situation in Zimbabwe. The EU already has restrictive measures in place against the leadership of Zimbabwe and last month the Common Position on these restrictive measures was renewed until February 2008. I have also instructed our ambassador to South Africa, who is accredited to Zimbabwe, to travel to Harare to convey our concerns directly and forcefully to the Zimbabwean authorities.

I am acutely conscious of the suffering caused by the dire economic situation in Zimbabwe and of the need to provide support directly to the ordinary people there. Irish Aid is continuing to provide assistance for the people of Zimbabwe through non-governmental organisation partners and UN agencies. Total Irish Aid funding to the Zimbabwean people in 2006 amounted to almost €8 million. So far in 2007, Irish Aid has given €2.4 million in emergency and recovery assistance to Zimbabwe. A further €3 million has been allocated for local NGOs which are working on HIV-AIDS and €1.4 million will be allocated to Trócaire and Concern.

Mr. Allen: Looking at the news excerpts on television recently, one could see that the attack on Mr. Tsvangarai was a shameful act by a shameless government. Mere words of condemnation, be they uttered by our Government, the EU or any other democratically elected government, are not good enough. It should go beyond that, and it has gone beyond that in Zimbabwe, which has been plunged into the abyss of economic destruction and the erosion of human rights.

Surely the African Union and Zimbabwe's powerful neighbour, South Africa, have some role to play in this. Surely South Africa, through its membership of the Security Council, has a major role to play. I was disappointed to read recently that South Africa has been instrumental in blocking any discussion of Zimbabwe at the Security Council on the grounds that it is an internal matter. The Minister must agree that it is not an internal matter when human and democratic rights are seriously eroded by a dictator who has outlived his usefulness. At this stage, surely Ireland and the EU can put pressure on

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South Africa and its neighbours to exert some pressure on this despot.

Mr. D. Ahern: I agree with what the Deputy has said. There is no doubt that the EU has a very important role to play, but the African nations surrounding Zimbabwe also have a role to play. It is necessary to gain more support. As the Deputy noted, some of the countries have not been forthcoming in that respect. Southern African states have a role to play in that respect.

The restrictions put in place by the EU are draconian from the point of view of a travel ban and a freezing of assets of certain individuals, members of Government and officials of the Government. At the end of the day, we do not want to reduce the humanitarian assistance that is provided for the Zimbabwean people.

Mr. Allen: I am not suggesting that.

Mr. D. Ahern: None of our aid goes directly to the Zimbabwean Government. It goes to the NGOs and other organisations. I agree with the Deputy that the international community needs to mobilise support to put as much pressure as possible on this regime, which, unfortunately, has been there for some time. However, there are signs, as instanced by some comments by the US ambassador, that there seems to be a much more open revolt against the Government than heretofore. The problem all along was that anyone who spoke out previously was very quickly put down, but there are now so many voices calling for human rights and fair play that the Zimbabwean Government will ultimately have to give in to pressure.

Mr. M. Higgins: Arising from the Minister's reply, is he concerned about the approach taken by the South African Government, which is Zimbabwe's most important neighbour, not just in respect of this issue but even more recently in respect of a vote on Burma at the Security Council? Does this indicate an acceptance by South Africa that what is happening in Zimbabwe can be sheltered under the cloak of sovereignty? I can develop that into a more direct question. Does the concept of human rights protection not imply that sovereignty cannot be used as a veil to stand as an obstacle in the way of the vindication of human rights? What talks has the Minister had with the South African representatives? I note his reference to the recent statement by the US ambassador. I interpret that interview as the beginning of an horrific confrontation in Zimbabwe and not necessarily a beneficial one in so far as what is forthcoming from the Zimbabwean Government is further oppression. Will the Minister confirm whether the European Union has called for the release of all those detained, including the 50 persons detained following the rally? Has the EU explicitly asked for

those who have been accused to have access to lawyers? Has it asked the Southern African Development Community, SADC, to take an initiative to ensure the rights of the people detained?

Mr. D. Ahern: The answer to the last question is yes, we have. Again, it is important to stress it is not just the South African Government which has some influence in this difficult issue, even though there are substantial numbers of Zimbabweans resident in South Africa. The Southern African Development Community is an important aspect of how pressure can be put on this regime. The EU is working in tandem with that organisation and on a bilateral basis, as we are with South Africa and other countries, in order to insist the people who have been imprisoned are released immediately and given medical care and legal assistance. On the wider issue, the EU will be keeping a close eye on developments, in that we will have to mobilise other international support in this respect.

In the recent past there has been a change in the Government's attitude, particularly in regard to diplomats who have endeavoured to speak out or meet with some of those who have been in prison for some time. This shows clearly the Government there is on the run. We will do all we can in a targeted way against the regime, not against the people, in order to ensure as much international pressure as possible is put on it.

Mr. F. McGrath: He is less popular than Fidel.

Irish Emigrants.

81. **Mr. M. Higgins** asked the Minister for Foreign Affairs his views on the consequences for out-of-status Irish in the US by the draft Kennedy Bill in regard to immigration. [10589/07]

Mr. D. Ahern: The St. Patrick's Day period provided the Taoiseach and myself with a particularly valuable and timely opportunity to convey our views on this issue to key figures on Capitol Hill and in the US Administration, including President Bush.

During our visit, we had a detailed discussion on the way ahead with Senator Kennedy, and expressed deep appreciation for his continued strong leadership on this issue. He told us he is encouraging members of the Senate Judiciary Committee to revisit the positive bipartisan Bill passed by that committee last year during the life of the previous Congress. This was a Bill that included key elements of the Kennedy-McCain approach. If enacted, it would transform the quality of life for undocumented Irish people in the US. Senator Kennedy considers this approach is the most likely to secure the bipartisan support required.

The Taoiseach and I also emphasised the high priority we attach to this issue in our meetings with President Bush, Speaker Nancy Pelosi, Sen-

ate Majority Leader, Harry Reid, Senate Minority Leader, Mitch McConnell, Chairman of the Senate Judiciary Committee, Patrick Leahy, Senator Clinton and the House of Representatives Friends of Ireland Group. The Taoiseach and the Minister for Agriculture and Food also had a useful meeting with the Irish Lobby for Immigration Reform in New York last week.

We were most encouraged by Speaker Pelosi's firm declaration at the American Ireland Fund Dinner on 14 March that she will work hard to ensure a comprehensive immigration reform Bill is passed in 2007. This very positive statement was repeated to us in our private meeting with her and was warmly welcomed as a significant development by the Irish Lobby for Immigration Reform. President Bush also reiterated to us his continued support for a comprehensive solution to the problems facing the US immigration system. He fully appreciates the Irish dimension to the issue and assured us of his intention to work with Congress to find a bipartisan solution in the critical period ahead.

At the same time, it is clear that securing the necessary bipartisan consensus on this complex and divisive matter remains a considerable challenge. There is currently a high degree of awareness on Capitol Hill of the Irish dimension to the undocumented issue. Our ambassador in Washington is extremely active in highlighting our concerns, and I look forward to a further intensification of the Government's efforts on behalf of the undocumented.

Mr. M. Higgins: We all wish to see the position of the undocumented Irish advanced and restored to some element of security. However, some confusion arises from the most recent statements. For example, the statement by Speaker Pelosi, which the Minister quoted, referred to a "comprehensive immigration Bill". Such a Bill would address the issue of the 12 million out-of-status people in the United States, of which the Irish are a part. The Taoiseach made many speeches in which he suggested one had to concentrate on what was available. It was made very clear to those of us who visited Washington more than once in recent years that a bilateral deal is not on offer. Is the Taoiseach speaking about a bilateral deal to specifically address Irish emigrants or is he speaking about a reference to the Irish within the general legislation to which Speaker Pelosi alluded?

It is my understanding the Kennedy-McCain proposals, which were withdrawn, also referred to a general approach. Most of the people with whom we are dealing, who are writing to us from Washington, are suggesting, for example, that sometimes the legislation is combined with a border security proposal. Where does the bilateral prospect arise or is it just a flight of fantasy?

Mr. D. Ahern: The Government's position is we wish to have a comprehensive Bill put forward

because that will deal with this issue once and for all. Obviously, other options are being considered and have been considered over the past two and a half years. We have to take cognisance of the fact there are tactics involved. People must be acutely aware that until the Irish Lobby for Immigration Reform organisation was formed, those on Capitol Hill did not know this was an Irish problem; they thought it was essentially a Mexican problem. Thankfully, now there is an Irish element to the issue. Suggestions have been made on all sides of the House that we should opt for a bilateral agreement. The problem with such an agreement is it would, in effect, break the unity that exists between all of the representatives of the various nationalities which are in difficulties in this respect.

The core issues affecting Irish people are practical ones relating to the ability to travel back and forth and also to work openly in the US economy. That is something to which the Taoiseach referred because it had been raised with him in his meetings with the Irish Lobby for Immigration Reform. Speaker Pelosi gave a very strong message, as did President Bush. Deputy Higgins referred to a possible integration of security and border legislation and the immigration issue. President Bush informed us that all such legislation has already been put in place. As he indicated, the only outstanding issue is that of the approximately 12 million people who are in a twilight position in the United States.

The Irish are a relatively small proportion of that figure but they are an important element because of the type of influence Irish America has in the US. This was evident from the number of Senators and Congressmen and Congresswomen who lined up to meet with us in order to give their views on this issue. Senator Kennedy indicated he hoped the starting point would be the previous Bill which emerged from the Senate. We were given an indication by others, including Nancy Pelosi, that it was the starting point. My officials will work with the ILIR and all of the other NGOs which are interested in this area, in addition to the Congressmen and Congresswomen on Capitol Hill in order to bring this forward. I am hopeful there will be moves before the middle of the year to bring the Bill back into the Senate and that it could be brought further.

As a result of the political change following the mid-term elections in the United States in November 2006, people interested in this issue in Ireland and elsewhere considered we were home-free, and that there would be a change of attitude and direction on the immigration reform issue. I pointed out at a previous Question Time that it is not a simple matter. There are some even in the Democratic Party who have grave reservations when it comes to moving on a comprehensive Bill that would deal with all this. Our sights are high, but we are obviously open to other suggestions in the event of an overall pack-

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age not being available so that we can secure the best deal for our people.

Human Rights Issues.

82. **Mr. Gormley** asked the Minister for Foreign Affairs the Government's response to the recent report from the European Parliament criticising Ireland on the issue of the rendition of terrorist suspects on CIA flights; his views on a Dáil inquiry on the subject; and if he will make a statement on the matter. [10588/07]

Mr. D. Ahern: I refer the Deputy to my replies to Questions Nos. 83 and 113 of 8 February, and No. 229 of 21 February, all of which deal with precisely this question.

I was one of only two Ministers for Foreign Affairs to attend a meeting of the European Parliament's temporary committee investigating extraordinary rendition, the TDIP committee. There is no suggestion in the TDIP committee's report that extraordinary rendition, which I once again strongly condemn, took place through Irish territory, and I welcome that. It is consistent with the clear and repeated assurances that we have received from the US authorities.

However, I have clearly stated my regret that certain members of the TDIP committee squandered the opportunity to produce a forward-looking document. Instead it contains, as Dr. Maurice Manning, President of the Irish Human Rights Commission, has been reported as saying, "a lot of political point-scoring". Such was the degree of partisanship in the final report that certain Irish MEPs on the TDIP committee felt that they could not vote on it.

That has resulted in several strange elements in the report. In particular, I highlight its call for a ban on all CIA aircraft landing in Ireland. That is misguided for two reasons. First, Ireland is the only country for which such a ban is demanded. That peculiar situation is explained by the fact that the ban call results from an amendment tabled by an Irish MEP. Second, the call for an absolute ban on landings by CIA-operated aircraft in Ireland is based on an illegitimate assumption that all CIA-operated flights are inherently sinister.

There are many legitimate reasons for international co-operation in intelligence matters. The report's suggestion that all such co-operation by Ireland should be cancelled because of a risk of extraordinary rendition, which it implicitly recognises does not occur here, defies logic. Similarly, the report's call for the Government "to agree to launch a parliamentary inquiry into the use of Irish territory as part of the CIA rendition circuit" ignores the fact that it is for the Oireachtas to decide its own agenda. It also ignores the fact that Seanad Éireann has on three separate occasions, most recently on 31 January, voted not to institute a specific inquiry. Those issues have

been extensively debated in the Houses of the Oireachtas, and both Houses have passed motions supporting the Government's policy, the Seanad most recently on 31 January, and the Dáil on 14 June 2006.

Rather than calling for further inquiries, it is time to focus on what concrete measures we might take to help prevent or deter extraordinary rendition using European territory. I have repeatedly highlighted the need to examine the regulation of aviation. It is with that objective that my Department is exploring with partners in the EU and in the International Civil Aviation Organisation the issues I have raised in this regard. Those discussions are at an early stage, but nonetheless they have the potential to be productive. It is clear that for any reforms in the area to be effective, they will require to be implemented at a European level, at least.

Mr. Gormley: Is the Minister not being entirely disingenuous when he says that this is a matter for the Oireachtas? In both Houses, the Government parties have a majority. If they so wished, they could have an investigation into extraordinary rendition, but they clearly do not want one. Why do the Government parties, the Progressive Democrats and Fianna Fáil, resist calls for such an investigation? Might it not be the start of a process allowing us to get to the bottom of this and find out exactly what has gone on?

The Minister must accept the clear and undeniable fact that aeroplanes used for extraordinary rendition have stopped at Shannon to refuel. He goes on to state in his reply that some CIA flights are quite innocuous. However, today we have seen that City of Derry International Airport is expected to be the first in Europe officially to ban controversial CIA flights transporting terror suspects to secret prisons. If Derry can do that, why can we not do the same in the Republic? What is the problem with that?

Perhaps the Minister might also clarify this. He has spoken of the Chicago Convention on International Civil Aviation, stating that it needed to be amended. What precise amendments does he have in mind? Before me I have Article 16 of the convention, which seems quite clear:

The appropriate authorities of each of the contracting States shall have the right, without unreasonable delay, to search aircraft of the other contracting States on landing or departure, and to inspect the certificates and other documents prescribed by this Convention.

Perhaps the Minister might answer those questions, starting with the last.

Mr. D. Ahern: I can provide no better quotation to show the committee's bias than one from Simon Coveney MEP, who said, before the report was passed, that he did not feel that the original paragraph was balanced in its treatment on Ireland. He said that it exaggerated the

numbers and proposed an amendment but did not turn up to vote for it. Mr. Marty has been quoted on several occasions. The Deputy asked regarding the number of inquiries. There are approximately three international inquiries under way in this regard, and Mr. Marty stated that “We undermine our credibility and limit the possibility for serious discussion if we make allegations that are ambiguous, exaggerated or unsubstantiated”.

Mr. Gormley: On a point of order—

Mr. D. Ahern: I did not interrupt the Deputy. I can quote no better person than—

Mr. Gormley: I did not ask that. I asked a quite specific question.

An Leas-Cheann Comhairle: That is not a point of order.

Mr. D. Ahern: Stephen Grey—

Mr. Gormley: I asked specific questions, but they are not being answered.

An Leas-Cheann Comhairle: Please allow the Minister to reply.

Mr. D. Ahern: Stephen Grey, a *New York Times* correspondent who gave evidence to the committee, stated that it was highly unlikely that Shannon would be used in any way, shape or form. That was supported by Tom Cloonan, an Irish defence expert, who stated that he had many discussions with people involved in Guantánamo who said quite clearly that Shannon was never used for extraordinary rendition. The call I made regarding the Chicago Convention on International Civil Aviation is based on this. When I examined the issue closely, it defied my logic that aeroplanes should be allowed to fly in under the convention of 1944 giving very little information on what or whom they are carrying to the authorities where they are landing or transiting.

The Deputy referred to City of Derry Airport, whose gesture was pyrrhic. Extraordinary rendition is banned in any airport in the Republic, private or public; we do not and will not allow it. The Garda Síochána has received six complaints from members of the public, including Members, some of them present as I speak. On no occasion has it received any evidence to warrant an investigation, but when an allegation was made by someone known to the Deputy, who stated that an unmarked Boeing aircraft had been observed at Shannon on 23 or 24 November, that complaint was investigated. It was established that the aircraft in question was owned by a non-commercial, Dubai state organisation and was being used to transport race horses to that country.

One famous jet was supposed to be rendering people around the world in an extraordinary

manner. In fact, it was on a golfing trip up to Derry, Sligo and a number of other airports.

Mr. F. McGrath: Sure.

Mr. M. Higgins: They never went on board the aeroplane. They asked a cleaner if she had seen anything.

Mr. C. Lenihan: Welcome to the twilight zone.

An Leas-Cheann Comhairle: I call Question No. 83.

Mr. D. Ahern: There is no evidence.

Mr. F. McGrath: It is a farce.

Mr. D. Ahern: I can give the Deputy more if he wants.

Mr. C. Lenihan: Horses for courses.

Decentralisation Programme.

83. **Mr. Allen** asked the Minister for Foreign Affairs the position regarding the decentralisation of Irish Aid; the number of senior and principal development specialists now volunteering to decentralise; the manner in which his Department is addressing concerns regarding the auditing of Irish Aid spending; and if he will make a statement on the matter. [10617/07]

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): Under the Government’s decentralisation programme, the development co-operation directorate of the Department of Foreign Affairs will decentralise to Limerick. This is scheduled to take place during the second half of 2007 and will involve the relocation to Limerick of 124 posts. In addition, and in order to help effect the smoothest possible transfer to Limerick, an advance party involving approximately 50 staff is scheduled to decentralise in May. Overall, personnel have at present either been assigned to, or identified for, some 90 posts or approximately 73% of the 124 posts scheduled to be decentralised to Limerick.

Development specialists perform an important role in the business of Irish Aid. The specialists work alongside diplomatic and general service staff, in close contact and co-operation with each business unit within the division. There are a number of issues to be worked out with regard to the specialist posts which are also scheduled to move to Limerick. Discussions are ongoing at a senior level with representatives of the specialists, with their union, IMPACT, and with the Departments of Finance and Foreign Affairs in order to resolve all the outstanding issues involved. Progress has been made and I hope that these discussions can be brought to a successful conclusion at an early date. Until these sensitive discussions are concluded, it would be premature to speculate

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on the number of specialist posts which might be decentralised to Limerick.

In addition to the development specialist posts at headquarters, there are 20 development specialists attached to the embassies working with Irish Aid in our programme countries.

Almost all members of the senior management team for Limerick are in place. In this regard, the director general of Irish Aid will be decentralising to Limerick, as will seven counsellors or principal officers who are already in place in the directorate. The changeover of the senior management team, just as in other grades, has been implemented in a planned and careful way so as to minimise disruption to the business of the directorate.

Irish Aid has a dedicated evaluation and audit unit, which contributes to an efficient and effective development programme by ensuring accountability and lesson learning. The unit's mission includes promoting the culture of evaluation and audit within Irish Aid. The specific role of the internal audit element of the unit is independently to examine and report to management and the Accounting Officer on whether public funds and resources have been used for the purposes for which they have been authorised or allocated.

Additional information not given on the floor of the House.

The evaluation and audit unit has a staff of eight at headquarters. The Department is currently recruiting two additional auditors to further strengthen the unit. A further six auditors are based in the programme country offices. The work of these locally recruited auditors is overseen by the evaluation and audit unit, and complements the work of field office accountants.

The evaluation and audit unit undertakes its own internal audit work, commissions internationally recognised audit firms to conduct external audits of directly-funded projects, and also makes use of audits commissioned by partners, which are undertaken by internationally recognised audit firms or by national auditors-general. Multilateral organisations and non-governmental partners of Irish Aid are also the subject of statutory and other audits.

This audit coverage is supplemented by a reliance on partner governments' own public expenditure reviews, work carried out by other donors, and internationally conducted country assessments, typically led by IMF-World Bank officials. In addition, Irish Aid works in collaboration with other donors and our partners to strengthen their financial management and auditing systems.

A number of initiatives are being taken in order to strengthen the audit function of Irish Aid. An audit tracking officer has been appointed to engage with management on follow-through and to report on implementation of audit recommendations that require action at headquarters.

In addition, a series of meetings has been held with heads of mission in Africa, and local accountants and auditors, aimed at strengthening financial evaluation and audit procedures in the field, including follow-through on audit recommendations to partners.

Mr. Allen: Compared to the reply provided on 8 February, it is obvious from the Minister of State's response that no progress has been made since then as regards the ongoing dispute between the Department of Finance and the IMPACT union representing development specialists and other staff. The Minister of State said that an advance party will be going to Limerick, conveniently just before the general election, to show that there is some movement on decentralisation. What discussions have taken place with NGOs on the implications for the effective expenditure of Irish Aid moneys on the projects administered by such NGOs? The Comptroller and Auditor General's report showed serious deficiencies in the control and accountability of moneys being spent in certain areas administered by Irish Aid.

Mr. C. Lenihan: I will deal initially with the first part of the Deputy's question about no progress having been made since 8 February. If he had listened carefully to what I said—

Mr. Allen: I did.

Mr. C. Lenihan: I said there has been strong progress—

Mr. Allen: Such as?

Mr. C. Lenihan: —and I am hopeful that shortly we will have a resolution to the issue involving our development specialists. We value them as being integral to the efficient delivery of the programme. We are hopeful therefore and, as I emphasised in my reply, the negotiations are at a delicate stage. We are on the cusp of a breakthrough and hopefully when that is achieved the Deputies opposite will welcome it. It will mean that all the staff, including development specialists, will be able to move to Limerick to administer and deliver the vast and expanding Irish Aid programme.

The early deployment of 50 staff will occur in May, occupying rented accommodation arranged by the Office of Public Works. That initial move in May has nothing to do with the election, it would have happened in any event. It is very much necessary to ease the transition and minimise any disruption to the programme as we effect the transfer to Limerick. Opposition Members have raised that specific point, as have NGOs and others. Our main priority in moving to Limerick is to minimise any disruption to the programme so staff are being allocated and put in position to assist in the transition to the new

location, once the building is ready this autumn. The purpose of the early deployment is to help staff to adjust. It is also being done for family reasons. For certain people who are transferring from the Department and Irish Aid to Limerick the move will involve considerable disruption, especially for their families. The transitional group will assist them with any issues that may arise, including schooling for their children. Such issues will be addressed and assistance given to people who have chosen to decentralise to Limerick.

As regards the effective spending of Irish Aid's money, particularly by NGOs, we conduct rigorous audit requirements. An interesting aspect of the development programme as it has evolved over the years — and with the involvement of Ministers of many political persuasions — is that Irish Aid is subject to much more scrutiny concerning auditing, monitoring and evaluation than virtually any other element of State expenditure, particularly at domestic level. The reason for this is the money we are spending has a very low administrative overhead of 5%, so 95% of it is pure spend in policy areas and in distant countries where the NGOs operate.

Mr. Allen: Is there time for a supplementary question?

Mr. C. Lenihan: The expenditure is audited at several specific levels, ranging from the Comptroller and Auditor General to an arrangement we have with the World Bank to audit the programme along with other donors. In addition, we have auditors in our embassies and Irish Aid offices in the programme countries where the money is being spent. Therefore the programme is subject to extensive audits at a number of levels. We also spend money with our partner governments, strengthening their audit systems so that the money can be appropriately accounted for.

The Department of Foreign Affairs has the only independent — in the truest sense of the word — audit committee of all Departments. The Department's audit committee contains external staff, which is a robust system in its own right, apart from the fact that we have auditors in the field. We also undertake regular internal and external audits of our expenditure on NGOs. Those figures are available to the Department in making decisions as to which NGOs we will fund. Clearly, if there is evidence of NGOs not having spent money appropriately, lessons can be learned and a scaling back of funding applies.

Mr. Allen: May I ask a supplementary question?

Mr. C. Lenihan: I am sorry about that.

Mr. Allen: Is the Minister of State telling me that things are getting even more chaotic? He

says that an advance party — 50 of the 124 staff — will go to Limerick in May and that they will occupy rented accommodation until permanent accommodation is ready later this year.

Mr. D. Ahern: The Deputy does not think much of Limerick.

Mr. Allen: No, it has nothing to do with Limerick. I welcome decentralisation but I am talking about the chaos the Minister is administering. The staff will be going into rented accommodation in May, just before the election, and will have to wait until later in the year to move again into permanent accommodation. What about the nine development specialists that were there in 2003 when decentralisation was announced? None of those will be moving. The Minister is presiding over a chaotic situation which will have serious implications for the effectiveness of the expenditure concerned.

Mr. C. Lenihan: I do not want to get into a rhetorical ding-dong with the Deputy on this point.

Mr. Allen: The Minister of State does not have to. He should just answer the question.

Mr. C. Lenihan: The net point is that 73% of the required staff we will need to decentralise fully by the end of this year are already in place and ready to move.

Mr. Allen: Into rented accommodation.

Mr. C. Lenihan: The idea of the early deployment in May is a good one from the taxpayers' point of view. This is an enormous aid programme which is going through its biggest ever expansion in the history of the State. It is imperative that staff be deployed there early to ease the transition involved. Even in my own, very modest, experience of the private sector, prior to my role in politics, I often worked for companies that moved office premises. None of the measures that are now being taken to move staff from one location to another was ever taken in the big private sector companies I worked for over the years. We are taking every precaution to ensure there will be minimum disruption to the service our partner countries expect from an aid programme that has the strong international reputation ours has. The point of the deployment is to ensure there is not a chaotic transition to Limerick, to see that there is a proper, smooth delivery of the public administration service given by civil servants in Irish Aid. I think it is right to rent a separate office prior to the full offices being made available and I confirm that this is the major expense incurred by decentralisation. Other costs, including the need to retrain staff, come within the Department's existing training budget of 4%. The cost is necessary and justified to make sure decentralisation works and is

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neither a token gesture nor an inappropriately managed process. I fully defend how this money is being spent.

Other Questions.

Human Rights Issues.

85. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if he and officials from his Department, will be attending the ministerial level conference being convened by the UNHCR on 17 and 18 April 2007 on the humanitarian situation in Iraq which will seek commitments from governments to address the situation including more international burden sharing to ease the strain on the current refugee hosting States in particular for those groups most at risk, for example Palestinian refugees in Iraq; and if the Government will lead by example and take up the challenge by providing resettlement opportunities prior to the conference. [10450/07]

Mr. C. Lenihan: I am deeply concerned at the continuing deterioration in the humanitarian situation in Iraq and in particular the situation of internally displaced persons, refugees and vulnerable populations. I therefore welcome the decision of the United Nations High Commission for Refugees, UNHCR, to hold the international conference in Geneva on 17 April which will address the humanitarian needs of refugees and internally displaced persons inside Iraq and in neighbouring countries. Ireland will be appropriately represented at this important conference.

I was also pleased that a regional conference of Iraq's neighbours, which was held in Baghdad on 10 March, set up a working group to examine the issues relating to Iraqi refugees and displaced persons with the support of the United Nations.

The Government is committed to assisting the vulnerable population in Iraq. In January we made a pledge of €3 million for emergency humanitarian assistance for victims of the conflict. This pledge, which is additional to the €7.9 million already provided by Ireland for humanitarian relief since 2003, is being targeted at agencies working with the growing number of families that have been forced by the violence to flee their homes. In this regard, and in light of the deteriorating situation and the growing number of refugees and internally displaced persons, we made specific support of €500,000 available to the United Nations High Commission on Refugees in late 2006 for its Iraq operations. I am confident that Ireland will be in a position to offer further specific financial support at the forthcoming conference in April.

We are particularly concerned at the plight of the Palestinian population in the current crisis. Ireland continues to be a strong supporter of the

work of the United Nations Relief and Works Agency, UNRWA. UNRWA is the main provider of basic services, including education, health, relief and social services, to more than 4.3 million registered Palestinian refugees living in the Gaza Strip, the West Bank, Jordan, Lebanon and Syria. This year the Government increased our support to UNRWA by providing it with €3.8 million, an increase of 25% on 2006. Furthermore, we have made a commitment to maintain this increased level of funding for at least three years. This core funding facilitates UNRWA in responding with flexibility to Palestinian needs in the West Bank, Gaza and also in the region, including the needs of Palestinian refugees arriving into Jordan and Syria from Iraq.

Selection of refugees for resettlement in Ireland under the programme refugee scheme is a matter for my colleague, the Tánaiste and Minister for Justice, Equality and Law Reform, Deputy McDowell.

I wish to assure the Deputy that we are determined to do our part to ensure that help is delivered to those most in need in Iraq and neighbouring countries as swiftly as possible.

Aengus Ó Snodaigh: In his reply the Minister of State has shown an awareness of the fact that there are Palestinian refugees in Iraq who have been forced to flee, particularly to the Iraq-Syria border, because of the activities of Iraqi security forces and militias. These people are stranded at the border — the last estimate gave a figure of 850 Palestinians — because their homes have been raided, their furniture thrown out and some have been targeted and killed. One raid last week saw 51 Palestinians detained. One was killed and 41 succeeded in fleeing to the border region where they are now stranded.

I welcome the Minister of State's comment that Ireland will be appropriately represented at the conference in April but does he not agree that, welcome though it is, more than financial aid is required? In this instance those representing Ireland at the conference should give, in addition to financial aid, an expression of our support by allowing Ireland to take a substantial number of programme refugees. The Minister of State pointed out that the Tánaiste and Minister for Justice, Equality and Law Reform is responsible in this regard but hopefully he can ask the Minister to ensure that the representative at the conference will pledge to allow a number of programme refugees to come here. We can set the standard for other nations in attendance by reaching out to these stranded people who are being targeted in Iraq.

Mr. C. Lenihan: Regarding the Deputy's view that we should be appropriately and properly represented at these conferences, I am sometimes present at conferences to pledge financial assistance and sometimes not. Sometimes this is merely a matter of tactics as we might be asked infor-

mally by other donors, who are trying to raise money at such conferences, to make our pledge in advance, as the French say, *pour encourager les autres* — to encourage the others to pony up and provide assistance. Our role in these matters can vary depending on the requirement. If there is a perception that a particular fund will be under-subscribed and is not receiving sufficient support, we may pledge in advance because we have a reputation in the area.

We will be appropriately represented at the conference and we are prepared as a country and a Government to respond to any request regarding programme refugees, wherever it comes from. At the moment we accommodate programme status refugees through the Department of Justice, Equality and Law Reform as it makes decisions in this matter in conjunction with us. We have a standing commitment that was made in 2005 to take approximately 200 refugees annually when requests are forthcoming.

My Department is responsible for assessing people arriving after the Department of Justice, Equality and Law Reform decides to respond to a request from the international community. Such requests come from the United Nations and other international organisations. A formal request procedure exists and we have not yet, to my knowledge, been subject to a formal request, diplomatic or otherwise, to increase the level above 200 programme status refugees. As in the past, we are prepared to be generous on this subject and I take on board the Deputy's point that this is not simply a matter of making Irish money available. We are prepared to make moral and other commitments to ensure the conflict in the Middle East is brought to an end. This has been the reputation of Irish foreign policy through the years, notwithstanding changes of Government.

Mr. M. Higgins: Can I take it from the Minister of State's reply that his representatives will attend the conference having secured an agreement with the Department of Justice, Equality and Law Reform to go beyond the level of 200 programme status refugees or will the Department of Justice, Equality and Law Reform be represented directly as part of the Irish team at the conference?

Mr. C. Lenihan: The Deputy can take it that we have not received any request regarding taking refugees to Ireland under the programme refugee scheme. If we receive such a request we will respond appropriately, however we have not been asked diplomatically or through the Department of Justice, Equality and Law Reform. I am not bluffing; I simply do not know whether the Department of Justice, Equality and Law Reform has received such a request. I imagine it has not as it would have come to our notice had that been the case. To date the Government has not, to my knowledge, received a request in this regard.

Overseas Development Aid.

86. **Mr. McGinley** asked the Minister for Foreign Affairs the number of five year funding partnerships entered into by Irish Aid with non-government organisations; and if he will make a statement on the matter. [10419/07]

Mr. C. Lenihan: The Multi-Annual Programme Scheme, MAPS, is an Irish Aid funding scheme which helps the larger Irish non-governmental organisations, NGOs, to strengthen their development programmes and planning through flexible and predictable funding.

The five MAPS partners Concern, Trócaire, GOAL, Christian Aid and Self Help Development International, SHDI, who participated in the first phase of MAPS from 2003 to 2006, were invited to participate in a second five-year MAPS programme to run from 2007 to 2011. Irish Aid has entered into a five-year funding partnership with Concern, Christian Aid and Trócaire under our MAPS programme. Consideration of GOAL's MAPS II proposal is ongoing and a decision will be conveyed to the charity shortly. Due to the recent well publicised difficulties encountered by SHDI in relation to its governance, that organisation has been allocated €3 million for 2007. The position is being kept under review and consideration will be given later this year to a multi-annual allocation for SHDI.

Under the first MAPS scheme, from 2003 to 2005, and including the transitional year of 2006, the five partners received the following funding: Concern, €60.5 million; Trócaire, €49.1 million; GOAL, €44.7 million; Christian Aid, €7 million; and Self Help Development International, €9.9 million. Under the MAPS II scheme, 2007 to 2011, the funding for the partners already agreed will be as follows: Concern, €148 million; Trócaire €116 million; and Christian Aid, €17 million. The Department has replaced the three-year MAPS programme with a five-year programme, a change which accounts for much of the large increases apparent in the figures.

Mr. Allen: I welcome the Minister's positive initiative to extend the length of the MAPS programme as it allows the organisations in question to engage in longer-term planning and apply funding more effectively. What is the reason for the delay in allocating funding to GOAL? When will negotiations with that organisation be finalised?

Mr. C. Lenihan: In some cases, organisations receive allocations at different times. Some organisations develop their programmes and have discussions with my officials earlier than others. I do not become deeply involved in these matters and officials generally submit proposals to me to be signed off. I signed off on three such proposals but did not sign off on the Self Help Development International allocation. Discussions with GOAL are ongoing.

[Mr. C. Lenihan.]

Given the large sums of money being advanced to non-governmental organisations and for reasons related to how the Department audits and assures itself that funding allocations will be appropriately and properly spent — matters raised by Deputy Allen in an earlier question — the Department does not enter into a *pro forma* process. Deep discussion takes place and the Department and Irish Aid hire external contractors or consultants to evaluate proposals submitted under multi-annual funding schemes. Considerable negotiation takes place on the proposals. I am confident we will be able to make an announcement regarding GOAL shortly, subject to agreement being reached between the charity, on the one hand, and my officials and the consultants who evaluate the various proposals, on the other.

Three out of five allocations have been made and a fourth is, I hope, imminent. As regards the fifth proposal from Self Help Development International, the Department may examine it towards the end of the year. SHDI is carrying out an intimate internal governance review of its structure and organisation following the row and feuding which took place early in the year. The organisation will probably seek multi-annual funding to complete the MAPS II, which runs from 2007 to 2011, towards the end of the year but will first satisfy itself that its governance structures are in order.

Mr. Allen: How extensive is the Department's use of consultants to assess projects? Is the Minister of State satisfied that the views of consultants are in line with the philosophy and mission statement of the Department? I witnessed the disastrous effects of one such consultant's report when I visited the University of Bethlehem. The report had recommended a substantial reduction in the level of funding for the college.

Mr. M. Higgins: It did so on very narrow grounds.

Mr. Allen: Yes, the grounds related to mid-wifery courses. Is the Minister of State satisfied the consultants hired by the Department reflect its mission statement when making their reports?

Mr. C. Lenihan: The Department typically spends €50,000 or €60,000 on the consultants and contractors it employs. These are small amounts when compared with domestic spending on consultants, which is frequently much higher. In addition, consultants tend to be employed on a short-term basis for a specific purpose. For instance, they are commissioned to assess and carry out proper due diligence on the MAPS proposals from an independent perspective. If the Department were to perform this function, it could decide to fund an organisation because it loved what it was doing. The commissioning of

consultants ensures assessments are carried out properly.

While I do not wish to avoid the Deputy's question regarding the University of Bethlehem, I am not aware of the full details of the case. In my experience in Irish Aid, no other project has been the subject of as much lobbying as the University of Bethlehem, about which I have received numerous representations from members of all parties.

Mr. Allen: The reason is that a delegation visited the hospital and saw the problems it is experiencing at first hand.

Mr. C. Lenihan: The Department must operate in a nuanced way when assessing projects. If there is strong parliamentary support for a project, I will make no secret of it. If a large number of people are lobbying me about a matter——

Mr. Allen: I ask the Minister of State to provide an update on the position regarding the University of Bethlehem.

Mr. C. Lenihan: I will have a note issued to the Deputy because I do not have the full details of the case on hand.

Decentralisation Programme.

87. **Mr. O'Dowd** asked the Minister for Foreign Affairs the projected number of experienced development personnel expected to be retained by the Irish Aid office after decentralisation; the cost of replacing these specialists; and if he will make a statement on the matter. [10409/07]

94. **Mr. Hogan** asked the Minister for Foreign Affairs the number of development specialists seeking to decentralise; and if he will make a statement on the matter. [10399/07]

167. **Mr. Timmins** asked the Minister for Foreign Affairs the number of senior development specialists volunteering to decentralise; and if he will make a statement on the matter. [10415/07]

Mr. C. Lenihan: I propose to take Questions Nos. 87, 94 and 167 together.

Under the Government's decentralisation programme, the development co-operation directorate of the Department of Foreign Affairs will decentralise to Limerick. This is scheduled to take place during the second half of 2007 and will involve the relocation to Limerick of 124 posts. In addition and to help effect the smoothest possible transfer to Limerick, an advance party involving approximately 50 staff is scheduled to decentralise in May. Overall, personnel have either been assigned to or identified for 90 posts, or approximately 73% of the 124 posts scheduled to be decentralised.

As regards development specialists, they perform an important role in the business of Irish Aid. Specialists work alongside diplomatic and general service staff in close contact and co-operation with each business unit within the division. There are a number of issues to be worked out with regard to the specialist posts which are scheduled to move. Discussions are ongoing at a senior level with representatives of the specialists, their union, IMPACT, and the Departments of Finance and Foreign Affairs to resolve the outstanding issues. Progress has been made and I hope the discussions can be brought to a successful conclusion at an early date. Until these sensitive discussions are concluded, it would be premature to speculate on the number of specialist posts which might be decentralised to Limerick.

In addition to the development specialist posts at headquarters, there are 20 development specialists attached to embassies in our programme countries. Almost all the senior management team for Limerick is in place. In this regard, the director general of Irish Aid will decentralise to Limerick, as will seven counsellors or principal officers who are in place in the directorate. The changeover of the senior management team, as in other grades, has been implemented in a planned and careful way so as to minimise disruption to the business of the directorate.

Aengus Ó Snodaigh: Most of the organisations to which the Minister of State referred have their headquarters in Dublin and have argued that it would be logical to locate Irish Aid in Dublin. Now that Irish Aid is to be located in Limerick, will financial assistance be made available to organisations such as Dóchas, Concern and Trócaire if they wish to relocate to Limerick to benefit from close proximity to Irish Aid?

Mr. C. Lenihan: It is not the business of Irish Aid to fund the administrative decentralisation of organisations we happen to fund, whether non-governmental organisations or any other type of body. Irish Aid does not enter into this type of assistance and should not engage in such measures as it would amount to paying for administration, rather than providing financial and other assistance to those we seek to help in the developing world. If NGOs wish to remain in a collaborative and co-operative relationship with Irish Aid they can and will do so. I do not envisage the existing good relationship being worsened by the move to Limerick, just as I do not accept that the relationship between the Department of Education and Science and teachers has worsened in the 20 or 30 years since a significant proportion of its operations moved to Athlone. I do not see any issue here. Anybody who has dealt either at a political or official level with the Department of Education and Science in Athlone will say the same. There was no change in the underlying relationship between teachers and departmental staff by dint of the Department

being substantially decentralised to Athlone in respect of a major part of its activities.

Mr. M. Higgins: How many posts in the development and human rights areas does the Minister of State envisage being created in the current year?

Mr. C. Lenihan: We received sanction for 20 additional posts as part of the last Estimates round. In the next fortnight, I will enter into a further Estimate discussion with the Minister for Finance, Deputy Cowen. We were grateful that those 20 posts, 16 of which have been filled to date, were allocated specifically for audit, evaluation and monitoring of the programme. Two of those 16 are auditors hired specifically for the audit unit, while the other 14 were assigned various monitoring roles in the expanding aid programme. The reason we have been unable to hire four of the 20 staff sanctioned last year is because of the uncertainty regarding specialists.

In the coming year, the hiring and recruitment process in Irish Aid will not be influenced by a year-to-year approach. We are now, in conjunction with the Department of Finance, in the midst of a major review of the management structure of Irish Aid. We hope this will be concluded by the middle or perhaps the end of this year. This will determine the future staffing, resourcing and management structures required for the programme, whose current budget of €813 million will grow to some €1.5 billion by 2012. The management review will examine not just staffing but all aspects of the programme. The objective is to determine how best to manage a programme of this enormous size.

The staffing requirements for the expanded aid programme will be determined this year. I hope, in 2008, either I or whoever takes my place will be in a position to look at the expanded staff requirement. There is undoubtedly a requirement for additional staff across all areas of Irish Aid's operation. The key issue philosophically is whether those staff should be based in Limerick or Dublin. Irish Aid operates under the Department's remit and the political and human rights divisions are based in Dublin. The issue is whether we increase the staff load in Dublin or Limerick, or, in combination with either or both, assign additional field staff in locations such as Geneva, New York, Brussels or Rome, where the UNFAO is based.

That is the purpose of the management review and we hope it will be concluded by the autumn, if not sooner. It will determine the staff required for the expanded programme.

Nuclear Disarmament.

88. **Mr. Cuffe** asked the Minister for Foreign Affairs if he will report on his meeting in February 2007 in Dublin with Dr. Mohamed El Baradei, director general of the International

[Mr. Cuffe.]

Atomic Energy Agency; and if he will make a statement on the matter. [10383/07]

Mr. D. Ahern: I met Dr. El Baradei on 16 February. Dr. El Baradei, who also met the Taoiseach and the Minister for the Environment, Heritage and Local Government separately on the same day, was in Dublin to receive an honorary patronage of the Trinity College Philosophical Society. In the course of our meeting, I raised a number of issues in Dr. El Baradei's particular area of responsibility, including recent developments in the Democratic People's Republic of Korea, DPRK, the Iranian nuclear programme, and the United States-India civil nuclear co-operation agreement.

On the DPRK, we both welcomed the agreement addressing its nuclear programme reached earlier that week at the six-party talks in Beijing. This positive development is of particular importance to the International Atomic Energy Agency, IAEA, whose inspectors will now be able to return to North Korea's nuclear facilities after a prolonged absence to carry out their vital monitoring and inspection work. Dr. El Baradei was recently in the DPRK to discuss the practicality of implementing the agreement. He indicated subsequently that the visit had been useful and had opened the way to a normal relationship.

In regard to Iran, Dr. El Baradei's visit was particularly timely as it came one week before the issuing of his report on Iran in accordance with United Nations Security Council Resolution 1737. During our meeting he shared his perceptions of the main outstanding issues with respect to the Iranian nuclear programme and his sense of how the process was developing and what lay ahead. We agreed on the importance of a negotiated solution to this issue and, in this connection, he referred to his own proposal for a timeout or double suspension as a possible way of enabling the commencement of negotiations with Iran. Dr. El Baradei subsequently issued his report confirming Iran's failure to comply with Resolution 1737, and it is anticipated that the Security Council will adopt a follow-up resolution in the near future.

I shared my concerns about the potential impact of the United States-India civil nuclear co-operation agreement on the nuclear non-proliferation treaty, NPT, and the disarmament and non-proliferation regime it established. Dr. El Baradei gave his perception, which was somewhat more positive, focussing on the developmental and environmental aspects of the deal. These views are in line with his previous public comments on this matter. The negotiation of an Indian safeguards agreement with the IAEA is one of the further steps required before the United States-India deal can be implemented. These negotiations, however, have yet to begin.

In sum, the meeting offered a valuable opportunity for an exchange of views on some of the

more significant and topical issues in the field of disarmament and non-proliferation.

Mr. Gormley: Does the Minister agree with the views expressed by Dr. El Baradei? For example, he observed that we spend \$100 billion every year on development, less than 10% of the \$1.1 trillion spent on weapons. He described this as hypocritical and also said it was hypocritical for the nuclear powers to preach to non-nuclear states. He particularly referred to the United Kingdom spending \$200 billion to modernise the Trident submarine. I tend to agree with his views. Does the Minister?

Mr. D. Ahern: In general, yes. I said at the UN review conference that it is hypocritical of certain countries to demand, from a military point of view, that others should not be allowed to move on nuclear energy, while they themselves are not disarming, which was the other side of the coin in terms of the NPT. Ireland has been to the fore over the years in articulating that and will continue to do so.

Dr. El Baradei's views on Iran and the proposed EU energy deal were surprising, and his perspective on the latter was particularly interesting. The remit of his organisation is to monitor all of this activity, but he seemed more positive than are we in Ireland towards the United States-India deal.

Mr. M. Higgins: Does the Minister agree there is a misconception in regard to the relationship between the IAEA and the nuclear non-proliferation treaty? The IAEA is not the secretariat to the NPT. Does the Minister agree it would be valuable to follow the Blix proposal that a secretariat be established to the NPT to advance it?

Dr. El Baradei's view in regard to the non-signatory countries, including Pakistan, India, Israel and possibly Iran, which are effectively adopting a policy of constructive denial, is to construct a set of bilateral treaties. Does the Minister agree it would be impossible to sustain the NPT, press on for universality or achieve a comprehensive ban on testing if there was a conscious alternative of separate bilateral treaties, some of which are negotiated on commercial grounds? The United States-India deal, for instance, is worth \$100 billion to the United States nuclear industry. Does the Minister agree, therefore, that it is reasonable to see Dr. El Baradei's views as not essentially integrated with those who support the NPT?

Mr. D. Ahern: Yes, I am generally not in favour of bilateral agreements. I support multilateralism and the attempts to ensure all nations disarm, as originally intended under the NPT, while also preventing the proliferation of nuclear weapons. That has been successful, although there are some who say there are difficulties. I agree there are difficulties, but at least Iran remains

part of the NPT and has not walked away. Also, the success of the six-party talks has shown the DPRK can be reined in somewhat. This shows that pressure from all nations rather than from one block can ensure nuclear proliferation does not happen. In the 1960s some people would have suggested that by now we would have many more countries with nuclear bombs, but that is not the case. Therefore, the NPT has been successful in this area.

I said, to both Dr. Hans Blix and Dr. El Baradei whom I met separately, that our view is that the multilateral effort of the NPT is the way to go. I had difficulty with the fact that both men had different perspectives and told them that. They acknowledged my difficulty and said they understood a neutral nation like Ireland with a history and good record on articulating a non-nuclear stance would adopt fairly stringent attitudes towards what is going on in a number of instances.

Mr. Allen: Does the Minister agree that double standards appear to operate in this area? The non-proliferation treaty has been sidelined, effectively, until 2010, at a time when there are major proliferation threats. India has been rewarded by the United States in what was termed a €100 million deal. Is that what the Minister said?

Mr. D. Ahern: I did not say that.

Mr. Allen: Deputy Michael Higgins said it and I do not doubt his word. India is a country which has ignored the NPT for almost 40 years. I am not in favour of appeasement, but at the same time, Iran is being threatened in a belligerent manner over its nuclear programme by the very people entering into agreement with India. Does the Minister agree we must have some consistency on the control of nuclear weapons? Does he also agree, in the words of Dr. Hans Blix, that instead of threatening and backing Iran into a corner, there should be realistic discussions with the Iranians and a conciliatory approach made with them to reach some agreement on their nuclear programme. Currently, we have, at best, misguided policies and at worst, total hypocrisy and double standards, depending on which country is developing nuclear weapons. We turn a blind eye towards Israel which recently tacitly acknowledged it has nuclear weapons. At the same time Iran is being backed into a corner giving rise to the danger it may go down the wrong road.

Mr. D. Ahern: I will not repeat my view on double standards as I am inclined to agree with the sentiments expressed on the other side of the House. On the Iranian situation, the Deputy is correct that the only way to deal with the situation is by negotiation, treating Iran with dignity, but at the same time sending a strong message that the international community, not just

America, Europe or Israel, does not wish Iran to possess nuclear weapons, just as it does not wish Israel to possess nuclear weapons.

However, the independent monitoring agency on the Iranian situation has pointed out in reports that what is going on in Iran is definitely in the direction of military nuclear capability rather than the civilian nuclear capability claimed. There is a change —

Mr. Allen: Could the Minister do something to reactivate negotiations on the NPT rather than wait until 2010?

Mr. D. Ahern: Discussions are taking place, but based on the recent report of the IAEA, the UN Security Council will, within the next week, examine what further action should be taken against Iran. We live in an open society where debate takes place. We must be grateful for that and that we do not live in a society dictated from on top. Changes are taking place in Iranian society where groups feel some pressure as a result of sanctions already imposed and those that may be imposed by the international community through the UN. It is hoped that by a ratcheting up of sanctions more pressure will be put on the broad spectrum of civil society in Iran to ensure the government there does not take the route of a military capability.

Aengus Ó Snodaigh: Will the Minister confirm we have a position on the nuclear suppliers group? Would we use that to ensure a strong position is taken in defence of the non-proliferation treaty by vetoing the bilateral agreements between the US and India, and any other countries that are not signatories to the UN nuclear non-proliferation treaty so that we can ensure we build a nuclear weapon-free world? Will this continue to be Ireland's position and will we use every opportunity to ensure the NPT is defended as strongly as possible?

Mr. D. Ahern: I assure the Deputy that Ireland is to the fore in defending the NPT, particularly in the context of the NSG. On the US-India deal, not all elements are on the table and there is still a long way to go before we reach a stage where we will have to make a determination. There are strong arguments against this deal, but other people, including Dr. El Baradei and Dr. Hans Blix, have a more positive view on this deal. This was part of the reason I met them both when they were here, in order to tease out their perspective as relatively independent people. We will not take a final view on the US-India deal until all the elements are in place and all the requirements are in place to make a decision. We are not at that stage yet.

Written Answers follow Adjournment Debate.

Adjournment Debate Matters.

An Leas-Cheann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 21 and the name of the Member in each case: (1) Deputy Crawford — that the Minister include a school (details supplied) in the list of schools for grant aid this year; (2) Deputy Cowley — the need for the Minister for Health and Children to confirm that BreastCheck will commence from April 2007 for the west of Ireland; (3) Deputy Gilmore — the future of the Morning Star and the Regina Coeli hostels for homeless persons in Dublin; (4) Deputy Deenihan — the need for the Minister for Education and Science to address the accommodation problems at a school in Listowel, County Kerry; (5) Deputy Broughan — the need for the Minister for Education and Science to ensure that the site and campus of a school in Dublin 5 is retained for educational and community purposes; (6) Deputy Olivia Mitchell — the need for legislation to ensure transparency in respect of social and affordable housing provision under the Planning Acts; (7) Deputy Durkan — the consideration given to an amnesty to aged out minors seeking refugee status and if a person (details supplied) might qualify; and (8) Deputy Michael Higgins — the need to clarify a clear timescale for the provision of sites, urgent repairs and extensions to a number of schools.

The matters raised by Deputies Cowley, Gilmore, Deenihan and Broughan have been selected for discussion.

Social Welfare and Pensions Bill 2007: Report and Final Stages.

An Leas-Cheann Comhairle: Amendments Nos. 1 and 17 are related and will be discussed together.

Mr. Penrose: I move amendment No. 1:

In page 5, between lines 12 and 13, to insert the following:

“1.—The Minister shall, as soon as may be after the passing of this Act, prepare and lay before both Houses of the Oireachtas, a report on the implications of abolishing the means test for carer’s allowance.”.

I will not delay on this because I have harrowed this ground often. The Minister, the public and the 150,000 carers involved in looking after people in their homes know where the Labour Party stands and that its stance is unambiguous and unequivocal. We believe in the people who provide care 24 hours a day, seven days a week and 52 weeks a year. We acknowledge the work the Minister has done and the fact that the respite care grant has been increased. The Minister has taken on board some of the key recommendations of the Oireachtas Joint Committee on Social and Family Affairs, including the half-

payment now, which broke the barrier or obstacle in the Department whereby a person could not get a second social welfare payment. This provision was strongly advocated by the committee, which did not depend on consultants or flashy photograph opportunities to achieve its objectives.

The committee’s hard work was done in the bunker and was not covered by the media which lacks interest in the issue. We were interested as we believe our job is to articulate and advocate the needs of this group. We did that well. The Labour Party believes that abolition of the means test is the next step and over the lifetime of any government in which it will participate it will insist on this as a fundamental policy. Our leader made that one of his five priorities at our party conference. As far as we are concerned we have a contract with the Irish people to abolish the means test for carers who provide a few hours excellent work every day and save the State at least €2 billion a year. It is not a total loss because a means test is administratively expensive, bureaucratic and discretionary. What may be assessed as means for one person may not be means in the eyes of another.

This provision would obviate the need for a means test. We hold this principle dear. On a cost benefit analysis it would be positive. The State wants to get value for money although this Government is not good at that. These people do not have contracts and do not receive holiday pay. That is why we insist on this as a small recognition of their work. Carers have clamoured for and asked us to fight for this on their behalf. It is the way forward.

The Minister may not be in a position to accept the amendment because it involves €140 million but we put it down to ensure it remains at the top of the political agenda where the Labour Party has placed it from the start. As spokesman on social policy I am proud of the party’s stand on this.

Some people do not believe that the principle should apply universally but those who are well off will not apply for carer’s allowance. They have the financial resources and back-up to disregard the payment. It is probably only buttons to them. For others it is important because it enables them to purchase additional respite care which gives them a few hours off. Often the health of the carer can become worse than that of the person cared for. They get worn down providing the necessary loving and tender care within their homes. All the studies in this area show that one is better off in one’s home environment. This provision would help to ensure that people will be able to keep their loved ones at home. It is a worthy objective which the State should achieve because carers save it a great deal of money.

Mr. Crowe: In support of Deputy Penrose it is important that we review this area as soon as possible. The Minister speaks of having a limited

amount of money but we believe this needs to be addressed urgently. Every week 150,000 carers work 3.5 million hours and each year they contribute over €2.1 billion to the State. Fewer than one in six carers qualify for carer's allowance. I commend the Carers Association for providing a loud and strong voice for the tens of thousands of full-time and many part-time carers, which has moved the issue up on the political agenda.

Last week I received a telephone call from a distraught family whose mother was caring for her husband who has Alzheimer's disease. The mother had a heart attack and the family have no doubt that the stress she experienced contributed to this. They wonder what will happen their father and who can look after him. It is difficult for them too because their mother will take months or more to recover from her heart attack and may not be able to care for herself, let alone her loved one.

Carers must be recognised and valued for the work they do, from a human point of view. Behind each carer is a story about the difficulties he or she encounters. I know the Minister will say he will consider this sympathetically but unfortunately that is no use to the families in this situation. We need to keep our eye on this issue. I cannot understand why, in an economy that is so successful and has so much money, we cannot address this issue or give more support to carers. The amendment is simple and the means test for the carer's allowance needs to be abolished. I hope this or some other Minister will review this issue in a few months because it needs to be highlighted and requires a political response. I hope the Minister will support this amendment.

Mr. Stanton: I wish to speak to amendment No. 17 which goes 98% of the way to matching the Labour Party amendment which calls for the complete abolition of the means test.

4 o'clock One can see the logic in that because the means test costs a certain amount to administer, involving staff, time and effort. While a carers' strategy is being brought forward, it is a shame this was not done and completed within the lifetime of this Dáil. I hope the strategy will involve the idea that people are best cared for in their own homes, for as long as possible. Everyone in the House agrees that people are happier in their home environment.

I do not know whether the Minister is aware that the Danes stopped building nursing homes in 1997. Most people in Denmark die at home because the home supports and care are so good. We need a paradigm shift in our view of carers which has developed in an *ad hoc* way. That is why I welcome the idea of a carers' strategy. One could regard it as a green paper on carers because this is such an important area.

I acknowledge what the Minister and the Department have done for carers in recent years, increasing the thresholds and the amount of money, and introducing the respite care grant and

so on. There is a further step required, however, to ask what the carer's allowance is for. The Minister will say that it is not a payment but a support. It encourages carers and we need to encourage more people to become carers. We need to focus on carers to ensure they have pensions, get training, recognition and certification and that they are cared for too. Most important, we need to ensure there is an adequate number of carers. I worry that, because the means test takes into account the income of one's spouse or partner, thereby disqualifying one from the benefit, many might not bother to become carers in the view that they will get no support or recognition. If we can encourage more individuals to become carers, the benefits that will accrue to those receiving care will be enormous. Less important, but important nevertheless, the cost to the State will be reduced dramatically. Nursing home charges can vary from €800 to €1,000 per week in some instance whereas carers can do the same work for a fraction of this amount.

This matter needs to be examined. The Minister intends to rattle off points he has made previously and he might spare us from hearing them again. He will talk about the carers strategy, which we acknowledge is on the way—

Mr. Penrose: He is keeping that for Saturday.

Mr. Stanton: —and he will say he has an open mind. That is fair enough but we need a bit more. We would like to see the strategy published so we can debate it. It is disappointing that has not happened.

I acknowledge all the work the Minister has done. When he came into office he co-operated with us when we were fighting the 16 savage cut-backs and he rolled most of them back. He made advances but there was so much money in the coffers in any case that it would have been hard not to do so. However, we need further advances and to stress the importance of the role of the carer, and that is why we have tabled these amendments. We may need to do even more than we are doing. Perhaps it is not enough to support carers and take it for granted that they will be available to do their work in the view that it is their obligation. Perhaps we should also consider the role of the carer in a more professional manner. I rest my case.

Minister for Social and Family Affairs (Mr. Brennan): I agree it is timely to consider fundamentally the role of the carer, and the strategy will provide this opportunity. Preliminary work has been commenced thereon and we hope to have a gathering of carers in the coming weeks to kick off the strategy and commence the process. The strategy presents an opportunity to consider the role of carers, who are valuable and valued in society. All sides of the House have made it clear consistently that they value them. The strategy will be developed in the course of this year and

[Mr. Brennan.]

there will be full consultations with the social partners and others in its preparation.

I suspect I will not have the opportunity to debate carers again in the immediate future and I will therefore proceed at the risk of repeating myself. I have an open mind on the means test, as I have made clear. The benefit incurs a cost of €140 million at present. I am impressed by Deputy Penrose's constant campaign in this regard. He, Deputy Stanton and others made some progress when we introduced the half-rate carer's allowance. I have no doubt that, in the fullness of time, the campaign to remove the means test will be fruitful. It is only a matter of timing and no great principle is at stake once one redefines the carer's allowance as not constituting an income support. Once one considers a carer as an individual doing a job that the State would have to do otherwise, thus keeping people in their own homes, one will realise carers' work should be supported for its own sake as opposed to considering the income of the carer.

The system is being developed according to these considerations. I recall the Minister for Health and Children saying it costs four times as much to keep somebody in a residential institution than to keep him in his own home. If one does the sums in this regard, one will find that removing the means test would prove cheap. As with everything else, developments must proceed at their own pace.

The carer's allowance was originally €70 and now amounts to well over €200. We then added courses and the free travel pass, which was extended to all recipients a year later. We extended eligibility for the telephone allowance and a year later the residence requirements were relaxed. A year thereafter, the back to education allowance was extended to all carers whose caring responsibilities had ceased. A few months later, the electricity, gas and free television allowance was extended to those in receipt of carer's allowance and carers of people in receipt of prescribed relative or constant attendant allowances.

When the carer's benefit was introduced in 2001, the relevant duration was increased from 15 months to 24 months. The rate of payment of this benefit increased to €200, with effect from 2007. The respite care grant has increased very substantially over a couple of years. It was extended to all carers, irrespective of their means. The definition of "full-time care and attention" was relaxed five to seven years ago and was then extended to include care of up to 15 hours per week. The half-rate payment was permitted this year.

In the budget for this year, an extra €107 million was allocated for a special carer's package. There has been steady, solid and good progress in recognising carers. However, given the emphasis on ageing and its management, and the strategies and policies concerning long-term care, the time has come to re-examine the role of the carer, as Deputy Stanton has advocated. The carers

strategy should constitute the framework in which this can be achieved. We should seek to make some important decisions in the context of that strategy.

One can see how progress has been made over the years and the strategy will allow us to consider the role of the carer afresh and determine how the carer can best be supported in keeping recipients of care in their own homes, thereby keeping the pressure off the system. Policy in general has moved, or is moving, in this direction, despite the fact that some would not see it that way.

Mr. Penrose: I agree it is time to redefine the role of the carer. The importance of carers is self-evident. The contribution the redefinition of the role of the carer will make to relieving pressure on nursing homes and reducing costs will certainly be significant. The Minister has had abundant resources and is in a position to do something genuine for carers, who deserve anything they can get, and more. He has certainly recognised carers in some of his proposals and that is why I will withdraw my amendment.

Mr. Stanton: On amendment No. 17, why is the Minister proceeding with the major meeting on carers in the coming weeks when we are so close to an election? Would he not be better to wait until after the election? The last thing we want to do is raise people's hopes. We all agree that the meeting is needed and is a good idea, but I wonder about the timing. We do not want to accuse the Minister of cynically using carers for electioneering purposes. There is consensus in the House on what needs to be done and I hope whoever is in power after the election can pick up the ball and run with it in the same direction.

On home care packages and caring in general, it has been brought to my attention that carers often find it very hard to obtain the supports they need. This may not be the Minister's direct area of responsibility as it pertains more to the Minister for Health and Children. If a carer needs help, it should come quickly. The system should ask the carer what it can do to help, it should not try to stop any assistance.

In fairness, the Minister's Department does that, with officials asking how they can help. The mind set of officialdom must reflect this outlook, where we see what we can do to assist the carer. I welcome the Minister's comments on redefining the role of the carer, paying for the work that is being done, meaning the spouse's earnings are not taken into account, which encourages people to perform a caring role.

Training and certification will also lead to professional carers performing this vital function while saving the State money in the long term and helping people to stay in their own homes. Older people and those with a disability who can stay among their own things are happier and live longer.

Mr. Crowe: The Minister mentioned the carers' strategy being ready for the end of 2007. Perhaps as part of the discussion, a report could be published within the three month period, unless the Minister is totally opposed to the idea. The overall strategy covers comprehensive services and supports for family carers, enhancing and supporting carers' health and well-being, education and training for carers. Would a report on the implication of the abolition of the means test, as requested in amendment No. 1, be possible in the three months, even though there will be an election before then?

Mr. Brennan: Work has commenced on the strategy and will go on at official level while the election campaign is going on. I will consider Deputy Stanton's point about the advisability of continuing with meetings in an election atmosphere. I do not want to do that and it is not my intention. We decided on this months ago but in view of the fact that it was mentioned in the House, I will consider it and see what the best thing is to do. The general point about being proactive and assisting carers instead of being bureaucratic is well made.

The amendment asking for a report is a technical request given the nature of the Bill. Deputy Crowe will agree that not many other subjects are discussed as regularly in the House as carers. No Minister would have any difficulty with presenting a report to the House on carers. I assure him that the work will go on and there will be plenty of opportunities to report to the House as the strategy develops and I look forward to the strategy being worked on, with a fundamental look at where carers will go in the 21st century and their role. We are making positive decisions from our examination of the area.

Amendment, by leave, withdrawn.

Amendment No. 2 not moved.

An Ceann Comhairle: Amendment No. 10 is an alternative to amendment No. 3 so they will be discussed together.

Mr. Penrose: I move amendment No. 3:

In page 5, between lines 12 and 13, to insert the following:

"1.—The Minister shall, within 6 months from after the passing of this Act, prepare and lay before both Houses of the Oireachtas, a report on increasing the living alone allowance."

Deputy Crowe is asking for another report within three months. The election will put that to bed but we are tabling the amendment as a parliamentary device to ensure the topic is discussed properly on Report Stage.

It costs more to live alone because of economies of scale. There have been substantial increases

in costs in the past 12 to 15 months, particularly in the fuel area, and fuel poverty is endemic in Ireland. People who live alone must buy everything, there is no sharing and, therefore, the process costs more. For those in isolated rural areas, transport, electricity or heating are all additional costs. The living alone allowance, however, has not been increased for many years.

The Minister will say there was a policy choice to increase the basic rate of pension and there was not the necessary wherewithal to deal with this payment. It is an important issue, it is like the child dependent allowance that has not been increased in more than a decade. We were reminded why it was not touched, with the Minister making a strong case. It is hard, however, to justify why the living alone allowance has not been increased.

The allowance was brought in for a specific purpose and recognised the circumstances of people living alone. Many things must be purchased and the overall household bill is increased for a person living alone as opposed to two people sharing. That stands up to financial scrutiny. I doubt we will make progress but we want to put the issue before the Dáil so that those living alone are not forgotten and we can send out a message that where resources permit, we will ensure they will be recognised in a forthcoming budget. They have not been remembered in some time.

Mr. Crowe: I agree with Deputy Penrose, it is more costly to live alone and the living alone allowance has not been increased since 1996. We all know prices have increased in the meantime, with the prices of food, fuel, electricity, heating, clothes, shoes, transport and accommodation seeing massive increases while the allowance has remained the same.

The allowance was established because it was recognised that it cost extra to live alone. A person on his or her own uses the same electricity cooking for himself or herself as a person cooking for two people. There are all those added costs but for whatever reason it has not been adjusted. I reiterate what I said about the success of the economy. Who is that economy for if it is not for people who are in need and those who are suffering in this wealthy society? The living alone allowance makes a huge difference, particularly to the elderly and people living in isolation. There is little difference between the three months and the six months proposed Deputy Penrose and myself but it is an issue that must be addressed.

Mr. Stanton: Will the Minister tell us when replying the number of people currently in receipt of the living alone allowance? The Minister said on Committee Stage that he was not increasing the allowance because it would discourage people — he can correct me if I am wrong — from moving in with families if they needed to do that because they would lose it. Will

[Mr. Stanton.]

he clarify if that is his sole reason for not increasing it? I acknowledge State pensions have been increased but as my colleagues said earlier, it costs more to live alone.

There is a need to consider the needs of older people living alone. Older men in particular appear to find it more difficult to get accommodation on their own. Often they do not need a great deal other than a flat or a small house with two bedrooms. In that regard, local authorities should bear in mind the needs of older people living on their own, especially if they request a transfer from one type of accommodation to another. The living alone allowance can help with their additional costs because proportionately it costs more to live alone than to live with someone else. Two people can live cheaper than one person. The other side of the social welfare code is the limitation rule. In one respect the Minister is limiting what he is giving people but in the other he will not increase the allowance because he wants to encourage people to live with others. There is a contradiction in that regard.

The living alone allowance is a small amount but it gives people a bit of a lift. It is amazing the number of people who value it when they get it. We must also remember that someone living on their own might be bereaved and quite lonely having lost a spouse. The living alone allowance recognises the fact that they are now on their own and may be lonely. It is a small amount but it is amazing how people value it. The fact that it has not been increased in the past few years is having an impact and should be examined.

Mr. Brennan: The Deputy has paraphrased my views on this issue. The reality is that the allowance has not been changed since 1996, which means that successive Ministers took a social policy view of this matter. It is not a matter of money but trying to develop a social policy that permits people to move in directions in which they would wish to move and not fall into any traps in the system that prevent them from doing that. The allowance is only €7.70 per week. The number of people in receipt of it is 151,000. We have endeavoured to substantially increase the pension over the years to ensure they get direct income, irrespective of their living arrangements. We also doubled the fuel allowance from €9 to €18 per week over a two year period. This year I virtually doubled the income threshold for eligibility for the fuel allowance from €51 to €100. I would argue that the money they would have got from increases in the living alone allowance has been made available to them directly through the pension and energy improvements.

The main downside to having a substantial allowance is that if older people needed to have somebody living with them they would face losing their living alone allowance because they would not be living alone. They may need that person

living in the house. Successive Ministers have taken a social policy view and the Deputies will be aware — I am like a long-playing record on this issue — that for nearly three years I have been consistent in claiming that whatever changes we make must have a social policy objective to them. They must seek to help people move to better places, give them better choices, remove the sharp drops in the system and put in slopes rather than cliffs, so to speak. This is one of those areas where we might not necessarily be helping people were we to dramatically increase the allowance and continue to increase it, and where not to live alone becomes a financial disincentive. Those arguments were accepted by predecessors of mine. For better or worse I accepted them and I predict that future Ministers will take a social policy view of this issue and seek to ensure the income of the person, whether they live alone or with others, is decent and increasing and that is what we have tried to do with pensions.

Mr. Penrose: I accept the Minister's point that it is a social policy area but our job is to ensure we alert people to the issue. We believe we have done that and ventilated the views as best we can. In light of what the Minister said I will withdraw the amendment.

Ms C. Murphy: The living alone allowance is only one aspect in terms of what could be lost if somebody moved in with someone living alone. For example, they could lose their entitlement to local authority waiver schemes and some of the free schemes. The Minister is taking the social policy view but it is a wider issue than the payment that is made. I am not convinced it is a solid argument when we consider what could be lost, nor am I convinced that increasing the allowance would be a disincentive to having somebody live with the person living alone. The waiver and other free schemes are probably a greater disincentive if the Minister is making that argument. I am not arguing that people should not have those payments or be entitled to a waiver but the Minister's argument does not stand up.

Mr. Brennan: I take the Deputy's point but I have to start somewhere in dealing with the living alone allowance, and we took a view on that. I take Deputy Stanton's point in particular. We have a responsibility to help people who find themselves living alone and to devise and amend our systems to ensure they get whatever extra support is possible without it becoming a disincentive. That is the way we are trying to design the system.

Amendment, by leave, withdrawn.

An Ceann Comhairle: Amendment No. 4 is in the name of Deputy Penrose. Amendments Nos. 19 to 23, inclusive, and 25 to 27, inclusive, are

related and may be discussed with amendment No. 4.

Mr. Penrose: I move amendment No. 4:

In page 5, between lines 12 and 13, to insert the following:

1. The Minister shall, as soon as may be after the passing of this Act, prepare and lay before both Houses of the Oireachtas, a report on the exclusion of social welfare recipients from eligibility for rent supplement in areas designated for urban regeneration.

We discussed this provision on Second Stage. Deputy Shortall, who represents the Ballymun area, made a substantial contribution on Committee Stage and gave the benefit of her experience of its operation and the work being done. The Minister is trying to introduce into legislation a change to something that is apparently working but fell foul of the Attorney General's advice. Deputy Shortall requested the Minister to introduce a Report Stage amendment to restore the original flexibility. The provision has brought adverse comment from a significant body of people. Some people see it as a form of social engineering. The Minister has now provided that people moving from social welfare to employment may avail of a reduced rate of rent supplement. However, for the most part this provision will affect social welfare recipients whose eligibility will be removed as they live in areas designated for urban regeneration, mainly in Ballymun, but it may also include some areas in Cork.

The Minister's argument is that those areas have already received substantial tax designation leading to their regeneration and that therefore some people availing of rent supplement, which now amounts to €400 million annually, would be gaining on the double. However, people should be entitled to live where they want to live. Some people would like to improve themselves and move into those areas. It is important that they have the opportunity to do so. While the Minister has made a strong argument, I have deep concerns over the matter. What would happen to somebody living outside the area with a brother or other family member living in the area subject to urban regeneration? Why can they not live in the area? Very often family members like to live near each other. Having members of families, particularly from large families, living in close proximity allows them to help each other out and is beneficial in addressing the various costs they must incur. I would not like this provision to become embedded in legislation. I understand various groups have contacted the Minister in this regard and in the past 48 hours I was contacted by a person in Cork who was deeply disturbed by this trend and hoped it would not be a harbinger of further legislative moves to impose a form of

class or social engineering, to which we would not subscribe.

I know that Deputy Shortall asked the Minister to introduce an amendment to allow flexibility in certain situations that might arise. She backed up what she said with comprehensive detail. However, the Minister appears to have no proposals for dealing with the matter. I ask him to withdraw the provision until he has had an opportunity to reconsider it. I understand the provision may have originated in another Department and the Minister inserted it to give it a legislative basis. Be that as it may, it causes us considerable concern and should be revisited.

Mr. Stanton: There are two issues involved in these amendments and I am unclear as to why they are being taken together. Deputy Penrose has comprehensively addressed the first issue, regarding, if one likes, a form of social engineering. The Deputy outlined the matter well. As I understand it those in receipt of rent supplement will be barred from living in areas designated for urban regeneration. Why did the Minister decide to pick on people in receipt of rent supplement? It will preclude in law existing welfare-dependent families and individuals in areas designated for urban regeneration from claiming rent supplement. What is so special about areas of regeneration that those in receipt of rent supplement cannot live there? The provision would allow a legal basis to refuse rent supplement to new applicants in designated areas of regeneration and provides a basis to discriminate between categories of people who may require assistance towards the cost of their rent. I wonder whether the provision is even constitutional. Perhaps Deputy Penrose, wearing his other hat, might advise us in that regard. It appears highly discriminatory and would mean that a person in a designated area of regeneration who is already dependent on social welfare and wishes to apply for rent supplement would be denied assistance while a person who is working and becomes unemployed may receive rent supplement to live in the same area. It does not make sense.

We all agree that social integration is a positive objective. What is proposed here would serve to deprive the most vulnerable in our society from essential income support and the right to choose to live in certain areas. If the section is enacted a person who needs support with rental costs will be required first to find affordable accommodation and will then need to obtain a map of the areas of regeneration from which they are excluded by the Department of the Environment, Heritage and Local Government. If they want to live in such areas they will be unable to apply for rent supplement, which is bizarre.

On the second issue addressed in this group of amendments, amendment No. 23 proposes in page 23, to delete line 52. This would amend the principal Act as indicated in Schedule 1. Essentially it would delete Schedule 1. That highly con-

[Mr. Stanton.]

roversial schedule provides for the transfer of the community welfare service from the HSE to the Department of Social and Family Affairs. I know the Minister will argue that this has been proposed by many groups for some time. However, the people who are central to this issue, the community welfare officers, have not been adequately consulted. They provide a very personal service that has developed over time. I am sure that the Minister will claim that nothing will change following the move. However, why does it need to be rushed?

I accept the Minister is good at having what he calls big meetings and talking with people. Why would he not sit down with the community welfare officers and the superintendents of the service, thrash out the requirements with them, reach an agreement and then proceed with the change? The Minister is proposing to introduce this so-called enabling legislation, and then to sit down and talk with them. If those discussions identify a problem and a change is required, we would need to return here to change primary legislation. It would be far more sensible to hold the meetings first, reach an agreement and then if it is to happen introduce the legislation. The community welfare officers are quite worried about the matter and feel very strongly about not having been consulted. There are approximately 1,000 people working there and 100,000 or more are in receipt of supplementary welfare allowance. Perhaps the Minister would clarify that figure. Those using the service provided directly by the HSE, including domiciliary care allowance, are affected. The Government's justification for transferring the functions involved in an organisational arrangement allowing the HSE to focus on co-responsibilities may be right but why rush it now? Why not consult, reach agreement and then do it? We would all be happy moving forward together. Often those who are or should be helped by community welfare officers are under considerable pressure and the assistance they receive is a safety net. There is a concern that this issue might change. It may be that the whole service needs to be looked at and there may be areas that require to be changed. There may be other functions that community welfare officers should perform. There is no need to do this right now and the issue has raised concerns among the excellent community welfare officers around the country.

Welfare officers often build important relationships with welfare recipients. It is crucial to acknowledge, as I said on Committee Stage, that this issue is not just a question of money. They offer personal support by listening. They are more like councillors or advocates in some areas. They go to the client rather than the other way round. They link in with other services in the health sector such as the psychiatric, psychological, public health nurse services and fear that link could be broken if responsibility is transferred

from the HSE to the Department and that the officers will become mere financial administrators. Their role is much greater than this and community welfare officers believe the proposed move reflects a lack of understanding of the type of service they offer. They believe a transfer would have a profound adverse affect on the service and would ultimately undermine the quality and range of services they provide to the detriment of some of the most vulnerable citizens.

The first time their union was given an opportunity to debate this matter was last June in the committee. There has been no public debate on the issue and community welfare officers have not been properly consulted by Departments to date. The officers fear the Department will not continue to resource the functions for which it is not ultimately responsible. They believe their ability to make discretionary payments will be undermined. We should enhance their power to make such payments.

We have all come across cases where this is useful. Many Deputies must telephone the Society of St. Vincent de Paul to obtain help for constituents because there is no other body that can help. Community welfare officers should fulfil this role to a greater extent. Their role is important and has developed over the years. They are worried and have asked us to bring their concerns to the floor of the House. We have done that on Committee Stage and again today on Report Stage. I ask the Minister to put this issue on the back burner until he has debated it with the people on the ground. It may well be that they will agree to move forward but I do not understand why this has not happened to date.

Mr. Crowe: My amendment seeks to delete the section and my view is shared by Deputy Penrose. It is clear the section comes from the Department of the Environment, Heritage and Local Government. It goes against the view articulated previously by the Minister and his Department in regard to rent supplement and the importance of keeping in contact with young single parents who are vulnerable and away from families. Local family supports are needed. As the previous speaker said, this is social engineering. Because these areas are being regenerated we no longer want young kids originally from those areas living there. That does not make sense. Essentially it enables the State to exclude families who depend on social welfare from areas scheduled for regeneration by refusing to pay rent supplement. It goes against the previous position. The Ombudsman advised against it saying it was discriminatory. Many people have grave concerns about this whole area.

I agree with the concept of social integration. It is positive. However, this legislation deprives the most vulnerable in society, those in receipt of rent supplement. The Minister has an opportunity here to tell the Minister for the Environment, Heritage and Local Government that rather than

concentrate on the area of rent supplement he needs to concentrate on the shortage of social housing. Given that 44,000 families are on the housing list he should concentrate on that rather than put his nose in where it is not welcome and, clearly, it is not welcome in this instance.

A number of areas are being regenerated and that is welcome. However, in many areas the local committees have not been consulted on this issue. That is wrong. In the Ballymun area, Councillor Dessie Ellis opposed this when it was first mooted by the Minister of State, Deputy Noel Ahern. Ballymun has been regenerated in that 2,400 flats have been replaced unit for unit. However, an extra 2,000 units which are not in the social and affordable bracket are in private development. Is that is the way to regenerate or restructure the city? Everyone knows there have been problems in Ballymun. Who are the best people to solve the problems in Ballymun? It is the people living in that area. Yet the people who have not been consulted in regard to the proposed changes are the people who live in that area. The experts have come in, the same experts who built the Ballymun towers without facilities and so on. There is a similar situation in Fatima Mansions which has been regenerated. This is another area that has been described in the Minister's reports as disadvantaged and yet we are saying to the young people who come from that area that they cannot live near their parents and friends, near the area where they grew up, because of this silly legislation.

I ask the Minister to delete that provision as it does nothing for the Bill. It is a backward step. The only reason there is a need for rent supplement is the failure to produce enough social housing. Things are getting worse rather than better. I agree that rent supplement is subsidising private landlords and there is the issue of double tax and so on. However, I am genuinely moved by the plight of many of those young people who come from the areas that are being regenerated. Regeneration is supposed to be a positive development for the community and yet this will be a negative element for the young kids who will be forced to live further away. The policy is that the best way forward for many of these kids is to keep them in the local area where the supports are available. The same view applies in regard to the homelessness. We are doing the opposite here and it does not make any sense.

Ms C. Murphy: I do not know where the logic for this provision is and I do not accept the argument in regard to social inclusion. What is meant by social engineering? Let us imagine a case where a person has had to move from the family home because of domestic violence. That person would be entitled to rent supplement and may want the minimum disruption for his or her children and may want to keep them in the local schools and connected to the local football club or after school activities. He or she will be

required to move out of the area. Essentially, that is what will happen. There was a reference earlier to young people staying in the area in which they grew up where they have social supports and family. They are the people who will be excluded if they require rent supplement. This has more to do with protecting investment than social inclusion. If this is started in one area in regard to regeneration there are plenty of other areas such as section 23 reliefs for apartment blocks where an argument could be made for extending it to those locations on the basis that it would be a double support from the State. It is difficult enough for people with rent support to find accommodation without further excluding them. Many landlords simply will not accept rent supplement. One can see notices in newspaper advertisements telling people not to bother contacting the landlords in question if they are in receipt of rent assistance. What most people will read into this is that there may be a tax irregularity or that people may not be declaring income. I ask the Minister to rethink this retrograde step, which is a very bad idea. It is outrageous to hold out the hope of a new regenerated area and then tell people with the most direct connection to it that they are not welcome there.

My second point concerns community welfare officers. This is one system that works. If somebody in trouble calls in to one's constituency office on a Friday afternoon, the one person from whom one feels one will receive an immediate answer is the community welfare officer. This role is beginning to change significantly. The housing aspect of this role will be dealt with by local authorities which, in many cases, are remote from the areas in which people are living. The potential flexibility of the community welfare officer's role is being eroded. This has not been very well thought out.

It is a safety net that works and we need cogent arguments to change it. This is not simply an industrial relations issue, rather, it concerns how we deliver services to people in emergencies who need them. This must be the key issue addressed in terms of any change made in respect of community welfare officers. The points by community welfare officers in respect of the loss of flexibility are very well made and we should pay a great deal of attention to them.

Mr. Brennan: I thank the Deputies. Section 25 provides for the payment of rent supplement to be refused in respect of accommodation which is situated in an area notified to the Minister for Social and Family Affairs by the Minister for the Environment, Heritage and Local Government as one of regeneration for the purposes of providing for greater social integration.

I should point out that the provision contained in this section is not a blanket refusal of rent supplement in areas of regeneration. I have made specific provision in the Bill in two areas to ensure that those who already reside in such areas

[Mr. Brennan.]

and who are in receipt of rent supplement may continue to receive payment and that those already residing in such areas in private rented accommodation and who may have recourse to rent supplement in the future would not have their entitlement restricted by these new provisions. I believe those two provisions in the Bill will give sufficient flexibility in the administration of the scheme.

The measures were introduced in 2004. From what I am hearing today, I may have misunderstood and am open to correction on this statement, but I understood that there was substantial support from most, if not all, local public representatives in this area. I may be wrong about that, but that was my understanding. If this is not the case, I am happy to accept that. Of course, they can make their own decisions in these matters, but that was my understanding.

It was a directive signed in 2004 and the Department is of the view that since it began, there has been no difficulty in its implementation in any real sense. The numbers involved have not thrown up any particular issues. The only reason we are putting it in legislation is because of legal advice available to the Government to the effect that the directive on its own might not be sufficient legally and we should take the opportunity afforded by the Social Welfare and Pensions Bill going before the House to underpin what is now the practice in legislation. It is important that we take the opportunity to do this.

There is a positive motivation behind this which has existed for years. This is to ensure, rather than prevent, greater social integration in so far as we can through our schemes. There is a commencement date on this provision and, obviously, the operation of the scheme will be kept under constant review. There was also a view that areas of regeneration should be given a fresh start and that we should not just replicate what went before. It was thought that a fresh start at trying to develop a strategy towards social integration would be a good idea. As I said previously, I understood there was substantial political support for that concept over the years.

I made a full statement on the matter of community welfare officers on Committee Stage so I will not repeat it other than to assure Deputies that the excellent work undertaken by community welfare officers is valued by me, the Government and everyone else in the country. Those attributes will be maintained. The same staff will administer the same schemes and will provide the same personal service under the same legislation as the guidelines are at present. The only change is that, technically, they will not be employees of the HSE but will be employees of the Department of Social and Family Affairs.

The legislation will ensure maximum flexibility and discretion. There is no intention to dilute or interfere with this discretion or flexibility in any way. There is already a significant level of liaison

and ongoing interaction between the community welfare officers and the Department's staff and other agencies and this will facilitate it. This is not a new idea but goes back many years. On Committee Stage, I listed off all the various reports, some of which go back decades, which recommended this direction.

The supplementary welfare allowance scheme, which, from memory, involves €800 million and is administered by approximately 700 staff, is already funded by the Department of Social and Family Affairs from which policy with regard to the scheme comes. There is ongoing dialogue and the process, as it moves forward, will include substantial dialogue. A communication and consultation strategy has been devised which will allow for ongoing dialogue with all stakeholders associated with the programme. A series of regional meetings is being organised by the HSE and the Department for all staff in the HSE community welfare service. The first of these meetings will take place this month. These meetings will provide the opportunity for further constructive engagement and feedback on the implementation process.

A document outlining the high level proposals of the Department and the HSE has been sent to SIPTU and IMPACT, which are the unions representing staff in the community welfare scheme, and to the unions in my Department. The first meeting of the joint liaison group involving management of the Department, the Department of Health and Children and the HSE with IMPACT and SIPTU took place last Wednesday, 14 March. A meeting also took place yesterday with the unions in my Department to discuss the matter. All of these discussions and consultations are ongoing and I hope we can make some solid progress in those discussions. These very fine officials have nothing to fear from the Department of Social and Family Affairs. On the contrary, I believe they will be a fantastic asset to the Department. As I said previously, they are carrying out departmental policy and are paid by the Department, the HSE strategy does not really have a clear role for community welfare officers as part of a health strategy and the title "community welfare officer" suggests we should recognise reality. Welfare officers are looking after people on welfare, and it is appropriate they are technically employed by the Department with responsibility for welfare.

Mr. Penrose: My amendment No. 4 is of limited use in the area of regeneration. The Minister has not given an adequate explanation as to why there is a need for this measure. As somebody said to me, it will be a case of somebody who is a rent supplement recipient being replaced by somebody who is a non-rent supplement recipient. That is all the Minister is doing. The difficulty I have in this regard is that it would be setting a precedent which can be utilised in other

areas. Deputy Catherine Murphy also referred to this point.

I was the only one who referred to community welfare officers, CMOs, during my Second Stage speech. I spent about ten minutes on the subject. This system was introduced for a specific reason by the late Frank Cluskey, a former leader of the Labour Party. He did not want a system that could be hamstrung within a Department. It is no use telling me the current situation would be possible within a Department. The Minister has admitted no change will take place but he will have institutionalised the elimination of discretion. It is as simple as that.

In spite of the perception, community welfare officers are not money dispensing machines, as such, they are socio-economists. They have a role to play in regard to the health strategy. They know who is suffering various infirmities or health difficulties and who has been involved with drugs and of others who need help for their addictions. Community welfare officers have a comprehensive knowledge that has been built up by cultivating a strong relationship with the recipients of the payments. Therefore, it is of critical importance this type of interaction between community welfare officers and applicants for supplementary welfare allowances such as rent supplements is continued.

As I said on Second Stage and as Deputy Catherine Murphy pointed out, community welfare officers can be secured at weekends or late at night by a phone call from a Member to deal with an emergency. They always respond. Will CWOs operate solely on a 9 a.m. to 5 p.m. basis and who will be available at 10 p.m. when some emergency arises when these people are changed to a departmental structure? Why break something that works well?

Somebody in the Department appears to be set on making this change. One gets a sense of these things when one asks questions here and there. I cannot understand why this is the case. As recently as June 2006 I brought the CWOs and their union representatives, which included IMPACT, SIPTU etc. before the committee. The genesis of this proposed change began a few years ago. At the time, nobody passed much remark on it. Professor Brennan's report brought the issue to a head. I have often seen reports gathering dust and creating litter. Many departmental reports were never seen again, yet this is one area in which somebody had a profound interest who kept coming back and encouraging another report.

An Leas-Cheann Comhairle: I remind the Deputy he will get a second opportunity to speak.

Mr. Penrose: No, I did not get an opportunity to speak on this matter earlier. I did not realise this issue was included in the grouping. I have

tabled amendments on it so I am entitled to speak.

An Leas-Cheann Comhairle: I understand the Deputy has not——

Mr. Penrose: I am entitled to six minutes and I am taking it, a Leas-Cheann Comhairle, no matter what.

An Leas-Cheann Comhairle: I was inquiring whether the Deputy is on his second contribution on this issue.

Mr. Penrose: I am, yes. This is my second contribution on CWOs, on which I have tabled an amendment.

An Leas-Cheann Comhairle: The Deputy has a right of reply.

Mr. Penrose: I am not bothered about replying. I have a right to initiate my debate on the matter.

An Leas-Cheann Comhairle: I take it the Deputy is on his first contribution.

Mr. Penrose: That is correct. I am speaking for the first time on this area.

An Leas-Cheann Comhairle: I just wanted to clarify that.

Mr. Penrose: There is no need for anyone to clarify it with me. I am acutely aware of my rights on behalf of my party. Do not say there is somebody else who does not want to hear what I have to say.

The Minister should not sign any commencement order. He should allow this matter to come back before the new Government. This is an unnecessary and retrograde step. There was a good reason the late Frank Cluskey left this as an *ad hoc* situation. The rationale has not changed in the interim. The Labour Party will oppose this measure. Deputy Stanton feels strongly about this issue also. He put his views on record in the strongest terms on Committee Stage and I assume he will oppose it bitterly also. We will put this issue to a vote because it is an important and fundamental one.

There is no need to do anything. As Deputy Murphy correctly stated, when a system is working well, is adaptable and flexible and co-operates with the applicants for help, it should be retained. We should ensure the necessary flexibility is available to people who require help. When this amendment is passed by the Minister, with the help of his Government colleagues, that situation will not prevail.

Why is the Minister only now meeting the people who operate the scheme through their union representatives? As Deputy Stanton eloquently stated, why was the horse not brought out

[Mr. Penrose.]

before the cart? Instead, the cart was brought out and now the horse is running a half mile behind.

Mr. Stanton: When I met community welfare officers they expressed their concern on this matter. No discussion has taken place and they have not been consulted. I worry when I hear the Minister say there is nothing to fear. Need I say more. I urge the Minister not to go forward with this Schedule to the Bill. He should continue meeting those involved in an atmosphere of goodwill and not have this issue hanging over them like the sword of Damocles. He should discuss the matter and agree a compromise with them. The matter can be dealt with in the next social welfare Bill. That would be the sensible approach to take. Let us have goodwill all around.

When I met the CWOs I told them I have an open mind on the matter. I have yet to be convinced one way or the other. We did not have a chance to debate or discuss the matter either. It will make no difference because, according to what the Minister said, it will probably be time for the next social welfare Bill before this will happen anyway. It is unlikely it will happen before that. It would be neat and tidy if everything was agreed and organised and was ready to be brought forward in the next Bill.

We all have experience of constituents who have difficulty with landlords who will not accept rent supplement and we all say this is terrible, but why is it the case? It is because someone is on social welfare and therefore not of the proper class. The Minister is doing something of the same kind with rent supplement, stating that if someone is on it, he or she is not of the proper class to live in a regeneration area and will not be allowed to do so. That is fundamentally wrong, and if it has been going on for so long, why is it necessary to bring primary legislation forward now to underpin it? Was it illegal to do so hitherto? When I see primary legislation introduced to underpin something, I worry about it.

Those are the two issues that I wished to raise. I suggest to the Minister that he relax a little regarding community welfare and get the matter sorted before introducing legislation in a Bill next year, if he is once again in power. Why the hurry to do so now? I also have questions regarding the other business.

Mr. Crowe: I wish to speak on my amendment, No. 20, which proposes the deletion of the entire section dealing with rent supplement. I argued earlier that it was wrong and discriminatory. I do not believe there was any real consultation, although many areas are being regenerated. The Minister seemed to be under the impression that there was political consensus, but there is no such consensus. If there was once, there is none now, and my party was certainly opposed to this measure.

I genuinely believe that this matter will end in the courts. If the Minister feels there is anything positive in this Bill, he should think again. The Office of the Ombudsman has already stated its belief that the provision is discriminatory. It goes against the thrust of what we are trying to do in many communities. We are trying to keep young people, particularly those on rent supplement, close to their families, communities, and work and school supports. This says that it may not happen.

I have heard the Minister say that those who currently receive rent supplement in an area will be able to continue doing so. It is a case of pulling up the ladder and creating new areas. It is a little rich that this legislation is ostensibly to provide for greater social integration, since it will not do so. I am conscious of where this originates, and the Government watered down Part 5, which stipulated that any new developments should include 20% social and affordable housing. It allowed private developers to buy their way out of commitments and construct estates devoid of any social or affordable housing. It is claimed that this provision will achieve happy communities, but it will not do so. Rather it is a form of snobbery, and I intend to press amendment No. 20, which calls for this section's deletion.

Regarding community welfare officers, it is sad that the two should be linked. This is about removing their capacity for flexibility and exercising more control; that is the view coming from the officers themselves. They have great experience of community welfare and can look at the age profile and know what is going on in their communities. The Minister is making these proposals without any real consultation. Months ago I asked about this area and was told that consultations were under way. One wonders what was meant. Were there any real negotiations or union involvement? Its members have told me that there were not, and community welfare officers have inundated Members with concerns regarding where this might lead. This is about exercising control rather than supporting the existing flexibility that other speakers have raised. It is certainly a retrograde step.

Ms C. Murphy: When people consider something in the abstract, it is very different from viewing it in practice. We see that all the time, for example, when a development is planned. It is only when bulldozers move in that people start to consider the implications, although there has been a long process in which they have probably not been engaged. There may be an element of that regarding aspects of regeneration projects. Matters must be considered in practice.

Regarding community welfare officers, the figure of €800 million has been quoted, and I know that a substantial proportion will be rent assistance. One hopes that, with some of the increased flexibility mentioned, we will see many such people previously precluded from working owing

to the poverty trap moving into employment. I very much hope that it will happen. It is obvious when one sees new housing schemes, and I can certainly see it in my area. People are allocated a house, and a substantial number get not only a new house but a new life with the opportunity to work. That is very obvious in practice.

I reiterate Deputy Penrose's point regarding the local contacts of the community welfare officer. People will make statements about them ranging from their being the greatest thing since sliced bread to acting as if the money was coming out of their own pocket. It goes right across the spectrum, and the very fact that they know the people coming to them and can advise them means that they have a one-to-one relationship. I have come across many situations where a community welfare officer has saved the State money. The idea that someone is there dishing out funds to people in emergencies is wrong. That the community welfare officer has a degree of flexibility benefits both the State and the genuine emergency case. We should not change something that is working well.

Mr. Boyle: I would like to speak on amendments Nos. 26 and 27 in my name. There is some confusion owing to printing errors in the amendment list. However, they are of a piece with amendment No. 25 tabled by Deputies Penrose and Seán Ryan.

I would like to add something rather than repeat previous speakers' points on the community welfare officers scheme. It is important that we apply the principle of natural justice that one should not be a judge in one's own court. Having direct employees of the Department — which is at least being double-guessed, if not examined — as community welfare officers is not optimum line management. The Opposition is very much of one voice on this issue, and it is unfortunate that in a Bill of this type, which introduces necessary increases in some social welfare payments, we should be divided on an issue at the core of how services are delivered to those in need.

Even at this late stage, I ask that the amendments be accepted and that the obvious discontent that exists among community welfare officers be properly addressed, with an ongoing process put in place to examine how the service might best be delivered without making a rash decision and subsequently turning this into an unavoidable election issue.

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Perhaps I might say a few words in support of the clause not allowing rent allowance in regeneration areas. I do so on two grounds, as a Deputy for Dublin North-West, which includes Ballymun, and as Minister of State at the Department of the Environment, Heritage

and Local Government, which allows me a wider view.

I thank Deputy Catherine Murphy, whose words explain my thinking. She said that certain groups were taking a very theoretical or abstract view of this and producing objections. I take a very practical view based on experience of my own area. It is a matter of giving an area that has been regenerated a chance to breathe. In the 1950s, 1960s and 1970s we built vast local authority housing estates and high-rise developments of between five and 15 storeys. We are currently spending about €230 million or €250 million a year in the Department of the Environment, Heritage and Local Government trying to rectify some of the errors of the past. Some of that expenditure is on small scale remedial work schemes, while much of it is being spent on regeneration schemes such as that in Ballymun, which alone accounts for perhaps €100 million a year. When Ballymun was built, it comprised 2,800 flats and a couple of thousand houses. Some of them have been bought out, while others are rented by tenants. Nobody will be prevented from living in these areas in the future. Everybody who was in a flat in Ballymun is being given a new house or a duplex. To provide a social mix we are building some private apartments. To give the place a chance to grow, we said there would not be any more rent allowances for those private apartments.

Mr. Crowe: It does not say that in the legislation.

Mr. N. Ahern: That is what we are saying.

Mr. Crowe: That has not been put in the legislation.

Mr. N. Ahern: I heard some of the debate on the monitor earlier. Part 5 of the Planning and Development Bill involves social engineering. We try to provide a social mix in whatever building we undertake but even in local authority housing strategies there is no Part 5 in certain areas. There is no Part 5 in Ballymun, for example, because there is already a huge amount of social housing there. The thinking behind it is to try to have a social mix. If we build private apartments and allow them to be turned into social housing, we would undo the regeneration work. We discussed this matter at local level when I was on the local authority in Ballymun for four or five years and there was substantial political agreement on that. I accept that a few councillors from other parties, who did not represent Ballymun but represented other wards in the same Dáil constituency, did not agree. I do not want to name people here but Deputy Crowe's colleague, whom he mentioned, would be a Dáil candidate and an elected representative for another ward in the constituency, but not Ballymun. There was substantial support for this plan which is about

[Mr. N. Ahern.]

trying to give an area a chance to breathe. If the State invests large amounts of money in regeneration it does so to get away from the vast high-rise local authority estates we built in the past. We do not do that anymore — we try to have a mix of private, social, affordable, voluntary and housing association accommodation. I hope that model will work into the future. Some of our huge high-rise estates — be they in Ballymun, Fatima Mansions, St. Michael's or O'Deveney Gardens — are the sort of places that could be considered for this model in future. It is a case of giving it a chance. People on the ground in Ballymun will say that even the first private development there quickly went wrong because it was filled with rent allowance people overnight and nobody controlled them. If it is a local authority estate or building, at least there is some management by that authority but there is little such management by many landlords.

This is a development on the thinking that local authorities have already done. If one builds a private development in Ballymun tomorrow, there will be no Part 5 application on it because the local authority's housing strategy recognises that in an area which already has large-scale social housing, we need a social mix. It does not stop anybody from living in the area, however. Anyone who currently wants to live in Ballymun or any of these places must go on the waiting list for a local authority house. There will still be a couple of thousand local authority units in Ballymun but it means they cannot have rent allowances in the new units that are being built. I would not see that provision being there for eternity but it must be given a chance, otherwise we are talking about the opposite of Part 5, which is to say that all the poor or unemployed should live in one area, turning it into a type of ghetto.

We are putting a great deal of time, energy, State expenditure and community involvement into such regeneration projects. The regeneration of Ballymun for example was discussed for years and has now been going on for five, six or seven years. Everyone has co-operated on it and wants to see the area lifted up. It is a case of whether one wants to give the area a chance to breathe, but nobody is being prevented from living there. There will be the same number of social units in Ballymun in future as there currently is because as the flats are being taken down everybody in them is getting a social unit. As vacancies arise they will be available but the private, developer-led units will not have rent allowance tenants.

Mr. Crowe: The Bill refers to “the area”, it does not say anything about flats or apartments in an area.

Mr. N. Ahern: Yes, “the area”.

Mr. Crowe: Therefore, it excludes anyone in that area. That is the point. The Minister is build-

ing walls around that particular area in order that local people cannot live there.

Mr. N. Ahern: When we examined this three or four years ago we were told that would include the existing houses in the area. This scheme developed over recent years but there was disagreement initially over whether the process by which we did it was safe. It has been done with substantial agreement, however, and it is operating. It is needed to give the area a chance to breathe. The Department has overseen the taxpayer's investment in regenerating areas and hopefully we will do this in many other areas, based on practical experience.

Mr. Ring: I am glad to see the Minister of State, Deputy Noel Ahern, attending the House. I wish more Ministers would be accountable to the Dáil and explain their actions here. In fact, however, Ministers regularly hide behind written replies and civil servants, but will not answer oral questions. Whether we agree with the Minister of State, at least he has put his point of view and Members can cross examine him and make their own points.

I want to discuss social welfare officers. I am pleading with the Minister because this situation is not good for people who depend on such officers. Deputy Penrose asked earlier why one should fix something that is not broken. The system has worked well in the past but what is being proposed is not good for the people. Some aspects of social welfare work well, while others work badly but officials must live by the book. Community welfare officers cannot just live by the books; they need to have a conscience in order that when a problem arises they can make a decision there and then. The Minister knows what will happen. He will have his civil servants drafting rules and regulations. We know that a great deal of money is being spent on those who can only live from day to day. I listen to many people, including backbenchers, Ministers, local people and commentators. Many commentators do not understand how people live on welfare. Such people have to exist on a small amount of social welfare but are not able to manage from week to week.

If some people got €300,000 per week they would spend more than that because they cannot live within their means. A safety valve is needed for them. The Minister may say that the safety valve will be left to the community welfare officers but it will not. The Minister has been in the House longer than I have. He has seen Ministers come and go. He knows that the civil servants will be drawing up rules and regulations, and will tell the community welfare officers “You must live within this rule or regulation, and there will be no discretion”. There will be discretion for a few months before polling day, but once the election is over the Minister or his successor will sign the regulation into law so that community

welfare officers no longer have any discretion. This should not be allowed to happen.

If Fianna Fáil backbenchers had any courage they would vote down this amendment because it is not good for their constituents. Why do they always have to be led by Ministers and civil servants? This measure is morally wrong and I ask the Minister to accept the amendment. He should discuss it with the community welfare officers and operate it on a trial basis in some areas for a few months to see how it works. What is being proposed in the Bill will not work, however, so the next Government will have to revert to the old arrangement. Whose premises will community welfare officers use? Will they use HSE premises or will they be sent into towns to use social welfare offices? Will community welfare officers be used for means testing for carer's allowance and social welfare payments? Will they be brought into the system to deal with all of this? At least previously there was an element of discretion involved.

Some people hate social welfare offices because when they go there looking for work they are told they are not looking for work. Deputy Penrose has heard me raise this matter at committee level week in, week out. I know people who must leave social welfare offices and approach community welfare officers for money because the Minister's officials tell them they are not actively seeking work, despite there being no work in many of these areas.

I ask the Minister to ignore the civil servants on this occasion and accept this amendment. The situation as it is works and should be left alone; the Minister should refrain from targeting the poor and letting them down.

In the Dáil this morning I heard of civil servants being paid large wages by the HSE. Where did the HSE get this money? It saved €2.5 million in my region by not bringing the poor and sick to hospital for appointments. As I said last week, the Minister for Health and Children, Deputy Harney, refuses to bring the poor and sick to hospital for appointments while the Minister for Community, Rural and Gaeltacht Affairs, Deputy Ó Cuív, seeks to set up transport to bring them to the pub. Are we not a sick country? Once again the weak and sick are targeted.

I ask the Minister to accept this amendment and choose not to go ahead with this as nobody, neither the public nor the community welfare officers, wants it. Things are working as they are and should not be interfered with.

Mr. Brennan: My colleague, the Minister of State, Deputy Noel Ahern, has put the case on the regeneration issue very well because he understands it better than most. Regeneration attempts to give communities a fresh start and has been in operation since 2004. The evidence available to my Department suggests it is working well and it is included in this Bill only to allow us, having received legal advice, to avail of the

opportunity to give it a more solid legal footing. There is no hidden agenda and the aim is only to continue a policy that has been in operation for a number of years. The Minister of State clearly explained the thinking behind this.

The changes relating to community welfare officers are fairly technical. I would not accuse the Deputies opposite of whipping up this matter but, I suspect, if this were not an election year the issue would not get the attention it is receiving.

Mr. Stanton: That is not the case.

Mr. Brennan: Some 750 community welfare officers administer approximately €800 million. On the commencement of the health reforms the health strategy made it clear that community welfare officers had no role in that formal structural context. The idea of community welfare officers working more closely with the Department of Social and Family Affairs goes back to the Social Welfare Commission of 1986, a review of the supplementary allowance by the Combat Poverty Agency in 1991, the Commission on the Status of People with Disabilities in 1996, the Commission on Financial Management and Control Systems in the Health Service in 2003 and so on, including Professor Brennan's report.

This is not a new idea that I dreamed up, it is logical and sensible and the same people will do the same jobs, giving the same personal service as always. The Department of Social and Family Affairs laid down the policy in this regard — it is not as though there are 759 people wandering around with €800 million at their disposal to distribute as they wish. Every cent distributed by community welfare officers comes under a scheme or heading approved by the Department of Social and Family Affairs. If we sought to interfere with the independence of community welfare officers tomorrow we could do so, regardless of this Bill, if that were the wish of the Department of Social and Family Affairs.

If one cannot rely on a Department with a title referring to social and family affairs, which administers funds of €15 billion to help people in our communities with pensions, child benefits and welfare, to support those in need of assistance, why suggest the Department of Health and Children could do better? Why suggest a health service executive, composed of people appointed by a Minister, could do better? The argument made by the Deputies does not stand up as the same people will do the same jobs under the same regulations and legislation as always and with funds that may increase in the coming years.

Community welfare officers do a marvellous job and have everyone's full support but it is incorrect to think they are totally independent and can suddenly dream up new schemes and give money to people who did not want to approach a social welfare office. They administer an enormous amount of money extremely well but the flexibility they have is granted by this Depart-

[Mr. Brennan.]

ment. The Deputy worries that this flexibility may be taken away but there is no question of that happening as we give them the flexibility, pay their wages and lay down the rules and regulations under which they distribute money. The only reason this legislation has been proposed is that the health service has gone on a train in a different direction due to health reforms and community welfare officers do not fit on that train. The logic of this is overwhelming.

It is increasingly important that other schemes administered by the Department of Social and Family Affairs be co-ordinated because very often we deal with the same people. As Deputy Catherine Murphy said, half of the €800 million they administer goes on rent allowance. There is no question of changing flexibility in this regard as community welfare officers do their work subject to guidelines and legislation. They do not wander around giving certain people rent allowance because they suspect the individual has a special need; they follow guidelines and rules.

A communication strategy is in place and a series of regional meetings with the entire community welfare service is being organised by the Department and the HSE. The first such meeting will take place this month and a document on this topic has been sent to the Services, Industrial, Professional and Technical Union, SIPTU, and IMPACT. A meeting of the joint liaison group was held last Wednesday, 14 March, involving management, the Department, the HSE, the Department of Health and Children, IMPACT and SIPTU and a further such meeting took place yesterday. These meetings will continue to be held. This is in this legislation because the Bill is travelling and we took the opportunity to include it.

The commencement order is something that can be dealt with when a measure of agreement is reached on key issues. Whoever signs the commencement order will have the common sense to ensure the temperature is agreeable at the time of signing.

Mr. Penrose: First, I wish to humbly apologise to the Leas-Cheann Comhairle and the Clerk for my misinterpretation of the order of amendments earlier and for getting unnecessarily angry. I understand now that the Leas-Cheann Comhairle was in no way precluding me from contributing. I do not think I am the only one confused, however, as amendment numbers appear to have been mixed up.

I will not be moving amendment No. 1 or amendment No. 4, whichever one it is now, as it relates to a report. The substantive amendment comes later and I will withdraw it. Will the Minister give an assurance that he will not enact or introduce a commencement order in the community welfare officer system, pending the outcome of the general election? Thus far, he has always mollified me when I have been angry

about issues but I have strong feelings about the community welfare officer system.

I argued in favour of the proposal in amendment No. 4 last June, probably 12 months before the election, and in October and November. My motivation, therefore, is not electoral but based on the idea that the proposal is in the best interests of members of the public. The step proposed by the Minister is unnecessary.

As the Leas-Cheann Comhairle pointed out, we will not discuss the issues in question until much later. For this reason, I will withdraw the amendment but other amendments will be moved to address the issue.

Amendment, by leave, withdrawn.

Mr. Penrose: I move amendment No. 5:

In page 5, between lines 12 and 13, to insert the following:

1.—The Minister shall, as soon as may be after the passing of this Act, prepare and lay before both Houses of the Oireachtas, a report on—

(a) the need to improve pre-application information to provide carers with a clearer picture of their chances of qualifying,

(b) the need to relax the qualifying criteria for Carer's Allowance in relation to the onus to provide "full-time care and attention" so that carers satisfy this condition if, in the judgement of a deciding officer, their work saves the person being cared for and/or the State nursing home care or significant professional assistance,

(c) the need to allow carers who take up Carer's Allowance from a position where they were neither paying or receiving credits to receive credits from the date they are awarded the Carer's Allowance so that they improve their pension qualification upon retirement and the need to have this provision backdated, and

(d) the need to ensure, with the introduction of the half-rate Carer's Allowance, that carers in equal circumstances receive equal payments."

The amendment proposes to simplify the application form for carer's allowance to give carers better information about entitlements for which they may qualify. While I am aware the Minister has relaxed the condition that carers must provide "full-time care and attention" and offered some degree of clarity, neither step is sufficient. Frequently, the independent appeals officer who must examine all the circumstances pertaining to a case finds in favour of the carer.

The most important issue raised in the amendment is the carer's credit. While I do not wish to pre-empt the Minister at this stage, perhaps

because we have been rowing for so long, I know what will be his response to the amendment. Persons who are at home and not employed or self-employed do not benefit from the carer's credit, although they receive carer's allowance. Surely they should qualify for carer's credit as this would enable them to build up a contributory record and qualify for various payments in their own right at some point in the future.

This question should be included in the Minister's famous review. The review pot is so full one could not get another ounce into it. The Minister will be glad to leave the Department. He will accuse me of being a greedy sod for demanding that, having addressed three quarters of the problem, he deal with the final quarter. However, this final part may be the critical element. I ask him to note my remarks.

Mr. Brennan: As I hate to disappoint the Deputy, I will respond in the manner he expects. Under the current statutory provisions governing the award of credit contributions, recipients of the carer's allowance may be awarded credits if they switch to that payment from another credit bearing payment such as jobseeker's allowance. From April 1999 formal provision has been made for the award of credits to claimants of carer's allowance who have left insurable employment to engage in caring duties.

The recipients of carer's allowance who are not entitled to credits may be eligible for homemaker's disregards which preserve the carer's entitlements for contributory purposes. The homemaker's scheme provides that contribution years spent working in the home while caring on a full-time basis for a child up to 12 years of age or an incapacitated person will be disregarded in calculating a person's yearly average number of contributions for State pension contributory purposes. This provision applies for the contribution year commencing on 6 April 1994 and up to 20 contribution years may be disregarded.

The award of credits is subject to certain conditions. For example, when a person has no paid or credited contributions for two years, he or she cannot be awarded further credits until 26 contributions are paid. In recognition of their caring role, this rule will be waived where claimants of carer's allowance were eligible for homemaker's disregards immediately prior to claiming carer's allowance. In effect, this means credits will be awarded where a person who has a gap of two years in his or her paid or credited contributions was eligible for homemaker's disregards before claiming the carer's allowance. This provision will protect the position of those who do not give up work to become carers but may have qualified for homemaker's disregards due to childbearing duties and subsequently became carers after a two-year period had expired.

The Deputy was ahead of me in noting that the Green Paper on pensions will examine a broad range of issues, including contributions, pension

entitlements and averaging. It is intended to publish the document in the middle of April.

Mr. Penrose: Will the Minister send the information available to him to Deputies? It may be helpful.

Mr. Brennan: Yes.

Amendment, by leave, withdrawn.

An Leas-Cheann Comhairle: As amendments Nos. 8 and 12 are alternatives to amendment No. 6, all three amendments may be discussed together.

Mr. Penrose: I move amendment No. 6:

In page 5, between lines 12 and 13, to insert the following:

"1.—The Minister shall, as soon as may be after the passing of this Act, prepare and lay before both Houses of the Oireachtas, a report on the universal availability of child benefit and the lifting of residency conditions."

My party has always argued that the child benefit payment is important because it is universal and mainly given to mothers. The introduction of a second tier, means-tested child benefit payment has been proposed to tackle child poverty. Children resident in the State who fail the habitual residence condition are not eligible for child benefit. The introduction of this condition was unnecessary because the problem it was intended to address, that of welfare tourism, did not materialise as the Minister's predecessor predicted. The universality of the child benefit payment must be restored. We must examine the eligibility criteria which preclude the application of the universality principle in child benefit payments.

Mr. Stanton: I will speak to amendment No. 12 which the select committee discussed in detail on Committee Stage. Free legal aid centres contacted Deputies expressing concern that the parents of certain children resident in the State have few resources to provide necessities. Although they receive food and a roof over their heads, they also have other needs. Some of the children in question have been here for considerable periods and may end up living here permanently. The free legal aid centres are concerned that such children may suffer from deprivation which could impact on their later lives. For this reason, they seek to have child benefit extended to all children in the State, including those living in asylum centres and direct provision accommodation. While asylum seekers may avail of exceptional needs payments and so forth, it is bizarre that children may be suffering deprivation through no fault of their own. I ask the Minister

[Mr. Stanton.]

to ensure no child suffers as a result of the circumstances in which they find themselves.

I presume many of the families concerned will be given permission to remain here. Several years ago, a group of bishops sought an amnesty for families who had been living here for lengthy periods. While I am not sure we should fully adopt such a policy, the decision-making procedure for dealing with asylum claims must be speeded up to ensure people are not sent back to their country of origin after living here for extended periods and becoming almost naturalised. This practice is a major wrench for those involved. The Minister will probably tell us it is an issue we must keep under review. What is in place to ensure these children are not suffering through poverty or deprivation?

Mr. Crowe: From 1 May 2004, 1,557 children have been denied child benefit as a consequence of the habitual residence condition. Some of those refused are the children most in need of this allowance. I made the point during debate on a previous Stage that immigration policy seems to be taking precedence over anti-poverty measures. If the purpose of this allowance is to help children and provide support for families in need, we should not separate children for the purposes of eligibility on the basis of their parents' status. Any children in this State who are hungry should be fed.

Deputy Stanton spoke about reviewing the situation, introducing some flexibility and so on, and I have no problem in this regard. There are reports of asylum seekers going hungry because, for example, they are used to a particular diet. However, there is no definitive information in this regard. Reform is needed so child benefit is once again a universal payment. All children must be treated equally and all should have the right not to live in poverty.

We are not experiencing the huge swamp or influx of asylum seekers that was predicted. Making child benefit a universal payment would not involve a major financial commitment but it would mean a huge amount to the people concerned. Many families must wait a considerable period for their asylum applications to be processed. In many cases, it can take years rather than months or weeks. Child benefit should be a universal payment and children should not be discriminated against on the basis of the habitual residence condition.

Mr. Brennan: The habitual residence condition was introduced as a qualifying condition for certain social assistance schemes, including child benefit, with effect from 1 May 2004. It was introduced in the context of the Government's decision to open the labour market to workers from the ten new EU member states without the transitional limitations imposed by most other existing member states. The effect of the con-

dition is that a person whose habitual residence is elsewhere does not receive social welfare payments on arrival in Ireland.

In the period from May 2004 to the end of January 2007, the number of child benefit claims that required particular examination of this condition was 16,000. Of these, only 1,557, or less than 10%, were disallowed. Those who are refused are mainly persons whose claim to asylum is not yet decided, who do not have a work permit or who have only a minimal attachment to the workforce.

The habitual residence condition is achieving its intended purpose of allowing access to our social welfare schemes to persons who are genuinely and lawfully making Ireland their habitual residence, while preventing unwarranted access by persons who have little or no connection with the State. We have had many discussions on this issue in the House. Several factors apply in deciding whether a person meets the habitual residence condition, including length and continuity of residence, employment prospects, reasons for coming to Ireland, future intentions and the individual's centre of interest.

There are currently some 900 asylum seekers awaiting initial decision, and some 2,660 are appealing the refusal of their asylum application. There is no figure for the number of appeals refused and awaiting final decision on application for leave to remain. At the end of February, 5,710 asylum seekers were in direct provision, of whom 4,000 were adults and 1,710 children. The cost of direct provision last year was €78 million. Some 448 adults and 112 children were in receipt of supplementary welfare allowance while in direct provision accommodation, while some 3,700 adults and 1,431 children were in receipt of direct provision allowance.

I share Deputy Stanton's wish that no child should suffer in any way in our system. However, we must have a system in place. As I said, those in direct provision — 4,000 adults and 1,710 children — receive direct support at an Exchequer cost of €78 million under the policy direction of the Department of Justice, Equality and Law Reform. Few applicants are refused child benefit on the basis of the habitual residence condition.

We will continue to monitor this issue. It is everyone's wish that no child should suffer while in Ireland. At the same time, however, the system must work for the benefit of the State as well as for the children in question. I am satisfied there is no evidence of undue hardship as a consequence of these regulations. If I become aware of any such hardship, I will ensure it is brought to the attention of community welfare officers.

Mr. Penrose: I will withdraw the amendment if the Minister gives an assurance to produce a report on this issue in three to six months' time.

Mr. Stanton: The Minister will no longer be in his position by then.

Mr. Brennan: We will still be in government.

Mr. Penrose: Somebody in the Department can prepare the report. We often talk about the permanent government.

The habitual residence condition is causing angst among the public. The free legal advice centres organisation, FLAC, has expressed deep concern about it and is strongly of the view that it is an impediment to the universality and applicability of child benefit. I will withdraw the amendment if the Minister commits to the preparation of a report on the impact of this condition, the numbers disallowed on this basis and the reasons for those disallowals.

Mr. Stanton: I thank the Minister for his comments and concern on this issue. I hope he will be proactive in this regard. He has said he is not aware of any evidence of persons enduring hardship as a consequence of this condition. Perhaps he might ask the Combat Poverty Agency or another suitable body to examine the situation.

If children in such circumstances are living in consistent poverty — to use the Minister's favourite way of measuring poverty — there is serious cause for concern. Consistent poverty is measured by such deprivations as not having a second pair of shoes or a change of clothes. The information I have received is that this may apply in some cases. It would be useful if the Minister would ask the Combat Poverty Agency to report on this soon in order that we all know what is happening.

Mr. Brennan: I am happy to commit the Department to prepare some statement for the House within six months providing up-to-date information on this issue. I take Stanton's point. However, I am satisfied there is adequate provision to prevent any instance of hardship. Children who arrive here are dealt with either through direct provision or, alternatively, are in receipt of child benefit or supplementary welfare allowance. I am keen to balance that with the protection of our social welfare system. I take the point being made.

Amendment, by leave, withdrawn.

Mr. Penrose: I move amendment No. 7:

In page 5, between lines 12 and 13, to insert the following:

1.—The Minister shall, as soon as may be after the passing of this Act, prepare and lay before both Houses of the Oireachtas, a report on the ongoing effects of the marriage bar in the social welfare and pensions systems.

The impact of the marriage bar has left a residue of deeply unhappy people. The bar was the greatest injustice perpetrated on women in State, semi-

State and banking institutions. Women were compulsorily retired from work and had no option but to leave work on marriage. Subsequently, this had a severely negative impact on their contribution records. One woman wrote to one of the national newspapers a few months ago and described herself as a non-person in so far as her contribution record was concerned. She could not qualify for participation in some schemes or for any pension entitlements and was compelled to be an adult dependent without the right to receive a payment in her own right.

I acknowledge the position has now been rectified by the Minister. However, I believe the previous position was unconstitutional and would not stand scrutiny in the courts on the basis of the application of gender neutral employment laws. Therefore, while the Statute of Limitations can be pleaded, I would not be surprised if the National Women's Council, which is about to embark on a discrimination action, succeeded in a retrospective claim on the basis that a grossly, inherently defective mechanism and procedure was used to preclude women from continuing in the workplace despite being well qualified to do so.

The marriage bar is another issue in the pension review pot. That pot is like the old pot or skillet in which people used to cook that would overflow no matter how often one adjusted the pressure. I am afraid the pension review pot will go on fire as it will be so overloaded. Something more must be done in this regard. We must face up to the problem. The nation deprived these women of the right to earn their livelihoods. This was reminiscent of de Valera's Constitution. Once women got married it was expected they would become mothers, remain in the home, look after the children and do all the household chores. That was their function. The rest of the Constitution was aspirational. Articles 45 and 46 were aspirations not based in reality.

The marriage bar would fall under Article 40.3 of the Constitution and the judges of the High Court would not give the State much credit in arguing against a case taken against it. The Statute of Limitations is the only defence that could be mounted against such a case. The country would be laughed out of court if it insisted on maintaining the position that obtained in the past.

We must ascertain the number of people affected by the marriage bar and immediately set about remedying the wrong done to them. The costs involved could not be that high. The Minister provided some figures on Committee Stage, but they were lost in the whirlpool of figures provided that day. It is hard to keep track of such figures, but as I recall the Minister said the number of women involved was not very high. This is all the more reason to ensure the injustice perpetrated on them is remedied. We should take whatever avenue is available to do this and ensure that women, particularly those who have contacted us, are compensated.

[Mr. Penrose.]

The National Women's Council is articulating the case on their behalf. We must now set about redressing the serious injustice done through the application of a law that owes more to a different society than the society that came into being after court decisions of the mid-1970s and the application of equality laws. Looking back, one good result of our European Union membership was the compulsion on us to prioritise the equality agenda through the application of equality laws. Certainly, the issue of the marriage bar is one on which we must hang our heads in shame.

Mr. Stanton: It is only 34 or 35 years ago since the marriage bar was removed and only now its impact has become evident as a result of women affected by it reaching pension age and realising the injustice done to them. While the number of women involved is increasing, it is a limited number.

The Minister is losing his touch and has slipped up badly. I am amazed he has not featured on the front page of one of the Sunday newspapers announcing plans to do something about the situation.

Mr. Brennan: There is always next Sunday.

Mr. Stanton: Of course. We will wait and see what happens. The Minister has already featured with regard to pensions, lone parents and others, but we wait for him to feature with regard to sorting out the problem of the marriage bar. I am amazed it has not happened yet.

Deputy Penrose was right to say we need a report on the issue. Perhaps the issue will feature in the pensions' report which is due to be published this month. We need to know how many people are affected and how they have been affected.

It is amazing that individualisation, which was introduced by former Minister for Finance, Mr. McCreevy, encouraged women to work outside the home. Nowadays, both parents must work outside the home to keep a roof over their heads. Before 1973, women working in the public service — teachers, nurses etc. — had to leave the service on marriage. The social norm and doctrine of the time was that women were expected to give up work once they married. We have gone the other way now and the expectation is that everyone will work outside the home. This has given rise to the issues of who will look after the children and how children will be minded. Child care is now a serious issue and we have to consider whether it is right to put our children in large, anonymous child care facilities at a young age or what impact this may have on them. These are significant social questions.

With regard to the marriage bar, we are now looking at redressing a wrong that was done prior to 1973, when women had to give up their job because of marriage if they were working in the

public service. Thankfully the European Union put paid to this and the position has changed. The marriage bar has become an issue with which we need to deal. All parties must focus on the issue and decide what can be done to resolve it.

If the National Women's Council proceeds with its case in Europe and is successful, the State will have to deal with the issue. I suggested on Committee Stage that the State should interact with those involved at this stage to see what can be done to preclude a case being taken all the way to the European Court and to ensure that something is done now.

Mr. Crowe: The only thing of which we can be sure is that the cohort is reducing. I know of some people who benefited from the change. Maybe the Minister knows how many women this affects but the rest of us do not. People had no choice beyond whether to get married. If they married they lost their jobs. We have moved on but how far depends on whether women have a real choice about staying at home or pursuing a career. Most of us are struck by the waste of talent and experience involved in putting these people on to the economic waste heap. I have no objection to people being given a choice but it is morally wrong to force a decision on them. We need to know how many people are affected, particularly in respect of their pensions and other entitlements. On that basis I support the amendment.

Mr. Brennan: There are no figures available for the total numbers who left the general public service as a result of the marriage bar. According to the Department of Finance 1,240 marriage gratuities were paid between 1962 and 1973. There is no information on periods before that so the total affected across the whole public service is multiples of that figure.

The National Womens Council has announced its intention to take a discrimination case against the State in respect of the continuing effects of this bar. It will focus on women's pension entitlements within the social welfare system and suggest that the numbers receiving reduced rate contributory payments and the number relying on means-tested non-contributory payments are related to the operation of the marriage bar. That may be a factor in some people receiving reduced rate payments but the fragmented nature of our social welfare system until the late 1980s and 1990s, when it changed in respect of self-employment and part-time work, and the workforce participation of women in general are probably greater factors in this regard.

The group in question was never insured for social welfare pension purposes as at the time public servants were insured at modified rates which did not give any entitlement to contributory social welfare pensions. It is estimated that 88% of women over 66 years of age receive support through the social welfare pension system either in their own right or as qualified adults on

the pensions of their spouses or partners. Under this Bill the qualified adult increases will be made directly to the spouse or partner of a new State pension claimant. That change will be welcome.

I am anxious to see as many people as possible qualify for social welfare pensions in their own right and have introduced a range of measures in pursuit of that policy such as the reduction of the minimum yearly average required to qualify for a contributory pension from 20 to ten, the introduction of *pro rata* pensions, and the P53 pensions. The arguments in this area have focused on the question of also backdating the home-makers scheme which is an aspect of this discussion.

Not to disappoint Deputy Penrose, the Green Paper on pensions will consider all those who, for one reason or another, are outside the welfare system. A total of 68,000 women receive contributory pensions in transition and 45,000 receive them at reduced rates, 49,000 receive the non-contributory pension, and more than 88% of women over the age of 66 receive supports through the social welfare system. That translates into 230,000 women receiving support with some 31,000 outside the system. I am advised that providing a full rate pension to this group would cost more than €300 million plus the cost of increasing the pensions of those on reduced rates. Many of these women have come back into pensions having moved into other employment and contributed for ten years or more thus qualifying themselves for contributory pensions. Many may be covered by the figures for those who already qualify for non-contributory pensions. The figure of 88% is the most accurate I can give the House.

Mr. Penrose: I accept that this is going into the pension review pot but for the Minister to obtain exact figures he will have to consult the marriage registry. If this goes to court he will be asked to make an evaluation.

Mr. Brennan: They may be back in pensions.

Mr. Penrose: That is fair enough but if they got married in 1963 they were knocked out for ten years. The only way in which the Minister can examine this to know who was precluded from continuing to work because of the marriage bar is to study the register. The Minister may laugh at this but one's occupation was registered there. Deputy Crowe is right, this is a fixed number that is probably reducing somewhat.

The Minister may well have to tackle this and he could ascertain the number of women and average the sum across that number or impute to them contributions for each year that they were precluded from working when they could have worked. If they got married in 1967 and came back into the workforce in 1974 they lost six or seven years. That would amount to 364 contributions which should be assigned to them because the State precluded them from making the contributions. There are a few ways of calcu-

lating this. I accept the point and will not press the amendment but this will come back to haunt somebody.

Amendment, by leave, withdrawn.

Mr. Crowe: I move amendment No. 8:

In page 5, between lines 12 and 13, to insert the following:

“1.—The Minister for Social and Family Affairs shall, as soon as is possible after the passing of this Act, prepare and lay before both Houses of the Oireachtas, a report on re-instating child benefit as a universal payment and the lifting of the habitual residence condition.”.

Amendment put and declared lost.

Acting Chairman (Mr. O'Shea): Amendment No. 9 is out of order as it does not arise from Committee proceedings.

Amendment No. 9 not moved.

Mr. Crowe: I move amendment No. 10:

In page 5, between lines 12 and 13, to insert the following:

“1.—The Minister for Social and Family Affairs shall, within 3 months after the passing of this Act, prepare and lay before both Houses of the Oireachtas, a report on increasing the living alone allowance.”.

Amendment put and declared lost.

Acting Chairman: Amendment No. 11 arises from Committee proceedings. Amendments Nos. 11 and 18 are alternates. Amendments Nos. 11 and 18 will be discussed together.

Mr. Crowe: I move amendment No. 11:

In page 5, between lines 12 and 13, to insert the following:

“1.—The Minister for Social and Family Affairs shall, within 3 months after the passing of this Act, lay before each House of the Oireachtas, a report on the success of the rent supplement and rental accommodation schemes.”.

Mr. Stanton: On amendment No. 18, concerns were raised at a recent meeting of the End Child Poverty Coalition regarding the administration of the RAS. Recipients of rent supplement were transferred to local authority housing lists. The Minister might let us know how the system is functioning. A lot of money has been transferred from his Department to the Department of the Environment, Heritage and Local Government but little has been spent. Therefore, the scheme

[Mr. Stanton.]

may need to be reviewed. Figures obtained from the replies to two parliamentary questions I tabled earlier in the year indicate that just €8 million of the €63 million allocated to the Department of Social and Family Affairs has been spent on the scheme. There are 59,000 tenants in receipt of rent supplement, of whom approximately 32,000 have been receiving the payment for 18 months or more. Some 20,000 of these have been reviewed, while 3,000 have been provided with RAS accommodation.

It appears the scheme may not be working as intended. The quality of much private rental accommodation is very poor; we all come across this from time to time. We all encounter individuals with very small children living in terrible conditions. As I stated, some people refuse rent supplement. This is a significant issue.

Housing is one of the major issues with which we all must contend. Some days ago we had a meeting on poverty, the most considerable issue of all. High quality housing for people on very low incomes must be made available. Only for the rent supplement scheme, such persons would literally be on the side of the road. Even as matters stand, they are under ferocious pressure.

Something needs to be done. Social housing for people on low incomes is one of the issues on which the Government has clearly failed considerably. In this regard, consider a case with which I dealt some days ago of a lady with two small children who was expecting another. She and her husband who was on a very low wage were renting a house and did not know about family income supplement. She asked whether I could do anything to get her family a house. Local authorities have housing officers but some local authority areas such as that in Cork are so big that it can take months for the few such officers to make assessments.

I am not sure whether the RAS will succeed and whether it is being reviewed. The targets outlined originally were clearly missed. Where do we go from here with the scheme?

Mr. Brennan: Some 59,000 households are in receipt of rent supplement. In July 2004 the Government introduced the new rental assistance arrangements. The Department of the Environment, Heritage and Local Government has indicated that, at the end of January, over 3,000 tenants had been accommodated under the RAS and a further 2,300 persons in social housing. When implemented fully, the RAS will enable the rent supplement scheme to revert to its original objective, that is, to serve as a short-term income support scheme. It is projected that by the end of this year up to 10,000 tenants will have transferred from rent supplement-related accommodation to accommodation provided by local authorities, either through the RAS or some other social housing initiative. The scheme is pro-

gressing. As the Deputy knows, it applies to those who were on the list for rent supplement.

The overall target is to accommodate, by the end of 2008, in excess of 30,000 tenants who have been in receipt of rent supplement for 18 months or more. To finance this, €19 million was transferred from the Department's Vote to that of the Department of the Environment, Heritage and Local Government in 2005. A further €19 million was transferred for 2006 and a further €24 million was provided for this year. Similar arrangements will apply in the coming years as the new arrangements are implemented.

Of the 59,000 households in receipt of rent supplement, 32,000 are eligible for assistance under the new rental arrangements. The scheme got off to a slow start but is now working right across the country. Over 3,000 were accommodated under the scheme by the end of January. The target for the end of the year is 10,000.

Mr. Stanton: What is the point in transferring all this money when it is not being used? The Department obviously has a huge surplus considering that just €8 million of the €63 million allocated has been spent to date. What is the rationale for this? Is the Minister serious about the target of accommodating 10,000 by the end of this year considering that only 3,000 have been accommodated so far, bearing in mind that we are almost half way through the year? It appears the money is going to the private rental sector. Therefore, the benefit is rent supplement by another name. This seems to imply a failure on the part of the State to provide social housing. It is a very expensive Band-Aid to cover up the problem.

Mr. Brennan: It is expected that the €24 million allocated for this year will be spent fully. Steps are being taken by both Departments, local authorities and community welfare services to ensure this. The funds being transferred are and will be used to roll out the RAS. The scheme is not rent supplement by another name because it provides more permanent, negotiated accommodation, including long-term accommodation, whereas the RAS, by definition, provides short-term accommodation. There is now more security in attempting to provide permanent accommodation for so many. We are confident the target of accommodating 10,000 by the end of the year will be met.

Amendment, by leave, withdrawn.

Amendment No. 12 not moved.

Mr. Stanton: I move amendment No. 13:

In page 5, between lines 12 and 13, to insert the following:

"1.—The Minister for Social and Family Affairs shall, within 3 months of the com-

mencement of this Act, lay before each House of the Oireachtas, a report on the introduction of a second-tier, employment-neutral, child income support payments to target child poverty levels.”.

This is one of the issues the Minister has raised from time to time in recent years. It concerns the second-tier, employment-neutral child income support payment to target child poverty levels. This idea was broadly agreed and welcomed when it first arose. We had been pushing for the child dependant allowance to be increased for a number of years. It has been increased but we are still awaiting a second-tier, targeted, employment-neutral payment. This might be an opportunity for the Minister to report progress to the House.

Mr. Brennan: As the Deputy knows, I have long held the view that implementing a targeted second-tier payment for children of families on low incomes is the best effective method of tackling child poverty. The NESC has been examining this concept and indicated that, as proposed, a second-tier income represents a new approach to targeting. The issues involved are complex and technical and a substantial policy challenge must be overcome. The commitment to examine the changes was subsequently embodied in the partnership agreement, Towards 2016, which committed to completing consideration of these issues within one year. As the Deputy knows, I made a decision to press ahead with a form of a second tier payment while this work was progressing in the background.

The child dependant allowance, now called the qualified child allowance, was established to pay additional funds to the poorest of the three categories of children on the child benefit list. I am satisfied this payment which has been paid from 1 January last will serve as a second-tier payment in the hands of those who need it while we await the introduction of a more formal system.

Mr. Stanton: I welcome that payment, for which we have been pushing for some time on this side of the House. Will the Minister state when the NESC was first asked to report on this matter and when he expects to receive its report? Has he given any indication on the extension of the deadline for the back to school clothing and footwear grant, which is part of the second tier payment, to closer to Christmas instead of the end of September, which is tight time-wise? It would make a major difference to people if he moved it forward. It would not cost anything extra but would give poorer people some extra breathing space.

When was the NESC asked to carry out this report? When will the Minister receive the report? Has there been an interim report? Will there be an extension of the deadline for the back to school clothing and footwear allowance?

Mr. Brennan: The Department of the Taoiseach requested the NESC to prepare that work and it goes back three or four years. I referred in my reply to an additional year of work under Towards 2016 but I am satisfied that an additional €60 million went towards a child benefit form of payment, the child dependant allowance, the first time that happened since 1994. The House asked for that and it will have a direct impact because the money went directly to the one third of children on the lowest incomes.

Last year we debated the timing of the back to school clothing and footwear allowance. I recall the advice at the time being that we should not bring it back too much but Deputies opposite made a case for a week or two. It might not, however, be a good idea to make it available towards the summer. It is paid from 1 September and the request was to bring it back to August.

Mr. Stanton: It finishes at the end of September and we would like to give people until, perhaps, the end of the November or Christmas to claim it.

Mr. Brennan: We can certainly look at that. I committed myself to that last year but as we left it too late, I said we would look at it this year. I will commit the Department to examining that. I remember thinking at the time that an extra two weeks would be about right, instead of going all the way to Christmas.

Mr. Penrose: Half a loaf is better than none.

Mr. Brennan: I will ask the Department to take account of that.

Mr. Stanton: I thank the Minister for making that commitment. If he brought the payment as far as the end of October, it would be a natural full-stop in the time limit. It is not that much further on but it would give people the extra time because September is such a busy month in school — I spent long enough at the chalk board to know that parents are under pressure and do not think about these things until it is too late and the community welfare officers' hands are tied. It is a shame that the money is there when people do not know about it.

I thank the Minister for the other information about the NESC.

Amendment, by leave, withdrawn.

Amendment No. 14 not moved.

Mr. Stanton: I move amendment No. 15:

In page 5, between lines 12 and 13, to insert the following:

“1.—The Minister for Social and Family Affairs shall, within 3 months of the commencement of this Act, lay before each House of the Oireachtas, a report on the progress to date in replacing the One Parent

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Family Payment with the new parental allowance for all low income families.”

This is another issue the Minister has raised on a number of occasions. We had a meeting in Farmleigh and I went myself to hear what people had to say. It involves the cohabitation rule and the need to offer one-parent families more support and assistance. What is the situation here? When does the Minister expect the Department to take action on the issue? There is broad agreement across the House that something must be done about this.

Mr. Penrose: I have heard about inspectors from the Department going out and noting car registration numbers outside houses. The former partner cannot enter the house to visit the children. Is that an interpretation that some officials are making themselves? If that persists, I will cause a *ruaille buaille* because people are entitled to visit their children. That is why the cohabitation rule should be booted out. It is nonsense and, in fairness, the Minister is committed to getting rid of it.

The problem is, however, that a plethora of poverty traps could be created whereby parents in one-parent families could face huge difficulties. FÁS must totally reorganise to facilitate lone parents in acquiring new training and skills to avail of employment. Neither must people be forced into low paid employment.

This must be done slowly because we could take one step forward and two steps back. We do not want people to be worse off as a result of desirable change that causes problems because it is not practically applied.

Mr. Brennan: The Government's discussion paper proposals for supporting lone parents includes proposals in this regard and I thank all those involved in working on this reforming document.

It proposes the abolition of the cohabitation rule as a condition for receipt of a new social assistance payment and proposes to replace the lone parent's allowance with a new social assistance payment aimed at supporting children in low income families irrespective of the make-up of those families. That is an important reform that we must press ahead with as soon as possible. The groups involved have asked us to develop other services alongside it in parallel, such as child care, and I accept that point.

While we are pressing ahead with this, and it is receiving substantial attention in the Department, we increased the upper income limit for the one-parent family payment from €293 to €400 per week, the figure recommended in the proposals. I have started to implement the contents of the document by making that decision.

A group of senior officials is examining social inclusion and it is drawing up an implementation plan that will look at non-income elements, such

as training, education and other services, that must be brought along at the same time. The Department, with the co-operation of FÁS and the Departments of Health and Children and Education and Science, has decided to test these proposals in both an urban and a rural setting and we will get on with those tests as a matter of urgency. They will focus on identifying and resolving practical administrative issues that may arise.

It would be appropriate to test some of the issues Deputy Penrose mentioned to see if there are any unintended consequences. The tests will also allow logistical co-ordination between Departments as we move towards the development of the new scheme.

I would have liked to come before the House with a Bill on this matter. As Deputy Penrose said, it is better to be sure and get it right because a good deal of work has gone into it. I am confident that the momentum built up, the fact that we have already implemented substantial parts of the financial aspects and the agreement now reached will allow us to bring forward the legislation, remove the cohabitation condition and replace the one parent family allowance with one targeted at low income families, whatever their make-up.

Mr. Stanton: The Minister has said this is a very important issue and that it is right that we proceed carefully. A number of issues arise. I was told by a lady recently that her son and his girlfriend wanted to get married but they found out that they would lose out financially if they did. There are other issues tied up with this one. On the issue of work, a lone parent with a 14 month old boy visited me recently. She returned to work for 14 hours a week but for some reason was unable to receive family income supplement, while her rent supplement was reduced because she was earning. As a result, she got into debt and experienced various problems. The poverty levels among lone parents are high compared to those in the general population and the level of indebtedness is something about which we should be concerned also. Am I correct in saying the earliest this measure will be introduced is in the Social Welfare Bill next year?

Mr. Penrose: If one is lucky.

Mr. Stanton: I urge whatever Government is in power after the general election to take up this issue.

Amendment, by leave, withdrawn.

Mr. Stanton: I move amendment No. 16:

In page 5, between lines 12 and 13, to insert the following:

1.—“The Minister for Social and Family Affairs shall, within 3 months of the com-

mencement of this Act, lay before each House of the Oireachtas, a report on the introduction of targeted social and community supports for young carers.”.

I have raised this issue many times. The social partners which make up the real Parliament where all the decisions are made have now decided that the issue of young carers should form part of a study. I want to record my concern for young carers who are small in number but have to care for a parent and carry out very intimate functions. They should receive more support than they are getting. I ask the Minister to push that issue with his colleagues.

Mr. Brennan: I acknowledge the Deputy’s consistency on this matter over a long period. The report with which he is familiar recommends that policy relating to young carers should be a matter for the Department of Health and Children and that services should be delivered by the Health Service Executive. The Deputy has spoken up for this group. It has not been easy to develop strategy in this area because of the very young age of the people involved. While they are carers, there is a view strongly held in many quarters that they should not be.

Mr. Stanton: Yes.

Mr. Brennan: Therefore, they need support and assistance to return to their proper role if it is possible for them to do so. I note the Deputy’s determination.

Amendment, by leave, withdrawn.

Amendments Nos. 17 and 18 not moved.

Mr. Penrose: I move amendment No. 19:

In page 22, to delete lines 28 to 43 and to delete page 23.

Question, “That the words proposed to be deleted stand,” put and declared carried.

Amendment declared lost.

Amendments Nos. 20 to 23, inclusive, not moved.

Mr. Brennan: I move amendment No. 24:

In page 28, line 38, to delete “Table” and substitute “Table 1”.

This amendment provides for the correction of an error made in the printing of the Bill and ensures the appropriate reference in Part 3 of Schedule 3 is that the Social Welfare (Consolidation) Act refers to “Table 1” as opposed to “Table”.

Amendment agreed to.

Mr. Penrose: I move amendment No. 25:

In page 34, to delete lines 1 to 47, to delete pages 35 to 37 and in page 38 to delete lines 1 to 11.

Question put: “That the words proposed to be deleted stand.”

The Dáil divided: Tá, 69; Níl, 51.

Tá

Ahern, Dermot.
Ahern, Michael.
Ahern, Noel.
Andrews, Barry.
Ardagh, Seán.
Blaney, Niall.
Brady, Johnny.
Brady, Martin.
Brennan, Seamus.
Browne, John.
Callanan, Joe.
Carey, Pat.
Carty, John.
Cooper-Flynn, Beverley.
Coughlan, Mary.
Cregan, John.
Curran, John.
Davern, Noel.
de Valera, Síle.
Dempsey, Tony.
Dennehy, John.
Devins, Jimmy.
Ellis, John.
Finneran, Michael.
Fitzpatrick, Dermot.
Fleming, Seán.
Fox, Mildred.
Gallagher, Pat The Cope.
Glennon, Jim.
Grealish, Noel.
Hanafin, Mary.

Jacob, Joe.
Keaveney, Cecilia.
Kelleher, Billy.
Kelly, Peter.
Killeen, Tony.
Kirk, Seamus.
Kitt, Tom.
Lenihan, Brian.
Lenihan, Conor.
McDaid, James.
McEllistrim, Thomas.
McGuinness, John.
Moloney, John.
Moynihan, Donal.
Moynihan, Michael.
Mulcahy, Michael.
Nolan, M. J.
Ó Cuív, Éamon.
Ó Fearghail, Seán.
O’Connor, Charlie.
O’Dea, Willie.
O’Donnell, Liz.
O’Donoghue, John.
O’Donovan, Denis.
O’Flynn, Noel.
O’Keeffe, Ned.
O’Malley, Fiona.
Parlon, Tom.
Power, Peter.
Power, Seán.
Sexton, Mae.

Tá—continued

Smith, Brendan.
Treacy, Noel.
Wallace, Dan.
Wallace, Mary.

Walsh, Joe.
Wilkinson, Ollie.
Wright, G. V.

Níl

Allen, Bernard.
Boyle, Dan.
Breen, James.
Breen, Pat.
Broughan, Thomas P.
Burton, Joan.
Connaughton, Paul.
Connolly, Paudge.
Costello, Joe.
Cowley, Jerry.
Crawford, Seymour.
Crowe, Seán.
Cuffe, Ciarán.
Deenihan, Jimmy.
Durkan, Bernard J.
Enright, Olwyn.
Ferris, Martin.
Gilmore, Eamon.
Gregory, Tony.
Hayes, Tom.
Higgins, Joe.
Higgins, Michael D.
Hogan, Phil.
Howlin, Brendan.
Kehoe, Paul.
Lynch, Kathleen.

McEntee, Shane.
McGrath, Finian.
McGrath, Paul.
McHugh, Paddy.
Mitchell, Olivia.
Morgan, Arthur.
Moynihan-Cronin, Breeda.
Naughten, Denis.
Neville, Dan.
Ó Snodaigh, Aengus.
O’Keeffe, Jim.
O’Shea, Brian.
O’Sullivan, Jan.
Pattison, Seamus.
Penrose, Willie.
Quinn, Ruairí.
Rabbitte, Pat.
Ring, Michael.
Sargent, Trevor.
Sherlock, Joe.
Stagg, Emmet.
Stanton, David.
Timmins, Billy.
Upton, Mary.
Wall, Jack.

Tellers: Tá, Deputies Kitt and Kelleher; Níl, Deputies Stagg and Kehoe.

Question declared carried.

Amendment declared lost.

An Ceann Comhairle: As it is now 7 p.m., I am required to put the following question in accordance with an order of the Dáil of this day: “That Fourth Stage is hereby completed and the Bill is hereby passed.”

Question put and agreed to.

Private Members’ Business.

Pupil-Teacher Ratio: Motion (Resumed).

The following motion was moved by Deputy O’Sullivan on Tuesday, 20 March 2007:

That Dáil Éireann noting that:

- the educational needs of children are more difficult to meet in large classes;
- there is growing concern among parents and teachers at the lack of progress on class sizes;
- the Government has reneged on the commitment contained in An Agreed Programme for Government that the average size of classes for children under nine would be brought below the

international best-practice guideline of 20:1;

- there are more than 100,000 primary pupils and 35,000 second level pupils being taught in classes of 30 or more;
- Ireland has currently the second highest average class size in the EU; and
- additional teachers are also urgently required to meet the needs of pupils with special educational needs and those from disadvantaged areas;

calls for:

- the setting out of a timetable for meeting the commitment on class sizes given in An Agreed Programme for Government and to put in place the steps needed to ensure the recruitment of the additional teachers required and the provision of the extra classrooms required;
- the reduction of class sizes to the European norm;
- a reduction in maximum class sizes to 25:1 in mainstream classes and 15:1 in schools where there is chronic disadvantage;
- sanction for the appointment of additional special needs teachers to meet current needs and to implement

the terms of the Education for Persons with Special Educational Needs Act 2004; and

- greater engagement between the Department of Education and Science, the planning authorities and local communities so that school needs can be delivered on a timely and orderly basis.

Debate resumed on amendment No. 1:

To delete all words after “Dáil Éireann” and substitute the following:

- commends the Government on putting 10,000 more teachers in place;
 - supports the priority given in recent years to providing vastly improved services for children with special needs and those from disadvantaged areas;
 - notes that as a result approximately 50,000 children from disadvantaged areas are already in much smaller classes;
 - further notes the major increases in staffing supports for children with special needs, the improvements in the process for accessing such supports and the Government’s commitment to the full implementation of the Education for Persons with Special Educational Needs Act 2004;
 - welcomes the fact that last year there were 80,000 fewer primary school children in classes of 30 or more than in 1997;
 - appreciates that another 800 primary teachers will be put in place next September, with the focus on reducing class sizes;
 - commends the fact that there is now one teacher for every 13 students at second level;
 - further commends the Government on the unprecedented level of investment in school buildings in recent years and the improvements that have been made in school planning; and
 - welcomes the provision of €4.5 billion for the school building and modernisation programme under the National Development Plan 2007-2013.
- (Minister for Education and Science).

Cecilia Keaveney: I wish to share time with Deputies O’Connor, Curran and Dennehy.

An Leas-Cheann Comhairle: Is that agreed? Agreed.

Cecilia Keaveney: I am pleased to have a brief opportunity to contribute to this education motion and the amendment thereto. Throughout my 11 year career in the House, my anniversary being on 2 April, education has been to the fore of my thoughts. Following the 1997 general election I was appointed as a member of the Joint Committee on Education and Science and we dealt with various issues. Despite the fact that post-2002 I was appointed Chairman of the Joint Committee on Arts, Sport, Tourism, Community, Rural and Gaeltacht Affairs, this did not reduce my interest in the education field.

As a former teacher, I am *au fait* with the classroom. The predominant issues addressed to me during the years have been the need for new school buildings, extensions and repairs of our current schools. It would be remiss of me not to acknowledge the huge level of success that has been attained in those areas.

In Merville a new second level school has been created from a standing start. It had its first leaving certificate class leave last summer. We want to see the balance of the accommodation built and I ask the Minister, Deputy Hanafin, to look to the wonderful opportunity the new devolved grant initiative gave us to deliver a wonderful phase one building in bricks and mortar rather than prefabs. Our VEC and the school board of management, students, parents and staff all rose to the trials of delivering on our promise of no overspend and no late completion of work. We will save the Department more money if the Minister trusts us again with the devolved scheme for phase 2.

In mentioning this precise case I applaud the level of innovation occurring in the Department. Throughout my constituency, schools, particularly at primary level, have attained a devolved grant and this has moved on the building programme significantly from Gleneely, St. Muras, Bunrana to Desertegney and many others. Both Rasheeny and Glassalts were disappointed this year that their needs were not met but I know that interim supports needed to deal with their realities for the incoming year will be addressed by the Department and that their more permanent solution will be looked at in the next round of applications. I am aware of this because the investment programme that yielded only €92 million in 1997 stands at €542 million in 2007. This is the shape of the Fianna Fáil commitment to educational investment into the future.

Similarly, there is a story to be told in regard to the repeat design concept. For many years money and time were wasted on multiple designs for what is a standard problem. The concept of the “X” school class design is speeding up a process being financed through the Department of Finance. Again, I point to many schools in the county which are winners from this — from Merville primary school, Scoil Íosagáin Bunrana, Clonmany national school and many more.

[Cecilia Keaveney.]

The summer works scheme also has enabled schools to get small but important jobs done to the school. I have been invited to view the success of new floors, new guttering, safer access, better facilities in many schools, including Cockhill national school in Buncrana.

These grants supplement improved minor works and capitation grants. I accept that issues like heating and lighting have eaten sharply into the coffers of many boards, yet I point to the green schools initiative and the very clever and environmentally sound work ongoing in many schools that leads to energy savings and awareness campaigns begun by students that transcend into their homes.

I know of a school which fought hard for two extra classrooms on the basis of need. The classrooms are there now and the student population has dropped by almost half. The two new rooms are a source of concern for the board of management as they have to be maintained and heated, even though they are not needed. This is not an isolated case and schools such as Scoil Mhuire in Buncrana are frustrated at the need to continue to prove their potential to expand so as to gain the works they aspire to carry out.

For various reasons, some schools need a level of consolidation — a case in point is Carndonagh community school. With the reduction in numbers due to the new second level dynamic in the peninsula there is a need to mobilise the school in a more efficient manner. I trust the Minister may look to that case and also seek to accommodate the local community in any spare capacity deemed to be available, as there is a great wish for community facilities in the town. I strongly believe that a town, its school and its community, where possible, should be linked in real terms.

Similarly in Buncrana, Crana College, the Gaelscoil and the new Gael Choláiste are seeking to build on the one site to form an educational entity of which the Minister aspires to see more. As ever, the acquisition of a site can often be the hardest part, but the Department is in favour of the concept here and also in locations such as Monreagh.

How are school sizes and class sizes linked? Having recently visited a number of small schools like Glentogher and Urblereagh, it comes home to me that had Fianna Fáil not made a conscious decision to keep these schools open they would, by now, be closed. We put a second teacher into many schools that were low in student numbers but hugely part of the fabric of the community. That has used up some of our teaching complement that may have reduced our class sizes generally but the people of those areas are proud of their schools and aware of the decision that favoured their children.

Trying to establish the intake that will come into a school has proven very difficult and more difficult than the average person looking on can

imagine. If I look at County Meath where, say, 5,000 houses are being built, people ask how the Department did not have schools built simultaneously. I look at hundreds of houses that developed in one village in my area, Muff. Had we doubled the size of the school to accommodate the influx we would have been left with a white elephant as only one child came to the school at that initial time, the rest stayed in Derry. Similarly in Border villages and towns, the projection for the school year is hard to establish as the usual manner is to look to the births and baptisms for the four years leading up to school age. In my area many of the children attending school in Donegal may not have been born or baptised in Donegal but arrive through the very fluid Border building programme that is now at a huge scale. What school they will chose to go to is uncertain.

This unpredictability is very difficult for the Department but also a real issue for schools which have to deal with the reality of what comes in the door and await a teacher the following year if that is what the numbers yield. That is an issue. To struggle on in one year with what will receive an extra teacher the following year is a problem.

To come to the crux of the motion: I grew up in a national school system where junior and senior infants; first and second; third and fourth; fifth and sixth shared a room and a teacher. When one was in the lower class one was brought along by hearing the work of the class above. When one was in the class above one's learning was reinforced by hearing the work of the lower class and-or one was used as a surrogate-type teacher for the weaker pupils at times which again served as a reinforcing technique. Now classes tend in the main to be one teacher, one class unless a decision has been taken to split them up. The class size has gone from 30:1 to 29:1 to 28:1 and in September will be 27:1. I want to see this trend continue. The Government has put many more teachers through college with the goal of working to a 20:1 ratio for the under nines. However, there is an aspiration and a reality in life. The success of the economy has yielded many changes in a very short period of time. If one looks at the length of time it takes for a teacher to become qualified and the resources needed within the teaching colleges and teaching practice locations, one can see that it has proven to be a different dynamic in Ireland even in that short space of time, due to, for example, the entry of non-nationals into the country. This is a reality that must be taken into account as many people do not speak English as a first language and their needs are real.

Given this reality, there is the need to prioritise the rest of the sector. Therefore, special needs education and disadvantaged areas were given special consideration and the Minister has still continued to reduce class sizes by another one this year to 27. Within the current system and, given that I am a member of a board of manage-

ment, I know that splitting classes can cause great anxiety, particularly if children worry over the summer about what is going to happen in September. I feel that staff, parents, boards of management and students should work together to minimise disruption and have a trial run of the new system prior to the holidays to get children used to it and get them over the fear about what will happen when they return in September.

I know how things were in 1996. I was here raising issues about the lack of remedial teachers in my county. I fought a running battle in respect of the supports needed in places like Scoil Iosa-gáin which were innovative in embracing children with special needs. I have seen the resource teachers, special needs assistants and classroom assistants evolve in terms of the number of extra hands in the classroom and have seen the standard of accommodation rise. I am not in any way complacent, but I look at what the reality was in 1996 and what the expectation is in 2007 and applaud the huge level of work that has gone on to achieve that change.

For example, one of the parliamentary questions I tabled when I first entered this House concerned the level of remedial teachers in 1997. I was told that the county of Donegal had 37 remedial teachers, which was 37 out of 178 schools. No remedial teachers were appointed at all in 1996. The Minister for Education at that time, Niamh Breathnach, said in June 1996 that she was not in a position at that time to make additional remedial teacher posts available to primary schools. She went on to say in October 1996: "I am satisfied that since my appointment as Minister for Education I have achieved substantial advances across the entire spectrum of special needs, including the remedial area. It is my intention to continue this process." I noted at the time that this was frankly terrifying because there were no supports.

I previously mentioned Scoil Íosagáin. When I raised the issue in 1997, Scoil Íosagáin had a class for 12 Down's syndrome children with a moderate handicap. The classroom assistant was to be taken away from that class to be placed in a new class for profoundly handicapped children that was created at the time. I use this as an example because the then Minister for Education was going to take the classroom assistant away from the class with 12 Down's syndrome children.

The current staffing for that particular school is one principal, 23 mainstream class posts, one permanent development school post, three learning support-resource posts, eight permanent special class posts, two permanent resource posts, two temporary language support posts and one post for administrative deputy principal. I have served in this House since 1996 and have seen massive changes, both in the number of hands in the classroom and the standard of those classrooms into which people are going. I aspire to where we need and want to go, but I see the reality of reacting the situation on the ground.

There are certain pressures in respect of the massive increase in teachers brought into the system and we have reacted to the reality. I also look forward to the continued support in our education that targets our children's needs and enables them to achieve their best.

Mr. O'Connor: I appreciate the opportunity to say a few words on this important matter. As is traditional on these occasions, we often compliment the Opposition spokespersons on raising the issues and I am happy to do so sincerely. People talk a lot about the relationship between Limerick and Tallaght; I am happy to acknowledge this in a positive way.

I am also cheered by the fact that a former Minister, Deputy de Valera, is present because when she is in the House, she reminds me that had she not moved to County Clare, I might not be a Deputy today. In fact, I would not be a Deputy today because she represented my constituency very well and is still held in very high esteem in the Tallaght region and throughout the area. That is true in schools and people still talk about her, which is very positive.

It is also very important that we understand that there are challenges as far as education is concerned. I often say I did not set out to be a politician. I certainly was not born a politician. The first contact I had with the political system was through the local school when I moved with an employer to Tallaght all those years ago. My local parish priest appointed me as an Archbishop's nominee to the board of management of St. Mark's community school. It gave me an interest in local school development and education; my political interest developed from that and people were kind enough to encourage me. I always remember that this was my first interest as someone with a young family, two of whose children attended St. Mark's community school and whose youngest son attended Scoil Santain, which is the all-Irish school on Avonmore Road in Tallaght. As a parent, I took a particular interest.

It is very important that I take seriously my responsibility as a Member of the Dáil for the area and speak up for those who have issues about education. This is why, in recent years, I brought my concerns to the attention of the Minister. As we are talking specifically about primary education tonight, I will confine myself to that issue. However, I have pointed out to the Minister the need for a modernisation programme for many of our schools. During the time I have served in the Dáil, there has been much progress in this regard in Tallaght, Firhouse, Templeogue and Greenhills in Dublin South West and, indeed, Brittas. It is good that we are able to acknowledge this. I do not want Deputy Curran to think I am moving into Brittas because I know he represents most of it. It is very important that we understand that many of our schools need mod-

[Mr. O'Connor.]

ernisation and it is good that we have been able to do this.

The Minister must be commended on the work she has done with regard to special educational needs and educational disadvantage because, again, there have been huge strides in this regard. I have often brought to the attention of the Minister the particular challenges faced by many schools throughout the country and certainly throughout my constituency. I have brought her to Jobstown and Killinarden in order that she could see the positive uses that can be made of additional moneys. The former Minister of State, Deputy de Valera, also visited some of those schools and saw the worth of that particular work.

Unfortunately, I missed the INTO meeting for my region in Liffey Valley because I genuinely had the flu that day. I jokingly said to somebody who I hope took it as a joke that I had a doctor's note which I was happy to produce. I am sorry I missed that meeting because I know parents and teachers from the general Tallaght area went and expressed their concerns. I will continue to represent those concerns and stress to the Minister the need for continued progress.

I do not wish to be too parochial, but I wish to speak for a second about my own parish — St. Mark's community school and St. Mark's senior national school in Springfield where I live, both of which have nearly 1,000 pupils. Almost half of that school population is drawn from the international community, which has presented particular difficulties and challenges. I am glad the Minister has recognised that and that she recently announced additional language support teachers for both schools, although I am informed by St. Mark's senior national school, which is the primary school, that it still needs one more teacher. Perhaps the Minister of State, Deputy Smith, might mention this to the Minister because the school is very anxious to acquire this teacher. He might also tell the Minister that among the things I wish to tackle in respect of my constituency and educational needs is the much needed new development in Saggart, an area represented by Deputy Curran. Many children from the Tallaght region go to St. Mary's national school in Saggart and it is important the Minister understand there is a need for a decision. This has nothing to do with the election, but there is a need for a decision in this regard.

I am happy to concede my time to other colleagues.

Mr. Blaney: During my time as a Deputy and politician, different people would talk to me about how tough it must be being a politician and a Deputy representing County Donegal, but I would choose it any day before I would be a teacher. I will begin by recognising the job our teachers do for our children and society. It is not an easy job. Teachers have a tough time imple-

menting curricula and must be recognised for the good job they do.

On the other side of the equation, it is only right tonight to recognise the work done and the effort made by the Minister since she assumed office. She has really shone in her role as Minister for Education and Science. There has never been so much work carried out under the aegis of the Department of Education and Science as there is now. I take my hat off to the Minister for her decision to prioritise children with special needs and those in disadvantaged areas. Had she not done so, we would probably have the INTO and others arguing that the pupil-teacher ratio should be reduced to 1:20. If she were to do this, we would not hear of a lobby for special needs, as is currently the case. That is a fact.

The Minister continues to do great work in the Department of Education and Science across the education sector in both primary and secondary schools. She is lowering the pupil-teacher ratio, even though the population has exploded and 1,300 new school buildings or refurbishment projects are under way. In spite of the explosion in the non-national population which required the designation of 1,200 new English teachers, class sizes continue to reduce. People should at least recognise this fact. Some 15,000 adults in mainstream primary schools are working solely with children with special needs compared to just a fraction of that number a few years previously. As well as providing for significant increases in staff numbers, the Minister has also improved procedures for accessing extra support. A guaranteed allocation of resource teaching hours has been given to all primary schools. This is an important step which has replaced the need for an individual assessment for every single child. A team of 80 local special educational needs organisers has been put in place to work with parents and teachers. We hear little from the Opposition and others about this unprecedented step.

At second level, approximately 1,900 whole-time equivalent additional teachers are in place to support pupils with special needs, compared with the previous figure of 200 teachers in 1998. In addition, there are more than 500 whole-time equivalent learning support teachers and approximately 1,400 whole-time equivalent special needs assistants in second level schools.

When I look around my constituency, I see ongoing work in schools. New primary and secondary schools have been built and existing schools have been refurbished. I refer to new bunscoileanna and meánscoileanna. Great facilities are being put in place. A number of years ago all we heard about was rat infested schools. I hear nothing about them now but we do not hear the Opposition congratulating us for addressing that problem. We do not hear the INTO referring to it either.

The number of schools in my constituency that are being or have been built is phenomenal. This is the case right across the Letterkenny,

Inishowen and Muff electoral areas. We are still waiting for a few projects to get the go-ahead. At least 12 new schools have been built in recent years. That is a phenomenal number of schools. Summer works programmes are ongoing across the board. I am sure the situation is no different in other constituencies.

The Minister has done unprecedented work and it is time this was recognised. She will go down as the Minister for Education and Science who has done the most to progress education since the foundation of the State, with a particular emphasis on helping pupils with a disadvantage and those who live in disadvantaged areas, for which I congratulate her.

Mr. Curran: I welcome the opportunity to speak on this motion on education. Its primary focus is the pupil-teacher ratio, special education and forward planning. It is worth noting that when the Opposition tabled the motion, the issues that had been highlighted during the years were no longer on the agenda. As previous speakers stated, this is due primarily to the significant progress made.

I met some colleagues recently and, in view of the upcoming election campaign, we carried out a review of issues that had been current. I note the presence of Deputy Gogarty who is familiar with the Lucan area. This time five years ago heading into the election campaign the single biggest issue for people living there was access to primary education for their children. Parents had difficulty simply enrolling their children in a school. The big issue in Clondalkin was the condition of older school buildings. It is interesting to note the progress made in the years since the election. I acknowledge the roles played by both the current Minister and the previous Minister, Deputy Noel Dempsey, in addressing those issues. Too often we fail to acknowledge achievement. Since the election Griffeen and Lucan Educate Together schools opened. Archbishop Ryan national school was the first of the new modular design which had a junior and senior school on the one site. Coláiste Phádraig doubled in size. Gaelscoil Eiscir Riada was established and the secondary school moved to a permanent building. That is just in Lucan alone. They are the real issues.

The majority of schools in my constituency which had problems with leaking roofs or electrical and heating problems have been addressed through summer works and other projects. Because we have addressed those issues we can now move on and examine other issues such as the pupil-teacher ratio and special education. The roles played by both the current and previous Ministers in addressing these issues should be acknowledged. Since 1997, a total of 10,000 additional teachers have been employed, 8,000 of whom are specifically involved in primary teaching. Much of the emphasis has been on special education and areas of disadvantage.

Too often we spend our time looking at figures. We refer to average class size or the pupil-teacher ratio. We say the pupil-teacher ratio is not really relevant because we have all the other special needs supports in place and that average class size is a more accurate benchmark which allows us to make a comparison with the European league tables and so on. However, that is not a great way of doing it either. When my daughter started school, she was in mainstream education. Later, when she was ill, she had a special needs classroom assistant. Average class size is one issue but the impact of a classroom assistant should not be underestimated. I do not refer specifically to my daughter in this case, but to the amount of time freed up for the teacher to devote to the rest of the class. When we look at the figures using such a crude method, it is disingenuous in terms of what is happening in schools. We are ignoring the real impact special needs education is having, not just on those individuals who are the beneficiaries but on classes in general.

I agree class sizes in excess of 30 need to be radically tackled. However, when we look at the underlying causes, in some cases it is because various schools do not wish to have multi-grade classes. I am a member of a school board of management and have heard this issue discussed. I was in a multi-grade class for a couple of years at a time when it was the norm. In those days the population in Clondalkin was so small, it was the only way to sustain one school. That is difficult to believe now. In some schools it is a question of the management and allocation of resources. This issue must be dealt with at local level.

I agree with one point referred to in the motion; the one relating to forward planning. This involves all partners in education, not just the Department of Education and Science, the Oireachtas and so forth. The involvement of local authorities and planners is also required. Deputy Gogarty and Senator Tuffy who is a member of the Labour Party are familiar with the Adamstown development where schools are being built in tandem with housing development. This is a good model because the infrastructure was planned. I do not say it is perfect but it is an improvement on what was done heretofore. I admit we can always improve but it is a model that deserves consideration. In other words, we will not have thousands of houses with no possibility of schools, as was the case previously. Deputy Gogarty will agree that the model is working but it can certainly be improved. I would like to see that happen, but there is a role for local authorities alongside the Department of Education and Science. All partners in the education system must play a role.

Mr. Dennehy: I welcome the opportunity to contribute. Being the newest member of the Joint Committee on Education and Science, I have been learning a fair amount in recent weeks, having replaced the newly elevated Minister of State,

[Mr. Dennehy.]

Deputy Haughey. I am very interested in his work. I agree with Deputy Curran that everyone is in favour of forward planning and can name examples. In Ballygarvan, County Cork efforts to acquire a site for a school have been ongoing for seven years. I made the point to the Office of Public Works at the Committee of Public Accounts that we might have acquired a site on the Gaza Strip more quickly.

Special needs are a particular interest in the field of young people's education services to which I accord priority. There are a few reasons for this, one being that I chaired the Southern Health Board for several years, allowing me to see at first hand just how bad the situation was for young people with special needs. Years were spent passing the parcel between the Departments of Health and Children and Education and Science and officials' advice to successive Ministers was at all costs to avoid taking responsibility for the issue. The result was that children suffered. A very cruel and cynical approach was taken to the needs of young people and it took Mrs. O'Donoghue in 1992 and Mrs. Sinnott a few years later to force the State to accept responsibility through the Department of Education and Science.

The people mentioned created their own dynamic in education, but we still see the results of the years of indifference prior to 1992. There were no trained staff to implement court rulings in the wake of the O'Donoghue case and that situation obtained up to 1997, the baseline. Figures for staff at the time made for dismal reading. I contrast this with the current situation, with the Minister, Deputy Hanafin, overseeing the employment of over 1,500 adults in mainstream primary schools to work solely with children with special needs. I do not suggest for one moment that it is the complete picture. We need more, with back-up, psychologists' reports and so on. However, much has happened in a short time that should be lauded. In second level education there are now nearly 1,900 such staff, compared with fewer than 298 supplying such services previously.

Those are aspects of a programme about which I am concerned. One concern is that I understood when this was dealt with in the past two years that everyone, including unions and teachers, had agreed on according priority to special needs. I may have been mistaken in believing the target was to be met. Friends, including union activists, tell me that the development was to happen in parallel with the lowering of the teacher-pupil ratio. I worry about the entire concept in that regard.

Last night I heard a speaker say the Minister would trot out statistics for special needs education. Why should she not do so? They should be given repeatedly and we should highlight the issues involved until we have met needs. It was bad to hear someone suggest they would be trotted out as a cover. I am proud of what has been

achieved on this Minister's watch and hope it will continue.

Mr. Gregory: I wish to share time with Deputies James Breen, McHugh, Finian McGrath, Catherine Murphy, Gogarty and Crowe.

An Leas-Cheann Comhairle: Is that agreed? Agreed.

Mr. Gregory: I support the motion. As a former teacher, I know from first-hand experience the critical significance of class size in the educational development of all children, especially those in socially disadvantaged areas. I listened carefully to the Minister last night but heard no convincing reasons for Ireland, apparently the second richest country in the European Union, still to have the second largest class sizes. When the past ten years have offered such a golden opportunity, with budget surpluses of billions to invest to a far greater degree in education, that is unacceptable. Despite that opportunity, the Government failed to deliver on its own commitment to reduce class sizes to 20 children. That should be a priority for all Governments, as well as in the partnership talks in which the teacher unions are represented and decisions are made on such issues.

Primary education has been grossly underfunded by the Government, despite budget surpluses. Parents' committees, even in the most disadvantaged areas, find themselves having to raise funds for the most basic school items. That cannot be fair or just and makes no sense at a time of such affluence. It is not in the interests of equality of opportunity.

Despite claims in the Government amendment regarding investment in school buildings, in Dublin Central children still attend school in intolerable prefab conditions. Gaelscoil Bharra in Cabra provides an example of great community spirit, with marvellous commitment on the part of parents and teachers to educating children through the national language. However, the Department has dragged its feet on a new school building, although the site is readily available on a long-term lease. This issue must be addressed urgently.

Mr. J. Breen: In tabling her amendment to the motion, the Minister, Deputy Hanafin, showed her ignorance of the national class size crisis. Once again, she has displayed the Government's ineptitude in trying to tackle the problem.

In its programme for Government in 2002 the Administration did not state some or most children under nine years would be in classes of fewer than 20 pupils. Rather it stated all would be in such classes. The truth has been starkly different. The Minister has failed the children and parents of this country. In County Clare the average class size in primary schools is 27. Last May

some 6,500 people signed a petition to force the Minister to act. However, she has done absolutely nothing and failed once again.

In Scoil Maighdine Mhuire in Newmarket-on-Fergus the principal has divided fourth class in two owing to pupil numbers but cannot secure extra accommodation. St. Mochulla's national school in Tulla has over 30 students in some classes and those numbers will increase with the enrolment of new pupils. The school in Sixmilebridge is fighting an ongoing battle with the Department to secure extra teachers and prefab accommodation. Every possible obstacle has been put in its way. The Educate Together school on the Gort Road in Ennis is severely overcrowded and has a network of prefabs and Portakabins for accommodation. It relies on a domestic sanitation system for its sewerage requirements.

Last month I visited St. Clare's, a special needs school in Ennis. The principal expressed exasperation at the way in which Ministers dealt with special needs education. The Minister boasts of the structures she has put in place, but what are they? The special educational needs officer in the area told the principal that a resource teacher could be divided between two classes. By God, she is a mighty woman.

The Minister runs around patting herself on the back at every opportunity. This month I issued a press release as one of nine Independent Deputies making a commitment to reduce average class sizes by one pupil each year for the next five years. We do not believe in grandiose public announcements followed by the pathetic inaction that has been a feature of the Government's term of office. We have made a realistic and achievable promise on which we will deliver.

There is a severe shortage of primary school staff at a time when qualified teachers frequently seek my help in finding full-time employment. The Minister tells us how many teachers are now in posts, but, with the rest of the Government, she has failed the children and teachers of Ireland. The Government has failed the people and the sooner it is run out of office the better. We cannot have our children in big classes in which teachers can only devote two or three minutes a day to each one. That is not on and has to stop.

Mr. McHugh: I commend the Labour Party for tabling this motion and compliment Deputy O'Sullivan on her grasp of the education portfolio and interest in the sector generally.

I suspect the motion arises from the INTO campaign run around the country for the last few weeks. I compliment the INTO on the manner in which it has publicised the issue of class sizes. This publicity clearly indicates that the Government made a commitment when the last programme for Government was being formulated to reduce class sizes for the under-nines to less than 1:20. It has not delivered on that promise but,

worse still, the Minister for Education and Science is in denial about it. She continually trots out the old story about a teacher-pupil ratio of 1:17, but fails to mention that in some instances that figure is due to special needs teachers and other professionals. That is a dishonest approach. She should be ashamed of herself for trying to create this false impression. It is not fair to behave in such a fashion.

Everybody accepts that if young pupils do not receive the attention they deserve at school, it means trouble is being stored up for the future. That will be the Minister's legacy. She failed to deliver on the Government's promise. As a consequence, trouble is being stored up.

Mr. F. McGrath: I thank the Leas-Cheann Comhairle for giving me the opportunity to speak on this important motion on class sizes. In a country awash with resources it is not acceptable to have 100,000 primary school pupils and 35,000 secondary students being taught in classes of 30 or more. In Dublin there are 8,580 children in classes ranging in size from 30 to 39 pupils. Nationally, the figure is 107,639. This is unacceptable and shows a lack of vision, care and sensible planning in the education sector. Some 10% of our children go to school without proper food or warm winter clothing. Mental health services for children are inadequate, while access to speech and language therapists is extremely limited for children with disabilities. Pre-school facilities are extremely expensive for young parents and many primary pupils attend substandard school buildings.

The motion seeks a pupil-teacher ratio of 20:1 but that is far from the reality in the Ireland of 2007. The matter could be resolved without any major difficulty but it will not be resolved by auction politics. I stand by the demand for a reduction in class sizes to 20 pupils. I also stand by a quality health service and will take tough decisions in the interests of our children, the disabled, the elderly and other citizens. We do not want flash promises or gimmicks, just the delivery of sound policies for working people. I believe in hard work and honest politics. At a recent meeting in St. Brigid's School, the people of Dublin North Central gave me that mandate. Hundreds of parents and teachers turned up at the meeting. I commend the INTO for its magnificent work on this campaign. Class size is a major part of that agenda.

Education is an excellent investment opportunity, not just a matter of public expenditure. When one invests in children, one reaps the rewards. I will not compromise on that core principle. It is time for real community politics and to draw a line in the sand on rampant greed and consumerism. In case people have forgotten, this is a country, not just an economy. We are a society of people, without whom there can be no such society. We need to develop respect and community spirit through people-centred policies

[Mr. F. McGrath.]

and action. Together we can create a new era for this country. Education and class sizes are the building blocks for the future. I urge all Deputies to support the motion which concerns our children, the future of education and common-sense politics.

Ms C. Murphy: The programme for Government made strong and specific commitments on class sizes. The year 2002 was not “year zero” for Fianna Fáil and the Progressive Democrats which had been in government for the preceding five years. That commitment was made with full knowledge of the resource implications and teacher numbers. We were told that the question was rowed back on because they did not realise the position and had to change in mid course, but let us nail that fact in the strongest possible manner because the commitment was made with all the information to hand. While special educational needs had been shamefully neglected since the foundation of the State, it was clear that the driving force for change was as a direct result of parents taking court action to seek an appropriate education for their children. The Government had no choice but to do what the courts instructed.

Class sizes in my area are among the highest in the country. New areas of educational disadvantage are being constructed. It is not a question of whether we can afford to reduce class sizes to 20 pupils, we cannot afford to delay doing so.

Real planning would entail refusing planning permission if sufficient school places were not available. People cannot understand why houses continue to be built when there is an obvious shortage of school accommodation. Until we achieve a balance between housing construction and school places, we will continue to have this problem.

Mr. Gogarty: The INTO is winding up a successful series of meetings on class sizes. I congratulate the organisation for its campaign which has been focused and effective in highlighting the Government’s embarrassing track record and in outlining what needs to be done to provide our children with the best education possible. Parents and teachers now know beyond doubt that they have been cheated by Fianna Fáil and the Progressive Democrats, whose promises have been repeatedly broken. Attempts have been made to divide and conquer by trying to make funding available either for class size reductions or special needs. Despite this, some Government representatives valiantly attempted to defend the indefensible at INTO meetings. Most of them took the easy option, however, and did not even bother to turn up. At the meeting I attended not one of five Government Deputies from three constituencies turned up. They left the explanations to their personal assistants, local councillors and unelected candidates. Their absence was noted and will not

be forgiven by the thousands of parents and teachers who attended such meetings. In the main, those who attended the INTO meetings were Opposition representatives, including candidates. I was impressed by the quality of the contributions at the meeting I attended which were delivered with passion, outrage and sheer indignation. One would think every party had given a firm commitment to reduce class sizes, yet the same day on national radio the INTO’s general secretary, Mr. John Carr, told it like it was. He said that, to date, only the Green Party had given a detailed and specific commitment on reducing class sizes.

At the same meeting the Labour Party leader, Deputy Rabbitte, who likes to describe the Green Party as a fashion trend told those present that the Labour Party would be tabling a motion on class sizes in the Dáil the following week. My heart leapt for joy. At last, I thought we might have a coalition of the willing on class sizes — those willing to put their money where their mouth was and specify exactly what they would do. Alas, however, after hearing the Labour Party introduce its motion last night, my bubble was burst — more of the same criticism of the Government but few firm commitments.

Ms B. Moynihan-Cronin: That is not so.

Mr. Gogarty: We know the Labour Party is serious about the issue and that its members will not repeat the empty rhetoric of the Fianna Fáil-Progressive Democrats Government. Good stuff.

Ms O’Sullivan: What does the Deputy mean?

Mr. Gogarty: We were told it would take extra teachers, schools and classrooms and that the revenue and capital resources would have to be increased to pay for them. That is agreed, but the Labour Party did not spell out how many teachers would be provided or how much it would invest in school buildings. The only commitment given was to introduce legislation, which I support, to ensure land could be acquired by compulsory purchase order and to transfer responsibility for school building projects to the National Treasury Management Agency.

Ms O’Sullivan: And to provide the necessary teachers.

Mr. Gogarty: Pardon me if I think this is a fudge.

Ms O’Sullivan: It is not.

Mr. Gogarty: Can the Labour Party put its head on the block and state how much it would be willing to commit in next year’s budget?

Ms O’Sullivan: Will the Green Party commit itself to such a building programme?

Mr. Gogarty: Hang on. I might be a little critical of the Labour Party but at least it is making an effort which is more than I can say for Fine Gael. Its one tangible proposal for education is a €100 million schools excellence fund. The rest is bluff and bluster.

Ms Enright: That is not correct.

Mr. Gogarty: I admire Deputy Enright's hard neck, like the time a few weeks ago when Fine Gael and its parachute election candidate gate-crashed a school in my constituency to announce its English language support initiatives for overseas students. The camera lights and flashes were so bright that not only did they forget to outline their costings, they also neglected to give the school adequate notice that they were coming in the first place. It made for great television.

Ms Enright: All of the parents associations were represented and happy to see us.

Mr. Gogarty: The members of the Government are the real baddies because they break their promises but there is definitely something wrong when the two Opposition parties do not make worthwhile promises in the first place. Real promises must be made on this matter. That is why the Green Party has been very specific in its 50 steps to a better education system. We are committed to providing 2,400 new teachers and training them at a cost of €92 million.

Mr. Howlin: Where would the Deputy put them?

Mr. Gogarty: As I said, we would also reform the way land for schools is acquired. The primary capitation grant would be doubled at a cost of €74 million and there would be a VAT refund on income earned from donations that would cost €17 million.

Ms O'Sullivan: The Deputy said it could all be paid for with the amount needed for teachers. That is rubbish.

Mr. Gogarty: The national development plan, NDP, investment in computers and information and communications technology, ICT, would be doubled at a cost of €43 million. More National Educational Psychological Service, NEPS, psychologists would be provided at a cost of €4.5 million and more education welfare officers at a cost of €18.2 million. Service level agreements with patron bodies would receive funding of €1.5 million. There is a host of other initiatives in our programme which come to €1 billion in total. That is what is needed. Rather than talk around the issues, I call on all parties to give firm, tangible commitments. The time for platitudes is over; it is time to speak clearly on class sizes and other issues.

I call on Deputy Rabbitte to say things are not so. If he can afford to divvy out €1 billion in tax cuts, he should at least outline how much he would spend on education. I might be proven wrong about the Labour Party's commitment on this issue in the next hour and if I am, I will be delighted on behalf of teachers and parents.

Ms O'Sullivan: The Deputy now presumes to speak for parents and teachers.

A Deputy: The grand rainbow has gone up in smoke.

Mr. Crowe: Like other speakers, I want to address the issue and perhaps my colleague, to whom I listened, could listen to what I have to say.

I commend the Irish National Teachers Organisation, INTO, for the initiative shown in this campaign. I attended an INTO conference some years ago when Deputy Noel Dempsey was the relevant Government Minister and the General Secretary of the union, Mr. John Carr, outlined to him that class size was the major issue. That is still the issue facing the Minister for Education and Science, Deputy Hanafin, as it has not yet been addressed.

The issue relates to what is best for children. Smaller class sizes are best for them, although funding is required. As other speakers pointed out, the Government made a commitment to reduce class sizes, although the Minister admits she has not achieved that goal. She claims this is because investments were made in the areas of special needs education and tackling disadvantage but this should not be an either or scenario. We should be able to reduce class sizes, while helping children with special needs. Funding should be set aside with this in mind.

In recent years the Minister introduced multi-annual funding, which is fine within a certain system, but it depends upon the whim of certain Ministers. A specific proportion of gross domestic product, GDP, must be set aside for education. We recommend a figure of 6%. People question where the money would come from for improvements in the education system. This is our answer.

Last year the Education at a Glance report showed that, on average, there were four more pupils in Irish primary schools than in other EU countries. The education policy of Sinn Féin — educate that you may be free — pledged to reduce class sizes to 15 pupils per teacher. I attended the same meeting in the Clarion Hotel and it was overcrowded, which was ironic in the circumstances. Speakers articulated the view that large class sizes were wrong and affecting their children. Parents of children with autism spoke of the difficulties their children faced.

The Government continues to under-invest in primary education, spending a mere 70% of the EU average. It is no wonder that classrooms are overcrowded, as we are spending only 6% of

[Mr. Crowe.]

GDP on education, while other countries which are supposed to be poor such as Cuba spend up to 11%. This issue demands commitment, change and what is best for children. Smaller classes are best for them, as they can have a positive effect on discipline in schools. The resources are available. As a child's early years are vitally important, this matter must be addressed. I commend the Labour Party for tabling the motion.

Mr. Stagg: I would like to share time with Deputies Moynihan-Cronin, Gilmore and O'Shea. I thank the Labour Party education spokesperson, Deputy O'Sullivan, for tabling the motion enabling us to have this debate.

We are lucky to live in a rich country which has the resources to provide world-class services for its people but this did not become a rich country by chance. In the relatively short period from 1994 to 1997 Deputy Quinn, as Minister for Finance, laid the foundations for and developed the successful economy that gives the State riches beyond its dreams. As a result, we can afford to provide the very best opportunities for our children and young people. The future well-being and prosperity of a nation are dictated by its investment in the education and cultural development of its youth. The foundation of that investment in our future is the funding and resourcing of primary education for our children. The State recognises this fact, as is evident in free universal access to primary education for all children.

That was the case until this crowd of wasters got their hands on the resources provided by the taxpayer. The Progressive Democrats should not be blamed for this because Fianna Fáil pledged to reduce class sizes to 20 pupils for children under nine years of age. This pledge was made in 1997 and 2002 but on neither occasion was the promise kept. Not only did Fianna Fáil break its pledge to the children of this country but the Minister for Education and Science, Deputy Hanafin, also arrogantly announced shortly after her appointment that she had no intention of fulfilling her party's undertaking on class size reduction. Fianna Fáil now has the cheek and breathtaking arrogance to repeat this pledge again. Does it think people are total fools? Does the Minister believe they will swallow the lies for the third time running? I assure her they will not be fooled again. God help the poor, innocent Fianna Fáil candidates in north Kildare.

I want to inform the Minister of the effect of her broken promises and failure to keep her repeated pledges on the children of north Kildare who attend school in the largest classes in Ireland, far exceeding any elsewhere in Europe. Some reach six years of age by the time they get a place in such classes. In Celbridge, Leixlip and Maynooth combined there are only 35 children in classes of less than 20 pupils. This gives the lie to the Taoiseach's suggestion this morning that many children are in such classes. In those three

towns there is a total of 4,900 pupils, of whom less than 1% are in classes of less than 20. In north Kildare there are 1,972 children in classes of 20 to 24 pupils, 6,408 in classes of 25 to 29 pupils and 3,854 in classes of 30 pupils and higher. The average class size in north Kildare is 27.1. Ten years after the first Fianna Fáil commitment this is a shocking indictment of its failure.

Despite their best efforts, teachers cannot teach classes of 30 to 35 children. Our children suffer as a result. The effect of this on children, their life prospects and right to develop to their full potential is far reaching and most harmful to them.

Such class sizes damage the foundation of education progress and makes it more difficult for children to develop to the second and third stages. The parents of these children, as taxpayers, have given the Minister money to do her duty but she has failed miserably to do so.

I commend Deputy O'Sullivan's motion to the House and thank the INTO for its vigorous campaign and assistance in providing statistics for my contribution.

Ms B. Moynihan-Cronin: I commend my colleague, Deputy O'Sullivan, for proposing the motion. The level of frustration among parents arising from the Government's failure to reduce class sizes as promised in the 2002 programme for Government is evident at INTO meetings being held nationwide. There is an understandable sense of anger and dismay among parents that their children continue to be taught in overcrowded classrooms.

As the broken promises of the Government on class sizes have been well rehearsed during the debate, I propose to discuss school buildings and facilities. Improved school buildings go hand in hand with reducing class sizes. Hundreds of primary schools are operating in substandard, overcrowded facilities. Reducing class sizes will require more classrooms in better schools, a development only a change of Government will bring about.

Time and again during my 15 years as a Member of this House, I have raised the problem of school buildings in my constituency which are in dire need of upgrading and investment. Ten years of boom under the Fianna Fáil and Progressive Democrats parties have brought few improvements.

I am sorry Deputy Gogarty has left the Chamber. If he wants to know about commitment to education, between 1992 and 1997 five new national schools were built in my constituency of Kerry South, whereas I understand only one school has been built in the constituency in the past ten years.

Only a few weeks ago, during an Adjournment debate, I referred to Brackloon national school in Annascaul, County Kerry, which is bursting at the seams. Class sizes in the school cannot be reduced without a new school building and state-of-the-

art facilities, for which people in Annascaul have been waiting for many years. Last week, my party leader, Deputy Rabbitte, visited Blennerville national school with my colleague, Councillor Terry O'Brien, to view the shameful conditions in the school. I hoped the Minister for Education and Science, who was in the constituency on the same day, would also visit the school but she failed to do so.

As I have stated on previous occasions, the sense of frustration I feel in raising school building projects and issues such as class sizes on the floor of the House is matched only by the anger and frustration of school principals and boards of management who contact me about their school. However, there is more than frustration and anger. I sense a feeling of dismay and absolute exasperation among teachers who are among our most treasured public servants. This is a sad and shameful reflection on those charged with governing our country.

Fianna Fáil representatives attending the INTO meetings have been making all sorts of promises, empathising with parents and teachers and pledging their support to the INTO campaign. Tonight, the same Government representatives have an opportunity to put their money where their mouths are. Opposing the Labour Party motion constitutes a two-fingered salute to the many thousands of parents, principals and teachers who have attended the INTO meetings and campaigned for improvements in their schools. Those Government Deputies who have sat ashen-faced at the meetings have an opportunity to live up to the commitments they made at the meetings and vote with the Labour Party on the motion. Parents and teachers are waiting for them in the long grass and they can expect a response on polling day.

The Government has not nearly met the commitment it gave in 2002 to achieve a pupil-teacher ratio of 20:1. In many schools the ratio is still 30:1, for example, almost 3,000 primary school pupils in my county are in classes of more than 30 students.

The big fear is that, given the failure to reduce class sizes to the required levels during a decade of unprecedented economic prosperity, class sizes will never be adequately reduced by this Government. Why, despite overflowing State coffers, are children still being taught in overcrowded classrooms, prefabricated buildings and, in some cases, corridors? The answer is that the Government, following a long decade in office, has failed to prioritise class sizes. That is sufficient reason for replacing the Government with a new Administration prepared to cherish our children and put education and class sizes at the top of the agenda. Again, I commend my colleague, Deputy O'Sullivan, for proposing the motion.

Mr. Gilmore: I join in supporting the motion tabled by my colleague, Deputy O'Sullivan. Every day, on the Order of Business, the

Taoiseach tells Deputies to listen to the facts and examine the statistics. In no area do we have more statistics and facts available to us than in education. Many of them have been cited during the course of this debate. For example, Deputies heard how many classes have more than 30 pupils and how many children are in the various categories of class size. Pupil-teacher ratios were also discussed.

There seems to be a national fascination with statistics and facts in education. Every year, newspapers tell us how many points are required for every course in every third level college, how many leaving certificate students obtained various point scores and how many schools had children who scored above certain levels. We have even heard talk of the possibility of having league tables featuring school leaving certificate results.

The one area on which we do not appear to have statistics or facts is the number of 12 year olds who left primary school last year with a reading age of 11, ten, nine or eight years. I have been informed about this problem by people working in the system. Nobody in the education system can tell us how our children are being served or how many children are leaving the primary school because they have not been taught to read on time, are unable to catch up with their classmates or have linguistic and numerical difficulties. Primary schools are reluctant to place such information in the public domain because it will reflect on them. The second level schools which take in these pupils are also reluctant to comment in public because they fear it would in some way harm their ability to recruit in the future. For these reasons, we do not have this information. While I am aware that a standardised testing system is due to commence this year, I understand it will only apply in some areas and the information gleaned from it will not be centralised or made publicly available.

In this wonderful country we do not know the extent to which our children are being failed in the primary school system. This is hardly surprising given that one cannot teach every child in a class of 30 children. In a group of 30 four or five year olds each child will have its individual learning capacity and ability. They will all learn in different ways and will need various levels of individual attention. It is not surprising, therefore, that a significant number of the children leaving the system have been failed by the system.

The reason the Labour Party tabled a motion on class sizes and teachers, with the support of parents, embarked on a campaign to reduce class sizes is to secure for children the rights to read and learn and give them the start in life they deserve and their constitutional entitlement to a decent primary education, none of which is possible in large classes. Even if every child in a class of 30 was well behaved, it would be difficult for a teacher to give pupils the attention they require.

The purpose of the motion is to ensure teachers are brought into the system, school buildings are

[Mr. Gilmore.]

provided and the provision of schools is linked to our physical planning systems so that large housing developments are not built without schools having been planned and provided for from the outset. If the system can anticipate the sewerage capacity required in an area to satisfy building and residential development, it must be able to estimate educational requirements, including the number of school places and the date at which schools will be provided.

I am proud the Labour Party tabled the motion but disappointed at the selfish, self-serving, partisan and grudging speech made by Deputy Gogarty.

Mr. Gogarty: I am sick of waffle and bullshit to be quite honest.

Mr. Gilmore: I appreciate that as an election approaches, it is always tempting to engage in one-upmanship. Deputy Gogarty spent more time criticising the proposers of the motion than he did criticising those who have been in Government for the past ten years. Whatever service he may have done to his own re-election ambitions and whatever service he may think he has done for his party, he did no service to children, their parents or their teachers.

Mr. Gogarty: I thought the Labour Party would be different but I was proven wrong.

Mr. O'Shea: Tréaslaím le mo chomhghleacaí, an Teachta O'Sullivan, urlabhraí Pháirtí an Lucht Oibre ar chúrsaí oideachais, as ucht an rún trá-thúil tábhachtach seo a chur os comhair na Dála. Is é seo an tríú rún ar an ábhar práinneach seo atá tugtha isteach aici sa Dáil. Foilsíodh rún i 2005 agus i 2006. Mar gheall air sin, ag deireadh na díospóireachta seo, beidh an Teachta O'Sullivan tar éis cinntiú gur caitheadh naoi n-uaire ar cheist na ranganna ró-mhóra le dhá bhliain anuas.

Having taught as a primary school teacher for more than 20 years before becoming an Oireachtas Member, I need no convincing of the scandal of primary school class sizes. The Labour Party motion states that, nationally, 100,000 primary school children are being taught in classes of 30 or more. In County Waterford, which I represent, 2,429 primary school pupils, or 23% of the total, are in classes of between 30 and 34. Another 4,398, or 41%, are in classes of up to 29. Significantly more than half of primary school pupils in County Waterford, therefore, are being taught in overcrowded classrooms.

Some 251 pupils diagnosed with special needs in County Waterford are being taught in large classes. While these pupils receive assistance from a special needs teacher for several hours per week, the main part of their school week is spent with the class teacher in overcrowded classrooms. The figures I have quoted are from an

INTO survey undertaken last November which reveals the position for the current school year.

The Government's reneging on its commitment in An Agreed Programme for Government that the average pupil-teacher ratio for children under nine years would be brought below the international best practice guideline of 20:1 is the type of action that brings this House and the profession of politics into disrepute. It sets the worst type of headline for the voters of tomorrow. The decrease in the percentage of GDP spent on education from 5.2% in 1994 to 4.6% in 2006 demonstrates the Government's lack of commitment in this area.

The provision of additional teachers is absolutely essential to reduce the pupil-teacher ratio to 20:1, but it is not the entire solution. I compliment my colleague, Deputy O'Sullivan, on producing the document *Schools for the 21st Century*. It includes proposals such as giving the National Treasury Management Agency the task of forecasting school accommodation requirements, purchasing school sites where demand for places will be high in future and using compulsory purchase order powers to purchase land at fair prices. The Labour Party has commissioned a leading architectural firm to give expression to our concept of Ireland's primary schools for the 21st century. This is an essential factor in reaching the position we wish to attain.

I attended a meeting in Tramore last Monday night organised by the Irish National Teachers Organisation, INTO, to highlight the issue of class sizes. It was crowded to the doors and some parents were unable to get in. This and other such meetings send a clear message that parents and teachers will no longer tolerate the current situation. They demand effective action. People are angered that the Government did not begin to address its commitment in this regard until half way through its term. This is especially so when we consider how wasteful it has been in so many other ways.

Investment must be concentrated in preschool and primary education. Children lose out to a significant extent during these valuable years if they are taught in overcrowded classrooms where they cannot get the attention they need. All children, not just those with special needs, suffer in these circumstances. Teachers need the time and space to assist individual students, especially those with special gifts.

Overcrowded classrooms mean teachers are unable to teach children according to their individual needs and to assist them in developing to the full of their ability. Society will pay a price for this in the long term. If we do not develop the abilities of our children, we are in a backward situation. We must facilitate the development of children with special abilities. We must also ensure, as Deputy Gilmore observed, that no children emerge from our schools without adequate numeracy and literacy skills.

Minister of State at the Department of Education and Science (Mr. Haughey): I welcome the opportunity to speak on this motion. It has been an interesting debate, but I was taken aback by the contribution of Deputy Gogarty.

Mr. Stagg: So were we.

Mr. Haughey: It does not augur well for the prospective rainbow coalition.

Mr. Gogarty: I did not condemn the motion.

Mr. Stagg: You did, you fool.

Mr. Gogarty: I merely said I had expected more from the Opposition.

Mr. Haughey: I am also intrigued by the contribution of Deputy Stagg, who said Deputy Quinn was responsible for the Celtic tiger. He is possibly the only person in the country to hold that view. I have never heard it expressed before.

Mr. Stagg: The Minister of State's party handed us down an absolute mess.

Mr. Haughey: Deputy Stagg is deluding himself.

As the Minister for Education and Science set out yesterday, major improvements have been made in education under the Government. Some 10,000 extra teachers have been put in place and primary class sizes have been reduced to their lowest level ever. Supports for children from disadvantaged areas and those with special needs have been dramatically improved. Under the largest school building programme in our history, thousands of existing schools have been modernised, while many new ones have been built. We are fully aware of the many needs still to be addressed, but we are proud that we have provided for the most sustained increase in funding and participation in the history of Irish education.

I will respond briefly to some of the points made during the course of this debate on class size, special education and school buildings. The average primary class size has been reduced to 24, and there are 80,000 fewer children in classes of 30 now than there were in 1997. The Government has already committed to putting another 800 primary teachers in place next September. While there is more to be done to reduce class sizes further, the progress made in recent years should be acknowledged.

As the Minister, Deputy Hanafin, explained yesterday, there are now 50,000 primary school children from disadvantaged areas in classes of 15 or 20 at junior level and 20 or 24 at senior level. The number of children benefiting from smaller classes was expanded with the introduction of the delivering equality of opportunity in schools, DEIS, action plan.

The Minister explained last night that increasing teacher numbers is only one factor that

impacts on children's achievement. For this reason, smaller classes are just one of the many different types of extra support being provided under DEIS. Other supports include special literacy and numeracy programmes with intensive extra tuition to help pupils with difficulties at an early stage; after-school and holiday time supports, including homework clubs and summer camps; extra funding for school books schemes; and school meals.

The Opposition motion also refers to class sizes at second level. There is now one teacher for every 13 students at second level, down from 1:16 in 1997. Schools are accorded a considerable local discretion in the way they organise matters of subject choice, teacher allocation and class size. This naturally leads to variations in the size of different classes, with some classes being very small where not a lot of students opt for that particular subject or level.

The most recent edition of the OECD report, Education at a Glance, shows that average class size at junior cycle in Ireland, at 19.8, is considerably lower than the OECD average of 23.8. Therefore, while it is up to school principals to decide how to organise classes, it is clear that in the last year for which comparative data are available our second level class sizes compared well with those in other OECD states.

There is no doubt that over decades the record of the State on providing for children with special needs was very poor and that we are still playing catch-up. However, significant advances have been made, improving the lives of many children with special needs and their families. There are now 15,000 adults in our mainstream primary schools working solely with children with special needs, compared with just a fraction of this number a few years ago. The number of special education staff at second level is rising all the time.

Over €820 million is being provided for special education in 2007—

Mr. Stagg: I draw the Ceann Comhairle's attention to the time.

An Ceann Comhairle: Did the debate start late?

Mr. Stagg: It is running about four minutes late.

An Ceann Comhairle: The Deputy's time has concluded.

Mr. Haughey: I support the Government amendment and acknowledge the great progress made on dealing with class size over the past few years.

Dr. Cowley: I did not get the opportunity to speak, but I wish to say that I strongly support the motion.

An Ceann Comhairle: Deputy Howlin has 15 minutes.

Mr. Howlin: I wish to share time with Deputy Rabbitte.

An Ceann Comhairle: Is that agreed? Agreed.

Mr. Howlin: I begin by commending Deputy O'Sullivan on tabling this critical motion. Anybody who has attended the public meetings taking place across the country will be aware that the issue of class size has captured the imaginations of the people. The crowded meetings taking place throughout the country are ample testimony to the importance of the issue and the critical need to resolve it.

Last week a slew of Ministers scattered to the four corners of the globe where they basked in the reflected glory of Ireland 2007 and the Celtic tiger economic success. When asked the root cause of our economic success, the most frequent response is our education system, our investment in our people and the preparation of this generation, the most competitive, literate and numerate we have ever had, to be among the best in the world.

Unfortunately, the acknowledgement that education has been the key to the Celtic tiger success and the announcement that we are a knowledge society and economy is mere lip service, in the context of what we do to maintain education and its vibrancy into the future. My colleagues have given examples of the decline in the percentage of GDP we afford to education. Even in poor times, governments more stressed than the current Government for financial wherewithal always managed to prioritise education.

If education is a critical component of our economic and social well-being, class size is the critical issue. As a primary teacher — now a long time out of the classroom — I know from experience that class size is the most important factor in determining quality education. The pressures on teachers have increased immeasurably since my time in front of a class. In societal terms, it makes abundant sense to reduce the pupil-teacher ratio. In cold economic terms, it makes undeniable sense to invest in the infrastructure of education, both personnel and material.

What does the motion call for? I will repeat its demands for those who are unclear as to the content of the motion or who have not read it in any detail. First, it calls for an agreed timeframe for meeting the Government commitment on class size. We ask no more than that the Government lives up to the promise it reneged on in the past five years. Second, it calls for an understanding that recruitment and deployment of additional teachers is not an end in itself. Unlike those people who only talk about teacher numbers, we talk about the buildings required and the quality of those buildings.

Deputies: Hear, hear.

Mr. Howlin: We do not want teachers teaching in cloakrooms or toilets. Not only do we want adequate numbers of teachers, we want decent buildings, materials and support services, which are the norm in developed countries. Third, we have asked for fulfilment of the settled objective that classes be no bigger than the European norm. Once this is achieved, it should not be resiled from again so we can continue this investment into the future. Fourth, we want a reduction in maximum class size to 25:1 in mainstream classes and 15:1 in schools that suffer chronic disadvantage. Fifth, we ask for additional special needs teachers to implement the terms of the Education for Persons with Special Educational Needs Act 2004. Finally, we ask for greater engagement between the Department of Education and Science, the planning authorities and local communities to deliver schools in a timely and appropriate way. My colleague, Deputy O'Shea, pointed out the need for proper planning so that we can envisage the need and deliver on time.

This matter should not divide the House. The will of the people has been expressed by the tens of thousands of people who have turned out at meetings throughout the country. I attended the meeting in Wexford where there was a packed hall of parents and teachers demanding action. They will no longer tolerate lists and statistics. They want their children, in the short period available to them to receive an education, provided with the best education in the world. They know the real situation in schools and cannot nor will not be fooled with statistics. They will not be fobbed off.

This motion should not divide the House. Everybody who has spoken on the motion has paid lip service, at least, to the objectives in every clause of the motion. Let us now determine this will be done. Let the Government side of the House show some contrition and finally and belatedly keep its word to the people.

Mr. Rabbitte: As the House knows, Opposition Private Members' business is precious. A limited amount of the Dáil calendar is given over to the Opposition to ventilate issues of public interest. This is the third occasion in the past three years that the Labour Party has sought to address the issue of class size in its Private Members' business.

I thank my colleague and education spokesperson, Deputy O'Sullivan, for again bringing this issue to the floor of the Dáil.

I thank all the mature speakers who contributed from both sides of the House. It is timely that we should address this issue. Education is a core value for the Labour Party. It is the greatest transmitter of privilege in our society, the method by which children, no matter what their back-

ground, can realise their potential and live as full citizens.

Deputy Howlin traced the connection between education and economic progress. He is right to say that if one considers the economic progress over the past decade and a half here the common factor contributing to our being able to take advantage of a conjunction of economic events was the consistent policy of investment in education pursued by successive governments for more than 40 years. If that was important then it is more important today. If we are to maintain the economic progress of the past 15 years or so we must be prepared to invest in education. There is a fatalist view that we will continue to lose jobs in the traditional manufacturing sector and the official conventional wisdom is that there is no way forward but to move up the value chain. If that is true it involves more investment in education, a higher skill level and fewer people left behind.

Sadly, by the time many of our children leave primary education to go to second level they are already lost to the system because they were not able to avail of the education they ought to have received. One of the main reasons for this is class size. A total of 100,000 children are in classes of 30 or more. I give some credit to the Government for the investment in disadvantaged children and those with special needs and to some extent in attending to the requirements of newcomer children. It could not be otherwise giving the boom times in which we live. While acknowledging that, what should we say to the parents of the tens of thousands of children who are not designated as disadvantaged or do not have special needs? Are we to tell them that they should make do in run-down, sometimes decrepit classroom facilities in classes of 30 or more? That is not acceptable.

According to the official figures we can expect an increase of 100,000 primary school children over the next ten years, approximately the equivalent of 400 schools. If one examines the rate of repair of the schools we have, not to mention the construction of new schools, we would not realise that number by the end of the century.

This is not just a question of the recruitment of the few additional teachers necessary but of the provision of suitable classroom accommodation. The question in the commuter belt is whether parents can be assured of getting a primary school

place for their child. Last night Deputy O'Sullivan drew attention to the situation in Laytown. I met the parents there recently. They do not know whether they are coming or going. They thought they had a guarantee that a school building would be commenced but it seemed to have been whisked away from them. Now because there is an election coming up they have a renewed promise but they do not know whether they will get a school. That experience is repeated throughout the commuter belt.

It is remarkable that we can exchange boastful comments here about the economy and how the population has grown and so on. There has been a great explosion in revenue to the State but little attention is paid to the implications of that for services such as education and health. It is no surprise if we have grown by 700,000 that we need more hospital beds or more teachers to tackle class size but we seem to be reluctant to acknowledge that. Instead, we clap ourselves on the back for the minimal improvements made. The Minister for Finance on budget day boasts about having €5.1 billion more in revenue than he forecast only 12 months previously.

The Labour Party proposes to take the school building programme from under the aegis of the Department of Education and Science and to have the National Development Finance Agency identify and procure the sites needed for adequate school provision. Whatever excuse there is in terms of current spending, in a country that largely finances its capital programme out of current spending, there is no excuse for our failing to provide adequate, properly designed schools for our population of children.

Last week I visited a school in Blennerville, County Kerry. It has tremendous teachers operating in impossible circumstances. It thought it was at the top of the queue but is slipping back.

I thank my colleague Deputy O'Sullivan for allowing us to bring this issue to the floor of the House and as Deputy Howlin said, it ought not be one on which we divide. Colleagues on the other side of the House speak of the 20:1 ratio as an aspiration but that is not true. It is a definite commitment in the programme for Government. It may be an aspiration in their heads facing into the general election but it was a hard commitment they made and did not honour.

Amendment put.

The Dáil divided: Tá, 70; Níl, 58.

Tá

Ahern, Dermot.
Ahern, Michael.
Ahern, Noel.
Andrews, Barry.
Ardagh, Seán.
Blaney, Niall.
Brady, Johnny.
Brady, Martin.
Callanan, Joe.

Callely, Ivor.
Carey, Pat.
Carty, John.
Cassidy, Donie.
Collins, Michael.
Coughlan, Mary.
Cregan, John.
Curran, John.
Davern, Noel.

Tá—continued

de Valera, Síle.
 Dempsey, Tony.
 Dennehy, John.
 Devins, Jimmy.
 Ellis, John.
 Finneran, Michael.
 Fitzpatrick, Dermot.
 Fleming, Seán.
 Gallagher, Pat The Cope.
 Glennon, Jim.
 Grealish, Noel.
 Hanafin, Mary.
 Harney, Mary.
 Haughey, Seán.
 Jacob, Joe.
 Keaveney, Cecilia.
 Kelleher, Billy.
 Kelly, Peter.
 Killeen, Tony.
 Kirk, Seamus.
 Kitt, Tom.
 Lenihan, Conor.
 McDaid, James.
 McEllistram, Thomas.
 McGuinness, John.
 Martin, Micheál.

Moloney, John.
 Moynihan, Donal.
 Moynihan, Michael.
 Mulcahy, Michael.
 Nolan, M. J.
 Ó Cuív, Éamon.
 Ó Fearghail, Seán.
 O'Connor, Charlie.
 O'Dea, Willie.
 O'Donnell, Liz.
 O'Donoghue, John.
 O'Donovan, Denis.
 O'Flynn, Noel.
 O'Keefe, Ned.
 O'Malley, Fiona.
 Parlon, Tom.
 Power, Peter.
 Power, Seán.
 Roche, Dick.
 Sexton, Mae.
 Smith, Brendan.
 Treacy, Noel.
 Wallace, Dan.
 Wallace, Mary.
 Walsh, Joe.
 Wilkinson, Ollie.

Níl

Boyle, Dan.
 Breen, James.
 Breen, Pat.
 Broughan, Thomas P.
 Burton, Joan.
 Connaughton, Paul.
 Connolly, Paudge.
 Costello, Joe.
 Cowley, Jerry.
 Crawford, Seymour.
 Crowe, Seán.
 Cuffe, Ciarán.
 Deenihan, Jimmy.
 Durkan, Bernard J.
 English, Damien.
 Enright, Olwyn.
 Ferris, Martin.
 Gilmore, Eamon.
 Gogarty, Paul.
 Gregory, Tony.
 Hayes, Tom.
 Higgins, Joe.
 Higgins, Michael D.
 Hogan, Phil.
 Howlin, Brendan.
 Kehoe, Paul.
 Lynch, Kathleen.
 McEntee, Shane.
 McGinley, Dinny.

McGrath, Finian.
 McGrath, Paul.
 McHugh, Paddy.
 McManus, Liz.
 Mitchell, Olivia.
 Morgan, Arthur.
 Moynihan-Cronin, Breeda.
 Murphy, Catherine.
 Naughten, Denis.
 Neville, Dan.
 Ó Snodaigh, Aengus.
 O'Keefe, Jim.
 O'Shea, Brian.
 O'Sullivan, Jan.
 Pattison, Seamus.
 Penrose, Willie.
 Quinn, Ruairí.
 Rabbitte, Pat.
 Ring, Michael.
 Ryan, Eamon.
 Ryan, Seán.
 Sargent, Trevor.
 Sherlock, Joe.
 Shortall, Róisín.
 Stagg, Emmet.
 Stanton, David.
 Timmins, Billy.
 Upton, Mary.
 Wall, Jack.

Tellers: Tá, Deputies Kitt and Kelleher; Níl, Deputies Stagg and Kehoe.

Amendment declared carried.

Question put: "That the motion, as amended, be agreed to."

Mr. Stagg: As a teller, and given the importance of the issue, and the anxiousness of the Fianna Fáil Members to go through the lobby against our motion to reduce class size, under

Standing Order 69 I propose that the vote be taken by other than electronic means.

An Ceann Comhairle: As Deputy Stagg is a Whip, under Standing Order 69 he is entitled to call a vote through the lobby.

Question again put: "That the motion, as amended, be agreed to."

The Dáil divided: Tá, 71; Níl, 57.

Tá

Ahern, Dermot.
 Ahern, Noel.
 Andrews, Barry.
 Ardagh, Seán.
 Blaney, Niall.
 Brady, Johnny.
 Brady, Martin.
 Browne, John.
 Callanan, Joe.
 Callely, Ivor.
 Carey, Pat.
 Carty, John.
 Cassidy, Donie.
 Collins, Michael.
 Coughlan, Mary.
 Cowen, Brian.
 Cregan, John.
 Curran, John.
 Davern, Noel.
 de Valera, Síle.
 Dempsey, Noel.
 Dennehy, John.
 Devins, Jimmy.
 Ellis, John.
 Finneran, Michael.
 Fitzpatrick, Dermot.
 Fleming, Seán.
 Gallagher, Pat The Cope.
 Glennon, Jim.
 Grealish, Noel.
 Hanafin, Mary.
 Harney, Mary.
 Haughey, Seán.
 Jacob, Joe.
 Keaveney, Cecilia.
 Kelleher, Billy.

Kelly, Peter.
 Killeen, Tony.
 Kirk, Seamus.
 Kitt, Tom.
 Lenihan, Conor.
 McDaid, James.
 McEllistrim, Thomas.
 McGuinness, John.
 Martin, Micheál.
 Moloney, John.
 Moynihan, Donal.
 Moynihan, Michael.
 Mulcahy, Michael.
 Nolan, M. J.
 Ó Cuív, Éamon.
 Ó Fearghaíl, Seán.
 O'Connor, Charlie.
 O'Dea, Willie.
 O'Donnell, Liz.
 O'Donoghue, John.
 O'Donovan, Denis.
 O'Flynn, Noel.
 O'Keefe, Ned.
 O'Malley, Fiona.
 Parlon, Tom.
 Power, Peter.
 Power, Seán.
 Roche, Dick.
 Sexton, Mae.
 Smith, Brendan.
 Treacy, Noel.
 Wallace, Dan.
 Wallace, Mary.
 Walsh, Joe.
 Wilkinson, Ollie.

Níl

Boyle, Dan.
 Breen, James.
 Breen, Pat.
 Broughan, Thomas P.
 Burton, Joan.
 Connaughton, Paul.
 Connolly, Paudge.
 Costello, Joe.
 Cowley, Jerry.
 Crawford, Seymour.
 Crowe, Seán.
 Cuffe, Ciarán.
 Deenihan, Jimmy.
 Durkan, Bernard J.
 English, Damien.
 Enright, Olwyn.
 Ferris, Martin.
 Gilmore, Eamon.
 Gogarty, Paul.
 Gregory, Tony.
 Hayes, Tom.
 Higgins, Joe.
 Higgins, Michael D.
 Howlin, Brendan.
 Kehoe, Paul.
 Lynch, Kathleen.
 McEntee, Shane.
 McGinley, Dinny.
 McGrath, Finian.

McGrath, Paul.
 McHugh, Paddy.
 McManus, Liz.
 Mitchell, Olivia.
 Morgan, Arthur.
 Moynihan-Cronin, Breeda.
 Murphy, Catherine.
 Naughten, Denis.
 Neville, Dan.
 Ó Snodaigh, Aengus.
 O'Keefe, Jim.
 O'Shea, Brian.
 O'Sullivan, Jan.
 Pattison, Seamus.
 Penrose, Willie.
 Quinn, Ruairí.
 Rabbitte, Pat.
 Ring, Michael.
 Ryan, Eamon.
 Ryan, Seán.
 Sargent, Trevor.
 Sherlock, Joe.
 Shortall, Róisín.
 Stagg, Emmet.
 Stanton, David.
 Timmins, Billy.
 Upton, Mary.
 Wall, Jack.

Tellers: Tá, Deputies Kelleher and Kitt; Níl, Deputies Kehoe and Stagg.

Question declared carried.

Message from Select Committee.

An Ceann Comhairle: The Select Committee on Health and Children has completed its consideration of the Medical Practitioners Bill 2007 and has made amendments thereto.

Estimates for Public Services 2007: Message from Select Committee.

An Ceann Comhairle: The Select Committee on Arts, Sport and Tourism, Community, Rural and Gaeltacht Affairs has completed its consideration of Votes 33 and 35 for the year ending 31 December 2007.

Carbon Fund Bill 2006 — Report and Final Stages.

An Ceann Comhairle: Amendments Nos. *a1* and 1 are related and may be discussed together by agreement.

Mr. Gilmore: I move amendment No. *a1*:

In page 4, line 4, after “acquiring” to insert the following:

“(up to a maximum of 3.6 million Kyoto units by 2012)”.

The Bill as presented enables the Minister through the National Treasury Management Agency to buy carbon allowances, which will be known as Kyoto units in order to meet our Kyoto commitments. The Minister is proposing that he be given an open-ended mandate by the Oireachtas to buy as much carbon as he wants. On Committee Stage he seemed to indicate his intention to authorise the purchase of carbon even beyond what might be needed to meet our Kyoto commitments and to bank it against future pollution.

The Government seems to be taking a “pollute now, pay later” approach to our Kyoto commitments given that we are way over our Kyoto limit — we are now 25% or 26% above the 1990 levels and are required to be at 13%. We are approximately 15 million tonnes wide of the mark. The Minister believes that approximately 7 million tonnes or 8 million tonnes can be achieved in emissions trading. He expects he will need to purchase approximately 3.6 million tonnes. He was so confident that the carbon reduction measures he intends to embark upon — I have not seen much evidence of them to date — would reduce our carbon emissions that 3.6 million tonnes would be the upper limit of what we would need to purchase. If that is the case, it should be specified in the Bill.

The Minister wants a mandate from the House not only to purchase carbon on an open-ended basis in respect of the existing Kyoto Agreement, he also wants to be given the power to purchase carbon for any future agreements entered into.

Of course we know that the European Union has already decided it will require a 20% reduction in greenhouse gas emissions by 2020. Given that the Minister is presiding over a regime with a 25% or 26% increase over 1990, a 20% reduction by 2020 will be a very tall order. Even if we get as generous a deal under the burden-sharing arrangement as we got in 1997, the Minister’s own estimate is that it would require us to reach the 1990 levels by 2020 which would require a reduction of 25% or 26% on our existing emissions. That is a very tall order and the Minister wants the permission of the House to buy carbon to meet that requirement.

He is really saying that the Government has no intention of reducing emissions to the levels required under the Kyoto Agreement and the commitments we have entered into through the European Union, and that we will buy our way out of it. On the other hand he is telling us that 3.6 million tonnes will be the upper limit. He cannot have it both ways. He wants the Bill to allow him to buy carbon for existing and future agreements. When he was challenged on the matter on Committee Stage he claimed that 3.6 million tonnes would be the upper limit. Let us put it to the test. The Minister is either confident that we will get the reductions he claims will be achieved in which case he will have no difficulty in agreeing to placing the 3.6 million tonne limit in the Bill, or he is tacitly admitting that the reduction measures he has advocated will not be met.

Amendment No. *a1* would cap the amount of carbon that can be purchased and for which the carbon fund can be used at 3.6 million tonnes. Amendment No. 1 proposes to delete the proposition that the Bill shall also cover future agreements. By all means let it cover the existing Kyoto Agreement, but it is not appropriate to ask that it cover future agreements, the contents of which we do not yet know. We know that the European Union will attempt to achieve a 20% reduction by 2020, but we do not know how that translates into Ireland’s requirements. The Minister is asking us to sign a blank cheque. As I said on Committee Stage, I know that some members of the Government have a fondness for blank cheques. Whatever place they may have in the financing of the Minister’s party, they should not be used to run the finances of the country. I ask the Minister to accept the amendments to cap the figure at 3.6 million tonnes, which was the figure he stated would be the upper limit. If it is the upper limit then he should insert it in the Bill.

Mr. Durkan: I support the amendments tabled by Deputy Gilmore on the basis of the arguments he has adequately made. I get the unmistakable feeling of this Bill being somewhere in the region of the need to comply with the requirements imposed as a result of Kyoto and subsequent agreements instigated by the European Union, while also having the elasticity to provide a fig

leaf of cover as the Government disappears into the electoral long grass where it will be met and smitten by the electorate. It is preposterous to bank up carbon credits for the future in order to be able to draw on them at some later stage as if they formed some kind of inhaler. The Minister has recently been boasting of how great a job he has done on the elimination of methane gas. The agriculture sector has nearly been closed down to combat the emissions of methane gas. He can start closer to home and deal with the methane gas emanating from the sewage treatment plants throughout the country and the effluent that is escaping into our rivers and waterways. While the Minister may be reluctant to answer questions we table on the topic, it is a serious matter. I take this opportunity to mention that we will be visiting this matter again with more frequency than we have in the past. The indication of an upper level, as Deputy Gilmore said, is a serious proposal which is not specifically stated but in this amendment the Minister is being called upon to nail his colours to the mast. Let us see the colour of his eyes.

Minister for the Environment, Heritage and Local Government (Mr. Roche): Has the Deputy read the amendment?

Mr. Durkan: I have read the amendment. The Minister would be surprised at how much reading I do from time to time despite his obvious belief to the contrary. If we are serious about this whole area and the need to deal with the whole question of carbon emissions — I fully realise industry has requirements and that we cannot close down the country — we have to make a contribution by degrees. We have to combat our particular carbon footprint and we have a duty to do that. We cannot change the world but we can make our contribution to change. It is by a variety of contributions that we will make a realistic impact and illustrate to others that something of this nature can be done. Eventually I hope to see something along the lines suggested by Deputy Gilmore that every member of the public will be able to recognise the realistic contribution they can make. Incidentally, I accept scientists have proven that we have to address this issue. By the same token there is a series of other contributory factors all of which will, ultimately, have to be tackled and addressed. Now is the time to take the necessary action given that in a 100 years most of us, no disrespect to any of us, are not likely to be around. Along with being prescriptive we must be prepared to write up the prescription. I think that is what Deputy Gilmore is proposing. I support the amendments and await with interest to hear what the Minister has to say.

I have to attend another committee at the same time as this debate although I do not have the gift of bilocation. I am sure the Minister will be delighted to hear I cannot remain here beyond

9.30 p.m. but I will do my best to be as creative as possible in the meantime.

Mr. Cuffe: I welcome Deputy Gilmore's amendments. We need a Bill that is radically different from what the Minister is proposing which is that taxpayers foot the bill for Government ineptitude. Not only that but the taxpayers' children and their children's children will have to pick up the tab for climate change. Now is the time for action not words. As the media rightly pointed out during the past week the Minister has talked the talk for ten years on climate change. By his actions we shall know him and his Government colleagues. He has failed dramatically to tackle climate change. He is still building roads as if the oil will last forever. He is still adapting a *laissez-faire* approach to planning as if climate change is not happening. He is failing to tackle not only the environmental aspects of climate change but the economic aspects.

Year on year for the next five or six years he is asking taxpayers to foot the bill, €50 million or €60 million next year and every year up to 2012 and God knows what will happen thereafter. It is immoral and fiscally imprudent to proceed with such action. If it was a blip well and good. If it was a short-term strategy to get us out of a hole on our way to a low carbon future that would be justifiable but it is not a blip. The Minister's figures show €50 million to €55 million for the years 2008 to 2012, inclusive, the whopping sum of €270 million of the plain people of Ireland's money - taxpayers' money — being spun out of Ireland to pay our way out of climate change obligations. There is a better way. The Minister knows that so much of what we can do about climate change is within his remit, in transportation, building standards, planning policy and clear actions that his Department can take. His climate change strategy is four years' out of date at this stage and, no doubt, he will cobble something together for the Ard-Fheis or perhaps a week afterwards. It is too late to cobble things together. It is too late to pretend he can come back like Neville Chamberlain and produce action in our time.

An Ceann Comhairle: The Deputy is straying from the amendment. There are only——

Mr. Cuffe: I feel strongly on this issue and I respect your judgment. We need to make radical changes now. That is what Sir Nicholas Stern is telling us to do and the Minister is misquoting him for his own purpose by suggesting that carbon trading is fine. Yes, it is in the short term but not in the long term. What the Minister is doing is committing the Irish taxpayer to forking out €270 million to buy our way out of our Kyoto obligations. That is not good enough and we need to put an end to it and, as Deputy Gilmore pointed out, we need to have closure rather than an open cheque book or a standing order year after year for the Irish taxpayer.

Mr. Roche: Deputy Cuffe is right in one thing. This is certainly a radical proposition. I asked if the amendment had been read. The amendment proposes that we would limit the amount of carbon purchases in this country to an average of 700,000 tonnes per year. Deputy Durkan said we should have policies that would not close business. If we were to do what this amendment asks, we would put a further imposition of 15 million tonnes on Irish business. The Deputy used the word precise. The amendment provides for “up to a maximum of 3.6 million Kyoto units by 2012”. That is 700,000 tonnes per year. With respect—

Mr. Gilmore: On a point of order. The Minister is correct. The amendment is inaccurately worded. It should read 3.6 million tonnes per annum.

Mr. Roche: We are in the House to make law.

Mr. Gilmore: If the Minister wants to propose that amendment on the floor I would be happy to accept it.

Mr. Roche: The Deputy is generous in accepting it. That is the reason I asked if the other Deputies had read it. Clearly they had not read it. I accept the point the Deputy has made. The general point I have made is that this is a framework Bill which allows for a process to go into operation. I made this point during the course of the discussion. The Bill provides a framework within which the National Treasury Management Agency will make purchases not just in respect of the Kyoto protocol but also in respect of any future agreements. It is a policy matter day to day and for Government to decide which limits would be imposed.

If I were to agree to the principle set out in the amendment I would, as I said at the outset, be accepting a total of 3.6 million tonnes for the entire period. I accept there was an error in the amendment. The Government has indicated its willingness to purchase up to 3.6 million tonnes for each year between 2008 and 2012.

In regard to the rhetoric from Deputy Cuffe that this is imposing a charge on the Irish people, the reality is that whichever way we approach our response to Kyoto it imposes a burden on us all. It is not a question of looking for the easy way out—

Mr. Cuffe: The polluters should pay rather than the taxpayers.

An Ceann Comhairle: The Deputy will have an opportunity again.

Mr. Roche: The polluter, if the Deputy is honest about it, and he is an honest man, I am not suggesting otherwise, is us all; it is every citizen. When we light a fire, turn on our car, switch on a light and leave it shining for an excessive

period, or forget to switch the television off at night we are all polluters. One way or another, we all must meet the charge of this, which is one of the good things that has emerged from this debate. There was a very good debate tonight in the Seanad during which the Labour Party made the point that we must all bear the cost.

Mr. Cuffe: The Minister is not rewarding good behaviour.

An Ceann Comhairle: There are procedures laid down for Report Stage. The Deputy will have another opportunity to speak.

Mr. Roche: I let Deputy Cuffe speak. I respect him so I ask him to let me speak. The point I was making was that we are all polluters and must pay. There is no free way out of this, no matter what way one does it. If one does it this way, there is a cost to be picked up. If we do it Deputy Cuffe’s way, there is a cost to be picked up. There is no free way out of this.

If Deputy Cuffe wants to impose an additional burden on industry, he should have the honesty to say so. The reality is that—

Mr. Cuffe: I do.

Mr. Roche: To be fair, the Deputy has, on several occasions, suggested this.

Mr. Cuffe: I am suggesting that.

An Ceann Comhairle: Remarks must be made through the Chair. Does Deputy Cuffe want me to take this as his second contribution?

Mr. Roche: We are now getting to the core. To be fair to Deputy Cuffe, he has been straightforward in this regard. He has indicated that companies like the aluminium plant operating in the west of Ireland should be forced to bear a higher burden. However, I disagree with him. I do not believe that throwing up to 1,000 people out of work in Ireland is a good response to climate change. There are different ways to deal with the issue of climate change.

Having done all the other things, such as imposing a requirement on Irish business through the trading scheme that they will have a cut, imposing certain requirements on the ESB so that it will bear a burden and imposing a requirement on the other 108 companies in the scheme that they must bear a burden, there still arises the requirement from the day-to-day business of ordinary households. Deputy Cuffe is on record as saying that he agrees with and would impose carbon taxes. I disagree with him on this because, based on our experience, the proof is that they did not and would not work.

This legislation is far from being the totality of the response to Kyoto. The emissions trading scheme, ETS, is one part of it, while a series of measures across all Departments, agencies and

policies is another part of it. They will contribute 8 million tonnes in cuts in carbon. The ETS will contribute 3 million tonnes in cuts in carbon, which will deal with a portion of the balance of 3.6 million tonnes. It is not the totality of the scheme.

The general issue about purchasing credits is not only part and parcel of the entire Kyoto process. The legitimacy of purchasing credits is recognised by Sir Nicholas Stern in his report, which is a very fine document. I have had two conversations with Sir Nicholas Stern on this issue and again spoke with him about the issue in Paris recently. The purchase of carbon credits and the creation of a carbon market is one of the ingenious responses that comes out of the Kyoto protocol because it helps to put a price on carbon. In particular, it helps business to face its responsibilities.

A particular point is lost on Deputy Cuffe. The German Institute for Economic Research recently found that Irish businesses are the most energy-efficient in Europe and are among the cleanest in Europe. The idea that one can simply impose the full burden on business is foolhardy, which is the point made by Deputy Durkan. One cannot expect business to carry the full burden because if one forces business to carry the full burden, one creates a chaotic situation. We have already had a situation in the recent past where one of the companies which is moving its production from this country to another instanced the very high cost of Irish energy. If we were to go in the direction advocated by Deputy Cuffe, we would drive more business out and drive our energy costs up. We would meet our Kyoto targets, but we would do so by simply closing enterprise down, which is not a response and is not argued for by Sir Nicholas Stern. The case he is arguing is that economic and environmental sustainability are two sides of the same coin. He is arguing that one can have economic progress without paying an excessively burdensome cost. Deputy Cuffe is suggesting that we actually pay an excessively burdensome cost.

Returning to the specifics of the amendment — I accept that there is a typing error in the amendment — I have already made the point that this is framework legislation that facilitates the NTMA to move in a certain process. It stops the nonsensical situation that applied heretofore where each and every time the NTMA wanted to purchase carbon credits we had to come into the House. For these reasons and reasons I have outlined on Committee Stage, I am not disposed to accept the amendment.

Mr. Gilmore: I want to clarify matters. I think the Minister agrees that I can amend the amendment by the insertion of the words “per annum” after “Kyoto units” so that it is clear that we are talking about 3.6 million Kyoto units per annum. Where did these 3.6 million units come from? They came from the Minister. We know where

we are at the moment. The Minister indicated that it is his intention that approximately 8 million tonnes will be found through the ETS and approximately 4 million tonnes will be found through the carbon reduction measures he says will be implemented. A total of 0.7 million tonnes are not accounted for, but the Minister is satisfied they will be met by way of carbon reduction. He said that the requirement to purchase will be 3.6 million tonnes. Where are we going? This is not about closing anything down. This is about how we are at the moment. Is the Minister saying we will go above our existing, very high level of emissions, which is 25% or 26% above 1990 levels? I do not hear him saying that, although the import of what he is saying is that we will go above even the 25% or 26% level at which we are at the moment. If we are not to go above the 25% or 26% level, the 3.6 million tonne limit is not unreasonable and I do not see any reason he cannot agree to it.

If we are to even stay at 25% or 26% above 1990 levels, which is very high, and the Minister’s carbon reduction measures work, we will remain at 3.6 million tonnes which must be bought. I will return to this, but my basic point is that the Minister can accept this amendment because it follows his own logic. This sticks exactly with the figures the Minister gave us in respect of what must be bought. I cannot understand why he cannot accept a limit he said would be the upper end of the requirement to buy.

Mr. Cuffe: I am unfamiliar with amendment No. *a1*, of which I did not receive a copy. I thought we were addressing amendment No. 1. It is rather unusual to use an amendment No. *a1* in the grouping.

I will take up the principal point of contention between the Minister and I. The Minister wishes to subsidise the dinosaurs. The Green Party is suggesting that we do not subsidise dinosaurs and instead subsidise or, at least, create a level playing field for the new forms of life emerging that pose far less danger to human life than the dinosaurs. It is as simple as that.

It is patently unfair that when a new player comes into the market, such as Ecocem, which sells a low carbon cement, it pays its taxes to subsidise the dinosaurs. This is not right. After two terms in office, it seems that the Minister’s party is more committed to the dinosaurs than it is to the sunrise industries. There is a huge number of new jobs that will be created in a low carbon future. At our conference a few weeks ago, a speaker from Germany spoke about 180,000 new jobs that were created in renewable energy in Germany. It is as simple as that. What the Minister is doing is stalling on the transition period. It shows up in his figures. He gave us a graph a few weeks ago showing 55 million next year and so on for the next six years. He is failing to progress the issue. That is the bone I have to pick in regard to the dinosaurs.

[Mr. Cuffe.]

We need to move on from giving no carrot to the new entrants and propping up the old polluting industries. Taxpayers will benefit if we move forward and at least create a level playing field for new entrants. These new companies will benefit and those old industries will move on. New jobs will be provided in the same way as happened when Irish Steel and Irish Fertiliser Industries Limited closed. New jobs are emerging in Cork, Arklow and elsewhere. We cannot stand still and, worse still, we cannot subsidise the past. We have to embrace a low carbon future.

Mr. Morgan: What we need are real and measurable targets. The amendment offers a firm direction in that regard at 3.6 million Kyoto units per annum. If we are not going to adopt real and measurable objectives and targets, what we are doing here is using emissions trading as the cornerstone of the whole Kyoto deal. That is not what the Kyoto Agreement was about. Emissions trading was intended to be one small part of a comprehensive package. This is standing the whole process on its head. There is a better way.

The Minister equated householders with dirty industries that are largely uncontrolled in terms of CO₂ emissions. That is grossly unfair to householders who are becoming more conscious and aware of their own usage of energy and dealing with CO₂ generally, through public debate and, I hope through a debate such as this one. However, I accept we have a considerable way to go. Householders have proven through their approach to waste management that they are prepared to recycle. We are exceeding many of the targets set by Europe. If given reasonable infrastructure and the tools of awareness and education, people will buy into the process. We should be going down that road, at least in part. No doubt, the Minister will say he is doing that but, unfortunately, there is no evidence of it.

I do not say it lightly, but we are dealing with tokenism in terms of the issues that I have just addressed. We are overly dependent on emissions trading and that is most unfortunate. Is my time up?

Acting Chairman (Cecilia Keaveney): The Deputy should address his remarks specifically to amendments Nos. *a1* and 1.

Mr. Morgan: That is what I am doing.

Acting Chairman: It sounds more like a Second Stage speech.

Mr. Morgan: Amendment No. *a1* refers to setting specific targets of 3.6 million Kyoto units per annum. I am offering the Minister some guidance, which he clearly needs, in terms of how to achieve this target. Rather than depending entirely on emissions trading, he should be specific. The

amendment refers to a specific target. I urge the Minister to take this on board.

I support the amendment. I am steadfastly opposed to the Bill in its entirety because it ignores any other options and goes straight to the soft option which is making every taxpayer in the State pay for the sins of those huge, dirty industries that, unfortunately, are continuing to get away with it.

Deputy Cuffe gave an excellent example of Ecocem, a company that can operate in the current building boom where we are still using dinosaurs when there is a better way. Instead of incentivising those who are demonstrating a better way, we are closing the door on the environmentally friendly options. That is indicative of where the Bill is coming from and how it is structured. This is most unfortunate.

Mr. Roche: It is difficult to know where to start. Both Deputies Cuffe and Morgan suggested the real culprit is industry. Let us look at the facts. A total of 16% of emissions in 2004 came from industry. It would be outrageous to impose 100% of the burden on a sector that produces 16% of emissions.

Mr. Cuffe: Nobody is suggesting that.

Mr. Morgan: We are not suggesting that.

Mr. Roche: The Deputies should bear with me.

Mr. Cuffe: The Minister is not in the L&H now.

Mr. Roche: A total of 10% of emissions comes from the residential sector, 25% comes from the energy sector, 29% comes from agriculture, 18% from transport and 3% from waste. Deputy Cuffe made the point that the position supports the dinosaurs. That is colourful language. Deputy Morgan suggested the purchase of carbon credits is the totality of the response. With respect, both Deputies are wrong.

The emissions trading scheme, which is a European Union scheme, established the position and the operational situation in each member state with some precision. The scheme puts a restriction on existing companies. It does not provide them with a subsidy of any kind; it provides them with a requirement that they must cut emissions.

Mr. Cuffe: It gives them a carbon allowance for free.

Mr. Roche: In the Irish case, what that cut amounts to is that these 109 enterprises and bodies within the emissions trading scheme must cut their emissions by 3 million. It is not a subsidy and it is perverse to suggest it is.

Mr. Cuffe: In effect, 95% of their emissions are free.

Mr. Gilmore: I am disappointed the Minister has not accepted my amendment. That means we are either going to increase our emissions beyond the 25% or 26% above current levels or the Minister has no confidence in his own carbon reduction measures. If he had confidence in them, and we are not going to increase beyond 25% or 26%, then 3.6 million units is the limit of the amount we would be required to buy.

The amendment has succeeded in flushing out the real Government position, which is that we are going to increase our emissions. The Government will preside over continued pollution and the taxpayer will pay for it. That is the position of the Government. I am disappointed with it because, economically, it is unsound and it is environmentally irresponsible.

Amendment put and declared lost.

Acting Chairman: Amendment No. 1 was already discussed with amendment No. *a1*.

Mr. Gilmore: I move amendment No. 1:

In page 4, lines 4 and 5, to delete “or future”.

Question, “That the words proposed to be deleted stand”, put and declared carried.

Amendment declared lost.

Acting Chairman: Amendments Nos. 2 and 3 are related and will be discussed together by agreement.

Mr. Gilmore: I move amendment No. 2:

In page 4, line 23, after “may” to insert “with the prior approval of Dáil Éireann”.

We had a long discussion on this amendment on Committee Stage so I do not propose to repeat it. The Minister is seeking not so much a blank cheque or a standing order, as Deputy Cuffe described it, but a direct debit. Whatever our debit on carbon will be, there will be a direct debit to the taxpayer for the Government to buy credits and it will do that without the prior approval of the Dáil for the amount involved. We had a long debate on this issue, and I have no wish to rehearse it, simply asking that the amendment be put.

Mr. Morgan: Once again I support Deputy Gilmore’s amendment tabled on behalf of the Labour Party. It brings a measure of political accountability to the process and democratises it to some degree. It also engages public debate on the issue, since it is important that we maintain it in public view and discuss it regularly. It would be meritorious on all our parts.

Mr. Roche: As Deputy Gilmore said, we had a lengthy discussion on this. The net effect of the amendment would be that each and every time the NTMA, the body registered to buy carbon

credits, wished to make a purchase, we would have to put a formal motion before the Dáil. That is wildly impractical for a variety of reasons. We have already had two debates on the purchase of €20 million of targets. If one purchased €10 million this month and another €10 million or €15 million next, one would have to have a whole series of debates. Much as I enjoy debating carbon credits, it would be impractical to condemn the House to such a fate.

The convenience or amusement of the House is only one issue, and we could certainly fill many happy hours debating this subject. Second, and more importantly, however, it could cost taxpayers serious amounts of money. Just before Christmas we received a very good offer to buy €20 million of credits in an excellent scheme operated by the World Bank. The rate was very favourable, and if one must find time for a debate on each occasion when one makes a purchase, one spencels the opportunities available to the NTMA to do so cost effectively within Government policy. That is foolhardy and a very bad way to do business.

The third point is the inflexibility that would obtain if we took that route. If one had to have a Dáil debate every time a Kyoto unit were purchased, it would nullify the Bill. The legislation will fund the purchase of Kyoto units centrally, giving the NTMA the flexibility necessary to take advantage of opportunities that appear on the market from time to time. That may not appear a positive development in the eyes of the Opposition, but from the perspective of the Government and practical people, it is a good thing. It is a positive development if there is an opportunity to gain access to a fund that is advantageous in its economic cost and beneficial in its impact. It is ludicrous to introduce inflexibility in that regard.

The mechanism balances the need to give the NTMA flexibility and the Oireachtas an opportunity to scrutinise expenditure. The money comes from the Central Fund. In determining the most efficient and effective means to fund the acquisition of Kyoto units, the Department of the Environment, Heritage and Local Government has held extensive consultations with the Department of Finance, which in turn consulted the Office of the Comptroller and Auditor General. Providing annual funding through the Department’s Vote was considered, but there would then have been issues regarding capital carryover if money had not been spent, with Supplementary Estimates required if the NTMA needed additional funds in any year. If the Dáil were in recess, an opportunity to acquire Kyoto units at an advantageous price would be lost unless we reconvened the House.

Providing advance funding was also considered, but it was deemed an unattractive proposition as the funds would be tied up for several years, although they might not be required. The most flexible approach to adopt is the one in the Bill. As I have outlined, there are very relevant

[Mr. Roche.]

practical reasons concerning public accounting and finance not to take the route proposed by Deputy Gilmore. The proposition is impractical and would cost taxpayers more. It is not workable, especially if the Dáil is in recess, unless one has an emergency meeting to trigger the mechanism. It is inflexible and would ultimately nullify the Bill. I ask the Deputy not to press the amendment.

Amendment put and declared lost.

Amendment No. 3 not moved.

Mr. Gilmore: I move amendment No. 4:

In page 6, to delete lines 25 to 28.

There was a rather odd provision that the chief executive of the NTMA would not be permitted to express any opinion on what the Government did. In committee I drew a distinction, stating that it would be an understandable restriction to ban him or her from commenting publicly. However, it would be too restrictive to prevent the chief executive from expressing an opinion to the Government. That is taking matters too far and I asked the Minister to reconsider the section. I felt that he saw some merit in what I was attempting to achieve through my amendment. I had hoped that he might have an amendment of his own on the matter.

Mr. Morgan: I support Deputy Gilmore and the Labour Party on this amendment because I wonder why the Minister might attempt to muzzle a public servant. What is the purpose of such censorship? I know a little about censorship, having powerful memories of section 31 of the Broadcasting Act 1960 and how it impinged on a significant swathe of opinion across the island. To seek to enshrine censorship in such legislation raises serious questions regarding one's motivation. What would cause the Minister to wish to do so? I look forward to hearing his rationale because to introduce censorship into legislation in this manner is bizarre in the extreme. It is certainly new to me as a legislative device and I look forward to hearing the Minister comment.

Mr. Cuffe: Will we get a chance to kick the tyres of the Kyoto units that we are to buy? By that, I mean to ask what discretion we will have over what we buy into. Are we simply buying into an international market with no discretion? My reading suggests that there is some involvement on the part of the Environmental Protection Agency in vetting the clean development mechanism projects in which Ireland becomes involved. However, do we have the opportunity to pick and choose? There are international standards for the Kyoto units on offer. The World-wide Fund for Wildlife—

Acting Chairman: This amendment is geared more towards the chief executive.

Mr. Cuffe: It is more to do with discretion and the lack of any mechanism to pick and choose based on advice that might not be given under the proposed legislation. Where is our chance to pick and choose and does that possibility arise in the Bill?

Mr. Roche: It is not relevant to the amendment, but it is a fair question. The purchasing policy to be applied will be set out as a Government policy statement and be subject to debate in the House. This is not the appropriate occasion to deal with that.

The amendment Deputy Gilmore has moved seeks to delete lines in section 7(2). He made the salient point in committee that it was novel and that he was unable to think of
10 o'clock another instance. I said I would examine it in some detail and did so.

In fact, on Committee Stage, we all missed one point. We are talking here about the chief executive of the agency and in that context the functions performed by the agency under this Act were never required by the Committee of Public Accounts to be given in evidence. This refers to the giving of evidence before the PAC, which is important and relevant to the point under discussion. Deputy Morgan said this was new to him and he had not come across the likes of it before.

Mr. Morgan: I was shocked.

Mr. Roche: Whatever. As an advocate of free speech in all matters, I take my hat off to him. However, we will leave political barbs aside. It is not a novelty, although we all thought it was on Committee Stage. I had consultations with my Department and asked where this had come from and whether it was new. I also had discussions with the Department of Finance because I felt the argument was reasoned and I wanted to see if the case for retaining the existing wording was a good one. Given that I lectured in public finance, I admit I was surprised to find that this provision is similar to those in the Comptroller and Auditor General Act 1993, which relate to Accounting Officers. That Act enshrined a generally long-accepted convention that civil servants and other public servants would not be required to comment on policy issues during presentations to the Committee of Public Accounts. When that point was made to me I could see it was factually correct. In fact, the practice goes back to the 19th century. In giving evidence before the Committee of Public Accounts, an Accounting Officer cannot be required to comment on policy issues. Members of the House who have served on the Committee of Public Accounts know this well. I think Deputy Morgan served on the committee at one stage. It is a long-standing arrangement that one cannot request a civil servant, including an

Accounting Officer, appearing before the Committee of Public Accounts to venture into the area of public policy or to comment on Government policies. It has been a long-standing tradition that such officers can deal with issues arising from the accounts, their responsibilities as Accounting Officers, and issues concerning the appropriateness of expenditure to ensure it was for the purpose for which it was appropriated by the Dáil.

That tradition is also reflected in the Compellability and Privileges Act 1997, which regulated the conduct of meetings and inquiries made by Oireachtas committees under the compellability powers authorised by the Act. I should have remembered that when dealing with the matter on Committee Stage because it arose on several occasions during inquiries made by the Joint Committee on State-Sponsored Bodies, a committee I once chaired. The compellability powers authorised by that Act also extend to civil servants, gardaí and members of the Defence Forces. The matter arises again in the case of the Health Service Executive and a similar provision is included in the National Pensions Reserve Act 2000.

All of these provisions arise from this long-standing tradition that one cannot require a public servant to comment on policy issues when appearing before the Committee of Public Accounts. In that regard, I could be exonerated for not knowing this. The rules and responsibilities of Accounting Officers as set out in a 2003 memorandum for the Committee of Public Accounts, have direct implications here. The PAC's terms of reference specifically state that "it shall refrain from inquiring into the merits of policy or policies of the Government or of a member of the Government, or merits of the objectives of such policies". That is provided for because those issues are tested in this Chamber by the House as a whole.

The Comptroller and Auditor General (Amendment) Act 1993 contains a reference that in any report under that Act, the Comptroller and Auditor General "shall not question or express an opinion on the merits of policies or policy objectives". Section 19 of the same Act makes a similar provision, that the Accounting Officer "shall not question or express an opinion on the merits of any policy of the Government or a Minister of the Government, or on the merits of the objectives of such a policy".

All that arises because the discussions on policy are matters for this Chamber and not for committees, including the Committee of Public Accounts. The point I am making for Deputy Gilmore is that there has been a long-standing practice and tradition in this regard, as well as much legal precedent. If we had more time we could have dealt with it more thoroughly. I said I would give it some consideration, however, and I

did so. I do not have any affinity for anything that closes down freedom of speech in the general sense, but the traditions of this House, including the Committee of Public Accounts, all support the Bill's provision.

Mr. Morgan: The traditions of this House certainly limit free speech.

Mr. Gilmore: I am happy I was able to draw something to the Minister's attention that he did not already know.

Mr. Roche: The Deputy certainly did so.

Mr. Gilmore: I thank him for the extensive research he has carried out and the information he has shared with the House.

Mr. Roche: It will go into my lecture notes.

Mr. Gilmore: I am so impressed and feel so glad that I came here to hear this information, that I will withdraw the amendment.

Mr. Roche: If we listen as well as talk, we all learn a little. I was more than impressed when the Department of Finance came back quickly with the precedents. Apparently, that Department carefully monitors and scrutinises every word I utter.

Amendment, by leave, withdrawn.

Acting Chairman: Amendment No. 5 arises from committee proceedings and amendments Nos. 6 and 7 are related, so all three may be discussed together.

Mr. Cuffe: I move amendment No. 5:

In page 6, between lines 42 and 43, to insert the following:

10.—(1) That Ireland, in co-operation with our fellow members of the European Union and the OECD, will provide a lead in reducing our own level of emissions.

(2) To this end the Government commits itself to reducing the level of recorded greenhouse gas emissions within the country by 15 to 30 per cent by 2020 in accordance with targets already agreed by the European Union heads of state in spring 2005.

(3) The Government commits itself to reducing the level of recorded greenhouse gas emissions within the country by 2050 to a level which is between 60 and 80 per cent lower than the corresponding level of emissions recorded in 1990.

(4) Such a target is accepted as being consistent with what will be required internationally for the average increase in global

[Mr. Cuffe.]

temperatures to be maintained at less than two degrees.

These three amendments attempt to alter the course of the ship of State, as contained in the Bill. We should look at the bigger picture because this is not just about buying carbon credits under the Kyoto Protocol. It must be about reducing our emissions. Sadly, whenever the Green Party has tried to raise this matter in the House we have been thwarted by the Government which has voted down our proposals to limit such emissions and introduce an annual reporting mechanism. It is interesting to examine the end game in all of this. It is not so much a question of where we are this year or where we will be in 2008 or 2009, but where we want to end up. We must look at the long-term position. Most commentators, from Sir Nicholas Stern to President Bush, agree we need to begin reducing emissions.

The European Council of Ministers has stated strongly that we must consider reductions in the order of 20% or 30% by 2020, and higher reductions thereafter. There is a moral obligation on Ireland to take the lead in this matter. We are now a wealthy country and have had phenomenal economic success over the last 15 years. While I applaud that success, we must move towards the next phase of our economic development, which involves engagement with the most pressing environmental and political issue of the day, namely, the future of our planet. I am not suggesting that we can turn the ship of State today or tomorrow, but we need to make significant reductions of the order of 3% per year. The urgency of the problem dictates that we should run an annual check-list on our emissions and make changes where necessary.

At a fundamental level it would have been prudent to implement, for instance, the European building performance directive now, rather than put it on the long finger. It would also be prudent to make a massive investment in public transport now, rather than later. We need to make radical changes in capital spending and check annually on whether we are meeting the targets we set for ourselves.

The first part of amendment No. 5 seeks to ensure we provide the lead. Ireland has provided the lead before now, at the United Nations in the 1950s and early 1960s. We had a good reputation internationally as a voice of diplomacy, separate from the power blocs of Soviet Europe and the Americas. We led the way, showed that we could provide leadership as a neutral country and did so through the United Nations. This pressing environmental issue creates a need for us to do this again.

We must consider a firm target for 2020. We can haggle over whether it should be 15%, 20% or 30% but we must unilaterally set a band width here and now for Ireland, not for Europe. We

must also examine where the country will be on this issue in 40 years time and to do this it is necessary to set targets for emissions reduction.

If our forefathers in the early 1920s had seen where Ireland could be in the 1960s they might have set their sights higher. Rather than engage in a cold war through economic and social insularity they could have embraced the bigger picture and achieved huge changes early on in the formation of this State. Leadership can now be provided at an early stage on this issue by looking ahead to 2050 and examining how reductions can be made. I do not know how we will do this but I know the issue must be tackled in every Government Department, in the office of the Taoiseach and in the office of the Minister for the Environment, Heritage and Local Government. We must reduce emissions.

We must take the advice of scientists who say we must limit the growth in the warming of the planet to two degrees. We should start with the science and work back from that point because the important thing is that science is telling us what we must do. This means significant changes in Government policy are needed, not in five or ten years but now. We need leadership from the Minister for the Environment, Heritage and Local Government in this regard and that is the thrust of amendment No. 5.

Amendment No. 6 suggests that each year the Minister should address this House and the Seanad to explain where we are going on this issue, where we have done well, where we have done badly and how changes will be made. I ask the Minister to explain to us how reductions will be tackled. How can he look the people of Ireland in the eye and say a 7% increase in transport emissions is sustainable? The Minister knows this is not the case, as do I, and he must make changes in his capital spend to address the issue. If he does not, we will. The Irish people want change and are mad as hell about this; they do not want to have to fork out their money to comply with protocols, they want policy changes sooner, rather than later. This is why we want the Minister to report to this House every year on whether we are achieving targets.

There is uncertainty about where we will be on this issue in 15 and 40 years time but we must examine where we will be in five years. I was horrified when I saw a graph in one of the Minister's press releases in recent weeks which projected the ongoing purchase of carbon credits until 2012 with no end game in sight. This is deeply worrying and it is not about the €270 million to be spent between now and then — that figure could rise to €1 billion. The Irish people do not want to continue paying these bills in five, ten and 20 years time; they want to see policy changes now and that is why I am tabling these amendments to the Bill before us today.

Mr. Gilmore: I support the amendment but think Deputy Cuffe has exaggerated slightly in

equating the performance of this Government with a ship of State. There is something majestic about a ship of State and this Government reminds me more of a battered, old, leaking, polluting tanker flying a flag of convenience and crewed by Ministers incapable of communicating with each other and understanding safety instructions. The tanker is skippered by a weary old sea dog who has abandoned the helm and wanders around the deck winking at the few passengers on board and waving out over the railings at every ship that passes in the night. He hopes that the old tub will find its own way to a safe harbour and that he might get a fresh ticket for a renewed voyage. It needs to be turned around all right, but with a fresh skipper and a new crew.

In this area of policy the biggest turnaround needed relates to the Government's reliance on the purchase of carbon credits. There should be an emphasis on carbon reduction and I think that is the essence of Deputy Cuffe's amendment, which the Labour Party supports. We all understand that the arrangement on the Kyoto Protocol entails a mix of emissions trading, reduction and purchase but, unfortunately, the Government has the emphasis wrong. It has adopted the attitude that we can carry on as we were with no need to reduce carbon emissions and that we will pay the bill at the end of the day.

The Government's handling of this legislation makes it clear that it intends to buy up carbon while it is cheap and bank it. The Government's approach is to buy our way out of our commitments and I think that is fundamentally flawed, irresponsible and will undermine our country's position internationally as we will have no moral authority on the issue. This is the wrong approach and for this reason I support Deputy Cuffe's amendment.

Acting Chairman: The Deputy's experience in the erstwhile Department of the Marine has led to great eloquence.

Mr. Morgan: I will not attempt to follow Deputy Gilmore's contribution and bow to his seafaring experience.

Mr. Roche: Deputy Morgan might think of a better metaphor.

Mr. Gilmore: Deputy Morgan's party has no naval wing.

Mr. Morgan: We did actually, but the Deputy is stretching things a bit.

Mr. Roche: Yes they did but it was a rowing boat that ran into difficulties in Lough Swilly.

Mr. Gilmore: My apologies to the Deputy's colleague.

Mr. Morgan: I will not wander into that territory or we will be here until the morning, although the guillotine may see to that.

Mr. Roche: The last person the Deputy should have said that to is the admiral.

Mr. Morgan: Any person would be a better admiral than the one we are enjoying, or should I say enduring, at the moment because this Bill betrays a lack of vision, accountability and commitment. It represents a surrender to a single element by putting a financial burden around the necks of taxpayers. I commend Deputy Cuffe and the Green Party on these three amendments that could bring a level of accountability and public discussion to the issue. The Minister and the Government have been avoiding such discussions at all levels. We were discussing censorship and muzzling a moment ago and I have never seen any institution that manages to function as restrictively as this.

Mr. Roche: The Deputy is about to run to the Ardchomhairle.

Mr. Morgan: We should have our heads examined for seeking re-election to this House when one's speaking time is guillotined every time one stands to speak and when legislation is not properly discussed and not understood by the public. I will not go on in this way or I will lose my seat in County Louth and I am under enough pressure.

Mr. Roche: The Deputy will be censored again.

Mr. Morgan: If this terrible Bill is the answer to the problem then it must be some problem. I commend Deputy Cuffe's amendments to the House.

Mr. Roche: We have been long on metaphor tonight. Deputies have lost sight of the fact that up to 80% of our commitments are geared towards making specific measures. It is not true that purchasing credits is the only aspect of Government policy in this regard.

Mr. Morgan: Purchasing credits accounts for three quarters of policy.

Mr. Roche: It is three quarters by measures with the other quarter permitted under the proposals. Ireland is not alone in this regard and our approach is consistent with that being adopted by the majority of the EU 15 member states for which programmes are in place. Ten of these countries have committed themselves to purchase a combined amount of 550 million carbon units and have allocated budgetary commitments of €2.8 billion to do so. The House has lost sight of the fact that in its response to the second national allocations programme, one of the negative comments made by the European Commission was that Ireland had not placed carbon fund legislation on the Statute Book.

Of all the people I expected Deputy Cuffe to quote as an authority in this matter, George Bush was not one of them. It is almost the equivalent of somebody from that side of the House last week

[Mr. Roche.]

promoting the Australian Prime Minister, Mr. Howard. Neither gentleman is an exemplar of how one should respond under the Kyoto Protocol.

Deputies will be aware that the recent spring Council set very ambitious targets for Europe which lead the world and Ireland is involved in that process.

Mr. Cuffe: Is the Minister leading or following?

Mr. Morgan: He is sleep-walking.

Mr. Roche: The EU Heads of Government set a mandatory, self-imposed target of reducing greenhouse gas emissions by 20% by 2020 and adopted a negotiating position to require developed states to establish a 30% reduction target. Are we a leader or a follower? We were involved in that process and it is disingenuous of Deputy Cuffe to suggest otherwise as he is aware that Ireland was one of the first countries to respond positively to the proposals. For example, I responded very positively at the first European Union Environment Council meeting held after the commitment was made and was the second or third speaker when the issue arose. I encouraged progress at a time when other member states were experiencing difficulties with the commitment. In Nairobi, during *en marge* meetings, many member states were strongly of the view that Europe should not propose a 30% commitment or give a unilateral commitment of 20%. The Taoiseach has supported the commitment in the European Council and I have supported it in the Environment Council.

Should Ireland be more ambitious and impose higher domestic requirements than those in place elsewhere in Europe or the world? While I do not question Deputy Cuffe's sincerity, I do not believe such an approach would be wise. Reading reports today on the UK budget, I noted that Britain's targets for 2050 are not as ambitious as those proposed by the Deputy. He has suggested writing into law a mandatory target of achieving a reduction in carbon emissions of between 60% and 80% by 2050. While his proposal is probably laudatory, it is also foolhardy. He is asking us to provide in law for meaningless targets to be met. The 60% target the British Government is considering including in the carbon Bill before the House of Commons is set against a policy of rebuilding nuclear power stations. Its policy is contingent on and self-enforcing of nuclear power.

It is not sensible for Ireland to be more ambitious than the most ambitious group of countries in the world, namely, Europe. We have a moral responsibility to encourage the European Union in the direction it is taking and we have given the Presidency and Commission strong support in this regard. However, I do not agree with the approach adopted by the Deputy and I am surprised that any other party in the House would

do so. To frame in law the targets proposed would disadvantage Ireland and would not achieve any great purpose as it would allow countries which compete with us for foreign direct investment to portray Ireland as a no-go area.

This debate requires balance. Last week, we saw the extremist view of one side of the argument on a Channel 4 programme. We also have extremist views on the other side represented by the henny-penny school of environmentalism. If anything will destroy the logic underpinning the Kyoto Protocol and undermine the necessity to move forward on this issue, it will be extremism. There can be nothing more unwise than to enshrine in law impositions which would be destructive of Irish industry, particularly when they are far in advance of those proposed by the European Union. It makes no sense to introduce legally binding targets to be achieved 40 years hence when none of us will be in the House to speak on them.

The proposal goes further than the most ambitious targets. As I indicated, even the United Kingdom, where the carbon Bill is part and parcel of a process of preparing members of the public to accept the development of nuclear power, has not gone as far as Deputy Cuffe's proposal. His suggestion is impractical.

The Deputy indicated his proposal is informed by a moral imperative. While adopting a moral attitude on this matter is praiseworthy, we also have moral responsibilities to the 2 million who work here and the millions of others who will look for jobs here in the next ten, 15 or 40 years. We cannot push them onto the rack with some form of ideological commitment to a project such as that the Deputy proposes. While I do not for a moment doubt his sincerity, in practical terms his proposal is mad and does not make sense.

Deputy Morgan appears to believe I will not agree to publish a progress report. I indicated on Committee Stage that I will consider inserting in the national climate change strategy a provision to hold a debate. The strategy is the appropriate place to make such provision. The national development plan set a precedent for this approach as it includes a provision to hold a debate in the House. It offers a good way forward and I am prepared to make such a provision.

Mr. Cuffe: At the risk of straining the metaphor, in terms of emissions the good ship Ireland is not the flagship of the fleet. It is, as Deputy Gilmore pointed out, a leaky old tub but Captain Roche has appeared and said all is fine because he met a fellow who will get us a few pumps from Kazakhstan and patch up some of the other ships. I suggest we fix the good ship Ireland's emissions, patch up the leaks and do not spoil the ship for a hapworth of tar. We need to simply reduce, repair, set targets, examine the charts and steer safely into port. This is all I ask.

I share Sir Nicholas Stern's belief that a stitch in time saves nine. As everyone else is arguing, we must get our ship in order. This is a good anal-

ogy. We must be prepared to make changes by altering course sooner rather than later. Simple measures, such as setting annual targets for reductions and reporting annually to the Oireachtas to give Members a report card informing us of how we are doing, are crucial.

I take issue with the Minister's use of the word "foolhardy" to describe setting good targets. This is not a foolhardy approach but a matter of pro-

viding leadership when the future of the planet is at stake. The people want such leadership and the Green Party is prepared to provide it.

Acting Chairman: As it is now 10.30 p.m., I am required to put the following question in accordance with the order of the Dáil of this day: "That Fourth Stage is hereby completed and that the Bill is hereby passed."

Question put.

The Dáil divided: Tá, 59; Níl, 47.

Tá

Ahern, Michael.
Ahern, Noel.
Andrews, Barry.
Ardagh, Seán.
Blaney, Niall.
Brady, Johnny.
Brady, Martin.
Browne, John.
Callanan, Joe.
Callely, Ivor.
Carey, Pat.
Carty, John.
Collins, Michael.
Coughlan, Mary.
Cregan, John.
Curran, John.
de Valera, Síle.
Dempsey, Tony.
Dennehy, John.
Devins, Jimmy.
Finneran, Michael.
Fleming, Seán.
Glennon, Jim.
Grealish, Noel.
Hanafin, Mary.
Harney, Mary.
Haughey, Seán.
Jacob, Joe.
Keaveney, Cecilia.
Kelleher, Billy.

Kelly, Peter.
Killeen, Tony.
Kitt, Tom.
Lenihan, Conor.
Martin, Micheál.
McGuinness, John.
Moloney, John.
Moynihan, Donal.
Moynihan, Michael.
Mulcahy, Michael.
Ó Cuív, Éamon.
Ó Fearghaíl, Seán.
O'Connor, Charlie.
O'Dea, Willie.
O'Donnell, Liz.
O'Donoghue, John.
O'Donovan, Denis.
O'Flynn, Noel.
O'Keeffe, Ned.
O'Malley, Fiona.
Parlon, Tom.
Power, Peter.
Roche, Dick.
Sexton, Mae.
Smith, Brendan.
Treacy, Noel.
Wallace, Dan.
Wallace, Mary.
Wilkinson, Ollie.

Níl

Boyle, Dan.
Breen, James.
Breen, Pat.
Broughan, Thomas P.
Connaughton, Paul.
Connolly, Paudge.
Cowley, Jerry.
Crawford, Seymour.
Crowe, Seán.
Cuffe, Ciarán.
Deenihan, Jimmy.
Durkan, Bernard J.
English, Damien.
Enright, Olwyn.
Ferris, Martin.
Gilmore, Eamon.
Gogarty, Paul.
Gormley, John.
Hayes, Tom.
Higgins, Joe.
Higgins, Michael D.
Howlin, Brendan.
Lynch, Kathleen.
McGinley, Dinny.

McGrath, Finian.
McHugh, Paddy.
McManus, Liz.
Mitchell, Olivia.
Morgan, Arthur.
Moynihan-Cronin, Breeda.
Murphy, Catherine.
Naughten, Denis.
Neville, Dan.
Ó Snodaigh, Aengus.
O'Keeffe, Jim.
O'Shea, Brian.
Pattison, Seamus.
Rabbitte, Pat.
Ring, Michael.
Ryan, Eamon.
Ryan, Seán.
Sargent, Trevor.
Shortall, Róisín.
Stagg, Emmet.
Stanton, David.
Twomey, Liam.
Upton, Mary.

Tellers: Tá, Deputies Kitt and Kelleher; Níl, Deputies Neville and Stagg.

Question declared carried.

Adjournment Debate.

Cancer Screening Programme.

Dr. Cowley: I am grateful for the opportunity to raise this important issue on the Adjournment. There has been great difficulty rolling out BreastCheck. It was rolled out for half the country in 2000 but not for the other half of the population. No marks are given for guessing that the half of the population covered was on the east coast area, while the south and the west were left without this essential service. I have calculated that since the roll-out in 2000, a minimum of 60 women have died each year as a result of the unavailability of the service in their area. Therefore, since 2000 this amounts to a minimum of 500 women.

I was pleased to hear, as I am sure the Minister of State will confirm, that the roll-out of BreastCheck is on schedule and that it will be completed in the final quarter of 2007. I was pleased to hear too that BreastCheck is interested in providing a mobile service before then. The Minister for Health and Children has been anxious to provide this service, which is helpful. However, I understand the mobile unit will serve more as a facility for testing equipment and will only screen 40 women.

The question must be asked as to why the service was not provided long ago. No excuse can be given for the fact that so many women have died while waiting for the service. In 2003, the Galway clinic offered to provide a BreastCheck service until such a time as BreastCheck proper was up and running. That offer was refused because the Galway clinic offered a digital service while the BreastCheck service was an analogue service. However, since then BreastCheck has gone digital. Therefore, there is no reason not to allow the Galway clinic offer a temporary service in the meantime. People have died because of the lack of a service. The plan was to put BreastCheck in place in the region in 2004, but there has already been a delay of three years. The design team was approved on 5 May 2005. I suggest the delay in implementing the plan is due to the lack of funding. Money was not spent to allow the BreastCheck service to be rolled out.

My maiden speech in the Dáil was on the need for the Government to expand the BreastCheck service, but of course that has not happened. I was also responsible for the board and executive of BreastCheck being called before the Joint Committee on Health and Children to explain the delay. I also organised a march in 2003 on the issue. I cancelled a march that was due to take place at the end of last year because, having met the board of BreastCheck, I was told nothing I would do would advance the roll-out further.

There has been the offer of a mobile unit, but this would have been on offer in any case before the roll-out in any area. There is a problem with regard to the roll-out of the service. I believe many of the staff required are not in place or available. Many of the clinical staff required are in America and will not be back until the end of the year. We already have a major problem in UCHG where theatre time is not available for essential treatment. I am aware of ten cases of people waiting to have prostate implants to treat their cancer. Breast cancer surgery has also been cancelled in the hospital in the past few weeks because of the lack of theatre space. This is a real problem and I wonder how it will be addressed. I hope it will be addressed. The system is overburdened. I am also concerned that holiday time is approaching, which may mean delays in treatment for these cancer cases. However, I welcome the promise to roll out the service.

I ask the Minister to take on board the proposal that women up to the age of 70 should be screened. Currently, women from 50 to 64 years of age are screened. There is capacity in the Galway static unit, which will be completed in September, to provide the service up to that age. It is not practical to do that until the first cycle is completed in 2009. The Minister should work towards injecting necessary money into this area. Screening should start at 40 years of age because 11% of breast cancer cases occur in women aged between 40 and 49.

Minister of State at the Department of Education and Science (Mr. Haughey): I am taking the Adjournment debate on behalf of the Minister for Health and Children, Deputy Harney.

I welcome the opportunity to address the issues raised by the Deputy and to set out the current position on the roll-out of the national breast screening programme in the west. I can confirm that BreastCheck screening will commence in the west from next April. My colleague, the Minister for Health and Children, Deputy Harney, has met with representatives of BreastCheck. They are fully aware of her wish to have a quality assured programme rolled out to the remaining regions in the country as quickly as possible. For this to happen, essential elements of the roll-out must be in place, including adequate staffing, effective training and quality assurance programmes.

At a recent meeting with the Minister, BreastCheck reported on the significant progress that has been made in preparation for the roll-out in the west. The Minister approved additional funding of €8 million for this year. This is for BreastCheck to meet the additional costs of roll-out and an additional 69 posts have been approved. The clinical director for the western region took up her position last November. BreastCheck has recently appointed three consultant radiologists, two consultant surgeons and two consultant histopathologists, all with a special interest in breast disease. The recruitment of radi-

ographers and other staff is under way. These are the essential multidisciplinary staff required to implement a quality assured breast screening programme and primary treatment programme.

The Minister has also made available an additional €26.7 million capital funding for the construction of two new clinical units and the provision of five additional mobile units and state-of-the-art digital equipment. The BreastCheck clinical unit in the western area at University College Hospital Galway will have two associated mobile units and is on schedule for hand-over in September followed by a three-week commissioning period.

The expansion of screening to the west will take place in advance of the commissioning of the static unit. This expansion will cover counties Galway, Sligo, Roscommon, Donegal, Mayo, Leitrim, Clare and Tipperary North Riding. There are approximately 58,000 women in the target age group in these counties.

A breast screening programme is a complex multidisciplinary undertaking that requires considerable expertise and management involving population registers, call-recall systems, mammography, pathology and appropriate treatment and follow up. A programme must be quality assured and acceptable to women who attend for screening.

The first phase of the programme is of a high quality and a similar quality in the west is essential. BreastCheck is committed to the earliest possible provision of quality assured screening in the west. In response to a request from the Minister for Health and Children, BreastCheck is to achieve the early deployment of a mobile unit in a location in the west in accordance with her target date of the end of April. BreastCheck is putting all of the elements in place to meet the April roll-out. BreastCheck expects to confirm details of the actual roll-out in early April.

The Minister wishes to acknowledge the significant efforts of the staff at BreastCheck to deliver on the commitments to the west. The expansion involves existing professional and management staff at BreastCheck who have shown considerable leadership in supporting this roll-out.

Dr. Cowley: It is welcome but it is not a full roll-out and will not be until October.

Homeless Persons.

Mr. Gilmore: I thank the Leas-Cheann Comhairle for permitting me to raise this issue. It concerns the future of the two largest hostels for homeless people in Dublin, the Morning Star and the Regina Coeli hostels. I raise the issue by way of a question through the Minister of State who is taking the Adjournment debate to the Minister of State at the Department of the Environment, Heritage and Local Government with responsibility for housing.

I understand the Health Service Executive owns both hostels but that the Legion of Mary operates them under a lease arrangement. I appreciate the work of the Legion of Mary in providing services to homeless people at these hostels. Issues have arisen recently that may call into question the future of the two hostels and of the sites on which they are located. Both are in need of modernisation. My information is that the HSE and the Legion of Mary have been discussing this and that the future ownership of the hostels and their sites has arisen in this context.

I would like the Minister of State to answer a few questions. Does the HSE own the two hostels? Is it true that the freehold of the two hostels is being transferred to the Legion of Mary or to a trust associated with the legion? If so, will the Minister of State tell us on what terms such a transfer is taking place, how the decision was made to transfer the leasehold, by whom and at whose behest? What arrangements are being made for the upgrading and modernisation of the hostels? Are these arrangements in any way linked to a possible future sale of the hostels and their sites? If so, will the Minister of State outline the value put on the hostels and their sites and how that compares with the cost of renovating or renewing the hostels? Have any contracts or legal agreements been entered into in respect of any of these matters and what consultation, if any, has taken place with the Homeless Agency on these issues? Has the Minister or anyone else in Government been involved in these matters?

The Morning Star and Regina Coeli hostels have served the homeless of this city well. They need to be modernised and that should be done as soon as possible. I would, however, be concerned if issues that have arisen recently regarding the condition and suitability in modern times of these hostels were to be used to justify their sale, especially considering that they are located close to an area of the city which is due for redevelopment. There is a need for some clarity on what is happening in respect of the ownership and leasing arrangements of the hostels. If there is an agenda from wherever and for whatever reason which involves the sale of the hostels and realisation of what is undoubtedly a considerable asset at that location, that needs to be put face up on the table.

Mr. Haughey: I am taking the Adjournment debate on behalf of the Minister for Health and Children and thank the Deputy for raising this matter.

Irish policy is that appropriate health care is accessible to all. While the Department of the Environment, Heritage and Local Government holds lead responsibility for the provision of accommodation to homeless persons, the provision of health services to this group is primarily a matter for the Department of Health and Children and for the HSE.

[Mr. Haughey.]

Homelessness — An Integrated Strategy, published in May 2000, aimed to tackle all aspects of homelessness, through the joint efforts of the Department of Health and Children, the HSE, the voluntary service providers, the Department of the Environment, Heritage and Local Government, and the local authorities.

Since the publication of the strategy, the Department of Health and Children has provided just over €33 million additional funding to the HSE towards its implementation. In the same timeframe the HSE has made significant progress towards meeting the in-house care costs along with developing new designated services for homeless adults who are not ready or able to avail of mainstream services. This has included the development of primary care services in hostels and day services, including dental, GP, nursing, chiropody, alcohol detoxification and counselling services. In addition, outreach teams and dedicated mental health teams have been established with the aim of linking people who are homeless into mainstream services.

In 2006 the Department of the Environment, Heritage and Local Government commissioned a review entitled Homelessness — An Integrated Strategy to evaluate outcomes. The findings of the review form the basis of the current draft of a new integrated homelessness strategy, produced in consultation with the Department of Health and Children and the Health Service Executive. The strategy is now well under way.

The new strategy will aim to meet the target of eliminating long-term homelessness by 2010, as set out in the new social partnership agreement Towards 2016. Such a goal should have a positive impact on approximately 500 households. Priority will be given to those in emergency accommodation. An emphasis on interagency service co-ordination, and on improving the case management approach, has been agreed to respond holistically and optimally to the needs of homeless persons. The establishment of a national homelessness consultative committee, including representatives of the social partnership, community and voluntary pillar, under the aegis of the housing forum, will enhance participation of the voluntary and co-operative housing sector. This sector would include organisations such as the Legion of Mary.

I understand from information provided by the HSE that in late December 2006 and early 2007 it carried out a review of the Morning Star and Regina Coeli hostels, which are run by the Legion of Mary from HSE premises. As a result of that review, the freehold of the premises has been transferred from the HSE to the Legion of Mary with covenants. These premises had been made available rent-free to the Legion of Mary until the transfer. The covenants transfer responsibility for the premises in full to the legion as owner and require that the legion provide quality charitable

services. The HSE has confirmed that it will remain in contact with the legion with regard to an evaluation of services and a strategic plan for service development.

I acknowledge the work of the Legion of Mary in supporting homeless persons and other vulnerable people for many decades at these and other centres, and at community level.

School Accommodation.

Mr. Deenihan: I raised this issue in the House on 20 May 2004 but there has not been much progress since. Dromclough national school, my *alma mater*, has 197 pupils and had 176 in 2004. The school is therefore expanding but unfortunately the Department has been very slow in providing proper accommodation.

There are 11 teachers in the school, including seven class teachers, three resource and learning support teachers and a principal. There are six classrooms and one prefab. Four of the classrooms are deemed unsuitable for teaching and this is implied in the report of the inspector.

In January 2006, a new school of eight classrooms was approved by the Department but representatives of the school are still waiting for an architect, quantity surveyor and official from the Department to visit the site to decide on the exact design and determine whether two of the classrooms of the existing school could be integrated into the new one. This is very unlikely. In the meantime, progress has been made on new schools in the locality and there have been amalgamations. When the site had to be identified, two existing schools had to be more or less ruled out for further extension. Dromclough, however, seems to have been left behind. I appeal to the Minister of State, Deputy Haughey, to make a special case for the school such that a team can visit it as soon as possible to decide on the exact design of the new eight-classroom school.

I will not elaborate on the conditions in which the teachers are working as I did so three years ago. The conditions are still the same and the principal's office is in a converted bathroom, which is just not acceptable.

I appeal to the Minister of State to mention this case to one of his officials so he or she will remind the Department that it should be treated as a matter of urgency and not be left on the long finger. The principal, her staff and the parents are becoming increasingly frustrated at the apparent lack of action given that they see action in respect of other schools in the area, including those in the same parish.

Mr. Haughey: I thank the Deputy for raising the matter as it affords me the opportunity to outline to the House the Government's strategy for capital investment in education projects and also the position of the Department of Education and Science on the application for an extension to

Dromclough national school, Listowel, County Kerry.

Modernising facilities in our 3,200 primary and 750 post-primary schools is not an easy task given the legacy of decades of under-investment in this area, in addition to the need to respond to emerging needs in areas of rapid population growth. Nonetheless, since taking office this Government has shown focused determination to improve the condition of our school buildings and to ensure that appropriate facilities are in place to enable the implementation of a broad and balanced curriculum. As evidence of this commitment, over €540 million will be available to be spent on schools building and modernisation projects in the coming year. This will cover both primary and post-primary schools throughout the country.

Since 1997, a total of €3 billion has been invested in school buildings and this has delivered over 7,800 school building projects. The further investment of over €540 million will build on these achievements and focus in particular on the provision of school accommodation in areas where the population is growing at a rapid rate. As further evidence of our commitment, national development plan funding of approximately €4.5 billion will be invested in schools over the coming years.

I am sure the Deputy will agree that this record level of investment is a positive testament to the high priority the Government attaches to ensuring that school accommodation is of the highest standard possible. Moreover, to reduce red tape and allow projects to move faster, responsibility for smaller projects has been devolved to school level. Standard designs have also been developed for eight-classroom and 16-classroom schools to facilitate speedier delivery of projects and save on design fees. The design and build method is also used to expedite delivery where the use of standard designs is not possible. Taken together with the unprecedented level of funding available, these initiatives ensure that building projects are delivered in the fastest timeframe possible.

Dromclough national school is a co-educational primary school with a September 2006 enrolment of 194 pupils. Enrolments at this school have increased in recent years from 164 pupils in 2001 to 194 pupils in 2006. The school has submitted an application to the Department for an extension and the long-term staffing figure on which accommodation needs will be based has been determined and notified to the school authority. It has been agreed that appropriate accommodation should be provided to cater for a long-term projected staffing of principal, eight mainstream assistants and ancillary, ie. an eight classroom school with appropriate ancillary accommodation.

The next step is to carry out a technical investigation of the existing building and site to determine their suitability. When this inspection has been completed the project will be progressed in

the context of the school building and modernisation programme.

I thank the Deputy for raising this matter and allowing me to outline the progress being made under the school building and modernisation programme and the position with the application for an extension to Dromclough national school, Listowel, County Kerry.

School Closure.

Mr. Broughan: I thank the Minister of State for coming in for this Adjournment debate.

There was report on the RTE news at 9 o'clock a few weeks ago about the pending closure of Greendale Community School in Foxfield St. John parish, Kilbarrack, Dublin 5. The coverage was of a farewell reunion of the 3,000 or so students who had passed through the school in the past 30 years. It was an astonishing turn-out on the night, with many famous faces, including former teachers such as Roddy Doyle and Paul Mercer, two of our great writers, and Brian Mullins, one of greatest Dublin athletes, who with the rest of the staff under the valiant principal, Mr. Anton Carroll, contributed so much to Greendale and the wider Kilbarrack community.

Recently a meeting was organised by the parents' association of Greendale Community School. The association made disturbing points about the negative impact of the closure on the current generation of second level students in Kilbarrack. The final third year group is reaching its end, ready for its junior certificate, but when those third years transfer from Greendale to other schools, they will not have a chance to pursue the senior cycle programmes, including the LCA. Students transferring to some other schools will not be allowed to choose their key subject options until the indigenous students have made their choices first. Greendale students, who have enjoyed a school completion programme, supports and participation in the Trinity College access programme, which was a vibrant part of the Greendale community, with 1,000 adult pupils, will no longer have these facilities. Students transferring from Greendale to join transition year programmes elsewhere also face stiff charges.

The committee complained bitterly that some parents from low income households must resort to the Society of St. Vincent de Paul for financial assistance. Greendale Community School always made a point of taking everyone who presented to the school and giving them whatever support was necessary. That was Mr. Carroll's policy and that of his board and the staff for the past 30 years.

There has been a traumatic impact on the second level students in the east Kilbarrack area. We have the amazing situation that the sports centre, which is home to a club from the Minister of State's constituency, the famous Killester Basketball Club, one of the great national clubs

[Mr. Broughan.]

which revamped it to the quality of an American university basketball championship facility, will be totally closed down. Most of all there has been a negative impact on the wider community and the grave fear of many residents, led by Mr. Thomas Moore and others, is that the whole site will fall prey to developers who will try to put a high density, high rise development because of the location's proximity to the DART.

The worst aspect of the closure process over the past three years, as Mr. Carroll, the staff and the trade union representatives made clear at the recent meeting was that the distinguished staff of 40 teachers and other educational workers, have been treated extremely badly. There has been no consultation at all, only one meeting took place. Everyone agrees that is a disgraceful way to treat such dedicated staff.

There is still time to reverse this disgraceful decision and to seek other sponsors to create a new school board that would relaunch Greendale Community School. In my constituency, a major new city of 25,000 housing units is being built and they could access the Greendale site by DART so why should we close such a school?

The Minister of State at the Department of Education and Science, Deputy Brian Lenihan, told me that the Department would be open to any discussions on the future educational and community use of Greendale. I urge the Minister of State, as a local Deputy from the neighbouring constituency, to take vigorous action in this regard. The last time I raised this issue I proposed that all the local stakeholders and public representatives, the Kilbarrack community, Killester Basketball Club, Naomh Barróg, Kilbarrack United and all the other famous local groups, together with the local north central city council management team, led by Ms Céline Reilly and Ms Elaine Mulvenny, and the VECs, TCD, DCU and UCD come forward with a proposal for the site.

Deputy Haughey and I have served together for many years on the Northside Partnership and have wide experience of creating community development bodies based in former schools. Deputy Haughey knows that Northside Partnership and the Coolock Development Council, of which I was founding chairperson, are based in

an old school building. We have done this before and I urge the Minister of State in the final months of the Government to set in train talks that will ensure the Greendale site is preserved in perpetuity as a community educational and social facility for all the people of Kilbarrack, Raheny, Donaghmede and surrounding districts.

Mr. Haughey: I thank the Deputy for raising this matter as it provides me with an opportunity to outline to the House the current position of the Department of Education and Science with regard to the planned closure of Greendale Community School, Kilbarrack, Dublin 5.

Greendale Community School is located in the Howth deanery, a unit of 13 parishes in the archdiocese of Dublin. Located in Kilbarrack, Dublin 5, it was built in 1975 to accommodate 800 pupils. The school expanded quickly to exceed its enrolment capacity and an extension to bring the school's capacity up to 900 pupil places was provided by the Department of Education in the early 1980s.

In line with demographic changes in the area, the school has experienced a steady decline in enrolments in recent years. Since 1996-97, enrolment has declined by 50% from 449 students to 215 students in the 2003-04 school year. The Department officials held meetings with the trustees in 2003 to discuss the future of the school because there did not appear to be adequate pupil numbers in the locality to enable it to regenerate.

The trustees advised the Department in March 2004 that a decision had been taken to close the school in June 2007 and that there would be no further intake of pupils from September 2005. When Greendale Community School closes in 2007, ownership of the school property which is currently vested in the trustees, will revert to the Department of Education and Science. The Department is currently considering all available options in regard to the future use of the school property.

I take on board the suggestion made by Deputy Broughan and will take an active interest in the issue along the lines he has suggested. I thank the Deputy once again for raising this matter.

The Dáil adjourned at 11.20 p.m. until 10.30 a.m. on Thursday, 22 March 2007.

Written Answers.

The following are questions tabled by Members for written response and the ministerial replies as received on the day from the Departments [unrevised].

Questions Nos. 1 to 10, inclusive, answered orally.

Questions Nos. 11 to 79, inclusive, resubmitted.

Questions Nos. 80 to 88, inclusive, answered orally.

Northern Ireland Issues.

89. **Mr. O'Shea** asked the Minister for Foreign Affairs if his attention has been drawn to recent reports that according to a former British Secretary of State for Northern Ireland, the British Prime Minister gave a written guarantee of a number of side deals to Sinn Féin leaders at the Weston Park negotiations in 2001; if the Irish Government had any knowledge of these side deals; if he will raise this issue with his British counterpart; and if he will make a statement on the matter. [10506/07]

Minister for Foreign Affairs (Mr. D. Ahern): Following intensive discussions at Weston Park in July 2001 involving the Irish and British Governments and the parties, the two Governments published the elements of a package which they believed would help deliver the full and early implementation of the Good Friday Agreement. The package covered all four of the then outstanding issues, namely policing, normalisation, the stability of the institutions and decommissioning. While addressed to party leaders, and intended to ensure the effective functioning of the Agreement, the proposals were immediately made public by the two Governments. The published proposals were the basis on which contacts with the parties were subsequently pursued. The Government is not aware of, and of course could not be bound by, any other communications between participants in the talks.

While the process of securing full implementation of the Good Friday Agreement has been a

difficult one, with progress often less than we would wish, it is widely recognised that the discussions at Weston Park, and the proposals subsequently published by the two Governments, played a significant part in unblocking the negotiations. This process, while not without difficulties and setbacks, led ultimately to the St. Andrew's Agreement, and will hopefully culminate in the restoration of the institutions by the 26 March deadline.

Foreign Conflicts.

90. **Mr. Cuffe** asked the Minister for Foreign Affairs his views on the continuing violence in Iraq and on possible solutions to the conflict. [10384/07]

155. **Mr. Quinn** asked the Minister for Foreign Affairs if he will make a statement on the outcome of the recent regional conference on Iraq. [10517/07]

175. **Ms McManus** asked the Minister for Foreign Affairs if he will report on the situation in Iraq, four years after the invasion of that country; his views on reports that more US troops are to be deployed in Iraq; and if he will make a statement on the matter. [10496/07]

Minister for Foreign Affairs (Mr. D. Ahern): I propose to take Questions Nos. 90, 155 and 175 together.

The Government shares the widespread concern at the very dangerous and difficult situation in Iraq. The appalling security situation, and especially the continuing spiral of vicious sectarian violence, dominate all developments. As a result, the political and reconstruction efforts of Iraq's first fully sovereign and democratic Government have effectively been blocked. A number of security efforts have so far failed to control the violence. There is a clear obligation

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on all parties to cooperate to end this nightmare situation for the Iraqi people.

Baghdad has been the worst affected area in recent months. As Deputies are aware, the U.S. has despatched an additional 25,000 troops to Iraq, with the specific objective of combating the terrible violence in the city. It is clear that there are major risks with any such strategy, but also that there is now no course of action in Iraq which is without risk. This latest security operation is visibly a joint one, undertaken with Iraqi forces. Its aim is to remove Shia militias from the streets, as well as to combat Sunni insurgents. The intention is to retain control of and establish administration in each area as it is cleared of violence, and to reconstruct and restore essential services. During my discussions in the Middle East last month, Arab political leaders emphasised that they fully supported the objectives of this initiative. Some initial success has been reported, but it remains too early to judge its effectiveness at this stage.

The Government has emphasised consistently that security operations will only succeed in the longer term in the context of a broadly political approach. It remains essential to work creatively to engage the Sunni community in the political system, including in the review of provisions of the democratically-approved Constitution for Iraq. The recent approval by the Iraqi Government of a new law to divide oil revenues more equitably among the regions may also prove to be an important step in this regard.

The Government continues to believe that a secure and peaceful Iraq can only be assured through the maintenance of its territorial integrity, the development of shared political and other institutions and the consolidation of strong political and economic links with all the countries of the neighbouring region. We believe that the regional conference held in Baghdad on 10 February was a particularly significant initiative by the Iraqi Government. All the participants committed themselves to assisting the Government to stabilise and regain control of their country, so that it can regain its place in the region. It is essential now that the pledges made be lived up to. The conference has established working groups on security, on refugees and displaced persons, and on fuel and energy. It is important that agreement be reached as soon as possible on the timing and venue of the follow-up regional meeting at Ministerial level.

The principal concern of the Government and our EU partners is obviously for the welfare of the Iraqi people, as they attempt to rebuild their country after years of dictatorship and war. The EU has provided over €700 million in assistance for reconstruction since 2003. Last month, the Government announced a pledge of a further €3 million in assistance for the victims of the current violence, in particular the large numbers of families who have been forced to flee their

homes, and are displaced in Iraq or are forced to live as refugees abroad. This represents a substantial increase on the €7.9 million already provided by the Government for humanitarian assistance in Iraq. Last week, we also announced the allocation of a further €100,000 to support the UN Assistance Mission in Iraq.

Official Engagements.

91. **Dr. Twomey** asked the Minister for Foreign Affairs the number of United Nations meetings that he will attend over the coming three month period; the issues he hopes to address at these meetings; and if he will make a statement on the matter. [10413/07]

Minister for Foreign Affairs (Mr. D. Ahern): The Taoiseach had an excellent meeting with the recently appointed UN Secretary General, Mr Ban Ki-moon in New York last week. This was a very useful discussion, which ranged over a number of issues. Secretary General Ban expressed his appreciation for Ireland's work at the United Nations, particularly our strong involvement in UN peacekeeping and our support for reform. The Secretary General was very appreciative of the advice and support the United Nations has received from Ireland in regard to its reform initiatives, including my own role as Envoy ahead of the World Summit in 2005.

In addition to the substantial increase in the level of Irish support for UN Funds and Programmes, a number of other issues were discussed during the meeting, including climate change, HIV/AIDS, Darfur, the Middle East and Northern Ireland.

It is customary for Ministers for Foreign Affairs to attend the opening plenary session of the UN General Assembly in September each year. I attended the General Assembly last year and, in addition to delivering the national statement on behalf of Ireland, met with the outgoing Secretary General and the new President of the Assembly. I also held a number of bilateral meetings with Ministerial counterparts. Apart from this, I have no immediate plans to attend UN meetings though officials, in particular at the Permanent Missions in New York and Geneva, will of course be actively representing Ireland at the range of on-going political, human rights, development and other meetings.

International Conferences.

92. **Mr. Boyle** asked the Minister for Foreign Affairs if he will report on the two day conference in Oslo in February 2007, co-sponsored by Ireland, Norway, Austria and New Zealand to call for a ban to cluster bombs; and if he will make a statement on the matter. [10382/07]

Minister for Foreign Affairs (Mr. D. Ahern): On 22 and 23 February, Norway hosted an international conference in Oslo to discuss how to

address effectively the humanitarian problems caused by cluster munitions. The conference followed the failure of the Review Conference on the Convention on Certain Conventional Weapons (CCW), in November 2006, to agree on a mandate to negotiate an international instrument on the use of cluster munitions.

The aim of the Oslo conference was to outline the objectives and develop an action plan for a process leading to a new international instrument that will effectively address the unacceptable human and social costs of the use of cluster munitions. The conference was attended by 49 states, as well as a large number of non-governmental organisations. Ireland played a central role during the conference and chaired a number of sessions during the two days.

A declaration at the end of the conference was endorsed by 46 of the 49 participating states, including several states that possess cluster munitions. This was a much larger number than might have been expected. The Oslo Declaration, which I have placed in the Dáil Library, committed states to conclude a legally binding instrument by 2008 that prohibits the use, production, transfer and stockpiling of cluster munitions that cause unacceptable harm to civilians. In addition, states committed themselves to establish a framework for cooperation and assistance that ensures adequate provision of care and rehabilitation to victims, clearance of contaminated areas, education on the dangers of cluster munitions and destruction of stockpiles of prohibited cluster munitions. This represents a successful and very encouraging start to a process which will undoubtedly be complex but which I am confident will gain further momentum in the coming year.

During the conference, Ireland called for a total ban on cluster munitions. We indicated that our call for a ban was as a result of concerns based on our experiences in peacekeeping and in humanitarian relief, where we have seen at first hand the dreadful impact of cluster munitions. We recognised, however, that while an outright ban might not be achievable immediately, we would work with other governments and civil society to make as much progress as is possible in present circumstances. In the absence of a ban and pending an effective instrument to address concerns regarding their use, Ireland declared its support for an immediate freeze on their use.

We remain committed to working within the CCW process, and elsewhere, to seek agreement on such an instrument. A series of meetings to further this objective will be held in the coming months. The International Committee of the Red Cross is organising an expert meeting in April. The CCW itself will hold a meeting of government experts in June. In addition, Peru will host a meeting in May under the Oslo process and this will be followed by a similar meeting in Vienna in December. Ireland has committed itself to hosting a meeting in Dublin in early 2008, when

we hope that an international instrument will be close to finalisation. We will do everything possible so that these meetings can contribute to building momentum towards an effective international instrument.

Departmental Websites.

93. **Mr. Kenny** asked the Minister for Foreign Affairs the number of times his Department's website has been inaccessible to the public since 1 January 2007; if he is satisfied with the speed of the website and the ease with which information can be downloaded from the website; and if he will make a statement on the matter. [10420/07]

157. **Mr. English** asked the Minister for Foreign Affairs the number of times in the past year that the Foreign Affairs website has been taken down due to technical difficulties, rendering the information inaccessible to the public; and if he will make a statement on the matter. [10418/07]

Minister for Foreign Affairs (Mr. D. Ahern): I propose to take Questions Nos. 93 and 157 together.

There were no recorded instances during 2006 where the Department's website was taken down due to technical difficulties. Since the beginning of 2007, the Department's website has been inaccessible to the public on two occasions. The first occasion was for a period of approximately one hour on 8 February, to allow for essential maintenance and for updates to be installed. During the period to 8 to 13 February, the site was operating at a reduced capacity and users experienced a slower speed. In order to address these problems, the site was again inaccessible on 13 February. It was restored to full working order the following day and has been operating satisfactorily since then.

The Department launched a new, redesigned website last December. It incorporates a number of new features including a facility allowing passport applicants to track the progress of their applications on-line. The new site also features regularly updated travel advice on a country-by-country basis and more accessible information on all aspects of Ireland's foreign policy. The website is hosted by the Local Government Computer Services Board (LGCSB) which will shortly have a server dedicated exclusively to the Department's website.

The new website marks a significant advance on the previous version and, apart from the one week period in February, I am satisfied that the site is operating satisfactorily in terms of speed and ease of access for information download.

Question No. 94 answered with Question No. 87.

Diplomatic Relations.

95. **Ms Shortall** asked the Minister for Foreign

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Affairs the contacts he has had with the Venezuelan Government in recent times. [10518/07]

Minister for Foreign Affairs (Mr. D. Ahern): Ireland is accredited to Venezuela through our Ambassador to Mexico on a non-residential basis. Ambassador Dermot Brangan presented his credentials to the then Venezuelan Vice President, Mr Jose Vicente Rangel, in Caracas on 8 May 2006. On 19th September 2006, the Ambassador of Venezuela in London, who is also accredited to Ireland, called on the Secretary General of the Department of Foreign Affairs.

Ireland's relations with Venezuela are conducted primarily in the multilateral context, in particular through the framework of the EU-Latin America and Caribbean relationship, as well as the EU-Rio Group strategic dialogues. The most recent Government-level contact in the multilateral context took place at the Fourth EU-Latin America and Caribbean Summit in Vienna on 12th May 2006, at which sixty EU and Latin American and Caribbean Heads of State or Government were present. The Taoiseach and Minister of State Noel Treacy represented Ireland at the Summit.

Regular meetings at senior official level are held between the EU and representatives of all the Latin American and Caribbean States, most recently in Lima on 1-2 March 2007.

Middle East Peace Process.

96. **Mr. Carey** asked the Minister for Foreign Affairs the Irish Governments position on, and response to, the Israeli E-1 plan in occupied east Jerusalem. [10461/07]

119. **Mr. Crowe** asked the Minister for Foreign Affairs if he will make a statement on the recent Israeli illegal military incursion into Nablus (details supplied); the response the Government will make; and if he will demand the suspension of preferential trade with Israel. [10451/07]

136. **Ms McManus** asked the Minister for Foreign Affairs the present position in Gaza and the occupied territories; the ongoing mediations that have been made by the EU; and if he will make a statement on the matter. [10495/07]

140. **Mr. Gormley** asked the Minister for Foreign Affairs the Government's policy in regard to the EU-Israel Association Agreement, particularly in view of recent calls by a Catholic Church delegation in its document, Palestine/Israel, Principles for a Just Peace, for a review of that policy; and if he will make a statement on the matter. [10379/07]

168. **Ms Enright** asked the Minister for Foreign Affairs if he will make a statement on the Middle East peace process. [10402/07]

237. **Mr. M. Higgins** asked the Minister for Foreign Affairs his views on the absence of progress at the most recent Israeli Palestinian talks; and if he will make a statement on the matter. [10623/07]

Minister for Foreign Affairs (Mr. D. Ahern): I propose to take Questions Nos. 96, 119, 136, 140, 168 and 237 together.

A comprehensive settlement in the Middle East is more urgently needed now than at any time in the past sixty years. At its heart must be a negotiated two-State solution to the Israeli-Palestinian conflict. The Government has remained actively engaged in the promotion of a just and lasting solution, which was the focus of my recent visit to Israel, Palestine, Egypt and Lebanon.

Over recent months, the EU has strongly encouraged President Mahmoud Abbas in his efforts to form a Palestinian national unity Government. On 17 March, I welcomed the formation of the new Government following its approval by the Palestinian Legislative Council the same day. We are greatly encouraged by the efforts of President Abbas, in extremely difficult circumstances, to create a political consensus around the concept of a two-State solution, and to end the terrible violence in the Occupied Territories between armed Palestinian groups.

I believe that there is now a major opportunity, which must not be lost, to build a real momentum for lasting peace. In the coming days and weeks, the Government will work closely with our EU partners for a positive and creative response by the Union. We must be ready to work with President Abbas and with the new Government, on the basis of an active commitment to a two-State solution and a clear end to all violence. The urgent challenge now is the resumption of a credible political process which will provide lasting peace and security to the Israeli and the Palestinian people.

Other Arab States, especially Egypt and Saudi Arabia, have been playing a crucial role. The forthcoming Arab League Summit in Riyadh on 28 March could be particularly significant, if it sets out a clearly united Arab position on readiness to recognise Israel in return for the establishment of a Palestinian State based on the 1967 borders.

In these circumstances, it remains essential that Israel and the Palestinian Authority abide by their obligations under the Quartet Roadmap, and under international law. We have called clearly for an end to all violence. The Israeli soldier captured in Gaza last June should be released immediately, and Israel should also immediately release all detained Palestinian legislators. All rocket attacks on Israeli territory should end, and Israel should end its military operations in Gaza and the West Bank.

The recent Israeli military incursion into Nablus was launched on 23 February, and finally

ended on 2 March. There are conflicting claims about the operation, but it is clear, according to the UN, that some 20,000 people living in the densely populated Old City were under curfew for several days, causing significant disruption to their lives and welfare. The priority now must be to try to ensure that the ceasefire in Gaza is extended to the West Bank, and that a genuine focus can be maintained on the possibilities for political progress. It is very clear that there can be no military or unilateral solutions to the Israeli-Palestinian conflict.

Deputies will be aware that the Government, and our EU partners, continue to be very seriously concerned at the expansion of Israeli settlements, the construction of the security barrier on occupied Palestinian land and the practice of house demolitions in East Jerusalem and the West Bank. These practices are contrary to international law, and threaten to undermine the viability of a two-State solution. I set out the Government's concerns on these and related issues during my meeting with the Foreign Minister of Israel, Ms. Tzipi Livni, in Jerusalem on 31 January. I also expressed serious concern about the proposed construction of the E1 corridor between East Jerusalem and the large settlement of Maale Adumim. The construction on E1 would cut across the main route for Palestinian traffic between Bethlehem and Ramallah, and would effectively divide the West Bank into two separated enclaves.

I briefed a delegation from Trócaire on my visit when I met them at Leinster House on 27 February. We also discussed the position paper published by the Irish Commission for Justice and Social Affairs on the situation in Palestine, which is an important contribution to the debate on the role of the international community in assuring a just and lasting peace. The delegation raised with me the question of review or suspension of the EU-Israel Association Agreement. It remains the view of the Government that any proposal for suspension, which would require consensus within the European Union, would not serve the interests of any of the parties. The objective at this point is to enhance dialogue with all of the parties. The annual meetings of the Association Council under the Agreement provide the opportunity for the EU to highlight its concerns on a wide range of issues. There is also a strong argument that suspension would seriously undermine the role of the EU in the peace process and create difficulties in implementing programmes of assistance to the Palestinian Authority.

Human Rights Issues.

97. **Mr. Costello** asked the Minister for Foreign Affairs if he has raised the issue of the imprisonment and ill treatment of the leader of the opposition and members of the opposition in Zimbabwe with the appropriate authorities; if he has raised this issue with his colleagues in the

European Parliament; and the actions they propose to take. [10514/07]

249. **Mr. Durkan** asked the Minister for Foreign Affairs the extent to which he or his colleagues at the UN or EU have been in a position to positively influence the situation in Zimbabwe; the extent to which the international community can assist in the situation concerning the opposition leader; and if he will make a statement on the matter. [10827/07]

Minister for Foreign Affairs (Mr. D. Ahern): I propose to take Questions Nos. 97 and 249 together.

As I made clear in my reply earlier to Questions 80 and 84, the political, economic and human rights situation in Zimbabwe is a matter of the most serious concern. There is currently no indication that the Zimbabwean government is willing to alter the malign policies which have destroyed the country's economy. Nor is there any sign of an intention to introduce real and necessary democratic reforms. On the contrary, we have seen increased repression, with large-scale arrests of peaceful demonstrators and, this month, incontrovertible evidence that opposition activists have been seriously ill-treated in police detention.

The actions of the Zimbabwean police at a peaceful church-sponsored rally organised by the Save Zimbabwe Campaign on 11 March resulted in one death and several injuries. Many of those who were arrested — including Morgan Tsvangirai, the leader of the opposition Movement for Democratic Change — suffered further severe injuries while they were in police custody.

Not only did the Zimbabwean Government fail to discharge its responsibility for the safety and well-being of those in custody, but the open and unapologetic attitude of President Mugabe and the Zimbabwean leadership in relation to this shocking incident has been frankly outrageous. The police action in the break up of the protest contravenes the internationally recognised rights of freedom of speech and of assembly. The ill-treatment of those in custody also infringes international human rights standards, including the African Charter on Human and Peoples' Rights, of which Zimbabwe is a signatory. On 12 March, the UN Secretary General expressed concern about the detention of opposition leaders in Zimbabwe, and condemned the beating of those leaders in police custody.

On 12 March, the EU Presidency issued a statement on behalf of the Union condemning the violent break-up of the protest on 11 March and the ongoing violent suppression of the freedom of opinion and of assembly, as well as of other fundamental rights in Zimbabwe. The Presidency called on the Government of Zimbabwe to focus on resolving the country's pressing problems in a dialogue with all of the country's political forces.

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EU Heads of Mission attempted to visit the opposition leaders in prison. However, they were denied access to those detained. On 14 March, the EU Presidency issued a further statement, noting the release of 14 members of the opposition and calling for the immediate release of the other detainees. On 17 March the Chairman of the African Union Commission, Mr Alpha Konare, expressed deep concern at recent developments in Zimbabwe and recalled the need for scrupulous respect for human rights and democratic principles there.

I also issued a statement on behalf of the Government, condemning the disgraceful actions of the police, and expressing my condolences to the family of the protester who was killed. I urged the Zimbabwean government to cease suppressing the basic fundamental rights of its people. I noted that a new approach, which includes dialogue between all political forces, is needed to resolve Zimbabwe's serious political, social and economic problems. Now is the time for the international community, including the EU and the members of the Southern African Development Community (SADC) to work together to help bring about peaceful change in Zimbabwe.

In a further development, opposition MP Nelson Chamisa was arrested and brutally treated while on his way to an EU meeting in Brussels on 18 March, while on 17 March two other opposition MPs were prevented from leaving Zimbabwe for medical treatment. The EU Presidency has issued a statement expressing its outrage at these acts and calling on the Zimbabwean Government to release all detained opposition politicians immediately, to enable them to have access to legal assistance and medical care, and to allow representatives of the EU Presidency to visit them.

As a mark of the EU's concern, EU Presidencies in the SADC countries have taken the step of expressing to their host governments the concern of the EU and its Member States about the recent developments in Zimbabwe. Senior EU officials are discussing the situation in Zimbabwe in Brussels today. The EU already has restrictive measures in place against the leadership of Zimbabwe, and last month the Common Position on these restrictive measures was renewed until February 2008. I am not aware of whether there are current plans for the issue to be discussed at the European Parliament, but I do know that developments in Zimbabwe are followed very closely there.

We will continue to work together with our partners in the EU and the wider international community for the peaceful political change which will help to provide a brighter future for the beleaguered people of Zimbabwe. The disgraceful events of 11 March should encourage us all in the international community to redouble our efforts in this regard. Our Embassy in Preto-

ria is accredited to Zimbabwe and I have instructed our Ambassador there to raise these issues directly and forcefully with the Zimbabwean authorities at an early date.

Commemorative Events.

98. **Mr. English** asked the Minister for Foreign Affairs the plans of his Department to commemorate the 50th anniversary of the signing of the Treaty of Rome; and if he will make a statement on the matter. [10417/07]

Minister for Foreign Affairs (Mr. D. Ahern):

The 50th anniversary of the signing of the Treaties of Rome on 25 March, 1957 is a milestone in the history of the Union. As I have indicated already in the House, it is entirely appropriate that we avail of the opportunity presented by the anniversary to highlight the contribution the European Union has made to our national well-being. Citizens throughout the Union should also have the opportunity of celebrating the peace and prosperity achieved by Europe over the past half century.

The German Presidency is preparing a declaration on the occasion of the anniversary for adoption by EU Heads of State and Government during their meeting in Berlin this weekend. We fully support the Presidency in their intention to produce a text that will, in straightforward terms, recall the immense achievements of the Union, the distance we have travelled since the adoption of the Treaty, and our shared determination to meet the challenges of the future in the interests of our citizens.

In Ireland, we are planning a number of events during the year to mark this important anniversary. My Department is coordinating its efforts with, among others, the Department of An Taoiseach, the Department of Education, the European Movement, the National Forum on Europe, the Central Bank, An Post, the Institute of Public Administration, the Institute of European Affairs, the European Commission, and the European Parliament. I would refer the House to the special weblink on EU 50 on my Department's website www.dfa.ie which provides information on EU 50 events. This will be updated periodically during the year.

As I have noted previously, I believe that it is especially important for our young people, who have not had direct experience of the transformation of Ireland since we joined the European Communities, to be made aware of Europe's remarkable progress over the past fifty years. The events envisaged include a commemorative coin and stamp to be issued later this month; a series of schools' competitions; a DVD for distribution to schools; and a programme of lectures at various third level institutions throughout the country. My Department will fund a special commemorative newspaper supplement on the European Union and Ireland which will appear next week

and which will be sent to every secondary school in the country. A public event will be held at Farmleigh in July and, later in the year, a commemorative book of essays will be published. I shall also, next week, host a formal reception for the diplomatic corps and others to mark the anniversary.

In addition to events at home, we will be represented also at events abroad. These include an exhibition of paintings in Rome and the Euro-palia festival in Brussels. Our Embassies will also participate in a number of events in other capitals.

European Council Meetings.

99. **Mr. Eamon Ryan** asked the Minister for Foreign Affairs if he will report on the March 2007 meeting of EU Foreign Ministers in Brussels; and if he will make a statement on the matter. [10387/07]

Minister for Foreign Affairs (Mr. D. Ahern):

The General Affairs and External Relations Council (GAERC) met in Brussels on 5 March. This was the final Ministerial meeting before the Spring European Council which took place on 8-9 March. The discussion on the European Council draft Conclusions was the sole substantive item on the General Affairs agenda. The discussion focused on the Energy and Climate Change chapter of the European Council draft Conclusions. Ministers had a very worthwhile exchange on these key issues. Ireland outlined our continued support for the ambitious measures and targets proposed by the Presidency in the energy and climate change dossiers which we had already supported at previous Council meetings of the Energy and Environment Ministers. The Deputy will be aware that, at the European Council, a comprehensive agreement was reached on Europe's future approach to the twin challenges of tackling climate change and securing our energy needs.

In relation to External Relations items, the Council discussed the situation in Darfur, focusing on the need for additional funding for the African Union Mission in Sudan (AMIS). Ireland briefed the Council on the Government's decision to contribute an additional €2 million to AMIS, bringing our total financial support to date for this important mission to €5 million. Ministers also discussed Uzbekistan, and efforts to establish a human rights dialogue with that country.

Also discussed was the situation in the Western Balkans, where the Council welcomed the formation of a new State Government in Bosnia-Herzegovina and urged greater reform efforts on the Bosnian side to enable conclusion of negotiations for a Stabilisation and Association Agreement with the EU. Conclusions on all three items were agreed and adopted by the Council.

Over lunch, Ministers reviewed developments concerning Iran's nuclear programme in light of its failure to comply with the requirements of UN Security Council Resolution 1737. Ministers agreed Conclusions deploring this failure and urging Iranian compliance, while also making clear the EU's willingness to continue efforts to find a negotiated, long-term solution to the Iranian nuclear issue. Ministers also discussed developments in the Middle East, particularly focusing on how the EU should react to the formation of a Palestinian Government of National Unity. A proposal by the Secretary General/High Representative, Javier Solana, that he should visit Saudi Arabia and Syria to discuss the situation in the region received the broad endorsement of Ministers. There were also discussions of plans for marking the 50th anniversary of the Treaty of Rome and of the Commission's White Paper on communications policy.

Illegal Immigrants.

100. **Mr. Sherlock** asked the Minister for Foreign Affairs his views on the present position in the US pertaining to ongoing efforts to regularise the position of illegal immigrants in view of the fact that progress in this regard appears to have slowed with the difficulties being experienced in drafting a comprehensive Bill; if the Government and President Bush discussed this matter recently; the results that emanated from these discussions; and if he will make a statement on the matter. [10499/07]

166. **Mr. Neville** asked the Minister for Foreign Affairs the recent discussions he has had with the US administration regarding immigration reform; and if he will make a statement on the matter. [10394/07]

169. **Mr. Cregan** asked the Minister for Foreign Affairs the situation regarding the campaign for the undocumented Irish in America. [10460/07]

234. **Mr. Callely** asked the Minister for Foreign Affairs the discussions that took place during St. Patrick's Day 2007 meetings in Washington regarding the undocumented Irish living in America; and if he will make a statement on the matter. [10595/07]

242. **Mr. Durkan** asked the Minister for Foreign Affairs if he expects a resolution of the issue of the undocumented Irish in the US by way of review of general US immigration policy or by way of bi-lateral agreement; and if he will make a statement on the matter. [10820/07]

243. **Mr. Durkan** asked the Minister for Foreign Affairs the full extent of the discussions he has had with the US authorities in the context of the regularisation of the undocumented Irish

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there; and if he will make a statement on the matter. [10821/07]

246. **Mr. Durkan** asked the Minister for Foreign Affairs the progress to date in the matter of an amnesty or other form of regularisation in respect of undocumented Irish in the US; if these issues are expected to be addressed in advance of the Irish general election or the forthcoming US presidential election; and if he will make a statement on the matter. [10824/07]

Minister for Foreign Affairs (Mr. D. Ahern): I propose to take Questions Nos. 100, 166, 169, 234, 242, 243 and 246 together.

The Government attaches the highest priority to the welfare of the undocumented Irish in the United States, and takes every opportunity in contacts with US political leaders to emphasise the importance of addressing this matter in a pragmatic and sympathetic manner. The St. Patrick's Day period provided the Taoiseach and myself with a particularly valuable and timely opportunity to convey our views to key figures in the Administration and on Capitol Hill, including President Bush.

President Bush appreciates our concerns. He spoke of his support for a broad approach that involves reform, as well as enforcement. He assured us of his wish to work with Congress to find a bipartisan solution to this important issue in the critical period ahead.

During our visit we particularly welcomed the opportunity to meet again with Senator Kennedy and to thank him for his continued strong leadership on this issue. He told us that he is encouraging members of the Senate Judiciary Committee to revisit the positive bipartisan bill passed by that Committee last year during the life of the previous Congress. As Deputies may recall, this was a bill that included the key elements of the Kennedy/McCain approach. Senator Kennedy considers that this approach is the most likely to secure the bipartisan support needed.

The Taoiseach and I also emphasised our strong support for the Kennedy/McCain approach in our meetings with key Congressional figures, including Speaker Nancy Pelosi, Senate Majority Leader Harry Reid, Senate Minority Leader Mitch McConnell, Chairman of the Senate Judiciary Committee Patrick Leahy, Senator Clinton and the House of Representatives Friends of Ireland Group. We were particularly encouraged by Speaker Pelosi's firm declaration at the American Ireland Fund Dinner on 14 March that she will work hard to ensure that a comprehensive immigration reform bill is passed in 2007. This very positive statement was repeated to us in our private meeting with her and was warmly welcomed as a significant development by the Irish Lobby for Immigration Reform.

There is high awareness on Capitol Hill now of the Irish dimension to the undocumented issue. Our Ambassador in Washington is extremely active in highlighting our concerns. Importantly, our sustained political contacts have been strengthened by the mobilisation of the Irish community behind the Irish Lobby for Immigration Reform, a highly effective organisation which we are happy to support, including financially. The Taoiseach and Minister for Agriculture had a very useful meeting with the ILIR in New York on 14 March.

As the prospects for enacting comprehensive reform become clearer, we will actively review the situation to see what, if any, revision to our strategy and approach may be required. I look forward to a further intensification of the Government's efforts on behalf of the undocumented. Deputies can be assured that the Government will proactively pursue a favourable outcome.

Foreign Conflicts.

101. **Mr. Gilmore** asked the Minister for Foreign Affairs the present position of the Saharawi region, and initiatives to which Ireland has been party in this regard. [10511/07]

Minister for Foreign Affairs (Mr. D. Ahern): The Government has consistently been a strong supporter of the right to self-determination of the people of the Western Sahara. Ireland played a prominent role in seeking a solution to the Western Sahara dispute during its term on the UN Security Council, and has remained active on the issue at the United Nations and in discussions at EU level. Ireland worked with our EU partners and other interested parties to ensure the adoption of the resolution on the Western Sahara at the UN General Assembly in December 2006.

The Government strongly supports the continuing engagement of the UN in working for a political solution in the Western Sahara based on the principle of self-determination. We remain convinced that the plan presented in 2003 by the former US Secretary of State, James Baker, acting as the Personal Envoy of the UN Secretary General, represents the best framework available for a negotiated settlement. It envisages a preparatory phase under UN supervision and a referendum to determine the future of the territory. The plan was endorsed by the UN Security Council, but has not been implemented.

The Government of Morocco is currently preparing a proposal for the future of the Western Sahara, based on devolved autonomy under Moroccan sovereignty. I look forward to studying this proposal when it has been completed. Ireland has not taken a position on the future of the territory, be it full independence, autonomy, or integration under Moroccan sovereignty. The important point is that the status of the territory should be

decided in a genuine exercise of self-determination by the people of the Western Sahara.

102. **Mr. Broughan** asked the Minister for Foreign Affairs if he will make a statement on the present position in relation to Darfur; and the actions he anticipates being considered in relation to Sudan by the security council. [10522/07]

120. **Ms Enright** asked the Minister for Foreign Affairs the level of contact between his Department and the Government of Sudan in ensuring adherence to United Nations declarations aimed at restoring peace to Darfur; and if he will make a statement on the matter. [10411/07]

127. **Mr. M. Higgins** asked the Minister for Foreign Affairs the most up to date position in Darfur, and in particular the ongoing difficulties being experienced with regard to a joint African Union/United Nations force being sent into the region; the position of Ireland on the matter; the assistance Ireland may be able to provide; and if he will make a statement on the matter. [10501/07]

129. **Mr. Noonan** asked the Minister for Foreign Affairs the political and security situation in Darfur; and if he will make a statement on the matter. [10398/07]

Minister for Foreign Affairs (Mr. D. Ahern): I propose to take Questions Nos. 102, 120, 127 and 129 together.

The Government is deeply concerned about the crisis in the Darfur region of Sudan and is using all avenues to support international efforts to address the grave political, security and humanitarian challenges faced there.

In my direct contacts with the Sudanese Foreign Minister in July and September 2006, I emphasised the necessity of his Government's agreement to UN engagement in peacekeeping in Darfur, the need to make political progress on foot of the Darfur Peace Agreement of May 2006 and the importance of improving humanitarian access in Darfur to avert further tragic consequences. In recent months, through my contacts with states and organisations capable of influencing Sudan, such as Egypt, South Africa, the UN and Arab League, I have relayed these same clear messages, underlining Ireland's strong support for the establishment of a joint AU-UN hybrid peacekeeping force and for the UN and African Union's new drive to restart the peace process. I discussed these issues with the UN Special Envoy on Darfur, Mr Jan Eliasson on 24 January last. Most recently, on 14 March, the Taoiseach spoke of the situation in Darfur with UN Secretary General Ban in New York. The Taoiseach and I also discussed this issue with President Bush in the White House last Friday. During his three visits to the country since December 2006, the Irish

Ambassador to Sudan has reiterated our policy in his official contacts.

The security situation in Darfur has continued to deteriorate during 2007 as a result of renewed hostilities between the Government of Sudan and rebel factions, the Sudanese airforce's bombing of rebel sectors, numerous militia attacks on civilians and an increase in banditry and inter-ethnic conflict. Humanitarian workers and members of the African Union force in Sudan (AMIS) are also being targeted and, on 5 March, two AMIS force protection officers were killed in the course of their duties.

Recognising that humanitarian aid cannot be delivered in the complete absence of stability and AMIS's urgent need for funding in advance of the establishment of the AU-UN hybrid force, on 1 March a further €2 million contribution to AMIS was approved, bringing Ireland's total bilateral contribution to €5m since 2004. Three members of our Permanent Defence Forces also serve as part of the EU's direct military support for AMIS. Our support for AMIS is part of a larger package of humanitarian support for Sudan and Darfur. In the period 2004-2007, €29.7 million in emergency and recovery funding has been provided to Sudan, including €19 million for Darfur.

The UN and AU Special Envoys for Darfur, Mr Jan Eliasson and Dr Salim Salim, are pressing ahead with efforts to secure a full political agreement in Darfur. Mr Eliasson is currently consulting with key regional leaders on the peace facilitation process, and he and Dr Salim will return to Sudan for another joint mission before the end of March.

Progress on implementing UN support for AMIS has been mixed. The deployment of the first phase of UN support for AMIS in Darfur is well advanced, but President Bashir has failed to approve the second phase "heavy support package" which was presented to him by the African Union and UN on 24 January 2007. In a letter of 6 March, he also appeared to question key aspects of the phased approach to strengthening peacekeeping in Darfur. On the planning side, UN and AU preparations for the third phase, a large hybrid AU-UN force, are well advanced. This month, they agreed a framework for the hybrid mission, and selected the Force Commander and a joint UN-AU representative to lead the mission.

The Government believes that it is essential that implementing the outstanding phases of UN support proceed as soon as practicable. Like my EU colleagues, I remain frustrated by and deeply concerned at the continued apparent unwillingness of some parties — including, I regret to say, the Sudanese Government itself — to engage in a genuine way with the peace process. It is for this reason that on 5 March EU Foreign Ministers underlined our support for urgent consideration by the UN Security Council of further measures that may be taken against those impeding the peace process. The issue of possible further

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measures also arose in the discussions that the Taoiseach and I had last week in New York and Washington. While we can not predict the full extent of the measures the Security Council will consider, the options under consideration may include the extension of the arms embargo on Darfur to the whole of Sudan, adding to the list of individuals subject to targeted sanctions and economic sanctions on companies involved in Sudan.

103. **Mr. Durkan** asked the Minister for Foreign Affairs the extent to which he directly or through the EU or the UN has been in a position to address the ongoing issues in the Horn of Africa; and if he will make a statement on the matter. [10457/07]

Minister for Foreign Affairs (Mr. D. Ahern):

The situation in the ecologically and politically fragile region of the Horn of Africa is a high priority for Ireland, the EU and the United Nations. The problems faced by the countries of the region include the ongoing conflicts in Darfur and Somalia; a prolonged stalemate in the Ethiopia-Eritrea peace process; and the need to rebuild southern Sudan following decades of civil war. At a regional level, there are major development challenges such as recurrent food security problems, environmental degradation, severe infrastructural weaknesses and poor governance. These issues are being addressed through a combination of political initiatives, peace-keeping operations, and emergency, humanitarian and development assistance.

The UN Security Council regularly discusses Horn of Africa issues, and the UN Secretary General has described the crisis in Darfur as his top priority. UN agencies such as UNICEF, WFP, UNHCR and UNDP are working to address the humanitarian and development needs of the region. There are currently two UN peacekeeping missions in the Horn of Africa — UNMEE on the Ethiopia-Eritrea border and UNMIS in Sudan. The UN and African Union Special Envoys for Darfur are working to start negotiations between the parties to the Darfur Peace Agreement and non-signatory rebel groups. Just a few days ago, the Taoiseach discussed our concerns about the situation in Darfur with the UN Secretary General.

EU Foreign Ministers have discussed developments in both Sudan and Somalia regularly at their meetings over recent months. The EU actively supports the restoration of peace and stability in Somalia and is one of the Witnesses of the 2000 Algiers Peace Agreement between Ethiopia and Eritrea. An EU Special Envoy for Sudan, Mr Pekka Haavisto, was appointed in July 2005. Most of the EU's €250 million African Peace Facility (APF) has been used in support of the African Union Mission in Sudan (AMIS). A further €15 million of those funds will be pro-

vided for the African Union's peace support operation in Somalia (AMISOM).

In the EU context, I have participated actively in efforts to promote political progress and improvements in the humanitarian situation in Darfur, and to ensure that essential UN support to AMIS can go forward as soon as possible. The EU has implemented an arms embargo against Sudan since 1994. On 5 March 2007, with Ireland's strong support, EU Foreign Ministers expressed their readiness to consider further measures, notably in the UN framework, against any party which obstructs implementation of the AU-UN hybrid force. We also supported urgent consideration by the UN Security Council of further measures against those impeding the peace process.

The European Commission's October 2006 Communication on 'EU partnership for peace, security and development in the Horn of Africa,' sets out a comprehensive approach to conflict prevention in the region. In 2004, the last year for which there are complete figures, total European Commission development aid to the six Horn of Africa countries amounted to over €240 million. The European Commission intends to make over €60 million available for security, reconciliation and governance in Somalia in the coming months.

Addressing the problems of the Horn of Africa, and especially in Darfur, is a priority for me personally. I travelled to Sudan and to Ethiopia in July 2006 to see the situation on the ground for myself. In my contacts with the Sudanese Foreign Minister then, and again in September 2006, I highlighted the need for meaningful action to bring peace and security to Darfur, and to protect the delivery of humanitarian aid to the vulnerable. In recent contacts with Egypt, South Africa, the Arab League, the UN and last week with President Bush, I have urged them to use their influence with the Sudanese Government for the same purpose.

Ireland also supports the development of the Horn of Africa region through our aid programme. Ethiopia is one of Irish Aid's priority countries, and Irish bilateral aid to Ethiopia was about €30 million in 2006, focused at improving the lives of the rural poor. Total Irish Aid emergency, humanitarian and NGO funding to Ethiopia, Sudan, Somalia, Eritrea and Kenya since 2004 comes to over €86 million. This includes €19 million for Darfur. Acknowledging that humanitarian aid cannot be delivered without some degree of stability on the ground, Ireland has given bilateral support to AMIS totalling €5 million, including the €2 million which I approved on 28 February. We have also deployed three members of Ireland's Defence Forces in support of AMIS.

Northern Ireland Issues.

104. **Mr. Wall** asked the Minister for Foreign Affairs the timetable for the restoration of the

political institutions in Northern Ireland following the recent assembly elections; if the institutions will return by 26 March 2007; the Government's immediate plan in the event of no agreement being reached; and if he will make a statement on the matter. [10503/07]

105. **Dr. Upton** asked the Minister for Foreign Affairs his views on the outcome of the recent assembly elections in Northern Ireland; if the outcome makes the challenge of re-establishing the political institutions created under the Good Friday Agreement more difficult; and if he will make a statement on the matter. [10505/07]

130. **Dr. Upton** asked the Minister for Foreign Affairs if he will report on his most recent meeting with the British Secretary of State for Northern Ireland; the issues that were discussed at the meeting; if the matter of British/Irish partnership arrangements to govern Northern Ireland were discussed at the meeting; and if he will make a statement on the matter. [10504/07]

133. **Mr. Sargent** asked the Minister for Foreign Affairs if he will report on his recent meeting with Secretary of State for Northern Ireland, Mr. Peter Hain. [10390/07]

145. **Mr. Carey** asked the Minister for Foreign Affairs the state of play regarding Plan B and its implementation in the context of a failure of the Northern parties to agree on a devolved government. [10462/07]

Minister for Foreign Affairs (Mr. D. Ahern): I propose to take Questions Nos. 104, 105, 130, 133 and 145 together.

The elections in Northern Ireland on 7 March took place for the explicit purpose of endorsing the St. Andrews Agreement and of electing an Assembly which would form a power-sharing Executive on 26 March in accordance with that Agreement. The outcome of the elections constituted a strong and clear endorsement of the St Andrews Agreement, and of those working for restoration of the power-sharing institutions. The next step to fulfil that mandate is the restoration of the Assembly and the Executive within the timeframe set out at St Andrews, i.e. by Monday, 26 March.

Both Governments are resolutely committed to making that happen. When I met with Secretary of State, Peter Hain at Hillsborough last week, we welcomed the outcome of the elections and reviewed progress in implementing the St Andrews Agreement, including on the question of financial support for a newly restored Executive. We also discussed the new British Irish partnership arrangements which have been prepared to ensure the implementation of the Good Friday Agreement to the fullest extent possible, in the event the parties fail to agree to share power by 26 March.

The new partnership arrangements have been prepared in the event they are required. Should that be the case, the Taoiseach and Prime Minister will meet shortly after 26 March to set out the new arrangements. However, we have made clear on many occasions that this is not our preferred outcome.

After four years of suspension, the people of Northern Ireland are entitled to see devolved government restored and their elected representatives working on their behalf in a restored Assembly and shared Executive. When they voted on 7 March, the people themselves made it resoundingly clear that this is what they want. The time for political prevarication is over.

The Transitional Assembly resumed its work on practical preparation for government following the elections. As preparations come to a conclusion we will continue, together with the British Government, to work intensively with the parties so that the Assembly and Executive can be restored on 26 March. We look forward thereafter to working in a spirit of partnership and genuine friendship with the new Executive, for the benefit of all of the people on this island.

International Agreements.

106. **Mr. M. Higgins** asked the Minister for Foreign Affairs when Ireland proposes to ratify the UN Convention on Corruption. [10515/07]

Minister for Foreign Affairs (Mr. D. Ahern): I refer the Deputy to previous replies to similar questions concerning the United Nations Convention against Corruption, most recently on 8th February 2007. The Tánaiste and Minister for Justice, Equality and Law Reform, has lead responsibility in this area. His officials, in consultation with the Office of the Attorney General, have been examining the legislative changes which are likely to be required prior to ratification of the Convention by Ireland. While this examination is not yet complete, it is clear that there are legislative requirements, both criminal and civil. Some of these issues may be dealt with by amending existing legislation, whereas others may require new legislation.

The Department of Justice, Equality and Law Reform is consulting with other Departments and Agencies on these issues. However, because of the nature of the task, I cannot indicate precisely when the legislative and other requirements will be completed. Consequently, it is not possible to make a firm commitment as to the timeframe for ratification. The importance of ratification at the earliest date is, nevertheless, appreciated.

Human Rights Issues.

107. **Mr. Callely** asked the Minister for Foreign Affairs the situation in Burma; the progress of the Burma authorities in seeking accreditation here; and if he will make a statement on the matter. [10294/07]

146. **Mr. McGinley** asked the Minister for Foreign Affairs the security situation in Burma; and if he will make a statement on the matter. [10414/07]

165. **Mr. Sargent** asked the Minister for Foreign Affairs his views on the objections by the EU to a US suggestion to push for speedy action on Burma at the United Nations Human Rights Council; the Government's position on the issue; and if he will make a statement on the matter. [10389/07]

Minister for Foreign Affairs (Mr. D. Ahern): I propose to take Questions Nos. 107, 146 and 165 together.

It remains the Government's position that no steps will be taken to develop diplomatic relations with Burma until Aung San Suu Kyi is released from house arrest. I remain deeply concerned that she has spent the past three years in detention (and 11 years in total) without charge and would, once again, urge the Burmese government to restore fully her freedom and civil liberties.

The general situation in Burma remains very serious and deeply troubling, with few encouraging signs. Serious restrictions remain on freedom of speech, press, assembly, association and movement. There are also restrictions on domestic human rights organisations and there is a failure to cooperate with international human rights institutions. In terms of specific developments, I have real concerns regarding reports of serious human rights violations by the military in operations in ethnic minority regions. These have included forcible relocation and confiscation of land and property, forced recruitment of child soldiers, and trafficking in persons.

A further significant concern has been reports of widespread and systematic forced labour practices, including allegations of child labour for construction of military camps, bunkers, roads and portering of military supplies. This has included the fact that individuals who lodged complaints of forced labour have subsequently been prosecuted and their appeals systematically rejected. I welcome in this context the supplementary understanding agreed between the International Labour Office (ILO) and the Government of Burma on 26 February to seek to enable victims of forced labour to seek redress. I would urge the Burmese Government to ensure the full implementation of this agreement.

At the political level, it is vitally important that the Burmese government allow the UN to play a role in promoting common ground between the government and the National League for Democracy, so that the National Convention, whose task is to draft a new constitution, can proceed in a more inclusive way. Without broader representation, the usefulness of the National Convention will be very severely limited. This would, of course, be greatly facilitated by the release of

Aung San Suu Kyi and other opposition political leaders.

I should make clear that there is no basic difference of approach between the EU and the US in raising the issue of Burma at the UN Human Rights Council. However, it is necessary to consider carefully how and when this can effectively be done and this consideration is continuing. For our part, we see real value in the HRC examining at the situation in Burma at one of its sessions this year.

Ireland and the EU continue to raise the issue of the situation in Burma in all relevant fora. The EU-ASEAN Foreign Ministers' Meeting in Nuremberg on 14-15 March provided a further opportunity to raise the issue with our ASEAN partners, and also directly by Minister of State Noel Treacy with the Foreign Minister of Burma/Myanmar in a bilateral discussion. Ministers in Nuremberg encouraged Burma to make greater progress towards national reconciliation as well as to involve constructively all political parties and ethnic groups in an inclusive dialogue. Ministers also called for a lifting of restrictions on political parties and the early release of those under detention.

EU Constitutional Treaty.

108. **Mr. Durkan** asked the Minister for Foreign Affairs the extent to which he has discussed with his EU colleagues the issue of the ratification of the EU constitution having particular regard to the need for the Union to reaffirm its objectives and progress the European project; if his attention has been drawn to tendencies towards re-nationalisation within the Union; and if he will make a statement on the matter. [10458/07]

121. **Mr. Gormley** asked the Minister for Foreign Affairs the situation regarding developments on the future of the EU constitution; and if he will make a statement on the matter. [10380/07]

132. **Mr. O'Dowd** asked the Minister for Foreign Affairs the number of meetings at which the Government has been represented regarding the EU constitutional treaty since 1 January 2007; and if he will make a statement on the matter. [10416/07]

159. **Mr. Crawford** asked the Minister for Foreign Affairs if the EU constitution will be put to the people by referendum in 2007; and if he will make a statement on the matter. [10407/07]

245. **Mr. Durkan** asked the Minister for Foreign Affairs the steps being taken at EU level to invigorate and progress the European project; and if he will make a statement on the matter. [10823/07]

247. **Mr. Durkan** asked the Minister for Foreign Affairs if, in the context of the future development of the EU, he has observed indicators of re-nationalisation; the steps taken or proposed to address such issues; and if he will make a statement on the matter. [10825/07]

Minister for Foreign Affairs (Mr. D. Ahern): I propose to take Questions Nos. 108, 121, 132, 159, 245 and 247 together.

The German Presidency intends to present at the June meeting of the European Council their conclusions on the way forward for the draft Constitutional Treaty, following completion of their bilateral consultations with Member States. The Presidency will also, this weekend, bring forward a political declaration to Heads of State and Government at their informal meeting in Berlin to commemorate the 50th anniversary of the Treaties of Rome. The Presidency intend that the Berlin Declaration will not alone recall the immense achievements of the Union to date and restate our common values, but will also reflect our shared commitment to overcoming the current difficulties facing us. Ireland strongly supports the efforts of the Presidency in this regard.

As regards ratification, procedures have been completed already by eighteen Member States and a number of others, including Ireland, wish to proceed to ratification as soon as there is certainty as to the final form and content of the Treaty. The House will recall that we were ready to proceed to ratification by means of a referendum but that it was necessary to place our plans on hold following the set-backs in the Netherlands and France.

We shall work closely with Partners in seeking to achieve a resolution to the current difficulties, while continuing to press our view that the essential substance and balance of the existing text should be retained. We look forward to resuming the ratification process in accordance with our domestic Constitutional requirements as soon as circumstances permit.

The Government consider that the draft Treaty contains answers to some of the key questions facing the Union and its citizens at this time. The Treaty provides, amongst other things, for greater institutional efficiency. It sets out clearly the Union's fundamental values and objectives, it specifies the respective competences of the Union and Member States, and it equips the Union to play a role on the world stage commensurate with its economic weight.

Ireland is strongly opposed to any tendencies on the part of Member States to pursue national interests at the expense of the Union as a whole. The Union can only function effectively on the basis of solidarity and compromise. There must be respect for the separate competences of Member States and the Union. Adoption of the Treaty will, we believe, strengthen the Union's capacity to continue to deliver the benefits that have stemmed from the Treaty of Rome over the

past fifty years. The continued success and effectiveness of the Union is the best way in which we can contain unilateral tendencies on the part of Member States. The Government are determined to ensure that our position on the draft Treaty is widely understood and we are availing of all opportunities, bilateral as well as at EU level, to underline our commitment to the Treaty.

The German Presidency are proceeding largely by means of informal bilateral discussions. Heads of State and Government discussed the Berlin Declaration at the most recent European Council on 7 and 8 March, and there have also been discussions at meetings of the General Affairs and External Relations Council, three of which have taken place so far this year. In addition, the House will recall that my colleague, the Minister of State for European Affairs, Noel Treacy T.D., attended the informal 'Friends of the Constitutional Treaty' meeting called by his Spanish and Luxembourg counterparts in Madrid on 26 January. The Constitutional Treaty is also discussed regularly at official level.

Northern Ireland Issues.

109. **Mr. Blaney** asked the Minister for Foreign Affairs the position regarding the military demilitarisation programme negotiated between the British and Irish Governments; and if he will push for further demilitarisation above and beyond the agreed programme. [10459/07]

Minister for Foreign Affairs (Mr. D. Ahern): The Independent Monitoring Commission has confirmed that the British Government is meeting its commitments to demilitarisation as set out in its Security Normalisation Programme. This programme, as updated on 1 August 2005, is due to be completed by the end of July this year. By this time, and subject to an enabling security environment, British troop levels in Northern Ireland will have been reduced to less than 5,000, all security watchtowers will have been demolished, British troops will have been withdrawn from all ten PSNI stations at which they were based in 2005 and the number of military bases will have been reduced to not more than fourteen.

Since the announcement in August 2005, the British Government have further stated that, going beyond the agreed programme, four additional military bases will be closed by April 2008. I welcome this development. The IMC has also reported progress with regard to the diminishing use of helicopters by the British army in Northern Ireland, the normalisation of patterns of PSNI patrolling and the defortification of PSNI stations.

The Government will continue to follow all these developments closely, and is of the view that demilitarisation measures should continue to be taken to the maximum extent reflective of the dramatic positive changes in the security situation

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in Northern Ireland. Both Governments remain concerned, however, about ongoing loyalist and dissident republican paramilitary activity. This is totally unacceptable in a context when all efforts should be turned to building a safe and stable future for the people of Northern Ireland.

Human Trafficking.

110. **Mr. Quinn** asked the Minister for Foreign Affairs when Ireland will be in a position to ratify and implement international and EU instruments on trafficking of persons. [10516/07]

143. **Mr. Stanton** asked the Minister for Foreign Affairs the steps being taken by his Department to combat human trafficking; and if he will make a statement on the matter. [10405/07]

153. **Mr. Callely** asked the Minister for Foreign Affairs his Department's understanding on the practice of human trafficking; the level that exists in Ireland; and if he will make a statement on the matter. [10293/07]

241. **Mr. Durkan** asked the Minister for Foreign Affairs the steps he has taken or proposes to take at both the UN and the EU to combat international trading in human beings; the degree to which it is expected that the international community can or will combat this issue; and if he will make a statement on the matter. [10819/07]

Minister for Foreign Affairs (Mr. D. Ahern): I propose to take Questions Nos. 110, 143, 153 and 241 together.

From answers to previous questions that the struggle against trafficking in human beings is a matter of great concern at both EU and international level. A specific Action Plan was adopted at the December 2005 European Council. Implementation of the Action Plan is being pursued by the Justice and Home Affairs Council, where Ireland is represented by the Tánaiste and Minister for Justice, Equality and Law Reform. Human trafficking is also addressed in other international fora, including the Council of Europe and the Organisation for Security and Cooperation in Europe (OSCE), where Ireland works closely with its EU Partners.

At the national level, the Criminal Law (Trafficking in Persons and Sexual Offences) Bill is currently being drafted. The Bill will fully comply with the requirements of the relevant international instruments, namely the Council of Europe Convention on action against trafficking in human beings, the EU Framework Decision on combating trafficking in human beings and the UN Protocol to prevent and punish trafficking in persons. The Tánaiste and Minister for Justice, Equality and Law Reform, who has primary

responsibility in this area, has indicated that it is intended, as part of the new immigration policy framework, to provide a clear policy statement setting out how human trafficking cases will be managed once it is established that trafficking has taken place.

As to the level of human trafficking in Ireland, I have been informed by my colleague the Tánaiste and Minister for Justice, Equality and Law Reform that, according to the UN Trafficking in Persons Global Patterns Report, Ireland was ranked at the low end of destination or transit target countries in Western Europe. The assessment of An Garda Síochána concurs with the UN Report. That said, An Garda Síochána is very proactive in this area and has only encountered a small number of trafficking cases and these are being fully investigated.

The Department of Foreign Affairs, through Irish Aid, supports the work of the International Labour Organisation (ILO) in its efforts towards the abolition of human trafficking. This support includes funding of €1.6 million for the ILO Special Action Programme to Combat Forced Labour (SAP-FL). Irish Aid also provided funding of approximately €350,000 to the ILO in 2006 for its programme aimed at preventing and reducing trafficking of women in Albania, Moldova and Ukraine.

In addition, Irish Aid, through its Civil Society Fund, currently provides assistance to ECPAT (End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes) International, a global network of organisations dedicated to ending these heinous activities. Funding for ECPAT amounts to €300,000 over three years. My Department also supports Children in Crossfire, which aims to combat trafficking in human beings within South Asia. Irish Aid funding for this programme amounts to €379,000 over three years.

Irish Aid also provided support for a national conference held last month to mark the bicentenary of the abolition of the African Slave Trade. A key aim of the conference, which was opened by Minister of State Conor Lenihan TD, was to highlight modern day manifestations of slavery, in particular human trafficking.

Northern Ireland Issues.

111. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if he will make a statement on the O'Loan report on her investigation into the circumstances surrounding the death of a person (details supplied) and related matters published in January 2007. [6814/07]

Minister for Foreign Affairs (Mr. D. Ahern): Over many years successive Irish Governments and others have raised serious concerns about collusion between loyalist paramilitaries and members of the security forces in Northern Ireland. The publication of the Police

Ombudsman's report into the murder of Raymond McCord showed that these concerns were well-founded. Its findings are damning, particularly on the failings of RUC Special Branch in the 1990s. The Ombudsman found that RUC officers colluded in crimes by their failure to tackle the most serious activities of their informants — including murder.

The Government's position is clear: the Police Ombudsman's recommendations should be implemented in full; re-investigations should take place; prosecutions, where possible, should follow; and police officers implicated in wrongdoing should be held accountable for their actions. I have discussed the Ombudsman's findings with the Secretary of State for Northern Ireland, including most recently at the February meeting of the British-Irish Inter-governmental Conference. The Taoiseach also raised the McCord report with Prime Minister Blair at their Downing Street meeting on 30th January last.

The Taoiseach has met with Mr McCord and has commended his tireless efforts to bring these grievous failures to light. Officials in my own Department and that of the Taoiseach are in regular contact with Mr McCord and have assured him that we will be closely following all aspects of implementation of the Ombudsman's report.

In addition, we will continue to stress to the British authorities that the Police Ombudsman's office should be given the necessary funds to investigate other past cases, and that a means be found of addressing the past which meets the needs of families and victims in this and other such cases.

Human Rights Issues.

112. **Mr. Costello** asked the Minister for Foreign Affairs if his attention has been drawn to the recent resolution by the European Parliament expressing concerns about the unregulated use of Irish airports by 147 CIA-operated aircraft and that such use, if involving extraordinary rendition, would breach our military neutrality; his views on a parliamentary inquiry as sought by the European Parliament; and if he will make a statement on the matter. [8876/07]

131. **Mr. Morgan** asked the Minister for Foreign Affairs when or if the Government plans to institute an Oireachtas inquiry, as recommended by the European Parliament, to review Ireland's laws, procedures and practices in granting overflight or landing clearances to foreign aircraft, both State and civilian, in order to identify the way this or other states may have facilitated or participated in, directly or indirectly, the violation of international law; if he will make solid recommendations for reform and the implementation of such reforms; and if such an inquiry is not planned, the reason for same. [10463/07]

Minister for Foreign Affairs (Mr. D. Ahern): I propose to take Questions Nos. 112 and 131 together.

I have made clear on a number of previous occasions the Government's disappointment with the content of the Report of the Temporary Committee of the European Parliament on extraordinary rendition. In particular, the Committee's figure of 147 allegedly suspicious flights is grossly inflated, as shown by the identification of only 3 specific flights by Senator Dick Marty as part of the Council of Europe's separate investigations.

The Report's call for the Government "to agree to launch a parliamentary inquiry into the use of Irish territory as part of the CIA rendition circuit" ignores the fact that it is for the Oireachtas to decide its own agenda. It also ignores the fact that Seanad Éireann has on three separate occasions—most recently on 31 January—voted not to institute a specific enquiry. These issues have been extensively debated in the Houses of the Oireachtas, where both Houses have passed motions supporting the Government's policy in this area: the Seanad, most recently, on 31 January, the Dáil on 14 June 2006.

I regret that the Report did not take the opportunity to look in a more practical way at ways in which extraordinary rendition, which I once again condemn in the strongest terms, might be prevented or deterred in future. I have repeatedly highlighted the need to examine the regulation of aviation. It is with this objective that my Department is exploring with partners in the EU and in the International Civil Aviation Organisation the issues I have raised in this regard. These discussions are at an early stage, but nonetheless I believe that they have the potential to be productive. It is clear that for any reforms in this area to be effective, they will require to be implemented at the European level, at least. The question of extraordinary rendition is unrelated to Ireland's traditional policy of military neutrality.

Bolivarian Transition.

113. **Ms Shortall** asked the Minister for Foreign Affairs his Department's position on the Bolivarian transition. [10519/07]

Minister for Foreign Affairs (Mr. D. Ahern): The Bolivarian Revolution, named after the South American independence hero Simón Bolívar, was launched by President Hugo Chavez following his inauguration as President of Venezuela in 1999. It aims to create a social economy with a focus on poverty reduction as an alternative to market-led economic policies. It also provides for a high degree of what is termed participatory democracy.

Ireland respects the right of states democratically to determine their respective approaches to political, economic and social development. In this connection, I would empha-

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size that the maintenance of strong and independent representative institutions is central to democracy and that all states must act in accordance with their international human rights commitments.

Overseas Development Aid.

114. **Mr. Bruton** asked the Minister for Foreign Affairs the level of funding diverted to the overseas aid programme which arises from Depart-

Government Department	ODA Funding 2005
	€ 000's
Department of Finance	19,314
Department of Agriculture and Food	8,202
Department of Environment and Local Government	4,840
Department of Communications Marine and Natural Resources	580
Department of Enterprise Trade and Employment	138
Department of Defence	130
Department of Education and Science	223
Department of Health and Children	844
Total	34,271

Further information about contributions made by the various Government Departments is provided in the Irish Aid 2005 Annual Report, which is available on the Irish Aid website at (http://www.irishaid.gov.ie/publications_report.asp).

The level of funding for Overseas Development Assistance through other Government Departments increased considerably in 2006. The increase is primarily due to a once-off payment by the Department of Finance of €58.6 million for multilateral debt relief. The full details will be made available in the Irish Aid 2006 Annual Report in due course.

European Council Meetings.

115. **Mr. Gilmore** asked the Minister for Foreign Affairs if he will report on the recent EU conference on climate change in Brussels; the results that were arrived at; and if he will make a statement on the matter. [10510/07]

Minister for Foreign Affairs (Mr. D. Ahern): At the meeting of the European Council in Brussels on 8-9 March 2007, EU Governments decided on a series of ambitious measures in relation to energy and climate change. The Governments agreed to cut greenhouse gas emissions by 20% by 2020. They also agreed to aim for a 30% cut under a global and comprehensive agreement for the post-2012 period. This 30% cut will be contingent on other developed countries committing themselves to comparable emissions reductions and on advanced developing countries also contributing adequately.

ments other than his own; and if he will make a statement on the matter. [10395/07]

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): The table shows the level of funding for Overseas Development Assistance (ODA) by other Government Departments in 2005. As the Deputy will see, the largest contributions were made by the Department of Finance (primarily to the Bretton Woods Institutions) and by the Department of Food and Agriculture (contributions to various UN Organisations involved in the delivery of food aid).

The EU is giving a lead to the international community in addressing the challenge of global warming. These recent decisions will provide a significant impetus to the future elaboration of an international solution to the threat posed by climate change.

Northern Ireland Issues.

116. **Mr. O'Shea** asked the Minister for Foreign Affairs his views on the most recent report of the Independent Monitoring Commission; if he is concerned at its assessment of loyalist organisations and their ongoing criminal and paramilitary activity; if the Government maintains contact with these organisations; and if he will make a statement on the matter. [10507/07]

Minister for Foreign Affairs (Mr. D. Ahern): The Independent Monitoring Commission confirmed in its 13th Report that efforts by some in the leadership of the UVF and UDA to move those organisations away from violence and criminality are continuing, but that progress on this front remains mixed and limited. These findings were briefly reiterated in the 14th IMC report on progress with regard to security normalisation measures.

As I stated on 8 February, while it is to be welcomed that the level of loyalist shootings has continued to decline, and that the incidence of loyalist assaults is lower, I am concerned that progress towards full loyalist decommissioning has been slow. The Government is committed to supporting leaders in loyalism who are attempting to

achieve positive transformation in their communities, and who are making real efforts to achieve an end to paramilitary violence and criminality. I again call upon all those in positions of influence in these communities to work in support of this objective.

Foreign Conflicts.

117. **Mr. McEntee** asked the Minister for Foreign Affairs the political and security situation in India in view of the recent New Delhi-Lahore train bombing; the steps his Department has taken since the bombing to facilitate communication and improve relations between India and Pakistan; and if he will make a statement on the matter. [10422/07]

Minister for Foreign Affairs (Mr. D. Ahern): Immediately after the bombing of the New Delhi-Lahore train on the night of 18/19 February, I made clear my utter condemnation of this terrorist act. I again extend my deepest sympathies to those affected by it. Although the attack occurred in India, it deeply affected both Pakistani and Indian communities. Since its resumption in 2004, the New Delhi-Lahore train service has been a symbol of the continuing improvement in relations between India and Pakistan. This awful attack, and those responsible for it, cannot be allowed to undermine this important process. I greatly welcome the fact that Pakistani Foreign Minister Kasuri continued with his planned visit to India for talks on 20 February, immediately after the bombing.

The Government recognises the strong commitment of both the Pakistani and Indian governments to advancing the normalisation of their relations and to resolving all outstanding issues between the two countries. It is vital that their ongoing dialogue continue. The Composite Dialogue, agreed by both sides in January 2004, provides a real mechanism for building trust and confidence between India and Pakistan. With our EU partners, we are ready, should both sides request it, to assist in any way that may be appropriate to bring this process forward.

118. **Mr. S. Ryan** asked the Minister for Foreign Affairs the present position in Somalia, following fighting in the wake of the removal of that country's government earlier in 2007; if the AU has been permitted to enter the country; and if he will make a statement on the matter. [10509/07]

Minister for Foreign Affairs (Mr. D. Ahern): Somalia has been without an effective government since 1991. A Transitional Federal Government (TFG) representing a range of clans was established in Nairobi in 2004 with UN approval and EU support, but it was unable to make a significant impact on the ground. Public discontent with over a decade of anarchy led to increased

support for the United Islamic Courts (UIC), which enforced sharia law in large parts of southern Somalia, including Mogadishu, from mid-2006. Islamic extremists gained the upper hand over moderates in the UIC, and threatened a jihad against Ethiopia. In late December 2006, a joint operation by the Transitional Federal Government and Ethiopian troops led to the collapse of the UIC.

In January 2007, Ethiopia began to withdraw its troops from Somalia, and on 19 January the African Union decided to send a peace support force (AMISOM) to the country for an initial period of six months. UN Security Council Resolution 1744, adopted on 20 February 2007, gives AMISOM a mandate to protect the Transitional Federal Institutions and those involved in pursuing peace and reconciliation; to assist the training of Somali security forces; and to contribute to ensuring the security needed for the distribution of humanitarian aid. On 6 March 2007, the first AMISOM troops, from Uganda, were deployed in Somalia.

The AMISOM force faces considerable challenges, including the further deterioration in the security situation since January. On the day that the first AMISOM troops arrived in Somalia, there were mortar strikes close to Mogadishu airport, and some fighting in the city. On 13 March, one civilian was killed when a mortar was fired in the direction of President Yusuf's home. There is a danger of a growing insurgency if the situation is not brought quickly under control.

The situation in Somalia is high on the EU's foreign policy agenda. It was discussed by EU Foreign Ministers at the General Affairs and External Relations Councils in both January and February, and most recently at an EU Foreign Ministers' meeting en marge of the European Council on 8-9 March. EU officials have had extensive contacts with representatives of the Transitional Federal Government to work out how the Union can best support their efforts to return stability to Somalia.

The EU supports the deployment of AMISOM, but has repeatedly stressed that a purely security-based approach will not lead to lasting peace. All sections of the population, including those who chose to support the Islamic Courts, must be given a stake in the future of Somalia. EU Foreign Ministers have accordingly placed emphasis on the need for dialogue between the Transitional Federal Government and a wide range of other groups, including clan elders, Islamic leaders, business people, civil society and women. The President of Somalia has stated his intention to launch a national reconciliation congress on 16 April, in which 3000 delegates from both inside and outside the country will participate. Under the transition agreement reached in 2004, a new constitution is to be drafted and elections held in Somalia by 2009.

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In all discussions on Somalia, Ireland has laid particular emphasis on the need for broad-based dialogue, including outreach to moderate Islamists, as a basis for future stability. The Government gave over €5 million in humanitarian assistance to Somalia and funding to Irish NGOs working in the country in 2006. This was a major increase on sums given in previous years, due both to severe drought and flooding, and to our growing concern at the deterioration in the security situation and its humanitarian consequences. So far in 2007, I have committed €3.1 million in humanitarian funding to the UN Consolidated Appeal for Somalia, and a further €0.5 million for mine clearance in the country.

Question No. 119 answered with Question No. 96.

Question No. 120 answered with Question No. 102.

Question No. 121 answered with Question No. 108.

122. **Mr. Connaughton** asked the Minister for Foreign Affairs the political and security situation in Afghanistan; and if he will make a statement on the matter. [10410/07]

163. **Ms Burton** asked the Minister for Foreign Affairs the present position in Afghanistan. [10498/07]

Minister for Foreign Affairs (Mr. D. Ahern): I propose to take Questions Nos. 122 and 163 together.

The security situation in Afghanistan remains a cause of serious concern. Insurgent activity is expected to rise in 2007, but NATO, which leads the International Security Assistance Force (ISAF), remains confident that the insurgency can be contained and defeated. On 6 March ISAF and the Afghan National Security Forces launched Operation Achilles in southern Afghanistan, which aims to stabilise and facilitate reconstruction and development in the region. There is general recognition that security and stability in Afghanistan cannot be achieved by military means alone. Long-term success depends on a comprehensive approach addressing governance and delivery of humanitarian and reconstruction assistance.

The goal of the international community, in cooperation with the Afghan government, is to extend legitimate government, the rule of law and the benefits of government to all parts of Afghanistan through addressing issues such as roads, electricity, counter narcotics programmes and training of the army and police forces. This seeks to assist the Afghan government and people take ownership of the development of their country. Ireland is playing its part in this

through supporting strong EU engagement with Afghanistan, as well as bilaterally.

The EU is a major aid contributor to Afghanistan and has made clear its long term support for the people and government of that country. The EU has collectively provided €3.7 billion in aid between 2002 and 2006 and Member States have provided more than 15,000 troops. It also works on the ground through its EU Special Representative for Afghanistan, Mr Francesc Vendrell. The General Affairs and External Relations Council approved on 12 February an ESDP mission on policing for Afghanistan. The mission is designed to improve coordination in the international community's efforts to assist police reform and capacity building.

Ireland has contributed more than €31 million in humanitarian assistance to Afghanistan since 2000, covering areas such as reconstruction, drugs programmes, mine clearance, drought and flood relief, criminal law and criminal justice support. Seven members of the Irish Defence Forces currently serve in ISAF, based in Kabul.

Real progress has been achieved in democratic reforms as well as in the administrative and justice systems since 2001. Significant achievements have been seen for example in extending health coverage and in education, particularly regarding participation of women. The reform process is continuing with international assistance across all sectors. However concerns remain regarding increased drug production, the need to tackle corruption, and the weakness of rule of law and institutions.

The passage of an act granting an amnesty for political factions and others involved in hostilities over more than two decades of conflict in Afghanistan has been of concern. Whilst the act, as signed by President Karzai, has been amended to address many of the concerns of Afghanistan's international partners, real issues remain regarding aspects of the law that appear to contravene international human rights laws. I believe that genuine respect for human rights and internationally accepted tenets of transitional justice are an important part of Afghanistan's development.

Passport Applications.

123. **Mr. Boyle** asked the Minister for Foreign Affairs his views on the fact that nearly 6,000 Irish passports were stolen in 2006, while a further 32,820 were lost or mislaid; his further views on whether the recent introduction of the biometric or e-passport will adequately address the problem; and if he will make a statement on the matter. [10381/07]

Minister for Foreign Affairs (Mr. D. Ahern): The introduction of the biometric or e-Passport on 16 October, 2006 has greatly enhanced the security features of the Irish passport. The microchip in the passport contains a digital image of

the holder which cannot be altered. Any attempt to alter the data on the microchip will be apparent when the passport is read at a border control station because of the added security on our chip. I am also committed to introducing into the Oireachtas a new Passport Bill which will include a series of new offences relating to the misuse of passports and passport fraud.

The number of stolen passports in 2006 was 6,000 but this must be seen in the context of 630,000 passports issued that year. As regards lost or mislaid passports, the Department is constantly urging that more care and vigilance be observed, and that passports should always be kept in a secure place.

Finally, I would point out that the details of all lost, stolen and mislaid passports are reported to Interpol, through An Garda Síochána, on a weekly basis. This information is now circulated to police forces around the World and should help prevent lost or stolen passports being fraudulently used for travel.

Overseas Development Aid.

124. **Dr. Twomey** asked the Minister for Foreign Affairs if all Irish Aid spending from 2004 has been evaluated by the EAU; and if he will make a statement on the matter. [10424/07]

151. **Mr. G. Mitchell** asked the Minister for Foreign Affairs the number of projects funded by Irish Aid awaiting evaluation by the EAU; and if he will make a statement on the matter. [10423/07]

162. **Mr. P. McGrath** asked the Minister for Foreign Affairs if all Irish Aid spending from 2005 has been evaluated by the EAU; and if he will make a statement on the matter. [10425/07]

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): I propose to take Questions Nos. 124, 151 and 162 together.

In common with other major donors, Irish Aid evaluates spending on overseas development aid in a number of ways. The Evaluation and Audit Unit plans its evaluation work on the basis of a three-year rolling work plan and a detailed annual operational plan. The focus is on strategic evaluations across the entire development programme and priority is given to those that feed critical results into the policy and planning cycle. The Evaluation and Audit Unit's work does not, however, cover all annual spending as this would not be feasible or cost-effective. The work plan is approved by the Senior Management Group in Irish Aid and endorsed by the Audit Committee.

In very large programmes where Irish Aid is one of a number of donors, it also undertakes joint evaluations with them. Recent examples of this approach included the response to the Tsunami and General Budget Support. In

addition, the Missions and development offices in the field undertake evaluations, specific to their needs.

During 2004, major evaluations included an evaluation of the Uganda Country Programme and the response of Irish NGOs to the 2002/03 drought in Malawi. In 2005, amongst the most important assignments undertaken were the evaluation of the support to five Irish NGOs through the Multi-annual Programme Scheme, a Value for Money Review of Irish Aid's support to Basic Education in Uganda and Zambia and an evaluation of the Zambia Country Programme.

Major evaluations completed in 2006 included:

- Evaluation of Mozambique Country Strategy (also a Value for Money Review)
- Evaluation of South Africa Country Strategy
- Value for Money Review of Tsunami Expenditure
- Evaluation of Tigray Regional Programme, Ethiopia.

Major evaluations planned for 2007 include:

- Ethiopia Country Programme
- Irish Missionary Resource Service
- Value for Money Review on HIV/AIDS Expenditure
- Irish Aid Fellowship Scheme
- Support to Education in Uganda
- Evaluation of Irish Aid approach to Gender in Mozambique Country Programme.

International Agreements.

125. **Mr. Gogarty** asked the Minister for Foreign Affairs his views on the proposed plans by the United States to build anti-missile shields in Poland and the Czech Republic that were discussed at the March 2007 EU meeting of Foreign Ministers; and if he will make a statement on the matter. [10386/07]

176. **Mr. Broughan** asked the Minister for Foreign Affairs if he will make a statement on the implications of the reported talks between the US and member states of the European Union aimed at establishing missile bases. [10521/07]

Minister for Foreign Affairs (Mr. D. Ahern): I propose to take Questions Nos. 125 and 176 together.

We are aware of reports that the US has recently approached Poland and the Czech Republic to deploy elements of its anti-missile defence system there. At the March meeting of the General Affairs and External Relations Council, the question was raised briefly. The matter was not discussed in any detail. The Euro-

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pean Union does not have an agreed position on missile defence, a matter on which it has no competence as regards the decisions of individual member states and which is more appropriate for discussion within NATO.

From a national perspective, however, we believe that the development of missile defence systems can have many negative consequences, including creating or aggravating missile arms races. It is my belief that the most effective way to tackle missile proliferation and the attendant threats is to engage in serious work in the area of disarmament and non-proliferation. Ireland has always played a very active role in such efforts, particularly in the promotion of nuclear disarmament within the framework of the Nuclear Non-proliferation Treaty (NPT), and elsewhere. We believe that further reductions in nuclear arsenals, with the aim of their total elimination, offers the best approach to address security concerns in this area. There is a risk that development of missile defence systems could induce some countries to expand their missile arsenals or to develop new missiles that might better penetrate defences.

The question of missile defence was examined in the report issued last year by the Weapons of Mass Destruction Commission, chaired by Dr Hans Blix. The report suggested that “the potential value of these systems is not in proportion to the risks they pose to the international community, including the states possessing such systems.” I agree with the Blix Report recommendation that states should not develop missile defence systems without first seeking to remove the missile threat by negotiation. In the event of systems being developed, they should be accompanied by confidence-building measures to lower the risk to international peace and security.

The reported purpose of the US anti-missile defence system, insofar as it might be deployed in Europe, is to counter perceived missile threats from Iran and North Korea. This system, if introduced, however, has the potential to create a destabilising effect in the region. Last month, for example, President Putin of the Russian Federation, in a speech delivered in Munich, expressed his unease with the defence system and questioned the US explanation of whom the shield was meant to deter. There have also been reports that some of his officials have suggested that Russia might consider withdrawal from the Intermediate Range Nuclear Forces Treaty if deployment so close to Russia’s border proceeds. Chancellor Merkel has also made her concerns known.

Human Trafficking.

126. **Mr. Rabbitte** asked the Minister for Foreign Affairs further to Parliamentary Question No. 75 of 8 February 2007, if he has received

the report of the special *rappporteur* of the UN Commission on Human Rights on trafficking; the contents of same; the Government’s reaction to same; and if he will make a statement on the matter. [10493/07]

Minister for Foreign Affairs (Mr. D. Ahern):

The latest report of the Special Rapporteur on the human rights aspects of the victims of trafficking in persons, especially women and children, Sigma Huda, was submitted to the Human Rights Council in January 2007, on foot of Council Decision 1/102. The report covers the period January to December 2006 and contains an outline of the Special Rapporteur’s activities in that period. The main body of the report is devoted to a thematic study on the issue of forced marriages in the context of trafficking in persons. The Report contains the Special Rapporteur’s conclusions and recommendations on ways to prevent trafficking in persons through, or for the purposes of, forced marriages, to discourage the demand for such marriages, to protect and assist the victims concerned, and to establish legal and prosecutorial measures to combat forced marriages in the context of trafficking in persons.

The Government is supportive of the work of Ms. Huda. The ongoing struggle against human trafficking is a priority issue at EU and international level. Ireland has supported measures against human trafficking in various international fora and, as the Deputy will be aware, the Tánaiste and Minister for Justice, Equality and Law Reform, has received government approval for the drafting of the Criminal Law (Trafficking in Persons and Sexual Offences) Bill which will create an offence of trafficking in persons for the specific purpose of sexual or labour exploitation.

The Special Rapporteur did not visit Ireland during the period in question and her report makes no specific reference to Ireland. However, as the Deputy is aware, Ms. Huda visited Ireland in January 2007. Comments she allegedly made in relation to extraordinary rendition during that visit were the subject of Parliamentary Question No. 75 of 8 February 2007. At the time that reply was given, the Special Rapporteur’s office had not been able to provide a copy of her speech. They have since provided my Department with a copy of her paper, entitled “Bounds beyond boundaries: international criminal justice with specific reference to human trafficking, sexual offences and the ICC”. As the title would suggest, the paper has no relevance to the entirely separate issue of extraordinary rendition.

Question No. 127 answered with Question No. 102.

Northern Ireland Issues.

128. **Mr. S. Ryan** asked the Minister for

Foreign Affairs his Department's views on providing funding for the new PSNI training college in Cookstown, County Tyrone; if his attention has been drawn to the funding difficulties that are delaying the construction of the college; if the college could be used for developing links between policing organisations North and South; and if he will make a statement on the matter. [10508/07]

Minister for Foreign Affairs (Mr. D. Ahern): On 20 February 2007, the British Government announced that a new custom-built training centre will be built for the Police and emergency services at Cookstown Co. Tyrone. The announcement stated that funding will be provided for an integrated college for police, fire and prison services.

At the British-Irish Intergovernmental Conference in Dundalk on 26 February 2007, both Governments welcomed the decision to proceed with the development of the training college as a fulfilment of a key Patten recommendation. The Governments also indicated their intention to examine ways in which cooperation in training between the PSNI and the Garda Síochána could be developed in the context of the planned new facility. The decision to proceed with the Cookstown site also has the full support of the Policing Board and the PSNI.

Question No. 129 answered with Question No. 102.

Question No. 130 answered with Question No. 104.

Question No. 131 answered with Question No. 112.

Question No. 132 answered with Question No. 108.

Question No. 133 answered with Question No. 104.

International Agreements.

134. **Mr. Kehoe** asked the Minister for Foreign Affairs the position with regard to the nuclear agreement between the United States and India. [10393/07]

154. **Mr. Hogan** asked the Minister for Foreign Affairs the position of the Government regarding the nuclear trading agreement between the United States and India; the effect that this agreement has on the strength of the nuclear non-proliferation treaty; and if he will make a statement on the matter. [10412/07]

238. **Mr. M. Higgins** asked the Minister for Foreign Affairs the position which Ireland will

take on the US-India agreement at the next meeting of the Nuclear Suppliers Group; and if he will make a statement on the matter. [10625/07]

Minister for Foreign Affairs (Mr. D. Ahern): I propose to take Questions Nos. 134, 154 and 238 together.

In July 2005, President Bush and Prime Minister Singh agreed to establish a new strategic partnership between their two countries. One element of that partnership was a proposed agreement on civil nuclear cooperation. In March 2006, the two leaders announced that agreement had been reached. On 9 December 2006 the US Congress adopted the Henry J Hyde United States-India Peaceful Atomic Energy Cooperation Act, which was subsequently signed into law by President Bush.

A number of further steps remain, however, before civil nuclear cooperation can commence between the US and India, including the conclusion of a formal bilateral agreement between the two countries (which must also be approved by the US Congress), negotiation by India of a safeguards agreement with the International Atomic Energy Agency (IAEA), and a decision in the Nuclear Suppliers Group (NSG) to exempt India from its export guidelines.

We have been closely following developments on the US-India deal and have had useful contacts with both the US and India on the issue. Three separate discussions on the proposed agreement have been held at the NSG since the March 2006 announcement and Ireland has played an active role, along with several other countries, in seeking to clarify a number of issues.

On 18 October 2006 I received the Prime Minister of India's Special Envoy on Civil Nuclear Cooperation, Mr Shyam Saran. In the course of our discussions I conveyed to him Ireland's deep-rooted commitment to the NPT and reiterated our disappointment that India remained outside it. While recognizing India's energy needs and its great and growing economic and political importance, I stressed Ireland's concerns over the potential impact of the US-India deal on the NPT and the global disarmament and non-proliferation regime. Useful technical discussions were also held at official level.

The next NSG Plenary meeting is scheduled for mid April in Cape Town, South Africa. The timing of any proposal in the NSG will be determined by the pace and outcome of Indian negotiations with the IAEA on safeguards, and with the US on the bilateral agreement. It appears highly unlikely that these two elements will have progressed to the extent necessary for the Plenary in Cape Town to take a decision. Such a decision is likely to be delayed at least until a meeting of the NSG later in the year, and possibly later.

As to the position we will eventually take, not all elements are yet clear and we would wish to

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have the fullest possible information in order to make a considered judgment. Ultimately, our final view will depend on our assessment of the potential impact of the deal on the global non-proliferation regime, but also on the approach taken by normally like-minded countries and the overall balance of views within the NSG.

Human Rights Issues.

135. **Mr. Rabbitte** asked the Minister for Foreign Affairs the most recent discussions between the EU and China regarding the ongoing mistreatment of Falun Gong practitioners. [10494/07]

152. **Mr. Howlin** asked the Minister for Foreign Affairs the discussion he has had on human rights in recent times with the People's Republic of China. [10520/07]

Minister for Foreign Affairs (Mr. D. Ahern): I propose to take Questions Nos. 135 and 152 together.

Questions relating to the treatment of the Falun Gong — including specific cases — are raised regularly, within the context of the wider situation of human rights and fundamental freedoms in China, in the EU-China Human Rights Dialogue, as well as in our own bilateral contacts with the Government of China.

The EU-China Human Rights Dialogue is the agreed formal framework through which the EU raises human rights issues and concerns with China. The Dialogue, the most recent round of which took place in Beijing on 19 October 2006, has allowed the EU to engage with China on such issues as freedom of expression, the death penalty, the independence of the judiciary and freedom of religion. The EU has used the Dialogue to press its case for Chinese ratification of such international instruments as the International Covenant on Civil and Political Rights (ICCPR) and, in that context, reform of the criminal justice system. The EU has also urged China to continue cooperation with, and to implement the recommendations of, the UN Special Rapporteur on Torture, including in particular the abolition of the “re-education through labour” system. The EU continues to use the Dialogue to raise significant individual human rights cases, including those relating to Falun Gong practitioners.

Cases raised during the Dialogue meeting have been followed up in subsequent contacts with the Chinese authorities. The EU Commissioner for External Relations, Ms Benita Ferrero-Waldner, during her visit to China on 16-18 January 2007, also raised human rights issues, including the real importance we attach to the ongoing Human Rights Dialogue. The next round of the Human Rights Dialogue will take place in Berlin in May.

On a bilateral level, when I met with Chinese Foreign Minister Li Zhaoxing on 12 May 2006 during a visit to Beijing, I had the opportunity to raise human rights issues and concerns, including the importance we attach to freedom of speech and freedom of religion. More recently, the Tánaiste held official talks on 25 September 2006 with visiting Chinese Vice-Premier Zeng Peiyan during which he also raised human rights issues and concerns. Discussions in this regard also take place at official level in Dublin and in Beijing.

Question No. 136 answered with Question No. 96.

Ministerial Travel.

137. **Mr. Penrose** asked the Minister for Foreign Affairs the amount that has been spent on travel expenses for Ministers regarding the international celebration of St. Patrick's Day and the importance of promoting Irish goodwill. [10513/07]

Minister for Foreign Affairs (Mr. D. Ahern): St Patrick's Day provides a truly unique framework in which to showcase Ireland on the world stage. The goodwill and attention associated with the festival offers an unrivalled opportunity to promote modern Ireland overseas.

St Patrick's Day also offers unique marketing opportunities to highlight to a global audience the advantages of doing business in Ireland. It offers a chance to promote Ireland as a world class tourist destination. These opportunities were fully exploited in the course of Ministerial travel overseas for St Patrick's Day. Visits this year were also used to highlight the threat of global warming and the urgency of acting together to meet this challenge.

St Patrick's Day and related events also provide a focus for the Irish diaspora and an opportunity to strengthen links with Irish communities around the world. In this regard, this year's programme provided a valuable and timely opportunity for the Taoiseach and myself to highlight the high priority that the Government attaches to the welfare of the Irish undocumented and to discuss their situation with key decision makers in Washington, including the President, the Speaker, the Democratic and Republican Senate leadership, Senators Kennedy, Leahy and Clinton, and many Members of the House of Representatives.

Our national day also offered an important occasion for direct and detailed dialogue on Northern Ireland, and in particular the compelling political importance of the restoration of the institutions on 26 March, with the President of the United States and his Administration, and with key political leaders on Capitol Hill, including the Friends of Ireland Group in Congress.

Travel expenses are a matter for each individual Minister. In my case, as I returned from Washington only a few days ago, the information sought by the Deputy is not yet available.

Overseas Development Aid.

138. **Mr. P. McGrath** asked the Minister for Foreign Affairs the level of contact between his Department and the Department of Defence regarding the rapid response corps; and if he will make a statement on the matter. [10406/07]

160. **Ms O. Mitchell** asked the Minister for Foreign Affairs the amount of money devoted to the development of the rapid response corps; and if he will make a statement on the matter. [10404/07]

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): I propose to take Questions Nos. 138 and 160 together.

In 2007, funding in the amount of €1 million is budgeted for the development of a Rapid Response Corps. The Corps will comprise approximately 50 highly-qualified and appropriately-experienced experts who will, on request, be deployed at short notice and for periods of up to 3 months.

The funding will be used to provide extensive and appropriate pre-departure training — which, I believe, is of paramount importance; to arrange insurance, travel and visas; and to meet the pre-departure medical costs of those deployed. Members of the Corps will also receive a daily allowance while on deployment, based on Irish civil service subsistence rates. I believe that many retired and serving members of the Defence Forces will have the necessary skills and expertise required to become active and important members of the Rapid Response Corps and we would greatly value applications from such individuals.

Irish Aid is collaborating extensively with the Department of Defence about the development of an appropriate pre-departure training course for members of the Rapid Response Corps. We will also, of course, work closely with our partners in the NGO community, such as Goal, Concern and Trócaire, in developing the project. We have asked the Department of Defence, through the Defence Forces' UN Training School of Ireland (UNTSI) based at the Curragh, to provide training on personal security issues. This will focus on preparing members of the Rapid Response Corps for the likelihood that deployments will be to challenging and difficult environments. The first such training course for members of the Rapid Response Corps is scheduled to take place at the Curragh in May 2007.

Diplomatic Representation.

139. **Mr. G. Murphy** asked the Minister for Foreign Affairs the number of planned new embassies to be opened over the remainder of 2007; and if he will make a statement on the matter. [10396/07]

Minister for Foreign Affairs (Mr. D. Ahern): Ireland has a network of 74 resident diplomatic and consular Missions abroad, as well as the British-Irish Intergovernmental Secretariat in Belfast and the North-South Ministerial Council Joint Secretariat in Armagh. While the opening of new Embassies abroad is considered by the Government on an ongoing basis, any expansion of our diplomatic network can only be undertaken having regard to clear priorities.

The White Paper on Irish Aid, published in September 2006, designated Malawi as Ireland's ninth programme country. Irish Aid is currently developing a country strategy for Malawi, with a view to beginning the implementation of a full programme of bilateral assistance to that country. In light of these developments, the Government recently approved my proposal to seek the agreement of the Government of Malawi to the opening of an Irish Embassy in Lilongwe and to the appointment of our first resident Ambassador there.

The successful trade mission, led by the Taoiseach in January, to Saudi Arabia and the United Arab Emirates underlined the potential value to Ireland of having a second resident Embassy in the Gulf region. Accordingly, and in order to take advantage of this potential, the Government agreed yesterday to my recommendation that an Embassy be established later in the year in the United Arab Emirates. Apart from Malawi and the United Arab Emirates, it is not anticipated that any other new Embassies will be opened over the remainder of 2007.

Question No. 140 answered with Question No. 96.

EU Directives.

141. **Mr. McCormack** asked the Minister for Foreign Affairs his views on the provisions of the European Communities Bill 2006; and if he will make a statement on the matter. [10401/07]

Minister for Foreign Affairs (Mr. D. Ahern): The European Communities Bill 2006 seeks to address the implications of the Supreme Court judgements in the Browne and Kennedy cases for the way in which EC measures are transposed into domestic law. Since 1973, it has been the practice to use statutory instrument-making powers contained in a wide variety of Acts of the Oireachtas to give effect to EC measures. The Supreme Court, in the above-mentioned judge-

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ments, has held this practice to be invalid, unless the Act of the Oireachtas explicitly provides that it can be used to give effect to EC law.

The European Communities Bill 2006 seeks to:

1. Validate the hundreds of pieces of secondary legislation that are now susceptible to challenge as a result of the Browne and Kennedy judgements. These measures were adopted in good faith by successive Governments since 1973 in order to give effect to EC law.

2. provide Ministers with a new power to create indictable offences by statutory instrument, where this is necessary to implement EC law. The Bill also provides for a standard 21 day scrutiny procedure for certain statutory instruments that create indictable offences. This gives the Oireachtas a new power to scrutinise such statutory instruments.

3. permit Ministers to use existing primary legislation to create new regulations to implement EC measures, provided that the existing legislation relates to those areas covered by the EC measure.

The Bill will also enable EC measures to be transposed speedily and effectively via secondary legislation. This Bill is required if we are to give proper effect to our European obligations. We need to be in a position, as we have done since 1973, to use secondary legislation in order to implement EC law.

Decentralisation Programme.

142. **Mr. Crawford** asked the Minister for Foreign Affairs the position with regard to a new premises for Irish Aid to take account of the decision to decentralise the body; and if he will make a statement on the matter. [10397/07]

Minister for Foreign Affairs (Mr. D. Ahern): Under the Government's decentralisation programme, the Development Cooperation Directorate of the Department of Foreign Affairs, which is the Headquarters of Irish Aid and currently based in Dublin, will decentralise to Limerick. The Office of Public Works (OPW) is responsible for the provision of office accommodation for the Directorate in Limerick. The OPW has identified a suitable location on Henry Street in Limerick city centre, and has advised my Department that lease terms have been agreed with the developer. The developer has indicated that he is now aiming for the building to be fully fitted out and ready for use late this year.

In addition, the Office of Public Works has agreed lease terms on temporary accommodation to facilitate the move of an Irish Aid advance party of some 50 officials to Limerick by the end of May.

Question No. 143 answered with Question No. 110.

European Council Meetings.

144. **Mr. Naughten** asked the Minister for Foreign Affairs if he has discussed Ireland's role in EU cooperation in security and defence with his European counterparts recently; the nature of these conversations; and if he will make a statement on the matter. [10400/07]

Minister for Foreign Affairs (Mr. D. Ahern): European Security and Defence Policy (ESDP) is an integral part of the European Union's Common Foreign and Security Policy, the principles and objectives of which are set out in the Maastricht, Amsterdam and Nice Treaties, approved by the people at successive referenda. Comprehensive reports on activities under the ESDP are submitted to the European Council at the conclusion of each Council Presidency.

At present, eight ESDP missions, both civilian and military, are under way. The civilian missions include police and rule of law missions, security sector reform assistance, and border monitoring missions in the Balkans, the Middle East and Africa. The principal military mission remains the ongoing peace stabilisation mission in Bosnia-Herzegovina (EUFOR Althea). Additionally, an EU Planning Team has been deployed to Kosovo to prepare for an expected rule of law mission in Kosovo to commence — depending on progress regarding Special Envoy Ahtisaari's status proposals — in early summer, in succession to the current UN mission operating there. EU Foreign Ministers have also held initial discussions regarding an ESDP mission in Afghanistan to assist with police training and other related tasks.

Current and future ESDP missions are considered in detail twice yearly by Foreign and Defence Ministers meeting together at the General Affairs and External Relations Council (GAERC), most recently last November. In addition, individual missions are discussed as appropriate by Foreign Ministers at the regular monthly GAERC meetings. The revised Operating Plan for EUFOR Althea in Bosnia Herzegovina, for example, was noted at the GAERC meeting earlier this month. I continue also to have regular discussions of relevant ESDP issues, where appropriate, with my EU counterparts at bilateral meetings as they occur.

The Government are also continuing to discuss with relevant partners preparations for Ireland to participate in the Nordic EU Battlegroup, which is to be on standby in the first half of 2008. A motion seeking approval for our participation will be placed before Dáil Éireann shortly. Any actual deployment of the Irish contingent of the Nordic Battlegroup will of course remain subject to the

requirements of the ‘triple lock’ of Government decision, Dáil approval and UN authorization.

Question No. 145 answered with Question No. 104.

Question No. 146 answered with Question No. 107.

Overseas Development Aid.

147. **Mr. Ferris** asked the Minister for Foreign Affairs the cost of producing and distributing to every household in the State — every day he is helping the world’s poorest people — a summary of the Government’s White Paper on Irish Aid recently. [10452/07]

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): This mail-out of the ‘Summary of the Government’s White Paper on Irish Aid’ to every household in the country is taking place in the context of the need to strengthen public awareness of the aid programme, as outlined in the White Paper and in debates in the Dáil and Seanad. Throughout the extensive consultation process preceding publication of the White Paper, this emerged as an important concern for Irish people. Ensuring public awareness of the aims and activities of the aid programme will be all the more important as the level of resources committed to overseas development increases.

The Government has made real commitments to overseas development, both in terms of spending and quality. These are commitments that I and the Government are very proud of. We have a responsibility and a duty to let Irish taxpayers know how and where we are spending their money. The need to build broader public understanding of our spending in Irish Aid is all the more important given that ODA, by definition, is spent abroad and not here in Ireland.

The public reaction to date to the White Paper and the summary booklet has been very positive. As all the costs involved in designing, printing and distributing the summary have not yet been fully calculated, it is not possible to give a final figure at this time.

148. **Ms O. Mitchell** asked the Minister for Foreign Affairs if he will report on the administration of Irish Aid funds to Mozambique; the person overseeing the application of these funds; and if he will make a statement on the matter. [10421/07]

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): Irish Aid established a programme of development cooperation with Mozambique in 1996. The central goal of the programme is to assist the Government and people of Mozambique in reducing poverty,

through the implementation of the national poverty reduction plan. The Development Cooperation Directorate in the Department of Foreign Affairs is responsible for the administration of the overseas development programme and the conduct of Irish development policy. The Embassy in Maputo, under the direction of the Ambassador to Mozambique, oversees the implementation of the programme in that country .

In common with all funds available to Irish Aid, those allocated for the development programme in Mozambique are managed in accordance with proper accounting principles and in a manner compliant with Department of Finance Public Financial Procedures. The programme conforms to the standards of best international practice. There are strong, comprehensive monitoring and evaluation processes in place which act as a quality control on the programme and ensure that our assistance makes a real difference to poor people’s lives.

In 2007, a budget of €31 million has been allocated for the Mozambique country programme. Additional funds are also provided through the Clinton Foundation for HIV/AIDS, through Non Governmental Organisations (NGOs), missionaries and local organisations for their community-based programmes. In total, it is estimated that Ireland will deliver approximately €45 million in 2007.

Ireland is targeting those sectors which have the greatest impact on poverty — health, HIV/AIDS, education, rural development, public sector reform and governance. Irish Aid also provides support to the administrations of two of Mozambique’s poorest provinces, Niassa and Inhambane.

Human Rights Issues.

149. **Mr. Crowe** asked the Minister for Foreign Affairs if his attention has been drawn to evidence that the imprisoned Kurdish leader, Abdullah Ocalan, has been poisoned and is being continuously held in solitary confinement in breach of his human rights; and if he will make a statement on the matter. [10453/07]

Minister for Foreign Affairs (Mr. D. Ahern): I am aware of the allegations referred to by the Deputy that the imprisoned PKK leader Abdullah Oçalan is being poisoned. These allegations were made by his lawyers who claimed they had evidence that he was being systematically exposed to toxins that could endanger his life. In response, I understand that the Turkish authorities arranged for Oçalan to be examined by a team of medical experts who found no evidence to support the allegations. While it is understood that Abdullah Oçalan is held in solitary confinement, the Turkish authorities have emphasised that he benefits from regular medical

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checks, as with other prisoners, and has shown no sign of serious illness.

As the Deputy may be aware, there have been some calls for the Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment of the Council of Europe to carry out an investigation of the poisoning allegations. The Committee has previously been in touch with the Turkish authorities several times concerning this case, and has sent delegations to visit Oçalan on a number of occasions since his imprisonment in 1999. They have indicated however that they do not see any need to send a delegation to Turkey to study these particular allegations. The Embassy in Ankara and the Permanent Representation to the Council of Europe will continue to monitor developments in this case.

EU Enlargement.

150. **Mr. J. O’Keeffe** asked the Minister for Foreign Affairs the progress with regard to the EU accession negotiations with Turkey; the Government’s views of the most pressing issue needing to be addressed before accession; and if he will make a statement on the matter. [10391/07]

Minister for Foreign Affairs (Mr. D. Ahern): Negotiations regarding Turkish accession to the European Union commenced on 3 October 2005. An extensive screening process is currently ongoing which closely scrutinises the compatibility of Turkish legislation with that of the EU. In all, there are 35 negotiating chapters in the accession process. After a chapter has been screened, the EU can decide, on the basis of a proposal from the Commission, whether the negotiations in that sector should proceed. In June 2006, the European Council welcomed the provisional closure of the Science and Research chapter with Turkey. To date, this is the only chapter to have been provisionally concluded.

The European Commission published its annual enlargement package on 8 November 2006. In its assessment of Turkey’s progress, the Commission states that reforms have continued but have slowed during the past year. Improvements are needed on freedom of expression, the rights of non-Muslim religious communities, women’s rights, trade union rights and on civilian control of the military. Further progress in aligning its legislation with that of the Union is also required in a range of areas, among them agriculture; taxation; state aid; and the free movement of goods, workers and capital.

It is difficult to prioritise particular issues, as all of the points identified in the Commission report require Turkey’s active attention. However, it is clear that Turkey’s continuing failure to implement the Ankara Protocol fully by opening

its ports and airports to vessels registered in the Republic of Cyprus is complicating the accession negotiations. As a result, the Council of Ministers, on 11 December 2006, acting on a recommendation from the Commission, decided that negotiations on eight negotiating chapters be suspended and, secondly, that no other chapter be provisionally closed until the Commission has verified that Turkey has implemented the Protocol.

The Commission will report further on Turkish progress towards meeting its obligations, including implementation of the Ankara Protocol, in its annual reports to the Council, in particular in 2007, 2008 and 2009.

Question No. 151 answered with Question No. 124.

Question No. 152 answered with Question No. 135.

Question No. 153 answered with Question No. 110.

Question No. 154 answered with Question No. 134.

Question No. 155 answered with Question No. 90.

Foreign Conflicts.

156. **Mr. Penrose** asked the Minister for Foreign Affairs the estimated number of Irish journalists based in conflict zones around the world and the protection available to them. [10512/07]

Minister for Foreign Affairs (Mr. D. Ahern): The Department of Foreign Affairs has no estimate of the number of Irish journalists based in conflict zones around the world. The Department provides consular assistance and support to all Irish citizens who find themselves in difficulties when abroad. In recent times, this included at least two Irish journalists, in Iraq and in Zimbabwe. Citizens are advised, when travelling to a known conflict region of the world, that they should voluntarily register their details, and expected whereabouts, with the nearest Irish Embassy or Consulate. This applies to all Irish citizens irrespective of their profession.

The Department also offers travel advice to Irish citizens travelling abroad and this advice is available on its website, www.dfa.ie. The advice is regularly updated and is designed to help Irish citizens make informed decisions before travelling overseas. The travel advice reflects the considered assessment of the risks involved and is based on the best information available to the Department. It draws on reports from Irish Diplomatic and Consular Missions overseas and

on the advice issued by other countries, including Member States of the European Union. Every effort is made to ensure that the advice offered is accurate, practical and reflective of the most up-to-date position. As the Deputy will appreciate, the final responsibility for undertaking any trip abroad must rest with the individual concerned.

Question No. 157 answered with Question No. 93.

Human Rights Issues.

158. **Mr. Ferris** asked the Minister for Foreign Affairs if his attention has been drawn to the ongoing human rights abuses in Guinea; if steps are being taken here and at European Union level to condemn the brutal killings of innocent civilians; and if he will use Ireland's influence to encourage the EU to hear the grievances of the people of Guinea and to enforce financial sanctions on the dictatorial government of Guinea. [10464/07]

Minister for Foreign Affairs (Mr. D. Ahern): The Government is greatly concerned by recent events in the Republic of Guinea, notably the violence which took place in January and February. While we have few direct bilateral connections with Guinea, we fully support efforts by the European Union to promote peace and political progress there. On behalf of the EU, the German Presidency on 19 January issued a statement in response to the first wave of violence, which expressed alarm at the loss of life, appealed to all parties to ensure that the political changes deemed necessary were carried out peacefully and in keeping with the constitution and warned against acts of intimidation or actions that could spark further violence. When EU Heads of Mission in Guinea presented this statement to the local authorities, they also made clear our broader concerns about the rule of law in Guinea and the need for certain democratic freedoms to be better realised.

Violence resumed in February with more protesters killed and arrested, before a general strike called by trade unions and civil society organisations was suspended again on 27 February after President Conté agreed to appoint Mr Lansana Kouyaté, a respected former Ambassador of Guinea to the UN, as the new Prime Minister. Mediation by the Economic Community of West African States (ECOWAS) played a very significant role in this breakthrough. On 2 March, the EU Presidency issued a second statement that underlined the Union's expectation that Prime Minister Kouyaté be provided with executive powers as foreseen in the 27 January agreement between the Government and its opponents and called on all parties in Guinea to support the Prime Minister in his pursuit of the economic and

social recovery of Guinea. The statement also called on the new Government to give priority to improving the human rights situation and the rule of law and asked that those who were responsible for the killing of innocent people during the crisis be brought to justice.

The EU is now focused on actively assisting Prime Minister Kouyaté to implement vital political and economic reform. The EU uses its relationship with Guinea through the Cotonou partnership agreement as a means of encouraging democratisation, human rights reform and economic development, and from April 2005, it suspended €65 million of its European Development Funds allocation in response to Guinea's failure to fulfil obligations under the Agreement regarding respect for human rights, democratic principles and the rule of law. Following recent reviews of the situation, progress has been made towards releasing the remainder of Guinea's allocation under the 9th European Development Fund.

In addition to Ireland playing its part in formulating the EU's response to the crisis, Irish Aid provided over €785,000 in funding in 2006 to support the work in Guinea of the World Health Organisation, UNICEF and Plan Ireland (a non governmental organisation). With our EU partners, Ireland will continue to follow developments in Guinea closely and will support dialogue and cooperation with the new Government in order to consolidate democracy and the rule of law, with a particular focus on the Parliamentary elections to be held this year.

Question No. 159 answered with Question No. 108.

Question No. 160 answered with Question No. 138.

Official Engagements.

161. **Mr. Gogarty** asked the Minister for Foreign Affairs if he will report on his recent official visit to the United States over the St. Patrick's Day holiday 2007; and if he will make a statement on the matter. [10385/07]

Minister for Foreign Affairs (Mr. D. Ahern): I travelled to Washington on Wednesday 14th March, where I joined the Taoiseach for the programme of events starting with the American Ireland Fund National Gala Dinner that evening, where the Honourees were the new Speaker of the House, Nancy Pelosi, the Republican Leader in the Senate, Mitch McConnell, and the Friends of Ireland Group in Congress, represented by its Chair, Representative Richard Neal. In the course of her remarks, and specifically responding to the Taoiseach's speech at the Dinner, the Speaker made clear her strong commit-

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ment to regularising the status of the undocumented.

On Thursday 15th March the Taoiseach and I met with senior political figures in Congress, including leading members of the Senate and Members of the Friends of Ireland Group in the House of Representatives. During these meetings we took the opportunity to highlight our concerns about, and the need for early legislation on the undocumented Irish in the United States, and to brief our hosts on the peace process and on the Irish economy. We participated in the traditional Speaker's lunch, on the same day, which was also attended by President Bush. In advance of the lunch, we had a private meeting with the Speaker which, in addition to Northern Ireland and the undocumented, also covered the Middle East, Iran and Sudan/Darfur.

Later that day, I accompanied the Taoiseach to a series of meetings with senior business people, including the Ireland America Economic Advisory Board, where we briefed them inter alia on the opportunities for business in Ireland.

On Friday March 16th, I accompanied the Taoiseach to the traditional Shamrock Ceremony in the White House. Following this, we had just under an hour long meeting with President Bush and his top advisers which ranged over a wide area of national and international issues, including Northern Ireland — where we also discussed the Pat Finucane case, on which a resolution was passed unanimously in the US Senate the previous evening — legislation to regularise the undocumented, climate change, the open skies issue, the Middle East, Darfur, the Doha Round, extraordinary rendition, and development aid.

Question No. 162 answered with Question No. 124.

Question No. 163 answered with Question No. 122.

Nuclear Proliferation.

164. **Mr. G. Murphy** asked the Minister for Foreign Affairs the position regarding negotiations between Iran and EU3 pertaining to nuclear proliferation; and if he will make a statement on the matter. [10408/07]

174. **Mr. Sherlock** asked the Minister for Foreign Affairs if he will comment on ongoing moves in Iran to develop nuclear capacity. [10500/07]

Minister for Foreign Affairs (Mr. D. Ahern): I propose taking Questions Nos. 164 and 174 together.

As I indicated in response to questions last month, there are currently no negotiations underway between the EU3 and Iran. However,

High Representative Solana did meet informally with lead Iranian negotiator Ali Larijani on 11 February last during the 43rd Munich Conference on Security Policy. This was their first meeting since discussions in September 2006, which failed to agree an acceptable formula for commencing negotiations on the package of incentives presented to Tehran in June 2006, on behalf of the EU3, the United States, the Russian Federation and China. While the tone of the meeting was positive, no indication was given that Iran was willing to move from its previously stated position, which has brought the issue onto the agenda of the UN Security Council.

On 23 December 2006, the Security Council unanimously adopted Resolution 1737, which required Iran to, inter alia, suspend all enrichment-related and reprocessing activities, and requested a compliance report from the Director General of the International Atomic Energy Agency (IAEA) within 60 days of the Resolution's adoption. It also obliged Member States to impose sanctions on Iran's nuclear and missile programmes.

On 22 February, the Director General issued the report as required, confirming that Iran had failed to comply with the terms of Security Council Resolution 1737. The report also confirmed that, while no declared nuclear material had been diverted to non-peaceful uses inside Iran, the IAEA remained unable to verify the absence of undeclared nuclear material and activities. The report concluded by stating the need for maximum cooperation and transparency on the part of Iran if the IAEA is to be in a position to provide assurances to the international community about the exclusively peaceful nature of its nuclear programme. Discussions are currently under way in New York on the substance of a follow-up to Resolution 1737, and it is anticipated that the Security Council will adopt a new resolution in the near future.

The question of Iran's nuclear programme is kept under constant review within the European Union at official level and is also the subject of regular discussions at Ministerial level. The most recent such discussion was at the General Affairs and External Relations Council meeting of 5-6 March 2007 in Brussels. At this meeting, the Council deplored Iran's non-compliance with UNSCR 1737, in particular Iran's failure to suspend all enrichment and enrichment-related activities, underlined the Security Council's expression of intent to adopt further appropriate measures under Article 41 Chapter VII of the UN Charter, and reaffirmed the EU's continuing support for efforts to find a negotiated long-term solution to the Iranian nuclear issue.

Question No. 165 answered with Question No. 107.

Question No. 166 answered with Question No. 100.

Question No. 167 answered with Question No. 87.

Question No. 168 answered with Question No. 96.

Question No. 169 answered with Question No. 100.

Departmental Staff.

170. **Mr. Connaughton** asked the Minister for Foreign Affairs the projected costs of training replacement personnel for Irish Aid; the impact that this cost will have on the 2007 Irish Aid budget; and if he will make a statement on the matter. [10392/07]

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): Under the Government's decentralisation programme, the Development Cooperation Directorate of the Department of Foreign Affairs will decentralise to Limerick. This is scheduled to take place during the second half of 2007 and will involve the relocation to Limerick of 124 posts. The costs associated with training of replacement staff in Irish Aid will be met from the Department's Administration Budget. This Department is committed, as are all Government Departments, to devote up to 4% of payroll to training and development of staff. The funding for training staff will come from this source.

European Council Meetings.

171. **Mr. Eamon Ryan** asked the Minister for Foreign Affairs if he will report on the discussions at the recent Brussels meeting of Foreign Ministers on establishing fixed EU targets on renewable energy; and if he will make a statement on the matter. [10388/07]

Minister for Foreign Affairs (Mr. D. Ahern): I welcome the decision by the Spring European Council, at which I accompanied the Taoiseach, to set a binding renewable energy target of 20% of total EU energy consumption, to be achieved by 2020. The Spring European Council was preceded by a meeting of EU Foreign Ministers at which energy and climate change were key topics of discussion. This is an ambitious and challenging policy. Ireland was a leading supporter of the Presidency and Commission in working for this binding target and will play a constructive part in pursuit of this vital objective.

Natural Disasters.

172. **Ms Burton** asked the Minister for Foreign Affairs the present position in Bolivia following

recent floods in that country; the help Ireland has provided in this regard; and if he will make a statement on the matter. [10497/07]

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): Since November 2006, extreme climatic events resulting from the El Niño Phenomenon have been affecting Bolivia. Floods and landslides as well as drought, hail and freezing temperatures have caused loss of lives, injury and displacements, as well as damage to housing, infrastructure and agriculture. The most recent information available indicates that 34 people lost their lives, approximately 67,000 families have been affected and 25,000 people have been displaced. The most vulnerable communities have lost their livelihoods and income.

The Government of Bolivia declared a National Emergency on 18 January 2007. The Government of Bolivia, through its Civil Defence, is leading the emergency response at national, departmental and municipal level in co-ordination with United Nations agencies, the International Federation of the Red Cross and Non-Governmental Organisations.

Ireland has, since the onset of the flooding, been in close contact with the United Nations Office for the Co-ordination of Humanitarian Affairs (UNOCHA) in relation to this disaster. On 6 March, US\$2 million was allocated from their Central Emergency Response Fund (CERF) to enable a rapid response to the most urgent needs faced by the affected population. As the Deputy will be aware, this year Ireland doubled its contribution to that Fund by providing €20 million, making Ireland the fifth largest donor to the Fund. The CERF was established to provide timely, reliable and accountable humanitarian assistance to those affected by natural and man-made disasters. The real value of this global fund and Ireland's contribution to it is well demonstrated in crisis situations such as that currently being experienced in Bolivia.

I can assure the Deputy that Irish Aid will continue to keep in touch with the situation on the ground and will respond flexibly, should the situation deteriorate.

Departmental Staff.

173. **Mr. Kenny** asked the Minister for Foreign Affairs the proposed staffing increases to the Irish Aid organisation in 2007; and if he will make a statement on the matter. [10403/07]

Minister for Foreign Affairs (Mr. D. Ahern): In the recent White Paper on Irish Aid, the Government committed to undertaking a major review of the management of the Aid programme in the light of the very substantial increase in the funding available to it. The review will embrace the financial and administrative systems,

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approval, monitoring, audit and evaluation mechanisms, management information systems and the management and technical competencies necessary to guide the programme through this era of growth.

The staffing requirement will be considered in the context of this management review. The review will be conducted by my Department in conjunction with the Department of Finance. Its precise terms of reference are currently being considered by both Departments. A report, with recommendations, will in due course be made to Government.

Separately, sanction has already been conveyed by the Minister for Finance for an additional 20 posts in my Department's Development Cooperation Directorate which administers Irish Aid. The filling of these posts will be completed during the course of 2007.

Question No. 174 answered with Question No. 164.

Question No. 175 answered with Question No. 90.

Question No. 176 answered with Question No. 125.

Proposed Legislation.

177. **Mr. Gilmore** asked the Taoiseach if he has received complaints regarding inappropriate use of the national flag; if it is permitted to write slogans on the national flag and to display them publicly; his plans to introduce legislation regarding use of the national flag; and if he will make a statement on the matter. [10689/07]

The Taoiseach: The Department of the Taoiseach published a booklet entitled "An Bhratach Náisiúnta, The National Flag" which details the manner in which the national flag should be flown. These are guidelines not regulations. Copies of this booklet have been placed in the Dáil Library.

From time to time, the Department receives queries regarding the correct manner in which to fly the National flag. In the past 12 months, the Department has recorded 8 queries in relation to use of the national flag (many of which would have been received either by phone or email) all of which have been dealt with satisfactorily. There are no plans to introduce any legislation with regard to use of the national flag.

Public Service Contracts.

178. **Mr. Durkan** asked the Taoiseach the number and identity of contracts or procurements approved, signed, entered into or otherwise committed to in the past 12 months; if normal procedures and requirements were followed in each case; the exceptions that were recommended and by whom; if recommendations were made by groups, bodies, agencies or individuals with whom Government Departments, State or semi-State agencies have current or previous associations; if all such projects or procurements were fully advertised and assessed and by whom; and if he will make a statement on the matter. [10854/07]

The Taoiseach: A total of twelve contracts were awarded by my Department between 1 March, 2006 and 28 February, 2007 and three contracts committed to within this 12 month period. The schedule outlines details in relation to these contracts.

Date of Contract	Supplier Name	Status of Contract	Details of Competitive Process used
March 2006	Goodbody Economic Consultants	Contract Awarded	Supplier selected following tender process
March 2006	Siemens Limited	Contract Awarded	No tender procedure followed as no other company provide maintenance for the particular equipment concerned
April 2006	Mori Ireland Ltd.	Contract Awarded	Supplier selected following tender process
April 2006	Economic and Social Research Institute	Contract Awarded	Supplier selected following tender process
June 2006	The Design Station	Contract Awarded	Supplier selected following tender process
June 2006	Dell	Contract Awarded	Supplier selected following tender process
July 2006	QTS Ltd	Contract Awarded	Supplier selected following tender process
November 2006	Fitzpatrick Associates Economic Consultants	Contract Awarded	Supplier selected following tender process
January 2007	Indecon (jointly with Life Strategies Ltd)	Contract Awarded	Supplier selected following tender process

Date of Contract	Supplier Name	Status of Contract	Details of Competitive Process used
January 2007	InVision Research Limited	Contract Awarded	Contract for support for priority system. No tender procedure followed as no other company capable of providing the required service
January 2007	Siemens Limited	Contract Awarded	No tender procedure followed as no other company provide maintenance for the particular equipment concerned
February 2007	The Design Station	Contract Awarded	Supplier selected following tender process
February 2007	EW Technologies	Contract Committed to	Supplier selected following tender process
February 2007	Initial Washroom Solutions	Contract Committed to	Supplier selected following tender process
Award Pending	NextiraOne	Contact Committed to (details currently being finalised)	Supplier selected following tender process

With regard to the list, all contracts awarded were subject to tendering procedures as laid down in Public Procurement Guidelines and, where applicable, EU procurement rules and guidelines.

Equality Issues.

179. **Mr. Callely** asked the Tánaiste and Minister for Justice, Equality and Law Reform if his attention has been drawn to the difficulties that some people with an illness but not life threatening experience have in obtaining a mortgage from a financial institution and if lucky enough to get a mortgage are severely penalised on their mortgage protection policy; if he will initiate a review of practices in this area; and if he will make a statement on the matter. [10679/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The Equal Status Acts 2000 to 2004 prohibit discrimination, on nine named grounds including that of disability, in the provision of and access to goods and services. The definition of services in this context is broad and would include banking, insurance, grants and credit facilities as well as access to public places, facilities for refreshment, entertainment, transport and travel services.

Differences in the treatment of persons in relation to annuities, pensions, insurance policies or any other matters related to assessment of risk is permitted only in limited circumstances. The treatment must be effected by reference to actuarial or statistical data obtained from a source on which it is reasonable to rely, or to other relevant underwriting or commercial factors, and it must be reasonable having regard to that data or other relevant factors.

The Equality Authority has a broad mandate under the Equal Status Acts 2000 to 2004 to combat discrimination and promote equality of opportunity in the areas covered by the Acts. It also has a role in providing information and advice to any person who feels that he or she has

been discriminated against on any of the grounds covered in the equality legislation.

A person who feels he or she has been discriminated against contrary to the Equal Status Acts, may seek advice from the Equality Authority and may make a complaint directly to the Equality Tribunal seeking redress. While each such case is considered on its own merits, national case law suggests that it is possible that the concept of disability, as it is defined for the purposes of the Equal Status Acts, may encompass the disabling effects of illness.

Crime Prevention.

180. **Mr. Gormley** asked the Tánaiste and Minister for Justice, Equality and Law Reform if his attention has been drawn to the upsurge in vandalism (details supplied); the steps the local gardaí are taking to counteract this unacceptable behaviour; if arrests have been made; if he will assure local residents that strong action will be taken to deal with this; and if he will make a statement on the matter. [10601/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I am informed by the Garda authorities that the area in question is actively policed by Gardaí from Irishtown sub-District. There are regular foot and mobile patrols carried out by uniform and plain clothes Gardaí with a view to ensuring a concentrated and visible presence in the area. These patrols are supplemented by the District Detective and Drugs Units, the Community Policing Unit, the District Mountain Bike Unit with additional patrols by the Divisional Crime Task Force and Traffic Corps Units.

As a result of recent public order incidents and anti-social behaviour in the area concerned, local Garda management has increased the number of Garda patrols in the area. The incidence of crime in the area and the allocation of personnel resources are kept under constant review by local

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Garda management. I am further informed that the incident referred to is currently being investigated by the Garda authorities. Local Garda management is satisfied that all necessary resources have been made available to this investigation.

I am further informed by the Garda authorities that current policing plans in the area are predicated on the prevention of anti-social and public order offences; the prevention of crime including crimes of violence against persons and property and the maintenance of an environment conducive to the improvement of quality of life of the residents. This strategy will continue to be central to the delivery of a policing service to the area in question.

Crime Levels.

181. **Mr. Kehoe** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of incidents dealt with by the gardaí in the different Garda districts in Counties Carlow and Kilkenny as recorded in the PULSE system. [10602/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): Following the submission to me in 2004 of a report and recommendations by an expert group on crime statistics, I decided that the compilation and publication of crime statistics should be taken over by the Central Statistics Office, as the national statistical agency, from the Garda Síochána. The Garda Síochána Act 2005 consequently makes provision for this and the CSO has established a dedicated unit for this purpose.

Following the setting up of the necessary technical systems and auditing of the data from which the statistics are compiled, I am pleased to note that the CSO is now compiling and publishing criminal statistics and has published provisional headline crime statistics for the third and fourth quarters of 2006. In addition, it has compiled and published a series of quarterly and annual statistics for the period starting with the first quarter of 2003. I understand that the CSO are examining how the crime statistics published might be expanded and made more comprehensive. I have requested the CSO to provide the information sought by the Deputy directly to him.

Residency Permits.

182. **Mr. Perry** asked the Tánaiste and Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 221 of 27 February 2007, the progress made on this application regarding permission to remain in the State (details supplied); and if he will make a statement on the matter. [10609/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): As outlined in my response to Parliamentary Question No. 221 of the 27th February 2007, the person concerned must contact the Immigration Division of my Department. To date the Immigration Division has no record of having received any correspondence from the person referred to by the Deputy. If and when the documentation is received, the application will be processed.

Garda Deployment.

183. **Mr. Wall** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number of gardaí stationed in an area (details supplied) in County Kildare; if this is the number assigned to this area; if not, the plans to bring the station up to the stated number; his plans to provide any of the new community gardaí to this area; and if he will make a statement on the matter. [10611/07]

184. **Mr. Wall** asked the Tánaiste and Minister for Justice, Equality and Law Reform the opening hours of a Garda station (details supplied); the arrangements if the station is closed; the number of Garda cars attached to the station; the arrangements for Garda cars if the station is closed; and if he will make a statement on the matter. [10612/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I propose to take Questions Nos. 183 and 184 together.

I have been informed by the Garda authorities, who are responsible for the detailed allocation of resources, including personnel, that the personnel strength (all ranks) of An Garda Síochána increased to a record 13,178 following the attestation of 273 new members on Wednesday 14 March, 2007. This compares with a total strength of 10,702 (all ranks) on 30 June, 1997 and represents an increase of 2,476 (or over 23%) in the personnel strength of the Force during that period. The combined strength (all ranks), of both attested Gardaí and recruits in training on 14 March, 2007 was 14,258. Furthermore, I should say that on 19 December, 2006, as part of a package of anti-crime measures, the Government approved the continuation of the existing Garda recruitment programme to achieve a total Garda strength of 15,000. The accelerated intake of approximately 1,100 new recruits per annum into the Garda College will continue until this target is met. The Garda Budget now stands at €1.4 billion, an 11% increase on 2006 and a 96% increase since 1997 in real terms.

I have also been informed by the Garda authorities that the personnel strength of Rathangan Garda Station on 20 March, 2007 was 3 (all ranks). Local Garda Management report that it is proposed to increase the strength of Rathangan Garda Station by 1 in April, 2007. Rathangan

Garda Station forms part of the Carlow/Kildare Division. The personnel strength of the Carlow/Kildare Division on 31 December, 1997 and 20 March, 2007 was 281 and 392 (all ranks) respectively. This represents an increase of 111 (or 39.5%) in the number of personnel allocated since that date. The number of personnel (all ranks) allocated to Community Policing duties in the Carlow/Kildare Division on 20 March, 2007 was 3 (all ranks).

Local Garda Management report that while all Gardaí based at Rathangan Garda Station are not officially designated as Community Gardaí, they patrol and interact with the community on a daily basis. All Gardaí have responsibility, *inter alia*, to deal with Community Policing issues as they arise. The opening hours of Rathangan Garda Station are from 10 a.m. to 1 p.m. daily, subject to operational demands. Outside of these hours, the Call Diversion System and Public Access Call Box (PACB) are in operation and linked to the District Headquarters at Kildare Garda Station.

If the Garda car which is allocated to Rathangan is not available or in the event of a member not being on duty in Rathangan Garda Station, calls are dealt with by Gardaí from Kildare Garda Station, who can, if necessary, also be assisted by Gardaí from Newbridge Garda Station.

I should add that it is the responsibility of Garda management to allocate personnel to and within Divisions. These personnel allocations are determined by a number of factors including demographics, crime trends and other operational policing needs. Such allocations are continually monitored and reviewed along with overall policing arrangements and operational strategy. This ensures that optimum use is made of Garda resources and that the best possible service is provided to the public.

Asylum Applications.

185. **Mr. Curran** asked the Tánaiste and Minister for Justice, Equality and Law Reform when a decision will be made regarding an application made in the summer of 2004 by a person (details supplied) in Dublin 22 to remain here on humanitarian grounds. [10648/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I wish to refer the Deputy to my reply to PQ 9547/07 which refers to same and which was answered 20 March, 2007. The position remains the same. The person concerned, a Nigerian national, arrived in the State on 28 April, 2003 and applied for asylum. Her application was refused following consideration of the case by the Office of the Refugee Applications Commissioner on 12 February, 2004 and on appeal by the Refugee Appeals Tribunal on 22 April, 2004.

Subsequently, in accordance with section 3 of the Immigration Act 1999, as amended, the person concerned was informed by letter dated 25

May, 2004 that the Minister was proposing to make a deportation order in respect of her. She was, in accordance with the Act, given the option of making representations, within 15 working days, setting out the reasons why she should not be deported i.e. be allowed to remain temporarily in the State; leaving the State before the deportation order was made; or consenting to the making of the deportation order. Representations have been received on behalf of the person concerned.

The person's case file, including all representations submitted, will be considered under Section 3(6) of the Immigration Act 1999, as amended, and Section 5 of the Refugee Act, 1996, (Prohibition of Refoulement) as amended. I expect the file to be passed to me for decision in due course.

Visa Applications.

186. **Mr. Carey** asked the Tánaiste and Minister for Justice, Equality and Law Reform when a decision will be made in relation to an application for a holiday visa by a person (details supplied); and if he will make a statement on the matter. [10649/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The application referred to by the Deputy was received in the Visa Office on 13th March 2007. I am pleased to inform the Deputy that the visa application in question was approved on 16th March 2007.

187. **Mr. Kehoe** asked the Tánaiste and Minister for Justice, Equality and Law Reform when a passport for a person (details supplied) in County Carlow will be sent back to the person as they wish to travel to Poland on 28 April 2007; and when a decision will be made on their spouse's joint visa application. [10747/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): I understand from the Immigration Division of my Department that the person concerned has recently been granted permission to remain in the State and that the passport has been returned.

Crime Prevention.

188. **Mr. F. McGrath** asked the Tánaiste and Minister for Justice, Equality and Law Reform if his attention has been drawn to the illegal scams in the insurance industry; and the situation regarding white collar crime. [10839/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The Garda Bureau of Fraud Investigation is the specialist unit within An Garda Síochána with national responsibility for the investigation of fraud-related crime. The Bureau has carried out a number of investigations in relation to complaints

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made by insurance companies over the years. These investigations have resulted in a number of successful prosecutions.

I am informed by the Garda authorities that a number of investigations are currently being undertaken by the Garda Bureau of Fraud investigations into alleged fraud scams in the insurance industry. One of the policing priorities for the Garda Síochána for 2007 which I determined under section 20 of the Garda Síochána Act 2005 is to focus on high value white-collar crime, particularly trading in contraband goods.

The EU Money Laundering Directive (Directive 2005/60/EC), due to be transposed into domestic legislation by the end of this year, increases the obligations on financial institutions in relation to combatting money laundering and related activities.

Public Service Contracts.

189. **Mr. Durkan** asked the Tánaiste and Minister for Justice, Equality and Law Reform the number and identity of contracts or procurements approved, signed, entered into or otherwise committed to in the past 12 months; if normal procedures and requirements were followed in each case; the exceptions that were recommended and by whom; if recommendations were made by groups, bodies, agencies or individuals with whom Government Departments, State or semi-State agencies have current or previous associations; if all such projects or procurements were fully advertised and assessed and by whom; and if he will make a statement on the matter. [10852/07]

Tánaiste and Minister for Justice, Equality and Law Reform (Mr. McDowell): The detailed information required by the Deputy is not readily available in the format requested. As the Deputy will appreciate, having regard to the breadth of activities undertaken by my Department and by the agencies under its aegis, the extent of the procurement activity is necessarily very extensive, running perhaps to several hundred procurement instances in the period in question. In these circumstances, it would require an disproportionate amount of time and staff resources to assemble the data required.

I can, however, inform the Deputy that procurement activity in my Department continues to be managed in accordance with established public sector guidelines and subject to internal and external audit in the normal way. In particular, I can advise him that as part of the assurance and control arrangements in place, a full procurement audit of purchases made during 2006 which will, inter alia, review many of the questions raised by the Deputy is in the process of being carried out by the Central Procurement Unit of the Department and will be completed later this year.

Departmental Properties.

190. **Mr. S. Ryan** asked the Minister for Finance if he will report on the transfer of the portion of a site (details supplied) in Foxwood, Swords, County Dublin to Fingal County Council by way of a deed of waiver and on a further application from the local authority seeking to acquire the balance of the site. [10640/07]

Minister of State at the Department of Finance (Mr. Parlon): Following a request from Fingal County Council to the Minister for Finance in February 2001 a formal Deed of Waiver was executed in favour of the Council by the Minister on 4th December, 2003 in respect of portion of the lands contained in Folio 3052F of the Register of Freeholders, County Dublin.

Fingal County Council have submitted a further request in February, 2007 requesting the Minister for Finance to waive his interest in additional land also contained in Folio 3052F. This request is currently receiving attention.

Decentralisation Programme.

191. **Mr. Callely** asked the Minister for Finance the position and progress with the Civil Service unions on the procedures that apply in respect of civil servants opting to remain in Dublin while their Department is moving to another location under the decentralisation programme; and if he will make a statement on the matter. [10675/07]

Minister for Finance (Mr. Cowen): The primary mechanism for placing civil servants who are in posts which are due to decentralise but wish to remain in Dublin is by way of bilateral transfer. As staff whose organisations are remaining in Dublin, but who themselves have applied to relocate, continue to be transferred into decentralising organisations, the posts they vacate become available to those wishing to remain in Dublin.

In addition, the Public Appointments Service operates a system which will match Dublin based posts with people wishing to remain in Dublin. Any decentralising organisation which anticipates that it will have staff wishing to remain in Dublin who cannot be placed within the organisation will engage with the Public Appointments Service in the placement of these individuals.

Following detailed discussions with the civil service unions, which concluded in February, the precise operation of these arrangements has been amended to improve their overall effectiveness. The aim is to achieve a close alignment between the assignment of staff to Dublin posts and the readiness of Departments to release staff at particular grade levels. In that context, Departments and Offices have been asked to update the Public Appointments Service in relation to posts that require to be filled and staff that require to be placed through these arrangements. This will be

an ongoing process throughout the transition phase of the Programme.

Garda Stations.

192. **Mr. Callely** asked the Minister for Finance the programme of works for enhancement and improvement of Garda stations in the Dublin area; and if he will make a statement on the matter. [10676/07]

Minister of State at the Department of Finance (Mr. Parlon): The Commissioners of Public Works operate the Garda Accommodation maintenance programme from a prioritised list provided by the Department of Justice, Equality & Law Reform and the Garda Authorities. Financial resources are set aside based on planned works arising from this list.

Enhancement and improvement works are scheduled at the two following Dublin Garda Stations under this programme:

- Swords Garda Station — Extra accommodation to include a meeting room and new changing facilities for members.
- Bridewell Garda Station — Refurbishment of the public reception area.

The Commissioners of Public Works also operate a nationwide painting programme on behalf of the Garda Authorities.

For 2007 the following Dublin stations are scheduled to be completed:

- Dalkey GS
- Blackrock GS
- Swords GS
- O'Connell St. Garda Office
- Donaghmede GS
- Malahide GS

Flood Relief.

193. **Mr. Callely** asked the Minister for Finance the level of funding that has been allocated for flood relief and flood preventative measures in the Dublin area; and if he will make a statement on the matter. [10677/07]

Minister of State at the Department of Finance (Mr. Parlon): The Office of Public Works has allocated €4 million towards flood relief activities in the Dublin area in 2007. This figure will cover the cost of works on the River Tolka and the River Dodder. It will also cover the cost of fees associated with upcoming works on Spencer Dock and other works which have been identified in the Dublin Coastal Flooding Protection Project.

Tax Code.

194. **Mr. Callely** asked the Minister for Finance

the benefits of the bio-fuel scheme and the environmental friendly tax benefit schemes in place; and if he will make a statement on the matter. [10678/07]

Minister for Finance (Mr. Cowen): While the promotion of biofuel is primarily a matter for my colleague, the Minister for Communications, Marine and Natural Resources, I am pleased to inform the Deputy that in Finance Act 2006 I provided for significant tax measures to promote biofuels in Ireland.

The main benefits of this scheme, which received the necessary EU State Aid approval and commenced in November 2006, include:

- providing for excise relief on up to 163 million litres of biofuels per annum;
- they cost over €200m over 5 years;
- when fully operational, they will result in CO₂ savings of over 250,000 tonnes per annum;
- they contribute towards meeting a target of 5.75% transport fuel market penetration by biofuels by 2009;
- they help reduce our dependency on conventional fossil fuels, and
- they stimulate activity in the agricultural sector.

As a complementary measure, I provided in the Finance Act 2006 for a new 50% VRT relief to promote new flexible fuel vehicles (cars designed to operate on biofuels) for an initial period of two years, and extended the existing VRT relief for hybrid cars by a further year to end 2007. I am also providing in the Finance Bill 2007 for the introduction of a VRT relief of 50% for electric cars — cars which can be propelled by a rechargeable battery — on a pilot one year basis with effect from 1 January, 2007.

In addition I announced in the Budget the commencement of a public consultation process on adjusting VRT to take greater account of CO₂ emissions of vehicles. A similar exercise is under way in the area of motor tax. Any changes will have effect from a target date of 1 January 2008.

195. **Mr. P. McGrath** asked the Minister for Finance if, in view of his budget 2007 statement (details supplied), he will confirm the arrangements that have been made with the financial institutions; and if he will make a statement on the matter. [10817/07]

Minister for Finance (Mr. Cowen): I am advised by the Revenue Commissioners that arrangements are in place with the Financial Institutions relating to the introduction of DIRT exempt savings accounts as announced in the Budget and the scheme will be implemented as soon as the Finance Bill is enacted. The scheme

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will be available to individuals or their spouses who are aged 65 years of age or over and to those persons or their spouses who are permanently incapacitated, whose total annual income is no more than the relevant income tax exemption limit — for 2007 this is €19,000 for a single or widowed person and €38,000 for a married couple.

Revenue have had detailed discussions with the Financial Institutions including Credit Unions and the Post Office Savings Bank. The Financial Institutions will be in a position to operate the scheme following the enactment of the Finance Bill. For persons aged 65 years of age or over, they will merely have to complete a self-certification application form and deliver it to their Financial Institution who will then apply DIRT exempt status to the nominated account. For persons who are permanently incapacitated, the application form will be returned to Revenue, who will in turn notify the Financial Institution to apply DIRT exempt status to the nominated account.

Arrangements are being made to have application forms and information leaflets available in early April on Revenue's website, www.revenue.ie, from Revenue offices and from Financial Institutions. In addition, the Revenue Commissioners will distribute application forms and information leaflets for those who are permanently incapacitated through the appropriate disability organisations. Full details on the operation of the scheme and availability of application forms and information leaflets will be advertised in early April.

Public Service Contracts.

196. **Mr. Durkan** asked the Minister for Finance the number and identity of contracts or procurements approved, signed, entered into or otherwise committed to in the past 12 months; if normal procedures and requirements were followed in each case; the exceptions that were recommended and by whom; if recommendations were made by groups, bodies, agencies or individuals with whom Departments, State or semi-State agencies have current or previous associations; if all such projects or procurements were fully advertised and assessed and by whom; and if he will make a statement on the matter. [10849/07]

Minister for Finance (Mr. Cowen): The information requested by the Deputy is being compiled by my Department and will be forwarded to him as soon as it is available.

Health Service Allowances.

197. **Mr. Kenny** asked the Minister for Health and Children if the domiciliary care allowance is provided to parents whose children have been

diagnosed with autism; and if she will make a statement on the matter. [10686/07]

198. **Mr. Kenny** asked the Minister for Health and Children if the domiciliary care allowance is available to children who have been diagnosed on the autistic spectrum; the criteria they must meet in order to qualify; and if she will make a statement on the matter. [10687/07]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): I propose to take Questions Nos. 197 and 198 together.

Domiciliary Care Allowance may be paid, as the Deputy is aware, in respect of eligible children from birth to the age of 16 who have a severe disability requiring continual or continuous attention which is substantially in excess of that normally required by a child of the same age. Eligibility is determined primarily by reference to the degree of additional care and attention required rather than to the type of disability involved.

Mental Health Services.

199. **Mr. Stagg** asked the Minister for Health and Children the reason specialist dentist treatment performed by special needs dentists are not available to pupils with autism in mainstream education in a school (details supplied) in County Kildare; and if she will ensure that the resources of a special needs dentist are allocated to the school. [10916/07]

222. **Ms C. Murphy** asked the Minister for Health and Children the reason children who attend a school (details supplied) are not allowed access to the special needs dentist; if the policy to exclude these children from this necessary service has been worked out between her Department and the Department of Education and Science; and if she will make a statement on the matter. [10832/07]

Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 199 and 222 together.

The statutory position governing the eligibility of children to dental treatment under the Health Service Executive (HSE) service is Section 66 of the Health Act, 1970, the Health (Amendment) Act 1994 and the Health (Dental Services for Children) Regulations, 2000 (S.I. No. 248 of 2000). Responsibility for delivery of health services is a matter for the HSE.

Children in specific classes in national school, usually second, fourth and sixth class, are targeted for preventive measures under the school based approach; the children in these classes are screened and referred for treatment as necessary; the programme has been specifically designed to ensure that children are dentally fit before they leave national school. The screening provided in

second, fourth and sixth classes ensures that follow up appointments for examination, treatment or orthodontic review are made, as necessary, with the Dental Surgeon in the clinic designated for the particular school(s). Children who have attended national school retain eligibility to dental treatment up to their 16th birthday.

The Irish Medicines Board (Miscellaneous Provisions) Act, 2006, contains provision for the amendment of Section 66 of the Health Act, 1970 to provide for a health examination and treatment service for pupils attending any primary school. The Irish Medicines Board (Miscellaneous Provisions) Act, 2006, also contains provision for the amendment of the Health (Amendment) Act, 1994 to provide dental health services to children attending any primary school. My officials are currently in discussion with the Health Service Executive with a view to ensuring an early commencement to the relevant sections of the Act.

Medical Aids and Appliances.

200. **Mr. McGuinness** asked the Minister for Health and Children if aids for the house will be provided for persons (details supplied) in County Kilkenny as a matter of urgency; and if she will expedite the matter. [10607/07]

Minister of State at the Department of Health and Children (Mr. S. Power): Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive (HSE) under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. The HSE's responsibility includes the operation of the Housing Aid Scheme for the Elderly, on behalf of the Department of Environment, Heritage and Local Government. Therefore, the Executive is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued

Health Services.

201. **Mr. Noonan** asked the Minister for Health and Children if she will set up an epidemiological study of brain injured persons here; if her attention has been drawn to the work of a group (details supplied); if she will support it in raising awareness of the difficulties of the brain injured; and if she will make a statement on the matter. [10608/07]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): My attention has been drawn to this report as I have recently received correspondence from several Deputies in relation to this matter. The Deputy's question relates to the management and delivery of health

and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

202. **Mr. Kehoe** asked the Minister for Health and Children the status of the building of the new psychiatric facility to replace the existing facility in County Wexford; and if she will make a statement on the matter. [10624/07]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. The Executive, therefore, is the appropriate body to consider the particular matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Hospital Services.

203. **Dr. Cowley** asked the Minister for Health and Children when she will sanction the installation of a digital x-ray computer system for Mayo General Hospital; her views on whether having a picture archiving and communications system installed would replace the antiquated system of physically developing x-ray film which takes time and is expensive; and if she will make a statement on the matter. [10626/07]

Minister for Health and Children (Ms Harney): Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider the particular matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Services for People with Disabilities.

204. **Mr. F. McGrath** asked the Minister for Health and Children if she will assist a person (details supplied) in Dublin 3 with a speech therapy and physiotherapy service; and if she will work with their family on this matter. [10642/07]

Minister of State at the Department of Health and Children (Mr. S. Power): The Deputy's question relates to the management and delivery of

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health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Foreign Adoptions.

205. **Mr. Morgan** asked the Minister for Health and Children the processes and timeframes involved for people here wishing to adopt a child from a non-EEA State; the reason for the very lengthy delays of up to four years in some cases; and if this process can be streamlined to eliminate these delays. [10643/07]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive (HSE) under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

The Government did allocate €1 million to the HSE in additional ongoing funding commencing in 2005 to assist in tackling inter-country adoption waiting times. I understand that this additional funding is being used to pilot measures which will, for example, allow for more flexible working arrangements within the HSE with a view to addressing waiting times. The registered Adoption Society, PACT, has also received significant additional funding to allow them to expand their inter-country adoption services.

Child Care Services.

206. **Mr. Kenny** asked the Minister for Health and Children if under the Equal Opportunities Childcare Programme 2000 to 2006 an application by a group (details supplied) in County Mayo will be approved; the reason her Department was unable to deal with the application within the normal time frame; if in the circumstances where the building in question has been renovated and ready to open and children readily available to attend there, she will approve the grant; and if she will make a statement on the matter. [10644/07]

Minister of State at the Department of Health and Children (Mr. B. Lenihan): As the Deputy will be aware, I have responsibility for the Equal Opportunities Childcare Programme 2000 — 2006 (EOCP) and the National Childcare Investment Programme 2006 — 2010 (NCIP), which are being implemented by the Office of the Minister for Children.

As part of the process of closing the EOCP, the final date for reaching contract stage was 31 December 2006. As the Deputy will be aware, the EOCP is co-funded by the European Union, and timescales agreed with the Commission must be observed, as financial penalties will accrue to the State if they are not. The Group in question submitted their application to Pobal, which is engaged to assess all grants on behalf of my Office, in October 2006. Final information required to complete the assessment was received by Pobal from the Group on 6 December 2006.

As it was not possible at that stage for the application to be brought through the assessment and appraisal process and to contract stage by 31 December 2006, it was recommended by the Programme Appraisal Committee that the Group's application under that Programme be declined and that the application be considered in the context of the forthcoming NCIP staffing grant scheme. The Secretary General of the Department concurred with this recommendation.

In certain circumstances, including where an application is linked to a previous EOCP capital grant, applications for staffing grant assistance are continuing to be considered under the EOCP and, subject to the outcome of a review in each case, the applicants will be advised of the position as soon as possible. In the case of other Groups such as that referred to by the Deputy, which have been declined staffing grant funding under the EOCP as a result of being unable to meet the contractual deadlines of that Programme, and whose applications were not linked to a previous EOCP capital grant, the review of their applications for staffing grant funding will be undertaken as soon as the details of the new NCIP staffing grant scheme are announced. In each case, the review will be undertaken as quickly as possible to facilitate the Group concerned. Officials in my Office will be in contact with the Group in due course to inform them of the outcome of that review.

Industrial Relations.

207. **Mr. Ring** asked the Minister for Health and Children the position in relation to negotiations between the Irish Pharmaceutical Union and the Health Service Executive; and if she will make a statement on the matter. [10645/07]

Minister for Health and Children (Ms Harney): A meeting was held on 21 February between the HSE/Department of Health and Children negotiating team and the Irish Pharmaceutical Union. The purpose of the meeting was to establish a procedure to examine available options for advancing contractual negotiations in compliance with Irish and EU competition law. A process and the relevant terms of reference have been agreed and this process is expected to commence shortly.

Mental Health Services.

208. **Mr. F. McGrath** asked the Minister for Health and Children if she will act on the proposals in correspondence (details supplied); if she will implement these matters in the Vision for Change programme; and if she will deal with the issues raised in this question. [10680/07]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Government is committed to the full implementation of "A Vision for Change" and has accepted the Report as the basis for the future development of our mental health services.

In March 2006, I appointed an independent monitoring group to monitor progress on the implementation of the recommendations of "A Vision for Change". The group will monitor and assess progress on the implementation of all the recommendations including those which fall under the responsibility of the HSE, government departments and other relevant agencies. The Group is to submit its first annual report by mid 2007.

Implementation of the individual recommendations of "A Vision for Change" is a matter primarily for the HSE. The HSE established an implementation group in July 2006 to ensure that mental health services develop in a synchronised and consistent manner across the country and to guide and resource service managers and clinicians in making the recommendations in "A Vision for Change" a reality. Both of these groups will play an important role in ensuring that the recommendations are implemented in a co-ordinated and timely manner. Mental health service providers and service users are represented on both groups.

I have been informed by the HSE that they plan to publish a Progress Report and outline the proposed implementation programme over the life of "A Vision for Change" in the near future.

In 2006, a sum of €26.2 million was provided for the development of our mental health services in line with "A Vision for Change". A further sum of €25 million has been allocated for 2007. Developments in 2007 will include eight new child and adolescent mental health teams, up to 36 new in-patient beds for children and adolescents, specialist mental health services for older people, the homeless, persons with an intellectual disability and persons with an eating disorder, suicide prevention initiatives including a national positive mental health awareness programme and enhanced services and additional places at the Central Mental Hospital.

As implementation of the individual recommendations of "A Vision for Change" is a matter primarily for the HSE, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the issues of the multi-disciplinary teams investigated and to have a reply issued directly to the Deputy.

Care of the Elderly.

209. **Mr. Kenny** asked the Minister for Health and Children her plans for a day care centre in an area (details supplied) in Dublin 22; the day care facilities currently available to the elderly in the area; and if she will make a statement on the matter. [10681/07]

Minister of State at the Department of Health and Children (Mr. S. Power): Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004. Therefore, the Executive is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Health Services.

210. **Mr. Connaughton** asked the Minister for Health and Children when Ballinasloe social services will be provided with appropriate physiotherapy and occupational therapy services; if her attention has been drawn to the fact that 84 elderly people in a 15 mile radius of Ballinasloe use the services of the centre; and if she will make a statement on the matter. [10682/07]

Minister of State at the Department of Health and Children (Mr. S. Power): Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004. Therefore, the Executive is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Ambulance Service.

211. **Mr. Ring** asked the Minister for Health and Children if transport will be provided to a person (details supplied) in County Mayo in view of the fact that they need to be admitted to hospital on 15 April 2007 and that they have no form of transport, no relatives and no way of getting to the hospital; and if she will ensure that transport is provided for this person who needs an operation but has no means of transport to travel to the hospital which is 50 miles from their home. [10683/07]

Minister for Health and Children (Ms Harney): Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive and funding for all health services has been provided as part of its overall Vote. Therefore, the Executive is the appropriate body to consider the part-

[Ms Harney.]

icular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Hospital Services.

212. **Mr. McGuinness** asked the Minister for Health and Children the reason a person (details supplied) in County Kilkenny had to pay €250 for a CAT scan in 2006 at St. Luke's Hospital, Kilkenny having been referred by their general practitioner; if this service is covered under the medical card scheme; and if she will make a statement on the matter. [10728/07]

Minister for Health and Children (Ms Harney): Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive and funding for all health services has been provided as part of its overall Vote. Therefore, the Executive is the appropriate body to consider the particular issue raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

213. **Mr. Gormley** asked the Minister for Health and Children the location where the Dub-Doc clinic, which is currently part of the St. Luke's Hospital complex in Rathgar and is an extremely important out-of-hours service to people living in the vicinity of this area, will be located when the cancer treatment facilities are moved from St. Luke's Hospital to St. James' Hospital; and if she will make a statement on the matter. [10733/07]

Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to respond directly to the Deputy in relation to the matter raised.

Health Service Staff.

214. **Ms Cooper-Flynn** asked the Minister for Health and Children the number of podiatrist positions sanctioned for the Roscommon area; the number of these positions currently filled. [10740/07]

215. **Ms Cooper-Flynn** asked the Minister for Health and Children the number of podiatrist positions sanctioned for the Mayo area; and the

number of these positions currently filled. [10744/07]

216. **Ms Cooper-Flynn** asked the Minister for Health and Children the number of podiatrist positions sanctioned for the Sligo area; and the number of these positions currently filled. [10745/07]

217. **Ms Cooper-Flynn** asked the Minister for Health and Children the number of podiatrist positions sanctioned for the Galway area; and the number of these positions currently filled. [10746/07]

Minister for Health and Children (Ms Harney): I propose to take Questions Nos. 214 to 217, inclusive, together.

Over 120,000 people work full-time or part-time in our public health services. In recent years, the Government's ongoing high level of investment in health has achieved and maintained significant increases in the numbers of doctors, nurses and other health care professionals employed in the public health services. The Government has also invested heavily in the education and training of such personnel in order to secure a good supply of graduates to provide for the health care needs of the population into the future.

Subject to overall parameters set by Government, the Health Service Executive has the responsibility for determining the composition of its staffing complement. In that regard, it is a matter for the Executive to manage and deploy its human resources to best meet the requirements of its Annual Service Plan for the delivery of health and personal social services to the public. The Executive is the appropriate body to consider the matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Hospital Services.

218. **Mr. Morgan** asked the Minister for Health and Children when the decision was made to upgrade the proposed six slice CT scanner which was due to be installed and operational in Louth County Hospital by the 7 March 2007, as stated on 7 February 2007, to a 16 slice CT scanner as announced on 13 March 2007; the person who made the decision that the scanner should be upgraded; the criteria used in making this decision; if fully trained staff are in place to operate the 16 slice scanner; if so, the composition of this staff and who will employ them; the amount it will cost to run and operate the 16 slice scanner as opposed to the six slice CT scanner; the basis on which the offer of €150,000 was accepted from a business man and the offer for the same amount from Louth Hospital support

groups was refused; and if she will make a statement on the matter. [10828/07]

Minister for Health and Children (Ms Harney): Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. Therefore the Executive is the appropriate body to consider the particular issue raised by the Deputy. My Department has asked the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Services for People with Disabilities.

219. **Mr. Aylward** asked the Minister for Health and Children if she will appoint a co-ordinator in the Health Service Executive in Kilkenny, in conjunction with the Department of Education and Science, to liaise with the parents of children with autism; and if she will make a statement on the matter. [10829/07]

Minister of State at the Department of Health and Children (Mr. T. O'Malley): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Services.

220. **Caoimhghín Ó Caoláin** asked the Minister for Health and Children if she will arrange for a person (details supplied) in County Donegal to receive an immediate appointment for their blood pressure. [10830/07]

Minister for Health and Children (Ms Harney): Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive and funding for all health services has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider the particular question raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this case investigated and to have a reply issued directly to the Deputy.

221. **Caoimhghín Ó Caoláin** asked the Minister for Health and Children if the Health Service Executive will cover the cost for a person (details supplied) in County Donegal to have their medical records transferred. [10831/07]

Minister for Health and Children (Ms Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Question No. 222 answered with Question No. 199.

Public Service Contracts.

223. **Mr. Durkan** asked the Minister for Health and Children the number and identity of contracts or procurements approved, signed, entered into or otherwise committed to in the past 12 months; if normal procedures and requirements were followed in each case; the exceptions that were recommended and by whom; if recommendations were made by groups, bodies, agencies or individuals with whom Government Departments, State or semi-State agencies have current or previous associations; if all such projects or procurements were fully advertised and assessed and by whom; and if she will make a statement on the matter. [10851/07]

Minister for Health and Children (Ms Harney): The information in relation to the Deputy's request is being compiled and will be forwarded to the Deputy as soon as possible.

Offshore Exploration.

224. **Dr. Cowley** asked the Minister for Communications, Marine and Natural Resources his views on whether the only way forward for the Corrib gas conflict is through a political solution that recognises the rights of communities to participate meaningfully in decisions which directly affect their health, safety, environment and quality of life and that refusal to accept that important principle is at the heart of the present conflict; and if he will make a statement on the matter. [10614/07]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): As the Deputy is aware the Corrib Development has received the necessary consents to proceed and there has been a very considerable consultation with the local community in relation to those consents.

For example, in the case of the pipeline consent and the approval issued by my Department, the public were invited to input to the safety review conducted by Advantica. The Deputy will also be aware that planning approval for the terminal at Bellanaboy was given after a lengthy and detailed process that provided a number of opportunities for engagement by the public, including a Bord Pleanála oral hearing. Again in the case of the

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application by the developer for an IPPC licence from the Environmental Protection Agency (EPA) the local community has had opportunities to provide input and the EPA has also decided to provide a further opportunity by agreeing to hold an oral hearing.

Following recommendations made in Cassells report, Shell Exploration and Production Ireland Limited (SEPIL), has committed to modifying the pipeline route. SEPIL has also committed to consulting with the local community in this regard and facilitated public consultation on the issue in recent weeks. I understand that the local community will continue to be consulted as options for a modified pipeline route are developed.

Having regard to the above, I am sure that the Deputy must agree that the public have been afforded and continue to be offered, very considerable meaningful opportunities to engage with the planning and approval of key elements of the overall development.

Telecommunications Services.

225. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources the reason broadband is not available in the Finney, Seanafannaghau and Kilbride areas of Tourmakeady, County Mayo; when same will be provided; and if he will make a statement on the matter. [10619/07]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): The provision of telecommunications services, including broadband, is a matter in the first instance for the private sector companies operating in a fully liberalised market, regulated by the independent Commission for Communications Regulation, ComReg.

The facilitation of broadband coverage across the entire country continues to be a key priority. I am aware that, despite Government and private investment in broadband, there are areas of the country where the private sector is unable to justify the commercial provision of broadband connectivity. Accordingly, I have recently announced a new scheme, the National Broadband Scheme (NDP), which will aim to provide a broadband service to these areas. This scheme will be confined to areas of the country that are not yet served by any broadband service provider, currently thought to be 10-15% of the population. This scheme should, when it is fully rolled out, ensure that all reasonable requests for broadband from houses and premises in areas currently unserved by broadband are met, including rural areas.

A Steering Group comprising officials from my Department and ComReg is currently considering all elements of the proposed National Broadband Scheme and work on the design of an appropriate tender is under way.

Ministerial Responsibilities.

226. **Ms Shortall** asked the Minister for Communications, Marine and Natural Resources his specific role in relation to the setting down of regulations for the number of times utility companies may estimate domestic bills; his policy in relation to requiring companies to provide accurate bills to customers on a regular basis; if he is satisfied with the current regulatory framework that the office of the energy regulator is performing its duties in this regard and that customers are generally aware of their rights in relation to estimated bills; and if he will make a statement on the matter. [10620/07]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): Under the Electricity Regulation Act 1999, I have no function in the regulation of electricity or gas meter readings or billing procedures. Responsibility for these matters lies with the energy regulator, the Commission for Energy Regulation (CER), which is an independent statutory body.

I have requested that the CER respond directly to the Deputy to set out the policies, procedures and guidelines it has put in place in relation to meter readings and billing, as well as the relevant consumer awareness initiatives it has undertaken.

With regard to the Irish energy regulatory framework, the recently published White Paper; "Delivering a Sustainable Energy Future for Ireland" commits to a comprehensive review following the introduction of the Single Electricity Market.

Foreshore Licences.

227. **Mr. Broughan** asked the Minister for Communications, Marine and Natural Resources when his Department will complete an environmental impact assessment in relation to an application made to him on 17 February 2007 in the name of a company (details supplied) for a foreshore licence to construct an offshore electricity generating station off the coast of County Louth; when he will make a decision in relation to the granting of the licence; and if he will make a statement on the matter. [10632/07]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): A Foreshore Lease application to construct an Offshore Electricity Generating Station was received in the Department on 19 February 2007 from Oriel Windfarm Ltd. The application included an Environmental Impact Statement (EIS).

In order to determine whether sufficient information has been presented by the developers in their application, a rigorous assessment of the application and EIS is currently being undertaken. Once the Department is satisfied that the application is sufficiently detailed, a public consultation process will take place lasting two

months. The commencement of the public consultation will be advertised in national and regional newspapers and on the Department's web site. This public consultation process is likely to begin in early May 2007, should the application be deemed valid.

In considering a project of this size, an extensive list of interested parties will be consulted. Experience of previous Foreshore Lease applications for Offshore Electricity Generating Stations would suggest that this list will exceed one hundred and twenty organisations. The developer will then have an opportunity to address the issues raised by the consultees. A decision in respect of the application will be made as soon as possible, having regard to the level of complexity involved.

Telecommunications Services.

228. **Mr. Ferris** asked the Minister for Communications, Marine and Natural Resources if and when the next round of the regional broadband scheme will be announced; and if he will make a statement on the matter. [10660/07]

229. **Mr. Ferris** asked the Minister for Communications, Marine and Natural Resources if he will include Duagh, County Kerry in the next round of the regional broadband scheme; and if he will make a statement on the matter. [10661/07]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): I propose to take Questions Nos. 228 and 229 together.

The provision of telecommunications services, including broadband, is a matter in the first instance for the private sector companies operating in a fully liberalised market, regulated by the independent Commission for Communications Regulation, ComReg. However, in response to the slow roll out of broadband by the private sector to areas of the country where it was uneconomic to provide broadband, the Government launched the Regional Broadband Programme with a targeted investment in the programme of €260 million under the National Development Plan (NDP). The two main elements of the Regional Broadband Programme are the roll out of the Metropolitan Area Networks (MANs) and the Group Broadband Scheme (GBS).

The Metropolitan Area Networks (MANs) involves the roll out of high speed fibre networks to more than 120 towns and cities around the country. The Group Broadband Scheme (GBS) offered smaller towns and rural communities the opportunity to obtain broadband connectivity for their areas. There were two Calls for proposals under the GBS, one in 2004 and one in 2005. Grant aid amounting to €5.9 million was offered to the service providers approved under the Group Broadband Scheme.

The facilitation of broadband coverage across the entire country continues to be a key priority. I am aware that, despite Government and private investment in broadband, there are areas of the country where the private sector is unable to justify the commercial provision of broadband connectivity, accordingly, I recently announced a new National Broadband Scheme (NBS) which will aim to provide a broadband service to these areas. This Scheme will supersede the Group Broadband Scheme (GBS). Therefore, there will be no further calls for proposals for funding under the GBS.

The National Broadband Scheme (NBS) will be confined to areas of the country that are not yet served by any broadband service provider, currently thought to be 10-15% of the population. This scheme should, when it is fully rolled out, ensure that all reasonable requests for broadband from houses and premises in the areas unserved by broadband are met including rural areas. A Steering Group comprising officials from my Department and ComReg is currently considering all elements of the proposed National Broadband Scheme and work on the design of an appropriate tender is under way.

Fisheries Protection.

230. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources if, in view of the very short timeframe for fishermen to examine its future implications, he will extend the submission date for the salmon hardship scheme in view of the fact that in order to gain compensation fishermen must give up their right to apply for any future commercial salmon licence and that the independent group's recommendation only dealt with a cessation of drift net fishermen; the reason fishermen have to submit to never applying for any commercial salmon licence in the future; and if he will make a statement on the matter. [10662/07]

231. **Mr. Perry** asked the Minister for Communications, Marine and Natural Resources further to the salmon hardship scheme, what will happen in the situation where salmon stocks might recover and certain nets may be needed to take a quota of salmon in view of the fact that all those who accept compensation must undertake not to make a future application for a commercial licence if they want to avail of this compensation; and if he will make a statement on the matter. [10663/07]

Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne): I propose to take Questions Nos. 230 and 231 together.

As the Deputy is aware, the primary motivation in aligning the future management of the wild salmon fishery with the scientific advice and the introduction of the appropriate regulations to

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cease mixed stock fishing is the conservation of the wild salmon stocks. It is vital to afford every protection to the remaining salmon stocks and to clearly prioritise conservation over catch.

The Independent Group was set up to examine the implications for the commercial sector of aligning the wild salmon fishery with scientific advice for 2007 and beyond. The scientific advice called for the complete cessation of all indiscriminate mixed stock fishing for salmon and the cessation of harvesting of stocks which are below their conservation limit.

The Salmon Hardship Scheme which I published recently is being administered jointly by BIM and the Regional Fisheries Boards. The closing date for receipt of applications is the 30th March 2007. However, I am advised that applicants will have until the 31st December 2007 to accept any offer under the scheme. The scheme is voluntary and individuals do not have to make an application or accept an offer following an application.

It was the recommendation of the Independent Group that those who avail of the scheme should not be able to apply for a licence in the future. It is my intention that the Control of Fishing for Salmon Order will shortly be modified in such a way that applications for commercial fishing licences will only be invited for fishery districts where rivers are identified as having surplus stock in 2007 and only for those methods that do not impact indiscriminately on stocks of fish that are below their conservation limit.

In the future where stocks recover and it is established from the results of the Genetic Stock Identification project that significant numbers of fish destined for other rivers are not intercepted, it should be possible to exploit the identified surplus in rivers, bays and estuaries by all appropriate methods, but within the constraints permitted by the Habitats Directive as transposed by the European Communities (National Habitats) Regulations 1997 (S.I. No. 94 of 1997).

Public Service Contracts.

232. **Mr. Durkan** asked the Minister for Communications, Marine and Natural Resources the number and identity of contracts or procurements approved, signed, entered into or otherwise committed to in the past 12 months; if normal procedures and requirements were followed in each case; the exceptions that were recommended and by whom; if recommendations were made by groups, bodies, agencies or individuals with whom Government Departments, State or semi-State agencies have current or previous associations; if all such projects or procurements were fully advertised and assessed and by whom; and if he will make a statement on the matter. [10843/07]

Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey): In the time available, it has not been possible to identify and assemble the information requested. My Department is compiling the data sought by the Deputy in this regard and I shall forward it to him as soon as possible.

Nuclear Proliferation.

233. **Mr. Allen** asked the Minister for Foreign Affairs the position regarding negotiations between the EU and Iran regarding nuclear developments in that country; his view of recent comments by Hans Blix on this matter; and if he will make a statement on the matter. [10618/07]

Minister for Foreign Affairs (Mr. D. Ahern): As I indicated in response to questions last month, there are currently no negotiations under way between the EU3 and Iran. However, High Representative Solana did meet informally with lead Iranian negotiator Ali Larijani on 11 February last during the 43rd Munich Conference on Security Policy. This was their first meeting since discussions in September 2006, which failed to agree an acceptable formula for commencing negotiations on the package of incentives presented to Teheran in June 2006, on behalf of the EU3, the United States, the Russian Federation and China. While the tone of the meeting was positive, no indication was given that Iran was willing to move from its previously stated position, which has brought the issue onto the agenda of the UN Security Council.

On 23 December 2006, the Security Council unanimously adopted Resolution 1737, which required Iran to, inter alia, suspend all enrichment-related and reprocessing activities, and requested a compliance report from the Director General of the International Atomic Energy Agency (IAEA) within 60 days of the Resolution's adoption. It also obliged Member States to impose sanctions on Iran's nuclear and missile programmes.

On 22 February, the Director General issued the report as required, confirming that Iran had failed to comply with the terms of Security Council Resolution 1737. The report also confirmed that, while no declared nuclear material had been diverted to non-peaceful uses inside Iran, the IAEA remained unable to verify the absence of undeclared nuclear material and activities. The report concluded by stating the need for maximum cooperation and transparency on the part of Iran if the IAEA is to be in a position to provide assurances to the international community about the exclusively peaceful nature of its nuclear programme. Discussions are currently under way in New York on the substance of a follow-up to Resolution 1737, and it is anticipated that the Security Council will adopt a new resolution in the near future.

The question of Iran's nuclear programme is kept under constant review within the European Union at official level and is also the subject of regular discussions at Ministerial level. The most recent such discussion was at the General Affairs and External Relations Council meeting of 5-6 March 2007 in Brussels. At this meeting, the Council deplored Iran's non-compliance with UNSCR 1737, in particular Iran's failure to suspend all enrichment and enrichment-related activities, underlined the Security Council's expression of intent to adopt further appropriate measures under Article 41 Chapter VII of the UN Charter, and reaffirmed the EU's continuing support for efforts to find a negotiated long-term solution to the Iranian nuclear issue.

I presume that the Deputy is referring to recent comments by Dr Blix that suspension of enrichment should not be a precondition to the beginning of negotiations. I had the opportunity of discussing this issue with Dr Blix during his visit to Dublin in September of last year. I can understand but do not share his perspective on this point. There is of course, in the meantime, a Security Council resolution requiring Iran to suspend its enrichment-related activities. Our strong preference has always been for a negotiated solution to this issue and we hope that such an outcome can be achieved as soon as possible. Dr El Baradei's recent idea of a time-out or double-suspension may be worth exploring in this regard.

Question No. 234 answered with Question No. 100.

235. **Mr. Callely** asked the Minister for Foreign Affairs the progress of the IAEA in addressing the concerns of the international community with regard to nuclear programmes and related matters; and if he will make a statement on the matter. [10596/07]

Minister for Foreign Affairs (Mr. D. Ahern): There are currently two nuclear programmes of concern to the international community in which the International Atomic Energy Agency (IAEA) is involved. These are the nuclear programmes of the Democratic People's Republic of Korea (DPRK) and Iran. The IAEA has been unable to draw any conclusions regarding the DPRK's nuclear activities since inspectors were expelled from the country in 2002. However, as part of an agreement reached at the Six Party Talks in Beijing on 13 February last, the DPRK agreed to allow the return of IAEA inspectors to verify implementation of the agreement, which includes a commitment from the DPRK to shut down and seal nuclear facilities at Yongbyon.

On 13-14 March, Dr El Baradei, Director General of the IAEA, travelled to the DPRK to hold discussions on the return of IAEA inspectors to the country. In a press conference following his visit, Dr El Baradei confirmed that the

DPRK was ready to work with the IAEA to allow it to monitor and verify the shutting down of the Yongbyon facility. According to the IAEA, the next step would be to reach agreement with the DPRK on specific technical arrangements for monitoring and verification. These terms would be subject to approval by the IAEA Board of Governors. The DPRK also reiterated its commitment to the denuclearisation of the Korean Peninsula.

At a meeting of the IAEA Board of Governors in Vienna on 5 March, Dr El Baradei gave an update on the implementation of safeguards in Iran. This followed publication of a report on the Iranian nuclear programme on 22 February, as required under UN Security Council Resolution 1737.

Dr El Baradei confirmed that no declared nuclear material had been diverted to non-peaceful uses inside Iran. However, the IAEA remained unable to verify the absence of undeclared nuclear material and activities as it was unable to reconstruct fully the history of Iran's nuclear programme. This was said to be due to a lack of co-operation and transparency on the part of Iran. While there was no concrete proof of the diversion of nuclear material, nor the industrial capacity to produce weapon-usable nuclear material, according to Dr El Baradei, quite a few uncertainties remained. Two decades of undeclared activities had shaken the IAEA's confidence about the nature of Iran's nuclear programme and Dr. El Baradei was unable to provide at this stage the required assurances that it was strictly peaceful.

Visa Applications.

236. **Mr. Callely** asked the Minister for Foreign Affairs the progress made to improve the process of visa applications in his area of responsibility; the progress with the new AVATS system; and if he will make a statement on the matter. [10597/07]

Minister for Foreign Affairs (Mr. D. Ahern): The Department of Foreign Affairs is responsible for visa applications to our Missions abroad. Visa applications made in Ireland are the responsibility of the Department of Justice, Equality and Law Reform. Visa applications received abroad, which are not subject to delegated sanction, are subsequently referred to Dublin for approval or otherwise by the Department of Justice, Equality and Law Reform.

All of our Missions abroad are committed to reducing the response times for visa applications. In recent years, dedicated visa officers have been assigned to our Embassies in Moscow, Beijing, New Delhi, and London to facilitate the processing of applications speedily. The Delegated Sanction authority to Missions has been extended and has greatly helped to reduce response times.

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Further improvements, including a new Visa IT system, AVATS, are currently at an advanced stage of planning. The AVATS system will facilitate the detailed tracking of an individual application from its receipt to its completion. The user testing of this system is scheduled to commence in the coming weeks, and the projected completion date and roll-out for AVATS is expected to be June 2007. Primary responsibility for AVATS rests with the Department of Justice, Equality and Law Reform.

Question No. 237 answered with Question No. 96.

Question No. 238 answered with Question No. 134.

State Airports.

239. **Mr. F. McGrath** asked the Minister for Foreign Affairs if Shannon Airport is being used to tranship huge supplies of depleted uranium to Iraq and Afghanistan. [10641/07]

Minister for Foreign Affairs (Mr. D. Ahern): Where it is sought to transport munitions of war through Irish territory, the permission of the Minister for Transport, in the case of civilian aircraft, and the Minister for Foreign Affairs, in the case of foreign military aircraft, is required. The grant of such permission is dependent upon a number of different factors, among them air safety, Ireland's obligations under international agreements, and policy considerations.

A search of the records held by both Departments has shown that there have been no applications for the transport of depleted uranium munitions from the period building up to the Iraq war to the present day. The US Embassy has been contacted in relation to this matter and has confirmed that its records support this.

Diplomatic Relations.

240. **Mr. Durkan** asked the Minister for Foreign Affairs if he has received communication from the Iranian opposition in exile who have been accorded dubious status in some jurisdictions; if his attention has been drawn to the attempts of this group to meet with European Union institutions and Governments with a view to establishing official status and recognition for democratic principles; if he has met with or received a request from Maryam Rajavi, president-elect of the NCRI in this regard; and if he will make a statement on the matter. [10818/07]

Minister for Foreign Affairs (Mr. D. Ahern): We regularly receive communications from individuals who state that they are members of the Iranian opposition. Some of these individuals are members of the National Council of Resistance of Iran, NCRI, or of groups linked to it. The

NCRI has very close links with the Peoples' Mujahidin of Iran, PMOI, which is also referred to as the OMPI, the MEK and the MKO, and which is regarded by the European Union as a terrorist group. The NCRI has not been so listed by the EU.

The NCRI has campaigned actively in recent months, at European level and in Member States, to have the PMOI removed from the EU list of terrorist organisations. The Government has received documentation setting out the case being made by the NCRI. However, I have not received a request for a meeting with Ms Maryam Rajavi.

Question No. 241 answered with Question No. 110.

Questions Nos. 242 and 243 answered with Question No. 100.

HIV Infection.

244. **Mr. Durkan** asked the Minister for Foreign Affairs the extent to which the international community proposes to assist in the fight against HIV AIDS in Africa; the degree to which medicine is being made available; the extent to which this meets requirements; and if he will make a statement on the matter. [10822/07]

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): HIV/AIDS continues to be the single biggest obstacle to reducing poverty and to attaining the Millennium Development Goals, MDGs. Current statistics from the United Nations Joint Programme on AIDS, UNAIDS, indicate that, in 2006, almost 40 million people were living with the HIV virus. Sub-Saharan Africa continues to be the worst-affected region in the world and is now home to over 25 million adults and children living with HIV. Infection rates are increasing in other regions also, with some countries in Eastern Europe and Central Asia recording the highest rates of new infections worldwide.

The HIV/AIDS pandemic is impeding development and leading to an increase in poverty. It generally affects the most productive and economically-active members of society and serves to further disadvantage those people most vulnerable to infection such as migrant workers, women and adolescents. Women are in particular affected, not only in increasing infection rates but also in bearing the burden of care for those who are infected.

Responding to the global problem of HIV/AIDS is a key priority for the Government. This commitment is very clearly outlined in the White Paper on Irish Aid which was published last September. Following the commitment made by the Taoiseach in his speech to the United Nations in September 2005, funding for HIV/AIDS and other communicable diseases was

doubled from €50 to €100 million in 2006. Funding has been directed at programmes at international, regional and country level to provide increased access to HIV prevention, treatment and care services.

While HIV/AIDS remains a critical threat to human development in many countries, there has been some progress in the international response in recent years. This is reflected in stronger political commitment to halt the epidemic, a huge increase in funding for HIV programmes, the establishment of effective national AIDS control programmes — all leading to a real decrease in HIV prevalence rates in countries such as Uganda, Zambia and Cambodia.

Perhaps the greatest achievement over the past five years has been the increase in the availability and accessibility of anti-retroviral therapy. A reduction in the global price of generic drugs and the availability of more funding has enabled low and middle income countries to deliver HIV treatment to an increasing number of people. By December 2006, HIV treatment was available to over 1.65 million people globally, up from a low base of 400,000 in 2003. There is still a large unmet need but continued investment in building the necessary health infrastructure to deliver effective HIV treatment will enable countries to achieve the international target of universal access to HIV treatment by 2010.

Ireland supports the introduction of anti-retroviral treatment programmes in developing countries. In these countries we have invested in the strengthening of health systems, the procurement and supply of medication and the training of health workers, which are all necessary for the introduction of HIV treatment programmes. In addition to this, Ireland provides considerable amounts of funding to the Global Fund to Fight AIDS, TB and Malaria which has facilitated over 700,000 people to access HIV treatment. Ireland also works closely with the William J. Clinton Presidential Foundation to allow those infected with HIV/AIDS to access treatment in Mozambique and in Lesotho.

Ireland will continue to work with the international community in advocating for a sustained and resourced global response to HIV/AIDS, strengthened leadership at all levels and improved coordination of resources for effective HIV/AIDS prevention and control.

Question No. 245 answered with Question No. 108.

Question No. 246 answered with Question No. 100.

Question No. 247 answered with Question No. 108.

Foreign Conflicts.

248. **Mr. Durkan** asked the Minister for Foreign Affairs the extent to which he and the international community are able to address the issues of war, starvation, genocide and general strife that has most notably affected African countries in the past number of years; the degree of progress to date; his expectations for the future; and if he will make a statement on the matter. [10826/07]

Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan): Africa is at the heart of Ireland's programme of official development assistance. The complex series of factors, which contribute to the enormous needs encountered in Africa, include food insecurity, poverty, environmental degradation, weak governmental capacity and policies, unequal global trading relationships, protracted conflict, severe infrastructural weaknesses, poor governance, debt and the effects of HIV/AIDS.

Irish Aid's emergency humanitarian budget is a key instrument in responding to the humanitarian needs arising from conflict, food insecurity and the effects of natural disasters. Our recovery and long-term development programmes seek to assist countries emerging from natural and man-made emergencies and also address the underlying causes of poverty in all its manifestations.

Irish Aid provides development assistance to many African countries, either directly, or through our partnerships with the United Nations, the Red Cross family and Non-governmental Organisations (NGOs) such as Concern, Goal, Trócaire, Oxfam and others. In the context of an increasing aid budget as we approach the UN target of 0.7% of GNP by 2012, these interventions are being further strengthened through enhanced support at the global and country levels.

Addressing Africa's needs, especially the interests of the poorest and most vulnerable, necessitates a comprehensive and coordinated series of actions by the international community and African Governments. In order to measure development progress and to set benchmarks, the United Nations developed the Millennium Development Goals (MDGs), which were endorsed by world leaders in 2000.

While the MDGs are undoubtedly ambitious, they can be reached if all stakeholders, the affected countries themselves, the donor community, the UN and EU work together to ensure that poverty reduction, good governance and sustainable development are the cornerstones of all our efforts in Africa.

In addition to our humanitarian response, Ireland's approach to efforts to promote security and stability in Africa includes our contribution to the security and stability of Liberia through the

[Mr. C. Lenihan.]

deployment of troops with UNMIL, the UN Mission in Liberia, since 2003. Ireland has also provided assistance to the African Union (AU) Mission in Sudan (AMIS), as part of the EU's joint actions to foster peace and security in Darfur. In addition, we have provided support to the UN's Peace Building Fund and have been strongly supportive of the establishment of the Peace Building Commission. We are actively seeking ways to support regional organisations in Africa, particularly the AU which represents an important strategic partner for the European Union and the international community generally.

The challenges facing Africa are enormous. But there is some encouraging news. Many African economies are growing. Inflation, now averaging 8% a year, is at its lowest level in many African countries since soon after independence. While there are exceptions such as Somalia, Zimbabwe and others, many African countries now have less violence and civil strife than for many years. There is relative peace in Sierra Leone, Liberia, Angola and southern Sudan. In 2006, free and fair elections took place in the Democratic Republic of Congo and a President and Prime Minister have been appointed.

Through our growing aid programme, we will continue to address needs and build on progress to make a real and lasting difference in the lives of the poorest in Africa.

Question No. 249 answered with Question No. 97.

Human Rights Issues.

250. **Mr. F. McGrath** asked the Minister for Foreign Affairs the position regarding the case of a person (details supplied) in Dublin 5; and if he will request a formal reaction of the French Government to their mistreatment. [10840/07]

Minister for Foreign Affairs (Mr. D. Ahern): I wish to thank the Deputy for getting back to me on this matter, as I suggested in my reply to Parliamentary Question 8276/07 on 6 March, 2007. The Embassy in Paris has now raised the case with the Regional Director of Police for Cannes, and has sought an explanation for the manner in which the person mentioned by the Deputy was allegedly treated by the police there. I will revert to the Deputy as soon as the Embassy receives a response from the French authorities.

Public Service Contracts.

251. **Mr. Durkan** asked the Minister for Foreign Affairs the number and identity of contracts or procurements approved, signed, entered into or otherwise committed to in the past 12 months; if normal procedures and requirements

were followed in each case; the exceptions that were recommended and by whom; if recommendations were made by groups, bodies, agencies or individuals with whom Government Departments, State or semi-State agencies have current or previous associations; if all such projects or procurements were fully advertised and assessed and by whom; and if he will make a statement on the matter. [10850/07]

Minister for Foreign Affairs (Mr. D. Ahern): In its contracts and procurements, the Department complies with all applicable national and EU rules as set out in the Department of Finance guidance document "Public Procurement Guidelines- Competitive Process". Any departure from the normal procedures would only arise in certain limited situations which are recognised and permitted by the EU Directive and national rules. The Department has established a Procurement Unit to oversee compliance with these national and EU rules and to promote best practice and the achievement of value for money.

Given the number and variety of these contracts and procurements, I regret that it would not be feasible to provide the Deputy with detailed information regarding all such undertakings over the past twelve months. The majority of these procurements were low-value, routine purchases of small quantities of goods.

In the period since 1 January 2006, the Department has published 24 calls for tenders in respect of contracts whose value exceeded the relevant EU or national thresholds. Details can be found on the etenders website (www.etenders.gov.ie). Eight of these tender notices were also advertised in the Official Journal of the EU.

As the Deputy may be aware, the Comptroller and Auditor General requires each Department to submit an annual report in respect of contracts above €25,000 which have been awarded without a competitive process. I understand that, for the year ending on 31 December 2006, this Department had only one such contract which was awarded by direct negotiation without being advertised. I understand that this contract involved the provision of secure communications technology which, for security purposes and for reasons connected with patents and exclusive rights, was deemed to come within the limited, exceptional circumstances permitted by the EU Directive and national rules.

Sports Funding.

252. **Mr. Kehoe** asked the Minister for Arts, Sport and Tourism if his Department has received an application for lottery funding from a club (details supplied) in County Carlow; and when he will make a decision on same. [10598/07]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): The sports capital programme, which is administered by my Department, allocates funding to sporting and community organisations at local, regional and national level throughout the country. The programme is advertised on an annual basis.

Applications for funding under the 2007 programme were invited through advertisements in the Press on October 15th and 16th last. The closing date for receipt of applications was November 24th 2006. All applications received before the deadline, including one from the organisation in question, are currently being evaluated against the programme's assessment criteria, which are outlined in the guidelines, terms and conditions of the programme. I intend to announce the grant allocations for the programme as soon as possible after the assessment process has been completed.

Public Service Contracts.

253. **Mr. Durkan** asked the Minister for Arts, Sport and Tourism the number and identity of

contracts or procurements approved, signed, entered into or otherwise committed to in the past 12 months; if normal procedures and requirements were followed in each case; the exceptions that were recommended and by whom; if recommendations were made by groups, bodies, agencies or individuals with whom Government Departments, State or semi-State agencies have current or previous associations; if all such projects or procurements were fully advertised and assessed and by whom; and if he will make a statement on the matter. [10842/07]

Minister for Arts, Sport and Tourism (Mr. O'Donoghue): As the Deputy will appreciate my Department enters into a wide range of small procurements and contracts each year ranging from minor equipment maintenance contracts to catering for meetings, of which, it would be very difficult to give an exhaustive list in the time available. I am therefore confining my response to details of procurements and contracts with a minimum value of €5000 that were awarded in the last twelve months which are set out in the table.

Provider	Service
Lan Communciations	Phone system and 2 year support service for Killarney Offices
Noonan Cleaners	Daily cleaning of Killarney Offices
Vibe	Video conferencing screens for Dublin and Killarney Offices
O'Herlihy's Communications	PR Consultancy for the Department
Mr Donal Shiels	Arts advisor to the Department
Dell	Servers and Back-up Unit Hardware
E-TecPower Management Ltd	Uninterruptible Power Supplies & Support
Top Sec Technology	Firewall, Firewall Management & Support
Plannet 21 Communications	Voice and Data Switches & Support
Lan Communications	Voice and Data Router & Support
Vodafone	Blackberry Handhelds & Support
Espion	DAST Network Review
LGCSB	Website Hosting Costs
Sureskills	Install of Windows 2003, Backups & Support
The Paciello Group	Website Monitoring for accessibility
System Dynamics	Health Check, Upgrade to Notes 7 & Support
Smart Telecom	Primary Link from Fossa to Dublin & Support
Eircom	Back-up link from Fossa to Dublin & Support
Calyx	DAST Hardware Maintenance & Support
HP	Personal Computers, Laptops & Support
PFH Technology Group	Customised Microsoft Training.
Indecon International Economic Consultants	To research and prepare an economic evaluation of the benefits to Ireland arising from the proximity of the London 2012 Olympic and Paralympic Games
Holohan Leisure	To provide consultancy advice in relation to an analysis of sports facility provision in the state
IRE Recruitment	Supply of temporary personnel for data input
Ms Laura Barnes	Administrator Beckett Centenary Festival
DKM Consultants	Evaluation of Economic Benefits of the Redevelopment of the National Concert Hall and further report on Sensitivity Analysis of the Economic Benefits
Mr John Grenham	Framework Survey on Church Genealogical Records
Mr Michael Fitzpatrick	To Curate Venice Biennale

[Mr. Durkan.]

Provider	Service
Q4PR	Provide PR service for Culture Ireland supported LA event
Red Dog*	Design and printing of forms
Zoetrope	PR for Edinburgh Fringe Festival
TPG (Europe)	Set up and delivery of Culture Ireland website
TPG (Europe)**	Development of online application system and database
Fitzers	Catering for Culture Ireland publication launch
Donagh Collins	To research and advise on international showcasing opportunities for classical musicians
Pinpoint***	Recruitment of CEO for Culture Ireland

All of the above were procured in line with normal procedures and guidelines with the exception of the following:

*Red Dog had been initially chosen as Graphic Designers for Culture Ireland and were requested to design and print relevant forms.

**TPG (Europe) had set up the Culture Ireland website and their contract was extended to develop an online application and database.

***Pinpoint had already prepared initial documents and were requested to undertake the recruitment of the CEO for Culture Ireland as their price was well below normal market rates.

Contracts or procurements entered into by agencies under the aegis of my Department are a day to day matter for the bodies concerned.

Pension Provisions.

254. **Mr. Bruton** asked the Minister for Enterprise, Trade and Employment when a worker switches from full-time to part-time working, if pension contributions for full-time years confer extra benefits if the person retires with only part-time earnings; and his views on legal changes to allow more flexible work patterns without eroding pension rights. [10600/07]

Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen): The Protection of Employees (Part-Time Work) Act 2001 provides, inter alia, that a part-time employee, who works at least 20% of the normal hours of a comparable full-time employee, shall not be treated less favourably on a pro-rata basis than that comparable full-time employee in respect of pensions.

In order to invoke the anti-discrimination provisions in the Act, the part-time employee must find a full-time comparator with (a) the same or associated employer or, (b) where (a) does not apply, as specified in a collective agreement or, (c) where neither (a) nor (b) applies, in the same sector or industry. In the case of (a) and (c) above, the part-time employee and the comparable full-time employee, must perform the same work or similar work or work of greater or equal value.

Under the 2001 Act, an employer may treat a part-time employee less favourably than a comparable full-time employee, if he or she has objective grounds for doing so. Under the Act, a ground shall not be regarded as an objective ground, unless it is based on considerations other than the status of the employee concerned as a part-time employee, and the less favourable treatment which it involves for that employee, is for

the purpose of achieving a legitimate objective of the employer, and such treatment is appropriate and necessary for that purpose.

In light of the foregoing I would suggest to the Deputy that existing statutory provisions in this area do provide an appropriate pension provision for persons engaged in part-time working. Accordingly, I have no plans, at this time, for a change in legislation in this area.

Industrial Development.

255. **Mr. Kenny** asked the Minister for Enterprise, Trade and Employment the funding available to help expand a company (details supplied) operating in Co Tipperary, which proposes to establish production and export facilities; and if he will make a statement on the matter. [10636/07]

Minister for Enterprise, Trade and Employment (Mr. Martin): The provision of funding is a day-to-day operational matter for the Industrial Development agencies and I do not have any role in this area. However, I am aware that the company in question is a client of IDA Ireland and I know that the agency has regular discussions with management in its client companies to explore new business opportunities, including the availability of financial assistance for such projects.

Industrial Relations.

256. **Mr. Kenny** asked the Minister for Enterprise, Trade and Employment if he will meet a deputation of staff from a company (details supplied) in County Tipperary; if so, when he proposes to arrange a meeting; and if he will make a statement on the matter. [10637/07]

Minister for Enterprise, Trade and Employment (Mr. Martin): I have already received representations from North Tipperary County Council about this company and in reply to those representations I indicated that I would be pre-

pared to meet a deputation on a mutually convenient date. This is still the situation.

Job Initiative.

257. **Mr. J. Breen** asked the Minister for Enterprise, Trade and Employment if he will change the recruitment policy for job initiative schemes to allow recruitment to take place in areas of low unemployment and allow the good community work in those areas to continue; and if he will make a statement on the matter. [10638/07]

Minister for Enterprise, Trade and Employment (Mr. Martin): Job Initiative (JI) was launched back in July 1996 and provides full-time employment for people who are 35 years of age or over, who have been unemployed for 5 years or more and in receipt of social welfare payments over that period.

Its main purpose is to assist long-term unemployed people to prepare for work opportunities. This is achieved by providing participants with work experience, training and development opportunities. The programme is sponsored by voluntary organisations and public bodies in not-for-profit activities.

Following a review of FAS employment schemes, which comprise of Community Employment, Social Economy and JI, a decision was taken that, with effect from 10th November, 2004 there would be no compulsory lay-offs on JI and that those participants on JI would have their contracts renewed for a further term.

It was also agreed that participants who leave JI voluntarily may be replaced by Community Employment participants. This is current practice and I have no plans to change it. These arrangements are intended to ensure the maintenance of the provision of a network of valuable community services throughout the country.

Public Service Contracts.

258. **Mr. Durkan** asked the Minister for Enterprise, Trade and Employment the number and identity of contracts or procurements approved, signed, entered into or otherwise committed to in the past 12 months; if normal procedures and requirements were followed in each case; the exceptions that were recommended and by whom; if recommendations were made by groups, bodies, agencies or individuals with whom Government Departments, State or semi-State agencies have current or previous associations; if all such projects or procurements were fully advertised and assessed and by whom; and if he will make a statement on the matter. [10847/07]

Minister for Enterprise, Trade and Employment (Mr. Martin): Given the broad range of activities involved, my Department is unable to

supply the material sought by the Deputy within the timescale requested. Officials in my Department are however, currently compiling the information sought by the Deputy, and I will forward it to him as soon as it is available.

Pension Provisions.

259. **Mr. Bruton** asked the Minister for Social and Family Affairs when a worker switches from full-time to part-time working, if pension contributions for full-time years confer extra benefits if the person retires with only part-time earnings; and his views on legal changes to allow more flexible work patterns without eroding pension rights. [10599/07]

Minister for Social and Family Affairs (Mr. Brennan): In the past many company pension plans only catered for full-time employees. However, following the introduction of The Protection of Employees (Part-Time Work) Act, 2001, this is generally no longer the case. Employers must now provide pro-rata benefits for part-time employees who work at least 20% of the time worked by a comparable full-time employee, unless there are special circumstances whereby part-time employees need not be included.

It is not possible to say what the impact on the pension benefits of a person will be if they change from full to part-time working as this depends, subject to the legislation referred to, on the rules of the individual schemes. Any proposals to changes to employment protection legislation as it relates to flexible working and to further enhance the position of part-time workers would be a matter for the Minister for Enterprise, Trade and Employment in the first instance.

Departmental Staff.

260. **Mr. J. Breen** asked the Minister for Social and Family Affairs if as a result of community welfare officers moving under the umbrella of his Department, their roles will change; if they will continue to deliver service in every village in their area or if they will be confined to an office; and if he will make a statement on the matter. [10748/07]

Minister for Social and Family Affairs (Mr. Brennan): In February 2006 as part of its reform of the Health Sector, the Government decided to transfer certain functions from the Health Service Executive to my Department. Administration of the supplementary welfare allowance (SWA) scheme, as well as certain other functions, will be transferred to my Department. The SWA scheme is currently administered by some 700 Community Welfare Officers (CWOs), 59 superintendents and other staff within the Community Welfare Service of the HSE. The transfer of functions will not change the role of the CWOs who

[Mr. Brennan.]

will remain community based and, in addition to providing financial supports to individuals, will continue to provide key information, advice, advocacy and referral links between agencies.

The implementation of the programme will be carefully managed to ensure that continuity of the SWA scheme and related services is maintained. Community Welfare Officers and other staff in the Community Welfare Service will be integrated into my Department in a way that will allow sufficient time for consultation and negotiations to take place.

My Department is engaged in a programme of modernisation of services to enhance customer service, provide greater choice in payment types and improve overall control of social welfare payments. I am satisfied that the transfer of administration of the SWA scheme offers both a challenge and an opportunity for all staff within the Community Welfare Service and my own Department to contribute to this programme and to develop a model system for supporting those most disadvantaged in society.

Public Service Contracts.

261. **Mr. Durkan** asked the Minister for Social and Family Affairs the number and identity of contracts or procurements approved, signed, entered into or otherwise committed to in the past 12 months; if normal procedures and requirements were followed in each case; the exceptions that were recommended and by whom; if recommendations were made by groups, bodies, agencies or individuals with whom Government Departments, State or semi-State agencies have current or previous associations; if all such projects or procurements were fully advertised and assessed and by whom; and if he will make a statement on the matter. [10853/07]

Minister for Social and Family Affairs (Mr. Brennan): The detailed information on the number and identity of contracts and procurements in the past 12 months is currently being drafted and will issue to the Deputy as soon as possible. My Department follows procurement procedures as required under EU Legislation and National Guidelines. Procurements are advertised on www.etenders.gov.ie in line with these guidelines.

Tenders are considered by an Evaluation Group in accordance with the Qualification and Selection Criteria set out in the Request for Tender. The composition of Evaluation Groups reflects the areas of the Department likely to be impacted by the proposed procurement, including one representative from outside the immediate tendering area to ensure independence.

The level of representation will reflect the likely value and complexity of individual procurements. Recommendations on the award of contracts are made by such Evaluation Groups.

Where exceptions are necessary, for example, where there is only one suitably qualified specialist in the relevant field and there is difficulty in securing the required services or supplies from alternative companies, these are processed with in accordance with Department of Finance guidelines relating to non-competitive tendering.

Public Transport.

262. **Mr. Kenny** asked the Minister for Transport the progress made on integrated ticketing for Dublin; the cost to date of all feasibility studies and planning exercises, by RPA and all other bodies under his Departments aegis, currently or previously investigating integrated ticketing; and if he will make a statement on the matter. [10690/07]

Minister for Transport (Mr. Cullen): The position in relation to the Integrated Ticketing project was set out in my response to Parliamentary Question Numbers 115 and 186 on 21st February 2007. There are currently a range of integrated tickets, using magnetic stripe technology, available on a commercial basis between the public transport operators. Such commercial arrangements are solely operational matters for the companies concerned.

As regards the development of the current smart card integrated ticketing scheme, some €11 million has been paid out by the Exchequer on its development to date. This expenditure encompasses project management, design and development costs and operator contributions. The Railway Procurement Agency has advised that this expenditure includes approximately €0.2 million on consultancy.

Light Rail Project.

263. **Mr. O'Connor** asked the Minister for Transport if he has instructed the Railway Procurement Agency to carry out a feasibility study for a Luas system in the Terenure/Rathfarnham area; if Knocklyon will be included in the study; if the study is intended to examine a direct line to the city centre or a spur from either the green line or the red line; and if he will make a statement on the matter. [10750/07]

Minister for Transport (Mr. Cullen): Transport 21 provides a very large funding commitment for the delivery of an extensive rail based public transport network in the Greater Dublin Area in the period up to 2015. This network is based on the Dublin Transportation Office strategy "A Platform for Change". It also includes funding for feasibility studies on those elements of the "A Platform for Change" which are not included in Transport 21 and this includes the proposed Luas line from the city centre to Dundrum via Rathfarnham and Terenure. In this connection I announced, on 30 January last, that the RPA is to

commence work on the Rathfarnham feasibility study in April.

It is understood, from the RPA, that the feasibility study will take a number of months to complete. It would be premature to speculate on the precise route options to be examined in that study. The usual approach is to identify a wide range of possible options and then to take forward a smaller number for more detailed consideration.

Road Safety.

264. **Mr. Neville** asked the Minister for Transport the budget allocation for this year to the National Safety Council. [10835/07]

Minister for Transport (Mr. Cullen): On 1 September 2006, the Road Safety Authority (RSA) under the auspices of my Department was established. The functions of The National Safety Council (NSC) were among the responsibilities assigned to the RSA. Therefore funding, allocated from the Exchequer to the RSA for 2007, includes the exchequer funding allocated for these transferred functions of the National Safety Council.

Public Service Contracts.

265. **Mr. Durkan** asked the Minister for Transport the number and identity of contracts or procurements approved, signed, entered into or otherwise committed to in the past 12 months; if normal procedures and requirements were followed in each case; the exceptions that were recommended and by whom; if recommendations were made by groups, bodies, agencies or individuals with whom Government Departments, State or semi-State agencies have current or previous associations; if all such projects or procurements were fully advertised and assessed and by whom; and if he will make a statement on the matter. [10855/07]

Minister for Transport (Mr. Cullen): The information requested is being collated in my Department and will be forwarded directly to the Deputy as soon as possible.

Rural Social Scheme.

266. **Dr. Devins** asked the Minister for Community, Rural and Gaeltacht Affairs his plans to correct the anomaly whereby people who are on a rural social scheme can retain their invalidity payment as is allowed on a community employment scheme. [10717/07]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): As the Deputy will be aware, Invalidity Pension is a payment to persons who are permanently incapable of work because of illness or incapacity. However, it is not a qualifying Social Welfare payment for the purpose of

the Rural Social Scheme (RSS). Participants on the RSS who qualify through One-Parent Family Payment, Widow(er)'s Pension (either Contributory or Non-contributory) or Disability Allowance, continue to receive their weekly Social Welfare payment from the Department of Social and Family Affairs, along with a top-up payment under the Scheme.

The RSS is regarded as an income support scheme — rather than a training scheme — and is, therefore, not comparable with FÁS/CE Schemes regarding conditions and allowances payable. However the issue raised by the Deputy will be kept under review.

Public Service Contracts.

267. **Mr. Durkan** asked the Minister for Community, Rural and Gaeltacht Affairs the number and identity of contracts or procurements approved, signed, entered into or otherwise committed to in the past 12 months; if normal procedures and requirements were followed in each case; the exceptions that were recommended and by whom; if recommendations were made by groups, bodies, agencies or individuals with which Government Departments, State or semi-State agencies have current or previous associations; if all such projects or procurements were fully advertised and assessed and by whom; and if he will make a statement on the matter. [10844/07]

Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív): I understand that the Deputy is seeking information in regard to contracts of €50,000 or greater. I can confirm to the Deputy that my Department adheres to the public procurement guidelines, which are published by the National Public Procurement Unit of the Department of Finance. With regard to consultancy contracts, a list of all such contracts (excepting those of minor value) placed by my Department since 2002 is available on the Department's website at www.pobail.ie. The relevant link, which will take the Deputy directly to the information in question, is www.pobail.ie/en/CorporateSupportServices/Finance/Consultancies.

In relation to other contracts placed by my Department over the last twelve months, it was not possible to collate the details sought by the Deputy within the timeframe available. However my Department is currently compiling this information and will provide it to the Deputy shortly.

Grant Payments.

268. **Mr. Aylward** asked the Minister for Agriculture and Food the reason for the delay in issuing payment under the 2006 single payment scheme to a person (details supplied) in County Kilkenny. [10605/07]

Minister for Agriculture and Food (Mary Coughlan): The person named submitted an

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application under the Consolidation measure of the 2006 Single Payments Scheme. The difficulties which arose in this case have now been resolved and the application is now processed. Full payment will issue early next week.

269. **Mr. P. Breen** asked the Minister for Agriculture and Food when a person (details supplied) in County Clare will receive payment for their single payment scheme 2006; and if she will make a statement on the matter. [10630/07]

Minister for Agriculture and Food (Mary Coughlan): The position is that an application for the Transfer of Entitlements under the 2006 Single Payment Scheme to the person named was submitted on the 7th April 2006. During processing of the Transfer application, it was necessary for an official of my Department to write to the person named to seek outstanding documentation relating to the application. The requested documentation was received and the application is now fully processed. Payment in respect of 19.75 transferred entitlements will issue shortly.

270. **Mr. P. Breen** asked the Minister for Agriculture and Food further to Parliamentary Question No. 279 of 21 February 2007 when a person (details supplied) in County Clare will receive the single payment for 2006; and if she will make a statement on the matter. [10631/07]

Minister for Agriculture and Food (Mary Coughlan): The position is that an application for the Transfer of Entitlements under the 2006 Single Payment Scheme to the person named was submitted on the 13th April 2006. During processing of the Transfer application, it was necessary for an official of my Department to write to the person named seeking documentation relating to the application. The requested documentation was received and the application is now fully processed. Payment of €2,547.32 in respect of 13.26 transferred entitlements issued to the person named on the 16th March 2007.

271. **Mr. McGuinness** asked the Minister for Agriculture and Food the reason farm payments or benefits have not issued to a person (details supplied) in County Carlow, over the past three years; if there are issues relative to their claim and if these have been or can be resolved; and if she will make a statement on the matter. [10656/07]

Minister for Agriculture and Food (Mary Coughlan): On 1 May 1995 the person named joined REPS 1. As a result of compliance inspections carried out on his holding in June and October 1998, which revealed serious breaches of his REPS agreement, his REPS participation was terminated and full recoupment of all REPS

monies received was sought. The person named was notified accordingly on 2 February 1999.

He was further advised in January 2000 that the amount owed would be recouped from other scheme payments due until the debt is recovered in full. My Department will write directly to him outlining the current position in relation to the outstanding debt.

Installation Aid Scheme.

272. **Mr. Connaughton** asked the Minister for Agriculture and Food when the new farm installation scheme will be implemented; if there are rules drawn up for the scheme; if so, if she will state the rules; and if she will make a statement on the matter. [10657/07]

Minister for Agriculture and Food (Mary Coughlan): The 2007-2013 Rural Development Programme provides for the continuation of an Installation Aid Scheme for young farmers with an increased grant rate of €15,000 per eligible applicant. The terms of the Scheme will be established as soon as EU approval is received for the Programme.

Grant Payments.

273. **Mr. Connaughton** asked the Minister for Agriculture and Food the reason the 2006 REP scheme payment has not been made to a person (details supplied) in County Galway; and if she will make a statement on the matter. [10658/07]

Minister for Agriculture and Food (Mary Coughlan): The applicant in this case submitted an amended plan to indicate an increase in the area of his holding which he uses for commercial quarrying. My officials decided that it would be necessary to examine the situation on the ground before the application could be processed. This examination has taken place. The processing of the application will now be completed and payment will issue within the next two weeks.

Farm Waste Management.

274. **Mr. Connaughton** asked the Minister for Agriculture and Food the penalty that will be applied to the grant aid approved for the building of a slatted house by a person (details supplied) in County Galway; if her attention has been drawn to a proposal by the owner to remove the two internal girders which are not load bearing thereby constructing a much bigger cattle pen which would fit into the management plan for this shed; and if she will make a statement on the matter. [10659/07]

Minister for Agriculture and Food (Mary Coughlan): The person named is an applicant for grant-aid under the Farm Waste Management Scheme. No proposals to alter the approved structures have been received from the person

concerned. Applicants may only proceed with alterations to approved structures following receipt of prior written approval from my Department.

Animal Welfare.

275. **Dr. Upton** asked the Minister for Agriculture and Food the precise legal basis upon which a certificate of competence under the European Communities (Animal Transport and Control Post) Regulations 2006 will be issued in relation to the transport of non-equine, non-bovine, non-ovine, non-caprine, or non-porcine animal or non-poultry animals such as greyhounds; if it is necessary or legally possible for a transporter to obtain a certificate of competence in relation to the transportation of animals not apparently covered by the aforementioned legislation including all vertebrates apart from those specifically mentioned in section 4(1) of S.I. No. 675 of 2006; and the reason in view of the fact that the scope of Council Regulation (EC) No 1/2005 apparently includes all vertebrate animals, its implementing legislation S.I. No. 675 of 2006 only appears to cover the transport of bovine, ovine, caprine, or porcine animal or poultry animals. [10836/07]

Minister for Agriculture and Food (Mary Coughlan): Council Regulation (EC) No 1/2005 on the protection of animals during transport and related operations is in operation in its entirety in all Member States since 5 January 2007. Its purpose is to harmonise and improve the standards for the welfare and protection of all vertebrate animals during transport by setting down the requirements and conditions for the protection of animals during transport.

The European Communities (Animal Transport and Control Post) Regulations 2006 (S.I. No. 675 of 2006) gives full legal effect to the Council Regulation in Ireland, including the provisions regarding transport authorisations, vehicle and livestock vessel approvals and mechanisms for ensuring compliance with the Regulation.

Regulation 4 of the European Communities (Animal Transport and Control Post) Regulations 2006 (S.I. No. 675 of 2006) gives legal effect to Article 6(5) of the Council Regulation which specifically requires a person who drives or acts as an attendant on a road vehicle transporting horses, cattle, sheep, goats, pigs and poultry, from 5 January 2008 to hold a certificate of competence.

The Council has noted that specific proposals in relation to the transport of poultry, cats and dogs will be formulated when the relevant opinions of the European Food Safety Authority are made available. It would not be appropriate for my Department to introduce requirements that are beyond the scope of the Council Regulation in advance of such proposals.

Public Service Contracts.

276. **Mr. Durkan** asked the Minister for Agriculture and Food the number and identity of contracts or procurements approved, signed, entered into or otherwise committed to in the past 12 months; if normal procedures and requirements were followed in each case; the exceptions that were recommended and by whom; if recommendations were made by groups, bodies, agencies or individuals with whom Departments, State or semi-State agencies have current or previous associations; if all such projects or procurements were fully advertised and assessed and by whom; and if she will make a statement on the matter. [10841/07]

Minister for Agriculture and Food (Mary Coughlan): Government procurement procedures provide for advertising or direct invitation in relation to tenders. The above procedures were followed by my Department in all cases for contracts or procurements over the last 12 months, as set out in the table, with the exception of the appointment by the Government of the managing partner of Indecon to act as independent expert on sugar restructuring aid.

Contract No.	Company Name
1	Accenture
2	Redstone Technology
3	SMX Consulting Ltd
4	Xwave
5	Smx Consulting Ltd
6	Vantage Resources
7	CPL
8	Computer Futures
9	Bluewave
10	Accenture
11	Advanced Manufacturing Control Systems
12	System Dynamics
13	Xwave
14	Vantage
15	Version 1
16	Trigraph Professional Services
17	IT Alliance
18	Revelate
19	Dale Computer Systems
20	Xwave
21	Vantage Resources
22	Computer People
23	Computer Futures
24	It Alliance
25	Version1
26	Lan Communications
27	Diacom
28	IT Alliance
29	Business And Scientific Services Ltd

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Contract No.	Company Name	Contract No.	Company Name
		82	Bio-Sciences
30	Prologic	83	Bio-Sciences
31	Eircom	84	Foss Ireland Ltd
32	Lan Communications	85	Langanbach Services Ltd
33	Revelate	86	Animal Sciences Group
34	Calyx Data Ltd	87	Eco-Safe Systems
35	Dbc Group	88	DGP UK Ltd
36	Dell Computer Ireland	89	Langanbach Services Ltd
37	Ergo Services Ltd	90	John Bourke Engineering
38	Oki Systems Irl Ltd	91	Farm Relief Services Co-Op
39	Onestop Computer Supplies Ltd	92	Farm Relief Services Co-Op
40	Computer Associates Plc	93	Irish Equine Centre
41	Datapac	94	IFER - Mapping And Monitoring Solutions
42	Dell Computer Ireland	95	Spectrum Print Management
43	Microsoft Ireland Operations	96	Graphic Display Systems
44	Prostrategy	97	Glynn Meats Exports Ltd
45	Sabeo Technologies	98	Paul O'donoghue Ltd
46	Allen Systems Group	99	Enfer Scientific Ltd
47	Chubb Ireland	100	Irish Equine Centre
48	Computer Associates Plc	101	Advances Micro Services
49	Data & Records Management	102	Premier Proteins
50	Dell Computer Ireland	103	Premier Proteins
51	E Spatial Solutions	104	XX Transport Ltd
52	EDS Global Field Services	105	Enfer Scientific Ltd
53	Hewlett Packard	106	Irish Equine Centre
54	Hewlett Packard	107	Advanced Micro Services Ltd
55	Onestop Computer Supplies	108	Dgp Uk Ltd
56	Oracle Emea Limited	109	Dgp Ireland Ltd
57	Proginet Corporation	110	Penta Products Ltd
58	Redstone Technology Ltd	111	Derek Dowdell
59	IBM Ireland	112	Irish Dairy Board
60	Core International	113	Town Of Monaghan Co-Op
61	Cincom	114	Oakland Foods
62	Hewlett Packard	115	Charles Hinde
63	Revelate	116	Murphy Contract Cleaners
64	Sabeo Technologies	117	Patrick Meaney
65	IBM Ireland	118	John Byrne Transport
66	IT Alliance Outsourcing	119	Airways Contract Cleaning
67	BT	120	Premier Proteins
68	Dell	121	College Proteins
69	IT Force	122	Waterford Proteins
70	Net-Dom	123	Dublin Products Ltd
71	Hewlett Packard	124	Irish Dairy Board
72	Dell	125	Stl Limerick
73	Complete Network Tech Ltd	126	Richard Boyle Ipa
74	Dell Computer Ireland	127	Deloitte & Touche
75	Ecom Solutions	128	Indecon
76	Eircom Plc	129	Bunzi Cleaning And Safety Supply Ltd
77	Hewlett Packard Ireland Ltd	130	53 Degrees
78	Systemshouse Technology	131	South Western Services
79	Guildhay Ltd	132	Euro Tags - Mullinahone Co-Operative
80	Medical Supply Co. Ltd	133	Brunswick Press
81	Bio-Sciences	134	An Post

Contract No.	Company Name
135	Afcon Management Consultants
136	Farrell Grant Sparks
137	Irish Equine Centre
138	Icon Group Ltd
139	DC Kavanagh
140	Mallons Technology Ltd
141	Softco
142	Ordnance Survey Ireland (OSI)

Special Educational Needs.

277. **Mr. F. McGrath** asked the Minister for Education and Science if she will urgently assist a person (details supplied) with special needs; and if she will make this a priority. [10606/07]

Minister for Education and Science (Ms Hanafin): A specific function of the National Council for Special Education, through its network of local special educational needs organisers, SENOs, is to identify appropriate educational placements for all children with special educational needs. The SENO is a focal point of contact for parents and schools. My officials have liaised with the NCSE in the context of the child in question. The NCSE has advised that the matter has been referred to the local SENO who will make direct contact with the child's family.

School Absenteeism.

278. **Mr. P. McGrath** asked the Minister for Education and Science the reason information promised by way of Parliamentary Questions Nos. 498 and 499 of 5 December 2006, and Parliamentary Questions Nos. 1,590 and 1,591 of 31 January 2007 has not yet been provided; when said information is expected to be available; and if she will make a statement on the matter. [10621/07]

Minister of State at the Department of Education and Science (Mr. B. Lenihan): The Education (Welfare) Act 2000 established the National Educational Welfare Board, NEWB, as the single national body with responsibility for school attendance. The Act provides a comprehensive framework promoting regular school attendance and tackling the problems of absenteeism and early school leaving. The general functions of the board are to ensure that each child attends a recognised school or otherwise receives a certain minimum education.

In January 2005, the NEWB issued guidelines to the management authorities of all primary and post-primary schools on reporting student absences, suspensions and expulsions. These guidelines advise that a school must report to the NEWB where a decision has been taken to expel a student. Schools are also required to periodically report to the NEWB on student absences.

There are seven possible categories of absence which are reported, one of which is suspension.

The National Educational Welfare Board carries out analysis on the School Attendance Data at Primary and Post-Primary levels for each complete school year. The analysis for school year 2004-2005 was the first year in which the data in relation to suspensions was included. The NEWB has informed me that this is the most recent data available on suspensions. I am informed that the number of instances of suspensions returned to the NEWB by primary schools was 908 in a total of 239 schools. For post-primary schools the number of suspensions was 11,746 recorded in a total of 479 schools.

In accordance with NEWB guidelines, schools are not required to report the number of days lost to suspension on their annual return of attendance data. Accordingly, the total number of suspensions refers to the recorded instances of suspension only. Data in relation to the last school year 2005-06 is being analysed by the NEWB at present. The results of this analysis are expected to be available shortly and I will convey this information to the Deputy when available.

Special Educational Needs.

279. **Mr. P. Breen** asked the Minister for Education and Science when a special needs assistant will be allocated to a person (details supplied) in County Clare; and if she will make a statement on the matter. [10622/07]

Minister for Education and Science (Ms Hanafin): The National Council for Special Education, NCSE, has taken over responsibility for processing resource applications for children with special educational needs since 1 January 2005. The council has a key role in the delivery of services for persons with special educational needs and operates through a network of special educational needs organisers, SENOs.

I have been informed that the local SENO does not consider additional support appropriate in this case as the child in question is in a class with two other pupils which has a staffing of one teacher plus two special needs assistants. However, the situation can be reviewed should circumstances change.

Schools Building Projects.

280. **Mr. McHugh** asked the Minister for Education and Science when construction of a project (details supplied) in County Galway will commence; and if she will make a statement on the matter. [10634/07]

Minister for Education and Science (Ms Hanafin): Tenders were originally received for the project in 2004. However, due to delays acquiring the site under the redress scheme it was not possible to accept a tender at this time. Con-

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tracts for the transfer of the site have been signed and the consent of the Commissioners for Charitable Donations and Bequests has been received. However, there are a few minor legal issues that the Chief State Solicitor's office is addressing in order to close the transfer.

Legal advice has been sought to ascertain the way forward with regard to the original tender process and once this advice has been received a decision will be made on how best to progress the project to construction as quickly as possible.

Special Educational Needs.

281. **Mr. Aylward** asked the Minister for Education and Science if she will review the application for home tuition for a person (details supplied) in County Kilkenny; and if she will make a statement on the matter. [10635/07]

299. **Mr. F. McGrath** asked the Minister for Education and Science if she will urgently assist a person (details supplied) who needs funding for home tuition and other supports made available to them and their family. [10838/07]

Minister for Education and Science (Ms Hanafin): I propose to take Questions Nos. 281 and 299 together.

I am pleased to advise that my Department recently sanctioned home tuition for the child in question and a letter to this effect has issued to the family.

Third Level Education.

282. **Mr. Bruton** asked the Minister for Education and Science if she will make arrangements that pupils who get a substantial revision of points by way of re-check should have the opportunity to get a place on a course specified as their priority option if they secure the requisite points by, for example, retaining some places from early rounds of offers. [10664/07]

Minister for Education and Science (Ms Hanafin): The responsibility for managing access to third level places rests with the Central Applications Office, CAO, and the third level institutions generally. The higher education institutions have delegated to the CAO the task of processing applications to their first year undergraduate courses. However, the participating institutions retain the function of making decisions on admissions.

The CAO is a private company limited by guarantee and my Department does not have any function in relation to its operational arrangements. However, I am aware that third level institutions generally make efforts to accommodate students who reach a qualifying standard following re-checks, and I support that approach.

School Accommodation.

283. **Mr. Collins** asked the Minister for Education and Science the position in relation to a school (details supplied) in County Limerick which has applied for funding of €50,000 to provide a replacement playground, lost due to a necessary building extension to the school. [10665/07]

Minister for Education and Science (Ms Hanafin): The school to which the Deputy refers made an application under the summer works scheme 2007 for provision of a hardcourt play area. On 8 January last, I announced details of the schools to receive funding to improve facilities under that scheme.

Under the published prioritisation criteria governing the scheme, external environment projects fall into category ten. However, due to the volume of applications received it was not possible to allocate funding to all proposed projects. The Department has received an appeal on this decision from school authorities which will be considered further.

Health and Safety.

284. **Ms O. Mitchell** asked the Minister for Education and Science if, in view of the serious degrading and dangerous condition of the playground at a school (details supplied) in Dublin 16, access will be given immediately to summer works funding for the school to get this work carried out as a matter of urgency. [10666/07]

Minister for Education and Science (Ms Hanafin): In accordance with the Safety, Health and Welfare at Work Act 1989, it is the responsibility of school management authorities to have a safety statement in place in their schools. Schools are obliged to identify possible hazards, assess the risks to health and safety and put appropriate safeguards in place.

Provision is built into the school building programme to enable schools address urgent health and safety problems. In this regard, primary schools are given an annual allocation under the grant scheme for minor works which can be used entirely at the discretion of school management to address basic health and safety issues relating to school infrastructure.

The scope of the works referred to by the Deputy is also appropriate for consideration under the summer works scheme and, while the schools application was unsuccessful under the 2007 scheme, it is open to it to apply again under the 2008 scheme when it is published later this year.

Special Educational Needs.

285. **Mr. Kenny** asked the Minister for Education and Science her views on the impending closure of a pre-school (details supplied) in

County Meath which currently caters for four children with autism; the reason for the decision by her Department to withdraw home tuition from the children attending this pre-school; and if she will make a statement on the matter. [10667/07]

Minister for Education and Science (Ms Hanafin): Home tuition has not been withdrawn from the four children to whom he refers. The home tuition scheme provides funding to parents to facilitate the provision of education at home for children who, for a number of reasons such as chronic illness, are unable to attend school. The scheme was extended in recent years to facilitate tuition for children awaiting a suitable educational placement and early education intervention for pre-school children with autism. As this tuition takes place outside of a school structure, the Deputy will appreciate the importance of ensuring the tuition provider is suitably qualified to provide the optimum intervention.

A review in 2006 of a number of applications for home tuition highlighted some cause for concern regarding the qualifications of proposed tuition providers. Following the review of qualifications, which took place in consultation with my Department's inspectorate, an extended list of qualifications acceptable under the scheme has been published. This list is available on my Department's website. Aside from recognised teaching qualifications such as the Bachelor in Education and approved Montessori training, the list includes certain qualifications in autism and in applied approaches to teaching children with autism, such as ABA, PECS and TEACCH. Third level qualifications in relevant areas such as psychology may also be appropriate depending on circumstances.

I wish to advise the Deputy that as the pre-school to which he refers is a privately run facility, it is not within the remit of my Department. Therefore, I am not in a position to comment on the closure of the facility.

Pre-school Services.

286. **Mr. Kenny** asked the Minister for Education and Science the essential requirements necessary in order to work at a general preschool; the essential requirements necessary in order to work at a preschool for children with autism; and if she will make a statement on the matter. [10668/07]

Minister for Education and Science (Ms Hanafin): Besides junior classes in primary schools, my Department's main role in the area of early years education encompasses targeted preschool provision for children from disadvantaged areas, for Traveller children and for those with special needs.

The Early Start preschool pilot project provides places in 40 primary schools in designated

areas of urban disadvantage in Dublin, Cork, Limerick, Waterford, Galway, Drogheda and Dundalk. The teacher must be a fully qualified primary-school teacher. My Department also funds preschools for Traveller children. It is the preference of my Department for the teacher to be a fully-qualified primary school teacher. However, it is acceptable for a teacher who has restricted recognition to be appointed to the post. Restricted recognition is granted to teachers who trained outside of the State and who hold a recognised primary teacher qualification; and also to teachers with certain approved Montessori qualifications.

I wish to further advise the Deputy that in addition, my Department has sanctioned 18 pre-school or early intervention units for children with autistic spectrum disorders, which are attached to mainstream schools. Again, it is the preference of my Department for the teacher to be a fully-qualified primary school teacher. However, it is acceptable for a teacher who has restricted recognition to be appointed to the post. Restricted recognition is granted to teachers who trained outside of the State and who hold a recognised primary teacher qualification; and also to teachers with certain approved Montessori qualifications.

Site Acquisitions.

287. **Mr. Kenny** asked the Minister for Education and Science when a site will be made available for a new primary school in an area (details supplied) in County Dublin; the reason for the delay in acquiring a site; and if she will make a statement on the matter. [10669/07]

Minister for Education and Science (Ms Hanafin): It is the Department's intention to construct a new 24 classroom primary school to cater for the long terms needs of the area to which the Deputy refers. The acquisition of a site for this purpose is being actively pursued. As the Deputy will appreciate, due to the commercial sensitivities attaching to site acquisition, I am unable to comment on the specifics of individual sites.

Schools Building Projects.

288. **Mr. Kenny** asked the Minister for Education and Science if her Department plans to provide a secondary school at a location (details supplied) in County Dublin; and if she will make a statement on the matter. [10670/07]

Minister for Education and Science (Ms Hanafin): The area to which the Deputy refers is the subject of a Strategic Development Zone (SDZ). The planning scheme for the SDZ, which is endorsed by An Bord Pleanála, requires that housing and supporting infrastructure, including schools, be provided in a phased manner. It is a condition of the SDZ that at completion of phase

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2 (maximum of 1,800 housing units) a primary school of 8 classrooms or a post-primary school of 12 classrooms be in place. Subsequent phases require the provision of further school accommodation.

In compliance with the requirements of the SDZ, the development of a multi-school campus is well under way. When completed, this will comprise two 16 classroom primary schools and a 1000 pupil post primary school. The first of the primary schools is due to open in September 2007 with the second primary school opening shortly thereafter. This timing and extent of this development means that primary provision for the area is ahead of demand. Once the primary school provision is in place, the emphasis will shift to the delivery of the post primary school to further comply with the SDZ phasing arrangements.

Schools Recognition.

289. **Mr. Gilmore** asked the Minister for Education and Science if, in regard to her reply to Parliamentary Question No. 281 of 7 March 2007, she will outline the conditions laid down by her Department which it is alleged that the college in question failed to comply with; and if she will make a statement on the matter. [10671/07]

Minister for Education and Science (Ms Hanafin): For reasons of confidentiality it would not be appropriate for me to disclose the conditions laid down by my Department for the continued recognition of the college in question.

Student Support Schemes.

290. **Mr. Connaughton** asked the Minister for Education and Science if she will provide basic expenses for trainee teachers to cover the high costs they incur during mandatory teaching practice placements; if her attention has been drawn to the difficulty that many such trainee teachers have in being unable financially to meet the requirements; and if she will make a statement on the matter. [10672/07]

Minister for Education and Science (Ms Hanafin): Teacher education programmes, provided in approved third level institutions, are recognised for the purposes of the Higher Education Grants Scheme. Under the terms of the Scheme, grant holders who are required to participate in off-campus placement, including teaching practice, as part of their course of study continue to receive their entitlements during this period.

My Department funds four maintenance grant schemes for third level and further education students which are administered by the Local Authorities and the Vocational Education Committees. The Higher Education Grant Scheme operates under the Local Authorities (Higher

Education Grants) Acts, 1968 to 1992. Generally speaking, students who are entering approved courses for the first time are eligible for maintenance grants where they satisfy the relevant conditions as to age, residence, means and nationality.

An approved third level course for the purpose of the HEG and the VEC Scholarship Schemes means a full-time undergraduate course of not less than two years duration and a full-time post-graduate course of not less than one year's duration pursued in an approved institution. The Schemes outline the respective courses which are approved for grant purposes. In addition, my Department allocates funding each year to third level institutions under the Student Assistance Fund. This fund is available in order to assist students who may be experiencing difficulties in continuing their studies because of financial hardship. The disbursement of this funding is a matter for individual institutions in line with guidelines issued by my Department.

My Department has no plans to introduce an additional scheme of financial assistance, over and above the current provision, in relation to the training of teachers. However, my Department reviews the amount of grant payable under the schemes each year, taking into account the cost of living index and related factors.

School Staffing.

291. **Mr. Naughten** asked the Minister for Education and Science further to Parliamentary Question No. 405 of 22 November 2006, the position in relation to same; and if she will make a statement on the matter. [10673/07]

Minister for Education and Science (Ms Hanafin): The review of the one teacher schools is ongoing. The Deputy will be aware that, as an exceptional matter, I approved the appointment, or retention where appropriate, of a mainstream teacher in addition to the Principal for the current school year in the schools which had projected that the appropriate number of pupils required (12) for such appointment or retention would be achieved at end September, 2006. The position of the schools which did not qualify for this concession is being considered in the context of the reports which have been submitted by my Department's Inspectors in relation to them.

Schools Building Projects.

292. **Mr. Hayes** asked the Minister for Education and Science if a school (details supplied) in County Tipperary will receive funding for much needed additional classroom facilities. [10721/07]

Minister for Education and Science (Ms Hanafin): I can confirm to the Deputy that the school to which he refers applied for capital fund-

ing under the Department's Small Schools Scheme (SSS) for 2007. The school's application was unsuccessful due to competing priorities under the prioritisation criteria for the scheme. However, the school has appealed this outcome. It will be notified of the result of its appeal as soon as possible.

In the meantime, advancement of a project for the school under the traditional method of procurement continues to be considered under the Department's Multi-Annual School Building and Modernisation Programme.

Special Educational Needs.

293. **Mr. Aylward** asked the Minister for Education and Science the reason for the delay in paying home tuition fees to parents in respect of the summer holiday period which were not paid until October in 2006; and if she will make a statement on the matter. [10811/07]

Minister for Education and Science (Ms Hanafin): I can assure the Deputy that every effort is made to process all claims for payment as speedily as possible. While there may have been delays in respect of some such payments, my officials are not aware of a general problem in relation to the payment of home tuition claims for the period in question. If the Deputy is aware of a particular case and wishes to provide the relevant details, my officials will be happy to look into the matter further.

294. **Mr. Aylward** asked the Minister for Education and Science if she will appoint a co-ordinator, in conjunction with the Health Service Executive in Kilkenny, to liaise with the parents of children with autism; and if she will make a statement on the matter. [10812/07]

Minister for Education and Science (Ms Hanafin): The Deputy will be aware that the National Council for Special Education (NCSE) which is operational since 2005 has taken over responsibility for processing resource applications for children with special educational needs, including children with Autistic Spectrum Disorder. The NCSE, with its national network of over 80 Special Education Needs Organisers (SENOs), is providing a structure for the delivery of an effective and speedy education service to children and families coping with disability, including autism, on a daily basis. Working locally on the ground, the SENOs are a focal point of contact for parents and schools. It is open to parents to contact their local SENOs directly regarding their child's special educational need and contact details are available on the Council's website.

295. **Mr. Aylward** asked the Minister for Education and Science if she will review the application for home tuition for a person (details

supplied) in County Kilkenny and approve an ongoing education programme for them during the summer school holiday period. [10813/07]

Minister for Education and Science (Ms Hanafin): The Deputy will be aware that the home tuition scheme provides funding to parents to facilitate the provision of education at home for children who, for a number of reasons such as chronic illness, are unable to attend school. The scheme was extended in recent years to facilitate tuition for children awaiting a suitable educational placement. As the pupil in question is enrolled in a mainstream primary school with the support of five hours resource teaching a Special Needs Assistant, he is not eligible for home tuition during the school year.

However eligibility for tuition under the July Education Programme is not directly related. The scheme is available to all special schools and mainstream primary schools with special classes catering for children with autism who choose to extend their education services through the month of July. Where school based provision is not feasible, home based provision may be grant aided. I have requested an official of my Department to contact the family concerned to clarify the position.

296. **Mr. P. McGrath** asked the Minister for Education and Science the terms and conditions by which home tuition is granted to necessitous students; and the qualifications required by the home tutors. [10814/07]

Minister for Education and Science (Ms Hanafin): The home tuition scheme provides funding to parents to facilitate the provision of education at home for children who, for a number of reasons such as chronic illness, are unable to attend school. The scheme was extended in recent years to facilitate tuition for children awaiting a suitable educational placement and also to provide early intervention for pre-school children with autism.

A review in 2006 of a number of applications for home tuition highlighted some cause for concern regarding the qualifications of proposed tuition providers. Following the review of qualifications, which took place in consultation with my Department's Inspectorate, an extended list of qualifications acceptable under the scheme has been published. This list is available on my Department's website. Aside from recognised teaching qualifications such as the Bachelor in Education and approved Montessori training, the list includes certain qualifications in autism and in applied approaches to teaching children with autism, such as ABA, PECS and TEACCH. Third level qualifications in relevant areas such as psychology may also be appropriate depending on circumstances.

297. **Mr. P. McGrath** asked the Minister for Education and Science if, in view of the fact that approval has been granted for home tuition for a person (details supplied) in County Westmeath and the fact that all documentation has been supplied to her Department, a qualified special needs assistant will be approved to take up the tutor's position; and if she will have this case expedited. [10815/07]

Minister for Education and Science (Ms Hanafin): The Deputy will be aware that the home tuition scheme provides funding to parents to facilitate the provision of education at home for children who, for a number of reasons such as chronic illness, are unable to attend school. The scheme was extended in recent years to facilitate tuition for children awaiting a suitable educational placement.

A review in 2006 of a number of applications for home tuition highlighted some cause for concern regarding the qualifications of proposed tuition providers. Following the review of qualifications, which took place in consultation with my Department's Inspectorate, an extended list of qualifications acceptable under the scheme has been published. This list is available on my Department's website. Aside from recognised teaching qualifications such as the Bachelor in Education and approved Montessori training, the list includes certain qualifications in autism and in applied approaches to teaching children with autism, such as ABA, PECS and TEACH. Third level qualifications in relevant areas such as psychology may also be appropriate depending on circumstances.

I wish to inform the Deputy that twenty hours' home tuition per week has been sanctioned for the child in question, subject to the sourcing of an appropriately qualified tutor. As the qualifications of the nominated tutor did not meet the criteria laid down above, the family has been advised to source a suitably qualified tutor to undertake the tuition.

Third Level Funding.

298. **Mr. F. McGrath** asked the Minister for Education and Science her views on the dangers of inadequate State resources leaving universities over-dependent on business for financial support. [10837/07]

Minister for Education and Science (Ms Hanafin): Spending by my Department on Higher level education has increased dramatically in recent years. An amount of €783 million has been allocated to the university sector for 2007. This represents an increase of approximately €29 million over 2006 and an increase of €111m since 2005 to the university sector. The additional funding being provided in 2007 marks a continuation of the significant upward trend in recurrent funding for the sector.

The overall provision by my Department for the Higher Level sector amounts to some €1.9 billion for 2007. This represents more than a doubling of the funding made available since 1997. In 1997, when this Government took office, the amount of funding provided to the Higher level sector was approximately €850 million. The funding being provided in 2007 represents an increase of over €1 billion or 124% on the 1997 provision. In order to maximize income and in keeping with their missions, I consider that Higher Education institutions should be encouraged to diversify and increase their income from non-state sources.

Unprecedented investment is now being made in our higher education system in pursuit of the development of the knowledge base on which Ireland's growth strategy, and the economic and social benefits that will flow from that, depends. Supporting our higher education institutions is a major policy priority. The targeted investments that this Government is now making in our higher education infrastructure, in promoting excellence through system wide collaboration and change, in widening access and in creating a vibrant fourth level sector are key long-term investments in Ireland's future.

Question No. 299 answered with Question No. 281.

Public Service Contracts.

300. **Mr. Durkan** asked the Minister for Education and Science the number and identity of contracts or procurements approved, signed, entered into or otherwise committed to in the past 12 months; if normal procedures and requirements were followed in each case; the exceptions that were recommended and by whom; if recommendations were made by groups, bodies, agencies or individuals with whom Government Departments, State or semi-State agencies have current or previous associations; if all such projects or procurements were fully advertised and assessed and by whom; and if she will make a statement on the matter. [10846/07]

Minister for Education and Science (Ms Hanafin): The information requested by the Deputy is being compiled in my Department and will be sent to him as soon as possible.

301. **Mr. Durkan** asked the Minister for Defence the number and identity of contracts or procurements approved, signed, entered into or otherwise committed to in the past 12 months; if normal procedures and requirements were followed in each case; the exceptions that were recommended and by whom; if recommendations were made by groups, bodies, agencies or individuals with whom Government Departments, State or semi-State agencies have current or previous associations; if all such projects or procurements

were fully advertised and assessed and by whom; and if he will make a statement on the matter. [10845/07]

Minister for Defence (Mr. O’Dea): The type of detailed statistical information sought is not readily available. It would take a disproportionate amount of time to compile, as it would necessitate examination of all procurement files over the last twelve months. My Department adheres to both E.U. and National Procurement procedures in procurement matters. Projects are advertised and assessed in line with these procedures. Department officials are advised by the Defence Forces or by Consultants employed by the Department in the assessment of tenders. Department officials award contracts on the basis of such advice.

Fire Service.

302. **Mr. Aylward** asked the Minister for the Environment, Heritage and Local Government the progress to date on the recommendations made to his Department in July 2005 by the national retained firefighters association regarding personal injury to retained firefighters; and if he will make a statement on the matter. [10639/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Revisions to the Group Personal Accident Policy which covers retained fire fighters were agreed in discussions between the Local Government Management Services Board and SIPTU in June 2005. Any changes to insurance cover for retained fire fighters would be a matter for discussion with the Board.

More generally, over the last two years, significant attention has been paid to safety, health and welfare enhancement in the fire service as part of the Fires Service Change Programme led by my Department. A new incident command system, critical incident stress management services and an annually safety statement have been developed to enhance the safety of firefighters.

Local Authority Housing.

303. **Mr. Kenny** asked the Minister for the Environment, Heritage and Local Government the schemes in place for council tenants to buy out the property they live in; the number of council tenants in each of the Dublin local authority areas; and if he will make a statement on the matter. [10674/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern): Under the existing Tenant Purchase Scheme, which has been in operation since 1995, local authority tenants can apply to purchase their dwelling provided they have been a tenant of the local authority for a continuous period of one year. Certain dwelling types,

including apartments, are excluded from sale under the current sales scheme.

To assist local authority tenants in purchasing their homes, a discount of 3% of the value of the house is allowed for each year of tenancy up to a maximum of 30%. In addition to this, a further discount of €3,809 is provided.

A shared ownership option is available for tenants who cannot afford to purchase in one step. Under this option a share of the equity is purchased with a mortgage, usually 50%, and the remainder is rented from the local authority at a rent of 4.3% per annum. The tenant purchaser can buy out the remaining equity within 25 years. It is open to tenants to part purchase shares in the local authority equity over time.

All aspects of the tenant purchase scheme are currently under review in accordance with the Government’s commitment in the recently published Statement on Housing Policy — Delivering Homes, Sustaining Communities. The Government have approved the drafting of the Social Housing (Miscellaneous Provisions) Bill 2006, which provides, inter alia, for the sale of local authority apartments to tenants under certain conditions. The drafting of the Bill is being advanced as quickly as possible and it is expected that it will be published by early summer this year.

The most recent figures available to my Department indicate that on 31 December 2006 there were 39,862 tenants of the four Dublin local authorities. Of this figure 24,130 were tenants of Dublin City Council, 7,983 of South Dublin County Council, 3,914 of Dun Laoghaire-Rathdown County Council and 3,835 of Fingal County Council.

Water and Sewerage Schemes.

304. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government the amount of funding sought by Kildare County Council from his Department for the provision of group or regional water schemes in the county; if a submission has been made to him in respect of the Ballyna group or regional scheme; if final costing has been determined; if he has proposals to approve the necessary funds in early date; and if he will make a statement on the matter. [10816/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): Proposals valued at €2.4m were submitted to my Department by Kildare County Council in the context of the Council’s application for block grant funding under the 2007 Rural Water Programme. The proposals did not include the Ballyna Group Water Scheme.

The Ballyna Regional Water Supply Scheme was ranked as fifth priority in the list of 19 water and sewerage schemes valued at €81.9m that were submitted by Kildare County Council in response

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to my Department's request to local authorities last year to undertake fresh assessments of the needs for capital works in their areas and to prioritise their proposals on the basis of the assessments. The priorities adopted by the members of Kildare County Council will be taken into account in the framing of the next phase of my Department's Water Services Investment Programme.

Public Service Contracts.

305. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government the number and identity of contracts or procurements approved, signed, entered into or otherwise committed to in the past 12 months; if normal procedures and requirements were followed in each case; the exceptions that were recommended and by whom; if recommendations were made by groups, bodies, agencies or individuals with whom Government Departments, State or semi-State agencies have current or previous associations; if all such projects or procurements were fully advertised and assessed and by whom; and if he will make a statement on the matter. [10848/07]

Minister for the Environment, Heritage and Local Government (Mr. Roche): My Department has regard to appropriate Department of Finance guidelines on procurement, including the general requirement that a competitive tendering process is in place for all contracts above €50,000. Procurement guidelines and practices in the Department are regularly reviewed and a set of consolidated guidelines has been circulated to all staff. Additional internal procedures are in place to

strengthen monitoring and control of procurement. Reference material on procurement has been published on the Department's intranet and is readily available to all staff.

Proposals for large projects and the use of consultancy services by my Department are set out in divisional business plans, which are reviewed and endorsed by my Department's management team each year. In addition, I am consulted on significant new consultancy proposals on a continuing basis.

My Department advertises contracts as widely as possible and to this end the public procurement website eTenders is used. From time to time, where special services are required which are only available from one source, contracts have been awarded on the basis of single tendering. These cases are reported to the internal Audit Unit of my Department and to the Comptroller and Auditor General to ensure that value for money requirements are respected.

It is normal practice for all large projects to be evaluated by a project board or steering group. In the great majority of these cases, the project board is made up of Departmental staff although occasionally specific external expertise is required for the evaluation process. In all cases, the board is chaired by Departmental staff at the appropriate level.

At any one time there are thousands of contracts entered into by my Department, and compilation of detailed information on all of these would involve a disproportionate amount of time and work. However, information in relation to contracts entered into in the last 12 months where the value of the contract exceeds €50,000 is set out in the tables. In total 61 such contracts were entered into in 2006; of these 12 were awarded by means of a single tendering process.

Table A — Contracts over €50,000 — Competitive Tendering Process

Supplier	Details of Contract
ACS Ltd	Supplementary research project on Woodstown National Monument, Co. Waterford
ADS	Peatland Survey 2006
Aquafact International Limited	A survey of mudflats and sandflats
Ardmore Advertising	Media buying for Safety Promotion Functions
Barnet Marine Centre Ltd.	Purchase of three inflatable boats & trailers for NPWS
Botanical Environmental Consultants	Survey of Native Woodlands Extension to include additional work
Botanical Environmental Consultants (BEC)	Survey of Rare and Threatened Vascular Plants (Cos. Cavan, Meath, Louth, Monaghan and Westmeath)
C&M Construction	Kerbing etc at Coole Park Nature Reserve
Crann Iorrais Teo., Carne, Belmullet, Co. Mayo	Rhododendron Clearance Contract Killarney National Park 2006 Phase 3
Dell Computer Corporation	Supply of PCs
Dell Computer Corporation	Supply of Laptop Computers
Dell Computer Corporation	Supply of lightweight laptop computers
Denber Forestry Services Ltd.	Rhododendron Clearance Contract, Killarney National Park, Co Kerry Stage 1 — 78 ha at Gortroe, Gortderraree, Ullauns

Supplier	Details of Contract
Denber Forestry Services Ltd.	Rhododendron Clearance Programme in Killarney National Park (No 2) contract Reen & Demesne
Drs John Conaghan/Janice Fuller/ Cillian Roden	Survey of Rare and Threatened Vascular Plants (Cos. Clare Galway & Limerick)
Easy Clean Ltd.	Cleaning Contract, Muckcross House, Killarney National Park, Co. Kerry
Event Ireland Limited	Interpretation Works at Muckcross House, Killarney National Park, Co. Kerry
Fujitsu Services Ltd.,	Technical refreshment of central NVDF infrastructure
Gallic Distributors Ltd.	Purchase of 25 Citroen Berlingo Vans for NPWS
Ger O' Sullivan	Rhododendron Clearance Programme in Killarney National Park (No 1) Knockreer, Reen, Ross Island
Henry Ford & Son Ltd.	Purchase of 12 Ford Ranger 4x4 Vehicles for NPWS
Hinch Plant Hire Ltd	Works to reclaim cut-over bog, acquired from Bord na Mona, for development as habitat for the grey partridge
IBM Business Consulting Services	Provision of Application Support and Maintenance service for the National Vehicle and Driver File system and Online Motor Tax Service.
IBM Business Consulting Services	Supply of Application Software Design and Development Services for the Change of Vehicle Ownership
IBM Business Consulting Services	Supply of Application Software, Design and Development Services for the National Vehicle & Driver File System
Indecon International Economic Consultants	Synthesis Review of CDB Strategies being carried out by Indecon Ltd on behalf of Local Government Policy.
Jane Wales Associates. Cork	Recording in North Cork for National Inventory of Architectural Heritage
John & Brian King (Builders) Ltd.	Renovation Works at Arthur Vincent Hostel Killarney National Park, Co. Kerry
LAN Communications	Managed Service for Network Infrastructure Support for the National Vehicle and Driver File System.
Marine Environmental Resource Consultants Ltd	Marine Habitat Mapping (Contract July 2006)
Marine Environmental Resource Consultants Ltd	Marine Habitat Mapping (Contract March 2007)
Morrow Communications Ltd.	Production of 5x10 minute film on subjects relating to Glenveagh National Park, Co. Donegal and National Parks and Wildlife Service.
Natura Environmental Consultants	Desk Survey of the Extent and Conservation of Irish Upland Rocky Habitats and Alpine and Sub-Alpine Heath
O' Herlihy Communications	Delivery of Communications Skills Training for Senior Managers
O'Mahony Pike	Urban Design Guidance Booklet
Pat Ashe & Sons	Tarring of road within Killarney National Park
Raw Consulting	To survey and map the vegetation of the Wicklow Uplands cSAC
Research Ireland	Inspection of bog plots
RPS Group	Public Awareness Campaign on Biodiversity
Sheehan & Joy Ltd	Proposed alteration and renovation to Golden Gate Lodge, Killarney, Co. Kerry
Sinead O' Connor	An ENFO environmental education and awareness outreach service
The Archaeology Company	Sites and Monuments record for Co. Cork
University College Cork	Co. Kerry RMP Update
University College Cork	Co. Kerry Volume 1 Inventory
University College Cork	Archaeological Inventory of Co. Cork
Vaisala OYJ, P.O. Box FI-00421, Helsinki, Finland	Supply of laser Ceilometers for use at airports (A) and automatic weather stations (B) to monitor cloud conditions in accordance with ICAO and WMO regulations
Xerox	Purchase of Copier and Maintenance Costs
Young Euro RSCG 64 Lower Lesson Street Dublin 2	Draft register of electors 2007/2008 publicity and awareness campaign

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Table B — contracts over €50,000 — Single Tendering Process.

Supplier	Details of Contract
Ardmore Advertising	Media buying and advertising in respect of National Fire Safety week — October 2006
Bat Conservation Ireland	Car Transect Bat Survey 2006-2008
Bat Conservation Ireland	Daubenton's Bat Survey 2006-2008
Computer Associates PLC.,	Renewal of contract for CA Unicenter
Egan, Fitzpatrick and Malsch	Legal and Scientific Research on nuclear safety
Galway-Mayo Institute of Technology	Study of small cetaceans in Galway Bay and North Connemara including both Bottlenose Dolphins and Harbour Porpoises for the degree of Doctor of Philosophy
Golden Pages Ltd	Department's Entry in Phone Book
Ingres Europe Ltd	Renewal of Ingres Software licence contract for NVDF computer system (July-December 2006 contract period)
Ingres Europe Ltd	Renewal of Ingres Software licence contract for NVDF computer system (2007 contract period)
John Shiels	Herding sheep for identification purposes
Pitney Bowes Ireland Ltd.,	System in support of document integrity for bulk mailing system
Rotronic instruments (UK) Ltd, Unit 1A Crompton Fields, Crompton Way, Crawley, West Sussex RH10 9EE	Facility for the calibration of the humidity sensors in the Met Éireann national weather monitoring network, to the standards of the World Meteorological Organisation