

DÁIL ÉIREANN

AN COMHCHOISTE UM GHNÓTHAÍ AN AONTAIS EORPAIGH

JOINT COMMITTEE ON EUROPEAN UNION AFFAIRS

Dé Céadaoin, 4 Samhain 2020

Wednesday, 4 November 2020

Tháinig an Comhchoiste le chéile ag 9 a.m.

The Joint Committee met at 9 a.m.

Comhaltaí a bhí i láthair / Members present:

Teachtaí Dála / Deputies	Seanadóirí / Senators
Dara Calleary,	Lisa Chambers,
Seán Haughey,	Regina Doherty.
Brendan Howlin,	
Ruairí Ó Murchú,	
Neale Richmond.	

Teachta / Deputy Joe McHugh sa Chathaoir / in the Chair.

Business of Joint Committee

Chairman: Apologies have been received from Deputy Marian Harkin. I propose we go into private session to deal with some housekeeping matters. Is that agreed? Agreed.

The joint committee went into private session at 9.02 a.m., suspended at 9.10 a.m. and resumed in public session at 9.14 a.m.

Engagement with Representatives from the European Parliament

Chairman: On behalf of the committee. I welcome Mr. Barry Andrews, Ms Deirdre Clune, Ms Clare Daly, Ms Maria Walsh and Mr. Billy Kelleher. Today's meeting offers us an opportunity to engage with our MEPs on issues facing the EU.

Before we begin, our guests are directed that only evidence connected with the subject matter of these proceedings is to be given and are asked to respect the parliamentary practice to the effect that, where possible, they should not criticise nor make charges against any person, persons or entity by name or in such a way as to make him, her or it identifiable. I advise the witnesses giving evidence from locations outside of the parliamentary precincts to note that the constitutional protections afforded to witnesses attempting to give evidence before committees may not extend to them. No clear guidance can be given on whether or the extent to which the evidence given is covered by absolute privilege of a statutory nature. Persons giving evidence from another jurisdiction should also be mindful of their domestic statutory regime. If our guests are directed by the committee to cease giving evidence in relation to a particular matter, they must respect that direction. Members are reminded of the long-standing parliamentary practice to the effect that they should not comment on, criticise, or make charges against a person outside of the Houses or an official by name or in such a way as to make him or her identifiable.

Some of the MEPs sent opening statements to the committee. We will go straight into the discussion. If there are observations or questions from committee members, we can take them.

Senator Lisa Chambers: I thank the Chairman and I thank the witnesses for joining us. It is great to be able to engage with our MEPs. One of the reasons we sought this engagement is that we are in our infancy and are just starting out as a committee in this term. We felt it was important to get the views of our MEPs on key issues being debated at EU level, namely, migration, the rule of law and the future of Europe. Before we, as a committee, seek to delve further into those topics, it would be good to get a steer from our MEPs as to how things are progressing in those areas at an EU level and what the word on the ground is in the EU. I know from having spoken to Mr. Andrews that he had a particular view that we should be doing more domestically in respect of EU legislation. He might want to touch on that.

Migration is a contentious and controversial topic. It is difficult to discuss, but it is important that we discuss it. I know it is one of the biggest issues in terms of conversation at an EU level. The German ambassador spoke to the committee two or three weeks ago and she made it very clear that for Germany migration was the biggest issue. I would welcome the thoughts of the witnesses on what the committee should be looking at or focusing on and what they see as the key elements of the new pact on migration that is coming from an EU level and what that might mean for Ireland. What is Ireland, as a member state, being asked to do in terms of

migration?

Chairman: I thank Senator Chambers. There was a specific question for Mr. Andrews. If other witnesses wish to indicate, I will take them in rotation.

Mr. Barry Andrews: I thank the Chairman. I am delighted that we have been invited to speak to the committee and share our views. I was a member of the committee back in the day. In fact, I was Vice Chairman so I am well aware of its value in communicating what happens in the European Union to the interested Irish public.

In my submission, I made a point about EU scrutiny. A sub-committee of the Joint Committee on European Union Affairs dealt with scrutiny, but that now happens across all of the committees. I read about this matter and discovered that in 2017, the most recent year for which I could find figures, 455 proposals came from the EU and just seven reports were generated. It strikes me that in a post-Brexit situation where Whitehall is not available to us to X-ray all of the proposed and current legislation, the Oireachtas will need to up its game. We certainly need to reflect on whether the Oireachtas has the tools to properly scrutinise what is being proposed and how it might impact on the Irish economy and life more generally. There is much more qualified majority voting now. The Council of Ministers may not be as influential as it used to be. There are many more EU competencies. There is reason to reflect again on whether we have the necessary tools.

On migration, the pact is about asylum rather than migration. I made the point in my submission that they are two different things. When it comes to migration, people are leaving for a better life. Those seeking asylum are fleeing for their lives. We need to make a clear distinction between the two. The pact is mostly about asylum and tries to deal with the Dublin regulation and the lack of solidarity for those countries that are on the front line of irregular population movements into the south and east of Europe. It does that in a couple of ways. For Ireland it may mean a relocation and resettlement system that will be much fairer and have a greater degree of solidarity. There are a lot of shortcomings with that. There is a proposal around screening at external borders where there will be very serious human rights concerns. There will be concerns around the idea that member states can simply opt out of resettlement and relocation by sponsoring returns. I am not sure what exactly is meant by EU solidarity around asylum.

There is a lot to be sorted out. A raft of legislative measures will come before the Parliament and Council in due course. Going back to my original point, there will be a lot to scrutinise for the Oireachtas. I hope that answers the Senator's question.

Ms Clare Daly: It is nice to see Deputy McHugh. The new Commission has pledged that this migration pact is going to be its thing. As a member of the LIBE committee, which deals with this issue week in and week out, I know there are enormous problems as a result of the continuation for years of what has been a very divisive policy around migration. As was the case when I was in the Dáil, a large number of Irish volunteers, including medics and activists, have been on the Greek islands at the coalface of the Dublin agreement. Desperate people, including unaccompanied minors, have been stranded in what are, in effect, camps. They have no way to get out, a situation that came to a head during the start of the Covid pandemic. That situation pertained well before that.

The migration pact has been put forward as a solution to that. As Mr. Andrews said, there are gaping holes in the pact. We need to be incredibly careful because it continues a policy of the EU of, essentially, privatising border management and externalising responsibilities to

countries like Turkey and so on to keep refugees out of Europe. That will continue under this policy when, morally and legally, the EU has an obligation to assess every asylum campaign and avoid *refoulement*.

We have seen an issue the committee should address. There is an issue with the EU borders. There are terrible things going on with border management. Appalling violence is meted out to people on the Croatian border such as, for example, cases where people have been pushed back by the Croatian authorities, yet the EU said it is ready to join the Schengen *acquis*. Revelations were published in *Der Spiegel* two weeks ago about Frontex, Europe's border management, not only turning a blind eye to the abuse of migrants and the pushbacks to Libya in Greek waters, but being directly involved in that activity.

The scary part is that the migration pact is primarily based on the policy of returns to countries like Afghanistan where there is already an agreement. It has been deemed to be the most unsafe country in the world. We saw the terrible bombing of Kabul University in recent days and the deaths of students. However, Europe has a policy in place to return more Afghans. In recent weeks, the Croatian authorities robbed, stripped, humiliated and raped Afghan refugees. That is what is going on on the borders of Europe. It is a serious situation.

The constant talk about a migration crisis is actually fuelling racist dog whistling which is giving rise to the far right in Europe and playing into its hands when the numbers are actually quite low. A huge legislative programme has come from this. Our committee is only beginning to receive a number of files. In the last Dáil, we championed the idea of Ireland taking more refugees when the Calais camp was dismantled. We need to do a lot more in terms of the Greek islands. Even though we are a small country, we could be powerful.

We need to join the dots. Why are a lot of these people refugees? It is because of the policies of intervention, the military spend and so on. A lot of the companies which are now getting money from Europe for the first time, via the defence fund, are the same companies that are profiting from the border management to keep out refugees who are the victims of those wars. We need to scrutinise that. We are at the early stages. Perhaps we should reconnect with the committee as the files come before us in the coming weeks and months.

Ms Deirdre Clune: Ms Daly and Ms Walsh are on the LIBE committee and have covered migration. It is very important that we bring the debate about migration closer to home because it is a very serious issue and a major concern. The camp in Moria made headlines recently. A small island the size of Lesbos had almost 13,000 people in a camp designed to cater for 3,000 people. One cannot imagine that happening anywhere on the island of Ireland. It is a very difficult situation. Greece, Malta, Italy and Spain and other European countries bearing the burden of migration and that needs to be addressed.

The Commission's proposal has just been announced. It is about trying to share the burden further, which is what the Dublin declaration was about. The proposal is trying to revise that, something which obviously has not worked. There is a lot of division among member states at Council level. The committee will find that the Parliament level is supportive of a migration policy which would address the issue in a fair manner. I am sure the relevant committees in the Oireachtas will get to grips with the issue because it is something we need to hear more about in Ireland in our media and from the Oireachtas. I will refer to other points Senator Chambers indicated she might be interested in, such as the rule of law. As she knows, that is laid down in treaties and means that governments should be bound by law and should not take decisions that citizens can challenge. It is important. The budgetary debate is ongoing in order to try to

decide the level of funding and how it will be spent for 2021-27. The Parliament is very strong in its view that the budget or recovery fund should be linked to the rule of law mechanism. That was originally proposed by the Commission in 2018, but was rejected at Council level.

If the committee follows the debate on the budget and the attempt to reach agreement between the three institutions, it will find the rule of law is featuring. Some countries are in the headlines, such as Poland, Hungary, the Czech Republic, Slovakia and others. Section 7 investigations have been opened into those countries but the process is slow and requires unanimity at Council level.

Parliament has now moved to support the Commission's original proposal in 2018 that budget supports be linked to the rule of law. There is a stand-off in that area. Just over a month ago, the Commission started to produce an annual rule of law report into every country. It would be worthwhile for Ireland to look at that in terms of the results of the investigation. It is an annual process that has started this year.

On the future of Europe, it would have been different 12 months ago. The Commission, Parliament and Council agreed to have a conference on the future of Europe, starting this year. There is no starting date yet even though it may go digital. Its purpose is to engage with citizens and national parliaments on what we want from the future of Europe and how it should move forward. Obviously the current challenges are about recovering from Covid from both a financial and a societal point of view and how we might do that. It is going to be really difficult because many countries have been affected, not least our own. As the committee will be aware, that is reflected across Europe. They probably are the real challenges now.

Of course there is climate change and climate action as well. We have recently agreed a climate law in the Parliament and the Oireachtas has its own climate action Bill. How we move forward to ultimately get to 2050 when we will be carbon-neutral is a real challenge. The targets are in place but the structures now need to be put in place as to how to get there in every area. I am sure the committee is aware of that but it is a real challenge for all of us and one of the main issues that will face us over the next number of years, as we move to address the key targets that have been put in place. I will leave it at that, Chairman, because I am not sure how much time I have taken up. I am happy to engage with questions again later on.

Chairman: I thank Ms Clune and call Mr. Cuffe.

Mr. Ciarán Cuffe: I thank the Chairman. I think the committee has audio but not video. Is that correct?

Chairman: Yes.

Mr. Ciarán Cuffe: Great. I will try to be as succinct as I can on this. I want to talk about migration, rule of law and the future of Europe and then say a few words about the European green deal.

On migration, we essentially have to reform the Dublin regulation, which was signed in Dublin many years ago. Without reforming the regulation, we are fuelling the flames of xenophobia in those countries that are receiving more than their fair share of migrants. In countries like Italy, Greece and Spain we are seeing a massive resistance to migration. We are seeing boats being left, thereby allowing people to drown in the Mediterranean. The problems in that regard stem from the Dublin regulation, which simply tells migrants that they must apply for refugee status in the first port they come to. This puts countries like Ireland off the hook. As

such, we need to move on on that. The European Council has been stalled on this but it would be prudent for the Government to push for reform of the regulation.

Moving on to rule of law, in the Parliament we are fighting for a strong rule of law conditionality to be attached to the funds that member states receive from the European budget and we hope this will happen. There is also a role for the individual political groups to speak up on this issue. I am very conscious that Fine Gael is part of the European People's Party and parties like Fidesz in Hungary are also part of that group. It is important that political groupings stand up to leaders who are abusing the rule of law and ensure conditionality is put in place. If we look at the conditions of judges in Hungary, or those of women in Poland seeking access to abortion, rule of law is essentially being put to one side in parts of central Europe. We need a strong commitment to the rule of law. Obviously that has to come from the European Union but it also has to come from the political groupings within that Union.

Moving to the future of Europe, the process has been stalled. There is a row going on as to who will lead that convention. Mr. Manfred Weber's name has been in the mix but there are various internal rows about that. We need a convention on the future of Europe. Given what day it is, as we look at the rows going on in the United States and the deep polarisation of politics over there, we need, more than ever, a middle ground that can bring people together and talk about the common, human values that bind us together. As that is inextricably linked to the future of Europe, we within the Greens-European Free Alliance, EFA, group would strongly like to see the future of Europe convention getting going in order that we can have a broad public discussion about what we mean when we talk about Europe and what economic, social and environmental values we want to see. The sooner that happens the better.

The final thing I will mention is the European green deal. As a member of the Greens-EFA group I would mention that, would I not? When one looks at the social, economic and environmental future of the European Union, the European green deal is at the heart of this. It has been espoused by Dr. Ursula von der Leyen of Germany. She strongly wants this to happen. The future jobs in Europe in agriculture, transport, construction and energy will come from the greening initiatives. At the moment there are sunrise industries in Europe and sunset industries. If we want to have full employment in the years ahead, we must fully prioritise the green components of what Europe is doing. There are massive opportunities for Ireland in ocean energy, organic agriculture, in near-zero energy buildings and low emissions travel. If we do not hitch our wagon to those horses we will be left behind.

I will make one final point. Forty years ago I flew into Copenhagen and as we arrived into the airport, I saw wind turbines being erected beside the city. Denmark has surfed that wave ever since. We have a similar opportunity now to embrace a green future that will provide jobs for us in the years to come. If we do not take that opportunity we will miss the boat and lose out on some extraordinary opportunities for Ireland in the years to come.

Chairman: Mr. Cuffe has digressed a little there into a question which was not raised, which we totally welcome. It has afforded me the opportunity to go back to the members. Perhaps after that we will come to Ms Walsh and Mr. Kelleher but rather than getting six responses to one question, we will try to vary it a bit.

Deputy Seán Haughey: I thank the MEPs for joining us this morning and for the insights they have given so far, particularly on the pact on migration and asylum. As we know it has two elements to it, namely, a tightening of border controls and a new mandatory system for the sharing of the burden, so to speak. Some of the MEPs have spoke of the shortcomings of the

pact and the gaping holes in it. There are a lot of objections to it so far. The Czech Republic, Austria and Hungary are very opposed to the concept of mandatory quotas and Hungary, Croatia, Greece and Malta also have problems with it. Thus it looks like it has a long way to go and there are a lot of issues to be addressed. I have no doubt that the Moria refugee camp fire will influence the debate and perhaps the actual publication of this document by the Commission. From what MEPs have said so far, Ireland's approach should be a humanitarian one. That is our tradition and I hope they will be pursuing that as the nuts and bolts of the pact are agreed.

I have a question on the rule of law. As the MEPs will know, the appointment of the President of the European Commission and of the Commission itself had to be approved by the European Parliament. Dr. von der Leyen had to do a lot of negotiation or, dare I say it, wheeling and dealing to get all that over the line and through the European Parliament. It is a fact that she renamed some of the posts to reflect the sensitivities. For example, the migration job changed from defending the European way of life to promoting it and I think that change was suggested to get more support for her candidacy. My question concerns Hungary and Poland. Article 7 proceedings have been initiated and the MEPs have spoken about that and the threat to withhold EU funds. The facts are, however, that Hungary and Poland have influence within the European groupings, as Mr. Cuffe said, they have votes at the Council of Ministers and so forth. Is it not a fact that because of this, the political realities of the situation and the need to wheel and deal, to negotiate, to get issues on the agenda, to form alliances and so forth, nothing will really happen in respect of the rule of law in those two countries? I think Ms Clune suggested that the threat to withhold EU funds is deadlocked and has not got through the European Council. Perhaps she did not suggest that, in which case I am sorry. I am just very pessimistic that anything can be done or that anything will happen because of the size of Hungary and Poland and their influence within the groupings and the various institutions. I would be interested to hear the MEPs' views on this issue as it relates to the rule of law.

Chairman: Ms Maria Walsh is next, followed by Mr. Billy Timmins. I think Ms Daly is indicating to come in on this as well or her hand is up-----

Deputy Dara Calleary: It is Billy Kelleher.

Chairman: I apologise to Mr. Timmins. The order is Ms Walsh followed by Mr. Kelleher and Ms Daly.

Ms Maria Walsh: I assume the Chairman was up super late watching the US elections.

Chairman: I was, like an eejit.

Ms Maria Walsh: I thank him for not getting my name wrong. I hope everybody can see me and hear me clearly. I am delighted to be here and delighted that this conversation is happening. My request from the outset is that it happen more regularly and that we do not focus on a number of key topics but rather on one topic so we can have a really engaging conversation. The committee put a lot of meaty topics on the agenda, which I am delighted about as a representative of the LIBE committee. Ms Daly and I are often in agreement on many things when it comes to protecting our citizens, those living outside the European Union, those trying to access protection within the EU and those living within the EU now.

To go back to Senator Chambers's question about migration, which I believe another speaker also raised, there are a sizeable number of topics or key issues within migration, including asylum, child trafficking, smuggling and many more, with child trafficking and smuggling seeing

huge rises within the European Union. As for the asylum and migration pact we saw launched by the Commission at the end of September, we are fortunate that Vice President Schinas, who is promoting the European way of life, was key to delivering the new pact and roadmap. I see a couple of holes in it, going back to Deputy Haughey's question about promoting the European way of life, fundamental human rights and the protection of citizens. Mental health supports, which I do not see within the roadmap, constitute one such hole. There is also the basic right to a translator, which I feel was missing from the pact, as well as proper relocation and resettlement programmes.

We also have to consider the fact that it is not just migration that is being held up by certain member states that Deputy Haughey listed but also the anti-discrimination directive, which has been held up within the Council and on which we cannot get correspondence. There are a number of key fundamental human rights errors being committed across the EU. On the plus side, however, we have a roadmap. This really should have been kicked off in a more solidified way. I believe that this did not happen in the previous mandate, and we now have to work with what we have. The roadmap is missing a few other key issues surrounding the changes we are seeing in the climate and in the context of the waves of people we know are going to arrive in the EU. They need to arrive through legal and safe pathways, ensuring that all citizens are protected, particularly women and children, who we know are statistically at most risk of getting caught up in trafficking, the sex trade and smuggling.

As for promoting the European way of life, Vice President Schinas is a part of the EPP group. I hear members' calls in respect of issues within Fidesz in Hungary. I am probably not a good person to speak about this on behalf of the EPP because I have been very outspoken about the fact that within our group we have to have a vote on this and resolve the issues surrounding Fidesz. We need to move on it quickly. Politically, it is very difficult for me, as a young, dynamic, equality-driven MEP, to have a party such as Fidesz within our group. I should probably leave it at that before I get a call from Manfred Weber. It is really important, though, and I am delighted that members' flagged it. I am working internally as well as calling externally for us to be allowed a vote on the matter and to move on.

I wanted to flag a few other things but I will throw the floor back to the Chairman because I hope we will engage in a few more questions. The one thing I will say, in case I do not get the opportunity to come back in, is that mental health should be a competency of the European Union, which it is not at this point. My request of Oireachtas colleagues is that they work with me and many other MEPs across the political landscape who are part of the alliance to bring mental health within the competency of the European Union. This is not just about mental health. Mental health touches every facet of what we talk about in the European Union. Going back to Senator Chambers's and Deputy Haughey's questions about promoting and protecting the European way of life, this is also a matter of solidarity in protecting our democracy. We see waves of change coming across Europe. We see waves of change in the US and indeed in our neighbour country of the United Kingdom. We need to do our utmost to protect our citizens at this time.

Mr. Billy Kelleher: I wish the Chairman well in his deliberations and thank the committee for the invite. We have to look at a number of issues that have been raised today that are critically important, not only from an Irish perspective but also from the European dimension. Migration is a significant challenge for the European Union. Very often, Ireland looks at it from a very insular point of view. Ireland is on the western periphery of the European Union and not at the coalface of interaction between migrants, those seeking asylum and the huge pressures on

the systems in places in countries such as Greece, Italy and, in particular, Spain. We comment on this issue from time to time but we have to take a more proactive role in ensuring we have a proper system in place in respect of the issue of migration and asylum. The migration and asylum pact published recently by the Commission does deal with the issue of asylum itself, but we have to accept that a huge number of people want to come to the European Union for obviously good reasons. There is no doubt but that there is greater opportunity in the European Union. These people are coming from areas that have huge economic deprivation and political upheaval.

Where we are talking about wars, etc., as in Syria, people are coming under the asylum process. We were incapable and unwilling to deal with this. We see the resistance from various countries to the Commission's announcement on the asylum and migration pact. This indicates that we are in a state of paralysis in Europe and unwilling to deal with it. I think the Commission is very committed to taking forward proposals in the context of the pact. The Parliament is more open but it is the Council that is clearly delaying and obfuscating any movement in the areas of migration and asylum because it is very much focused on national interests and playing to domestic audiences rather than looking at the broader humanitarian obligations we have as a political union.

Hungary, Poland, the Czech Republic and many other countries are fundamentally opposed to the issues of quota obligations in respect of either people seeking asylum or migration. Some camps were mentioned, such as Moria, Lesbos and Lampedusa in the Italian Mediterranean. On Lampedusa, there is appalling humanitarian neglect. We do very little as a country to address those issues because they are somebody else's problem. We have not exactly extended a hand of support and friendship to many asylum seekers and migrants within the EU borders. We have to question what commitments we will make to try to support and help the many people who are stuck in refugee and migrant camps but are fundamentally lost in the wealthiest union in the world. We should keep a focus on that.

Ms Daly referred earlier the problems on the periphery of Europe. That is the significant challenge, in North Africa and the Middle East. Until such time as we bring political and economic stability to those regions, people will consistently want to come to Europe for obvious and good reasons. It is primarily the Council that will delay and prevaricate on this issue because its members are very much playing to their national audiences. There is a lurch in some areas to exploit migration, particularly from the far right but also from the moderate right. One does not have to go far to the right for people to be seen to be exploiting migration. That was a big part of the debate on Brexit. Other countries such as Italy have flirted with the far right from time to time in their political representation and are at the coalface of the migration challenges that are being exploited in those countries.

Deputy Haughey referred to the rule of law. There is no doubt that the rule of law is a bland term that is thrown out from time to time but it goes fundamentally to the heart of what we stand for, such as freedom of expression, an independent Judiciary and individual rights for persons to be who they want to be and who they can be. Countries such as Poland and Hungary are becoming harsh in the context of the basic civil liberties we would expect any European citizen to enjoy. We do not have in place a sanction mechanism beyond Article 7, which effectively requires unanimity to sanction a country but that will never happen in the Council, as Deputy Haughey rightly pointed out, where there are horse-trading requirements for Commissions to be nominated, appointed and successfully moved through the process to be ratified.

All these issues will have to be addressed, and that should take place at the Conference on

the Future of Europe. It has been delayed and we are still trying to find somebody to lead it, but it is fundamentally where many of these decisions will have to be addressed. The Council will never address them because its members do not know when next they might be in the firing line, so they sit on their hands and use the unanimity rule as their shield. Unanimity is Europe's strength but also its weakness. The big challenge for Ireland in coming years will relate to the issue of own resources, how we fund the European Union and how it considers countries such as Ireland in the context of, for example, its taxation system.

The question is where we want to fit Ireland in the new Europe. The Conference on the Future of Europe is a place where this committee will have a fundamental role to play in dialogue with citizens and stakeholders in Ireland to get consensus on where we should sit in Europe. Do we want further co-operation and integration or to move to a more federalised system? To use the old cliché, do we want, in the European Union context, a community of nations or a nation of communities? Ireland should play a critical role, primarily because we want to steer Europe in the direction in which we want to go but also, for our national interests, we want a Europe that is understanding of, and sympathetic to, small nations and allows us to express ourselves to have political influence within the European Union. The question is whether the need for unanimity will diminish small countries' capacity to have an influence.

While Brexit has not been mentioned, it is being negotiated in great detail at the moment and the ambassadors will probably be briefed in the coming hours or days. The UK is leaving, although how it leaves has yet to be decided. That places Ireland in a difficult position within the European Union in the context of political allies. There is the German-Franco alliance at the heart of the European Union and there was previously a counterbalance with the UK. Now that it has gone, Ireland will face its own challenges to find new partners and new alliances to ensure that our views are heard on how we see the European Union in the years ahead and that we will bring to bear influence on that debate.

There are many challenges, the most immediate of which relates to migration. This issue has to be dealt with, but if members expect the Council to deal with it, then it will never be dealt with. We need to apply domestic pressure throughout the European Union but, from an Irish perspective, we need to articulate what we want done. We cannot simply allow countries that are resistant to any form of humanitarian effort to accommodate, understand and facilitate people coming into the European Union in an orderly way. In any event, we need these migrants because we have international obligations and because, economically, migration has been successful throughout the European Union. Of the 1.4 million migrants and asylum seekers who have moved to Germany in recent years, many have integrated and undertaken vocational training. They have gone to college and become active participants in society and the economy. That is the type of model we should consider as Europe ages in its population and demographics.

The European Union needs that discussion. A great place for the discussion of all those issues is at this committee under the guidance of the Conference on the Future of Europe, where it could have a meaningful role.

Ms Clare Daly: We should consider how we take this co-operation forward in future. I agree with the point Ms Walsh made. We need to dig deeper into the subjects. We are straying a bit from some of the topics but we should stick to answering members' questions if we can. We should go into depth and leave ourselves open for other meetings on other issues.

To follow on from Deputy Haughey's point about migration and some of the points that Mr.

Kelleher made, there is significant pressure on some of the key migration hotspots of Europe but it is not caused by large numbers of migrants. It is caused by the Dublin regulation, which has forced them into these areas, while other countries do not take an adequate number. That is an important point and it is an area in which Ireland can play a role. It is true to say that the Parliament will be more progressive on the issue of migration and that it generally takes quite a progressive position, but it will be after that when the problems kick in.

Deputy Haughey's points on rule-of-law issues were very relevant because he got to the heart of the problem and the crisis facing the European project. Anything goes. There is wheeling and dealing, and unsavoury alliances are being made, on the grounds that it is good for business and keeping the European show on the road. However, this means that talk of fundamental rights, the rule of law and European values is an Orwellian doublespeak because it does not exist in reality. There is incredible discrimination between who is adhering to the rule of law and who is not. As an example, I am the rapporteur for the fundamental rights report that will go before the Parliament probably this month or in December. We have had enormous battles around countries not wanting to be named in it. We have accredited and verified abuses of fundamental rights but MEPs and groups have opposed the naming of countries in the report. For example, there have been violations of human rights in Spain in terms of the treatment of the Catalan political prisoners and so on, which is being dealt with by the UN, but they do not want that mentioned. Nobody wants to criticise Spain, but it is okay to criticise Poland and Hungary. God knows, there are many reasons to criticise Poland and Hungary but that is too easy. There are many other countries that are flagrantly breaching the rule of law as well. It took an age for infringement proceedings to be taken against those countries in spite of the most appalling violations of the rule of law there.

We recently had a situation in Bulgaria, the governing party of which is in the EPP grouping as well. It is effectively a mafia state. It is the poorest country in the European Union. Its political leaders have been responsible for defrauding huge amounts of EU money. That is indisputable. There has been massive judicial interference in that the role of the Prosecutor General is such that he, in connivance with the Prime Minister, decides who is and is not prosecuted. There are enormous problems with corruption and abuse of rule of law but this is never mentioned.

Under the confidence building measures, CBM, Bulgaria and Romania had to fulfil certain conditions before they would be fully included as full members of the European project. Last year, the European Parliament, with the exception of our group, thankfully, because through knowing Irish people in Bulgaria we needed to raise some of the issues there, agreed that Bulgaria should be given a clean bill of health. What changed the situation was Bulgarian citizens coming out onto the streets, which relates to Deputy Haughey's point about him being pessimistic about how things are going to change. For almost four months now Bulgarian citizens have been protesting every night for a change in Government and for the EU to intervene and deal with their country. On foot of that, we were able to use the Parliament to put forward a very hard-hitting motion, which had a really good impact in Bulgaria and gave people there a huge lease of life. It is correct to say that it comes back to the Council and the fact that the leadership in Bulgaria is very friendly with Angela Merkel's party and is well-in with the ruling gang. In that sense, it makes it very difficult for them to call it to account. Deputy Haughey is correct that-----.

(Interruptions).

Ms Clare Daly: I am glad these topics were raised. We need to dig deeper on these issues. It is incredible some of the violations that are going on. We have not heard the half of them. The new annual rule of law report on paper sounds like a good idea, and it is in that it provides that every country be evaluated and that no country be singled out. The problem with that report is that it had no teeth. When it was produced the ruling party in Bulgaria went on television and rubbed the rule of law mechanism into the faces of its citizens, stating that the European Parliament was of the view that Bulgaria is improving. This utterly demoralised the citizens there because they thought that their protests and points had been ignored. We do need to be careful. It is a little bit like the time when the unions in South Africa argued for sanctions. It was they and the citizens who wanted it. Citizens in some of our European countries do want a financial sanction on their governments who do not uphold EU rule of law. We need to get to that space otherwise there will not be any changes. It is a very *à la carte* rule of law, as is the rapport that we have because it depends on the country one comes from. It is easy to criticise the eastern European countries but they rarely deal with police violence in France, Spain or with any of these issues. If we are serious, we need to deal with all of the issues.

Chairman: In the spirit of the suggestion made by Ms Daly, if members remain specific to the issue we will get through a lot more questions. There are many members indicating. I call Deputy Richmond.

Deputy Neale Richmond: I have very specific questions for specific people, which if not responded to in this round might be responded to in the following round or in writing in due course. Mr. Kelleher touched on the future of Europe, which is where I want to focus some of my questions. Deputy Haughey has dealt with the rule of law and Senator Chambers has dealt with migration. All of these issues are interconnected.

The committee heard from the European Commission last week on the issue of Commission competencies in regard to health but not only in relation to the pandemic. This was repeated by Commission President von der Leyen. Ms Walsh touched specifically on mental health. How can we ensure greater engagement at European level, particularly in regard to mental health? We are all aware of the impact the pandemic is having on mental health and front-line services.

In his opening statement, Mr. Kelleher went into some detail on the options of providing own resources. Own resources for the Union will be important to it being able to deal with specific EU issues. What is Mr. Kelleher's personal preference in regard to securing those own resources? On the Conference on the Future of Europe, Mr. Cuffe mentioned the desire of his own political group, the Greens/EFA, to have that conference. I ask him to elaborate on what work his political group is doing and what work is being done by other members states that we can learn from as this would be helpful to the committee's job of work in that regard.

I was very taken not only by Mr. Andrews's opening remarks but the notes he tweeted last night, one of which I will take as a whimsical comment. I am interested in his tweet in regard to treaty change as it is an issue that was raised last week. Does Mr. Andrews think it is time for a treaty change? Does he think it is time for a new European treaty, bearing in mind that he and I campaigned here in various referendums for European treaties, which were slightly difficult to say the least?

On migration, Ms Clune touched on the issue very eloquently. There is relative agreement among our MEPs that we in Ireland are not engaged in the debate on migration and asylum into the European Union. This may be for geographic or other reasons. When we speak to continental colleagues who are living in Greece, Spain or Italy they can sometimes come at the

issue from a very different position. It does not necessarily come with political ideology but it is more practical. I would hope that there is agreement in this committee that Ireland can and should do so much more to address this issue.

I was taken by Ms Daly's reference to the Dublin Regulation. It is very difficult when in European circles there are people giving out yards about Dublin. One has to separate that out and remember they are speaking not about Dublin specifically but the regulation. How do we make that relevant? With the exception of the fires in Moria in recent weeks, it does not get coverage. It rarely comes into the public psyche. I would argue we are not engaging and, therefore, nobody, bar our MEPs, is having an influence over the European policymaking process that we could have. I ask Ms Clune to comment on how in her view we can improve that level of debate.

Ms Daly spoke in detail about the rule of law. This comes back to the Conference on the Future of Europe. I would like to think there is agreement that Article 7 processes are working slowly when it comes specifically to Poland and Hungary. Ms Daly rightly stated that there was not a will from the vast majority of groups to move it into Bulgaria and she named other EU member states. Returning to Mr. Andrews's scribbled notes in regard to treaty change, do we need to renew the Article 7 process? With that in mind, what is our approach to the rule of law? Ms Daly referenced the Union. She is the only MEP taking part in the meeting today who voted against the European Parliament resolution in regard to Belarus. I ask her to provide an explanation for her vote in that regard.

Chairman: As mentioned by Deputy Richmond if there are questions specific to particular MEPs that are not in this block they can respond to them in the next round. This block comprises Mr. Andrews, Mr. Cuffe and Ms Clune.

Mr. Barry Andrews: In my engagement with the committee about an hour ago I made the mistake of answering the questions I was asked. Maybe I should just discuss lots of other topics.

Deputy Richmond had probably read my full submission so he will know where I stand on this matter. I believe that the Lisbon treaty contains a lot of unused and under-used provisions that can go an awful long way to ensure that whatever comes out of the Conference on the Future of Europe can be given effect without treaty change. That does not mean that treaty change is completely out of the question but there is a huge amount we can do through using some of those provisions, which includes those on health and mental health. There is nothing to stop us funding mental health and providing soft law guidance on these things.

The one thing that we must take away from the pandemic is that the EU competence in the area of health has been completely inadequate. Certainly, at the very beginning it was inadequate and did not meet the expectations of EU citizens. The Conference on the Future of Europe will be all about listening to EU citizens. It will be a bottom-up exercise. It will require an awful lot of townhall meetings and face-to-face meetings.

In terms of the potential topics that are on the agenda around transnational lists and the Spitzenkandidaten process, I do not think people are ready for that. We need to get through this pandemic before we start the process of wide public consultation on the future of Europe.

On the migration issued raised by Deputy Richmond, we need to win back the argument about the benefits of migration. I have included in my submission some specific research on the

benefits of migration. The problem is that those benefits are not evenly spread. A lot of people will wonder about the paradox of why people who live in places with very few migrants vote for right-wing populists. They do so because they do not feel the benefit of an open, globalised, migration-fuelled economy and receive the downsides. We must make sure that globalisation is fair, sustainable and that its benefits, including free trade deals, are spread evenly throughout the European Union if we are ever going to win this argument.

We must also acknowledge the following. When the whole of Europe, and not just Germany, took in 1 million refugees in 2015-2016 it represented 0.2% of the European population. In the context of the demographic challenge that the EU faces, migration should not be a problem as these people are educated and genuinely fleeing for their lives so we must win that argument. It is right that we must consider these issues through a humanitarian lens, which is the Irish tradition, and not through a security lens or more so through a humanitarian lens than a security lens.

I shall leave my replies at that and hope that I have answered the question.

Chairman: We shall see Mr. Andrews in an hour's time. Next is Mr. Cuffe who will be followed by Ms Clune.

Mr. Ciarán Cuffe: It is good to come back in. The issue around European competencies in health is an interesting one. As the main responsibility for health comes down to the member states, the Union was caught on the back foot in spring of this year. The treaties, and I think it is Article 168, allow for public health to be a shared competence between the EU and member states. There is a wish that is led by the President of the European Commission, Ursula von der Leyen, to move more strongly in terms of co-operation on health issues. I think that would include mental health because the treaties do talk about promoting healthier lifestyles and better access to healthcare. There is the potential for a greater involvement of the Union in the delivery of health or certainly the co-ordination of healthcare at a Union level.

Moving on to discussing the issues around the future of Europe, the Greens-European Free Alliance, Greens-EFA, have published a few position papers on this over the years. Views within my group are somewhat split. There is a strong push for a federal Europe, led by many of my German colleagues, which would not be shared by others, myself included. I think the member states are important but we do want to see more accountability and transparency by the European Council, which is a common concern that has been raised by many across the Parliament. We want to see citizens' participation on decision-making become much stronger within Europe. We have also discussed the idea of having a constitution for Europe, which was very much in vogue a few years ago. We still think that there are common values and a wish to have solidarity throughout the 27 member states so perhaps a constitution might do that.

That is where things are on the two questions about health and the future of Europe. I am more than happy to send on copies of our position papers on the future of Europe to anyone who would like to receive them.

Ms Deirdre Clune: Deputy Richmond asked me about migration and how can we improve the conversation at home, which is very important. It is in our interest to create a dialogue and tell the story of how important this is. As Mr. Andrews has alluded to, we need migration and will need it into the future because of our changing demographic situation. We all know the figures. To pay for all our pensions later on we need more people in the workforce so migration is important from that point of view.

Recently I read the interesting report on direct provision provided by Dr. Catherine Day for the Government. How we can move forward from direct provision? The only way we can move forward is to engage with communities, which has been seen to be productive. That is in all of our interests because we know that there are some communities that have, due to a lack of information, I think, reacted negatively first but then dialogue helped. As has been said, dialogue is part of the future for Europe and the dialogue that will be around that in terms of citizens' engagement and townhall meetings. I see that very much operating like our own Citizens' Assembly, which was very constructive in addressing issues that polarised people at the beginning but shed light and created a dialogue that helped people to understand, engage and form their own opinions based on information they received once they engaged. Dialogue is necessary and it is a challenge that we all need to engage with because what happened in Moria and what is happening on the perimeter of Europe should be our issues. I say that because I believe that Europe's issues are Ireland's issues and Ireland's issues are Europe's issues. That is a very important statement to make and one that we should continue to make.

On healthcare, during the recent Covid crisis people asked what is Europe doing and how will Europe help. As we know, Europe has competence in healthcare but public health is a matter for member states. Certainly, public health is a very live issue. I know from treaty campaigns that I was engaged in that public health was a real live issue and Irish people are really concerned that public health is protected. I do not know whether that view has changed but, certainly, the Commission is very strong on providing more funding for the EU for health programmes. It wants to strengthen the European Centre for Disease Control, ECDC, the European Medicines Agency, and build up a biomedical advanced research centre.

In terms of the questions of health competences and whether we want change in that area, as a start, with the Italian Presidency next year, the Global Health Summit will take place next year. As we all know, Italy was severely affected at the beginning of the pandemic. There is a conversation beginning to start around this whole area and it is something that Ireland should be involved in, including this Oireachtas committee, and not have that surprise us at the last minute. The conversation has started and it was mentioned in the state of the Union speech at the end of September. It is a topic on which the EU can play a stronger role, certainly in terms of public health and increasing support given to member states.

A cancer strategy is being developed by a committee. The European Parliament has established a Special Committee on Beating Cancer. The headline is about beating cancer but I am uncomfortable with that. It is more a matter of how we can improve cancer care, focusing on research, and use our strength in Europe and combine our competencies to help all member states. Healthcare and how the European Union moves forward will feature in the discussion on the future of Europe.

The Commission's report on the rule of law, issued in September, was informed and worth producing. Perhaps it did not have teeth but it is certainly informative and will add to the conversation and shine a light on what is happening in every member state. It was quite critical of Hungary. We are all aware of the issues in that country in respect of the independence of the Judiciary, the media, the lack of transparency, the denial of citizens' rights and interference by the Government. It is correct that Fidesz is a member of the European People's Party group, of which I am a member. Fine Gael is also a member. My colleagues in the delegation have brought this to the attention of our group leader, Mr. Manfred Weber. We have also asked that the matter be escalated and that Fidesz be removed. We signed and support the section 7 investigation by the Commission. Our grouping was due to have a political congress in June

at which this matter was to be discussed. A motion was tabled by seven leaders of political parties but, unfortunately, owing to Covid, we have not had the conference because it requires attendance in person. We are all concerned about this and want to see it addressed. The Commission's statement on the rule of law is another step in that direction. The Conservative Party in the United Kingdom was a member of the European People's Party at one stage but it moved to the European Conservatives and Reformists, ECR, which is further to the right. Not every situation is black and white. I believe countries' funding should be reduced if breaches of the rule of law have been established. We must also think about where they are going to go. Having listened to fellow MEPs, I am very conscious that there is much concern over the Russian influence in eastern Europe and what it means. We need to regard these matters in a broader context also and recognise that, in politics, not everything is black and white.

Deputy Brendan Howlin: I thank the witnesses' for giving us the time. It is morning, I believe. Most of us were up most of the night. I agree with Ms Walsh's suggestion that we need to have more interaction, maybe on a specific theme rather than on a smorgasbord of issues. At an initial meeting, it is important to have a broad discussion but if we focused on a few specific themes regularly, it would be good.

Enough has been said about asylum and migration so I will comment only briefly. Mr. Kelleher's presentation was very honest but quite bleak. We can all pay lip service to the issue in the hope and expectation that it will not affect us very much. That is particularly true in Ireland. We are probably all guilty to some extent and we need to see how we can fess up in that regard. From a domestic perspective, we need to address the matter, not only with reference to direct provision, in respect of which the Catherine Day report was instanced, but also with reference to transparency in the processing of asylum applications. There are two direct provision centres in my constituency and I do a lot of work on certain applications. It is really frustrating to deal with the International Protection Act, which we enacted relatively recently, in 2015, because of its lack of transparency. It is not the way we should be doing things.

I am interested in future migration and asylum policy. The European Union has used barriers, particularly Turkey, to mitigate the possibility of people reaching European soil. I am interested in hearing the views of the MEPs on the use of Turkey, particularly the consequences for our capacity to make observations about Turkey in terms of the actions in the eastern Mediterranean and the actions of Erdoan in a number of other theatres across the Middle East, in particular, and north Africa.

I have a brief point on the debate on the future of Europe - the second issue. If we were all to be honest, we would contend there is no appetite for fundamental treaty change because we are all fearful of another campaign and all the external issues that get wrapped into any European treaty debate. That is why I am attracted to the notion of expanding the additional treaty structure to its full capacity and determining how we can do that. It might be work that this committee could do. Mr. Andrews mentioned this specifically in his submission and his commentary this morning.

My final question on the future of Europe concerns the issue of climate change. From an economic perspective, it is a centre point of the next investment programme of the European Union. Today, the United States formally withdraws from the Paris Agreement, the Paris accord. In the past hour and a half, I have not looked at the US election results that are in. What would be the impact on Europe of Mr. Trump's re-election - it is a genuine possibility - first with regard to the erosion of our commitments and also with regard to how we can ensure the agreement made by 180 odd countries in Paris will be fully utilised and delivered upon over the

relevant period if there is to be such a significant absence from the global collective effort to achieve an essential set of targets?

Mr. Billy Kelleher: Deputy Richmond raised the own-resources issue. There is no doubt that this will be a significant subject of debate for many years to come. It will get tied up with the Conference on the Future of Europe and the views of various countries and groupings on how we fund the European Union and how it should function over the next five years.

Mr. Macron's group in the European Parliament, Renew Europe, is very federalist in its outlook, not only regarding the political aspects of the European Union but also regarding how it should be funded and the own-resources issue. There will be a significant challenge for Ireland in this regard. There is no debate in Europe on own resources in which the issues of a common consolidated tax base, corporate tax in general, digital taxation, financial transaction taxes and the plethora of other taxes are not raised. Ireland has its own issues in terms of its national interest in some of these areas. Almost every file that comes from the European Parliament's Committee on Economic and Monetary Affairs, ECON, on own resourcing and how the European Union ought to be funded in the years ahead refers to the issue. There is even pressure within the Commission itself to employ Article 116, which effectively tries to get around the issue of unanimity on tax issues. Ireland will have to address that and keep abreast of it. More important, we will have to engage on it. We cannot ask the European Union to do more every day on issues associated with the Covid-19 pandemic, economic activation measures across member states, the Common Agricultural Policy, the multi-annual financial framework and Brexit while at the same time not allowing it to move towards funding itself in a meaningful, sustainable way. That is going to be a big debate beyond the political aspects and confidence in the future of Europe. My view is that while we have to defend our national interest, at the same time the OECD is looking at taxation and we clearly will have obligations in that area to come to the table in a meaningful way. At one and the same time, we need to defend our national interest but also to allow Europe to fund the next generation recovery fund and the multi-annual financial framework.

With regard to asylum, while I will not go over all the issues, Deputy Howlin has raised a very significant issue, namely, the idea that Europe would do side deals with Turkey, Libya or other countries that are not exactly at the top of the agenda in terms of their capacity to deal with migrants in a humanitarian, fair and reasonable way, and would horse trade for geopolitical reasons over and above basic individual human dignity and decency. As Deputy Howlin said, there are issues around Cyprus, Greece and Turkey in regard to the exploration for oil in the eastern Mediterranean, the flow of migrants coming through and President Erdoan threatening Europe that he can turn on and off the migrant flow. All of those issues leave a huge distaste in regard to the European Union's policies and having to almost outsource the management of the flow of migration to countries that simply do not have decent norms by European standards. It is a big issue. We will have to look at the issue of Turkey, Libya and other countries that use migration as a political tool while having appalling human rights issues themselves.

With regard to the US leaving the Paris Agreement, like Deputy Howlin, I am not quite sure what the final result will be. One would like to think that if Joe Biden wins the presidential election, it might bring America back to what we would consider international norms in terms of treaty obligations, not only in terms of the Paris Agreement but also the World Trade Organization and other international organisations that are accepted as operating according to the international norms we subscribe to. The difficulty, of course, is that if the US pulls out of the Paris Agreement and this gives the US economic advantage in the short or medium term,

there could be a greater unravelling of the Paris Agreement across the globe, which is an issue of huge concern. We are trying to tie people in to environmental obligations that would meet certain norms but if the US unwinds and Trump continues in the Presidency, that could have an unravelling effect on the Paris Agreement and would also undermine the European effort in terms of the green deal and our obligations under the Paris Agreement on greenhouse gas emissions reduction. It is very worrying.

We have our own issues around the issue of Brexit and its impact on the island of Ireland, the Good Friday Agreement, the all-island economy, citizens' rights and Northern Ireland. I believe all of these issues would be better served with Joe Biden in office rather than Donald Trump, who is vehemently anti-European Union. Many of his policies would be anathema to what we stand for and our views on Europe.

Ms Maria Walsh: I want to pick up on Deputy Neale Richmond's question on mental health. I campaigned on mental health and have been doing so for many years. We often talk about issues that we have been talking about here for the last couple of hours. We talk about the future of Europe and about trade, and we will be talking about Brexit, no doubt, and each and every one of these aspects requires a healthy citizen at the very core. We, as citizens of the EU, as members of Governments and as leaders within institutions, need to ensure that each and every one of our citizens is being protected, and mental health has to be part of this conversation.

Deputy Richmond asked specifically what can be done. There are a couple of things. Next week, I chair a meeting of the MEP Alliance for Mental Health and GAMIAN-Europe. We are drawing a roadmap of what a European year of good mental health will look like. We are already speaking with the health Commissioner and we are fortunate in this mandate that the Commissioner has experience and a background in child psychology, so she is understanding of the impact of mental health on our citizens. That meeting will take place next Tuesday. If any member watching this would like to submit ideas to me, please do so. Everything that is submitted will be addressed in that meeting. That is how we consistently engage and continue this conversation, so we do not just have these great, needed conversations such as we are having today, but continue to work towards protecting our citizens in a more holistic way.

As I said, we are delivering a European year of mental health, drawing that roadmap and working with the Commission. We need to lobby our leaders and NGOs that are trying to support the message around good mental health. We need to ensure this conversation around mental health happens at grassroots level in town halls and in constituency branch meetings. We need to ask the very simple questions, "How are you doing?" or "How is your mental health?", and then guide our citizens and ourselves towards a more positive mental health in the future.

On Deputy Howlin's point about the future of Europe, it really comes down to education. The Deputy raised the question, for our citizens and for ourselves, of what the EU really stands for. For example, what are the skills gaps we are looking at, be it in green or digital cohesion, and how can we fill them? I am currently working on a file on vocational educational and training. I put forward an idea around bridging skills gaps and traineeships, apprenticeships and opportunities for our younger people in particular, or lifelong learners, and how we can do a one-stop shop across the EU in tying our educated employed to those who are looking for opportunities. This will apply particularly after the Covid pandemic, when we see a loss of jobs and the impact on our economy, so that, together, we work across the European Union at driving a more positive future of Europe.

We are at a crossroads and - perhaps it is due to the day that is in it - the anxiety is quite high

in terms of the wave of change we are seeing and the wave of change which I thought we might see in the US elections. We would be ignorant if we thought we were not seeing those waves of change – xenophobia, homophobia and the rise of racism - in our European Union. As a country and as leaders who thrive on solidarity, democracy and having honest conversations with Opposition Members, we are not seeing the same within the European Union countries that we sit at tables with and have discussions with to try to build a stronger European Union. I am very fearful that if President Trump gets re-elected, we will see more cop-out and see other countries move away from the Paris Agreement. We see that right now around fundamental rights and protecting citizens, be it in terms of LGBTQI communities or women's rights, and we will continue to see that rolled back unless we start getting very vocal and honest with our citizens about what democracy looks like. We need to really champion within the future of Europe conversation the rise of disinformation and lack of democratic voice within our governments.

I will leave it at that. I look forward to more questions. I repeat that, next Tuesday, we meet as the MEP Alliance for Mental Health and GAMIAN-Europe on building a stronger roadmap for the future of Europe in mental health. Any colleagues who have suggestions across the Houses should send them to me and I will be happy to incorporate them in the roadmap.

Ms Clare Daly: I echo Deputy Howlin's point that themes and digging deeper are a good way forward for our interaction. Perhaps smaller panels, linked to the committees that people are on, could be useful fora.

In regard to that point about climate change and the impact of the US elections, a worthy discussion for the committee members would be to look at the recently voted upon CAP deal and the impact it is going to have on climate change. It is in direct contradiction of the Green New Deal and the climate resolutions that the European Parliament has passed. It deserves further scrutiny. It is a greater threat to our climate change commitments than the US elections. We know with certainty that a wealthy 70-year-old man is going to win the US election, but who knows which one it will be? If it is Donald Trump, it will force the EU to develop a more independent foreign policy because he has been so utterly appalling and grotesque in his pronouncements that the EU has been forced to distance itself from him. Should he be re-elected, that process will continue.

Regarding the point on Turkey, it is a blot on the conscience of Europe. There is no way of explaining it nicely. Europe has externalised its border management to the enrichment of the Turkish regime, a regime that it criticises in other respects. Europe's criticisms are significantly weakened by the facts it gives Turkey money and President Erdogan endangers Europe's activities by threatening to open the floodgates should it challenge his rule. It is a major issue for our migration policy. The same applies in the case of Libya. When Croatia was found to be in violation of border management and asylum seekers' rights, the European Commission rewarded it with more money for border management even though it had not implemented a monitoring mechanism for fundamental rights.

Deputy Richmond asked why Ireland was not engaged in the debate on migration in the same way as other countries. One of the reasons is that these issues are not covered in Ireland. It is not just about migration. How does one make the EU relevant to Irish people if nothing that happens there is covered? I have worked on data protection and migration issues in committees. Our work relating to Bulgaria has been covered by media outlets in that country and *The Guardian* has repeatedly published articles on some of the work in which we have been involved, but there has not really been anything about it in the Irish media. One of the ways we will overcome that is something that I discussed with colleagues in the European Parliament

before Covid, and it is something that this committee might need to examine. Oireachtas TV is a brilliant mechanism for opening up the Oireachtas to Irish people, but there needs to be an equivalent in respect of the European Parliament. I am not just talking about following Irish MEPs, but the work that the Parliament does and that impacts on so much of our lives. It will cost money, but the UK is now gone and we are on our own on the periphery of Europe. We all try in our own way to connect people with Europe, be it through podcasts, leaflets or so on, but that will not be enough. There needs to be a national lead. I suggest that we work with this committee on considering options.

Deputy Richmond referred to the Conference on the Future of Europe, Article 7 and so on. That issue needs to be examined. Fundamental rights are fundamental rights. There should be no ifs and buts about it and delays in launching infringement proceedings should not happen.

The Deputy also asked about a motion on Belarus. I imagine there is an implication that I support Lukashenko, so I will start there. Mr. Kelleher knows the answer well. I do not support Lukashenko, and neither does Mr. Mick Wallace. I would be very happy if the Belarusian people were to get rid of him, but my position is that it is their job to do so. One of the reasons we voted against that motion as well as a number of others is that human rights have been weaponised by the EU. It is ironic. When I was asked to address the protestors in Sofia, the capital of an EU member state, on the 100th night of protests calling for elections, they asked how the EU could argue for new elections in Belarus and discuss human rights in that country when it would not support the protestors' call for elections in its own backyard even though they had been out on the streets every night. It was hypocrisy. The motion was rooted in foreign interference and neoliberal reforms, which will not benefit the people of Belarus. No more than it was the job of the US in nominating an unelected Juan Guaidó as the President of Venezuela, it is not the job of the EU to nominate Tikhanovskaya as the leader of Belarus. My decision was due to the weaponisation of human rights.

I have probably not dealt with many other points, but I would be happy to speak again.

Chairman: I thank Ms Daly. We have 15 minutes remaining and three members wish to ask questions. I will take them in a group, after which we will go to the next bloc of Mr. Andrews, Mr. Cuffe and Ms Clune. I call Deputies Calleary and Ó Murchú and Senator Doherty, in that order.

Deputy Dara Calleary: I welcome the MEPs. I sense frustration in many of their presentations about the role of the European Council, particularly concerning the rule of law. There seems to be a far greater push to get things done at Parliament and Commission level. Ms Clune mentioned that the Commission's report had no teeth, which effectively means that it is a load of words with nothing to back them up. Are the MEPs pushing a boulder up a hill or does the Council actually want to act on the rule of law?

Regarding migration, the Irish system must look at itself in the mirror. We are handling migration badly.

On the Conference on the Future of Europe, there is still no start date for the process and no chair has been appointed. I do not get a sense of urgency. It seems we are about to have a repeat of one of the seismic events of 2016. The other was Brexit. We have had to move to a post-Brexit scenario under the deal, but we are not examining why Brexit happened. Why was there a disconnect from the European institutions? They had contributed so much, yet ordinary people across the UK felt the EU was interfering in and damaging their lives and that their lives

and world experience would be much better outside the EU. No one seems to have examined why that happened, yet we are discussing this grandiose process about the future of Europe. Ms Daly has touched on how people will not care regardless of how many town hall meetings there are. When will there be an urgency in reconnecting Europe with its people? The conference process sounds like something that will drag on forever, but these questions need answers urgently.

Deputy Ruairí Ó Murchú: A considerable number of issues have been addressed, particularly migration and asylum. I welcome Ms Daly's comments on how we need a real conversation about the rule of law. It means that we will also need to deal not only with the likes of Bulgaria, but also Spain in terms of Catalonia.

Mr. Andrews and, I believe, Senator Chambers commented that this committee needed to be more on the ball in scrutinising European legislation and being aware of competencies and changes. They asked whether we needed a capacity above and beyond what we already had.

Brexit has been mentioned. I do not need an answer unless someone is going to say that there is a conversation happening in Europe that is different than the one we are hearing, which is that there is still absolute solidarity on the Irish protocol to the withdrawal agreement and support for Ireland in that regard.

Is there a conversation happening across Europe on the issue of aviation? We have talked about everyone agreeing with the European traffic light system, albeit not necessarily with a harmonised testing framework. Yesterday, Dr. Holohan basically told an Oireachtas committee that NPHEAT was not considering proposing antigen testing. Therefore, I am unsure as to whether we will have a framework in the short term. Is a wider conversation happening?

The competence of health has been mentioned. That is a domestic competency which has created a difficulty as to harmonised action in dealing with the pandemic. I am talking about health actions but also about what the conversation is to be on the financial solutions. We are talking about getting through the gap at the moment but beyond that we need to look at something with regard to stimulus and a Marshall Plan-type situation. Again, not everyone is in agreement as to how this should proceed.

Chairman: I call Senator Doherty to speak now, please.

Senator Regina Doherty: I thank the Chair and everybody in attendance this morning.

On the point made by Ms Daly, MEP, the relationship Irish people have with the EU is probably as good as it has ever been. That is because we have seen the relevance of a positive impact of the EU. Unfortunately, that is just on Brexit, because before that all we ever heard was negative stuff, in that the bowsies over there were making us do this and that and we did not want to do this or that. We need to capitalise on this positive aspect and disposition of Irish people. The idea Ms Daly has about Oireachtas TV and making issues relevant to the value of the work all these representatives are doing, who are all very relatable to the Irish public, might greatly help. For pig iron, Fidesz should be gone and that should have happened and if the EPP were in any way serious, it already would have done this. This just needs to be said.

The issue of migration is enormous for Commissioner Ylva Johansson and for the Commission but until member states actually start to change the way we talk and the narrative around migrants, change will not happen. When the really positive impact of migrants on our economy and society are outlined instead of the negativity and the rabbit hole that we sometimes end

up going down, particularly around direct provision, I hope that we really can change. This narrative has to be changed by all of us and not just by the State. It has to be changed by communities and sport organisations as to the value of migrants coming into this country in every aspect of our society. The way they have enriched all of our lives needs to be talked about as opposed to just relying on them to pay for our pension or to keep our economy going. They make a significant positive impact.

Ms Walsh talked about the rise of this disinformation and the massive impact it has on discrimination across many platforms but also the real threat that it poses to democracy. Margrethe Vestager has a number of Bills and new laws that she is bringing forward in November and December. How quickly do our guests think that these will be enacted? How positive do they think will be the impact on some of our major social media platforms, and indeed on some of the major Internet business platforms, in terms of the transparency of how they do business and the algorithms associated with what they try to promote, etc.?

Chairman: I thank the Senator. We have three MEPs in this block, Mr. Andrews, Mr. Cuffe and Ms Clune. We have approximately eight minutes left. If our guests can keep their contributions to two minutes each please, we can then allow Ms Walsh and Mr. Kelleher to come in for one minute each at the end, which will mean that everybody will have received three interventions. We will try to be as fair as possible.

Mr. Barry Andrews: I will gallop through this, Chairman. On Deputy Calleary's point, it feels a little bit bleak right now, but let us not forget that the effect of Brexit has been to deepen EU solidarity very profoundly and to deepen support for EU membership across the European member states. In last year's European elections support for right-wing parties fell dramatically and the overall turnout increased for the first time in a very long time. The connection with the European citizens has to be made and the conference will do that. We will have to wait until after the pandemic, as I mentioned earlier.

On Deputy Ó Murchú's question on scrutiny, other European affairs committees across the EU have much more involved scrutiny mechanisms. The Oireachtas does have an EU affairs directorate which distributes the files across the different committees, and this could be beefed up; there is no question or doubt about that. There is an early warning system where the Oireachtas can send a warning to the European Commission and look for an opinion from it. I do not believe that that has ever been used by the Oireachtas. Furthermore, there are other national parliaments that have a mandate capacity, that is, they can mandate their ministers to vote in a particular way in the EU Council. The Oireachtas does not have that facility. There are many things that can be done to strengthen that function.

On Senator Doherty's point, we have to remember the difference between support for EU membership in Ireland and the support for EU integration. When people say that there is 90% support for the EU in Ireland we are thinking about support for membership and not necessarily for integration. We need to go into those figures in a little more detail.

Chairman: That was two minutes exactly. The pressure is on Mr. Cuffe now to show his agility in that department too.

Mr. Ciarán Cuffe: I will be very brief. Communicating Europe is a challenge. One thing that has been extraordinarily successful has, weirdly enough, been Brexit. We all like heroes and villains and Michel Barnier has come across very strongly as a hero in defending both Irish and European interests in his discussions with the United Kingdom. In a curious way as we

come to the end game in the Brexit debacle, Irish people will feel much more strongly allied to Europe.

Moving around to the issues of health raised by Deputy Ó Murchú, we need co-ordination on health testing in Europe. We are on the back foot because there is not that much European competency on health. The Commission and the European Parliament know this and I hope there will be better co-ordination, particularly on travel, between the member states. This is not just with the traffic light system but with co-ordination on testing as well. The conference on the future of Europe will be of enormous importance. It may well have to wait until we can get hundreds of people into the same room but it is of great importance in the thinking about what the future is.

For Europe, particularly coming from a Brussels-based perspective, there is a great debate about central and south-eastern Europe and the significant amount of work that has to be done there, not only to build infrastructure but to defend democracy as well. It is important that Ireland is part of that. I will leave it at that and I thank the committee.

Ms Deirdre Clune: I thank the Chairman. On the rule of law and for the Commission's report to have teeth, I am not sure if I am quoting Ms Daly when she said that it does not have teeth. It will be an annual report that contributes to the debate and discussion to help people who will be voting one way or another on these issues. What would really have teeth is if budgetary funding was linked to the rule of law. That is an area in which we can be of influence.

On Deputy Ó Murchú's point on Brexit there is support in the Parliament on this issue.

On aviation, the European Centre for Disease Prevention and Control and European Aviation Safety Authority, EASA, are preparing and looking at testing procedures for airports with the objective, under the Commission's supervision, to arrive at a unified approach across Europe. I hope that the Government will tie in with that because it is important that we have a testing regime that is the same in every country and that there is, in effect, co-ordinated quarantine, restriction of movements, or whatever is required not for now, when we are in a really deep situation with the pandemic, but when we do start recovering and where some countries are green, some are orange, and some are red. This will give confidence to getting aviation back, which we know is essential.

On Senators Doherty's report on the rise of disinformation, it is very important that the digital services Act and the digital markets Act that are due to be published in early December would move through the European Parliament very quickly. I know from the Internal Market committee that I am on, that we have done many reports in preparation for this, as have other committees such as the legal affairs committee. The European Parliament knows its position. It is more than ready. There has been much public consultation on this as well and we are ready for this legislation when it does come through and I hope that we will get an agreement. The European Parliament will move towards arriving at its final position so that we can move forward on dealing with matters online, whether it is information or selling products, or the dominance of key players or gatekeepers. All of these questions need to be addressed and answered. There is a real appetite to do so as quickly as possible. I thank the committee.

Chairman: I thank Mr Clune. She has afforded Ms Walsh and Mr. Kelleher a final intervention but we are talking 60 seconds for each, if that is of any use to them.

Ms Maria Walsh: That is not a problem and I thank the committee very much. Regarding

Deputy Calleary's point on whether we are pushing a boulder up a hill, I believe we are in many ways but now we are at this point where we have an opportunity to engage and start changing the direction and, picking up from another colleague's point, putting beef and teeth into what we want the future of Europe to look like. It cannot just happen with MEPs and it cannot just happen in the European Parliament; it must happen through engagement with the committee.

Regarding Senator Doherty's comments, I am passionate in looking forward to what Commissioner Vestager starts bringing forward. Within the LIBE committee, we are working on files that will feed into the work she is doing. One does not need to watch "The Social Dilemma" on Netflix to understand equality and disinformation is completely transforming the way we communicate online. She is at the coalface in this regard and happy to engage on anything the committee sees coming down the pipeline in terms of information sharing or chatting about ideas. I will leave it at that. I thank the committee very much and look forward to more of these discussions.

Mr. Billy Kelleher: President Macron was the first person to propose a Conference on the Future of Europe. When he launched it, he said to propose all necessary changes for a political project, without any taboos, not even treaty change. There must be a certain element of urgency in Ireland about where we see ourselves in Europe because the Conference on the Future of Europe could become very much a federalist agenda and if Ireland is content with that, then that is fine. I believe, however, that we should very much know where we want to position ourselves in Europe and how we see Europe in the years ahead. We cannot take Europe and Ireland's place in Europe for granted. It should be borne in mind that only ten or 12 years ago, there was a strong anti-European sentiment in Ireland during the financial crisis. That very quickly turned on its head because of Brexit and, let us be honest, it will be the European Union taking on the United Kingdom and standing up for Ireland. However, we can never take those things for granted.

I would love if the committee got stuck into the Conference on the Future of Europe to find out where Ireland wants to position itself and then for us collectively, as a nation politically united, to try to argue that case in the European context and direct Europe in the way we believe it should be. I thank the committee and wish it well.

Chairman: I thank Mr. Kelleher and everybody present. I have 60 seconds as well so I will try to use them as productively as possible. What has come out of this meeting is that further discussion and exploration is needed. It is evident from all the contributions that significant items are coming down the track. Somebody suggested that we move now into a more specific phase and it will be great to call on the witnesses again. We appreciate their time and insight today and we also appreciate the work they do in adding value to the big issues that will be in front of us.

Gabhaim buíochas leis na finnétithe agus leis na comhaltaí fá choinne na díospóireachta tábhachtach, leathan seo. Is léir go mbeidh cumarsáid de dhíth amach anseo. Tá an coiste anseo mar sin fanaigí i dteagmháil linn.

The joint committee adjourned at 11.04 a.m. until 9 a.m. on Wednesday, 11 November 2020.