

DÁIL ÉIREANN

AN COMHCHOISTE UM GHNÓTHAÍ EACHTRACHA AGUS COSAINT

JOINT COMMITTEE ON FOREIGN AFFAIRS AND DEFENCE

Dé Máirt, 18 Bealtaine 2021

Tuesday, 18 May 2021

Tháinig an Comhchoiste le chéile ag 12.30 p.m.

The Joint Committee met at 12.30 p.m.

Comhaltaí a bhí i láthair / Members present:

Teachtaí Dála / Deputies	Seanadóirí / Senators
Cathal Berry,	Catherine Ardagh,
John Brady,	Gerard P. Craughwell,
Sorca Clarke,	Joe O'Reilly,
Barry Cowen,	Niall Ó Donnghaile,
David Stanton.	Diarmuid Wilson.

Teachta / Deputy Charles Flanagan sa Chathaoir / in the Chair.

Situation in Palestine: Discussion (Resumed)

Chairman: I suggest we start our meeting which will continue our review on displacements and demolitions in the occupied Palestinian territory. In the first part of this afternoon's meeting, I welcome, on behalf of the committee, Mr. Christopher Holt and Mr. Simon Randles of the West Bank Protection Consortium. They are joining us from Ramallah and Jerusalem. We continue with our review of the situation in the occupied Palestinian territory in respect of displacements and demolition of public and private buildings. Later in the meeting, we will be meeting with senior officials from the Department of Foreign Affairs in Dublin. The committee has also sought written submissions from several interested parties and bodies. On completion of the meetings and after consideration of the submissions received, the committee intends to publish a report on the process.

The format of the meeting is that we will hear the opening statements of our guests before going into a question-and-answer session with members of the committee. As we are quite time limited, due to Covid-19 restrictions, I ask that our witnesses be conscious of the fact that we are under time constraint when initially addressing the committee. Following the opening statements, there will be a discussion and questions and answers from members of our committee. I ask members to be concise in their questions. I will allocated three and a half minutes to each member. Should time permit, we will open the meeting at the end to deal with other queries and questions that might arise.

Witnesses to this afternoon's session are reminded of the long-standing parliamentary practice to the effect that, where possible, they should not criticise nor make charges against any person or entity by name or in such a way as to make them identifiable, or otherwise engage in speech that might be regarded as damaging to the good name of that person or entity. Therefore, if statements are potentially defamatory in relation to an identifiable person or entity, the witness will be directed to discontinue his or her remarks and it is imperative that such a direction is complied with.

Witnesses attending remotely, outside the Leinster House campus, should note there are some limitations to parliamentary privilege and, as such, they may not benefit from the same level of immunity from legal proceedings as a witness physically present currently does. Witnesses participating in the committee session from a jurisdiction outside the State are advised that they should also be mindful of domestic law and how it may apply to any evidence given to the committee.

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 the Houses of the Oireachtas or an official either by name or in such a way as to make him or her identifiable. I remind members that they are only allowed to participate in this meeting if they are physically located in the Leinster House complex or in the Convention Centre Dublin, where the Dáil and Seanad are meeting today.

For anybody watching this meeting online, some Oireachtas Members and witnesses are accessing this meeting remotely. Due to the unprecedented circumstances and the large number of people attending the meeting remotely, I ask everybody to bear with us in the event of any technical issues arising. I thank the logistics team for arranging this remote set-up.

With that, I welcome everybody and ask Mr. Holt to make his opening statement.

Mr. Christopher Holt: I thank the Chairperson and the committee members for having us here today. Allow me briefly to introduce myself and my colleague. I am the representative of the West Bank Protection Consortium and I am joined by Mr. Simon Randles, who is in Ramallah. He is the advocacy co-ordinator for the West Bank Protection Consortium. The consortium is a strategic initiative that was formed in 2015 to prevent the forcible transfer of Palestinians in the West Bank, including East Jerusalem. We primarily programme in East Jerusalem Area C and H2 Hebron, where we identify Palestinians as most vulnerable.

We are a consortium of five international non-governmental organisations, NGOs, supported by 12 donors, including ten like-minded EU member states, including Ireland, and the United Kingdom. As I mentioned, our primary objective is to prevent the forcible transfer of Palestinians in the West Bank. We respond to incidence of demolitions and settler violence. We also support the resilience of Palestinian communities in Area C through the delivery of basic and social infrastructure, including homes, schools and education facilities. We also provide legal aid as well as humanitarian advocacy. We reach approximately 15,000 Palestinians each year.

An important point to note before we get into the substance of the presentation in the context of demolitions and increased demolitions of humanitarian aid is that the consortium has provided thousands of structures, including homes and schools, since 2015 and 92% of those remain in use among the Palestinian community. It is an important intervention and we have been able to protect the investment of donors, including Ireland.

We present here in the context of escalating violence in Gaza and in Israel and throughout the occupied West Bank. I am sure the committee members are all following very closely. It is important to note that this violence does not occur within a vacuum. It occurs in the context of an occupation that is in its 54th year. We often describe the occupation as a coercive environment, particularly in the West Bank. That environment is defined by repeated violation of Palestinian rights and a lack of accountability for violations of those rights. A key violation that we have seen escalate and repeat over the past five years, in particular, is demolition of Palestinian property. That is a key element that places continual pressure on Palestinians to leave their homes and communities in Area C. We want to focus particularly on 2020 and 2021 because that is when we have been seeing particularly concerning increases in demolitions. I have figures based on the database of the UN Office for the Coordination of Human Affairs, UNOCHA. UNOCHA, with the support of partners such as us, records every demolition of Palestinian property in the West Bank, including East Jerusalem, and, in 2020, there were 848 Palestinian properties either seized or demolished, which affected over 6,000 Palestinians, including 524 children. This represents a 23% increase in comparison to 2019. Alarming, in the first quarter of 2021 these trends have continued to increase. In fact, we have seen a 90% increase in 2021 compared to 2020. Of particular concern is a 108% increase in demolitions of donor-funded structures. Most of these structures are funded by the EU and EU member states. We have seen a particularly alarming increase in the targeting of humanitarian aid in the West Bank through demolition and confiscation.

An important point to note, of which committee members are all well aware, is that this is occurring in the context of the Covid-19 pandemic, which is particularly acute in the West Bank. While Israel's vaccination campaign has been quite successful, it is very much in its infancy in the Palestinian territories. This dramatic increase in demolitions that we have seen in 2020 and 2021 is exacerbating the vulnerability of Palestinian communities to Covid-19. When their homes are destroyed, they are forced to crowd into a small number of shelters and share facilities such as toilets and bathrooms. This greatly exacerbates the risk and impact of Covid-19 on

these communities. Apart from the fact it represents a serious violation of international law, we are particularly concerned there has been no respite, in fact quite the opposite, in demolitions at a time when an already vulnerable community is battling the Covid-19 pandemic.

Questions often come up when we engage with interlocutors and our partners as to why we are seeing this dramatic increase, which is the second highest rate of demolitions in 11 years. The question is asked as to why it is happening this year. There are a number of factors that represent possible explanations. In August last year, the Prime Minister, Mr. Netanyahu, suspended plans to *de jure* annex further areas of the West Bank. He suspended plans to apply Israeli sovereignty over the West Bank. This upset elements of the pro-settler movement and it is a reasonable analysis to suggest that part of the reason for the increase in demolitions and settlement expansion is to appease the settler movement following the suspension of annexation. This is borne out by discussion in the Knesset on the need to increase demolitions of Palestinian properties, which are seen by members of the Knesset as illegal Palestinian constructions.

Another element is the fact that this year we have seen the fifth Israeli election in the very short period of two years. Part of this increase in demolition is perhaps motivation to capitalise votes for the Likud party. There is a new Administration in the US. Part of this increase may be testing the position and resolve of the Biden Administration. Israel was able to continue quite freely with the settlement enterprise, with attempts to expand settlements and increase demolitions, during the Trump Administration. Perhaps there is a moment now where it is testing the resolve of the incoming Democratic Administration to see how far it can continue with this expansion.

By far the most important factor is the historical absence of accountability. We have seen repeated statements of condemnation and regret by member states in the EU in response to violations of international law by Israel, including the demolition of property. What are glaringly absent are meaningful consequences and the commitment that member states will pursue meaningful consequences where these violations occur, particularly where the destruction of donor-funded aid is involved, including aid funded by the Irish Government.

We have spoken about the suspension of annexation plans last year. It is important to note that although *de jure* annexation, which is annexation in law, is ostensibly suspended, what we are seeing is an acceleration of *de facto* annexation, which is annexation in fact and in practice. In the map that committee members are seeing on their screen, the green area is what would be ostensibly a Palestinian state and the white area is slated for annexation in plans by the Prime Minister, Mr. Netanyahu, and in the US Peace to Prosperity plan. Almost exclusively, demolitions occur in areas slated for annexation. This is by no accident. In fact, based on UN data, 83% of demolitions occur within 2 km of settlement and 70% occur within 1 km. It is quite clear that demolitions are among the tools used by Israel to annex Palestinian land and force Palestinians from areas that Israel wants to annex.

We would love to be able to host the committee in the Palestinian territories but with the current situation this is not possible. We wanted to highlight visually what the settlement enterprise looks like on the ground. In the first picture I am showing we see Ma'ale Adumim, which is an illegal Israeli settlement in the heart of Area C on the map. It is the third largest settlement and is considered by many Israelis as a suburb of Jerusalem but clearly under the Oslo Accords and international law, it is an illegal settlement. The red circle over the water tower on the next slide is Abu Nuwar, which is a Palestinian Bedouin community in which we work and in which the Irish Government funds humanitarian aid. We can see stark differences between the two slides. The reason for how this looks is the consistent demolitions. All of the properties of the

700 Palestinians who live in this community are subject to demolition orders. It is very difficult for them to build and to access livelihoods, water and resources. This picture in itself presents a very stark reality of what annexation looks like on the ground.

We touched on repeated violations and the lack of accountability. The West Bank Protection Consortium has mapped statements made by the EU and its External Action Service over the past three years. We have mapped 96 statements that really highlight what we describe as the condemnation approach. We have mapped eight metrics, which are shown on the left hand side of the slide. These include settlement illegality, opposition to demolition and forcible or forced transfer. We have looked at the number of times or the percentage that statements made by the EU refer to these. In 2017, we saw that approximately 74% of statements referred to settlement illegality, 43% referred to opposition to demolitions and 25% referred to forcible transfer. No statement referred to meaningful consequences, individual criminal responsibility or grave breaches of the Geneva Convention. If we look at 2020, there were some pleasing developments. We saw an overall increase in references to the illegality of settlements. There was an increase from 43% to 57% to references to opposition to demolition. There was an increase from 35% to 48% in the number of statements referring to these violations as an obstacle to peace. However, significantly, we still see no reference to meaningful consequences, to individual criminal responsibility or to the fact they represent a grave breach of the Geneva Convention.

What this means is borne out by the statistics in our final slide. We can see that between 2017 and 2020, the settler population in the occupied West Bank increased from 628,000 to 683,000. It is now larger than the Palestinian population. There were 419 demolitions in 2017 and this almost doubled to 848 in 2020. This is by no means to suggest we think the statements are ineffective or unwelcome. In fact, the settlement population and demolitions would have increased at far greater rates without these statements. The point we want to make clearly is that they do not address or mitigate these increases. To address the increase in settler population, the increased demolitions and the increased violations, there must be more than just statements. There must be meaningful consequences and lawful countermeasures pursued by member states. I apologise for going slightly over time.

Chairman: I thank Mr. Holt and we will come back to him during the questions and answers. I now give the floor to Mr. Simon Randles, who is in Jerusalem.

Mr. Simon Randles: I thank the Chairman. I will not add anything at this point as I would like to leave as much time for questions and answers as possible, if that is okay.

Chairman: I thank Mr. Randles. I will proceed to members of the committee.

Deputy John Brady: I thank the Chairman. I also thank the consortium for a thorough opening statement and a PowerPoint presentation that has been circulated to all members as well. I really appreciate that.

In the opening statement we heard of the 96 statements issued by the EU over the last year. It is really concerning that the UN Security Council, which is the body tasked with dealing with wars, consequences and conflict, could not at its third attempt even issue a statement voicing concerns about the civilian casualties, either in Gaza or Israel, or call for a ceasefire. That is very telling, given the backdrop to our meeting this morning where over 60 children have now been butchered in Gaza and more than 200 people killed in total. Of course, this piece of work has been ongoing over the last while and we have had a number of witnesses in at this point.

What really spurred the committee into looking at this issue, prior to what is going on in Gaza and some of the events in East Jerusalem at Sheikh Jarrah, was the huge concern with which Members of the Oireachtas and members of the public witnessed the demolition of Irish-funded aid in Khirbet Humsah late last year. That settlement was completely destroyed and there was very visible evidence of Irish-funded structures and aid, which were pictured with the stickers on them so it was very telling.

I have a number of questions I want to ask our witnesses. I believe the Government became a member of the West Bank Protection Consortium in 2017. Following a number of questions I put to the Minister for Foreign Affairs and for Defence, he has stated that Ireland has joined a compensation claim for the demolition of structures that has taken place and I believe a claim of €625,000 has been lodged. I ask our witnesses to speak to what exactly the claim is for. When we hear about demolitions, can they elaborate on what exactly is being talked about? I ask because it is being done to homes, schools and solar panels, that is, basic infrastructure. On the claim that has been lodged, when was it lodged? Were claims lodged previously? How much money, if any, has been paid out in compensation for the claims that have been made? On the prospect of upcoming demolitions, there is huge concern about a number of schools. I think there are about 53 schools earmarked for demolition, the most prominent one at this point is probably the one in Ras al-Tin. I would like to get the witnesses' views on that, it is probably the most high-profile of the schools that are up for demolition. We hear about the statements that have been issued and the impact they have had on Israel in terms of its illegal activities. I noted in Mr. Holt's opening statement he said it is a grave breach of the Geneva Convention and a war crime. Can he elaborate on that? He also mentioned the need for more meaningful countermeasures and the fact that there are no meaningful consequences for Israel's illegal actions. The witnesses might touch on what they would suggest there as a countermeasure. I would also like their views on the pattern which has emerged over a number of years, whereby we pay for houses, infrastructure, schools etc. and then the Israelis come along and demolish them. We then condemn that and lodge compensation claims and finally we donate more money to build again. In the meantime, from the families' perspective, God knows when the bulldozer is coming to demolish their properties. How sustainable is that pattern, going forward?

That is all for now, I hope to have an opportunity to come in again later in the meeting when we have heard some of the responses.

Chairman: I certainly am keen there be a further opportunity but obviously it is dependent on the time. I will go now to Senator Joe O'Reilly and then back to Mr. Holt and Mr. Randles.

Senator Joe O'Reilly: I thank the Chairman. I also thank our guests for their presentations, it is all very enlightening and helps us try to do our job. I will read one paragraph from the consortium's written initial presentation, which is very salient.

In the first four months of 2021, 316 structures were destroyed, representing a 90 percent increase compared to the same period in 2020. Of particular note, this period witnessed a 108 percent increase in destruction of donor-funded structures compared to the same period in 2020.

That is a very telling paragraph. The chart on the last page is also very bleak and sad. It shows the settler population consistently increasing up to 2020 and similarly, the number of structures destroyed increasing. Of course, as we discussed last week, all this is contrary to international law and is completely against the wishes of the Irish Government, the EU and most of the UN. It remains a very serious situation.

What has the impact of the recent horrific violence been on medical services, schools, streets, the physical landscape etc.? How much does this exacerbate the situation and to what extent does it put the consortium's work in jeopardy or put an unreasonable burden on their work? I ask given we have learned the Médecins sans Frontières, MSF, clinic was destroyed, that the streets are being shelled and that apart from the tower which had the press organisations in it, a lot of other physical infrastructure has been destroyed. I would like to get our guests' response to that. Mr. Holt said that annually the consortium would give roughly 15,000 people practical aid. He or Mr. Randles might elaborate on what happens to the refugees. This was previously raised at the committee but they might chronicle the outcome for a person who is forcibly removed. They might also address the process of removal, where people go then, the consortium's various interventions and the likely outcome of the refugees' lives, post demolition and removal. Where they end up is an important thing. Mr. Holt referenced in the presentation that the elections were a catalyst for making things worse in 2021. Would it be their view that the post-electoral situation might help a little? What will be the impact of the geopolitical situation? There has been much condemnation and a focus on the latest outbreak of violence but when all of this settles, hopefully, and an armistice is agreed and peace returns, how will things develop then? Despite the US performance at the UN at the weekend, do the witnesses think that the Biden Administration is likely to put pressure on Israel? I gather there has been an intervention this morning. Will the Biden Administration bring pressure to bear on Israel that will, hopefully, halt the demolition?

These are the issues I raise at this point in our discussions. The witnesses make the case very clearly and we are firmly against the demolition. We must work in concert at the UN and the EU to deal with it. I hope that the European Council meeting today, involving various Ministers, including our own Minister for Foreign Affairs, will result in strong words and actions. I take the point that words are not enough. While a verbal response is necessary, it is just not enough. This is contrary to international law and it is a very serious state of affairs that these illegal settlements persist. I look forward to the witnesses' response to my comments and questions.

Chairman: I will revert to our witnesses for a period of five minutes to respond to Deputy Brady and Senator O'Reilly.

Mr. Christopher Holt: We will split up the questions. I will take the question on compensation, the types of demolition and sustainability and Mr. Randles will tackle the questions on international humanitarian law, IHL, and breaches of the Geneva Convention.

I will start with the question on compensation. It is important to clarify that when the donors to the West Bank Protection Consortium seek compensation, they do not do so before a court. It is not a claim before a court. The West Bank Protection Consortium records every single structure that is seized or demolished by the Israeli authorities in a database and has done so since 2015. We also include threats to those structures. We document the details of the incident, the Palestinians affected and the financial injury to our donors. Then our donors collectively seek compensation from Israel through the Ministry of Foreign Affairs and the Coordination of Government Activities in the Territories, COGAT, unit, which is responsible for operations in the West Bank. We have been making such claims for more than three years and to date, we have not received any compensation although, to be honest, it is not something we expected. The reason member states seek compensation is to preserve their legal rights. We do it to put Israel on notice that we are recording these losses and their impact and to preserve the legal rights of member states to pursue further action if their compensation claim is unsuccessful. Israel's

response is generally quite clear, namely, that the construction supported by member states is not compliant with Israeli law and is illegal. We have very robust and strong expert analysis that says we are providing humanitarian aid in occupied territory and do not need a construction permit from Israel. What we are doing is very much in accordance with IHL. Compensation is sought from Israel, either by *démarche* or letter. It has not been received but because we have recorded and preserved the legal rights, it gives member states the option to pursue lawful countermeasures against Israel for the destruction of humanitarian aid. That could involve things like offsetting Irish aid to Israel or offsetting, collectively, the aid of consortium donors all the way up, at the very top end, to sanctions. That is, ultimately, a decision for member states to consider themselves.

On the types of demolition, we often talk about the demolition of structures, which is quite a vague way of describing what is happening. What is being demolished are the homes of Palestinian families, the schools they attend, the health clinics they use, their water systems and solar panels. This is much of what we support and deliver with our funding as well. Some of these communities are quite remote and vulnerable already so if a health clinic or school is destroyed, it can mean that children then have to walk 10 km or 15 km past a settlement where they are exposed to harassment and violence as a result of that demolition. The impact on vulnerable Palestinian communities is very significant.

On the issue of sustainability, as I mentioned previously, we have delivered some 4,000 schools, homes and community centres since 2015 and fortunately, over 92% are still in place. This is partly because when we deliver infrastructure, it includes the logos and flags of all of our member states. We think that acts as a deterrent, which is borne out by the fact that 92% of the structures are still in place. The demolition rate of consortium structures is far below that of other self-funded homes and of other donor-funded homes. In that sense, we would say that it is still an effective investment but that is not to say that it is not imperative that Israel is held accountable for what is demolished. In terms of the financial figure, the consortium has received some €50 million since its formation and less than 1.3% of that has been lost as a result of demolition. In that context, we would still say that it is an effective investment. More importantly, we are providing critical humanitarian aid that really does ensure the viability of the two-state solution and without the aid that we provide, the risk of forcible transfers of Palestinians would be greatly increased.

Committee members touched on the current situation and statements that have been made. We welcome the statements made by the US State Department on behalf of the Biden Administration in relation to Sheikh Jarrah and the Al-Aqsa Mosque although it has been noticeably quieter on Gaza. It is a good first step but as we have seen in the past and as we showed with our graphs, statements on their own without meaningful consequences will not be enough to deter demolition, evictions and violations. We definitely welcome the statement by the US Administration on Sheikh Jarrah and the Al-Aqsa Mosque but it is imperative that such statements go beyond mere condemnation to meaningful consequences, including offsetting aid, withdrawing from voluntary agreements and at the upper end, sanctions.

Finally, on the question of how the situation has affected us, the majority of our operations in the West Bank Protection Consortium are in the West Bank but all of our partners are operating in Gaza. It is having an incredibly significant impact on staff and their families, especially those families with children. A number of our staff have had their homes damaged or destroyed and the impact on their mental health is severe. We have seen an MSF clinic damaged, which is affecting the capacity to provide aid. In the West Bank, we are seeing a dramatic increase in

violence perpetrated by the military, settlers and Palestinians as well. This means that for us, it has been more difficult to access the communities we serve. It has had an impact although in the West Bank we are still able to access communities and provide aid. I will hand over to Mr. Randles now.

Mr. Simon Randles: I will take the two legally rooted questions first, on grave breaches and countermeasures. By way of explanation, my background is in IHL so I can speak with some confidence on these questions. Grave breaches, quite simply, are those enumerated as such in the four Geneva Conventions of 1949. A grave breach refers to particularly heinous conduct within the context of armed conflict. It would include, for instance, wilful killing, forcible transfers or the extensive destruction of property where it is not justified by military necessity. Those same grave breaches, which relate to state practice and would bind Israel and other signatories to the Geneva Conventions, are also classified in different legal instruments as war crimes. The Rome Statute of the International Criminal Court, for instance, considers forcible transfer and extensive destruction, absent military necessity, as war crimes as well, which in a sense means that individuals such as military commanders can be prosecuted.

As for what concrete measures states could take, there is a broad menu ranging in degrees of coercion. At the top end, there are measures such as sanctions and restricted measures, as the European Union refers to them, asset freezes and so on. I think we are quite far away from that in this context, but alternative measures such as measures of retorsion could be applied. That might include the deduction of funds from bilateral agreements between, for instance, Ireland and Israel or the EU-Israel Association Agreement equivalent to that which has been lost through the destruction of property in the West Bank. A range of measures may be taken. We are emphasising with states that efforts should be made to formally map those options available to them. To undertake and implement those measures, a state first needs to understand what it is entitled to do. That is something on which the consortium is happy to assist and there is a range of ways in which that can be done. That is more of an internal process, however.

To respond to the question on schools, it is absolutely correct to say that the education cluster within the West Bank has identified 53 Palestinian schools at risk of demolition. That does not include kindergarten, so the number of educational facilities is likely to be much higher. As Mr. Holt noted, the issues relating to threats to education are much broader than merely the destruction of schools. There is also the risk of physical access restrictions, violence from settlers and harassment from soldiers. That has significant and far-reaching generational implications for our beneficiaries.

Where people go following demolitions is a very good question. In many cases, people seek to stay in the areas where those demolitions took place and emergency support is then provided by humanitarian organisations ideally, although that can be made difficult by restrictions on our movement put in place by the Israeli authorities. Some people relocate to stay with friends or family and move away from the area because they do not wish to be displaced again, while in the case of others, frankly, we do not know where they go. Demolitions have been such an historic issue. Although we gave a five-year overview, they constitute a much longer-running issue. Monitoring where people go can be quite difficult from a logistical perspective.

Deputy Sorca Clarke: I thank the contributors for their time and expertise. I do not intend to go over questions that have been asked, although I would like some further information on some of the comments made. I fully agree this is an issue of occupation. There is strong evidence that Palestinian people are living in a coercive environment. I do not know anybody who has been able to watch the destruction, devastation, death and suffering of Palestinian people

for decades without feeling utter disgust and anger, and that has never been more the case than in recent days. We need to be mindful of those people who are highlighting and exposing on social media what is happening on the ground there following the destruction of the media site. This is a moral and humanitarian issue and a building political crisis for the UN and the EU.

Mr. Holt stated that from an EU perspective, bilateral agreement deductions should equate to the value of property destroyed. Based on his experience and expertise, what does he estimate to be the value of the destruction that has taken place? What would be the timeframe for the rebuilding of same?

In the context of donor-funded structures, which have experienced an increase of 108% in the number of demolitions, Mr. Holt referred to structures that will be targeted for future demolition. Does he have any idea what they may be?

On the impact of the continuing destruction on aid provision and donations, I fully agree that it is an effective investment. What impact, on the human side, is the destruction having on the level of aid and of services that can be provided? Mr. Holt mentioned the staff there and the experiences they are having. What impact does it have on the consortium's ability to get staff to go into the area and continue to work and provide their services? What does he consider to be the primary focus of the consortium's role in the provision of aid in response to the destruction of those structures?

Senator Gerard P. Craughwell: I thank our guests for attending and for their comprehensive report. My question is one that probably no one really wants to ask but I will ask it in any event. Donations are coming in to support the erection of structures and in some cases, these structures are being demolished. I am trying to understand why we would erect any building in a disputed area where, as soon as it has been built, the desire on the other side is to demolish it. Before a structure is built, is there any engagement with the Israeli side to try to reach some agreement? I refer to the foreign money. I do not want to get into the conflict at this point. I am talking about demolitions and what happens in that regard. To avoid demolitions in the context of the foreign aid being given, is there no way we can engage with Israeli officials to agree on locations rather than build structures, have people move into them and then have them displaced as soon as the structure has been demolished. I do not for one moment justify the demolition of anything but rather I am trying to understand why we would support building something that we know will be demolished.

Deputy David Stanton: I welcome our guests and thank them for their presentations. A picture paints a thousand words, and the final slide that was shown certainly showed the reality. On one side, there are heated swimming pools, lush green pasture and 21st century infrastructure, while on the other, it looks like it goes back to the 13th century. The contrast is shocking. There are 680,000 settlers in the West Bank. Are incentives given to people from Israel to move into these areas as settlers? Is the property free? Should the international community be calling for some of these people to move back out? It is quite a lot of people. What would be the implications of that if it were to happen?

Mr. Randles made an interesting point when he mentioned generational implications. It strikes me, when I look at the images of people, including children, on both sides being killed, with all the mayhem that is going on, that the hate being built up for future generations cannot be calculated. The first thing that should happen is we should all call on both sides to cease hostilities immediately, and then we can move on from there. The witnesses might respond on the possible incentives people are given to move there and whether we should be calling on

some, if not all, of these people to move out. The witnesses heard my other question about the generational implications.

Mr. Christopher Holt: I thank the Deputy for his questions. I will start and then hand over to Mr. Randles.

On the value or the loss as a result of demolitions, it is important to note that we are only speaking to what the consortium has lost as a result of demolitions. Obviously, the financial impact on Palestinians and other aid actors is much greater. We can only speak to our interventions. Since we began our interventions in 2015, the financial injury that has resulted from demolitions and seizures amounts to €750,000. As I mentioned, that is less than 1.4% of the overall investment. Therefore, we still believe that it is an effective investment, particularly considering the fact that what we are providing is vital humanitarian aid.

In terms of what is at risk, around €1.6 million is under threat. That means they have either been issued with a demolition order or a stop work order. In most cases, the matters are before the court, with our legal aid actors seeking to have those demolition orders overturned. Generally, injunction orders are in place, preventing the demolitions. As I mentioned, €1.6 million is under threat. That involves a large number of homes, and as discussed previously, some 53 schools as well as health clinics, community centres, water and energy infrastructure. It is important to note that that is purely what is under threat in terms of what we have provided. What is under threat of demolition beyond our intervention is far greater than that, and puts at significant risk the viability of the two-state solution.

In terms of the impact on our interventions and our beneficiaries, it is a very difficult operating environment. We have chosen to operate in East Jerusalem and Area C because that is where the needs are greatest and Palestinians are most vulnerable, where they have the least access to livelihoods and essential services. As humanitarians, we make these decisions based on humanitarian principles of where the needs are greatest. That is why we choose to operate in Area C, but it is difficult. The case of Humsa Al-Bqai'a, which was referenced previously, is a very good example of a situation in which aid actors were under considerable pressure and blocked from accessing communities. Once we did deliver much of that aid, it was then seized and confiscated. That does make it difficult to provide effective aid in an environment like that.

On the question as to why we deliver this assistance, despite the fact that we know that some of it will be demolished, going back to what we refer to as our retention rate, over 92% of the physical structures that we have provided remain in place with the Palestinian communities for which they were intended. It is still an effective investment in that we have been able to ensure that most of the aid we provide remains with Palestinian communities.

On the question of why we would intervene in "disputed territories", the first point to note is that the territory is not disputed. It is occupied Palestinian territory. That is almost unanimously agreed under international law by multiple UN Security Council resolutions, which are obviously supported by quite diverse permanent and non-permanent members, as well as resolutions of the General Assembly. The majority of UN member states recognise that it is occupied Palestinian territory and not disputed territory. That is the reason that we provide aid in occupied Palestinian territory. We act in accordance with international humanitarian law. We ensure that we comply with all of our legal obligations as humanitarian actors. We provide the Israeli authorities with prior notice of our interventions. All of our interventions are contained in the UN humanitarian response plan. That is shared with the Israeli authorities, so they know that we are providing humanitarian aid that is based on humanitarian needs assessments, is vital

to Palestinians and without which they would be at great risk. However, the demolitions still continue.

Finally, on why we could not seek approval for interventions, for example, through the Israeli legal system, there is an inherently discriminatory illegal system that applies in Area C. Less than 1% of territory in Area C is allocated for Palestinian development. The vast majority is completely off-limits or is highly restricted, which means that it is almost impossible for any application for Palestinian construction to be granted. Any sort of notion that there is a way to apply for a construction permit when less than 1% of the area is designated for Palestinian construction, is unfortunately a fiction. However, the same authorities do grant permission for illegal Israeli settlements to be built in Area C and in fact, legalise, under Israeli law, what are illegal Israeli outposts.

I will hand over to Mr. Randles at this point to address the other questions.

Mr. Simon Randles: To follow up on the question of disputed territories, as Mr. Holt has identified, we are talking about occupied territory. It is fair to say that Israel rejects that diagnosis. Israel asserts that these are disputed territories. There are very few countries in the world that would agree with that. We know that Israel asserts that, because if it is not occupied territory, international humanitarian law cannot apply. Therefore, Israel frees itself of this multitude of very significant obligations it would have as an occupying power. We understand the motivations for the assertion but we should collectively push back against it.

On the question of incentives for the settlers to live in settlements, a wide range of financial incentives are made available. As far as I understand, they consist of reduced property prices, grants for establishing businesses and preferential tax rates. I believe there is a fairly broad range of incentives. That brings me to another point. Israel has asserted that the transfer of settlers is not a legal violation because it is not physically transporting them to the West Bank. However, it has been determined by far more authoritative legal voices than me that the creation of these incentives and the promotion of this transfer also constitutes a violation.

Should the international community be asking for settlers to be removed? Yes, in essence. Whether that would be successful is another question. Israel has not been at all shy about this policy. It has been identified as dating back to the 1970s. Indeed, Ariel Sharon, former Israeli Prime Minister, stated: “everything we take now will stay ours”, meaning the land in which they could put Israeli roots would become sovereign Israeli territory. It is creating facts on the ground. It is de facto annexation, which has been a pattern for decades. It explains why it is something against which we are firmly pushing back.

I will close by making the point that we really need to focus on addressing the curve that we showed members in the final slide of our presentation, illustrating the trajectory of settlement expansion and settler population. The only way that that curve looks acceptable from an international law perspective, is if it is going down. That is the point on which I will finish.

Chairman: I am looking at the clock. I might ask Mr. Holt to make a final comment following his presentation. Are there any parting words he would like to leave with us?

I thank the witnesses for meeting with us, for preparing their presentation and for dealing with members' questions. I regret that the time allotted was much shorter than our members would wish. Nevertheless, it was an important engagement and most useful to us in terms of our study.

Mr. Christopher Holt: I thank the committee for the opportunity today.

I will go back to my initial statement and reiterate that the violence that we see today in Gaza, Israel and in the occupied West Bank does not occur within a vacuum. It occurs in the context and against the backdrop of a 54-year occupation - one that is defined by the violation of Palestinian rights and a lack of accountability, including demolitions, settler violence and settlement expansion. We must move beyond mere condemnation to pursuing meaningful consequences if we are to have any hope of preventing further violations and ensuring the viability of a two-state solution, which is essential to the safety of Israelis, Palestinians and the region. We must move beyond mere condemnation to meaningful consequences for the violation of Palestinian rights. I will leave the committee with that message. I thank the committee on behalf of the West Bank Protection Consortium for the opportunity to address the committee.

Chairman: I thank Mr. Holt for the manner in which he dealt with our questions. As well as his presentation this morning, if Mr. Holt has any documentation that he would wish to furnish the committee with by way of annual or interim report, for example, that he has prepared and that he feels might be of assistance to the committee in the context of our work, I ask him to send it straight on to us. We would be happy to receive it.

I acknowledge the work the consortium is doing for and on behalf of the people of the ten states in the European Union. We acknowledge what the West Bank Protection Consortium is doing and we wish it success in its endeavours, albeit in difficult and challenging circumstances.

Sitting suspended at 1.31 p.m. and resumed at 1.32 p.m.

Chairman: I welcome Ms Cait Moran, the director of the Middle East and north Africa unit in the Department of Foreign Affairs, and Mr. Feilim McLaughlin, director of global programmes in Irish Aid.

The format of the meeting is that we will hear the opening statements of our guests before going into a question-and-answer session with members of the committee. As we are quite time limited due to Covid-19 restrictions, I ask that our witnesses be conscious of the fact that we are under time constraint when initially addressing the committee in order to allow for maximum engagement. Following the opening statements, there will be a discussion and questions and answers from members of our committee. I ask members to be concise in their questions. I will allocate three and a half minutes to each member in the hope that we will be in a position to have a second round to deal with further outstanding questions.

Witnesses to this afternoon's session are reminded of the long-standing parliamentary practice to the effect that, where possible, they should not criticise nor make charges against any person or entity by name or in such a way as to make them identifiable, or otherwise engage in speech that might be regarded as damaging to the good name of that person or entity. Therefore, if statements are potentially defamatory in relation to an identifiable person or entity, the witnesses will be directed to discontinue their remarks. However, I am quite confident that senior officials in the Department of Foreign Affairs will be more than careful in the exercise of their words and use of their language.

Witnesses attending remotely, outside the Leinster House campus, should note there are some limitations to parliamentary privilege and, as such, they may not benefit from the same level of immunity from legal proceedings as a witness physically present currently does. Witnesses participating in the committee session from a jurisdiction outside the State are advised

that they should also be mindful of domestic law and how it may apply to any evidence given to the committee.

I am pleased to call Ms Moran, followed by Mr. McLaughlin, to make their opening statements and I thank them for joining us.

Ms Cait Moran: I am grateful for the invitation to the Department of Foreign Affairs to come and brief the committee. We are conscious of the context in which we are speaking to the committee and of the events of the last week in the occupied Palestinian territory and Israel. The Minister, Deputy Coveney, has made a statement to the Seanad on that matter yesterday with which members will be familiar.

I want to join with my colleague, Mr. McLaughlin, our director for global programmes in the Department, to briefly set out the context for Ireland's development and humanitarian assistance programme to the Palestinian people. Ireland's objective is to achieve a just, enduring and stable peace in the Middle East. This foreign policy goal frames and shapes the Irish Aid approach to the region. Ireland's programme of assistance is an integral part of our contribution to a sustainable peace. Ireland's vision for peace in the Middle East is a vision shared with our EU partners and is one for the realisation of a negotiated two-state solution with an independent, democratic, viable and contiguous Palestinian state, living side-by-side in peace and security with Israel and its other neighbours.

Development and humanitarian aid from donors play a vital role. However, they cannot substitute for the ending of the occupation, which alone can fully unlock a future Palestinian state's potential. This understanding underpins Ireland's engagement in the occupied Palestinian territory. Ireland's aid programme there is delivered in the context of a continued deterioration in the situation on the ground and a steady rise in needs among the Palestinian population. The situation, as we have seen clearly in the last week, is volatile and unpredictable. As I said, the Minister set out Ireland's position and gave a statement to the Seanad on the matter yesterday evening. He also spoke on the matter at the UN Security Council on Sunday evening.

The occupation of Palestinian territory by Israel continues to be the single most significant obstacle to Palestinian development. This informs Ireland's approach, both in our bilateral engagement and through multilateral channels, including at the European Union and the United Nations. Ireland's position is based on a firm commitment to a negotiated two-state solution that ends the occupation that began in 1967; with Jerusalem as the capital of both states, on the basis of international law, including the relevant UN Security Council resolutions. A series of negative trends on the ground, in particular the continued advancement of settlements, demolitions and threatened evictions on the West Bank, are undermining the potential for a successfully negotiated conclusion to the conflict. Ireland works hard to address these issues based on international law and the agreed international parameters.

My colleague, Mr. McLaughlin, will address the committee on the Irish Aid programme.

Mr. Feilim McLaughlin: As my colleague has just set out, Ireland's overall policy aim is to assist in securing a lasting and just political solution to the Israeli-Palestinian conflict, and to support the negotiation of a two-state solution with an independent, democratic and viable Palestinian state, living side-by-side in peace and security with Israel and its other neighbours. Ireland has had a long-standing commitment to this objective.

Ireland was the first European Economic Community - as it was - member state to adopt

support for the two-state solution as official policy back in February 1980. Our development co-operation support to the Palestinian people flows from this policy and aims to contribute to maintaining the space for a two-state solution. This work, which is part of the Irish Aid programme managed by the Department of Foreign Affairs, focuses on: supporting state-building efforts; the provision of humanitarian relief; the protection and promotion of human rights; and support for Palestine refugees. Building the capacity of Palestinian governance institutions and civil society is an important underlying theme of our approach.

The Irish Aid Palestine programme has been in existence for just over two decades, since 2000. This year, Irish Aid plans to invest almost €16 million in the occupied Palestinian territory. We, and Ireland's representative office in Ramallah, co-operate with the United Nations, other multilateral partners, civil society organisations, humanitarian agencies and the Palestinian Authority in delivering the programme. Overall, the EU and its member states are consistently the largest donors to the Palestinian people, with total funding estimated at over €600 million per annum in recent years. In the area of state building, Ireland's particular focus is on strengthening the quality of education which will be essential to the long-term prosperity of the Palestinian people and the Palestinian state. The Palestinian Authority's ministry of education has a particularly important function in what is a very young society, where nearly 40% of the population is under the age of 14. The ministry aims to provide comprehensive and safe access to quality education across the occupied territory. Our view is that a robust and effective ministry can help to foster social unity across the Palestinian territory and is indispensable in raising the skills and knowledge base of the Palestinian people. Education also serves an important function in promoting critical thinking and enhancing job opportunities.

Ireland's aim is to build the capacity of Palestinian educational institutions and by extension, to empower the Palestinian population. Our main vehicle for doing this is what is known as a joint financing arrangement. This is, essentially, where we and a number of other countries pool our support to the Palestinian education ministry. We support the ministry in areas such as curriculum development and educational reform. Ireland spends €3 million a year through this mechanism.

We also have a scholarship scheme for Palestinian students through which we bring promising individuals to Ireland to study for a masters degree. The aim is to build the capacity of Palestinian society by giving individuals the knowledge and experience that they need to make a positive contribution in the future. We presently award 25 of these Ireland fellowships per year.

The promotion and protection of human rights in the Palestinian territory is a fundamental pillar of our work. We recognise the indispensable role of civil society in promoting and protecting human rights and the rule of law. Respect for human rights, accountability and transparency facilitate peace and stability and contribute to better governance. Our human rights and democratisation schemes support both Israeli and Palestinian NGOs in five priority areas, namely, freedom of movement, rule of law, rights of prisoners and detainees, women's rights and democratic development. Our representative office works with partner bodies and has developed strong relationships with them over the years. Our total funding in this area for 2021 will be €750,000.

Of course, as the committee has just heard from representatives of the West Bank Protection Consortium, the Directorate-General for European Civil Protection and Humanitarian Aid Operations, DG ECHO, which is the branch of the European Commission responsible for humanitarian aid, as well as a number of other states are members of and donors to the consortium. We have supported it since 2017 in its work to protect vulnerable Palestinians in the West Bank,

including East Jerusalem. As the committee has heard, the consortium provides material and humanitarian assistance in legal aid. Our budgetary contribution to the consortium in 2021 is €200,000.

Another pillar of our approach is our support to Palestine refugees through the UN Relief and Works Agency, UNRWA, which provides education, healthcare and humanitarian relief to Palestine refugees. There are approximately 5.7 million registered refugees living in the occupied Palestinian territory and in Jordan, Syria and Lebanon. The Minister for Foreign Affairs signed a three-year partnership agreement with UNRWA in March 2021. Under the terms of that agreement, we will provide UNRWA with €6 million per year in core funding to the end of 2023. We also provide annual funding to the United Nations Office for the Coordination of Humanitarian Affairs, UNOCHA. We have provided €500,000 in 2021. That includes €300,000 to a humanitarian fund, which can be drawn on by the humanitarian co-ordinator to respond to humanitarian emergencies.

I will turn to the impact of the Covid-19 pandemic. As with all of our developing country partners wherever they are in the world, the main issue around vaccination in the occupied territory is the global shortage of vaccine supply. As members will be aware, Ireland is supporting the COVAX initiative, which aims to deliver 2 billion doses of Covid-19 vaccines to 92 low and middle-income countries, including the Palestinian territories, by the end of 2021. COVAX has also negotiated options on a further 1 billion doses. In March, the EU announced it would double its funding to COVAX from €500 million to €1 billion. When taken with the commitments of individual member states, this brings the entire EU pledge to COVAX to €2.5 billion. In February, COVAX confirmed that the occupied Palestinian territory was a priority participant in its programme. The first COVAX shipment, containing 61,440 doses, was received in the Palestinian territories in March 2021. COVAX deliveries to the occupied territory in the first and second quarters of the year are projected at 308,000 doses. According to World Health Organization figures from this week, a total of 416,000 people in the occupied Palestinian territory have been vaccinated with supplies from COVAX and other sources.

In addition to our COVAX support, we have provided additional resources to organisations working in the occupied Palestinian territory since the outbreak of the pandemic. They include UNRWA, the UN humanitarian fund, the World Bank and Oxfam. We have also provided funds via an EU mechanism known as PEGASE, which gives direct support to Palestinian citizens.

Ireland's support to the Palestinian people through the Irish Aid programme has a number of aims. They are to help maintain the space for a two-state solution, to build the capacity of the Palestinian people through the provision of quality education, to contribute to ensuring that human rights and accountability are upheld, that humanitarian relief is provided to those who need it and that the needs of Palestine refugees are met.

Chairman: I thank Mr. McLaughlin and Ms Moran. I will now come to members of the committee, starting with Deputy Brady. I will ask members to raise their hands thereafter.

Deputy John Brady: I thank McLaughlin and Ms Moran for their opening presentations and all the work that we are doing within the Department of Foreign Affairs, through Irish Aid, and our efforts to support Palestinians in the occupied territories. I will pick up where we finished off the conversation with our previous witnesses, that is, around the destruction of donations from member states etc. Our previous guests outlined the compensation claim. They have lodged a claim in the amount of €625,000 for the destruction of aid that they have provided. We are part of that consortium and compensation claim. They outlined the process around that and

the fact that it ultimately falls on the State to pursue that. Can I get an update on that specific compensation claim? Can I also have a broader overview of State-funded aid in the occupied territories, in East Jerusalem, the West Bank and Gaza, that has been destroyed by Israel over, say, the past ten-year period? Can our guests put a cost on the amount of Irish aid that has been destroyed by Israel? What measures have been taken, apart from the compensation claim through the West Bank Protection Consortium? What compensation claim has been lodged with the Israeli authorities in relation to the destruction of that aid? We have seen demolition, and not only in recent times, in Sheikh Jarrah, East Jerusalem and the West Bank. Schools have been demolished in Gaza. It would be great to get an overview on that.

Our two previous witnesses stated that statements only go so far. They do not have a significant impact on the Israeli assault on the occupied territories and the forced displacements and illegal settlements continue. A range of civil society NGOs have asked for more meaningful countermeasures and consequences. Has analysis been carried out in the Department on what countermeasures might look like?

We will have to agree to disagree on the matter of the Control of Economic Activity (Occupied Territories) Bill 2018. I know the response will be that the Attorney General's advice is the Bill is not lawful but I will argue all day and night against that. Outside of that, what work has gone on within the Department to identify countermeasures that could be taken against Israeli actions? Will the witnesses outline what the countermeasures could look like?

As for the Government's position on the two-state solution with a viable Palestinian state, what would a viable Palestinian state look like? Can the witnesses define that? Are we talking about the 1967 borders and if so, is the Government asking for the 680,000 illegal settlers in the occupied territories to leave? The Minister has spoken previously about creeping annexation and it is happening on the ground. Ms Moran should outline the Department's view on annexation. We know *de jure* annexation has happened and only last year, former US President Trump recognised the illegal annexation of the Golan and East Jerusalem. What measures were taken by the Government on the illegal *de jure* annexations I mentioned?

There is the question of the demolition of state buildings. What is the up-to-date position on the 53 schools that have been identified in the occupied West Bank earmarked for demolition and particularly the Ras al-Tin school, which was funded by European aid? Irish Aid may have been involved with it. What is the current position in respect of the demolitions there?

What impact might be had, were Ireland to follow through on the unanimous Dáil vote calling on the Government to officially recognise Palestine? What impact, if any, would there be, were we to follow through and officially recognise the state of Palestine based on the 1967 borders with East Jerusalem as the capital?

What more can the Government and the international community do to protect human rights and the right of life of Palestinians? Does Ireland support the investigation by the International Criminal Court into the human rights abuses and contravention of the Geneva Convention? What is the view on the recent remarks of the Israeli regime that it will not participate in the investigation?

Chairman: I will go briefly to Deputy Clarke and Senator Craughwell before coming back to our witnesses. I am conscious of the time but I wish to ensure everybody has an opportunity to contribute.

Deputy Sorca Clarke: I also am conscious of the time, so I will be concise. I thank the witnesses for their time and the ongoing work done in the Department of Foreign Affairs. I agree with Deputy Brady's comments on the value of the aid that has been destroyed and any actions taken in response. I note that Irish Aid plans to invest almost €16 million this year in the occupied Palestinian territories. While there has been mention of education and other initiatives, will the witnesses provide more detail on what that €16 million will look like on the ground to those in Palestine? As for the 25 fellowships offered to Palestinian students, do the witnesses have information on what subjects those masters programmes are in and on the progression routes from them? Given recent events, have plans been discussed to alter or review the targeting of aid funding? I speak with the high level of destruction in mind. What does accountability look like to the Department of Foreign Affairs? What do human rights look like in this case, particularly in light of the recent events?

Senator Gerard P. Craughwell: I thank both witnesses for the comprehensive presentations. I will be brief. I ask Ms Moran what is the official position of Ireland and whether we now regard what is going on as being de facto annexation. Deputy Brady has already touched on that but I would like to know our official position.

I know what I will ask might irk some but with regard to Irish Aid, we are pumping money into Palestine, and rightly so. The work being done is genuine and attempts to deliver what has been described by Mr. McLaughlin, including education. We all have an interest in human rights. I am concerned about money given particularly for buildings in disputed areas. Some people call them occupied areas and others call them disputed areas. It does not matter what we call them but we know that if a building is put up there, it will be knocked down. Are any caveats attached to funds that are put in by Irish Aid for the construction of buildings?

Some of my colleagues are irked by me making that statement but at the end of the day my concern is that money spent to aid the Palestinian people should have a long-term effect. For the life of me I cannot understand why we would fund something that may be bulldozed a couple of weeks after it is completed, which disrupts everybody. I do not want to get into the argument of whether the land is annexed land or occupied territory. I want to get into the discussion of demolitions and what we can do about them.

Chairman: Before coming back to the witnesses, I am conscious of the terms of reference of our review with respect to demolitions of buildings and displacements of communities and people. I am also conscious of the opening comments from Ms Moran, when she indicated quite rightly that matters are somewhat fluid, as well as being very sensitive. A number of political questions have been directed at our witnesses and I remind members of the speech from the Minister, Deputy Coveney, to the Seanad last night and to which Ms Moran referred. I will request that a copy of the speech be circulated to members as soon as the meeting ends, as it will be helpful to us.

I ask Ms Moran and Mr. McLaughlin to deal as best they can with the many questions that have been directed to them.

Mr. Feilim McLaughlin: With the Chairman's permission, I might begin.

Chairman: Mr. McLaughlin is not on my screen but he may proceed.

Mr. Feilim McLaughlin: As the Chair noted, there is significant ground to cover but I would be happy to deal in writing with anything to which I do not reply satisfactorily. On the

point on the compensation claim, as the committee's previous witnesses put it, this is not something which goes before a court. It is something we collectively do with other donors and we raise it with the Israeli authorities and have done so on a regular basis at ambassadorial level and the Minister for Foreign Affairs has raised it with his counterparts as well. We will continue to do so. The Minister for Foreign Affairs has also raised it regularly at the Foreign Affairs Council in Brussels, in order to build coalitions across member states.

There was a question on the scholarship programme, the Ireland Fellows programme, and the range of masters programmes. It is across a wide range of disciplines. The programme is only its second year and a third intake is due to begin, all going well, later in 2021. We have people from a medical background and people who are working in areas related to engineering, for example, so it is a wide range of disciplines. The aim is to try to identify people who have the potential to make a difference in Palestinian society into the future and to give them the skill sets they need to be able to do that.

As for what it looks like, it looks like improved education in schools run by the Palestinian authorities, which is a primary outcome we want to see and one towards which we have been working for many years, with a better curriculum and better opportunities for children who are going through the Palestinian Authority schools. It also looks like the services that UNRWA provides to refugees on a daily basis. There are millions of refugees in the occupied territories and within the region more broadly. UNRWA provides them with education, healthcare and, in many cases, shelter. It also looks like the humanitarian aid being provided in Gaza and elsewhere at present, in terms of provision of emergency shelters, emergency water and sanitation and equipment. It looks like the legal aid the West Bank consortium is giving people to take legal cases on forced evictions.

With respect to Senator Craughwell's point on the long-term objectives of the programme and the need to focus on those, that is at the heart of what we do. That is why we focus on things such as the improvement of education. That has the potential to empower future generations of people and that is a lasting legacy. That cannot be demolished overnight. Our focus is on capacity building, education, ensuring people's human rights are observed and they have legal aid to take legal action when necessary. All of that longer-term strategic work is at the centre of what we do, so I take the Senator's point on that.

I will pass the floor to Ms Moran now.

Ms Cait Moran: I thank members for their questions. I will add to what my colleague, Mr. McLaughlin has said. As we set out, the programme operates in a political context, both from a Department of Foreign Affairs perspective and from the point of view of our embassy in Tel Aviv and representative office in Ramallah. We support the programme through political engagement, including in the problem areas when those issues arise and in terms of the difficulties that can arise in that respect.

Our representative office in Ramallah is active on the ground, as is our ambassador in Tel Aviv, in making representations to the Israeli authorities on the difficulties which arise in respect of settlements and demolitions and the threat of eviction. Sometimes that presence is important in terms of the types of visits which our representatives in Ramallah have done in Jerusalem around the Sheikh Jarrah and Silwan neighbourhoods spoken about previously. That demonstration, that public advocacy and that voice are important and this is something we do together with the EU and other like-minded partners.

On the actions available to the Department, as our colleagues from the West Bank Protection Consortium with whom the committee discussed the matter earlier will have pointed out, we act as a consortium with the West Bank Protection Consortium. We act as a collective and it is important we look at those actions collectively, as a group. That is the route we take.

Ireland also engages strongly at EU level, with the various mechanisms of the EU, in looking at these issues and their impact, so it is active engagement. As I mentioned, Ireland also engages with the United Nations in terms of the kinds of statements it makes at the United Nations in highlighting what we see as the violation of international law and humanitarian law in respect of issues around settlements and demolitions and threatened evictions.

On Deputy Brady's question on annexation, on which Senator Craughwell also raised a point, the Minister clearly set out the position on that issue yesterday evening in the Seanad. It is a clear position. These settlements are illegal under international law and we operate on that basis and do everything we can do in that respect. Our position is based on international law, on Israel's obligations as an occupying power under the Fourth Geneva Convention and on the resolutions of the Security Council. That goes to the point discussed earlier in terms of the humanitarian imperative on Ireland to provide assistance in Area C, under difficult circumstances. We are driven by that issue of responsibilities which we see being failed by an occupying power and the obligation on donors to step up and provide humanitarian assistance on that.

On the question posed on recognition, I regard that as a political issue and the Minister has set out the Government's position on that on a number of occasions, including last night in the Seanad.

On the point asked on the International Criminal Court, Ireland's approach to that and to the conflict is based on international law and parameters. We are a party to the Rome Statute of the International Criminal Court and we are a firm supporter of the work and role of the court.

On the investigation of the situation in Palestine, Ireland is committed to preserving the independence and the impartiality of the court and its judicial processes, so we do not comment on ongoing legal processes. However, we support the impartial and independent role the court plays. It plays an important role.

Deputy Clarke asked what accountability and human rights looked like. I thank her for the question. I come back to the point on international law and respect for international conventions. That is always Ireland's starting point. As a small state, we depend on those mechanisms ourselves and that is our starting point across the board. Deputy Clarke will have seen that at the March session of the Human Rights Council in Geneva, Ireland played an active role in the Human Rights Council, including through the various agenda items relating to the occupied Palestinian territory, OPT, and we work closely with EU partners on the ground there.

We look at the role of civil society as a partner on human rights and accountability and, as Mr. McLaughlin mentioned, there are funding mechanisms within the Irish Aid programme in Palestine to support the role of civil society. As we have concerns about the pressure put on civil society and civil society space, we both fund civil society and advocate for the importance of its role. We do that on the ground in the OPT and Israel and we do it in Geneva, New York and Brussels. That is extremely important to us and they are an extremely important partner in terms of accountability, so both the multilateral framework and the partnership with civil society are important to us in that respect.

On the question about what a viable Palestinian state would look like, and I thank the Deputy for that, I set out the Ireland vision at the start, which is very much based on internationally agreed parameters and on the 1967 borders with Jerusalem as the capital of both states. The key issue and the reason the committee is looking at this report is that this is under threat. The action of the Israeli Government in expanding settlements and undertaking demolitions puts that under threat. For Ireland, we are supportive of a negotiated two-state solution. That means both parties coming to the table and negotiating, with the support of the international community. The Minister is on record for expressing his frustration at the lack of process and political engagement on that. Ireland has done everything in its power to try to advance that engagement both through the EU, and the EU is a member of the international quartet, and more broadly. We have been very frustrated on that. When one looks at the example of our peace process, which the Minister draws on very much in his engagement, it is very frustrating to see the lack of progress there. However, that does not mean that Ireland does not continue to engage in that and to support that process, including through funding for organisations which contribute to the debate on that and also take lessons from the peace process on the island of Ireland and contribute at that level as well. The fundamental point, and I hope the Deputy will agree, is the threat to the viability of a future Palestinian state. Obviously, it is undermined when we see settlements and threatened evictions. That is a very valid and important point.

I believe I have answered all the questions. If there is anything else we did not cover, feel free to refer back to us.

Deputy David Stanton: I will be brief. I welcome our guests. I note from the statement that 40% of the population is under 14 years of age. I believe 21% of the population in Ireland is under 14 years of age, so that is extraordinarily high. Are there any particular reasons for that? Have the adults left or why is that the case? The figure is extraordinarily high.

Mr. McLaughlin also mentioned that Irish Aid is working with some Israeli NGOs. Perhaps he will say a little more about that. I am sure I am right in saying that not everyone in Israel agrees with what is happening with demolitions, the forced movement of people and so forth. He might say a little about the other side of Israel, whether there are people we know of there who are opposed to this and the NGOs the programme is working with. He also mentioned there are 5.7 million refugees in Jordan, Syria and Lebanon. I take it that many of those are Syrian refugees from the other awful conflict across the border. Do we know how many of them are Palestinians? Mr. McLaughlin mentioned that we contribute to the EU fund mechanism PEGASE. Will he say a little more about how much we contribute to that fund mechanism and the work it does?

Chairman: Does Deputy Brady wish to take a minute or two before I refer back to the witnesses?

Deputy John Brady: I refer back to the compensation claims. The witnesses said it is primarily the compensation claim through the West Bank Protection Consortium. We raised concerns when we engaged with the Israeli ambassador. The West Bank Protection Consortium only looks at projects which it has managed or put on the ground and Ireland only gave it €200,000 last year or this year. It is only a small fraction of the Irish Aid that goes to the occupied territories. Unfortunately, it is not the only aid that is being destroyed by Israel. The question there was to seek a broader picture of Irish aid that is being, and has been, destroyed by Israel. Can we get a picture of what that involves? Previous witnesses have put a value of €750,000, over the last five years, on aid which they have managed that has been destroyed. Can we get a picture of total Irish aid that has been destroyed by Israel over the last five years,

not just in the occupied West Bank but also in Gaza? What is the next step? Once we have identified and put a cost on the destroyed aid, what next steps have occurred? It has been suggested that we engage with the Israeli authorities. If that is the case, what compensation, if any, has been paid to Irish Aid?

Mr. Feilim McLaughlin: With regard to the high percentage of young people in the population, I confess I do not know the particular reasons for that. If I manage to find out, I will be happy to refer back to the Deputy in writing.

As regards the refugees elsewhere, that refers to Palestinian refugees who would be the descendants of people who were displaced. For example, UNRWA works in Gaza but it also has operations in those other countries, particularly in Syria and Lebanon. In fact, a very large percentage of the resident population of Lebanon is of Palestinian descent and are refugees.

With regard to PEGASE, it is a mechanism that is run by the European Commission. It is something we have worked with, on and off, over a number of years. We have provided a total of perhaps €15.5 million over a number of years. Last year, we provided it with €1 million. The way it works is that it provides an essential income support, some type of basic payment, to families who do not have any other means of support. It is a way of providing them with some type of subvention. In the context of the Covid-19 pandemic last year, we thought it was an important vehicle to work with.

On the broader question of demolitions raised by Deputy Brady, as I said, the vast majority of what we do and the vast majority of places where we invest our money is in the direction of human capital. We invest very much in the people of Palestine, their education and in the vindication of their human rights. Infrastructural development in that sense is not something in which we have invested heavily in the past, so it is very difficult to give a figure. It is not an area in which we would generally work. In terms of structures built by the West Bank Protection Consortium and other organisations, it is very difficult to put a figure as to which percentage of which donor's funding went into it. The figure our colleague gave earlier was a total of perhaps €50 million in contributions from countries in the European Union since 2017. Ireland has contributed €1 million of that. Again, that funding goes to legal aid and a series of different areas, not just the construction of structures, so it is very difficult to extract a figure in that way.

Ms Moran will respond to some of the other points.

Ms Cait Moran: Deputy Stanton asked about funding for NGOs. There is funding for both Israeli NGOs and Palestinian NGOs through the programme and also through the Irish Aid civil society fund, which is managed from headquarters. We are aware that Irish civil society will have partners, especially on the ground, where they will work with local NGOs. That is very much part of the model of support for local capacity and NGOs. As part of that support, there is a provision for families who are under threat of eviction to give them legal advice and support. That is supported through the programme and the West Bank Protection Consortium.

Mr. McLaughlin touched on the point of Palestinian refugees. One issue which we are conscious of is the vast spread of Palestinian refugees throughout the region, as well as the work done and support provided by neighbouring countries, like Jordan and Lebanon, in that respect.

Across the board, in terms of our approach, we always work with other donors and the European Union. We also support the United Nations Office for the Coordination of Humanitarian Affairs in Israel, the co-ordinator on the ground and the UN Secretary General's special envoy

who took up the post recently in February. All of those mechanisms are important. The role of those offices is to engage with both the Palestinian Authority and the Israeli Government on issues such as humanitarian funding, access to humanitarian assistance, protection and the wider issues regarding the peace process. The latter is difficult in the current context but that is very much part of the approach.

Chairman: I have a question on the legal advice given to people who may be subject to a demolition or an eviction order. East Jerusalem is the most recent area where evictions have given rise to violence. The committee heard last week from an international lawyer, Ms Natasha Hausdorff, who was very unambiguous when she stated that the title to the lands in East Jerusalem were never actually given by the Jordanians to the Palestinians. How does that tally with the legal advice members of the consortium or other human rights organisations would give to people in East Jerusalem? Have the courts on any occasion sided with the Palestinians? Are we dealing with planning law or strict conveyancing?

It struck me from listening to people last week that this is an open-and-shut case and that there should never be any dispute as to title within East Jerusalem. Nevertheless, earlier speakers and Ms Moran mentioned the importance of the legal advice. Is it more than just an exercise in futility?

Ms Cait Moran: I may not have the details in terms of the title to the properties but we can certainly provide follow-up information to the committee on that.

The importance of providing legal advice is to support the families who are threatened in these situations to ensure they have access to legal processes. This includes basic things like access to funds for that kind of legal advice and there is a route through the courts for it.

Obviously, Ireland's position is based on international law. That would be the primacy we would attach to the situation. Without having a detailed knowledge of the title and land issues around it, the general point we would make is that those families have been resident in those homes for an extended period of time. It is extremely harsh, to say the least, that they face threatened eviction and to be frank, this level of intimidation. We can see the wider impact, as the Minister set out in his statement to the Seanad, in terms of the situation on the ground and the tensions in East Jerusalem in recent weeks.

The role of the support through the consortium is to ensure that those who need it have access to proper legal advice. We are happy to come back with any further information we can.

Chairman: I thank Ms Moran and Mr. McLaughlin for their engagement, as well as for dealing with the questions and issues raised. I thank both of them and their colleagues in the Department of Foreign Affairs for the manner in which this committee is briefed. The strong relationship between the Department and the committee is very much appreciated by all members.

Mr. Feilim McLaughlin: The Irish Aid programme with respect to the Palestinian people is a blend of managing the humanitarian situation on the ground and responding to emergencies. It is also about looking to the long term and trying to build the level of capacity that would be necessary for a viable Palestinian state in the future. That is very much at the centre of the way that we work. There is a strong focus on that whole state-building aspect.

Obviously, a country the size of Ireland cannot do everything. Education is the area on which we have decided to focus for many years. It underlines the important step we attach to a

viable Palestinian state and a two-state solution in the longer term. This is combined with support for UNRWA for long-term Palestinian refugees, both in Gaza and elsewhere in the region, with the provision of humanitarian relief. It is a blended approach with that mix of dealing with short-term, immediate ongoing needs, as well as a more long-term focus on state-building.

Ms Cait Moran: We look at the situation on the ground with the overall objective of supporting the resolution of the conflict. It is difficult to look at that in the week we have seen. The Minister has been clear and vocal on that. He will continue to do so at the Foreign Affairs Council this afternoon and at the UN General Assembly, which is holding a special session this week.

I thank the members of the committee for their time and the invitation to brief them. If there is anything we can do with follow-up information, we will only be too happy to come back to the committee.

The joint committee adjourned at 2.29 p.m. *sine die*..