

DÁIL ÉIREANN

AN COMHCHOISTE UM GHNÓTHAÍ EACHTRACHA AGUS COSAINT

JOINT COMMITTEE ON FOREIGN AFFAIRS AND DEFENCE

Dé Máirt, 7 Meán Fómhair 2021

Tuesday, 7 September 2021

Tháinig an Comhchoiste le chéile ag 10 a.m.

The Joint Committee met at 10 a.m.

Comhaltaí a bhí i láthair / Members present:

Teachtaí Dála / Deputies	Seanadóirí / Senators
Cathal Berry,	Catherine Ardagh,
John Brady,	Lynn Boylan,*
Sorca Clarke,	Gerard P. Craughwell,
Barry Cowen,	Joe O'Reilly,
Gary Gannon,	Diarmuid Wilson.
James Lawless,	
David Stanton.	

* In éagmais / In the absence of Senator Niall Ó Donnghaile

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

Appointment of Special Envoys: Minister for Foreign Affairs and Defence

Chairman: I have received apologies from Senator Niall Ó Donnghaile and I welcome Senator Lynn Boylan who is substituting for him. Our agenda is a meeting with the Minister for Foreign Affairs and Defence, Deputy Simon Coveney, on the appointment of special envoys. We meet again this morning with the Minister, Deputy Coveney, as a follow up to last week's meeting in respect of the appointment of special envoys. He is very welcome here today. I also want to welcome officials from the Department of Foreign Affairs, namely, Mr. Niall Burgess, Mr Joe. Hackett, Secretary General, Ms Alma Ní Choigligh and Mr. Chris Donoghue. I wish to thank the Department of Foreign Affairs for the comprehensive file of documents received before this meeting.

As we all know, there has been much comment in the weekend press and otherwise and about this committee. Indeed, there has been some comment about my role as Cathaoirleach. I wish to state that I take my responsibilities seriously as Chair of the Committee of Foreign Affairs and Defence. Indeed, I know that all of the members of this committee take their responsibilities in a most serious manner. The committee carries out its functions in a careful, considered and impartial manner. This committee is very conscious of the fact that this month Ireland holds the chair of the United Nations Security Council. The Minister, Deputy Coveney, the Department of Foreign Affairs and Ireland's permanent representative at the United Nations, Geraldine Byrne Nason, and her team have the full support of this committee in their work. This work is most important for Ireland and the United Nations. Ireland can take pride in the fact that we have diplomats of the highest calibre working for Ireland and international organisations such as the United Nations.

The Minister, Deputy Coveney, is here today at his request to provide further information and clarification on the sequence of events surrounding the proposed nomination of Katherine Zappone as a UN special envoy. I intend to ensure that the Minister is given a fair hearing and that members of the committee will have adequate opportunity to question the Minister on matters relating to the sequence of events leading to the appointment. I expect these proceedings to be carried out in a dignified and respectful manner.

The format of the meeting is that following the opening comments of the Minister I will open the floor to questions from members. Each member has an eight-minute slot today to ask questions and for the Minister to respond. There will be no grouping of members. I will take members in order by party and group. Should time permit, members will be called on again and allocated one minute for questions and the Minister will be allocated one minute to respond. I remind the Minister and members 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 or an official either by name or in such a way to make him or her identifiable. I also wish to remind members that they are only allowed to participate in this meeting if they are physically based and located within the Leinster House complex. I now call on the Minister, Deputy Coveney, to make his opening comments.

Deputy John Brady: On a point of order, last week, following the Minister's appearance before the committee, I and other members wrote to the Chair stating, and it was certainly my belief, that the Minister gave misleading information before the committee. I asked that he would arrange to bring the Minister back before the committee. Subsequent to that request the Minister sent a letter to the committee on Thursday of last week. That letter appeared in certain media outlets online before committee members received a copy of that letter. It appears the

letter was leaked to the media in advance of it coming to the committee or committee members. This is very serious. Not alone is it very disrespectful but it also calls the integrity of the committee into question. What needs to happen immediately is that we write to the Business Committee and express our disquiet or unhappiness with the way the process happened. The media had this very important letter before committee members.

Chairman: I will make two points on that, if Deputy Brady does not mind.

Deputy John Brady: We should also brief the Ceann Comhairle because it is totally unsatisfactory. It shows sheer contempt by the Minister and his officials towards the committee and committee members. I propose that we write to the Business Committee and the Ceann Comhairle to find out exactly how this happened and the exact timeline.

Chairman: I will make two points on this. First, it is not a point of order. Points of order deal with proceedings and processes of the meeting. My next point is that I had the opportunity to speak with the Deputy directly on this issue. The submission of any document to members of the media before members of the committee was not an issue for the committee. It did not happen on the part of anybody in the committee. I do not believe there is any issue to be taken further to the Business Committee or the Ceann Comhairle as far as the disposition of this committee is concerned. We are under time constraints, as Deputy Brady well knows because he also mentioned to me the two-hour rule.

Deputy John Brady: Sorry Chair, I do not accept that. We as a committee have a duty and an obligation to find out why the media had an important piece of correspondence before this committee did. I accept the Chair or the secretariat did not have this letter before the media did. I accept that point. Somebody in Fine Gael leaked this important letter to the media before it made its way to this committee. It is incumbent on the Chair to find out how that happened and why it happened. I am asking him as Chair to write to the Business Committee and find out how and why that letter was leaked to the media before it made its way to us as an Oireachtas committee. I am asking the Chair and calling on other members-----

Chairman: That exercise will be done but I remind Deputy Brady this is not a point of order. I also remind him that some valuable committee time is already being expended on this extraneous issue. I will ask the Minister, Deputy Coveney, to make his opening statement without interruption from any member of the committee.

Minister for Foreign Affairs (Deputy Simon Coveney): I thank the Chair and members of the committee for the opportunity to come before them again today. The first thing I want to do is to apologise to all committee members for creating the circumstances that require a second hearing in a week on the same issue of the appointment of a special envoy. Due to the sloppiness of some of my answers to their legitimate questions last week we are back here again in order, I hope, to bring clarity to outstanding issues once and for all.

Since last week, I have asked that all documentation available in my Department be publicly released early, in advance of the previous commitment of 8 September, to facilitate as detailed, accurate and comprehensive a presentation as possible today.

In recent weeks, a lot has been said and written about me in the context of Katherine Zapone and her proposed appointment as a special envoy. The fact is that I have contributed to much of that criticism and commentary. I have had the privilege of being in public life for 23 years as a TD, MEP and Government Minister. I have made mistakes on that journey but this

is the first time my integrity has been questioned on political actions. While the Taoiseach understandably has sought to put some context around the political controversy of a part-time temporary appointment, in truth this has rumbled on for far too long and should have come to an end on the basis of a clear and credible explanation well before now. A number of members asked me last week for a structured chronology of events, meetings, contacts, reports and decisions in relation to this appointment. I was not in a position to give that level of detail last week but I certainly am now and my Department has published the files to do just that. Before taking questions, I would like to directly address a number of issues that for understandable reasons have been raised in public commentary.

First, Katherine Zappone did not ask me for a job at any stage. She did text me for advice on 22 February about the possibility of working with USAID on women, gender equality and LGBTQ issues and on whether I could make an introduction for her. That is all she looked for from me at that point and I did not respond. Second, the idea of Katherine Zappone playing a role for the Irish Government came about from a short conversation I had with my Secretary General on 24 February after a meeting, when I raised the question as to whether she might be of use to our team at the UN. I had not spoken to Katherine at that stage. The Secretary General responded positively but said that he wanted to take some time to think about it. I told Katherine Zappone of that conversation in a phone call on 26 February and agreed to come back to her when the Secretary General had any update.

Niall Burgess subsequently came back to me a few days later, as he informed this committee last week, to say that the Biden Administration would be appointing a special envoy for LGBTI+ rights and that he was interested in the Department exploring the benefits of such a role for Ireland. It was in that context that I raised the possibility of a special envoy with Katherine Zappone and asked her if she would be interested in such a role, should the Department develop and recommend it. That phone call was on 3 March and triggered a text to me from Katherine the following day, enthusiastically thanking me for the opportunity. It was not a job offer at that stage, as I made it very clear that the concept needed to be developed by the Department, which is exactly what subsequently happened as the files will show. Looking back now, I should have been clearer with Katherine on the extent of the work needed in the Department before a formal role could be offered to her.

I did not speak to Katherine Zappone again until 19 July, despite the fact that she had been looking for updates, and that brief conversation was just to confirm her meeting with Niall Burgess in Dublin to try to finalise matters. In the meantime, the Department did extensive work, including a food for thought paper on 25 March, a paper on envoys in the EU, US and UK on 29 March, an initial concept note on 18 April and ultimately, a special envoy terms of reference document in July.

I have made mistakes in recent weeks in failing to convincingly explain how this role came about, therefore contributing to what has become a political embarrassment for the Government. Despite that, I hope that the documents before the committee today will confirm the Department's due diligence on the potential benefits of this role for Ireland and the clear suitability of Katherine Zappone for the job proposed. My Department is now reviewing the role and appointment process of special envoys for the future. I agree with the Taoiseach that from now on, should a special envoy be recommended, we should ensure an open, competitive process to fill any such position. Once again, I thank members for their time and in particular their patience on this topic and I look forward to trying to respond to all of their questions.

Chairman: I thank the Minister and now call Deputy Cowen. I remind the Deputy that we

are very keen to have questions to the Minister in a direct and concise manner, to which the Minister will reply. The Deputy has a total of eight minutes in this session. I will remind him on the expiry of seven minutes.

Deputy Barry Cowen: I thank the Chair and I thank the Minister for making himself available again. I said at the committee last week that this appointment was wrong from the get-go. Irrespective of blindsiding the Taoiseach or the Cabinet, it should never have been accepted. It was not accepted, which was inevitably the case after a public backlash when questions emerged. Many questions, as the Minister said, remain. That is despite subsequent and extensive interviews on the “News at One”, the Minister’s appearance in front of the committee for more than two hours last week and texts released subsequent to that meeting by the Tánaiste under a freedom of information, FOI, request, which, as the Minister said, were eventually responded to yesterday. The perception remains that Katherine Zappone lobbied the Minister for Finance and, thereafter, the Minister, the Tánaiste and, indeed, the Irish ambassador to the UN looking for a job in the UN. It appeared from that documentation that the Minister offered her a position in March and, thereafter, officials prepared credible documentation to support the need for such a role. Officials agreed terms with Katherine Zappone and the Minister then informed the Tánaiste 12 days before the Cabinet meeting that she was very happy with what had been approved between her and Niall Burgess, the Secretary General.

Hopefully, as the Minister rightly said, we can finally begin to consign this saga to history and bring what some have described as melodrama to an end. This is melodrama the Cabinet failed to nip in the bud initially and ever since because of lack of clarity, failure to adhere to FOI requests and failure to understand that Government business by text is State property and not private data between Ministers and former colleagues that can be deleted. Is the Minister now saying that when Katherine Zappone texted him to say she was delighted with the offer, the offer was a concept which she interpreted as a job offer? Is that correct?

Deputy Simon Coveney: Yes. I-----

Deputy Barry Cowen: That is fine. Did officials in the Department know anything about this position prior to the Minister offering the concept to Katherine Zappone?

Deputy Simon Coveney: Let me deal with that if I can.

Deputy Barry Cowen: I am conscious that I have eight minutes and of the Chairman’s warning to me because there are more questions.

Deputy Simon Coveney: I spoke to the Secretary General after Katherine texted me on 22 February asking for advice and an introduction to the United States Agency for International Development, USAID, which was clearly an organisation she wanted to work with. I did not respond to that text but I spoke to the Secretary General, as he confirmed to the committee last week. He is here again today if the Deputy wants him to make an intervention. We spoke on 24 February and I raised the issue of whether Katherine Zappone could be of use to our team in New York. He responded positively to that because he had worked with Katherine in the past and she was previously a special envoy, do not forget, in relation to the Security Council campaign, but he said he wanted to think about it. I spoke to Katherine Zappone after that conversation, which is why she texted me on 26 February effectively outlining her curriculum vitae, CV, in terms of how she could be useful but there is no reference in that text to a special envoy role because there had been no discussion on a special envoy at that point.

Niall Burgess came back to me in early March to say the Biden Administration was putting in place a special envoy role to promote LGBTQ+ rights. He thought it was a good idea and he wanted to explore that concept for Ireland within the Department. That was in the context of the previous conversation we had. I then went back to Katherine Zappone on the back of that conversation, as I said to her I would once Niall Burgess had come back to me. I had a conversation with her on 3 March to say that the Secretary General had come back to me with a concept around a special envoy role, that that was what the US was doing and we now needed to explore it in the Department. I asked her if she would be interested in that kind of role should it develop and should the recommendation come through. She was very positive and excited about that possible role and that is clear in her text the following day. However, as I said in my opening statement, it would have been helpful if I had responded to her text to clarify that it was not a job offer at that stage but simply a concept that may materialise later on, which it subsequently did.

Deputy Barry Cowen: So she was delighted with the opportunity the concept offered or potentially offered.

Deputy Simon Coveney: That is what she says when she said, “Thank you so so much for offering me this impressive opportunity-----

Deputy Barry Cowen: Does the Minister acknowledge that from the documents released yesterday, it appeared she played a part in defining the specifications for the job during the intervening period?

Deputy Simon Coveney: No, but I will ask Mr. Burgess to comment on that. I know Deputy Cowen cannot ask him questions directly but I think it would be helpful if he did because it is important to say that at no point did I discuss terms and conditions with Katherine Zappone. I specifically asked the Department to do that. If it is helpful, I can ask Mr. Burgess to confirm that.

Deputy Barry Cowen: We can do that later. Katherine Zappone conducted work for Ireland at the UN, a fact alluded to by the Minister when he spoke about her role relating to the effort to ensure we were successful in respect of our place on the Security Council when she was a Minister in the Fine Gael-led Government. Was the Minister given any advice by Department officials or did it occur to him whether she was entitled to seek to look, suggest or investigate the concept of a position within the UN in light of the fact there is a one-year cooling-off period for Ministers during which they are not allowed to engage in any such discussion around the prospect or concept of working within the UN or public bodies with which they interacted as Ministers? As the Minister is aware, the handbook contains a provision and, as the Standards In Public Office Commission, SIPO, would allude to, there is legislation around a cooling-off period. I know it caused some controversy in the past year when former Deputy John Deasy initiated the concept of lengthening that cooling-off period. Was the Minister aware this possibly contradicted the thrust and detail of that legislation and that this may still be an issue?

Deputy Simon Coveney: First of all, Katherine Zappone was not and is not entitled to anything. Like any other former Minister, she must comply with legislation. This came about on the back of Katherine Zappone reaching out for some advice from me. I understand she spoke to the Minister for Finance late last year. He suggested she contact me because I am Minister for Foreign Affairs. She was clearly trying to develop a career in the UN. She was living in New York-----

Deputy Barry Cowen: The Minister said she was clearly trying to find a role for herself within the UN. Is the legislation such that she is not entitled even to be considered for the process because of the cooling-off period that is required under legislation?

Chairman: Could the response be very brief as I am anxious to proceed to Deputy Brady?

Deputy Simon Coveney: That was a matter for Katherine but in my view-----

Deputy Barry Cowen: It is a matter for the Minister in offering a concept that turned out to be a role. He is also aware of the rules and regulations associated with the legislation, which has a cooling-off period. Surely it would be for him or officials in the Department to point that out and say, "This is not on lads, I'm afraid", for that very reason, if for no other.

Deputy Simon Coveney: I do not believe there was a conflict of interest. We were developing a concept around a special envoy role. I believe she was qualified for that job. It was a matter for Katherine to deal with any conflict of interest issues. I did not see any conflict of interest and I certainly did not get any advice from my officials to that effect.

Deputy Barry Cowen: When the official answers the other questions the Minister said he might be able to help us with, he might be able to comment on the fact with regard to the legislation governing the cooling-off period, which is essential with regard to the credibility of-----

Chairman: I am sure we will have an opportunity to come back to this important issue.

Deputy Simon Coveney: Do I have time in this exchange to ask Mr. Burgess to make a brief intervention regarding this issue?

Chairman: We will come back to Mr. Burgess on that point in the course of the meeting.

Deputy John Brady: The Minister came before the committee last week and, in my view, made a deliberate attempt to mislead it. He claimed that at no time did he feel Katherine Zappone was lobbying for a job. Yet it is abundantly clear that Ms Zappone not only sought a plum position that would grant her access to the UN but also undertook a campaign to lobby for that position. She lobbied the Minister, Deputy Coveney, she lobbied the Minister, Deputy Donohoe, she lobbied the Tánaiste, Deputy Varadkar, she even lobbied senior diplomats such as the Irish ambassador to the the UN, Geraldine Byrne Nason, and the Minister, Deputy Coveney, and his ministerial colleagues delivered for Ms Zappone. What has been revealed is nothing more than plain, old-fashioned political strokes which, when uncovered, led to a scramble for cover by the Minister, his officials and indeed other Ministers, deleting messages, changing stories, changing their narrative and providing misleading statements, as the Minister did last week, which has ultimately taken us to where we are now. The Minister sought to downplay his role in the entire process. As for other senior Fine Gael people it is eminently clear now that the Minister, Deputy Donohoe, knew exactly what was going on around this appointment at least four months before Cabinet and the Tánaiste knew at least 11 days before the Cabinet meeting. As I said, the Minister misled the committee last week when he said clearly that he did not relay anything to Katherine Zappone - "I did not speak to her when she was in Dublin"; that in and around 21 February was the last time he spoke to Ms Zappone; and that he essentially left the entire process up to his officials at that point. The published data now graphically show an entirely different story from the yarn the Minister has tried to spin not just to the committee members but to the public as a whole.

I have a number of questions I want to put to the Minister. I want to follow up on that ini-

tial point on the cooling-off period, which is very important because in the Minister's evidence last week he stated that in a conversation he had with Katherine Zappone last summer she had offered her services in a private or professional capacity to his Department, to him and to the work the Department is doing at a UN level. Again I put the question to him: What exactly did he do at that point to challenge Katherine Zappone in terms of the lobbying, the legislation and the requirement for cooling off? Did the Minister point out at that stage that this was a breach of the legislation?

Deputy Simon Coveney: No, I did not because-----

Deputy John Brady: That is fine. The Minister did not challenge Ms Zappone at that point as she was breaching the legislation and offering her services in either a private or a professional-----

Deputy Simon Coveney: As I have said, I do not believe she was breaching the legislation.

Deputy John Brady: I will move on. Last week the Minister stated that he had a conversation in and round 21 February when he spoke to Katherine Zappone. The released data now show that it was actually a text message from Katherine Zappone on 22 February. It is stated in that text message that the Minister had spoken to the Minister, Deputy Donohoe. Ms Zappone says, "I know Paschal has spoken with you about my interest...". When did the Minister, Deputy Coveney, speak to the Minister, Deputy Donohoe, and what records are there of that conversation?

Deputy Simon Coveney: I had an informal conversation with the Minister, Deputy Donohoe, in late January or early February, from recollection. The only content of that conversation was that the Minister said I may get contact from Katherine Zappone with a view to taking advice relating to work in the UN in New York. That was it.

Deputy John Brady: Was that a phone conversation or was that via text or WhatsApp?

Deputy Simon Coveney: It was a phone conversation.

Deputy John Brady: There are no records of that conversation having taken place anywhere, are there?

Deputy Simon Coveney: There are not. I do not even recall the exact date but it was early in the new year.

Deputy John Brady: On 24 February the Minister had a meeting with his Secretary General, Niall Burgess. The Minister says that at the tail end of that meeting he posed the prospect of the creation of a role with the Secretary General. Are there any records of that conversation?

Deputy Simon Coveney: No, there are not. There are records of the meeting.

Deputy John Brady: Okay. Are there any text messages between the Minister and the Secretary General or were they deleted?

Deputy Simon Coveney: As I explained last week, it was a conversation in person that I had at the end of a meeting I had scheduled with Niall Burgess to talk about the appointment of ambassadors and our first two months on the UN Security Council. At the end of that meeting, I had a brief exchange on this issue. Niall Burgess responded positively to it and-----

Deputy John Brady: So there are no records of that conversation. It was not done in a formal capacity; it was an *ad hoc* approach to-----

Deputy Simon Coveney: It was an informal conversation, which is not unusual. The office of the Secretary General is below my office. I often speak to him in the evening.

Deputy John Brady: I thank the Minister. The records show that on 26 February the Minister had another phone conversation with Katherine Zappone. What was the nature of that conversation?

Deputy Simon Coveney: That was the first phone call I had with Katherine Zappone since the end of the previous summer. I had a missed phone call from her on 26 February, which is on the record. I responded to that - I rang her back and I had a conversation with her, first to say that I had no introduction to USAID but, second, that I had a conversation with the Secretary General regarding whether Katherine could be of assistance to our team in New York but we did not have anything further on it. She responded to me by text to thank me for the call and she effectively outlined her CV and then asked me if there was anything-----

Chairman: The Deputy has one minute remaining.

Deputy John Brady: Did the Minister speak to the Minister for Finance, Deputy Donohoe, at any point following that conversation with Katherine Zappone on 26 February?

Deputy Simon Coveney: No.

Deputy John Brady: Okay. There is a text from Katherine Zappone on 4 March stating, “thank you so, so much for offering me this incredible opportunity. It will be such a privilege and I will be so proud to serve Ireland again.” What did the Minister offer her? That was a job offer. It is quite unbelievable that the Minister offered that position to Katherine Zappone and then on 23 July there were internal emails within his Department regarding trying to create some sort of UN envoy position relating to human rights. Am I right in saying that the Minister offered Katherine Zappone a job on or around 4 March?

Chairman: I ask the Minister to respond briefly.

Deputy Simon Coveney: No, the Deputy is not right to say that. I have outlined the sequence of events as to what happened there. After the conversation on 26 February, Niall Burgess came back to me and told me the US was developing a special envoy role in the area of LGBT+ promotion and that he wanted to develop-----

Deputy John Brady: Sorry, Minister, I have just one final-----

Deputy Simon Coveney: Chairman, I want the opportunity to finish what I was saying.

Chairman: Deputy Brady, please. The time is exhausted.

Deputy John Brady: I have a final point which I think is important because what the Minister is trying to do now is to fix the documents to fit a wholly unbelievable narrative. This job was offered and accepted. The Department only at that point set out-----

Chairman: Deputy Brady, please. The time slot has been exhausted.

Deputy John Brady: I have one final question and I think it is critically important-----

Deputy Simon Coveney: That is an interpretation the Deputy is trying to put on it.

Deputy John Brady: It relates to the next communication, on 19 July, when there was a critical intervention-----

Chairman: I remind Deputy Brady that the time is up.

Deputy John Brady: -----by the Minister. Despite him saying that he did not have any correspondence with Katherine Zappone when she was-----

Chairman: Deputy Brady, please.

Deputy John Brady: -----in Ireland, on foot of a text from and lobbying by the Tánaiste, the Minister then phoned Katherine Zappone when she was in Dublin and also phoned the Secretary General to set up a critical meeting at which the terms were agreed-----

Chairman: I ask Deputy Brady for the third time to, please-----

(Interruptions).

Deputy John Brady: -----the Minister and the Secretary General and the duration of the contract was also agreed. The Minister-----

Chairman: I remind Deputy Brady that we agreed the time slots. In fairness to other members, Deputy, please.

(Interruptions).

Deputy John Brady: -----clearly had communications-----

(Interruptions).

Deputy John Brady: I put it to the Minister that his critical intervention at that stage, following lobbying, was instrumental in terms of getting this over the line. Am I right in saying that?

Deputy Simon Coveney: No, the Deputy is not right. He is trying to infer a whole series of political charges there that simply are not true.

Deputy John Brady: The Minister misled the committee. He said he had no-----

Chairman: I thank the Minister. We are moving on to Senator Joe O'Reilly.

(Interruptions).

Deputy John Brady: The records show that on 19 July he made a critical intervention-----

Chairman: Deputy Brady-----

Deputy John Brady: -----when he phoned Katherine Zappone and he phoned the Secretary General to finalise the details of the contract.

Chairman: I again ask Deputy Brady to, please, abide by the agreement in respect of the format of the meeting and the process. I am moving on to Senator O'Reilly. Deputy Brady may have an opportunity to come back for supplementary questions later but if Deputies continue to go over time in the manner in which Deputy Brady has, that may not be possible.

Senator Joe O'Reilly: I welcome the Minister. I have three questions and may avail of the opportunity to come in later. Will the Minister explain the interplay between himself and the Secretary General? It sounds and reads as if this is something that they brought forward together. I ask the Minister to elaborate and comment on that. What other units of the Minister's Department or entities other than the Secretary General were involved in assessing the role being offered to the former Minister, Dr. Zappone, and were they positive on it? Last week, I was the first on the committee to raise with the Minister the possibility of this committee being initially involved in a shortlisting process for future, similar appointments. Time was an issue then but please God the Minister can answer the question now. Will the Minister comment and give his view on this and can he give members a commitment in that area? I think we could do important scrutinising work.

Chairman: There is an overlap of some questions and it may be opportune, in the course of this session, to invite a brief comment from the former Secretary General, Mr. Burgess, as the Minister mentioned earlier.

Deputy Simon Coveney: I will advise the former Secretary General, Mr. Burgess, to make a brief comment. I refer to the inference in the previous series of questions that I somehow instructed the Department to create a job. That is not the case. Anybody who knows the former Secretary General of my Department and how my Department functions knows that it says "No" to me when it does not agree with a decision or it is not comfortable with it. That was not the case here. I worked with the Secretary General. We saw an opportunity for a special envoy role. It was what many other countries were doing at the same time. The UK also announced a special envoy for LGBTQ rights and other countries have been doing the same. We saw it as an opportunity. We saw Katherine Zappone as an experienced person who was suitable for that role. We developed that concept robustly in the Department and got no negative feedback from our team in Geneva, who are the human rights experts, from our team in New York, which works with the UN, or from our team in Dublin. I ask the Secretary General to make a brief comment to back up what he already said to the committee last week.

Mr. Niall Burgess: I will be brief since I am conscious of time. Shortly after our initial conversation in February, I came back to the Minister and told him that I had seen that the Biden Administration was appointing a special envoy for LGBTI+ rights. I said that I was going to explore whether value could be taken from a similar mechanism in the Department's work. That work was initiated quickly and was under way through March. I did so while conscious of the scale of work across the Department in supporting LGBTI+ rights. The committee has an indication of that scale in tab 16, which contains a report with an update to the implementation committee on LGBTI+ inclusion on the work across the Department. That work continued until near the end of March. When that work was concluded, I asked our political director to examine that further through the prism of our wider human rights work. That work took about another month. During those two months, the Minister and I had no further discussions and there was no political input into the tasking or development of the mandate.

Deputy Simon Coveney: As the former Secretary General said, there was no political input on the work that the Department did on this. This was technical work from experts in different sections of the Department. There was a food-for-thought paper, prepared in the context of

Department of Foreign Affairs responsibilities as well as of the implementation of the national LGBTI+ inclusion strategy, which was finalised on 25 March. There was an overview prepared of practice in other EU member states, in the UK, and in the US on the appointments of ambassadors and envoys with human rights responsibilities. The committee will have that detailed paper, which shows that virtually every country in the western world was developing similar kinds of roles.

On 18 April, after exchanges between the political division and the team in Geneva and in Dublin, a concept note was prepared which set out the rationale and scope for the appointment of an envoy in the human rights sphere. In July, a special envoy terms of reference, rationale, tasking, timeframe and support was emailed. There was extensive work in the Department, which I was not involved in but I knew it was going on because the Secretary General had told me so. That is the position.

On the final question from Senator O'Reilly around the future involvement of the committee, I said this last week and I say it again today: mistakes have been made by me, here, that have undermined the credibility of appointing special envoys in the future. I would like to depoliticise that process in the future and try to get all-party agreement on how, or if, special envoys should be appointed in the future. Certainly, I am happy to work with the committee on that.

Chairman: I take it that Senator O'Reilly is pleased with those answers. We will move on to Deputy Gannon.

Deputy Gary Gannon: I would like to bring the Minister back to 4 March, when the former Minister Katherine Zappone texted him to thank him for the job. He has already stated that he did not dissuade her from that notion and that he regrets not dissuading her from that notion. Is that correct?

Deputy Simon Coveney: Yes, I think it would have been helpful, with the benefit of hindsight, if I had responded to that text. As the Deputy will see from a lot of her texts, I did not respond to-----

Deputy Gary Gannon: I will go on to another text from 4 May. Katherine Zappone was not offered a job in March. However, on 4 May she texted the Minister saying, "Hi Simon, hope all well. Any news yet? You had mentioned June as start time." The Minister mentioned in his contribution that he did not speak to Katherine Zappone between March and July. If they did not speak between those times, why did Katherine Zappone text the Minister to say he had previously mentioned June as a start date, if no job was offered in their communication before then?

Deputy Simon Coveney: I had spoken to her on two dates, on 26 February, when I basically told her I had spoken to the Secretary General about whether we could use her, which she was happy about, but I said there was no role at that stage. I asked her what she was doing. She confirmed she was working with the UNFPA until the middle or the end of June. When I came back to her, I said we were looking to develop potentially a role of a special envoy position, and would she be interested in that. That conversation also referred to the fact it would take some time to do that. She said to me she was working within the UN system and the UNFPA until the end of June. I said it was going to take us time to develop this role anyway, but that it may materialise after that. That is where that came from.

Deputy Gary Gannon: But she had a start date for a job that did not exist yet and that she had not been offered. There is no record of the Minister dissuading her from that notion. There are two text messages. She said thank you for the job on 4 March. Then, on 4 May, she had a start date for a job that was not designed and had not been offered to her. It barely seems believable. I want to go to another part-----

Deputy Simon Coveney: Can I make one further comment just briefly on it? The end of June was Pride week. When I said to her the Department was going to work on this, I did say to her I hoped we would be able to have the process in the Department done by this summer, by Pride week. She clearly took from that that she wanted a job to be announced at that point.

Deputy Gary Gannon: I thank the Minister. Last week, the Minister specifically brought the word “lobbying” into his contribution to the committee. He specifically said that he did not feel Katherine Zappone was lobbying him for a job. Does the Minister want to reflect on that statement and change any part of it for the committee? Does he still believe Katherine Zappone was not lobbying?

Deputy Simon Coveney: That is my view. I never felt pressure from Katherine Zappone in relation to this job. If I had, I would have been responding to her. If anything, I could be potentially criticised for largely ignoring her texts.

Deputy Gary Gannon: This is necessarily a criticism. It is in keeping with regulations that are clearly laid out. What exactly is the Minister’s understanding of lobbying? Does he accept that seeking to influence senior Ministers in relation to the awarding of a plum job constitutes lobbying? In the case of Katherine Zappone, we know she contacted the Minister for Finance, Deputy Paschal Donohoe, and the Tánaiste. She contacted Ireland’s ambassador to the UN, Geraldine Byrne Nason, and she also contacted the Minister for Foreign Affairs about the job and asking for an introduction to Samantha Power. She contacted both Ministers, Deputies Donohoe and Coveney. How does the Minister not believe that to be lobbying? It makes me wonder who else is contacting him that we do not know about if he does not interpret that as lobbying. Why does that not appear in the register of lobbying? Katherine Zappone contacted the Minister for Finance, Deputy Donohoe, who then contacted the Minister for Foreign Affairs, Deputy Coveney, and that does not appear in the lobbying register. When the former Minister, Katherine Zappone, and the Minister for Finance, Deputy Donohoe, contacted the Minister, there was an obligation on him to place that on the register of lobbying.

Deputy Simon Coveney: I do not accept that interpretation of events. The Minister, Deputy Donohoe, is a friend of Katherine Zappone. I do not know how many times he has spoken to Katherine at various different times in the last year, but she asked him for advice at some point late last year. The Minister suggested to her that she make contact with me to get advice on a career in the UN because I am the Minister for Foreign Affairs.

Deputy Gary Gannon: So there was no lobbying there. Friends of Ministers, who were previously a Minister, do not come under the same conditions as the rest of us simply because they are friends. I am alarmed-----

Deputy Simon Coveney: No, they do. To be fair, I am sometimes contacted by people who I do not know at all seeking advice in relation to career choices and so on. I did not see this as any different from that. I certainly did not see it as formal lobbying.

Deputy Gary Gannon: I am alarmed by how narrow the Minister’s interpretation of lob-

bying is but I will move on to another question. The Minister has been a Minister for more than ten years. For how long has he been deleting text messages from his phone? Is he aware that if he deletes texts which record official Government business without making a copy, he is in breach of the Freedom of Information Act?

Deputy Simon Coveney: As I said last week, I clear texts from my phone when conversations conclude. There is a security element to that. I do not want to overplay the security issue but it is an issue for me. As a matter of course, when I do not think it is necessary to have text messages on my phone because something has concluded and we are moving on from it, I often clear the phone of those text conversations. That is what happened.

Deputy Gary Gannon: Can the Minister specifically tell me when he cleared the text message between him and the Tánaiste talking about the appointment of Katherine Zappone? On what date did he delete that text message?

Deputy Simon Coveney: I cleared it shortly after that conversation. I went to Africa the following day and I certainly did not hang on to that text because I thought there was a start and an end to it; he asked a question and I responded to it. If I was trying to hide the existence of text messages, I would not have made all my text messages available through the FOI request. If I was trying to hide the text messages - if I could finish, Deputy Gannon, I will be brief - if I was trying to hide the existence of a text exchange with the Tánaiste, I would not have introduced it to the public in this committee last week, which is what I did. I have not tried to hide anything here and I certainly did not delete texts in an effort to hide anything.

Chairman: We will have one final question from Deputy Gannon.

Deputy Gary Gannon: My questions specifically pertained to the deletion of texts between two Ministers discussing a matter of State in contravention of the Freedom of Information Act. I asked for the date and that was not forthcoming. I asked whether the Minister was aware of the guidelines in that Act and he-----

Deputy Simon Coveney: What I have said clearly is that that text exchange was deleted from my phone before the freedom of information requests came in.

Deputy Gary Gannon: That is convenient.

Chairman: The next speaker is Senator Craughwell.

Senator Gerard P. Craughwell: I thank the Minister for returning to the House to deal with this unfortunate state of affairs. I am somewhat surprised by the apparent unguarded manner in which the Minister oversaw his ministerial responsibility for the security of the information communication from and to his phone, issued to him by the State, as Minister for Foreign Affairs but, more especially, as Minister for Defence. As Minister for Defence, he has ministerial and political responsibility for the Defence Forces, one of the two organs of the State directly responsible for State security and intelligence. His role as Minister for Defence may well have been more crucial to would-be illegal interceptions of his voice and text communications for a more significant reason.

Is the Minister familiar with the Interception of Postal Packets and Telecommunications Messages (Regulation) Act 1993 which authorised the Garda Commissioner and the Chief of Staff of the Defence Forces to seek an order from an authorised officer, a judge of the High Court, to intercept postal and electronic messages under section 6 of said Act? Was the Minis-

ter's phone issued to him by the Department of Foreign Affairs, the Department of Defence or the Defence Forces? If it was issued to him by the Defence Forces, I believe it would have been an encrypted phone from the Defence Forces' communications and information systems corps, as befits the role of a Minister overseeing one of the two security and intelligence services of the State.

Given the Minister's role and Ireland's seat on the United Nations Security Council, did the communications and information system issue him with an encrypted phone? Did he request an encrypted phone? If the Minister is not working off an encrypted phone, does he accept this would be reckless behaviour in the extreme, betraying and compromising State security and the messages from a foreign minister of a country on the UN Security Council? This would beggar belief. I ask the Minister straight out - yes or no - whether the political gravity of the interceptions of his voice and text messages occurred to him at all.

Deputy Simon Coveney: I know that Senator Craughwell understands security issues well. The phone that I use has been issued to me by the Department of Foreign Affairs. I am cautious about the use of that phone because it has been compromised. It is a matter of public record and was featured in the media last year in that in August 2020, I was subject to a phishing attack via the Telegram messaging application on my mobile phone. Using credentials created on this platform, my identity was used to contact several foreign-----

Senator Gerard P. Craughwell: All right.

Deputy Simon Coveney: -----officials. I would just-----

Senator Gerard P. Craughwell: We do not need to go into great detail on this.

Deputy Simon Coveney: Well, I would like to answer the Senator's question. I would like to-----

Senator Gerard P. Craughwell: Was the phone encrypted?

Chairman: Senator Craughwell has asked a number of very important questions that have not been asked before and, in fairness, we should give the Minister an opportunity to reply.

Deputy Simon Coveney: I would like to answer the Senator's question, if I may. He asked me whether I was aware of the political consequences of that and I was. Officials in the Department of Foreign Affairs and the Department of Defence determined that this incident fell into the realm of a cyberattack and made the appropriate notifications to An Garda Síochána. I handed my phone over to An Garda Síochána at that point and the National Cyber Security Centre and I took extensive advice from the head of the National Cyber Security Centre on that incident. I remind members that security relating to mobile phones in the context of foreign ministers or prime ministers is an issue of which most people would be aware. It is no secret that Chancellor Merkel would have had her phone hacked as Chancellor of Germany. Unfortunately, in the world we live in today, despite security arrangements, there are some who will try to hack people's phones and access information. I am cautious as a result, which is why I do not hold onto data unnecessarily on my phone.

Senator Gerard P. Craughwell: Once the Minister became aware of the interception of his phone - whether it was number spoofing or an actual hacking, I am not sure - was the director of intelligence and the director of the Defence Forces' communications and information system corps advised of the hacking or number spoofing that took place? I ask the Minister straight out

for a yes or no answer, a simple yes or no.

Deputy Simon Coveney: Yes.

Senator Gerard P. Craughwell: Okay. I want now to turn to the role of the Department of Public Expenditure and Reform. I want to know when the Minister, or his Department, first contacted the Minister for Public Expenditure and Reform, Deputy Michael McGrath, about the costs of the special envoy, the role of that envoy, the salary and, in terms of travel arrangements, whether he or she could travel anywhere in the world at any time and be fully expensed and paid for the days he or she would travel. The €15,000 figure that has been quoted sounds very low. I will continue if I may because my questions are all in the same vein.

Chairman: I remind the Senator that the Minister's portfolio is foreign affairs and defence. He is not the Minister for public expenditure.

Senator Gerard P. Craughwell: I am aware of that.

Chairman: There may be issues that the Senator is raising that are not within the competency of the Minister to respond.

Senator Gerard P. Craughwell: Expenditure on behalf of the State has to be approved by the Department of Public Expenditure and Reform. I need to know when that Department was contacted because a number of dates are being thrown around here and we are not sure exactly who knew-----

Deputy Simon Coveney: I will happily answer that. In relation to the Department of Public Expenditure and Reform, my Department did not seek sanction from the Department in respect of this position. My Department has a pay and staffing sanction from the Department of Public Expenditure and Reform that did not require additional approval for this post. Having said that, my Department did make contact - I think it was the day before the Cabinet meeting - to seek clarification on a pension issue, as far as I am aware. I will ask my current Secretary General, Joe Hackett, if he would like to comment briefly on that issue.

Senator Gerard P. Craughwell: Before he does, can I come back in Minister because what I am going to ask next is relevant to-----

Chairman: The Senator may only come back in on an issue that is going to be addressed by Mr. Hackett.

Deputy Simon Coveney: In terms of things like travel arrangements and so on, I asked my former Secretary General to negotiate with Katherine Zappone and to outline to her what was involved in the position. If it is helpful, I can ask him to talk the Senator through that, but it is certainly nothing unusual. We used the precedent of another special envoy who is in the Department, the special envoy for francophone Africa, in terms of some of those terms and conditions.

Senator Gerard P. Craughwell: Okay. They can deal with that in a moment. I want to know if the Minister was aware of the potential impact of pension abatement on Dr. Zappone, if he discussed pension abatement with the Minister for Public Expenditure and Reform and if he or Dr. Zappone sought a waiver of pension abatement with respect to this role? I ask the Minister to clarify that for me.

Deputy Simon Coveney: The answer with respect to all of those questions is "No".

Senator Gerard P. Craughwell: The Minister spoke a little while ago about the cooling-off period. He has been in public office for 20 years and he clearly would be aware of the cooling-off period that applies to, in particular, people who have held ministerial posts. I am rather surprised that he was discussing an appointment within that 12-month period with a former Minister, who must surely have been aware of the situation as well. Does the Minister have anything more to say about that?

Deputy Simon Coveney: I do not, except to say that a cooling-off period only applies if there is a conflict of interest. I did not see a conflict of interest.

Senator Gerard P. Craughwell: I am out of time. Thank you.

Chairman: I thank the Senator. He may have an opportunity later to come back in with a supplementary question. I thank the Minister for dealing with those questions. The next speaker is Deputy Lawless, to be followed by Deputy Clarke.

Deputy James Lawless: I thank the Minister to coming back to us today to provide further clarifications. I propose to ask a number of questions on which I will accept responses as they come through. We know that Katherine Zappone was appointed as an envoy in 2019 while she was serving as a Minister. Whose idea was it that she take on that role at that time?

Deputy Simon Coveney: Sorry, Deputy, can you repeat the question?

Deputy James Lawless: Katherine Zappone previously served as an envoy in 2019 while also serving as a Minister. Whose idea was it that she would be appointed an envoy at that time?

Deputy Simon Coveney: That was the idea of my Department. We had 12 envoys at that time. We were campaigning to be on the UN Security Council. The Deputy might remember it was a very competitive campaign, with Norway, Ireland and Canada, three very prominent countries, in the UN system. We were competing against each other for two places. Many people were surprised that Ireland got more votes than Canada, but part of the reason for that is that we had a dozen special envoys, most of them diplomats, travelling to different parts of the world. We decided we would ask Katherine Zappone because she had been quite involved in that lobbying with our Department in terms of some of the human rights work she was interested in and some of the travel she has done. That was the position. She was asked to be a special envoy for the nine months.

Deputy James Lawless: She did not volunteer herself to do the role at that time?

Deputy Simon Coveney: I cannot remember the exact sequence of events, to be honest, but-----

Deputy James Lawless: She may have put herself forward as a potential candidate.

Deputy Simon Coveney: -----our Department was certainly keen that she would play a role, which she did, and she assisted significantly in that regard.

Deputy James Lawless: I thank the Minister but he is not addressing the possibility that she came forward with the idea herself of serving as an envoy in 2019.

Deputy Simon Coveney: I do not think she ever came forward with a request to be an envoy. She clearly wanted to assist our campaign. I believe that we came back to her as a Department and asked her to be an envoy.

Deputy James Lawless: Okay. The descriptions in the correspondence have what I would call a very US-centric flavour. We heard the Secretary General talking about how the Biden Administration was making appointments. We see a memo in the correspondence which talks about the role of a special envoy being a somewhat US-specific one. EU member states typically use “ambassador-at-large” as a title instead. All of this circles back to the assumption or presumption that Katherine Zappone was heavily involved in writing this job description herself and, indeed, in pitching it. How does the Minister respond to that?

Deputy Simon Coveney: All I can say to that is that it is simply not true. At no point in any of the correspondence or in any of the documentation does Katherine Zappone ask me or the Department to make her a special envoy. The contact came the other way, as I have said and as the former Secretary General has confirmed. I spoke to him about whether or not we could use Katherine Zappone in our team in New York because we felt she could be an asset. We did not quite know how to do that. Niall Burgess came back to me a few days later to say the US was developing a special envoy role and, as it subsequently turned out, lots of other countries are doing something similar. I then went to Katherine Zappone to say, “Look, I spoke to the Secretary General about this; there is a possibility if the Department approves it and develops this role.” She was very excited about that and I think that is very clear from her texts.

Deputy James Lawless: Yes. I thank the Minister. Another one of her texts earlier in the process asked for an introduction to Samantha Power, who, of course, is a close aide of the Biden Administration. Did the Minister make that introduction?

Deputy Simon Coveney: No, I did not. I did not even respond to that message. Samantha Power, of course, is the head of USAID and she is a very prominent Irish American. I know of Samantha Power but I certainly would not know her well enough to make an introduction like this and I do not think it would be appropriate anyway, so I did not do it.

Deputy James Lawless: Very good. The Minister made a comment earlier that he is very often contacted by people in regard to their career choices. Young people who did the leaving certificate and filled out the CAO forms are today-----

Deputy Simon Coveney: I think we are all contacted by people in that regard.

Deputy James Lawless: We are all contacted but we are not all in the same position as the Minister.

Deputy Simon Coveney: It is part of public life.

Deputy James Lawless: Exactly. Indeed, the CAO points are coming out today and many of us will be contacted by young people in our constituencies, but we are not usually in a position to make up a tailor-made job and appoint them to it. Does the Minister see that this is a little bit different from the run-of-the-mill constituency query we might get?

Deputy Simon Coveney: I do, and I can see how people would read that interpretation into this, which is why I regret that I have not provided more clarification in regard to what happened before now. I understand why the politics of this have been controversial. All I can say is that the Department went through a pretty rigorous process to develop and recommend the role that subsequently was offered to Katherine Zappone. I mentioned it to her early in the process to see whether she would be interested and, as I said before, she enthusiastically responded to that in a text, which certainly makes it look like it was a job offer earlier on, but it was not and she should have known that as a previous Minister.

Deputy James Lawless: Yes, her enthusiasm is very clear. That certainly is apparent.

The Minister talked about his phone being hacked and deleting messages. Did he delete messages on advice, perhaps from a cybersecurity adviser or the Garda, or did he take it upon himself to do so? I refer not necessarily to these particular messages, although I am talking about them as well, but, in general, does he have a particular protocol he uses to determine whether it is public or private business? Does he just clear down his phone every week or how does that work?

Deputy Simon Coveney: The way it works is that I think it is prudent to remove the information on my phone that is no longer relevant. In other words, if I have had a text conversation with somebody that is done and dusted and I am moving on from it, I would often clear that unless there is a reason to hold onto it. Certainly, when I had the text exchange with the Tánaiste, I regarded that matter as closed and I removed it from my phone in the same way I would do with lots of other text exchanges with people. I was subsequently very pleased that the Tánaiste published those texts because they backed up the thrust of what I said to the committee last week when in response to questions from Deputy Cowen I volunteered the information - and I was the first to do so - that there was any text exchange at all between myself and the Tánaiste.

Deputy James Lawless: The Minister has said that he had no reason to hang on to these exchanges. Does he now accept that, among other things, freedom of information obligations on designated officials and data protection require digital data to be preserved? Does he now understand why there was a reason to hang on to those exchanges?

Deputy Simon Coveney: If I had received a freedom of information request in respect of those exchanges, I would have but this happened before those requests came in. They came in the day after the Cabinet meeting.

Deputy James Lawless: Moving on to the blurring between personal and public business, has the Minister ever used his private email account for public business?

Deputy Simon Coveney: No. I do not do that. Public business and departmental business should be carried out on the Department account.

Deputy James Lawless: I will ask my last question because I am conscious of the time. Last week, I asked the Minister about how the Taoiseach came to have knowledge of this issue at the Cabinet meeting. At the time, we thought this issue had emerged a week or two previously. Given we now know that the specification had been discussed and perused in detail by Secretaries General and a number of Ministers over three, four or five months, it seems incredible that nobody thought to alert the Taoiseach to this appointment. This was clearly a political move, something about which the Department was, by all accounts, excited, something which the Minister saw as a significant positive at the time and something which would be of political interest as Dr. Zappone is a former Minister. How can it be that through March, April, May, June and July nobody involved thought it was worth advising the Taoiseach about all of this?

Deputy Simon Coveney: That was a mistake by me. I should have personally told the Taoiseach that this appointment was coming up. I honestly did not see it as a controversial appointment. There were a lot of other things on that day that many people would have thought were much more substantial than this part-time appointment. It was mistake by me, however. A Taoiseach should never be hearing something for the first time in a Cabinet meeting. I telephoned the Taoiseach the evening after that Cabinet meeting and apologised for allowing that

to happen.

Deputy Sorca Clarke: I welcome the Minister back this morning. It is clear that he offered Katherine Zappone the job as UN special envoy very early in March. It is also clear that, as the Minister has acknowledged, he knew Katherine Zappone wanted a role in the UN and he made that happen. He made it happen for a friend. It is clear Dr. Zappone wrote the job description and the terms of employment that were attached to it. That left the Minister's Department justifying the making of that appointment. That is absolutely disgraceful. On 30 July, the Minister told national radio that the job was not made for her but the documents released yesterday tell a vastly different story. The reality is that she wrote the job specification, that she influenced the duration of the role and that, when the brief came to be finalised, Katherine Zappone literally submitted her own brief and told the Minister by text that a concept note was being developed. The Minister also told the media that Fine Gael Ministers knew nothing of the appointment until 20 minutes before the Cabinet meeting. That is also not true because we now know that the Tánaiste knew 11 days beforehand and that the Minister, Deputy Donohoe, knew much earlier.

I put it to the Minister that he misled the Cabinet and that he misled this committee through extreme economy with the truth. I also put it to the Minister that he was not truthful then and that he is not being entirely truthful now, despite being given two opportunities by this committee to do so. As a member of this committee, I am deeply concerned that any Minister would seek to use this committee in what appears to be an effort to save his own political neck because that reeks of the sense of entitlement that has brought us here today.

I will move on to another point. A lot of communication traffic between Katherine Zappone and key players has been released which shows the access she had to the Minister, his Department, the Cabinet and the Government. The Minister can deny it but there was pressurising. In my world, repeated messages represent pressurising. Dr. Zappone was pushing for this job to such an extent that, when she was not getting the response she wanted, she approached our representative at the UN, who raised the matter for her months before the Government knew about it. We know that Katherine Zappone had direct access, and that she used that access to the Minister, to the Department, to our representative at the UN, to the Minister, Deputy Donohoe, and to the Tánaiste, Deputy Varadkar. Who else, then, does the Minister know of that she had direct access to? In that use of soft power, she used her exposure to high-ranking officials to her own ends and her own gain and the Minister played a central role in that. How can he sit here today and continue to justify his statement that there was no lobbying, because very clearly there was?

Deputy Simon Coveney: First, I give my Department an awful lot more credit than the Deputy does. She is essentially accusing my former Secretary General of lying as well, if what the Deputy has just outlined is her position. All I can say is that the sequence of events as they happened is as I have outlined them today. The FOI release backs that up. I was the one who mentioned a special envoy role to Katherine Zappone for the first time. She did not raise it with me and did not look for updates on that potential role until after the conversation I had with her. The conversation I had with her was triggered by two conversations I had with my Secretary General in relation to discussing whether she may have been of use to our team in New York. That is how it happened.

Deputy Sorca Clarke: If I can come in here regarding the Minister's communication with his Secretary General-----

Deputy Simon Coveney: I accept that my answers to this committee were somewhat sloppy last week and that has raised ambiguity and so on. The Deputy is rightly probing hard on

those issues because I should have been much clearer last week.

Deputy Sorca Clarke: How can the Minister claim to be sloppy in his answers having been 23 years in Government and public life?

Deputy Simon Coveney: Well, I-----

Deputy Sorca Clarke: Has he not learned at this point not to walk into doors?

Deputy Simon Coveney: All I-----

Deputy Sorca Clarke: After 23 years, that is the very least one would have expected.

I want to return to the issue of communication with the Secretary General. Does it strike the Minister as acceptable that Katherine Zappone was emailing the Secretary General in July of this year from an email account associated with a company of which she was a director, a company which was struck off the register of companies at her own request in June 2017? It was a company called the Centre for Progressive Change.

Deputy Simon Coveney: I simply do not have-----

Deputy Sorca Clarke: Does it not strike the Minister as odd?

Deputy Simon Coveney: All I can say is that Katherine Zappone was in contact with my Secretary General because I had asked him to-----

Deputy Sorca Clarke: The Minister cited an email address of a company that no longer legally exists.

Deputy Simon Coveney: If the Deputy would let me finish-----

Chairman: The Minister should be allowed an opportunity to reply.

Deputy Simon Coveney: It is not a surprise that Katherine Zappone had email and text message contact with the Secretary General, because I had asked him to finalise the arrangement-----

Deputy Sorca Clarke: My question was specifically on the email address.

Deputy Simon Coveney: -----on the back of the advice of the Department. I do not know anything about Katherine Zappone's emails or what email address-----

Deputy Sorca Clarke: Did the Minister not read the documents that were released?

Deputy Simon Coveney: I do not know the source of her email address. That is a simple and honest answer.

Deputy Sorca Clarke: It happened twice.

Deputy Simon Coveney: The Deputy will have to ask Katherine Zappone about that matter.

Deputy Sorca Clarke: There is an idea.

I want to move on to FOI legislation. To me, it is explicitly clear what has happened here.

There has been a clear exploitation of the weaknesses which exist in the FOI legislation and that was done for nefarious reasons. There can be no other way for any reasonable person to interpret this. The public and the media were met with a continued wall of silence which started on 12 August when the documents, which were released yesterday under FOI legislation, began to issue with the acknowledgments of requests. They continued like a flow from there on. That was an orchestrated and deliberate act to erode public access to information regarding how public money is spent and how Ministers, like Deputy Coveney and others, and Government Departments operate. This Act is designed to contribute to transparency and openness, but in this case it was categorically used to limit the release of information in what I believe was an orchestrated plan by the Minister and others in Fine Gael to control the narrative of what happened around the Katherine Zappone appointment and to seek to confuse, to distract and to double down on the underhanded nature of this appointment, which was clearly made in March. In fact, the only actions that were made throughout the duration of this entire calamity-----

Chairman: Deputy Clarke is into her final minute and she has not asked a question yet.

Deputy Sorca Clarke: I want to move on to some questions-----

Deputy Simon Coveney: No, Deputy. I would like to respond to that accusation.

Deputy Sorca Clarke: Please do.

Deputy Simon Coveney: Departmental officials have worked night and day to publish yesterday the largest set of records we have ever published on *dfa.ie* under the Freedom of Information Act. My officials advised me that we have fully complied with the obligations of the Act and have upheld the Department's long-standing commitment to handling FOI requests transparently and with minimum redaction in compliance with the Act. It is important that I get that on the record.

Deputy Sorca Clarke: While we are talking about compliance with the Act, the Minister spoke previously-----

Chairman: Final question, Deputy.

Deputy Sorca Clarke: -----in testimony to this committee. The Minister admitted himself a few minutes ago that he deletes text messages when conversations conclude. If that were true, why then, was a section released under FOI yesterday relating to general chit-chat about the Biden election? Why was that not deleted? Why did the data dump-----

Deputy Simon Coveney: That is a fair question.

Deputy Sorca Clarke: -----from the Department yesterday have us try to believe that the Minister retains messages from November 2020 but deletes messages between him and the Tánaiste?

Chairman: Brief response from the Minister.

Deputy Simon Coveney: That is a fair question. The reason I did not delete the text messages from Katherine Zappone was because I wanted to be, first of all, absolutely transparent and they were still on my phone. As far as I was concerned, the conversation with Katherine Zappone, which was primarily around this role that we are now discussing, went on for quite a long time. I did not have an obligation to release the texts around the Biden election and so on under FOI because it does not relate to Government business, but I wanted to release all

texts between myself and Katherine Zappone that I had on my phone, and that is what I did. Unfortunately, I did not have the text exchange with the Tánaiste still on my phone for reasons that I outlined earlier. That is why I was very pleased that he published those texts which were consistent, in terms of content, with what I said to the committee last week.

Deputy Sorca Clarke: I am sure the Minister was absolutely delighted that he had deleted those text messages. Finally-----

Chairman: Sorry, Deputy Clarke, we have gone over the time. We may have an opportunity later to come back.

Deputy Sorca Clarke: If the Minister wants to finish the next question, because it is the final part of the question-----

Chairman: Deputy Clarke, please. Our time is exhausted.

Deputy Sorca Clarke: If the Minister is not hiding messages and if he is committed to transparency, I ask him to take out his phone and tell us the last text message he has on it from the Tánaiste and the first text message he has on it from him. I ask him to take out his phone and tell us.

Chairman: I am sorry, Deputy Clarke, I am moving on to Deputy Berry. There may be an opportunity for the Minister to answer that question before the end of the meeting if members keep within the guidelines.

Deputy Cathal Berry: I thank the Minister for his opening statement and for the apology contained within it. I have three questions. They are technical in nature. Perhaps the Minister or his team might be able to answer them over the next few minutes. I acknowledge the large treasure trove of documentation that was uploaded onto the Department of Foreign Affairs's website yesterday. It was very useful and helpful. We appear to be missing one record, which is 094_90. We move from No. 93 to No. 95, but there is no record for No. 94. Are we still waiting for a text message screen grab to be uploaded? Perhaps this is just an administrative oversight where there was a typo in the sequencing of the record numbers.

A lot of email traffic related to whether a contract of employment was going to be finalised for Katherine Zappone. There were terms of reference and a concept paper. Was a contract of employment ever finalised for Katherine Zappone? Did she sign or date anything? Was there any formal arrangement from that point of view?

Finally, there was some email traffic in relation to whether the 50 days a year that she would work for a two-year period was going to be reckonable from a pensions perspective. Was there any final decision on whether the temporary, short-term job that she was doing would be reckonable from a pensions point of view? To be fair to the Minister, they are the only questions I have. If he could answer them or perhaps even cover some of the other questions from the other members, it would be much appreciated.

Deputy Simon Coveney: I am looking at one of my officials here and my understanding is there is nothing missing from the record. I suspect it probably should have gone straight from 93 to 95. I am not sure. If there is anything in that, we will come back to the committee in writing directly on it. Certainly, people are shaking their heads here in relation to that being an issue. Everything that we have has been published and is on the website of the Department of Foreign Affairs.

In terms of the email traffic and the finalisation of the job spec and the contract of employment, I am going to ask Niall Burgess to deal with that because he was the one who dealt with Katherine in person when she was in Dublin on some of those issues.

Third, in terms of the pension issue, we did clarify that, I remember, after the Cabinet meeting because it was raised. This role and any payment linked to it were not going to add to her pension entitlements. That is my understanding, but I will ask Mr. Burgess to give a brief outline on the finalisation of the job spec, if you like, and then the discussions in terms of the contract of employment.

Mr. Niall Burgess: The meeting which I had with Katherine Zappone was primarily on the tasking. Again, the tasking that was agreed and finalised was prepared wholly by the Department. There was one amendment, I should say, to the arrangements as a result of my meeting with Katherine Zappone, and that was on the duration of the mandate. She proposed that a two-year mandate would allow more time for the mandate to establish itself, to build up a network and to show results. I felt that was a reasonable point and I proposed that to the Minister, but the tasking as agreed was wholly prepared by the Department.

The work had begun on the development of a contract before the Government meeting and had continued in the days after the Government meeting. There are exchanges with the Department of Public Expenditure and Reform. Although we had delegated authority to create this position, we were in touch with the Department of Public Expenditure and Reform around ensuring best practice in the development of the contract. That contract was never finalised because Katherine Zappone withdrew before anything could be put to her and signed.

Deputy Cathal Berry: That is great. I thank the Minister and the Secretary General. I have no further questions.

Senator Catherine Ardagh: I thank the Minister for returning to our committee. It would be remiss not to commend the Chair and the members of the committee. We know that, today, there is a lot more information in the public domain on this matter than there was the last time we met, so I think we are going through a very valid exercise in regard to this questioning and this type of interrogation today.

I have a few questions and comments. I find it quite dochreidte - I use the Irish word because I will be commenting from a programme this morning - that a narrative is being peddled that Katherine Zappone misunderstood what the Minister was offering her on 26 February. She is a very capable woman, a former Minister, and it just beggars belief that she would get the messaging wrong on whether a role was being offered to her. I note other Members of the Oireachtas were on radio this morning and, on the "Adhmhaidin" programme, one of my colleagues said nach raibh an post le tabhairt ag Simon Coveney agus mar sin gur míthuiscint a bhí ann agus nár ghá an buíochas ó Katherine Zappone. The suggestion is that she completely got this wrong. It would be interesting to find out from Katherine Zappone now if that is the case. Does she believe she got the messaging on 4 March wrong and, if so, I wonder has the Minister been in touch with her, or if anybody has been in touch with her, on what her thoughts are on this.

The second misunderstanding I would like to raise with the Minister is that of the Tánaiste. We know that, on 28 July, the Tánaiste said he understood Katherine Zappone asked the Minister, Deputy Coveney, for the role. This was reported in *The Irish Times* and on RTÉ news. Repeatedly today, the Minister, Deputy Coveney, has said it is clear the role came from him. He

stated to my colleague, Deputy Lawless, that the communication was very clear one-way from his Department to former Minister Zappone and that he asked her specifically if she would be interested in the role of a special envoy. I am quite interested in how the Tánaiste also came to this misunderstanding.

There is another matter as well. This is going over a lot of ground that has been covered but it relates to the text messages. The Minister says he is very glad the Tánaiste published the text messages the Minister deleted because it completely backs up what he said to the committee. I disagree with that. At last week's meeting, the Minister said that the text from the Tánaiste stated that the Minister was speaking to Katherine Zappone and he was wondering if there was anything he needed to know when, in fact, the Tánaiste texted the Minister asking specifically about the special envoy role. The Minister informed the committee last week that he wrote back to the Tánaiste stating the special envoy role was just a concept, whereas the texts from the Tánaiste go further and there is a lot of detail in them in relation to the type of contract. I put forward that there is a large discrepancy between the Minister's version of the texts and the actual texts. I would go so far as to say they are not consistent with what the Minister said last week.

The final issue I raise has been mentioned by many of my colleagues. Does the Minister still believe he was not lobbied for this role? That is an important question to ask and it is important that the Minister answer it. It is remarkable how many people were contacted in relation to the role. Everyone at home will be imagining going for a job interview for a role they were able to come up with and write themselves. It is astonishing. People deserve answers and a bit of transparency and today is the time for that. We are giving the Minister an opportunity to come clean and let us know exactly what happened.

Deputy Simon Coveney: There are quite a number of questions there and I thank the Senator for that. On the initial one, that the narrative is being peddled that Katherine Zappone misunderstood what was on offer, the Senator asked me whether I spoke to Katherine recently. I rang Katherine Zappone on Sunday but it was a courtesy call to say the Department was going to release an extensive file on Monday. It was not a long conversation. She asked me what was being released and I went through the text messages she had sent to me that I was releasing. That was to give her the courtesy of letting her know that.

In terms of the text exchange with the Tánaiste, first of all, if I was trying to hide this exchange, why would I have raised it? I was the first person to raise this in the committee last week when I was asked the question by, I think, Deputy Cowen but maybe Senator Ardagh and others as well. I volunteered that information to try to be helpful. It was helpful that the Tánaiste subsequently published those texts, which he still had. The text he sent to me was: "Hi. Seeing Katherine Zappone on Wednesday. Do you know anything about her becoming our LGBT envoy?". It was not in the text that I was offering her a job. The Tánaiste was simply asking the question because he did not know anything about it. That backs up what I said, which is simply the truth, that the Tánaiste had no hand, act or part in this. He did not even know it was going on but Katherine Zappone had raised it with him and so he was asking me what was going on.

I did not have the benefit, when I spoke to the committee last week, of the text exchange between Katherine Zappone and the Tánaiste. I simply recollected that he had told me he was meeting Katherine Zappone and wanted to be up to speed. Last week I said, I think, that I did not recall the exact text of those exchanges. I think I said that twice actually because I wanted to cover the fact I was relying on memory. Certainly, the thrust of those texts are the same as

what I outlined to the committee last week. I would like to have had those texts and I would have been more accurate, certainly, after the Tánaiste published them. I am glad to clarify that.

Chairman: I note there are some outstanding questions from Senator Ardagh.

Deputy Simon Coveney: That is the main thrust of it. On lobbying, again, all I can do is say to the Senator what I experienced during this period. I saw the text messages that came from Katherine Zappone to me as from an enthusiastic person who wanted to get an update. I did not see it as lobbying. I did not feel any pressure and if I had, I probably would have responded to those texts and I did not. Instead, I simply left the Department to deal with the matter of whether we would move ahead with the process. It did extensive work on that.

She sent me a number of texts over a number of months following a conversation I had with her because she was enthusiastic about that role. I can absolutely see why, given the narrative that has since developed, many people would see that as lobbying. I certainly did not see it as that.

Chairman: Senator Ardagh's time is exhausted so I will proceed to the next questioner, who is Deputy Stanton. He will be followed by Senator Lynn Boylan, who is substituting for Senator Ó Donnghaile, and then we will hear from Senator Wilson.

Deputy David Stanton: I thank the Minister for coming before us today and the quite substantial volume of information given to us, which has taken a while to read and go through. A question that has been bugging me a little is that this started because the documentation arrived at the Cabinet table without going through meetings prior to that. I am a bit of a loss as to how that could happen. How is it that this did not appear at other meetings first, either with party leaders or advisers, as would be normal? Will the Minister comment on that?

Deputy Simon Coveney: That is a very fair question. This was the final Government meeting before breaking for the summer and I was bringing six memorandums to Cabinet that day, I think, on a range of matters. There was a Brexit briefing and an update on the UN Security Council. There was a memorandum around the possibility of competing for a sports event and one on the appointment of ambassadors to key roles. In the build-up in the days before a Cabinet meeting, there is always a briefing between advisers to ensure everything is planned. It would also be normal that when briefings are given, names are not necessarily included as attached to appointments out of fears of leaks or whatever before that Cabinet meeting. That is what happened here but that would be normal.

The mistake I made was simply that I should have given the Taoiseach or his key adviser a heads-up. There would have been detail on the ambassadors but there should have been a heads-up on the Katherine Zappone appointment. I did not do that and as a result, when this arose in Cabinet the Taoiseach was surprised by it. He was not annoyed but he was surprised. I subsequently apologised to him for that because it should not have happened. As I stated earlier, the Taoiseach should never be surprised by something that comes up at a Cabinet meeting. It was an error that should not have happened.

Deputy David Stanton: I thank the Minister. Currently we have two other special envoys, Mr. Tom Arnold and Mr. Kenneth Thompson, who are doing very important work, although I was not aware of it up to now. It is very valuable. I assume both of these envoys were appointed in a similar way to the proposed appointment of Katherine Zappone. The process involved due diligence in the Department and the work was identified as being important before

the appointments were made.

There is the concept of a special envoy versus ambassador-at-large. I do not believe we have any ambassadors-at-large but other EU countries do. Approximately ten countries in the Union have roles similar to that proposed for Katherine Zappone. They see it as very important that such a civic space is represented. It was quoted in one of the documents that Ireland's voice should be heard loud in the area.

The LGBTI strategy mandates the Department of Foreign Affairs to work internationally to promote LGBTI+ rights. Will the Minister indicate, on foot of all that and given this role is so important, whether there is a proposal to nominate or find somebody else for the proposed position?

Deputy Simon Coveney: There were a number of questions there. First, with regard to international practice, the paper of 29 March shows that Estonia, Finland, France, Germany, Italy, Lithuania, Luxembourg, Netherlands, Spain, Sweden and the UK have a series of special envoys in a series of different areas, as do the United States and Canada. All the countries that are in the same foreign policy space as Ireland were doing this, which is why I never saw this as controversial. That may have been a mistake, but I thought the nomination of a special envoy in this area was consistent with our foreign policy and with what other countries were doing. I thought that Katherine Zappone's appointment would be welcomed because she has, effectively, campaigned all her life on some of these issues. That is where I was coming from on this.

It is slightly different with regard to Tom Arnold and Ken Thompson. The appointment of Tom Arnold as a special envoy for food systems came from two Departments, my Department and the Department of Agriculture, Food and the Marine. Tom Arnold is an expert in development, nutrition and sustainable food production and he has done extensive work in that space, particularly in Africa, so he was an obvious choice. The way special envoys work is that when one wants a specific job done, generally, somebody gets hand-picked because of the skills set he or she has to do that job. It is often a temporary position. Sometimes it is not paid and sometimes it is paid; it depends on the circumstances.

It is different with regard to Ken Thompson because he was a special envoy for the Department of Foreign Affairs. As that special envoy role was not a Government special envoy, but a Department of Foreign Affairs special envoy, it did not go to the Cabinet. The reason Ken Thompson is in that role is that we do not have any ambassadors or embassies in Francophone Africa. That was a big part of our Security Council campaign so we asked him to work in that geographical part of Africa, and he has been doing a good job there.

That is the context for what we were doing.

Deputy David Stanton: Returning to the names, there is one email in the records released yesterday with no content, but it looks like the full Cabinet memorandum with names was sent by the Minister's Department to the Secretary General of the Government for the Taoiseach's attention the night before the meeting. Is that correct?

Deputy Simon Coveney: Yes, that is correct.

Deputy David Stanton: My final question is in respect of the deletion of the text messages, and the phishing and the hacking that takes place. Was the Minister advised formally by the security services to delete text messages? Does the Minister delete them on all platforms or just that particular platform?

Deputy Simon Coveney: Certainly, I was advised around that particular incident. I handed my telephone over and got a replacement telephone during that period. Both of my Departments are very conscious of the security of telephones and data and the potential risk of hacking. It is not something I want to go into in any detail publicly, for obvious reasons, but that is an issue in which the Department has some expertise, and so it should have.

Deputy David Stanton: We note that Angela Merkel and others have been hacked in the past. Can the Minister tell me-----

Chairman: This is the final minute, Deputy Stanton.

Deputy David Stanton: This is my final question, Chairman. Is it the intention of the Department and the Government to replace Katherine Zappone and to appoint somebody else to do what appears to me to be quite important work?

Deputy Simon Coveney: First, we are assessing this area now because of the controversy around it. Certainly, if a special envoy is to be appointed in this space, it will be done through an open competition whereby people's submissions will be invited publicly. The Taoiseach said that yesterday, and he is right.

Deputy David Stanton: I thank the Minister.

Chairman: The next speaker is Senator Boylan, who is substituting for Senator Ó Donnghaile. I welcome her to the committee.

Senator Lynn Boylan: I thank the Minister. Everybody who is watching this at home would say that it stinks, and I do not believe anything we have heard today would change their opinion. In fact, there are now questions for the Minister for Finance as well as to what his role was in this process. For the ordinary Joe and Jane Soaps watching this, what they see is somebody who has access to very senior politicians availing of that access to secure employment for herself. The Minister says that is not lobbying, but most people at home would say it is lobbying because it is seeking to influence the outcome. It seems it is not just the Tánaiste, Deputy Varadkar, who delivers for his friends. It seems this is the way Fine Gael does its business. We know from the Minister for Finance, Deputy Donohoe, that Katherine Zappone called him about an introduction to Samantha Power and he suggested she should talk to the Minister, Deputy Coveney. Did the Minister make that call or did Katherine Zappone phone him?

Deputy Simon Coveney: I refer to my exchanges with Katherine Zappone. She texted me on 22 February, which is on the file, and she refers to USAID and the possibility of working with it on women's, girls', gender equality and LGBTQ issues. She went on to say that US President Biden had promised to appoint LGBT folks at high levels and so on. That was the first contact I had with her since I spoke to her briefly to wish her well when she was leaving Ireland many months earlier.

After that, I spoke to my Secretary General on 24 February and, at the end of a meeting which was dealing with other things, I said to him I had got a text from Katherine Zappone. I pointed out she was in New York. I asked him if he thought she could be an addition to our team in New York and if that would be a useful possibility. He was positive on that and said he wanted to think about it, so I said that was fair enough.

On 26 February, I had a missed call from Katherine Zappone. I called her back and said to her I had spoken to the Secretary General about whether she could play a useful role in New

York. I made no mention of the special envoy role at that point because I did not know anything about it. A few days later my Secretary General came back to me to say the Biden Administration was moving ahead with the special envoy role. Afterwards I had a brief conversation with Katherine on that.

Senator Lynn Boylan: I want to come in as a lot of that is being repeated. When the Minister spoke to Katherine Zappone, did he say to her it would not be appropriate for him to set up an introduction with Samantha Power?

Deputy Simon Coveney: I did not respond to her on the Samantha Power issue at all. I did not think that was appropriate.

Senator Lynn Boylan: When the Minister had the conversation with her on 26 February, the fact Katherine Zappone had initially reached out to him looking for an introduction to Samantha Power did not come up.

Deputy Simon Coveney: I told her I had no introduction to make for her to any UN organisation.

Senator Lynn Boylan: So it did come up in the course of the conversation.

Deputy Simon Coveney: She had texted me about it and she spoke to me about the work she was doing in the UNFPA and her interest in USAID. I said I did not have any contacts there and I would not be making any introduction for her on that.

Senator Lynn Boylan: At that point the Minister discussed the fact there might be a role for her within the Irish Government instead of introducing her to USAID.

Deputy Simon Coveney: No. That is not true. That was a conversation previous to that on 24 February. I had not spoken to Katherine Zappone when I spoke to the then Secretary General, Niall Burgess. The text messages and their chronology show that.

Senator Lynn Boylan: On 4 March, things had moved swiftly between the first phone call the Minister had with Katherine Zappone and his conversation with his Secretary General. Katherine Zappone believed - mistakenly, according to the Minister - she had been offered a job but it was subject to a Department review of whether such a role was required. Yet she queried the time period of the appointment and what the next steps she needed to take were. For any of us watching, the Minister is honestly asking us to believe that Katherine Zappone, somebody who was a Minister, had mistakenly believed she had been offered a job, because she was asking the Minister, Deputy Coveney, what the time period of this appointment was and what the next steps were. The Minister is saying the conversation they had was around a concept role she would have and that she would engage with the Department around the role. The Minister says it would have been helpful to have clarified at that point that it was not a job offer, and he did not do that.

In May, Katherine Zappone asked if there was any word of the job and a June start date, which should have set off alarm bells within the Department that this woman clearly thought she had a job and it had not been finalised. When was she offered the job and how was that done? Was it done over the phone, through email or through a WhatsApp message? How and on what date was Katherine Zappone officially informed she had a role as a special envoy?

Deputy Simon Coveney: That was only the week before the Government appointment,

when papers were sent for my approval from the Secretary General. I had specifically asked because I did not want to get involved in the job spec in relation to expenses, payment or anything like that. It was a matter for the Department, which is why I asked the Secretary General to deal with those issues with her, and he did. In the normal way, a memo would then come to me to sign off. From recollection, I was in Africa when it came. I signed off on it, it went to Cabinet and Cabinet gave approval for the appointment. That is important to say. The controversy erupted afterwards. This was a Government appointment and went through the appropriate build-up in terms of assessments, recommendations and so forth.

Senator Lynn Boylan: When someone contacted various Ministers and the ambassador inquiring about a job she had not been formally offered, did the Department not at any point think it might be appropriate to go back to Katherine Zappone, ask her to cool the jets and tell her there was no job yet, that it had not been finalised and that the process was still being gone through relating to terms and conditions and whether an envoy was needed? Did nobody in the Department at any point think it would be good to contact Katherine Zappone and say there was no job yet?

Deputy Simon Coveney: As I said at the start, it would have been helpful, particularly now when we are looking at these texts with the benefit of hindsight, if, after her enthusiastic texts of 4 March when she was excited about the possibility of the role, I had gone back to her to say there was no done deal, we needed to go through a process and that I had been talking about a concept. It would have been helpful if I had done that and I did not. However, if members look at her texts they will see that at no point did I go back to encourage her, to say things were concluding or anything like that. If anything, I did not correspond with her and left this issue in the hands of the Department, which was the appropriate place to leave it.

Senator Lynn Boylan: Why did she then, on 3 March, say to the Minister, when she was delighted about this job she did not have, that that was great and she had spoken to Deputy Donohoe as well? If she was to be involved in a conceptual process to explore whether there was to be an envoy, what role would the Minister, Deputy Donohoe, have had in that? Why would she have needed to speak to him and to tell the Minister, Deputy Coveney, she had done so?

Deputy Simon Coveney: I do not know the conversations she had with the Minister, Deputy Donohoe. All I know is she spoke to him at the end of last year and asked for advice on career options. He mentioned that to me early in the new year so I was not surprised when I got a text from Katherine Zappone reaching out to me.

Chairman: There has been mention throughout this meeting of other Ministers, especially the Minister for Finance, Deputy Donohoe. I remind members of a statement issued by the Minister, Deputy Donohoe, yesterday afternoon. If it has not been circulated to everyone, I will ensure it is. It contains matters of clarification referred to in questions to the Minister, Deputy Coveney, which I do not think the Minister, Deputy Coveney, is in a position to respond to.

Senator Diarmuid Wilson: I will not be mentioning any other Ministers' names. I thank the Minister and his officials for coming here to talk to us.

Is the Minister familiar with section 7 of the National Archives Act 1986? It states:

Subject to the provisions of *sections 19(3) and 19(4)*, Departmental records shall, unless they are transferred to the National Archives in accordance with *section 8* or are disposed

of under *subsection (5)*, be retained and preserved in the Department of State in which they were made or are held, and shall not in any case be disposed off except in accordance with *subsection (5)*; provided that, where more than one copy of such a record exists, the retention and preservation of the original or, if the original is no longer available, of an accurate and complete copy thereof shall suffice.

How does the Minister's practice of regularly deleting text messages involving Government business, which form records of his ministerial activities, not breach this Act? Where is there more than one copy of his texts to Katherine Zappone in the documents released yesterday afternoon? Why does there appear to be no copy or record of his responses or exchanges? Is he still deleting texts to do with Government business conducted on his phone? That is the first group of questions.

Deputy Simon Coveney: I thank the Senator. I have already referred, in response to a number of the Senator's colleagues, to the security issues I must be aware of in my job. I have to factor in that issue in terms of trying to be prudent with how I manage data on my phone. That is what has resulted in me clearing text exchanges that I regard as concluded and over.

In terms of the responses to Katherine Zappone's texts, I have published all exchanges with Katherine Zappone from a text perspective. It looks as if I have not published my responses to her texts. By and large, I did not respond to her texts because I felt that this issue was being managed by the Department and that was the most appropriate place for it to be managed. That is the simple explanation and it is backed up with the documents.

Senator Diarmuid Wilson: Will the Minister clarify whether he is still deleting text messages that have to do with Government business from his phone?

Deputy Simon Coveney: I am still cautious in terms of how data is managed and held on my phone. If I am not required under obligation to hold on to data or if it is not relevant, in other words if the conversations have concluded, then I generally clear those messages. I suspect many other people do the same.

Senator Diarmuid Wilson: To be clear on this, I was of the understanding that any documentation, including text messages to do with official Government business, whether it was conducted by email, on one's phone or by any other means, in writing, email, etc., was to be retained. Is the Minister saying to us now that he is not doing that given all that we have come across in recent weeks?

Deputy Simon Coveney: Anything to do with Government business is the property of the Department. I certainly do not and will not clear messages that relate to Government business on my phone. I am talking about other interactions that I have. When issues are closed, I simply move on from them and I do not keep any unnecessary data. That is the position so I hope that is clear.

Senator Diarmuid Wilson: I just wanted to be clear that in relation to any Government business conducted on his phone or any other device or via email, etc., that is not deleted in either of the Minister's Departments-----

Deputy Simon Coveney: That is correct.

Senator Diarmuid Wilson: -----because that was the case, unfortunately.

Deputy Simon Coveney: That is not the way I saw it but I can understand how the Senator might interpret it that way.

Senator Diarmuid Wilson: Finally, and very briefly, is the Minister satisfied that there is no further information in relation to this matter that we are not aware of-----

Deputy Simon Coveney: Yes, I am.

Senator Diarmuid Wilson: -----and this is the end of the matter?

Deputy Simon Coveney: I certainly hope so because it has dragged on for far too long.

Chairman: We are coming towards the end of the meeting. I do not have any facility for time added on because of Covid restrictions but I did say that I would try to revert to members on the matter of very brief supplementary questions. I will do so with the indulgence of the Minister. I am going to call for one brief question each from Deputies Gannon, Clarke and Brady, Senator Craughwell and Deputy Cowen. I will group the questions and ask the Minister to respond briefly. We have had a two-hour session. We have had many questions to the Minister and many issues clarified. In the interests of ensuring that everybody has an opportunity, I call Deputy Gannon to ask a brief direct question to the Minister.

Deputy Gary Gannon: I thank the Chair and the Minister. The Minister might confirm two points from his statement. He stated he did not know Samantha Power well enough and it would have been inappropriate anyway to refer a text message he got from Katherine Zappone asking for an introduction. Despite believing that the text message he received on 22 February looking for an introduction was inappropriate, the Minister still considered her sufficiently worthy of being appointed as a UN envoy that he asked his Secretary General, on 24 February, to go off and develop the role.

The Minister does not believe that Katherine Zappone was lobbying as he did not feel under pressure. As a Minister for the past ten years and a Member of Parliament for over 20 years, does he accept that seeking to influence senior Ministers - the Minister for Foreign Affairs, Minister for Finance and Tánaiste - and the ambassador to the UN in relation to the awarding of a prestigious jobs constitutes lobbying?

Chairman: We had that question before. I call Deputy Clarke.

Deputy Sorca Clarke: I have one final question for the Minister. Why is there no record of any communication between the Minister and his Secretary General regarding this appointment? There are no texts, emails, minutes of meetings or anything. Is it the case that text messages between the Minister and his Secretary General have also been deleted?

Chairman: I call Deputy Brady.

Deputy John Brady: I will make a couple of brief points. On 19 July, in a text communication between the Minister and the Tánaiste, when the latter inquired about the LGBT envoy position, the Minister stated: "Yeah, I spoke to Katherine tonight. She's meeting Niall Burgess on Wednesday to finalise a 12 month contract to be an Irish Govt Special Envoy ...". We now know that changed to a two-year position. Mr. Burgess, in his interaction earlier, stated that a two-year rather than one-year contract would be better for the envoy role and that this was what Katherine Zappone had said to him at the meeting on 21 July. Not alone had we Katherine Zappone writing the terms of her own contract for a position that the Minister had clearly offered

her on 4 March, but we now have Katherine Zappone going into that meeting with the Secretary General and dictating the duration of the contract, which the Minister clearly believed was a 12-month contract. She went in and negotiated a two-year contract. When was the Minister made aware of that? It is bizarre that there are zero communications between the Secretary General and the Minister - emails, text messages or minutes. Nothing exists.

Chairman: I thank Deputy Brady.

Deputy John Brady: I will make a final point. Last week, the Minister misled the committee on why he deleted text messages. He stated it was for data storage reasons but that quickly changed to his phone being hacked. I have specific questions on that alleged phone hacking, which I deem to be a potential national security breach. Why was that not communicated to the Taoiseach? There is national Cabinet confidentiality here and the Minister did not communicate that to the Taoiseach. Why was it not communicated to the Data Protection Commissioner or the data protection officer within the Department?

Chairman: I thank Deputy Brady. I call Senator Craughwell to put a direct question and ask him to be brief.

Senator Gerard P. Craughwell: I will be as quick as I can. The fact that we delete messages does not mean they are gone. What steps has the Minister taken to recover the messages that were deleted?

Will the Minister release the report from the Garda and cybersecurity people? Will he also release the note he gave to the director of intelligence and the director of the communications and information services, CIS, corps in the Defence Forces?

Chairman: There are some security issues there but I will leave that to the Minister. For the final question, I call Deputy Cowen.

Deputy Barry Cowen: Katherine Zappone contacted the Minister on foot of a recommendation from the Minister for Finance looking for an introduction to Samantha Power, the US ambassador to the UN, for a job in the UN. The Minister said “No” but he had an idea, which would allow Ms Zappone to work in the UN and more or less said, “Leave it with me”. She thanked the Minister and stated that she would help put it together with his officials in the meantime. The Minister believes that the initial conversation around the concept and her prompting for a role in the UN was not lobbying. We have to accept that, although I do not necessarily agree with it, but the Minister stands by his understanding of the legislation associated with lobbying.

Thereafter, Katherine Zappone subsequently sought updates, clarity and input into that concept being realised and honoured both from the Minister, the Tánaiste and the US ambassador. That would clearly appear to be pressure being applied for the concept, the offer and the commitment to be realised as initiated by the Minister. If it was not lobbying initially, does he believe or at least begin to see the reality emerge on foot of the Minister’s initial concept offering that there was clear and obvious lobbying on the part of this person to those mentioned to realise the commitment, concept and offer that he had made initially?

Chairman: I am reverting now to the Minister but I am conscious that many of the supplementary questions are the subject matter of ones that the Minister has dealt with. In any event I ask him to deal with the questions of the five members as directly and as succinctly as he can over the next few minutes and I thank the Minister.

Deputy Simon Coveney: I thank the Chair. On Deputy Gannon's question as to whether I thought that Katherine Zappone was a suitable candidate to work for the Government as a special envoy, I thought that she was. Katherine Zappone is not a person with whom I have a close personal relationship but is someone for whom I have a professional respect. I and my Secretary General thought that she could assist our team in New York. We had to go through a long process before that could be confirmed and that is what we did.

On Deputy Clarke's question as to why there is no record of texts between the Secretary General and myself, that is because he and I speak all the time. His office is below mine and we talk in person all of the time.

Deputy Sorca Clarke: But there are no minutes of those conversations either.

Deputy Simon Coveney: If one looks at the number of times we spoke about this particular position, very few conversations took place and these were, by and large, informal conversations. The records will show that it was the Secretary General who then asked for and instructed the Department to develop this concept further and we got a very positive response from other experts in the Department on that concept.

Deputy Brady asked the question, which is a fair enough one, but former Secretary General, Niall Burgess, answered it during this meeting. This related to how it came about that a 12-month contract - which was my understanding - changed and then became a two-year contract and there was a clear reasoning around that. That was supported by the Department, which believed that moving from 12 months to 24 months made sense as to the objectives that we had attached to this role.

On data storage, I am somewhat limited in what I can say around that security breach and I hope that Senator Craughwell will understand that. All I can say is that after that data security breach, I spoke both to my Department and to the Department of Defence at the highest level and got advice and expertise as to how I should proceed and that involved An Garda Síochána and the National Cyber Security Centre. I am not sure what more I could have done on that particular issue. I have not seen individual reports on that but I certainly do not believe that the Garda is likely to release anything.

Senator Gerard P. Craughwell: Can the Minister release the note that he gave to them?

Deputy Simon Coveney: I handed my phone over to An Garda Síochána, who took it from there and worked with the Department on that.

I will turn now to Deputy Cowen's questions. I can understand why the public looking at this political fiasco as it has unfolded would interpret it, in the way some of the members have, as being lobbying and so on. All I can say is I got this initial contact and I regarded that I was trying to develop something that could be an asset to the country in the context of the work we were doing around foreign policy, particularly through and around the UN. The Department developed that with my support and that of the Secretary General. Katherine Zappone was hugely enthusiastic about the opportunity and clearly was looking for regular updates in terms of whether it was going to materialise and where it was going. That is the way I saw it. I am not sure there has ever been an appointment that has had the level of scrutiny this particular appointment has had. I can certainly understand why other people would see it differently. I think the facts show the account I have given today is actually what happened. This is what I am trying to explain to the committee today.

Once again, I apologise for the fact this committee has had to sit a second time on this issue. To be perfectly honest, the committee should not have had to sit for even one sitting on this issue. I should have been able to clarify these issues a lot earlier and I did not do that. I regret that and I thank the committee members for their patience and their time.

Chairman: Thank you Minister. On behalf of the committee and on my own behalf I acknowledge in the first instance the Minister's apology to the committee, which was tendered at the outset. I thank the Minister for meeting with us again. I thank him also for dealing with the members' questions in such a comprehensive manner. I thank the Minister's officials for attending and for their contributions. If there are any further issues that require any further elaboration arising from this meeting, I would ask that matters be committed to writing and tendered to us in the normal way. In bringing matters to a conclusion, I thank members for their questions and for their input and contributions.

The committee will meet again on Tuesday next at 11 a.m. in private session to discuss our autumn schedule of meetings and our work programme for the remainder of the year. I thank the Minister and members for attending.

Deputy John Brady: Before we finish, I sent an email to the Chairman last night. There has obviously been an awful lot of conversation around former Minister Katherine Zappone. I believe it would be appropriate that Katherine Zappone would be invited before the committee. There are still some very serious outstanding issues that I believe need clarity and further explanation and information. It is incumbent on us as a committee to correspond with Katherine Zappone to invite her before a committee meeting at the earliest opportunity.

Chairman: I suggest we deal with this issue in the usual way, and we can have an opportunity to do that at our meeting on Tuesday next.

The joint committee adjourned at 12.08 p.m. until 11 a.m. on Tuesday, 14 September 2021.