

DÁIL ÉIREANN

AN COMHCHOISTE UM GHNÓTHAÍ EACHTRACHA AGUS COSAINT

JOINT COMMITTEE ON FOREIGN AFFAIRS AND DEFENCE

Dé Máirt, 14 Nollaig 2021

Tuesday, 14 December 2021

Tháinig an Comhchoiste le chéile ag 3 p.m.

The Joint Committee met at 3 p.m.

Comhaltaí a bhí i láthair /Members present:

Teachtaí Dála/Deputies	Seanadóirí /Senators
Cathal Berry,	Catherine Ardagh,
John Brady,	Gerard P. Craughwell,
Sorca Clarke,	Joe O'Reilly,
Gary Gannon,	Niall Ó Donnghaile.
Brian Leddin,	
David Stanton.	

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

EU Special Representative: Mr. Eamon Gilmore

Chairman: I see members are tuning in remotely. I apologise for the lack of in-person engagement but, as members know, it is in accordance with current Covid-19 restrictions. I have received a note from Deputy Leddin to the effect that he will join us after 3.30 p.m. or 3.45 p.m.

I am very pleased that we are having this session with the former Tánaiste and Minister for Foreign Affairs and Trade, Mr. Eamon Gilmore, the EU Special Representative for Human Rights and EU special envoy for the peace process in Colombia, before the end of the year. I welcome him on behalf of the committee, albeit in a virtual format. He is no stranger to this committee. The object of today's exercise is to discuss the matter of Mr. Gilmore's work as EU special representative and special envoy in the areas mentioned.

The format of the meeting is that we will hear Mr. Gilmore's opening statement followed by a discussion, with questions and answers from members of the committee. I again ask them to be concise in their questions to allow all members an opportunity to participate. Hopefully, we will have a second round, should it be so desired.

I remind witnesses - not that there is any need to remind the former Tánaiste - of the long-standing parliamentary practice that we should not criticise, or make charges against, any person or entity by name or in such a way as to make them identifiable, or otherwise engage in speech that might be regarded as in any way damaging to the good name of that person or entity. Therefore, any potentially defamatory statements will attract a direction to discontinue. For witnesses attending remotely outside the Leinster House campus, there are some limitations to parliamentary privilege that, again, will be well known to a former long-standing Member of the House.

I remind members of the parliamentary practice to the effect that they should not comment on, criticise or make charges against any person outside the House, or an official, either by name or in such a way as to make that person in any way identifiable. I also remind members that due to Covid restrictions, they are only allowed to participate in the meeting if they are physically located within the Leinster House complex.

I thank Mr. Gilmore for joining us and invite him to make his opening statement. We are all very grateful that he has taken time out to engage with the committee.

Mr. Eamon Gilmore: Go raibh maith agat, a Chathaoirligh, a Theachtaí, agus a Sheanadóirí as an gcuireadh a bheith leo inniu chun cur síos a dhéanamh ar mo dhualgais thar ceann an Aontais Eorpaigh i dtaobh an phróisis síochána sa Cholóim agus i dtaobh cearta daoine ar fud an domhain. It is a great privilege to join this meeting to discuss with members the two mandates that I carry out on behalf of the European Union.

In February 2019, the Council appointed me European Union Special Representative, EUSR, for Human Rights. That mandate was renewed earlier this year until March 2023. Since October 2015, I have been the European Union's special envoy for the peace process in Colombia, a position to which I was appointed by the then High Representative for Foreign and Security Policy, Federica Mogherini. The current High Representative and Vice-President, Josep Borrell, has reappointed me to that role to run in conjunction with my terms as EUSR for Human Rights. The two roles are highly compatible.

Following my appointment in 2015, I had the privilege to attend regularly in Havana dur-

ing the final stages of the negotiation of the historic peace agreement between the Government of Colombia and the Fuerzas Armadas Revolucionarias de Colombia, FARC. I again attended in Havana in late 2016 for the renegotiation of the peace agreement following its defeat in a plebiscite. Since then, I have been accompanying the implementation of the agreement, initially through the last 18 months of the Government of President Santos and then the full term of President Duque's administration.

Three weeks ago, between 22 and 26 November, I was in Colombia to participate in events marking the fifth anniversary of the peace agreement. These were attended for two days by the Secretary General of the United Nations, António Guterres. I accompanied President Duque and the Secretary General on field visits and spoke on behalf of the EU. That week, and the presence of Secretary General Guterres, marked a significant milestone in the Colombian peace process, which urged all parties to acknowledge what has been achieved and to recommit to the full implementation of the agreement.

The Colombian peace agreement brought to an end the longest and bloodiest conflict in the Americas in the 20th and 21st centuries. The conflict lasted for 53 years. Some 250,000 Colombians lost their lives, 6 million were driven from their homes, up to 100,000 are still missing and there are more than 10 million victims. The FARC has disarmed and formed a political party called Comunes. A total of 90% of its members are still in the process of reincorporation or reintegration, for which the EU has provided considerable financial support.

An innovative victim-centred system of transitional justice has been established, including a truth commission, a missing persons agency and a tribunal known as the JEP. The JEP, although subject to criticism and attack in its early years, is now firmly established and is proceeding to hear cases against both former guerrillas and state actors. It recently found the collective leadership of FARC to be guilty of crimes against humanity, a finding that has been accepted by most of the FARC leaders concerned.

The JEP was recently strengthened by the agreement reached between the Colombian Government and the chief prosecutor of the International Criminal Court, which provides for the continued existence and work of the JEP. It was also significant that the fifth anniversary event convened by the JEP was the first occasion at which President Duque, the former President Santos and the Comunes leader, Rodrigo Londoño, all met in the same place.

Other aspects of the agreement that have been progressing include the bottom-up process of integrated rural development known as the PDETs, which is also supported by the EU, and the recent decision to proceed next year with the election of 16 additional members of congress from the areas and populations that were worst affected by the conflict.

As we know from our experience on this island, however, the implementation of any peace agreement can sometimes be slow, frustrating and uneven. The Kroc Institute from the University of Notre Dame, which reports on the implementation of the Colombian agreement, states that by October 2021, 30% of the stipulations in the Colombian agreement had been completed; a further 18% are at an intermediate stage; and a further 37% have been initiated and 15% have yet to be initiated. There is considerable scope for improvement, which is why the EU consistently calls for the full implementation of the agreement, particularly because of its integrated nature.

At this stage, the EU's principal concerns include the alarmingly high number of killings of human right defenders, social leaders and former combatants, mostly in remote areas of the

country, and the need for increased and improved protection and for accountability. In that regard, the EU has provided funding to assist the work of the ombudsman and for the establishment of a special investigations unit in the office of the national prosecutor. I hope to hold the next EU-Colombia human rights dialogue early in the new year, and these issues, especially those relating to human rights defenders, will be high on the agenda.

The second principal concern relates to the need to accelerate the process of rural development and land reform. The agreement sets a 15-year time horizon for this work, five years of which have elapsed. The implementation of this chapter of the agreement will require significant additional Colombian resources. Third, there is the continuing and growing problem of illegal drugs and other illegal economies, from which much of the violence stems. The implementation of the plans for crop substitution contained in the peace agreement will be key. There is also a need for a fuller discussion, in Europe and the United States particularly, on the relationship between the consumption of cocaine and violence in Colombia.

Fourth, the Covid-19 pandemic has also impacted on implementation. The impact of the pandemic on the informal economy in Colombia, together with pre-existing inequalities, contributed to the large-scale strikes and public protests that took place in the country in the second quarter of this year and resulted in large numbers of peaceful protestors being shot dead. I travelled to Colombia in June of this year and met the strike committee, representatives of young people and business leaders, as well as the president and the leadership of the police. I urged respect for the right to peaceful protest, for accountability and for dialogue between the authorities and strikers and protesters.

During my most recent visit to Colombia, a few weeks ago, I was struck by the strong appreciation at all levels for the support of the international community for peace in Colombia, and by the particular welcome for the EU's role in this support. As we know in Ireland, international support for the peace process was essential. In the case of Colombia, the role of the UN has been central, with consistent interest and support from the Security Council, of which Ireland is now a member.

In that context, I express my recognition of the role Ireland has played. Over the years, Irish civil society organisations, churches, trade unions, development agencies and parliamentarians from North and South have regularly visited Colombia to express support for peacebuilding and for the defence of human rights, all of which contributed to the climate in which it was possible to advance peace negotiations. The decision by the Government to open a resident embassy in Bogotá has greatly increased Ireland's visibility and presence. I express my thanks also for the secondment of an Irish official to work with me on Colombia and on my human rights work, to which I will now turn.

Human rights, democracy and the rule of law are in the DNA of the EU. They are included in the treaties, they are conditions for membership of the EU and they are reflected in the Common Foreign and Security Policy of the Union. All the EU's trade agreements and the framework agreements with countries outside the EU contain human rights clauses and obligations. The EU's system of trade preferences for third countries requires compliance with core human rights conventions.

The EU, together with its member states, is the largest financial contributor to human rights and democracy in the world. The European instrument for democracy and human rights alone commits to €1.5 billion over the next six years. One example is the funding the EU provides to protect and support human rights defenders. *ProtectDefenders.eu* provides support through

civil society organisations such as Front Line Defenders, which is headquartered in Ireland, and has helped more than 46,000 human rights defenders in the past five years alone. Another example is the election observation missions that are organised by the EU, 98 of which were organised in the course of the past five years.

In 2012, the Council decided to create the office of the EU Special Representative for Human Rights as an added dimension of the EU overall effort. On my appointment, in 2019, the role was widened to put greater emphasis on international humanitarian law and international criminal justice. More recently, when the new EU action plan on human rights and democracy for the period 2020 to 2024 was unanimously adopted by member states just a year ago, I was given responsibility to guide its implementation.

In carrying out my mandate, I principally engage with governments, usually at ministerial level. Some of this is through formal human rights dialogues and some I chair on behalf of the EU, such as in recent times with Brazil and the African Union. Other engagements occur through bilateral visits and bilateral meetings, and of course, during the pandemic, much of this was carried out virtually.

I also represent the EU at multilateral human rights forums and events. Earlier this week, for example, I spoke at a civil society conference on human rights in the Middle East and north Africa; this morning, I spoke at Finland's parliament to its advisory board for international human rights; and tomorrow, I will speak in Geneva on the human rights dimension of the digital future.

Engagement with civil society is also an essential part of my work. Last week, I participated in the opening panel of the annual EU-NGO forum, and yesterday, I met civil society and opposition leaders from Belarus. I relay the appreciation they expressed to me regarding the adoption by members of parliament throughout the EU, including in Ireland, of individual Belarus political prisoners. I take this opportunity to express my feelings about the prison sentences handed down in the past couple of hours against opposition leaders in Belarus. Some of these prison sentences are politically motivated and they are brutal. I again repeat the European Union's calls for the release of political prisoners in Belarus and for accountability for those organising and administering the repression.

I do not want to summarise all of my engagements but it may be of interest to the committee for me to give some examples of my work. Between 27 November and 2 December, I visited Brazil, where I co-chaired the EU-Brazil human rights dialogue and visited Belém in the Amazon region to meet with civil society and indigenous representatives and with courageous human rights defenders. The visit enabled me to underline the EU's expectations that Brazil will deliver on its commitments at COP26 and the nexus between environmental protection and human rights. I might also mention that Roger Casement was British consul in Belém in 1908 and 1909 and that it was there that he prepared his report on the human rights abuses in the rubber industry.

I visited Ukraine in October to meet Government Ministers, to visit eastern Ukraine and to engage with human rights defenders and representatives of the Tatar community from the illegally occupied Crimea. While there, I expressed the EU's support for Ukraine with regard to Crimea and the areas of eastern Ukraine not controlled by the Government. I saw at first hand the hardships being faced by people living in those areas and the fragile nature of the ceasefire, which has led to the concerns regarding the mobilisation of Russian armed forces on the Ukrainian border which are now to the fore.

In early October, I visited central Asia to speak at the civil society forum. I also had discussions with the Presidents of Kazakhstan and Kyrgyzstan about the human rights situation in each of those countries and about the regional response to the crisis in Afghanistan and how the human rights situation in that country should be addressed.

In November, I co-chaired the European Union-Africa Union human rights dialogue with African Union Commissioner Bankole. Inevitably in that dialogue, we discussed the conflict in Ethiopia. That conflict was also among the issues I discussed with the UN High Commissioner for Human Rights, Michelle Bachelet, during the first ever European Union-Office of the United Nations High Commissioner for Human Rights, OHCHR, strategic dialogue, which we held in early October. While I have had regular contact with High Commissioner Bachelet and the European Union is a strong supporter of her office and very active at the Human Rights Council, when High Commissioner Bachelet attended the European Union Foreign Affairs Council earlier this year, it was agreed that our relationship and co-operation should be put on a more formal and strategic footing. We intend to have the next meeting of this strategic dialogue early in 2022.

In my human rights dialogues, I usually meet with the representatives of civil society and, when possible, parliamentarians. In Brazil, for example, I met with the chairpersons and members of the human rights committees of the Senate and Congress. In Ukraine and Kazakhstan, I met with the chairpersons of the justice and foreign affairs committees.

There have been many significant developments during my mandate. These include the resumption, even during the Trump Administration, of the EU-US consultations on human rights, which had been in abeyance since 2015. The relationship with the US on the issue of human rights and democracy has significantly improved over the past year. We have also seen the resumption of a human rights dialogue at local level with India after a seven-year lapse and the holding of the first ever human rights dialogue between the European Union and Saudi Arabia in September of this year. Other developments include the adoption last December of the EU global human rights sanctions regime and the commencement of sanctions for human rights violations under that regime. The EU has shown support for the International Criminal Court, ICC, over the past three years in the face of threatened withdrawal by some countries and the sanctions imposed by the Trump Administration on senior officials of the court. I was directly involved in discussing the ICC with the then US Administration and I welcomed the decision by the new Administration to remove those sanctions.

In this relatively short presentation, it is possible only to touch on some of the countries and issues with which I engage but, before moving on to committee members' questions and observations, I want to draw a few conclusions from my work as special representative for human rights.

The first relates to the rise in authoritarianism throughout the world. All across the world, we are seeing democracy under pressure with consequences for human rights, such as the shrinking of civil society space and restrictions on fundamental freedoms such as freedom of the media, freedom of assembly and freedom of expression. The Varieties of Democracy, V-Dem, study, which measures the health of democracy and freedom over time, states in its last report that 68% of the world's population now live under either absolute autocracies or electoral autocracies and that the levels of democracy and freedom experienced by the average global citizen are back down to levels last seen 30 years ago.

The second relates to the impact of the Covid-19 pandemic on human rights, on the most

vulnerable and especially on women. It will take a long time to unwind many of the emergency measures. The third relates to the several human rights crises which have emerged in the past few years including the repression in Belarus to which I have referred, the plight of women and girls in Afghanistan, the violations of human rights and international humanitarian law in Ethiopia and the coup in Myanmar.

However, there are also positive trends. We have never been closer to the global abolition of the death penalty. Last year, just 20 countries carried out executions. That is 20 too many, but we need now to collectively think about what more is needed to complete abolition. A second positive trend relates to the lessons the world is learning from the Covid-19 pandemic including the importance of multilateralism and the UN institutions and, in the human rights field, the renewed emphasis on economic, social and cultural rights, which is also reflected in the EU's action plan. Related to this is the emergence of business and human rights as an area of particular interest. I know that this is a topic to which the committee has been giving some attention in recent times and I welcome that. It is also one which is receiving a much higher priority at EU level. I look forward to exchanging further with the committee about that. I thank the committee again for its invitation and attention. I am happy to respond to the questions and observations of members.

Chairman: I thank Mr. Gilmore for that comprehensive overview of the work being undertaken by him and his office. I will now turn to members of the committee. Given the wide-ranging nature of the overview and of the work under discussion, I propose to take observations and questions from a number of members before reverting to the special envoy for a response. We will start with Deputy Brady. I see Senator Joe O'Reilly and other members of the committee indicating. I will take them in the order in which they raised their hands.

Deputy John Brady: I thank Mr. Gilmore very much for his very comprehensive statement. I commend him on his ongoing work, which is very important. I refer not only to his work on human rights in general but specifically to his work in Colombia with regard to the peace process. It must be said that agreement was historic, although it has been five years since its signing. There has to be some profound concern about the lack of overall progress on the implementation of the peace agreement. The lack of implementation by the Colombian Government of some of the crucial and critical obligations under the agreement has left the peace process weakened. It is also denying the Colombian people the opportunity to experience what I see as the agreement's transformative potential to build a sustainable and lasting peace within Colombia.

I have a couple of specific questions arising from that. More than 290 former members of Fuerzas Armadas Revolucionarias de Colombia, FARC, have been murdered since the signing of the peace agreement, leaving aside all of the murders of front-line human rights defenders, trade unionists and civil society leaders. Does Mr. Gilmore recognise FARC's compliance with its obligations under the agreement? What more can be done internationally to ensure maximum pressure is put on the Colombian Government to support the transitional justice mechanisms, which are key and critical to the success of the peace agreement? What support can the EU and Mr. Gilmore give, or what pressure can they apply, to the Colombian Government to maximise efforts to implement the agreement in its remaining time in office?

What efforts is the EU making to respond to the human rights crisis in Colombia and to hold its government to account for its slow implementation of the key human rights-related areas of the peace agreement? This year, many protests took place in Colombia. This committee has heard a great deal of evidence from Front Line Defenders, human rights activists and civil soci-

ety groups. I have been in communication with them over violations of people's rights and the murders that have been carried out by police and state officials within Colombia. How are the EU and Mr. Gilmore following up on police violence during the protests to ensure justice for victims and that state officials and the Colombian Government are held to account for human rights violations, including murders? How can there be faith in the Colombian state's ability to hold its police force to account in light of such a history of impunity? These are not just my observations but those of people on the ground who have seen murders being carried out by state forces without anyone being held to account, unfortunately.

This committee has given some focus to the issue of business and human rights. Last week, members of the Irish Coalition for Business and Human Rights, ICBHR, appeared before us. It published a fantastic report – I am unsure as to whether Mr. Gilmore has seen it – entitled “Make it Your Business”, which outlines many of its concerns over the global impact of corporate harm. The report lists a series of countries across the world aside from Colombia, including Israel and its illegal settlements, Pakistan, Uganda and Kenya. The ICBHR states that, due to exploitation by major corporations, we have seen the forced removal and displacement of indigenous peoples from their lands, exploitation, etc. Like me, many organisations working in this field in Ireland and at EU level see a major reluctance to put in place a binding UN treaty designed to make international corporations and other enterprises accountable in their home countries for their activities overseas. This committee has dealt extensively with the ESB and its involvement in the Cerrejón coal mine in Colombia where there are major human rights violations yet the ESB continues to act with perceived impunity. Why is there such a major reluctance at EU level to sign up to a binding UN treaty? There have been eight rounds of negotiations so far and the EU is seen as one of the bodies that is dragging its heels on signing up to a treaty.

I will raise a final point before allowing the Chair and other members to contribute. In terms of human rights violations, why is there such reluctance by the EU to put in place concrete measures to ensure that the human rights of Palestinians are protected? We have had report after report. This State has been the first EU state to declare formally that Israel has de facto annexed Palestinian lands illegally through its expansion of settlements within occupied territories. Why is there such a major reluctance to hold Israel to account for the continuing human rights violations within the occupied territories in Palestine?

I have listened to the opening statement and there was no mention of Palestine. I ask Mr. Gilmore to point me to someone else. I know that Mr. Michael Ling has given huge focus to this and produced comprehensive reports on the apartheid system that is being perpetrated by Israel. Why is there a reluctance to take on Israel and hold it to account for its continued human rights violations, which allows them to continue to act with impunity?

Senator Joe O'Reilly: I extend a warm welcome to Mr. Gilmore. We have been friends for years and know each other for quite a while. It is nearly an embarrassingly long time but it still has been a good experience. I have always admired his work in public life and it is great to have him with us.

I have read the submission he made. However, I am at a slight disadvantage as I have not heard him or heard what he might have said additionally as I had to conduct a vote in the Seanad. I was struck by the report compiled by the Kroc Institute in the University of Notre Dame, which shows that there was 30% after five years, which is a pretty low percentage for final completion of the stipulations in the agreement. There is also only 37% initiated and 15% have yet to be initiated. Those statistics are not overly encouraging. Having said that, they are a

great contrast to the horrible statistic related to the war previously, as described by Mr. Gilmore.

I want to hone in on three things that he referenced as EU concerns and, obviously, as his own concerns. There is the question of the killing of human rights defenders, social leaders, trade unionists, etc. That is an atrocity and that is wrong. In any situation inflicting state violence on people is never an acceptable *modus vivendi*. Can Mr. Gilmore point out a strategy? Has he detected a willingness to move on the part of the Colombian Government? Does he have a level of hope about the situation? Can he recommend anything? Bearing in mind that I may have missed what he said earlier, can he make suggestions that might assist people to move on? I mean both within the UN, the EU, etc. The situation is depressing. If there is anything that we can do to improve things then we should do it. Violence is to be condemned in every scenario.

I am interested in the third aspect, which is illegal drugs. Mr. Gilmore correctly said that crime is very interlinked with the illegal drugs trade. There is a big requirement to substitute that with normal commerce and agriculture. Surely the international community would have a particular interest, and from the perspective of self-interest, to deal with the issue. Is there more potential for the international community to get involved in trying to eliminate the problem, which in itself is a problem for the world and is a problem within Colombia as it gives rise to violence?

The next issue that Mr. Gilmore outlined concerned the pandemic. It would be interesting for us to be aware of the vaccination rates in Colombia and how Covid had impacted on Colombian society. One assumes that in a society with such fragility, coming out of a shocking war and grappling with a new peace, the impact of the pandemic has to have been particularly awful. How much of a setback has it been? I know that Mr. Gilmore has been hands-on there too.

I ask Mr. Gilmore to elaborate on those issues. I salute his great work. I join with Deputy Brady in expressing our outright horror at any State engendered violence, illicit murders of people within the country or even the turning of a blind eye to drug crime. I know that will be a unanimous view among members. State perpetrated crime is a shocking deterrent to any kind of normal society. I thank Mr. Gilmore again. It is great to have him with us. He does great work.

Chairman: I will go back to Mr. Gilmore again on the basis of a number of issues already discussed, particularly questions on Colombia that were raised by Deputy Brady and added to by Senator O'Reilly. Colombia has been the subject of some discussion and debate in this committee over the past year or more. Mr. Gilmore has spoken about his work and about the importance of the European Union engagement. He has also spoken about wider international support for the peace process in Colombia, with particular reference, presumably, to the United States, all of which is laudable. I ask Mr. Gilmore to address the domestic buy-in or the buy-in on the part of civil society in Colombia to the peace process. Any peace process is hugely dependent on support from within. I wonder about the extent to which that has wavered, changed or remained steadfast over the period of five years to which Mr. Gilmore referred.

Mr. Eamon Gilmore: I will first deal with the issues relating to Colombia that were raised by Deputy Brady, Senator O'Reilly and the Chairman. It is not true to say that the agreement has not been implemented. The agreement is being implemented. We can argue about whether it should be implemented more quickly and fully and the European Union has consistently taken the view that the agreement should be implemented in full and that the implementation should be accelerated because it is integrated. We need to recognise what has been achieved. FARC

disarmed in seven months. The decommissioning of weapons by the IRA took seven years under our peace process. The Colombian agreement has already established a victim-centred approach to transitional justice and a truth commission, which is due to report in the middle of next year, has been established. Some 23 years after the Good Friday Agreement, we still do not have a truth process in our peace process. The transitional justice mechanisms are working.

I can confirm to Deputy Brady that I recognise the compliance of FARC with the agreement. The leadership of FARC has been consistent in its political commitment to implementing the agreement, turning away from violence and pursuing its political objectives by democratic and peaceful means. A measure of the FARC leadership's commitment to the implementation of the agreement is its acceptance and acknowledgement of the decision of the transitional justice system to find the FARC leadership collectively guilty of crimes against humanity, mainly in respect of the charges that were brought against them for kidnapping. I do not know of any guerrilla movement or former guerrilla movement anywhere in the world that has been so accepting of the way an agreement has been implemented.

Deputy Brady asked me about the transitional justice mechanisms and the work they have done. The transitional justice mechanisms went through a shaky start. They were subject to political criticism and to attack from various people in the political system. Attempts were made to move the goalposts and change the legislation. The Constitutional Court of Colombia took a strong position on that. The transitional justice system is working now. Two things testify to my confidence that it will continue to work. First is the event it organised three weeks ago as part of the fifth anniversary event. The other Colombian players, including the President of the country, attended the event and acknowledged the work it is doing. There is no going back on the work of the transitional justice system. Second, the agreement that was made with the Colombian Government by the ICC was important in this regard because the ICC has effectively said that it has confidence that the transitional justice system will do its work, that the ICC will keep in touch with the JEP and that as long as that is the case it will not further pursue the preliminary investigation it had started. However, the ICC has also said that if there is a change in that it is free to return to its investigation.

I refer to the killings of former combatants. Deputy Brady is right that around 300 former combatants have been killed to date. Huge numbers of human rights defenders, social leaders and peaceful protestors were also killed during the protests and strikes earlier this year. Most of those killings were not carried out by the state or its actors but by others. Most of the violence in the remote areas of Colombia is coming from non-state actors, including FARC dissidents, the Ejército de Liberación Nacional, ELN, Clan de Golfo and different illegal armed groups and cartels that are mainly associated with the drugs trade, though this is not exclusive. Some of the killings that took place during the protests were carried out by police. I have already raised those issues with the President of Colombia, the head of the police service and others in Colombia and there have to be full investigations and accountability for those killings. The President of Colombia agrees with that, as do the police. The chief of police talked to me about plans they have for the reform of the police and lessons they have learned arising from those protests. Those are issues I will be following up when we carry out the human rights dialogue with Colombia next year.

I refer to Senator O'Reilly's questions about cocaine and crop substitution. The peace agreement provided for a system of voluntary crop substitution and so far about 100,000 growers or families have opted into that. The Government has committed that it will honour the compensation payments that have to be made to them. However, that is only a small propor-

tion of those who are growing cocaine in Colombia. There are practical difficulties with the implementation of the crop substitution programme and one of those practical difficulties is the intimidation and violence which is perpetrated against leaders of the crop substitution movement. For example, the Government agency goes out and has a meeting with farmers and growers in a particular town or village, the farmers and growers agree to opt into the crop substitution and elect a committee and then the local community leader who leads that committee gets intimidated, attacked and, sometimes, killed. That is what is happening on the ground. To address Senator Joe O'Reilly, I said that we needed to give some thought in Europe and also, in particular, in North America to what more the international community can do to address the cocaine problem, where 70% of the world's cocaine was coming from Colombia. This cannot be done by telling farmers and growers that they have to stop doing it, by going in to spray their crops or by sending in the army to destroy the crop. There has to be a response at the demand end. That is something that policymakers in Europe and North America need to address by either enforcement or other measures. Many different policy options have been talked about as to how to address the issue of cocaine, in particular, which is the issue we are talking about in Colombia, and to a lesser extent marijuana, because there is a considerable amount of marijuana also grown in the country. This is an area that policymakers need to address. The consumption of cocaine and the illegal nature of that trade is leading to people being killed in remote parts of Colombia and probably other countries as well.

The Chairman asked about the buy-in by civil society and there is such buy-in. On my last visit to Colombia I felt that there was a greater degree of political consensus around the implementation of the agreement than I have seen in the past five years. The agreement got off to a shaky start in the beginning and was defeated by a small margin in a plebiscite and had to be renegotiated. It was the central issue in the presidential election that took place in 2018 and the country was very polarised around it. We are now at a point where all of the political forces are committed to implementing the agreement. There are differences in some emphasis and on the pace with which it is to be implemented but there is a political consensus which is shared with civil society. There is a need for a greater degree of dialogue between government and civil society and, in particular, between the Government and the National Strike Committee, and young people who were part of the protest movement in the early part of this year. The High Representative of the European Union for Foreign Affairs and Security Policy, Josep Borrell, talked with President Duque by phone about the issue in the middle of those protests and expressed the alarm of the European Union about peaceful protesters being killed. He asked me to visit the country in June, which I did, and I had the discussions that I referred to earlier, following which I also discussed my conclusions with President Duque.

On the other issues that have been raised and on the business and human rights issue raised by the Deputy Brady, it is not true to say that there is a major reluctance on the part of the European Union to engage on the need for a global treaty on business and human rights. First of all, this is moving very slowly. We already have guiding principles which have been established by the United Nations. Those guiding principles require countries to adopt national action plans. Ireland is one of the few countries that has done so and in fact there are very few countries in the world which have adopted national action plans. There are about 30 of these now, half of those are member states of the European Union. In the EU Action Plan on Human Rights and Democracy 2020-2024 we have agreed that there will be a framework to enable and encourage the rest of the EU member states to adopt national action plans and to implement the guiding principles. To be blunt about it, in circumstances where there are only around 30 countries willing to work on this, in other words to go with the guiding principles, the prospects of us getting to a treaty very soon are not great. The European Union is at the table and is participating in the

discussions that are taking place in Geneva but there are a couple of problems.

The biggest problem is probably the proposed scope of such a treaty. At the moment the proposal is that it would apply to transnational corporations but that it would not apply, for example, to state companies. There are big countries in the world, some of which do not necessarily share the European Union's view on human rights and their importance, which have big state companies that would be exempted from such a treaty. The ESB, referred to, for example, by the Deputy Brady, would probably not be covered by the treaty as it stands at the moment. That is an issue that has to be addressed. It is partly in recognising that, that the European Union itself now intends to proceed with the introduction of mandatory due diligence legislation. The EU Commissioners Reynders and Breton are currently working on a proposal which would introduce due diligence legislation in respect of human rights and environmental obligations for larger European companies and companies operating in the European market. I have been discussing that with Commissioner Reynders and the hope is that that legislation will be considered by the Commission in the early part of next year.

Similarly, on the issue of Palestine, there is not a reluctance on the part of the European Union to hold Israel to account. In fact the European Union and its member states are the biggest contributors in supporting the Palestinian National Authority. We have a dedicated special representative who deals with the Middle East peace process and I work very closely with him. The Deputy is correct, however, in that there is not unanimity within the European Union and Council on the issue of Israel and Palestine. Under the treaties we require unanimity to agree a common position on foreign policy including the issue of human rights in foreign policy. We then adopted the action plan when the High Representative went to the Council just this time last year, in November 2020, with the EU Action Plan on Human Rights and Democracy 2020-2024 and asked the Council if it would agree to lift the unanimity requirement at the Council for its decisions on the issue of human rights alone. To date, that has not been agreed. This is a matter for member states, and I am not aware if this committee has given any thought to this, but it would be helpful if the Council were to agree to lift the unanimity requirement just on human rights issues and not on all foreign policy issues. This would also be helpful to my work on Palestine.

I believe I have covered the questions. Senator Joe O'Reilly asked about the vaccination rates in Colombia. I believe they are in excess of about 60% now but I can get the exact figures for the Senator. The good news is that the number of infections in Colombia is dropping. They were very high when I was there in June and there was a great deal of concern about it but during my last visit I was told that the numbers are dropping.

Chairman: I thank Mr. Gilmore and I will come back now to our committee members commencing with Deputy Leddin, followed by Deputies Clarke and Stanton.

Deputy Brian Leddin: I thank the Chairman. I believe Deputy Clarke is in fact ahead of me, if she wants to proceed.

Chairman: The Deputy had indicated a particular timeframe for himself.

Deputy Brian Leddin: Looking at the list, I see No. 1 beside Deputy Clarke's name and No. 2 beside mine so I assumed that she was ahead of me there. I thank the Chairman and Mr. Gilmore for his statement and contributions to date. In contrast to Senator Joe O'Reilly, we have not met before so it is a pleasure to meet him and it is a pity that we cannot meet in person in the committee room but these are the times that we are in. I want to put on the record that our

party, and it is reflected generally, and Ireland are very proud of him and of the work that he is doing in the very important role that he has at the moment. We wish him well in his continued efforts.

Mr. Gilmore has acknowledged the work that is being done over the past five years on the implementation of the agreement from 2016. It is very important, and I accept that things are going in the right direction. None of this is easy. Having said that, a thousand people have been killed since 2016. Some 65 of those killed in the past year were environmental and land defenders in Colombia. A third of those attacks were targeted at indigenous and Afro-descended people. Half of them were small-scale farmers. I want to mention one particular activist among the 65 who were assassinated. Juana Perea Plata was abducted and assassinated by a right wing militia because she organised a campaign against the establishment of commercial port in her local area. While there have been many achievements, we should not be patting ourselves on the back just yet. I do not think Mr. Gilmore is doing so. It is a process and it will have to continue. There is a lot of very hard work ahead. I will be interested in Mr. Gilmore's comments on the issue of risk to environmental and land defenders in Colombia.

With respect to the presidential elections that are due to take place next year, does Mr. Gilmore consider that these may pose a threat to the process? I do not think that question was asked, and I did not hear him speaking about the matter. Given the amount of work that has been done and that he has done, does he see risks and is he engaging with the various parties, Opposition politicians and civil society groups in advance of those elections?

On the use of foreign aid funds, the departmental briefing note states that Ireland has contributed more than €117 million in funding to peace building and conflict resolution in Colombia between 2016 and this year. The European Union Institute for Security Studies is concerned that the implementation of the peace process is not adequate in that the principles of the peace accord are not matched by the projects that are being carried out and funded. How satisfied is Mr. Gilmore that EU and Irish aid is being transparently distributed and properly used by the Colombian Government in this peace process?

Many people in Colombia look to the European Union as an actor that can make a real impact. One thing we could be asking the Colombian Government to ratify is the Escazú agreement, which, I understand, is similar to the Aarhus Convention in Europe. It would provide safeguards for activists in respect of access to justice provisions. Perhaps Mr. Gilmore could update the committee on what the EU is doing to discuss ratification of the Escazú agreement with the Colombian Government.

I note Mr. Gilmore's response to Deputy Brady on the sustainable corporate governance directive and the push by the Irish Coalition for Business and Human Rights. He mentioned that Ireland has adopted an action plan and was one of the first to do so, which is very welcome. I would like to hear Mr. Gilmore's thoughts on going further and bringing in legislation in that area.

Deputy Sorca Clarke: I thank Mr. Gilmore for his time and his statement. They are very much appreciated. On the 15% of stipulations in the Colombian Agreement that have yet to be initiated, is there something that is making them more challenging to implement? Is there something unique relating to why they are there? Like many other people, I find inertia incredibly frustrating. Where progress is being made an end result will eventually be reached but where there is no movement whatsoever it should and does raise a red flag.

I completely agree with Mr. Gilmore regarding cocaine harvesting and the cocaine farm in Colombia. There is a phenomenal amount of work to be done at the demand end of this equation. It is pointless to some degree for farmers' crops to be destroyed. They are simply going to be replaced because the demand does not shrink; indeed, there is a growing demand. When Mr. Gilmore speaks of the need for a fuller discussion in the United States in particular, what does that look like in his experience? If it is to be functional, there needs to be a level of co-operation and engagement with civil society and in terms of government and the legislative programme for that actually to be effective.

I do not want to harp on for too long about the human and business rights issue. Mr. Gilmore has given it significant time already. I want to follow-up on a question asked by Deputy Leddin about the national action plan being progressed, almost into individual countries and legislation. If there is friction - and it may be a bit generous to call it friction - between transnational and state companies in terms of the proposed scope, is it a positive step for companies to be introducing legislation? Is there a role for countries to bring in individual legislation? Given that the EU is working as slowly as it is, we could be having this conversation in 30 or 40 years. In the interim, what steps could individual countries take to influence that area of business and human rights?

Mr. Gilmore spoke about the rise of authoritarianism, which caught my attention. This is something we have seen throughout the world. I note particularly the report stating that 68% of the world's population now live under absolute or electoral autocracies. Given the restrictions that have been put on civil society and the shrinking of that area, what impact does Mr. Gilmore feel social media is having? We know how social media works in terms of algorithms. If I tend to watch videos of a certain description or with a certain kind of content, more of them will be pushed at me. Is that having an impact? Is it being used primarily to push one view?

I am most heartened to hear Mr. Gilmore mention the impact Covid-19 has had on human rights. Generations of women have fought long and hard and those hard-won gains cannot be unwound because of this pandemic. I have said it to other witnesses before the committee that this should be a catalyst for more female participation in certain areas, whether politics, activism or education. In Mr. Gilmore's view and experience in the job he does, how is that going to pan out? Are we moving back 15 or 20 years in terms of the gains that have been made already, or are there areas or countries that are looking at it from a more future-proof perspective of ensuring that there are more women's voices at the table?

Deputy David Stanton: I welcome Mr. Gilmore to the meeting. It is nice to see him again. I congratulate him on the work he is doing across the world and in Europe, for Europe and for us. Deputy Clarke has stolen some of my thunder. I was going to ask about democracy on retreat across the world as well. I was taken by the line in Mr. Gilmore's speech that 68% of the world's population now live in autocracies. Many articles are being written on democracy in retreat, and there is worry about that from within and without. We have seen attacks from abroad on democracies. As Deputy Clarke has said, elections are being interfered with over the Internet and so on. There is also interference from inside, from the extreme right and the extreme left in some countries. Mr. Gilmore might comment on where he sees this going and what democracies can do. I am taken by President Biden's initiative on democracy. He is also worried about it and, possibly, about the state of democracy in his country.

Could Mr. Gilmore comment on the impact of the situation in Venezuela on Colombia? I note reports stating that 5.6 million people have left Venezuela. More than 1 million of those have settled in Colombia. I think they got some legal status recently. Last October the border

between the two countries reopened and there were some issues around what is happening there. Will Mr. Gilmore comment on the impact of the latest events relating to Venezuela and Colombia?

Mr. Eamon Gilmore: I will start by responding to Deputy Leddin. There is no doubt the single biggest concern that the European and I have about the implementation of the peace agreement in Colombia and the human rights position there is the number of people being killed. These include former combatants, social leaders and human rights defenders. As we have said, many of these human rights defenders have worked on environmental matters. In turn, many of these are women and indigenous or Afro-Colombian.

There is a battle for the environment and this is very much related to what went on at COP26. We can speak, for example, of protection of the Amazon and the territories in its region or issues relating to deforestation. We can consider the problem of both legal and illegal mining along some of the rivers connected to it. There are people who are defending the environment, trying to stop deforestation and protect a sustainable way of living with that very sensitive ecosystem and environment. These people are increasingly being put at risk. This often happens in remote parts of the country where the presence of the state is very limited or, in some places, it does not exist at all. People are being intimidated, killed and put in harm's way.

We rely first on the office of the ombudsman in Colombia to do much reporting on this work and that is one of the reasons the European Union has provided additional funding for the office. In the discussions we have with the Colombian Government, the first item on the agenda, invariably, is the position with the continuing violence in these parts of the country and the need for more protection and a more comprehensive approach to the provision of security. There are provisions in the peace agreement to provide for systems where local communities are involved in the development of security. We talk about that. Of course, there is the question of accountability. This relates not just to those who carry out the killings but those who are behind them. They must also be brought to account. Again, it is one of the reasons we provided finance for the establishment of what we call a special investigation unit in the office of the national prosecutor in Colombia. It is to look not only for the gun that kills somebody but on whose behalf that shot was fired. That is an approach we are taking.

I was asked about the Escazú agreement. We have spoken about it and about a year ago I did a dedicated event that was organised by civic society in support of Escazú agreement. It is an issue we will discuss at the forthcoming human rights dialogue. I am not in a position to speak about the deployment of funding from individual EU member states. In respect of the peace agreement, we essentially fund three main areas. One is the establishment of the special investigation unit I have referred. The second is support for the reincorporation or reintegration of former combatants, and we have provided substantial funding for that. The third area is the support for rural development, which is being done through a bottom-up approach that I have referred to.

On the forthcoming presidential election, I have been talking to some people, either declared candidates or people who may be candidates. From what I am seeing, I am confident there will be a continuation of the implementation of the agreement. I am not hearing or seeing candidates who are outright opposed to it at this point. The European Union is considering sending an election observation mission to observe those elections but a decision has not yet been taken on that. We had a preliminary team looking at the election environment. The previous elections were the most peaceful in Colombia in over 30 years and I hope these will be peaceful as well.

In addition to the presidential election we are also looking at the elections for the 16 special seats, some of which are in more remote and vulnerable areas in the country. We are going to have a close look at those. When I was there three weeks ago I participated with the electoral commission in the launch of a particular campaign that the European Union is supporting. That is basically about providing support to women candidates, not for their electoral activity but to help fight intimidation. There is much of that on social media and many people are facing risks. We are paying particular attention to that.

That probably addresses some of what Deputy Clarke raised. She asked about the 15% figure but it is not just about that. It is also about the 37% that has been initiated but, frankly, has not got very far in some cases. The common thread here relates to resources. Much of this agreement will be very expensive to implement, particularly rural development elements and those relating to payment of reparations to victims. There are also elements relating to crop substitution. The next stage of the implementation of this agreement is one where more resources will be required from the Colombian Government and Colombian society. It is something I expect to be addressed in the context of the forthcoming election. There is the question of putting one's finger on what is being held back; as with many countries, it is a question of resources.

What can individual countries do on the business and human rights agenda? It is open to countries to move ahead and some European countries have done that. For example, Germany has introduced due diligence legislation and the Netherlands is considering it. I attended a Finnish parliamentary committee - it was virtual, of course - this morning and that country is also talking about it. It is something the Legislature could certainly consider. It is also fair to say the European Union will lead on this and it is not a case that it will drag its feet.

In the discussions I have had with the private sector and business organisations, I see a willingness to proceed with this. Many companies are very concerned about their own corporate reputation. I remember being in a third country that was trying to size up how serious I was about the trade preferences as there were human rights issues. I made the point to those people that they should not be as concerned about officials in buildings in Brussels as the European consumer. If the European consumer thinks a product is made with child or forced labour, he or she is likely to leave that product on the hanger. Companies are increasingly aware of that. Therefore, there is probably a greater willingness than is sometimes appreciated, among businesses and the private sector, to move ahead with this.

I was asked about Covid-19 and women. The biggest impact, right across the board, has probably been on domestic violence. Unfortunately, with the Covid situation and lockdown, we have seen a dramatic increase in domestic violence and violence against women, right across the world. That has to be urgently addressed. It is one of the reasons, for example, the Istanbul Convention in the context of Europe is so important and why it is so regrettable that Turkey has withdrawn from it.

One sees social media as having a great liberating effect. It is a great tool that will help support human rights defenders; bring us evidence much more quickly about abuses of human rights and enable the recording of violations and abuses of human rights that can in turn be used as evidence for the purpose of accountability. Of course, as we know, there is also the abuse of social media, such as its abuse by states for surveillance of their own populations and abuse in the political sphere, sometimes in an organised way, to intimidate and bad-mouth opponents, much of which targets women, especially those active in the political sphere. The European Union has a code of conduct with the main platforms. There is a digital services Act in the pro-

cess of being discussed and maybe some of that will find its way into the Act.

Deputy Stanton referred to the retreat on democracy. The 68% includes not just absolute autocracies, but also electoral autocracies. One could probably argue all day about whether particular countries should be included on that list, but the point we need to be aware of is that the graph is moving the wrong way. We are seeing more of a shift in the wrong way, as far as democracy is concerned.

There are several impacts of Venezuela on Colombia. One of them has been the issue of migration and refugees. There are 2 million Venezuelan migrants in Colombia. It deserves great credit for the way in which it has received and welcomed those migrants. It has, as the Deputy said, provided them with access to public services. It decided, for example, that every child born in Colombia of Venezuelan parents, irrespective of the status of those parents, was automatically given Colombian citizenship. Much can be learned in Europe from how South American countries, many of which are not as well resourced as European countries, have dealt with the migration crisis arising from Venezuela. In Brazil, where I was recently, more than 250,000 migrants have been similarly received and welcomed. There is a lesson to be learned from that.

Chairman: Before bringing matters towards a conclusion, I will make a couple of observations. I acknowledge the importance of Mr. Gilmore's work in Colombia on behalf of the European Union, which includes ourselves in Ireland, as an active member of the Union. I acknowledge the expertise and experience he brings, having regard to his many years in domestic politics here, with particular reference to our peace process and the value that brings to the Colombian situation.

The Colombian peace process has been a priority issue for this committee over the past number of years and the past 15 months since the general election saw a change in the configuration of this committee. That notwithstanding, the Colombian peace process has been high on our agenda and we thank Mr. Gilmore for his engagement. We acknowledge the work he is doing. I also acknowledge the work here in Ireland of the Colombian ambassador, H.E. Patricia Cortés Ortiz, who keeps this committee regularly informed and updated and has made herself available, often in challenging circumstances, to deal with sensitive issues on the matter of the Colombian peace process. We wish Mr. Gilmore continued good fortune, acknowledging the challenging nature of that peace process.

Mr. Gilmore mentioned the prisoner situation in Belarus. We had the opportunity, earlier this year, to have an in-person engagement with Ms Tsikhanouskaya when she was in Ireland. We were very much impressed by her energy, work, commitment and courage. Since her visit to Ireland, we see on a daily basis that she has been actively engaged, not only throughout the European Union, but beyond. What more can be done towards the protection of human rights in Belarus?

We and the European Union have called for a new round of fresh and fair elections. It is fair to say that will not happen in the near future or the medium term. There is absolutely no inclination on the part of the Lukashenko regime to engage in any further elections. Short of calling for new elections, what does Mr. Gilmore think can best be done from his office or the European Union? We see today a fresh round of prison sentences, many of which appear to be a consequence of revenge for international engagement, rather than being grounded in any due process.

I will briefly turn to Syria, which has not been mentioned. Of concern is the fact that Syria has faded from our front pages after in excess of ten years' horrific conflict. This does not in any way mean that the human rights situation there is anything but acute and dire. With regard to the humanitarian situation in north-eastern Syria, huge numbers of people face an acute shortage of drinking water, given the low levels of the Euphrates river. We also see, for example, the situation of prisoners in Syria, for example, in one of the more notorious prisons where prison visits are reliant on the payment of extortionate sums of money by the relatives in order to gain access for a very short visit and tens of thousands of people spend many years languishing in prisons, often on pretty frivolous or groundless means. I hope that notwithstanding the fact the Syrian conflict has faded, the engagement on the part of the European Union continues. It causes me some concern to see some EU governments moving towards a recognition of the Assad regime. How is Mr. Gilmore's work impacted by such moves?

I see Deputy Leddin offering again for a supplementary. I will call on him before reverting to the special representative.

Deputy Brian Leddin: I thank the Chair for letting me contribute again. I want to return to the issue of Colombia. Mr. Gilmore rightly mentioned the challenge of the drug industry over there and that 70% of the world's cocaine is grown in Colombia. The special representative mentioned that there is a responsibility on the part of Europe - I would say western countries generally - to tackle the demand side and I would agree with him. Mr. Gilmore mentioned enforcement and stopped short of saying anything else. I am interested to hear whether he has other views on what the appropriate policies might be. I am not an expert. I do not expect Mr. Gilmore to be an expert either but I am wondering whether there are conversations in Colombia around what appropriate policy might be. It seems we have had particular policies in Ireland, in Europe and across the western world with respect to drugs for a long time and they have not been effective. They have not served the developed countries well and they certainly have not served countries such as Colombia well. It seems appropriate that we would have a discussion, perhaps not only about enforcement but also about liberalisation and regulation with a view to reducing harm in our own countries and, of course, in countries such as Colombia as well. I am interested to hear if there are conversations along those lines happening in Colombia and if there is anything we should be listening to in respect of developing our own policies over here.

Mr. Eamon Gilmore: I agree with you, Chairman, about the great contribution that the ambassador, H.E. Ms Cortés Ortiz, has made to the representation of Colombia in Ireland since she became the first resident Colombian ambassador in Ireland. Indeed, I had the privilege of participating with the ambassador yesterday at an event organised by the Glencree centre.

On that subject, I also thank you personally, Chairman. You were Minister for Foreign Affairs and Trade at the time when I was appointed as special envoy for Colombia and I want to thank you for your enormous support at that time.

On Belarus, I also agree with you, Chairman, about the sentences that have been handed down today. Mr. Tikhanovsky, Sviatlana's husband, has been sentenced to 18 years in prison. He was charged with impeding the activities of the central election commission even though he was in jail when the elections took place, and with organising mass disorder even though he had been arrested and imprisoned before the protests took place after the election. These are politically motivated charges. This was a politically motivated sentence. It was, as the Deputy said, an act of revenge. It was intended not only to exact revenge on him and the other leaders who have been imprisoned, but also to frighten the rest of society.

There are a number of things that can be done. It is true that the issue of clarifying the legitimacy of the Government of Belarus can only be resolved by new elections. Getting to that point, of course, is another question. The European Union in recent days has agreed to provide an additional €30 million to support Belarusian civil society, including those who are effectively now in exile, as many of them are. In the short term, we have to give attention to the situation of the 900 plus political prisoners, to continue to put a focus on their situation and to continue to call for their right to have visitors from church people, doctors and family. That is an important humanitarian demand that we have to make consistently. We have to continue to support civil society in Belarus, and we are continuing to do that. Importantly, we have to continue to keep a focus on the need for accountability. Lukashenko and the people who are around him, right down to individual prison officers who are in some cases torturing and mistreating prisoners, need to understand that there will be accountability, however long it may take. That day will come.

On the issue of Syria, I agree with you, Chairman. The immediate priority that the European Union is giving to Syria is the humanitarian situation which you have described. The European Union is still the biggest contributor to the humanitarian effort in Syria.

An issue you have also raised that I am conscious of is the need to continue to focus on areas of abuse of human rights and violation of international humanitarian law, all of which we saw in Syria after the cameras and the public attention had moved on. Syria is very much a case in point but there are many other examples in different parts of the world. It is understandable that we give attention to what is in the news today but I am thinking all of the time about the situation of women and girls in Afghanistan and, indeed, the humanitarian situation now in Afghanistan. The reports we are getting are alarming. I am also thinking about the situation in Myanmar after the coup that took place there last February, which is rapidly descending into a civil war situation, and of course the situation in Ethiopia which has been the subject of much attention by the EU at the Human Rights Council, including our proposal that there should be a special session of the council to consider the report from the high commissioner.

Deputy Leddin raised in a supplementary question a direct question which probably requires more time than we can give the last question at an event such as this but it deserves honest discussion. The Deputy asked whether this is being discussed in Colombia. It is not, actually. The big issue being discussed in Colombia centres around the crop, the spraying of it, the forced eradication of it, the tensions that gives rise to between local communities and law enforcement, the violence associated with the illegal trade, and the operation of various illegal groups and cartels. There is an awareness and sometimes the issue of what is being done to address the demand side is raised.

In speaking about this, I am reflecting my own view. I am now six years dealing with the situation in Colombia and I think we need to have a very honest discussion in society. Some people say politicians should lead on this. Perhaps that is the case and there needs to be a political discussion on it but I think there needs to be a wider discussion in society about the use, in particular, of cocaine, which is the main drug coming out of Colombia. As I said, there is marijuana as well. That discussion involves what is the most effective policy approach to take to it. As Deputy Leddin says, is the question one of decriminalising use, regulating it in some way, seeing a more thorough enforcement of the laws that are there or perhaps promoting campaigns of reduction of use or whatever among users? That conversation needs to be an honest one and it needs to be around what will be effective because what I have seen in Colombia for the past six years is that the line of coke leads directly to dead bodies in remote parts of Colombia. Such

bodies are mostly of poor people who were trying to make a living and found themselves on the wrong side of the law or of some illegal gang or vested interest. That problem is not solved by telling the growers to stop growing it or even, ultimately, by crop substitution. Of course, crop substitution would be the key part of it. They are not going to switch to growing coffee or avocados. If there is an armed gang in your village effectively gathering up the profits from cocoa growing, there is likely to be enormous money from it. That is the conversation that needs to be had. That is probably the biggest contribution that Europe and North America can make in the years ahead to the sustaining of peace in Colombia. It is not about telling them what to do; it is a question of what we can do, from our end, to address what is a shared problem. This is not just a Colombian problem; it is a global problem and we are part of it. We need to reflect on it and talk about it. I would be happy to contribute my tuppence ha'penny worth to discussion of whatever policy might be considered. Of course, in doing so, we must consider that it is illegal criminal gangs that are involved in this. It is not just a case of the cocaine end of it, because illegal and international criminals move from one context to another. That has to be part of the discussion as well.

I thank the members and the Chairman for their generosity with their time.

Chairman: Before we conclude, I see Senator Ardagh offering. My apologies for not seeing you earlier, Senator. I will give you the floor before we conclude.

Senator Catherine Ardagh: Apologies; my laptop is not working. I thank Mr. Gilmore for his presentation. I was listening. I want to put on record my horror at the serious erosion of democracy in Belarus. I cannot believe that Ms Tsikhanouskaya's husband was sentenced to 18 years' imprisonment. She is nine days older than me and has two young children like me. It strikes me that as a committee, we should make some sort of point that we are outraged by this. It is very upsetting for Ms Tsikhanouskaya to receive this news. We have discussed the issue of the Uyghur muslims and the Chair has provided us with an update. There are serious issues relating to the erosion of democracy all over the world, as the Chair highlighted. I thank Mr. Gilmore for his presentation. It was fascinating and I really enjoyed it.

Chairman: I thank the Senator. That is a good note on which to bring matters to a conclusion. I might just give the floor to Mr. Gilmore in respect of Belarus, as mentioned by her. Perhaps he would like to leave us with a final message from his office in terms of his priorities between now and into the new year. I thank him for joining us and congratulate him on the many initiatives that he is undertaking in his capacity as EU Special Representative for Human Rights and Special Envoy for the Peace Process in Colombia. Mr. Gilmore's work is greatly appreciated here at home and across the EU and the international stage.

Mr. Eamon Gilmore: I thank the Senator for her contribution, which is a good note on which to end. Even before the sentences were handed down, we had been looking at how to keep the Belarus situation progressing and attention focused on it. We had decided that we would give particular attention to the individual cases of political prisoners and those who, in many cases, are not as well known as Mr. Tsikhanouskaya and the others who were sentenced today. I have reacted publicly in the past few hours to the sentences today. I expect that others in the system and our representative and spokesperson will probably be doing the same. We can expect quite a strong reaction from the European Union. However, we should also remember that we are talking here about people. I mentioned earlier the practice of the adopting of individual prisoners by members of parliaments in member states. It is very good at maintaining contact with those prisoners, insofar as it can be done. It is important for their morale that they hear the support, and not just that the support is happening, because the regime will try to

14 December 2021

stop them getting the news of the support, but that they hear the support that there is around the world. We will do everything we can to get them released. I will leave it at that.

Chairman: I thank Mr. Gilmore and wish him a very happy and peaceful Christmas.

The joint committee went into private session at 4.47 p.m. and adjourned at 4.57 p.m. *sine die*.