

SEANAD ÉIREANN

Dé Máirt, 1 Iúil 2008.

Tuesday, 1 July 2008.

Chuaigh an Cathaoirleach i gceannas ar 2.30 p.m.

Paidir.

Prayer.

Business of Seanad.

An Cathaoirleach: I have notice from Senator Frances Fitzgerald that, on the motion for the Adjournment of the House today, she proposes to raise the following matter:

The need for the Minister for Transport to outline his response to the closure of Circle Line and the implications for commuters in the Dublin area.

I have also received notice from Senator Fidelma Healy Eames of the following matter:

The need for the Minister for Transport to confirm his commitment to the western rail corridor, the single public transport project in the west of Ireland, and his commitment to the funding and the time frame for delivery of the project.

I have also received notice from Senator Jerry Buttimer of the following matter:

The need for the Minister for the Environment, Heritage and Local Government to make a statement on the pollution risks to the people of Cork following the discovery of toxic-hazardous waste at Haulbowline Island.

I have also received notice from Senator Joe O'Reilly of the following matter:

To ask the Minister for Education and Science when it is proposed to sanction additional necessary and urgent improvements to the sewage and water systems at St. Phelim's national school, Leiter, Bailieborough, Co. Cavan.

I regard the matters raised by the Senators as suitable for discussion on the Adjournment. I have selected the matters raised by Senators Fitzgerald, Healy Eames and Buttimer and they will be taken at the conclusion of business. Senator O'Reilly may give notice on another day of the matter he wishes to raise.

Order of Business.

Senator Donie Cassidy: The Order of Business is No. 1, statements regarding the current situation in Zimbabwe; and No. 2, Electricity Regulation (Amendment) (EirGrid) Bill 2008 — Committee and Remaining Stages. It is proposed that No. 1 will commence at the conclusion of the Order of Business and will conclude within 75 minutes. Spokespersons may speak for five minutes and Senators may share time. The Minister is to be called upon ten minutes from

[Senator Donie Cassidy.]

the end of the debate for concluding comments and to take questions from party leaders. It is proposed to take No. 2 at the conclusion of No. 1.

Senator Frances Fitzgerald: I would like to move an amendment to the Order of Business to allow a discussion on the economic situation, as requested last week. A number of new reports published in recent days have given us further reason for concern. In April 2008, the current Taoiseach stated that he was not worried about the slowdown in the construction sector. In September 2007, he stated, “Our economy is stronger than at any time in our country’s history.” One must question his actions as the Minister for Finance. Dr. Alan Barrett, author of the ESRI report, stated, “Everyone knows the downturn in the public finances is because Government blew the finances from the boom which everybody knew would be temporary”.

A further report yesterday is cause for concern because it stated that, in comparisons between the first quarter of this year and the first quarter of 2007, GDP fell by 1.5%, the output of new houses fell by 30%, industrial production registered a decline and the private sector is contracting. Last week, Senator Ross and other Members referred to the banks, which will appear before a committee tomorrow. What contacts have there been between the Government and the banks?

People are worried. It is a question of facing reality, trying to determine precisely the economy’s state from the Government’s perspective and how the latter intends to handle this serious situation. Frontline services are suffering cutbacks.

Senator Jerry Buttimer: Hear, hear.

Senator Frances Fitzgerald: Instead, there should be better management of public finances and an attempt to deal with the appalling waste on a variety of projects over many years. Before entering the Chamber, I received a telephone call from a woman who was concerned about her father. He is in hospital and needs a bed in a nursing home. The family does not know whether he will get a contract bed. This case is replicated across the country.

Yesterday, the Carers Association launched a report entitled, *Listening to Carers*, which it undertook with the Equality Authority of Ireland. As every Senator knows, families are being unsupported because of cutbacks in home help services. The current system of delivering care to the elderly in communities is unsustainable because families, who do not have the necessary supports or provision of care, will not be able to cope. What has happened to the €110 million promised for the fair deal on nursing homes? Will it be ring-fenced or will it be siphoned off to address other emergencies?

Both Houses are entitled to be told by the Government how it intends to handle this economic crisis. In the absence of a clear plan or rationale, there will be HSE cutbacks and finances will be moved from areas of need.

I must again refer to the other report published since the House last met, the report of the expert group on mental health services. We have had several discussions here on the need to prioritise mental health services and to implement the strategy, *A Vision for Change*. Yet, the expert group which was asked by the Government to examine this area has advised it does not know where the money has gone. Some €24 million of €51 million funds allocated to implement the mental health strategy, *A Vision for Change*, have not been used.

I call for a debate on the economy to enable the Leader and the Members of the House to hear of the experience of Senators on the current situation. We must hear from the Government about how it intends to deal with the current crisis.

Senator Joe O'Toole: On a radio show last Sunday morning I talked to a white Zimbabwean farmer — or Rhodesian farmer, as we would have referred to him previously — who employs 150 people. He spoke about the reign of terror at play there and about the abductions, kidnappings and beatings. He spoke freely and expressed his disappointment at the western world. He talked about Archbishop Tutu asking for military intervention and supported that request. He talked about President Mbeki letting the people down, he having been supported by Zimbabwe when he fought for rights in his own country many years ago.

Two hours after this man finished answering questions from me on issues such as sanctions and other matters on the telephone, he was abducted from his farm. He was beaten, his mother-in-law and father-in-law were taken with him and they were tortured. I have left on the Cathaoirleach's desk a photograph of him lying in a coma in a Harare hospital. This is work of the man whose success is now being feted, hugged and feasted in Egypt.

Senator David Norris: It is shocking.

Senator Joe O'Toole: I wrote to the Minister for Foreign Affairs yesterday requesting that the Irish Government take urgent action to protect decent people who are challenging the repressive regime in Zimbabwe.

Senators: Hear, hear.

Senator Joe O'Toole: I would like the House to support that point.

Senators: Hear, hear.

Senator Joe O'Toole: I wish to raise another matter, which has been raised on two or three occasions previously, the question of the economy, competitiveness and wages. It is interesting to stress again a point I have made many times. The issue in question is not only about salaries, pay pauses and all that goes with that. What we set out to do was to ensure that people shared the wealth of this country. The point is often made that salaries and labour costs are the problem. I will leave the House with one piece of information; the best paid workers in Europe are in the Scandinavian countries, in Finland, Sweden and the other Nordic countries. Their economies are also the most competitive. That is the question the Government must answer and the one with which we must deal when we talk about examining saving public funds. I look forward to a fuller debate on this issue. Senator Fitzgerald's proposal to have a debate on the economy is crucially important.

Senator Alan Kelly: Being consistent with what I said last week, I, too, would welcome a debate on the economy. It is necessary that it take place prior to the recess.

The figures released since we last met are startling. We knew that housing output would be one third of what it was last year. People have mortgages, yet rates have increased to 6%. People with young families are finding it tight in terms of managing their finances. They are suffering.

We need to debate this issue. We need to come up not only with words but solutions and to offer some advice to the Government who have mishandled this area and have done so for many years. I have said on record previously that the current Taoiseach has been responsible for the turnaround in the economy.

I want to raise an issue I have raised previously, that of not only how the Department of Health and Children works with the HSE but how the HSE conducts its affairs separate from the way outlined in its strategy. On a number of occasions I have referred to the requirement to publish the Teamwork report into acute services, especially as it affects the north west. I

[Senator Alan Kelly.]

have even submitted FOI requests on it or similar reports but have received no response. Yet to my amazement, I found the basic tenets of this report contained in an e-mail. This is the way the HSE decides to run its affairs. It is spin after spin. One can take my word, these e-mails are real. Reports are emanating from meetings with Professor Drumm in which he is telling hospital managers what is happening to their future, without ever saying so publicly. I have seen these reports and e-mails in which he has made decisions about acute care, particularly in the mid west, and the effect they will have on Nenagh General Hospital, Ennis General Hospital and the mid west general hospital in Dooradoyle, Limerick. Acute services will be cut from Nenagh General Hospital and the accident and emergency department and care of the elderly will be affected. We can have an argument about this issue. We can discuss it and disagree on it, and I vehemently disagree, but at least he should say so publicly.

The Teamwork report was meant to be published in February, March and April but has not yet been published. Yet I can receive its contents in an e-mail. Many politicians in the mid west have seen this e-mail. This is ridiculous and it has to stop. The HSE cannot run its affairs by spin which is what it is doing. I ask the Leader to approach the Minister and the Taoiseach in regard to this matter. This issue has gone on for too long. Let Professor Drumm announce his strategies and go public on them and let us have real debate rather than this drip feed of information that has continued for far too long.

Senator Fiona O'Malley: I thank you, a Chathaoirligh, and the Ceann Comhairle, for the wonderful family day that took place at the weekend. I was here on Sunday where I met you, a Chathaoirligh. It was a tremendous weekend which saw these Houses and this building in a new light. There was great excitement among all those who participated. I look forward to another such day. I acknowledge it was a good idea and should be repeated.

Will the Leader ask the Minister with responsibility for the Office of Public Works to come before the House? I make this request in light of the very embarrassing revelations that the renovation of offices for Deputy Bertie Ahern cost so much money. It is particularly unfortunate for Deputy Ahern because, I am sure, he did not request such expensive work to be done on his behalf. I understand it did not need ministerial approval. Given that we are moving into a situation where money is tight, it is an outrage and an embarrassment——

Senator Jerry Buttimer: What will the Deputy's colleagues do about it?

Senator Fiona O'Malley: ——that this amount of money is paid to refurbish some offices. I feel particularly sorry for Deputy Ahern because I am sure he is embarrassed about it.

Senator Jerry Buttimer: He has gloves, he will be all right.

Senator Fiona O'Malley: It is also embarrassing to learn that the Office of Public Works paid the market rate for the work. It is embarrassing for everybody in politics because all of us suffer as a result of it. I am sure the Minister would like to come before the House to explain the position and to let us know that nothing like it will happen again. That €200,000 should be spent on office refurbishment is outrageous and it should not happen. It is an insult to every other citizen in the country to be told that it is the market rate. We all know better.

Senator Maurice Cummins: It was waste in the first place.

Senator Fiona O'Malley: I would be grateful if the Leader would request the Minister with responsibility to come before the House.

Senator Paul Coghlan: I second Senator Frances Fitzgerald's proposal in regard to the amendment to the Order of Business. This is a very serious and sharp economic downturn. I do not think any Member on either side would deny that. Contrary to what was said by the Taoiseach, as quoted by Senator Fitzgerald, we need to worry very much about construction because everything is contracting. The cranes are coming down all the time, many are down already. They have disappeared off the sites, many of which have closed. Sadly, more are closing.

A matter about which everyone in the House will be seriously concerned is the contraction on council housing programmes. We are well aware of the local authority housing lists. This is important infrastructure for our people. We must continue the house building programme at local authority level. We do not want to see it contracting. The county manager in any local authority area will verify that.

Regardless of the meeting tomorrow between the banks and the joint committee, I said two weeks ago that I accept banks have liquidity ratios to meet and must be prudent. The banks and the Government need to speak with the one voice on this but we are going nowhere. If this continues we will not have a recession but stagnation. I support the amendment to the Order of Business because it is important that we have the debate as a matter of urgency, and that we hear the Government's proposals, because it is up to the Government to address the matter.

An Cathaoirleach: Senator Coghlan should speak on the Order of Business. We can discuss those issues in the debate if granted by the Leader.

Senator Paul Coghlan: As ever, I accept what the Cathaoirleach says.

I asked the Leader some weeks ago to allow a debate on the local electoral areas that were announced recently. I understand he was favourably disposed. I am sure they are wise in most respects but in the other House last week Deputy Healy-Rae drew attention to an anomaly, and I endorse what he said in that regard. I do not understand how Dromin alongside Killorglin town and encompassing Dunmaniheen was included in the Dingle electoral area when areas much further from Killorglin such as Kilbonane and Lahard——

An Cathaoirleach: That Bill will come before both Houses soon. I saw it circulated recently. We can discuss the matter then.

Senator Paul Coghlan: ——are removed from Killarney to Killorglin. That is just one instance but there are many other anomalies. I am sure the Cathaoirleach is aware of such cases in the midlands. It is important that we have the debate. I am not sure about the Bill to which the Cathaoirleach referred. I believe he is referring to the Electoral (Amendment) Bill relating to the new Dáil constituencies whereas I am talking about council electoral areas. The Leader was favourably disposed to a debate previously. I would like to hear his opinion on the matter I have raised. Perhaps he intends to discuss those matters also when the Bill to which the Cathaoirleach referred will be discussed.

Senator Labhrás Ó Murchú: The vast majority of people in Northern Ireland subscribe to the Christian faith and they regard that as their cherished birthright. Throughout all the difficult and brutal times in Northern Ireland, the Christian churches stood together united against strife and tried to promote a positive approach among people. The church leaders played a significant and central role in the peace process. It is very encouraging to see young people wanting to continue that tradition. Not only that, but they want to manifest this by wearing a symbol that relates to their religion, generally a crucifix. It is wrong that the regulation, which I understand

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will be implemented in the near future, will prevent young people in Northern Ireland from wearing a crucifix or for that matter, a pioneer pin. It is a pity that we are preventing this at a time when we would like to see young people embrace religion and not just be concerned with material things. It is taking multiculturalism too far when the native population has to accept that type of development. I do not believe our very welcome visitors would expect that of us.

I also remember a very generous action in a religious sense some years ago when there was a demand to take the angelus off the radio. It was the Church of Ireland that defended the Catholic Church on that occasion. The reason I raise the matter here is that if this is going to happen in Northern Ireland, one can take it as fairly certain there will be a strong lobby to prevent young people here expressing their Christian beliefs when they go to school. That is not right and it is not good for society. It is not in keeping with tradition. I do not believe any country should be expected to give up its birthright in that way.

Senator Rónán Mullen: I congratulate my colleague, Senator Ó Murchú for raising a pertinent issue and speaking about it with his usual eloquence.

I rise to ask for a further debate on human trafficking in light of the disturbing new statistics available from Ruhama, which, as everybody here knows, does excellent work accompanying people involved in prostitution. Ruhama reports a two thirds increase in the number of referrals to it. People may not know that 90% of women in the sex industry are non-nationals and many of them are trafficked persons. Ruhama also reports dealing with a number of minors. One such minor in the sex industry was trafficked into the country at the age of 14. Since the enactment of the Criminal Law (Human Trafficking) Act it is a crime to purchase the services of a trafficked person. However, we need further debate to see how we can tackle the demand as well as the supply. It is time to reopen the debate about following the Swedish model where it is a crime to purchase the services of a person in prostitution.

We also need to end the complacency within officialdom. A spokesperson for the Garda press office, who recently appeared on a TV3 documentary on trafficking, said that basically trafficking was not a big problem. He said they had not found evidence of significant levels of trafficking into this country for sexual exploitation. He said they had only found “snippets”. Where is the Garda getting its statistics? Given that Operation Quest is confined to Dublin, where is the serious intent not just to find out about the extent of trafficking but also to tackle it? We need to end the complacency. We need to have a debate and we should start in this House. It should focus on the need to criminalise the users of persons in the sex industry so that we can tackle the demand as well as the supply and make this country a cold house for traffickers.

An Cathaoirleach: The point is made.

Senator Rónán Mullen: I wish to raise the issue of Zimbabwe. I welcome what Senator O’Toole has said on the matter. I was in Áras an Uachtaráin recently. On my way out I saw a tree that had been planted, the inscription on which stated gurbh é Robert Mugabe an duine a chur an crann sin.

That was in the good days when this man may have represented a beacon of hope.

Senator David Norris: In a debate in UCD he attacked gay people and got applauded by the audience for doing it.

Senator Rónán Mullen: Since then this man and his bestial regime have not been planting trees but have been pursuing a scorched earth policy in human terms.

An Cathaoirleach: We cannot have the debate now. The point is made.

Senator Rónán Mullen: Why does the international community look on impotently while he does it? When will we act?

Senator Larry Butler: Social partnership has served us extremely well over the years. I have listened to various comments from the social partners that things are not going too well in that process. When we have a recession or a downturn in the economy it is important to get agreement with the social partners. I support the Minister for Social and Family Affairs, Deputy Hanafin. The unions have an obligation to protect people on low wages, people who have old-age pensions and single people living very close to the poverty line. We have made considerable improvements in these areas. The Minister has said that these people will be protected. However, the unions have an obligation to secure a partnership agreement at this time. Senator O'Toole said that benchmarking was a cash cow and an ATM.

3 o'clock

Senator Joe O'Toole: On a point of order, I never made either comment.

Senator Larry Butler: I want to inform the Senator that the cow is dry and the ATM is empty. He should talk to his colleagues in the unions to look after the people who are less well off. The unions have a major part to play in this.

An Cathaoirleach: The Senator has made his point.

Senator Larry Butler: The public service needs to be paid for. It is paid for by the people who make money and export our goods. All of us, including the unions, have an obligation to ensure that we continue to work to make ourselves efficient in providing jobs. Recently 500 jobs went to Bangalore. Why are the unions not sitting down with management in that regard? They could agree to extend the working week, for argument's sake, with more productivity.

Senator Joe O'Toole: That is because they announced it before they spoke to the unions.

An Cathaoirleach: The Senator's point is made.

Senator Larry Butler: It is all very well for people to talk now. We have a job to do.

Senator David Norris: The Government should get on and do the job.

Senator Larry Butler: I want a debate on the economy. I want to put down markers here that are very relevant.

An Cathaoirleach: The Senator can do that in the debate.

Senator Larry Butler: I am not listening to the other side of the House too much because I know the trouble they got the economy into years ago.

(Interruptions)

Senator Nicky McFadden: I welcome the remarks of the Minister for Social and Family Affairs, Deputy Hanafin, over the weekend when she said her Department will be able to assure the hundreds of unfortunates who have lost their jobs that they will be looked after. As a spokesperson in the Seanad for social and family affairs I welcome the Minister's reassurance. However, I attended a meeting on Friday, of which Senator Cassidy will be aware, about the fact that in Westmeath disabled persons and essential repairs grants have run dry. These are

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the most vulnerable people in our society and we will apply for more money to top up this fund to keep these people out of nursing homes and hospitals. Will the Leader clarify whether we will be able to get this extra money to keep the old and infirm out of hospitals and allow them to live in the comfort of their own homes without it being at the expense of all the people who will have to be looked after by the Department of Social and Family Affairs? People have been on this waiting list for two years. If the money is already spent by July, it does not augur well for the rest of the term. For the people of Westmeath, those awaiting essential repairs and disabled persons grants, I ask the Leader to clarify the position.

Senator Ann Ormonde: I support the call of my colleague, Senator Mullen, for a debate on human trafficking, especially in the context of sexual exploitation. We all have read many reports down through the months, one of which, I recall, suggested the Garda must have an input into how this issue is reported. We must have an up-to-date position. Our having a debate in the House would highlight the concerns that exist. I support that.

Senator Paschal Donohoe: I join Senator O'Malley in recognising the success of the Oireachtas family day over the weekend. I was lucky enough to be able to attend on Sunday and it was a delight to see so many people who have not been in the Oireachtas before come in, see how it works and have an opportunity to see the wonderful premises in which we are privileged to serve. It was an inaugural event which I hope will be repeated in the future. I recognise the role the Cathaoirleach played in welcoming people as they came in and making everyone feel at home.

I also concur with Senator O'Malley's request for a debate on the operation of the Office of Public Works. I admire her political deftness in raising the point because it merits discussion. I do not share her surprise at the money that was spent. I remind her that this expenditure took place in a Government of which she is a member and which she supports.

Senator Fiona O'Malley: It needed no political sanction.

Senator Paschal Donohoe: The OPW is part of the Government which the Progressive Democrats supports and in which it has a Minister who sits at the Cabinet table. While I am disappointed to see such continued waste in Government spending, I am not surprised to see it happen.

Senator Frances Fitzgerald: Hear, hear. Former Deputy Tom Parlon.

Senator Paschal Donohoe: I concur with Senator Fitzgerald's request for a debate on the economy. In February 2007 the ISEQ index stood at more than 10,000 points. At lunchtime today it was slightly in excess of 5,000 points. Standard & Poor's, the rating agency on which many of our companies depend, issued six statements in which it changed the ratings Irish banks enjoy. It slightly downgraded the ratings two of our leading mortgage providers enjoy.

Tomorrow afternoon the Minister for Finance will come to the House to debate the OECD report on public services. Given it is the day when the Exchequer returns will be published and on which there are continued warning signs on the health of the economy upon which our public services depend, I suggest we use this opportunity with the Minister for Finance to debate the points Senator Fitzgerald and others have made. Otherwise, there will be a sense of unreality about the debate tomorrow that would lead to me to think the Government is trying to dodge that debate instead of engaging in it.

Senator David Norris: I would welcome a debate on the economy and I share the concern expressed by colleagues, in particular with regard to the response of the Government to what is a critical economic situation, which appears to be to license every possible form of gambling, including casinos, which would not give one much encouragement.

I hope to take the opportunity to speak on Zimbabwe so I will not refer to it now except to repeat what I said in a previous intervention, namely, that President Mugabe was actually cheered out of the O'Reilly Hall when he attacked gay people, which was very regrettable.

On that subject, I am sorry that owing to a health problem I was not able to be in the House last week to mention the Government's proposed civil partnerships Bill. What is the timescale for this legislation? I will not be going into paroxysms of forelock-touching gratitude for an improvement in my second class status, which is what it is and nothing else. This is in defiance of the republican principles that are so often prated about in this House and in defiance of the very clear words of the former Taoiseach, Deputy Bertie Ahern.

On foot of this, I asked the appropriate authorities in this House if I could pass on pension rights to my partner. The answer was "No". That is the degree of equality we have. While I welcome that some of these matters will be addressed in the civil partnerships Bill, it is second class citizenship. The Minister's office contacted me subsequently and I understand a number of these matters will be dealt with under separate headings in the Finance Bill and the Social Welfare Bill. I am not sure this is the best way but I will consider it and it will probably have my support.

Nothing would be more likely or calculated to drive me into the arms of the Minister, Deputy Dermot Ahern, than the opposition of people such as Senator Walsh on the Government side, and, regrettably, some on my own side.

An Cathaoirleach: Please, Senator. This is the Order of Business.

Senator David Norris: I must say this. I feel very angry, hurt, upset and disgusted by the mean-minded attempts by a small rump around here to drain every little atom of celebration, affirmation and joy from these proceedings. Those people are usually the ones who go on about being Christian. I deplore this. It makes me ashamed that there should be such mean-mindedness in this House.

An Cathaoirleach: Senator——

Senator David Norris: If there is a real concern about marriage, I will sign up to anything. Where do Senators think I came out of? I came out of a long, good and happy marriage.

An Cathaoirleach: The point has been made.

Senator David Norris: I will support marriage and everything in terms of civil partnership and civil marriage for gay people. Members should ask that grandmother, Mrs. Gill, in the heartland of this country whether she is supporting marriage or attacking it. I know who is attacking marriage in this country. It is the people who do not know when they are well off, how to support marriage or how to be generous.

An Cathaoirleach: The point has been made. I call Senator Regan.

Senator Eugene Regan: I refer to a statement made by the Leader, Senator Donie Cassidy, last Thursday, when he referred to the new Senators in the House. He complained about certain interruptions from these benches. We have been very patient with the Leader in his replies each week to the Order of Business and the questions raised. Indeed, we have been

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more patient than Senators on the Fianna Fáil benches, who appear to scarper when he begins his reply.

On the issue of talking down to new Senators and referring to them as if it is their first day in school, the new Senators in this House come with a wealth of experience and qualifications and much political acumen.

Senator Jerry Buttimer: Hear, hear.

Senator Alan Kelly: Well said.

Senator Eugene Regan: I ask that the Leader would desist from talking down in that fashion.

The Leader also has a tendency to avoid the specific questions raised in the debate. I asked last week if he would comment on the lack of experience and qualifications, whether in the economic, commercial, banking or financial spheres, of the Taoiseach, Tánaiste and Minister for Finance to manage the economy. I got no answer. The Leader has an unfortunate tendency to lecture these benches and to introduce old stories——

Senator Donie Cassidy: The Senator is no stranger to lecturing himself.

Senator Eugene Regan: ——that are designed to distract from the points that are made and the failures of the Government which are highlighted by Members on this side of the House. I find his replies tedious, tiresome and long-winded and I ask that the Leader would not talk down to new Senators in this House ——

An Cathaoirleach: The point is made. We are on the Order of Business now.

Senator Eugene Regan: ——and I ask that he would bear that in mind. If we are to have constructive debates, new Senators should not be denigrated in the manner in which they have been.

On the basis of treating people equally, I wish to refer to a case to be heard in the European Court tomorrow relating to mandatory retirement ages. The case has been referred from the United Kingdom and centres on the question of whether the European framework employment directive has been properly implemented. We have implemented that legislation in Ireland and we have mandatory retirement ages in the private and public sectors. It is time to review the issue of retirement ages. The OECD has presented a report, which has been approved, but not implemented, by this Government, which calls for an end to the compulsory retirement age of 65, in light of the pension crisis in Europe. I ask the Leader to clarify the Government's position on this issue. Has the Government intervened in the European Court case, the hearing of which takes place in Luxembourg tomorrow? I ask him to arrange a debate on the issue of retirement ages and mandatory retirement.

I second the request made by Senator Frances Fitzgerald to amend the Order of Business to allow for a discussion on the economy.

Senator Ivana Bacik: I support the comments of my colleague Senator Norris regarding civil partnership. In particular, like him, I was very disappointed to read of a small rump of Fianna Fáil Senators who are opposing the principle of civil partnership. I hope they will not have any influence on the Government in changing tack on this policy.

I also support those who have spoken about the Oireachtas family day, which I attended on Sunday. It was hugely encouraging to see so many people coming in, enjoying the sunshine and having the Houses of the Oireachtas open to them for the first time. It was a wonderful experi-

ence. I am sure I am not the only Member who agrees with what Miriam Lord wrote in yesterday's *The Irish Times*, namely, that at a time when we are reading about appalling and horrific events in Zimbabwe and the dreadful distortion of democracy in that country, there is lesson for us all on how important it is that we make our Houses of Parliament accessible to all and that we make sure our democracy works in a transparent and open way. The events on Saturday and Sunday were part of that process.

I should point out that the hot air balloon was not working when I was here on Sunday and a few people commented to the effect that it was the first time there was a shortage of hot air in Leinster House, but we can take such quips on the chin.

I support Senator Fitzgerald's call for a debate on the economy. I read that the Minister for Finance, Deputy Brian Lenihan, has described himself as having to make "savings", not cutbacks but one person's savings are another person's cutbacks. As others have said, when HSE frontline staff are being told that they cannot recruit people to replace colleagues on maternity or annual leave, it is time for an urgent debate on the economy.

I also support calls for a debate on human trafficking. I read of Ruhama's recent figures on trafficking and one issue of particular importance is that the majority of the women that organisation is working with who were trafficked here for sexual purposes last year are living outside Dublin. Although we have legislation in place, we must also have supports in place, particularly for those women in isolated rural areas where organisations like Ruhama cannot provide a service.

Senator Jerry Buttimer: I formally second the amendment to the Order of Business and thank the Cathaoirleach for allowing me to raise the matter of toxic waste in Cork Harbour on the Adjournment of the House today. I ask the Leader to ensure that the Minister for the Environment, Heritage and Local Government will be in the House tonight and not a surrogate Minister. This is a matter of grave importance, not just to the people of Cork but to the people of Ireland and it merits the attendance in the House of the responsible Minister.

I ask the Leader to invite the Minister of State at the Department of Finance with responsibility for the Office of Public Works, Deputy Martin Mansergh, to the House as soon as possible. Given the Leader's longevity in politics and experience in this House, can he explain to me and the people of Ireland how it cost €200,000 to refurbish offices for a former Taoiseach? How much more will the people of Ireland suffer from this Government? I carried out a quick survey of three builders in Cork last weekend. The highest price I got for the refurbishment of offices was €50,000, which was being a bit plush.

It is a bit disingenuous of Senator O'Malley to come in here because her party has been in government and has said nothing.

An Cathaoirleach: We are on the Order of Business.

Senator Jerry Buttimer: The Green Party has sat down and acquiesced like everything else it has done in government. It is an insult to the people of Ireland at a time when Senator O'Malley's party and that of Senator Boyle, which are both in government, are freezing recruitment, cutting frontline services and asking people to tighten belts when they themselves are spending money extravagantly.

An Cathaoirleach: The point has been made.

Senator Jerry Buttimer: We need a debate. We are talking about €200,000. Do Senators O'Malley and Boyle know how much that means in home-care packages or to disabled people

[Senator Jerry Buttimer.]

in this country because members of their parties in government do not? They have treated the people with contempt and it must stop.

An Cathaoirleach: The point has been made.

Senator Jerry Buttimer: It is a matter of absolute importance.

An Cathaoirleach: I understand but the Senator has repeated the point on a number of occasions.

Senator Jerry Buttimer: A sum of €200,000 in this day and age is a lot of money. We hear nothing from the parties opposite.

Senator Donie Cassidy: And they will not hear from them.

Senator Jerry Buttimer: We need a debate. We are talking about waste of gargantuan proportions.

Senator Fiona O'Malley: Unbelievable.

Senator Larry Butler: More hot air from Senator Buttimer.

Senator Frances Fitzgerald: It is not hot air.

Senator John Hanafin: I ask the Leader for a debate on the economy at the earliest opportunity although not today. It is opportune for us to have a debate because there is a misconception as to what is happening. A slowdown is taking place. There will be negative growth this year by a very small percentage. However, we have already seen two such slowdowns in the past ten years and have managed them very well. If the ESRI report is read in full, it shows that growth in the economy will resume within 18 months. What are needed are a steady hand and head and prudent management, which I am sure we will get from this Government.

I would also like to note on the Order of Business today that we often see the tyranny of the liberals. This tyranny allows them to use abusive terms like “rump” to speak about people who hold legitimate views. People should see how intolerant these so-called liberals truly are.

Senator David Norris: I will pray for the Senator.

Senator Shane Ross: I join with what everybody said about the Oireachtas family day, which was tremendous. Perhaps we could spare a thought for the ushers who did a tremendous job on that day and are not always appreciated.

Senator Paul Coghlan: Hear, hear.

Senator Shane Ross: I know the ushers give freely of their time and it could not have been done without them.

I am not sure whether I am in total agreement on the need for a debate on the economy. We have had many debates on the economy in this House and if we were very honest about it, I am not sure whether anyone listens to them.

Talks are taking place in Government Buildings to which Senator Butler referred. The reality is that the social partners, particularly the trade unions, IBEC and Father Seán Healy, who is representing somebody up there, are listened to far more than are we in this House. These are not just pay talks because they involve issues that confront the entire economy. If we really

think the social partners read the Seanad debate every time an issue emerges or when they come to a decision or discuss the subject, we are fooling ourselves. If we are going to discuss the economy, we should be listened to and not just talk to a Minister of State who does not necessarily have much input into what happens in Government Buildings. The issue is whether the social partners have too much power and whether we have very little or no power.

The second issue I raise is the one raised by Senator Regan. We are all a bit long-winded and are rather indulged by the Chair. I have learned to admire and listen to at length what Senator Regan has to say on the Order of Business. To accuse the Leader of being long-winded in his reply is somewhat unfair. His replies are full, frank and combative but Senator Regan would be the first person to accuse him of not giving a full reply if he did not answer the Senator's questions. There may be some criticisms that can be made of him but that one is extraordinarily unfair. He tries, not always successfully, to reply to our questions reasonably adequately. He does so in a full way but Senator Regan's criticism is totally unfair because if the Leader replied in one minute, refused all requests and said goodbye, Senator Regan would be the first to criticise him. His replies are excellent and we should applaud him.

Senator Paul Coghlan: The Leader was not expecting that plaudit.

Senator Maurice Cummins: The humanitarian organisation, GOAL, has expressed its concern with the ongoing situation whereby millions of euro of Irish taxpayers' money is going to the Government of Ethiopia. Ethiopian troops have forcibly displaced entire rural communities and villages and recently assassinated at least 150 civilians. Ethiopian troops are also involved in Somalia. Over recent months, GOAL volunteers and aid workers have witnessed a major increase in malnourished children attending the clinics, yet it is only in the past few weeks that the Government of Ethiopia has accepted that there is a famine and is looking for aid. This has taken place after the Ethiopian Government refused visas to aid workers to help these people.

Does the Irish Government believe the Ethiopian Government can be trusted to spend public money for the good of some of the world's most vulnerable people? I question the practice of funding Ethiopia bilaterally. I ask that the Minister clarify the position as a matter of urgency.

Senator Joe O'Reilly: I support the request for the overdue debate on the economic situation in this country, which is grievous and needs addressing. It is the product of many years of mismanagement by this Government. I want this debate to be focused on front-line services. There have been cutbacks in the effort to reduce class sizes and in the summer works scheme in schools and mental health services. There is also the embargo on recruitment of front-line staff in the Health Service Executive. When the Leader and Senator McFadden have doled out largesse to Westmeath County Council for the continuation of necessary schemes, I trust they will see fit to support similar requests from Cavan County Council. We need a focused debate on those issues when addressing the topic of the economy.

I support Senator O'Toole because what is happening in Zimbabwe is the greatest horror in the world. Our Government should be at the front of that, as it should on the Ethiopian question.

An Cathaoirleach: There is a debate on that later.

Senator Joe O'Reilly: I join in the good wishes towards the Cathaoirleach, the Ceann Comhairle and the staff, including Cáit Hayes, Michelle Conville and the ushers, on the great success of the family day at Leinster House. I was privileged to be there with my family. It was an excellent day and this wonderful exercise should be repeated. I join in the remarks referring

[Senator Joe O'Reilly.]

to the Cathaoirleach. It was great to see him at the front welcoming families. It can only get rid of the disconnect between people and the Parliament.

Senator Fidelma Healy Eames: Last week, I spoke about the need for the re-instatement of the school BCG vaccination programme for sixth class pupils. In a further development, it appears we have no immunisation programme for babies and public health doctors are in broad agreement that this is the best time for a child to be vaccinated. The longer a child is without a vaccine, the more unprotected he or she is. Yesterday, a mother of a seven month old baby telephoned me to state she could not get the vaccine for her child anywhere in Galway. When will the BCG vaccine for babies be available to protect them against TB?

I support Senator Fitzgerald's amendment to the Order of Business with regard to a debate on the economy. Yesterday, I spoke to a major developer in Galway. He has one of the last remaining construction sites open in Galway. He told me that 50 different workers come to the site every day to seek jobs. Yesterday, we also learned that interest rates have broken 6% for the first time in recent years.

An Cathaoirleach: This will be included in the debate if the Leader agrees to it.

Senator Fidelma Healy Eames: On the day we learned that all learner drivers must be accompanied from now on, it appears it is vital the Taoiseach, Deputy Cowen, is accompanied by someone qualified to manage and lead the economy at this critical juncture. He has failed in his provisional in finance.

I have two questions for the Leader in this regard. Why, as Minister for Finance, did the Taoiseach, Deputy Cowen, not let the people know the truth about the economy? The figures were rolling into the Department of Finance. What are the sound fundamentals in our economy at present? The people of the country need to know them so we know where we are going. This must be addressed in our debate.

Senator Donie Cassidy: Senators Fitzgerald, O'Toole, Kelly, Coghlan, Donohoe, Norris, Regan, Bacik, Buttimer, Hanafin, Ross, O'Reilly and Healy Eames called for a special debate on the economy. On the Order of Business tomorrow are statements on the OECD report on integrated public service reforms. On Wednesday week, the Minister will be before the House for a debate on the economy. As all Senators know, the official figures for the first six months will be announced tomorrow and everyone will know them in good time. We can have a full and lengthy debate in the House in which Senators can express their views and be of assistance to the Government on the proposals. We have experienced Senators in the House as well as new, young and energetic Senators whom we welcome very much.

Senator Paul Coghlan: That was a good recovery.

An Cathaoirleach: The Leader to reply to the Order of Business without interruption.

Senator Donie Cassidy: I look forward to helping and assisting anyone who needs help in the area of the wisdom in which they have experienced their own lives and made a success of it. Let us face it. Everyone who got themselves elected to this House has a special talent.

Senator Frances Fitzgerald: No doubt about it.

Senator Donie Cassidy: The Government would appreciate that these talents were not wasted and were put to good use.

Looking back on the past ten years we see all that was done. Senator McFadden and the Cathaoirleach, who come from the midlands, will agree with me with regard to the new dual carriageway from Kilbeggan to Athlone opening in three weeks' time, just in time for Senator Healy Eames and the Galway races and all those great activities taking place in the west.

Senator Paul Coghlan: We are off again.

Senator Jerry Buttimer: The tent is gone, though.

Senator Donie Cassidy: Substantial sums are being spent on infrastructure, especially on roads. More than 600,000 houses were built during the past ten years.

Senator Alan Kelly: What about broadband?

Senator Donie Cassidy: We also had 600,000 jobs created during the past ten years.

Senator David Norris: Where are they now?

Senator Donie Cassidy: The boom has been there for ten years. It has not been a secret. It was all done under the stewardship of good Fianna Fáil-led Governments.

Senator Frances Fitzgerald: What about health, education, and class sizes?

An Cathaoirleach: The Leader, without interruption.

Senator Donie Cassidy: I always welcome all constructive criticism. I thank Senator Regan for his remarks but I must agree with the sentiments expressed by the father of the House, its most experienced Member, with regard to the activities, hard work and endeavour I am trying to bring to the House to make it act in a positive fashion. I thank him for these remarks. We are all privileged to be Members of this House and to serve our country. I look at it in that regard every day I attend the House.

Senators O'Toole, Mullen and O'Reilly referred to the situation in Zimbabwe, statements on which will be taken following the Order of Business. I fully agree with their sentiments, particularly those of Senator O'Toole. It is an appalling situation in which the poor people of Zimbabwe find themselves. We will do anything we can on an all-party basis to help them. The Minister for Foreign Affairs, the Taoiseach, the country and the Government must do everything in their power to ease the plight of the poor people of Zimbabwe.

Senator Kelly referred to the HSE and the way it is conducting its affairs. He gave an example of the release of e-mails without consultation with public representatives. I will pass his views on to the Minister for Health and Children.

Senators O'Malley, Donohoe, Bacik, Ross and O'Reilly offered their congratulations to the Cathaoirleach. I also congratulate him and the Ceann Comhairle on their magnificent gesture in opening up the Houses of the Oireachtas to the public over the weekend. It was very much appreciated by everyone who attended and the hard work of the ushers and other staff, the Superintendent and the Captain of the Guard in making this possible was appreciated. It demonstrated to all of us how the public appreciates the great work and endeavour in which we are engaged. It may not be flavour of the month with the media but the people of Ireland are as sound as they ever were. They have always acknowledged the great democratic process in these Houses and they showed that in their thousands over the weekend.

Senators O'Malley, Donohoe and Buttimer expressed serious concerns about the amount spent on the refurbishment of the office of the former Taoiseach. I understand the approval of a Minister was not needed for this but it seems an enormous sum.

Senator Jerry Buttimer: Does the Leader agree with it?

Senator Donie Cassidy: The Committee of Public Accounts will have Office of Public Works personnel before it to discuss where the money was spent and the cost details because this amount seems way above odds relative to the amount of work.

Senator Frances Fitzgerald: It is another example of the ongoing mismanagement of the public finances.

Senator Donie Cassidy: However, I do not know how work took place other than what I read in the newspapers. In fairness to all Members, it seems excessive and we would like to know——

Senator Jerry Buttimer: The Senator's hotel would not last long like that.

Senator Donie Cassidy: The offices of the Taoiseach and former Taoisigh must be in standing with the position and those privileged to have been appointed to hold it.

Senator Jerry Buttimer: Like the Taj Mahal.

An Cathaoirleach: The Leader, without interruption.

Senator Donie Cassidy: Let us see what the Office of Public Works tells the Committee of Public Accounts in due course.

I apologise to Senator Burke for not responding to him last Thursday. Both himself and Senator Coghlan referred to the local election areas Bill. I look forward to it being discussed in the House. I do not know when the Government will ask for it be taken but the Bill to change the Dáil and European Parliament constituencies, which affects Westmeath and Longford, as Senator McFadden will be aware, has been published and that will come to the House in due course.

Senator Ó Murchú commented on the Christian churches in Northern Ireland and the wearing of the crucifix and the pioneer pin. I fully agree with the Senator's sentiments. Perhaps it is a step too far. However, he has put the House on notice in this regard and it will not forget the views of the Senator.

Senators Mullen, Ormonde and Bacik called for a debate on human trafficking and I have no difficulty agreeing to that. The Independent group have Private Members' time in the first sitting week in September and that would be the earliest opportune time for this to be discussed in the House.

Senators Butler and McFadden raised concerns about the social partnership talks. Last week I wished the talks well. I watched the "One to One" television programme last night in which one of the most experienced and successful civil servants in the history of the State was interviewed. He served three Taoisigh and he played a major role in bringing the Ryder Cup to Ireland. He outlined his views regarding the challenges facing Ireland. Senator Butler has enormous experience in this area and it would be a wise move to take on board Pádraig Ó hUiginn's suggestion that the new agreement should provide income tax relief in return for moderate pay increases. Perhaps this could make the economy competitive again.

The greatest challenge facing us in the new pay talks is getting Ireland back to being competitive. It is frightening when 580 jobs will be lost at the one of the most successful companies in Ireland, which has played a major role in road safety in particular and reducing premiums when the challenge was put down to the insurance industry. The chief executive of Hibernian Insurance provided all the assistance I required as Chairman of the Joint Committee on

Enterprise and Small Business at the time and thorough research was carried out. A total of 580 jobs is a huge number to lose and I am disappointed they may leave the country in the long term.

Senator McFadden made the case for additional funding for essential repairs in County Westmeath. I will come back to her on that but I will do everything I can. I assure her regarding the plight of those most in need. If we were all asked who we represent and appreciate, we would reply those on the margins, those who are underprivileged and our senior citizens, who have made an immeasurable contribution to give us the Ireland we have in the 21st century.

Senators Norris, in particular, and Senator Hanafin referred to the civil partnership Bill. Its publication is expected later in the autumn.

Senator David Norris: Will that be the full Bill?

Senator Donie Cassidy: The heads of the Bill have been published. We are in the consultation stage. That is what is taking place in the parliamentary parties and Fianna Fáil will discuss it and ascertain the views of the parliamentary party over the coming weeks.

Senator Regan asked about the Government's position on mandatory retirement and the retirement age. I will make inquiries and come back to him on it.

Senator Buttimer called on the Minister for the Environment, Heritage and Local Government to come to the House for a debate on the toxic waste in Cork Harbour. This is an alarming occurrence and I am sure all Members, including the Deputy Leader, will support Senator Buttimer regarding the importance of assisting——

Senator Dan Boyle: I welcome the Senator's concern.

Senator Donie Cassidy: Senator Cummins is a hard working and dedicated Whip in ensuring the proceedings of the House run smoothly. He raised questions about the Government's aid programme to Ethiopia and the terrible situation in which the Ethiopian people find themselves. I will pass his strong views on to the Minister for Foreign Affairs following the Order of Business.

Finally, Senator Healy Eames raised the issue of BCG vaccinations and asked when they will be available in Galway. The Senator received a good deal of quite justifiable coverage in the national press over the weekend. I will make inquiries and revert to the Senator in the next day or two.

An Cathaoirleach: Senator Eugene Regan has moved an amendment to the Order of Business: "That a debate on the economy be taken today." Is the amendment being pressed?

Senator Frances Fitzgerald: Yes.

Amendment put.

The Seanad divided: Tá, 20; Níl, 27.

Tá

Bacik, Ivana.
Burke, Paddy.
Buttimer, Jerry.
Coffey, Paudie.
Coghlan, Paul.
Cummins, Maurice.
Donohoe, Paschal.
Fitzgerald, Frances.

Healy Eames, Fidelma.
Kelly, Alan.
McCarthy, Michael.
McFadden, Nicky.
Mullen, Rónán.
Norris, David.
O'Reilly, Joe.
O'Toole, Joe.

Tá—*continued*

Quinn, Feargal.
Regan, Eugene.
Ross, Shane.

Ryan, Brendan.

Níl

Boyle, Dan.
Brady, Martin.
Butler, Larry.
Cannon, Ciaran.
Carty, John.
Cassidy, Donie.
Corrigan, Maria.
Daly, Mark.
Ellis, John.
Feeney, Geraldine.
Glynn, Camillus.
Hanafin, John.
Keaveney, Cecilia.
Leyden, Terry.

MacSharry, Marc.
McDonald, Lisa.
Ó Domhnaill, Brian.
Ó Murchú, Labhrás.
O'Brien, Francis.
O'Donovan, Denis.
O'Malley, Fiona.
O'Sullivan, Ned.
Ormonde, Ann.
Phelan, Kieran.
Walsh, Jim.
White, Mary M.
Wilson, Diarmuid.

Tellers: Tá, Senators Jerry Buttimer and Maurice Cummins; Níl, Senators Fiona O'Malley and Diarmuid Wilson.

Amendment declared lost.

Order of Business put and agreed to.

Situation in Zimbabwe: Statements.

An Leas-Chathaoirleach: I welcome the Minister for Foreign Affairs to the House and I wish him well in his new portfolio.

Minister for Foreign Affairs (Deputy Micheál Martin): The eyes of the world are focused with sorrow and disgust on the continuing tragedy in Zimbabwe. It is opportune, therefore, to place on the record of the House our shared and utter condemnation of that situation and our rejection of the sham re-election of Robert Mugabe after a campaign of violence and other gross abuses that made free and fair elections impossible and forced the withdrawal of Morgan Tsvangirai from the race.

The principle of free and fair elections is the fundamental cornerstone of democracy. We in Ireland are fortunate in being able to take our democratic rights and freedoms for granted. It is, therefore, all the more distressing to see the manner in which these precious rights, so clearly valued by the ordinary people of Zimbabwe, have been brutally trampled on.

4 o'clock The obscene charade last Friday, marked by reports of terrified voters being herded to polling stations, was deeply distressing for all those endeavouring to promote peaceful change in Zimbabwe and concerned with the welfare of the Zimbabwean people. The re-inauguration of Robert Mugabe on Sunday was an insult to democracy.

The reality is that Robert Mugabe has abused the current electoral process from the start, beginning with his decision to ignore the opinions of the MDC and to proceed with presidential elections in advance of necessary constitutional and political reforms. This abuse is all the more tragic when we reflect on the courage and the hope in the future shown by the Zimbabwean people in exercising their democratic right to vote on 29 March.

The violence that characterised the period between the first round of voting and last Friday's run-off vote was horrendous. It is reported that, in addition to close to 90 killed, including

women and children, more than 3,500 were seriously injured and some 200,000 displaced. Despite the ban on foreign media operating in Zimbabwe, we are all familiar with the widespread reports of systematic, state-sponsored violence depicting in graphic detail the shocking and barbaric attacks inflicted on MDC supporters. This reign of terror effectively denied the Zimbabwean people their legitimate right to express their democratic opinion. Mugabe's chilling remarks that he would never accept the MDC democratically securing power in Zimbabwe and making clear that the only alternative he envisaged to his continued rule was war to be visited upon his own long-suffering people give an insight into the mindset of a veteran autocrat who is becoming increasingly delusional and seemingly immune to all pleas for reason. Members of the Oireachtas and the Irish people are rightly appalled by what has happened in Zimbabwe. I want to make clear the Government's unequivocal position that the results of last Friday's vote cannot be regarded as legitimate or in any way constituting the democratic and free expression of the Zimbabwean people's will.

Ireland has been very active in working with both the regional organisations and the countries of the southern African region to address the current situation. Prior to the withdrawal of Morgan Tsvangirai from the run-off election, Irish Aid had provided financial support to the United Nations to support deployment of SADC election observers in Zimbabwe. In Malawi and Lesotho, Ireland has acted as the local Presidency to convey the European Union's concerns to the governments of those countries. All our missions in sub-Saharan Africa have been engaged in close dialogue with their host governments on the situation. The Irish ambassador to South Africa and officers from the embassy in Pretoria have made regular visits to Zimbabwe to assess the situation, most recently over the weekend, and they are available at all times to offer consular assistance to the Irish community in Zimbabwe. I pay tribute to the role of the Irish honorary consul in Zimbabwe, Gary Killilea, whose presence on the ground is a valuable assistance to the work of our embassy in Pretoria.

The international community must continue to make clear that Mugabe's position has no democratic legitimacy. I have already publicly welcomed the unequivocal and unanimous statement last week by the United Nations Security Council in which it declared that a free and fair run-off election in Zimbabwe had become impossible because of violence and restrictions on the opposition, and explicitly condemned President Mugabe's government. The Security Council called for efforts aimed at finding a peaceful way forward through dialogue that allows a legitimate government to be formed that reflects the will of the Zimbabwean people. I am glad that similar statements have been made by Secretary General Ban Ki-moon, and by his deputy at the opening of the African Union Summit yesterday.

I also welcome the announcement by G8 Foreign Ministers, at their meeting in Japan last Friday, that they would not recognise the legitimacy of the outcome of the election. The outgoing European Union Presidency made a similar announcement on Saturday.

However, it is clear that it is Zimbabwe's African neighbours, and above all South Africa, which have the greatest potential influence and leverage. In this regard I welcome the constructive interventions recently by many, although most regrettably by no means all, leaders and countries in Africa. Concern and condemnation of the violence in Zimbabwe have been expressed by several prominent figures such as the former UN Secretary General Kofi Annan, Prime Minister Odinga of Kenya and the President of the African National Congress, Jacob Zuma. They are rightly dismayed by what Nelson Mandela so aptly described as the "tragic failure of leadership in Zimbabwe". Ordinary Africans have made clear also their abhorrence, as was demonstrated by the actions of South African dock workers in refusing to unload a ship containing a consignment of arms bound for Zimbabwe. There is no doubt that opinion in Africa, for so long overly respectful of Mugabe as a veteran liberation figure, is now turning against his rule and the ensuing chaos and violence in Zimbabwe.

[Deputy Micheál Martin.]

I strongly welcome the highly critical statement issued last Sunday by the Pan African Parliament Election Observer Mission, which described the political environment as “tense, hostile and volatile with high levels of intimidation, violence, displacement of people, abductions and loss of life”. It concluded that the current situation prevailing in the country did not allow for free, fair and credible elections. The Southern Africa Development Community, SADC, election mission also concluded that the election process did not conform to the SADC principles and guidelines governing democratic elections, and that the elections did not allow for the expression of the will of the people of Zimbabwe. The African Union’s own electoral mission also reported that the elections fell far short of the standard required.

There is a particular onus on African leaders, currently meeting at the African Union Summit in Sharm el-Sheikh, to take a stand. The elections pose a direct challenge to the African Union’s own principles and seriously undermine recent progress with regard to democracy and good governance on the continent. The African Union ought to make absolutely clear, without equivocation, that the situation is quite unacceptable and that Mugabe’s position is invalid and illegitimate. Reports from Sharm el-Sheikh so far appear to indicate quite a mixed approach. Some present are taking a commendably firm line but others appear ready for business as usual. Mugabe is, as ever, defiant.

President Mbeki’s mediation, despite his very considerable efforts, on which he briefed the then Taoiseach and me when we were in South Africa in January, has not brought the results at which he was aiming. However, it remains vital that South Africa, which has more influence over the situation than any other external actor, remains fully engaged. I therefore welcome yesterday’s fresh call by South Africa for talks between the regime and the MDC aimed at achieving a transitional government. The African Union should add its weight to this call — I welcome reports that it may- and it should, with SADC and possibly the UN, work actively to put such a process in place. Any such negotiations would have to be credible, substantive and time limited.

It is vital Mugabe and his party are forced to engage seriously and urgently with the opposition. Mugabe has a history of gestures which turn out to mean nothing and to be designed simply to buy time. He should not be allowed to get away with such prevarication once again. Merely entering into discussions should not be enough to buy off criticism and pressure.

It is not for outsiders to say what the outcome of such negotiations might be, but I note that Morgan Tsvangirai and the MDC in some recent statements have appeared open to a transitional government of national unity so long as it is genuinely based on the will of the people as expressed in the 29 March elections, in which the MDC did best, and so long as it leads to fresh elections before long.

Regrettably, there can be no confidence that Mugabe and his regime will respond to pressure since they have never attempted to conceal their contempt for international opinion. In these circumstances we must be prepared within the European Union to ratchet up the pressure on Mugabe and the ruling elite through the extension of existing restrictive measures, though the scope for further action is relatively limited. This is something which will be actively explored within the European Union over the coming days.

It must be reiterated that the European Union’s existing sanctions are targeted solely on this ruling elite with the intention of restricting their travel to the European Union or attempts to siphon off ill-gotten gains in EU accounts. The sanctions do not impact on the ordinary population and the European Union, which is already the leading international provider of humanitarian assistance to the Zimbabwean people, will continue to do all it can to alleviate their suffering.

I also welcome and support the stated intention of the United States to seek the imposition of UN sanctions. Even if there were to be an acceptable political settlement, the economic and humanitarian situation would require extensive international action and support over a long period.

The Zimbabwean economy continues to spiral out of control. Inflation and threatened famine add to the sufferings heaped on the Zimbabwean people by Mugabe. With the inflation rate currently running at an unprecedented 10,000,000% and the exchange rate having devalued by 95% in the past three weeks alone, basic items are now increasingly beyond the means of ordinary people where they have not disappeared altogether. The cost of a loaf of bread has risen from Z\$ 10,000 on 29 March, the day of the first election to Z\$1 billion today. Zimbabwe used to be the bread basket of southern Africa. Now it can no longer feed itself. Mugabe's hollow and empty promises of a dramatic improvement after the run-off election are unsustainable with government spending running at 80% of gross domestic product.

Last month's decision of the Zimbabwean government to suspend the activities of non-governmental organisations working on the ground was quite appalling. This came at a time when Zimbabwe is already in deep humanitarian crisis with an estimated one third of the population in need of vital food assistance. The latest forecasts from the Food and Agricultural Organisation and World Food Programme indicate that more than 5 million Zimbabweans will suffer food insecurity in the next nine months, 1 million people more than the previous year. Non-governmental organisations provide a lifeline to these poor and vulnerable sections of the population and are the main targets of this ban, which displays a further dimension to Mugabe's callousness and disregard for human suffering.

Irish Aid support to the Zimbabwean people has totalled more than €25 million since 2006. All this assistance is channelled through non-governmental organisations, missionaries or United Nations agencies. I pay a special tribute to the excellent work done by these valuable partners, and I am sure members of this House will join me in acknowledging the contribution which they make to the daily lives of the most vulnerable. I strongly urge the Zimbabwean authorities to fully respect the fundamental principles of impartiality and neutrality that are vital to humanitarian relief efforts and to lift this ban immediately in order to allow much needed assistance to reach the most vulnerable.

The collapse of the Zimbabwean economy and society is impacting severely on the southern African region. Of the population of 12 million, 3 million Zimbabweans are now living in South Africa, most of them illegally, with a consequent serious rise in tensions there, as we have tragically seen. At least a million more are scattered around other African nations, simply because they can no longer survive at home.

This makes the situation in Zimbabwe a threat to regional peace and security and hence of direct and deep concern both to the African Union and the United Nations. The challenge in the coming weeks will be to ensure that the current level of pressure on the Mugabe regime to stop the violence and engage in genuine and meaningful dialogue with the MDC is maintained and increased.

I am again grateful for this opportunity to place the Government's position on record. I am confident that it is universally shared by Senators and the Irish public. I know that all in this House agree that the Zimbabwean people deserve the opportunity — an opportunity which their country's laws and institutions should guarantee — to exercise their right to choose freely who should lead their country, and to have that choice respected. We will continue to do what we can to highlight the issue and continue to work for change.

Senator Maurice Cummins: I welcome the Minister to the House.

[Senator Maurice Cummins.]

Ireland has long and special relationship with Africa. Our missionaries offered a unique lifeline between the continent and this country, not merely in educating Africa, but in educating Ireland about Africa. As we too are a former colonised country, we can empathise with its struggle for freedom, its desire for independence, its resentment of outside interference.

We have sought to work with Africa, not lecture it. That makes our stance at the situation in Zimbabwe, and the dictatorship of Robert Mugabe, all the more powerful. We have, and can have, no business motives, no echoes of past colonial dominance. We condemn what is happening in Zimbabwe for one reason and one reason only, it is wrong.

When we refer to the dictatorship — I use the term deliberately — of Robert Mugabe, let us not pretend that Zimbabwe is a democracy. A democracy does not send its police to harass voters and threaten voters who support the opposition. A democracy does not send its police into polling stations and demand to see people's votes. A democracy does not continually arrest the leader of the opposition to silence him during a general election. No democracy rigs an election to effectively deny the people a choice in who governs them, and rushes through the presidential inauguration within hours, to complete the coup, a coup against its own people.

Many of us here remember the days when Zimbabwe achieved legal independence in 1980. The early years of Robert Mugabe seemed to us to embody all our hopes for that proud but worn-torn country. Prime Minister Mugabe, as he was then, was admired internationally for his attempts to bring reconciliation between white and black, the factions of the independence movement, the old Rhodesia and the new Zimbabwe.

When he visited this country he was acclaimed. Here was a man, we believed, who could lead Africa from the dictatorship to democracy. We felt a special affinity for him because he was a product of education by Irish missionaries, and spoke movingly of the role Irish people had played in his life.

We were badly deceived. Under his rule the thriving economy he inherited has been turned into an economic basket case. Under the reign of Robert Mugabe, thanks to his policies, life expectancy has fallen to the lowest level in the world, at around 35 years of age in 2006. Zimbabwe, and before it Rhodesia, was one of the best educated electorates — a key role in which was thanks to Irish missionaries such as those who educated Mr. Mugabe.

Today education levels in Zimbabwe are tumbling as the best educated flee from a country unable to guarantee its own food supply. Yet, incredibly and sickeningly, Mugabe's Government in 2008 banned non-governmental organisations, as the Minister has stated, from distributing food to feed thousands of people in some rural areas.

On 29 May 2008, Zimbabwe's Minister of Social Welfare, Nicolas Goche, banned one agency from distributing food in Masvingo province on the preposterous idea that feeding people was somehow helping the Movement for Democratic Change, the main opposition party. It appears that in Mugabe's Zimbabwe, the Government would prefer people to starve to death than live and vote for the opposition. According to Human Rights Watch, "The decision to let people go hungry is yet another attempt to use food as a political tool to intimidate voters ahead of an election". President Mugabe's Government has a long history of using food to control the election process. Ultimately, President Mugabe had to announce the importation of 600,000 tons of maize to feed people in a country that used not only to feed itself but millions in other countries. Zimbabwe, as the Minister has stated, once the bread basket of Africa, has become its basket case.

The food problem in Zimbabwe came about through a crass and incompetent land redistribution policy. Like Ireland in the 19th century, Zimbabwe, as Rhodesia, saw most of its estates

held by a small minority of the wealthy. Like in Ireland a century ago, major land reform was needed in Zimbabwe. In Ireland land reform was achieved through a simple basic rule: the land went to those who had worked it as tenants. What this meant was that those who got the land were farmers who were committed to using it. That did not happen in Zimbabwe. Large efficient farms were seized, often brutally, sometimes criminally. They were broken up and given out not to those who could work the new farms, but as bribes to government supporters, many of whom had no experience in agriculture. It gave Zimbabwe the worst of all worlds — no food, no agriculture, and its best land lying fallow in the hands of people who did not have the experience, the knowledge and the resources to farm it.

The economy collapsed and inflation reached levels that, if repeated in a Marx Brothers movie, would have sounded unbelievable. Yet the more people suffered, the more chronic and stupid mistakes Mugabe made. We now face the crisis we have today, namely, a dictatorial president who has in 28 years reduced his country from riches to rags; a society in which a corrupt political elite use farms and food as bribes to keep themselves in power, with no concern for the people; a president, who, as the recent election shows, has such an inflated ego, that he equates his own survival in power with the good of his country, even when his policies are destroying the country.

I will not go through the details of all that has happened in the recent so-called elections. We know that in the first round the opposition leader beat Robert Mugabe but suspiciously just failed to get an overall majority. We know that in the weeks that followed, opposition leaders were targeted, bullied, starved, burnt out of their homes and in some cases killed. We know that in the end, the opposition was forced to pull out of the election to save lives. Even then President Mugabe sent the police into polling stations to make sure that people voted for him. That is Mugabe's type of democracy. It was a coup, a cynical seizure of power by a corrupt dictator who will do anything, say anything, and kill anyone, to hold onto power.

One thing we in Ireland need to make very clear, is that Mugabe's claim that the criticism of him is all the work of the former "imperialist power", Britain, attempting to subvert Zimbabwean independence, is false.

An Leas-Chathaoirleach: I ask the Senator to conclude.

Senator Maurice Cummins: Ireland is not an imperialist power. We have always been a friend of Zimbabwe. When we condemn that election we do so because we believe that what has happened is a disgrace. We believe that it is Mugabe and his friends, not anyone else, who are the biggest threat to the survival of Zimbabwe and its people. Let the message go out that this Parliament and this country is loud and clear in its condemnation of Mugabe. He has led his people to ruin and destruction. He has shattered its hopes, wrecked its economy, torn its communities, alienated its friends, empowered its enemies and starved its people. This is the legacy of Mugabe.

I would like to continue further about the African Union summit and other areas but I have run out of time.

Visit of Former Member.

An Leas-Chathaoirleach: Before I call Senator Ormonde, I welcome former Senator Katherine Bulbulia to the Distinguished Visitors Gallery.

Senator David Norris: Hear, hear.

Situation in Zimbabwe: Statements (Resumed).

Senator Ann Ormonde: I welcome the Minister for Foreign Affairs, Deputy Martin, on his first visit to the House since his new appointment. I wish him well in his new Ministry.

Shock and disbelief followed my reading of all the reports in recent days on the continuing tragedy in Zimbabwe. Many observers stated the political environment was tense, hostile and volatile and many of the reports condemned the conditions under which the election took place. It was stated that voters were wakened at sunrise and were herded to polling stations. The widespread violence and intimidation resulted in the deaths of more than 100 opposition supporters while many others were displaced or seriously injured, including women and children. Is it any wonder the leader of the opposition was forced to withdraw from the election, which was a sham and did not reflect the people's will in Zimbabwe. Many of the Zimbabwean people voted out of fear and spoiled their votes by defacing them. They only voted to protect themselves from the hooligans.

Mr. Mugabe was in a hurry to be sworn in so that he could attend the African Union summit in Egypt. What an insult to democracy. I understand the African Union is divided. Some African countries have criticised the crisis while others indicated they did not want confrontation. The question is what is the solution to the problem. All our efforts must be redoubled, especially in the United Nations Security Council, to promote a democratic and peaceful way forward. The South African development community and the African Union are best placed to do something, and they have a responsibility to mobilise support for a negotiated solution. They must make it clear that this awful situation is not acceptable and that an effort must be made to restore democracy. Talks must commence between the regime and the MDC with the aim of at least moving towards a transitional government. I understand from what the Minister said that those talks are due to commence and I welcome the development.

Concern and condemnation have been expressed by elderly statesmen such as Nelson Mandela and the Kenyan Prime Minister who came out strongly against the illegitimate government and urged the African bloc to suspend Mugabe's membership. Ireland has long had links with south African countries, including Zimbabwe. Our missionary links were focused on education and health care. In addition, many Irish families have settled in Zimbabwe. There is concern on a humanitarian level and I acknowledge the Government is doing all it can to support the continuing operation of non-governmental organisations in Zimbabwe. I also acknowledge the humanitarian work of NGOs to help the most vulnerable. I visited South Africa and Zimbabwe earlier this year and I spoke with many NGOs in Johannesburg and in Zimbabwe. I have seen the work they are doing in education and health care. Many Irish families living in Zimbabwe are trying to flee that country because they feel there is no hope left for them there.

As the Minister outlined in his contribution, continued pressure is being put on the Mugabe regime to stop the violence and engage in meaningful dialogue with the leader of the opposition. An international initiative must put pressure on all concerned to come together to see how best we can go forward. The European Union has also upped the ante by calling for talks on the political situation. Ireland, which is very much to the forefront on the issue, will support any new measures in that regard.

The leader of the opposition won most of the votes in the first round of the election results. Accordingly, the second round is purely a sham and under no circumstances can leaders in any part of the world condone what is happening. We must work with international partners to find a way to end this sickening chapter of violence that has cost so many lives. That must be done through mediation, economic and financial sanctions and, if necessary, isolation of the Mugabe regime. At the same time we must protect the people of Zimbabwe who deserve to

choose freely who they would like to lead their country. That choice should be respected. We will continue to highlight the issue as best we can, and work at every opportunity we can to condemn the regime and highlight the fact that the violence must stop.

Senator Shane Ross: With the permission of the House I will share my time with Senator Norris.

An Leas-Chathaoirleach: Is that agreed? Agreed.

Senator Shane Ross: I wish to add a voice to the unanimity that obviously exists in the House on the appalling situation in Zimbabwe, and to welcome the Minister's statement. I question whether there is anything Ireland can do on its own. The Minister indicated in his speech that we will work within the European Union or the United Nations. The latter is a more powerful group to work within but as Senator Cummins' indicated, we have a noble anti-colonial history and our voices may be powerful in supporting the people of Zimbabwe against a dictator.

The extraordinary inability of the civilised world to shake this dictator should be pointed out. As far as can be ascertained, there is not a single ally in existence for this dictator yet he is still holding out. One wonders sometimes whether there really is the will in the African countries to topple this regime. Although lip service is paid to the fact that this was not a democratic election, it appears there is a possibility that the tyrant may escape again on this occasion by bluffing his way through the conference, entering into talks with the leader of the opposition and doing nothing. He has a record of doing exactly that. The Minister referred to Mugabe's ability to buy time in situations like this, but the situation in Zimbabwe is absolutely unthinkable. The Minister eloquently spelled out the awful food shortages that exist, the level of inflation and the fact that thousands of people are fleeing over the border.

One wonders who is in charge. I do not know whether the Minister has any insight as to whether one can give credence to the theory that Mugabe is now a puppet of the military, and that it is in charge. Nobody really knows. It is difficult to ascertain whether talks — if they happen — with the leader of the opposition will be effective. If the military is pulling the strings, whatever talks take place the military will still dictate the pace on what happens in the country. It is apparent that the democratic wishes of the Zimbabwean people could not have been overturned without the existence of a military dictatorship. Perhaps the Minister can indicate who supplies the arms to the Mugabe regime. A shipload of arms was boycotted by some very brave people in another country.

If the Chinese are supplying arms it is important that the message goes out loud and clear to them that we do not tolerate that. That is where the finger should be pointing. This is a very well armed regime. It is not armed by nobody. Something we could do would be to put pressure on those who are arming the regime, which is kept in power by arms. The Government should investigate and act upon it.

Senator David Norris: I welcome that Senator Cummins described President Mugabe as a dictator. I did so in this House ten years ago. I was publicly reprimanded and a demand was made that I withdraw the comment. I am glad that I did not. That was on the occasion that President Mugabe visited UCD. While there when answering a question from a young woman who had great courage he continued to attack and trash the very vulnerable gay community in his country and, as Senator Cummins said, the Irish priests who educated him. He laid the blame for that vitriolic abuse of his own community at their door, which was very regrettable.

I also had the opportunity to meet Roy Bennett, a farmer and a member of the Zimbabwean Parliament whose rights were traduced. I met Morgan Tsvangirai in Liberty Hall some years ago and I formed a very high impression of him. While most of the Minister's speech was fine,

[Senator David Norris.]

when he spoke about President Mbeki's very considerable efforts, what were they? They were useless and hopeless. He is a disaster, as his own people know, including his brother who disowned him. People in South Africa are openly asking what President Mugabe has over President Mbeki and I ask the Minister to have a word with the South African ambassador to Ireland to express our very considerable reservations — at the very least — about President Mbeki's stance which is not what the South African people want. The overflow into South Africa has created a considerable distortion and xenophobic riots. Some 25% of the population of that country has haemorrhaged out of it because President Mugabe has used the instruments of Government as a weapon against his own people, which is shameful.

The Minister talked about the result of the election. It is astonishing that the utterly corrupt electoral commission was faced with such a disaster that even it and President Mugabe were forced to admit that Morgan Tsvangirai's party won the parliamentary election. He also overwhelmingly won the presidential election. I salute the enormous courage of the people of Zimbabwe who stayed away in droves. Those polling stations were empty despite people being abducted, raped, beaten and tortured. Yet they had the courage to stay away. We must stand with them because most of the other African people will not. What is happening in Sharm el-Sheikh is a disgrace. How many of those other African leaders are also suspect in the way in which they got into power and the way in which they abuse the rights of their own people?

We have a real crisis. The collapse of the currency is astonishing. Nothing like it has been seen since the days of the Weimar Republic that led to the Third Reich. The inflation rate is unimaginable and shows the total collapse of the economy. That man feels contempt for his own people and yet he has the gall to invoke Christianity. Does the Minister remember what President Mugabe called "operation sweep away rubbish"? The unfortunate people living in hovels around Harare were brutally swept out of the way by the police because he suspected that they might in their desperation at least have the courage to vote against him.

It is astonishing that Archbishop Desmond Tutu, a wonderful peaceful man, has called for intervention. Nelson Mandela at last spoke out on his 90th birthday and described this as a tragic flaw. Even the African Union observers have impugned this election. The Minister should not let them away with it. He should stand firm and make it clear that we all know that the election was a complete sham. What a tragedy that President George Bush and American democracy is a busted flush. Nobody could do other than laugh when President Bush called it a sham election. However, for once in his life he was right. It is a pity that the source of American democracy is so vitiated that it will have no effect other than to meet with a contemptuous repost from President Mugabe's henchmen.

I ask the Minister to stand firm on behalf of Roy Bennett and of the family which suffered an appalling plight when an elderly woman had lighted sticks placed in her mouth while her son and husband were beaten unconscious because of the situation. I urge the Minister not to weaken. He should take the strongest possible position, because, as my colleagues have said, we cannot ever be accused of coming from a colonial position.

Senator Dan Boyle: Among the chorus of condemnation that will rightly follow from every contribution to this evening's debate, none would be more eloquent than the contribution we heard on the Order of Business from Senator O'Toole.

Senator David Norris: Hear, hear.

Senator Dan Boyle: He was involved in a radio debate over the weekend with a person who along with his family was subsequently kidnapped and brutalised for daring to speak the truth about Zimbabwe. Unfortunately those who are clinging on to political power in that tragic

country have been using every despicable means to do so. Not only have we heard of incidents such as that, but also newspapers over the weekend have shown pictures of a two year old child who had both legs broken in an act to intimidate the child's parents. When a country sinks to those depths there is an onus on the rest of the world to respond.

There is confusion as to how the nature of that response. We have heard contributions from people like Archbishop Tutu, which we should take seriously. Part of the reason for President Robert Mugabe clinging to power has been a concern that an excessively aggressive attitude on behalf of the western world and especially those that had been colonising powers has always been treated negatively in Africa. President Mugabe and those with a loose attitude to democratic principles have used it to their advantage.

It is important for Zimbabwe to receive firm answers from other African countries. We should support bodies like the Pan-African Parliament, which did an excellent job in showing up the sham that was last week's election, and other democratic governments in Africa. That continent, which thankfully is becoming more democratic, is being besmirched by the activities by President Mugabe and his thugs in his political party ZANU-PF. We must offer our practical support to the justly elected Zimbabwean Parliament, in which ZANU-PF no longer has a majority. As a result of the confusion caused by the continued assumption of power by President Mugabe I fear for the lives of those who participate in that Parliament if they are allowed to in act in any way as normal parliamentarians. Mr. Tsvangirai has already taken refuge in the Dutch Embassy in Harare. On foot of that every support should be given to parliamentarians who wish to bring about a normal civilised democratic Zimbabwe.

We need to ask why President Mugabe wants to hang on to power. What kind of country is he leading where the rate of inflation, if it can be measured at all, is of the order of 2,000,000% per annum? When a person has broken down his country to such an extent one would think the moral response would be to step away and let others who had the real interests of the country at heart to take their place. Once President Mugabe moves on, whether through natural causes or political changes, an enormous job of work will remain to make Zimbabwe a normal country. That is when countries like ours in the developed world should assist.

I echo what previous speakers have said. The Minister rightly said that our efforts need to be co-ordinated with the United Nations and the European Union. We are in a unique position. We have not been a colonising power. We have had a relationship with President Mugabe where we lionised him in earlier years. The tree he planted in the grounds of Áras an Uachtaráin was mentioned. He made great play of having been educated by Irish religious. We need to ensure that the type of education he has suggested formed him and his attitude is not one that is recognised by this country or its people. If that message gets through, it might be the beginning of the end of Robert Mugabe and his reign of terror in Zimbabwe.

Senator Alex White: On behalf of the Labour Party in this House I join my colleagues in what has been said. I especially welcome the clarity of the Minister's address to the House when he rightly described the election as an obscene charade and stated clearly and without equivocation the Government's rejection of this sham election. He correctly stated that the Members of the Oireachtas and the Irish people are rightly appalled by what has happened in Zimbabwe and the Government's unequivocal position is that the results of last Friday's vote cannot be regarded as legitimate or in any way constituting the democratic and free expression of the Zimbabwean people's will. This is important point for us as politicians giving leadership.

The Minister also correctly said the principle of free and fair elections is a fundamental cornerstone of democracy. That is true, but another cornerstone of democracy is the rule of law. For years we have known that Robert Mugabe and his Government have no respect for the rule of law. I was in a privileged position this weekend. I have just returned from Belfast

[Senator Alex White.]

where I attended the World Bar Conference of the International Council of Advocates and Barristers, ICAB, which was held jointly in Belfast and Dublin. We had the great privilege of hearing from a Zimbabwean lawyer, Ms Beatrice Mtetwa, as reported in today's newspapers. She informed the lawyers gathered from all over the common law world of the insanity and complete breakdown of any sense of respect for rule of law throughout the court system and the absence of respect for even remnants of an independent media. She gave an astonishing sense of a society which has completely disintegrated in terms of any recognisable features of a democracy as we understand it.

I ask the Leas-Chathaoirleach to allow me the indulgence to tell my colleagues of a unanimous resolution passed yesterday afternoon by lawyers gathered at this conference representing the bars of Australia, England, Wales, Hong Kong, Ireland, Namibia, Northern Ireland, Scotland, South Africa and Zimbabwe, being member bars of ICAB. I will briefly read the resolution because it isolates and identifies the key issues in Zimbabwe and points to something positive that can be done. Despite the despair there are some actions. The question we all asked our colleague from Zimbabwe at the weekend was whether there is anything lawyers, politicians, citizens and media people can do. There is a despair regarding the response that was forthcoming.

The resolution includes a number of points. First, as we have done here, is "to deplore the defiance by the Government of Zimbabwe of its human rights obligations under domestic and international law". The second resolution is "to call upon the secretariats of the Southern African Development Community, the African Union [most importantly] and the United Nations to initiate all steps necessary to procure the return of the rule of law to Zimbabwe and respect by the Government of Zimbabwe for the rule of law". This is a crucial point which the Minister's speech touched on and he is correct. It is unusual to have to call on a government to respect the rule of law, but that is the case in Zimbabwe with a complete breakdown of the courts system and any respect for the rule of law.

The third point in the resolution is "to condemn the detention without trial of our colleague [lawyer and politician] Eric Matinenga, Member of Parliament of Zimbabwe and leader of the Harare Bar and the defiance [by the regime] of the order for his release granted on an urgent basis by the High Court". The High Court ultimately released him but not before a major struggle to achieve it. Again there is complete defiance by the Government of Zimbabwe.

The fourth point is "to call upon the members and secretariat of the Southern African Development Community to ensure that independent legal observers are permitted to be present at all courts in Zimbabwe throughout the trials of members of the legal profession who are being prosecuted for alleged offences". These are people who are representing clients in the courts of Zimbabwe and who are being prosecuted for criminal offences literally comprising the defence of citizens of Zimbabwe before the courts of Zimbabwe.

The fifth resolution is "to demand that the lawyers of Zimbabwe be permitted without intimidation or penalty to perform their duty to represent and defend their clients in accordance with the rule of law and ensure the entitlement of their clients to basic human rights". This is not a cry for special privileges for lawyers. When lawyers are being intimidated and prevented from doing the job they are supposed to do, society suffers.

The sixth point is "to demand that the magistrates of Zimbabwe be allowed to adjudicate impartially and without intimidation on the cases which come before them". We asked Ms Mtetwa whether she would suggest we include the wider judiciary in Zimbabwe and demand that all the judges in Zimbabwe be allowed to adjudicate impartially, but she said there would be no point because people who know in Zimbabwe have given up on the judges. The judges

of the higher courts in Zimbabwe are so locked into this rotten regime that there is no point in asking for an independent approach by them. There is some hope in the lower courts and the magistrates and she agreed that we include this point. However, she said it would be a waste of time to ask for the higher courts of the Zimbabwean judiciary to exercise independence. This is a sad testament to what is happening there. The seventh resolution is “to demand that the Attorney-General of Zimbabwe independently and impartially exercise his powers to uphold the rule of law”.

The Minister made the point that the Government will do what it can through the EU, and I am sure it will, but is vital the maximum amount of pressure is brought to bear on those countries that can have an influence. South Africa has been mentioned many times by my colleagues. While we cannot presume to interfere with the African Union, our views must be made known to it. It must cease being a trade union for African presidents and act as a real organisation in defence of the democratic rights of the people of Zimbabwe.

Visit of Former Member.

An Leas-Chathaoirleach: I welcome a former Member of the Dáil, Paul McGrath, to the Visitors Gallery.

Situation in Zimbabwe: Statements (Resumed).

Senator Fiona O'Malley: I also welcome the Minister and congratulate him on his appointment. Like Senator Alex White I congratulate him on the strong terms in which he referred to this situation. It is necessary. He mentioned Nelson Mandela's words, the “tragic failure of leadership” in Zimbabwe. It risks becoming a tragic failure of leadership on the African continent. Senator Alex White ended his speech questioning how the African Union deals with this issue. The credibility of the world is somewhat at stake if we stand by and allow this to happen. People have alluded to instances, which we can read about in the newspapers, of what that man is doing to his people. Earlier Senator Boyle asked why he would want to preside over the utter destruction of his nation.

I found it really tragic when I watched him hold up the Bible during his inauguration ceremony and promise the people of Zimbabwe that he would always act in good faith and in their better interests. How dare that man say that? How dare the courts, which Senator Alex White mentioned, determine that this was a legitimate thing to do? The Minister spoke of how Mugabe, during the course of the election campaign, said he would declare war on the country if he did not like the result. How could that possibly be determined to have been a free and fair election? That is why the credibility of the rest of the world is at stake, particularly as the African leaders gather in Egypt. They need to have a good look at themselves and ask if this is the type of democracy they want, because the world is watching their response. I accept that, for historic reasons, the Western world may not have the same legitimacy as Mugabe's peers, the African leaders. They have the most to gain by utter condemnation of how the elections have been conducted in Zimbabwe. I am glad to see that South Africa and Senegal have been quite firm on it. I agree with others who might have thought that South Africa was the shining star in the development of democracy in Africa.

One of the proudest things that Irish people have is the work we have done through development aid and we can hold our heads high in that regard. However, much of the Irish taxpayers' money we invest is focused on developing democracy and strengthening those democracies. We have a right to expect basic human rights are being observed.

I agree with Senator Alex White's comments on the African Union. That three African observer missions have condemned the election is far more important than what any of the

[Senator Fiona O'Malley.]

rest of us in Europe or the Western world would say. Africa itself realises it wants a higher standard. It is time for the African Union, although a young institution, to strengthen itself in terms of helping democracies for the people and citizens of Africa rather than, as Senator White noted, the governments, because all governments in Africa are not necessarily benign.

If the African Union does not stand up for democratic principles, there is a danger the citizens in these countries will resort to tribal violence and the like because they are not getting a good example and democracy will have been proven not to work. A key point to lament is that political stability has not really taken root in Africa, try as we might through institutions like the African Union. This is an opportunity. We are at a critical point in terms of what democracy in Africa means.

This brings me back to the UN and the credibility of the rest of the world. If we do nothing, what credibility has the UN? The UN must protect the Zimbabwean people because by doing so it will protect African people and others who are subject to dictatorship. I agree with the idea of seeking an arms embargo, which is the only way forward. Other sanctions will only affect the very vulnerable. It is extraordinary and speaks volumes that a country like Zimbabwe which is falling apart has no problem getting weapons.

I am surprised no other speaker has asked whether Robert Mugabe is guilty of genocide. He is effectively wiping out his population — that is the truth of it. Will we stand by? While I do not just mean Ireland, as we are a small nation, the UN needs to ensure it does something and shows itself to be a strong body that supports and stands by the basic, fundamental rights of citizens, especially those in Zimbabwe.

Senator Feargal Quinn: I rise with a degree of sadness, having listened to the Minister's words, which are correct, when he referred to an "insult to democracy", "obscene charade" and "terrified voters". I will not repeat all we have heard today because the newspapers have been full of this for so long, it is just a horror.

I rise in sadness given that in 1984, when I was chairman of the Irish Management Institute, it was given the task of welcoming Robert Mugabe. He was Prime Minister of a bright new nation that was only four years old. In Ireland, for the State, the missionaries and the non-government agencies that had helped invest in the future of Africa, he was taken as the bright star of Africa and the future. I rise in sadness, therefore, because I think of the hope, confidence and faith we had in the future, our belief in democracy and our belief that this was going to work. It has not.

While we look back and wonder what went wrong and how it went wrong, the question I would most like to address, with the Minister and other speakers, is what we should do. I am concerned because I have read about and spoken to a number of those in Africa who have a history of imperialist aggression in their countries and they do not have confidence that help or anything else should come from those they distrust. This is why Ireland has such a strong say and why the words the Minister uses are so important.

During the week I quoted President Omar Bongo of Gabon, who just yesterday said that "African leaders would not allow Western governments to dictate their view of Zimbabwe". I gather that a Member of the Oireachtas said on radio the other day that somebody should kill Mugabe. I am horrified at even the thought of this. We must be very careful of what we say and what we do. The words used by Senator O'Malley, Senator Alex White and other speakers were strong and mean a great deal. However, we must be careful that the steps we take or encourage are in the right direction.

Senator Ross said he did not believe Robert Mugabe is any longer in power and that he may just be the puppet. It is likely the Zimbabwean army has a role. If one watches it on television, one can see it is a strict, disciplined army. This situation is not coming about because of that 84 year old man who held up the bible and swore to uphold the constitution. I do not believe he is the leader.

We must be careful that we watch what we say and do, but let us continue to use words of the strength the Minister used today. There are many in Africa who oppose him. Kenya's Prime Minister Odinga called for the African Union to send peace forces to ensure fair elections. Peace forces would keep the peace but we must enforce the peace before we do that. This must come from African people themselves. It will not easily come from outside Africa, whether from the United Nations or a country with as good a history as Ireland. The danger is that those in Africa will look on anybody coming from outside Africa as being imperialistic in some form or other. We must be very careful.

I was impressed that Sir Terry Leahy, the chairman of Tesco, announced yesterday it had decided it would no longer buy any products from Zimbabwe during the current crisis. These are the sort of steps we must take. I well remember during the apartheid era that some of us had a choice whether we would buy South African products. The argument was made that if one boycotted South African products, one would hurt those who were worst off in South Africa. The same argument is being made that if one boycotts Zimbabwean products, those who will suffer will be the poorest of the poor. However, there is no choice but to take this type of step.

We must let it be known to the authorities in Zimbabwe — probably the army rather than Mugabe himself — that, given the words used by the Minister and all other speakers in the House today, it is just not possible to accept the behaviour taking place in Zimbabwe. We must ensure they understand how they are regarded by the rest of the world. However, let us be very careful of the words we use.

While some called for people in the North of Ireland to be killed because they disagreed with what they were doing, we would not have peace in Northern Ireland if we had not managed to achieve a solution through those who were regarded by others as the creators of the problem.

5 o'clock We were able to solve that problem but we must be careful of the words we use in this case. The Minister used the correct words today. Let us use the power of words and the power of political pressure to ensure we get a solution for those poor people in Zimbabwe who are suffering so much, as we have heard. I urge the Minister to continue with the words he has used and the confidence he has expressed.

Senator Mark Daly: My uncle, Austin Daly, who lives in South Africa, sent me a report of friends of his, William and Annette Rogers, who on 7 May were terrorised in their home in the hours of darkness. They were tortured by 15 thugs who wanted to make sure they left the farm. This is not a one-off policy. Robert Mugabe himself has been quoted as saying: "We are no longer going to ask for the land but we are going to take it without negotiating." This policy of forcing people to leave their land, whether they be white farmers, which they mostly are, or others, has turned Zimbabwe from the bread basket of Africa into an economic basket case.

This is an example of how Robert Mugabe has changed one form of terror government, that of the white government he replaced, into his own form of terror government where he has terrorised not only the white farmers he so hates but also anyone who opposes him. Any man who says he would like to be associated with Adolf Hitler is a person one would wish was not in power in any country. When he was compared to Hitler, Mugabe is quoted as saying:

[Senator Mark Daly.]

This Hitler has only one objective: justice for his people, sovereignty for his people, recognition of the independence of his people and their rights over their resources. If that is Hitler, then let me be a Hitler tenfold.

This is the man that we wish would leave Zimbabwe and let democracy rule in that country but, as the Minister is aware, the key is South Africa. However, South Africa's policy of quiet diplomacy is not quite working. While President Mbeki has been gently urged by the international community to do more, he fails to do so. The more he fails to recognise that quiet diplomacy is not going to work, the longer the situation will continue.

Ireland's role as a non-colonial power has been recognised by Senator Feargal Quinn and we must do more. There is not a lot we can do, but through the good offices of our ambassador in South Africa, we can place pressure on the South Africans, who are the king-makers in the situation, to ensure Robert Mugabe leaves office quickly.

Senator John Hanafin: I welcome the opportunity to speak on this issue. The speakers preceding me have outlined in great detail the difficulties in Zimbabwe. The major difficulty we face is the question of how to deal with the issue. If one examines the embargo on Iraq and the people who benefited and suffered because of it, it is obvious we must be very careful in determining how we act as a global community. I suggest that a similar situation to that which pertained in Spain *vis-à-vis* President Pinochet of Chile should apply to Mr. Mugabe. Should Mr. Mugabe enter certain third countries, he should be arrested and sent for trial to the International Criminal Court at The Hague. That is no surer way of cutting off the oxygen of publicity that the rulers of Zimbabwe strive for and are getting today at the African Union conference in Egypt.

Sometimes the efforts we make are not enough. We have heard of the type of man with which we are dealing. Any man who would freely associate himself with Hitler is telling us what he intends to do and, indeed, is doing, namely, terrorising his own people. The economy of Zimbabwe has totally collapsed and its deterioration has reached farcical proportions. The people of that very rich and beautiful country are destitute. We have a choice as to how we deal with this dictator and I suggest we support the International Criminal Court in The Hague in initiating proceedings against Mr. Mugabe, who holds himself out to be President of Zimbabwe, for crimes against humanity. That would be a positive step for us to take as a nation.

Minister for Foreign Affairs (Deputy Micheál Martin): I thank all Senators for their contributions to this debate, begun by Senator Maurice Cummins. As he and many others pointed out, Ireland has strong links with Zimbabwe and Africa in general and we are genuinely concerned about the situation that has developed. I share the high level of concern articulated by all Members of this House.

I reiterate the Government's utter condemnation of the violence and intimidation which characterised last week's run-off election and the lead-up to it, as well as the illegitimate re-inauguration of Mr. Mugabe as President. Our thoughts are with the people of Zimbabwe — those who have been brutally terrorised and injured, those who have lost their lives and those who have lost their homes and possessions in the ongoing violence.

We know that many of our African partners share our concern and outrage. We believe that African citizens deserve and demand the same standards of human rights protection and democratic accountability which we expect. All three election observer missions from the African Union, the Southern African Development Community and the Pan-African Parliament which observed last Friday's run-off poll concluded that the election was neither free,

fair nor credible and argued that it did not allow for the expression of the will of the people of Zimbabwe. These findings stand as an international indictment of the regime of Mr. Robert Mugabe.

I am encouraged by reports today from Sharm el-Sheikh that efforts to promote a negotiated process are under way. This, in our view, would represent a step in the right direction following yesterday's call by South Africa for talks between the Mugabe regime and the MDC. As I said earlier, however, any such talks must be credible, substantive, time limited and based on the outcome of the election of 29 March.

With regard to various comments on my reference to the efforts of President Mbeki of South Africa, I am very much taken by what Senator Feargal Quinn said. We must keep our heads as we move through this crisis in terms of ensuring a regional solution is found. We are all, understandably, very frustrated. People are despairing of the apparent impotence of the international community to stop a tyrant like Robert Mugabe in his tracks. However, there is a way to try to resolve this and the United Nations Security Council resolution of last week is significant in terms of the unanimity displayed and the nature of the actual resolution. I take on board Senator Quinn's comments and welcome what he has said in terms of the importance of us positioning ourselves strategically and endeavouring to empower and support the regional powers, including South Africa, no matter how disappointed we might be with the lack of progress to date. We must keep at this, both through the European Union and the United Nations.

While we work through the European Union and United Nations, we are also, as a country in our own right, pursuing the issues with our regional partners. Through Irish Aid we have significant respect in Africa. We have made a very significant contribution to the development of Africa and, as Senator White said, not just in terms of aid but also rule of law missions. Senators O'Malley and Ormonde also alluded to such missions and to the fact the modern Irish contribution is very much focused on trying to assist in the establishment of good governance systems through rule of law missions and assistance to legal and judicial systems. Clearly, from what Senator White has said, there is a clear need for such work in Zimbabwe.

Our ambassador to South Africa has put a great deal of effort into visiting Zimbabwe on a regular basis, which he has found very helpful. His contacts with the Irish community in Zimbabwe, of which there are approximately 2,000 citizens, some of whom are very vulnerable, have been very helpful in terms of giving him a sense of developments on the ground there. Such contacts will continue.

We would support any measures the United Nations would put in place regarding an arms embargo. Indeed, various reports are circulating as to who is doing what, but we would support any efforts to identify those supplying arms and call on them to desist from doing so. We would be willing to use every power we have internationally in that regard.

Senator Shane Ross asked whether Robert Mugabe is a puppet or the person pulling the strings. There are various reports on that issue, some of which hold that the chiefs of the army, the central intelligence office and the police are jockeying for position within the regime and it is they who are keeping Mugabe in power. On the other hand, many of those who are guilty of pursuing and perpetrating the acts of violence that have been committed are mindful of the fact that they potentially face their day of judgment in the International Criminal Court in the context of an international approach to who is responsible for this state-sponsored violence and are perhaps aware of what is in store down the line. In scenarios like this, there is inevitably a group or cohort which believes that it is better to hang in there as opposed to seeing the writing on the wall.

[Deputy Micheál Martin.]

From our perspective, this is a very dark hour for Zimbabwe. It is difficult at this point in time to be optimistic about the future. We admire the courage shown by many ordinary Zimbabweans in terms of the election of 29 March when they went out to vote and exercised their democratic rights. That resoluteness in the most difficulty of circumstances must be admired and gives one some sense of hope for the future.

I believe the Zimbabwean nation and people have the resilience to resume the path towards development once the rule of law is restored and responsible economic policies are put in place to replace the destructiveness of the Mugabe regime. I know all Members of the House will agree with me that we stand ready as a nation to support the reconstruction of Zimbabwe, to which we have already committed significant aid this year and in previous years, once the conditions are right, and we would facilitate additional aid in terms of supporting any programme to rebuild that country, particularly to ensure that the vital necessities of life are made available to the people of Zimbabwe over the coming months and years.

I thank all of the Senators. I am mindful of the individual stories articulated by people here, including Senator Daly who spoke about friends of his uncle, which gives a very personal dimension to the connections people have with Zimbabwe. I appreciate the contribution Members have made which will help us. I assure Senator Norris that we will stand firm. We have been very firm in terms of the fundamental principles we have articulated from the outset in respect of this issue and its resolution and we intend to continue that.

Electricity Regulation (Amendment) (EirGrid) Bill 2008: Committee and Remaining Stages.

Sections 1 to 5, inclusive agreed to.

SECTION 6.

Question proposed: "That Section 6 stand part of the Bill."

Senator Joe O'Reilly: Section 6 authorises EirGrid to borrow up to €750 million to finance its activities, namely, the establishment of the networks and the North-South and east-west interconnectors. I will be saying in summation later that I welcome the entire project, the establishment of the all-Ireland grid and the possibility of importing and exporting electricity as may be required. Hopefully, we will be exporting power.

I welcome all of that and, as such, have no objection to the granting of the facility for the funding. The Minister for Communications, Energy and Natural Resources said that this was a matter for consideration when it went through the Dáil but I presume some of his deliberations would have passed by now. How does the Minister propose ultimately to finance the interconnectors? This House needs an assurance that it would not affect consumers' ESB bills because there is a threatened increase of 30% in ESB charges and electricity in Ireland, as I am sure the Minister is painfully aware, is higher than in many other countries. That makes it critical. Would the Minister agree that, if it can be reasonably established by the independent commission and project-related feasibility studies that take cognisance of the flat terrain in Meath and the accessible terrain in Cavan-Monaghan, cabling can be cost effectively put underground in the interest of allaying the well-founded health fears? While we could argue until the cows come home about the justification for fear and the various reports on medical questions and the risk of cancer and leukemia, for the people who live on the proposed interconnector line, the fears are very real.

How does the Minister intend to fund the entire project? Will money be ring-fenced? Can we be assured that the present economic climate will not negatively impinge on it and that

consumers will not be victims? Does the Minister accept that if it is practical and can be established as a financially viable option, we should go for the underground option?

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): I apologise for being late. I was delayed because a broadcasting question came up on the Order of Business and I had to advise the Taoiseach.

Regarding the funding of the interconnectors, we must resolve the east-west interconnector this summer. We seek to have the project completed by 2012 and this requires us to sign off on contracts quickly. The funding issue has yet to be completely finalised. It is a regulated asset so there is a certain guarantee of income streams from the use of that asset. The cost is ultimately borne by the consumers in the sense that any regulated part of the transmission or other asset system is part of the market cost of electricity. The advantage of greater interconnection is that it has the potential to reduce our costs by creating a more efficient system, a better market and allowing us to export green electricity and import electricity at peak times when it is very expensive to switch on power plants here. The long-run effect of the introduction of greater interconnection is to bring prices down. While there is a short-term cost in paying for such assets, they are beneficial. As to the exact financial mechanism, whether it is 100% or 80% debt and 20% capital funding from the Exchequer or the National Treasury Management Agency, the project will have the capital funding to allow it to proceed, as will the North-South interconnector, which is of equal importance, particularly in terms of developing an all-Ireland electricity market.

We have North-South interconnection on one section but the shortage of further interconnection has a significant effect on the efficiency of the all-Ireland energy market we have entered. The benefit of the North-South interconnector is that it will deliver energy supply to counties Cavan and Monaghan, which will not be suitable locations for foreign direct investment in the absence of that. Investors are looking for good electricity supply, particularly for new digital technology industries. Another benefit is that it allows us to operate the North-South all-island electricity market in a more efficient way and reduce costs.

I am cognisant of the concerns of residents along any potential route. That is why we commissioned a report, carried out by a leading firm of international consultants, Ecofys, which is being completed and will be before the Government and the Joint Committee on Communications, Energy and Natural Resources, which can interview the consultants to provide more detail on the findings. This may allay the concerns of constituents, particularly those in the Cavan-Monaghan constituency. I do not wish to determine what will be in the report or the questions of the Joint Committee on Communications, Energy and Natural Resources but an initial examination of international practice in this area suggests this is not an easy technical fix with an obvious alternative that we could develop. The consultants will consider a variety of relevant issues, including health, the environment, technical feasibility of engineering, and management of electricity. The consultants' report will examine these in more detail.

I have confidence in the ability of EirGrid to deliver these interconnectors. EirGrid is proceeding in a professional and proper manner. At times when electricity prices are rising and we are facing a major shift in energy policy because of the international increase in the price of fossil fuels, the east-west interconnector provides a long-term response to high energy prices and it is crucial that it is delivered on time. I am keen to support EirGrid, as is the Government, to help it to do this.

Senator Joe O'Reilly: I am proud that Fine Gael initiated the calls for the independent study. Deputy Coveney and I were at the vanguard of the Joint Committee on Communications, Energy and Natural Resources in calling for this. I appreciate that the Minister acknowledged

[Senator Joe O'Reilly.]

the concept. Although the fault does not necessarily lie with the Minister and we cannot blame him for bad weather, I regret that the company carrying out the independent study group did not grant a hearing to the pylon pressure group, the representatives of local communities. While the group made a written submission, it should have been heard in session. This would have done much to bridge connectivity and allay fears. I am happy to be corrected but it was represented to me by the pressure groups that they were not allowed to appear before the study group with technical teams and representatives. Perhaps the Minister could interact with the study group on this matter.

I accept the Minister's reply in respect of funding and take his point that everything ultimately appears on the table of the consumer. Also, I take his point that this will ultimately reduce electricity prices, which is the objective, but it is important to note that consumers are paying too much as it is and that the price rises proposed are not sustainable.

If the Minister can reply to this point I will make the rest of my summations brief. From the Minister's speeches on Second Stage and in the Dáil, I understand that the east-west and North-South interconnectors will facilitate greater access to the grid from renewable energy sources, such as wind farms. I welcome that. It is of great concern to me, and I am sure to the Minister, that we do not have easier access to the grid. In practical terms, does he see improvements being introduced soon? Will he inform the House as to why access is so poor at present?

We should establish co-operative wind farms throughout the country on the model of the co-ops of old. A group of farmers could come together and have a couple of wind turbines on each farm. They should have access to the grid for the power generated, providing them with an income and boosting the local economy and, perhaps, taking care of difficulties. The Minister is aware that agricultural incomes are adversely affected by the cost of inputs, such as fertilisers and meals, which are disproportionately costly this year.

As well as the matter of farm incomes, we also have the issues of the merit of renewable and alternative energy, establishing sustainability and energy security and reducing dependency on fossil fuels. Will the Minister expand on how he envisages more access to the grid? Where are the obstacles? How does he see the situation improving? What steps can he and the Department take to improve this? This is of great concern to me and to colleagues.

Why can seven or eight farmers in County Cavan in my constituency, or in any other county, not come together and form a co-operative, produce wind power and have access to the grid? Senator Wilson agrees with this point. Why can more companies not access the grid with renewable energy? I would like to hear from the Minister on this point, as would many people throughout the country.

Deputy Eamon Ryan: Consultation is a valid issue. The decision we made on commissioning the report, given the significant interest in this and the large number of submissions we knew we would garner, is that it would be better to ask people to make written submissions and ask the consultants in turn to refer to any submissions made. We had a significant take-up on this.

I also thought it was fair to allow the consultants to act in a proper independent way where they did not meet EirGrid or those who might object. I thought this was a proper approach, whereby the consultants examined best practice internationally and examples of similar solutions elsewhere, if they existed. They considered the national sense rather than a specific individual project. This issue will have ramifications, not only with regard to one particular pylon routing but to a number of developments which will occur. At the same time, we asked the consultants to examine specific examples which would shed light on particular projects here. The consultants were not commissioned to meet individual parties. Instead, it was decided to follow the approach of offering them the opportunity to respond to submissions.

The consultation which takes place at the Oireachtas committee is an appropriate form of consultation. One of the great benefits of using the Oireachtas committee as a point of contact is that it involves public representatives, many of whom represent people in the constituencies. It is an indirect but real point of contact where people can ask questions via their representatives. It is also on the record and how we govern its business is organised by the Oireachtas. Consultation in Oireachtas committees works and it is a good form of consultation.

I agree with Senator O'Reilly that the response to increasing electricity prices must be the development of renewables in this country. This is free from any volatility in international gas and oil market prices. It also uses energy more effectively and efficiently. With regard to how we get access to the grid and develop wind farms, it is a concern of mine that we ensure we exceed our targets in terms of the development of renewable wind power supplies. Approximately 1,500 MW of wind power projects have planning permission and a grid connection under the current support scheme, namely, the REFIT scheme. These projects should and will be delivered. In total, approximately 8,000 MW of projects at various stages are seeking planning permission. Nothing is blocking or precluding anyone, including six farmers, from getting together to establish a local wind farm.

It operates within a gated system managed by the regulatory authorities and EirGrid. This clusters developments so our transmission connections are effective and we can build distribution and transmission connections to such wind farms. The scale of resources we will develop by the next decade is 4,000 MW of onshore wind farms. In the interim, we need to examine other technologies, such as wave, tidal, offshore wind, biomass and a range of various supplies so we build up renewable power supply as our main and, ultimately, our 100% green power supply system for the country.

There is nothing to preclude establishing a wind farm and I very much encourage it. It is difficult for smaller consortia, small farmers or others, to make projects deliver quickly. One difficulty is that so many wind power projects are going ahead, it is difficult to access turbines. Major progress has been made in the wind industry in the United States, Germany, Spain and elsewhere and it is difficult for a small operator to get access to turbines. However, this should not preclude us.

I could not agree more that the development of community-led and owned wind farm facilities is progressive. It tends to increase community support for the wind power system. For smaller farmers or people in business, we should consider micro-generation solutions where if even a single turbine can be matched to local demand for electricity, it cuts back on the need for pylons. A power supply system is not necessary as supply is delivered where it is used. We should move towards a distributed generation system. My colleague, the Minister for the Environment, Heritage and Local Government, Deputy Gormley, has helped in terms of changing the planning requirements so it is easier to do this. My Department, via Sustainable Energy Ireland, introduced a pilot scheme to support and test how to develop micro-generation. We are developing it and I accept from any side of this House or the Dáil the need for us to progress this more quickly.

Question put and agreed to.

Sections 7 to 10, inclusive, agreed to.

Title agreed to.

Bill reported without amendment and received for final consideration.

Question proposed, "That the Bill do now pass."

Senator Joe O'Reilly: I thank the Minister and acknowledge his engagement with the House and with the issues we raised. I appreciate his interest and his genuine effort to grapple with the issues. He is proactive in these areas. This Bill was not initiated in this House but I was happy that major legislation from the Department was initiated here, namely, the Broadcasting Bill 2008. I hope it will set a precedent and that we will have legislation initiated in this House regularly, which is important. My party did not obstruct the passage of the legislation in any way in either the Dáil or Seanad because we are committed to the establishment of the North-South and east-west interconnectors. We are concerned about security of electricity supply, the move towards renewable energy, the access of such sources of energy to the national grid and reducing the cost of electricity to improve the competitiveness of the economy and the well-being of individual users.

The legislation facilitates EirGrid to proceed with the necessary borrowing to develop the interconnector. I thank the Cathaoirleach for his management of the debate. I appeal to the Minister not to close his mind to undergrounding and to examine openly and objectively the report of the independent commission without a fixed view. Research and the technical development is ongoing. This is an evolving sphere and nothing is set in stone. Where it is possible to engage in undergrounding, that should be achieved. The Minister should also factor in issues such as the impact on tourism and the environment and the devaluation of property to the cost of overgrounding. It does not come down only to the construction cost. The Minister should examine this in a holistic way, wisely and courageously, in order not to disconnect from the people and to underground where possible.

Senator Michael McCarthy: I thank the Minister for his attendance. I especially welcome his remarks about public representatives and the consultation element inherent in our roles, not only as legislators but as public representatives, as a conduit between the public and the Oireachtas. I thank the Cathaoirleach for the manner in which business was organised. I also thank the Minister, his officials and other Senators who contributed.

Senator Diarmuid Wilson: On behalf of my colleague, Senator Walsh, I thank the Minister and his officials for the smooth manner in which the legislation was taken in the House. I also thank the Opposition spokespersons for their co-operation. I reiterate Senator O'Reilly's comments about undergrounding. Both of us represent the same constituency and this is a major bone of contention in the area.

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): I very much thank the Senators for their help in passing the legislation. It is the first time I have overseen the passage of a Bill and I am honoured to see it head off to Áras an Uachtaráin, hopefully for a signature. I have had positive experiences with both Bills I introduced in the House. The initiation of the Broadcasting Bill here was positive, progressive and useful. Likewise, I very much appreciate the comments of all Senators and I will take into account the infrastructure project covered by the legislation. I hope, in passing the Bill, we will assist EirGrid in developing critical infrastructure at a time when we need to reduce our energy costs and protect our competitiveness.

An Cathaoirleach: I thank the Minister and his officials for their attendance.

Question put and agreed to.

An Cathaoirleach: When is it proposed to sit again?

Senator Diarmuid Wilson: At 10.30 a.m. tomorrow.

Adjournment Matters.

Public Transport.

Senator Frances Fitzgerald: I thank the Cathaoirlaech for the opportunity to raise this issue, which is of particular concern in my own constituency, given the impact on commuters following the announcement by the Circle Line company that it will close. Will the Minister of State outline the implications of this decision for the area? Commuters in Lucan continually find themselves waiting lengthy periods at bus stops for business or trying to board buses that are full to capacity. The daily commute is very often difficult, tiresome, unsatisfactory and variable. Bus services need to be improved and the number of buses needs to be increased.

Transport legislation is creating a number of difficulties in the provision of additional bus routes. People were upset about the closure of the Circle Line company bus route as it was considered to be a valuable service and it generated employment. The routes were very helpful to commuters in the area. What is happening regarding bus services in the area? Dublin Bus needs, for example, to provide new services and to fill bus corridors, particularly in Clondalkin, which have been empty for a number of months.

I refer to the issue of competition in the market. The closure of the Circle Line company means commuters will not benefit from competition. What is the Government's response to the withdrawal of the company from this route? What does it intend to do to encourage and foster competition in the bus market? Does it agree Dublin Bus should provide new routes rather than chase competitors out of the market, as happened in this instance? When does it intend to license new buses that would cover the routes in the Lucan area? Clearly people will use the service if it is available in a reliable way. However, in recent weeks, following this company's closure, uncertainty has surrounded routes in the area and a service has been lost that was helpful to people. The question of whether the routes will be replaced by Dublin Bus is open.

Minister of State at the Department of Transport (Deputy Noel Ahern): On 19 June 2008, my Department was advised by the Circle Line company that it was going into voluntary liquidation and that bus services it was providing to and from Celbridge and Lucan, which were the subject of licences issued under the Road Transport Act 1932, would cease to operate from Friday, 27 June 2008. I very much regret the loss of employment and the loss of the significant level of services to which the licences related. This incident highlights what has been stated since the Minister for Transport took up office, which is the bus licensing regime needs to be overhauled. This underlines why we brought the Dublin Transportation Authority Bill, currently in its final Stages, to the Houses of the Oireachtas. This was passed by the Seanad recently.

The next stage in this reform process is legislation to amend the Road Transport Act 1932 which provides the statutory basis for regulating the provision of public bus services by private bus operators. I envisage that the new licensing regime will apply in respect of all commercial bus services, including those provided by Dublin Bus and Bus Éireann. The new Bill will also encompass provisions relating to the subvented bus market outside the greater Dublin area that are consistent with the new EU public service obligation regulation. I understand from Dublin Bus that there are approximately 217 services daily between the Lucan area and the city centre, of which 39 also serve the Celbridge area. I am also informed that there are approximately 190 outbound services from the city centre serving the Lucan area throughout the day.

[Deputy Noel Ahern.]

It is open to Dublin Bus or any other operator to submit proposals to my Department in respect of new bus services from the areas in question. Last Friday, Dublin Bus made an application seeking authorisation to provide a small number of morning services from Celbridge and Lucan. Subsequently the application was revised by the company and resubmitted to the Department yesterday. The application is being given urgent consideration by the Department. We must wait and see what happens. Previously, there was a complaint that there were too many buses on the route. However, if extra buses are required, it is the intention to deal with the application quickly.

Senator Frances Fitzgerald: I have two questions for the Minister. He said the legislation must be overhauled. I cannot understand why that was not done in the recent Dublin Transport Authority Bill. When will the legislation be brought before the House? The Minister also said a new application has been made by Dublin Bus. However, Dublin Bus finds it difficult to get a quick response from the Department. What is the timetable for responding to the new application made yesterday to provide more services in the area?

Mr. N. Ahern: The previous legislation dealt with the Dublin Transport Authority. Many Governments in the past have spoken about the need to reform the 1932 Act. It could have been dealt with in the Dublin Transport Authority Bill but it was considered best to deal with the DTA first and then deal with the fundamental issue. The energies of the Department have been focused on the Dublin Transport Authority Bill, which is due to go through Report Stage in the Dáil this week. It is then the intention to draft an all-embracing reform of the 1932 Act, something that has been talked about by many Ministers over the years. The Minister, Deputy Noel Dempsey, considers it interlinked with the DTA although the reform of the 1932 Act will cover the entire country. That will be the focus of attention when the Dublin Transport Authority Bill is passed, as the same staff will have to deal with it.

The other issue mentioned by the Senator is the delay in responding to applications. Both Dublin Bus and the private operators complain about slowness in the Department but much of that slowness is because there is already another operator on the route. Regardless of whether it is an application from a private operator or Dublin Bus, if somebody else is providing a service on that route there is a problem. If there is nobody else on the route, matters should move more quickly. In the past Dublin Bus has complained bitterly in some cases, such as in the case of the port tunnel, while the private operators have complained in other cases. It is due to the fact that somebody else is providing services on a significant portion of the route. In this case, however, if there is no other private operator providing a service, the process should be faster.

Rail Network.

Senator Fidelma Healy Eames: I apologise for being late. I wish to discuss the western rail corridor. There have been a number of attacks on this project recently, to the effect that it will be included in the cutbacks. What is the Minister's commitment to the only public transport project in the west? The West on Track community campaign has noted the recent systematic series of attacks on the re-opening of the western rail corridor being conducted through articles in national and local newspapers and appearances by Dublin based economists on high profile radio programmes and chat shows.

This attempt to obstruct the re-opening of an existing piece of invaluable national infrastructure — the track has been in existence for years — is set against the background of the recent downturn in Government finances. As part of Transport 21, the section of the western rail corridor from Ennis to Claremorris is currently being rebuilt with the first phase, linking Galway and Limerick, the third and fourth largest cities in the State, scheduled to become

operational in April next year. The cost, which includes upgrades to the existing inter-city railway between Athenry and Galway, is €106 million. The shorter sections to Tuam and Claremorris will then be completed, as outlined in the programme for Government, at a similar cost. That is far from the cost of €350 million being quoted by the so-called experts from Dublin.

Sustainability must be a key element of transport planning in Ireland to progress public transport projects in line with current environmental thinking on waste and fuel reduction. What has concerned me most is the fact that the Minister's colleague, Deputy Frank Fahey, Chairman of the Joint Committee on Transport, was quoted in the local *Connacht Tribune* newspaper saying that the project could only be completed between Ennis and Athenry. I am here today to get the truth from the Minister. Is the Government committed to the only public transport project in the west? What is the funding commitment to it and what is the time-frame for delivery?

There are many reasons to support this project. It is critical for balanced regional development. There are 14 public transport projects planned for Dublin and the east. I am delighted with those projects and I hope they will be completed but the Minister must not cut the single project in the west of Ireland. The campaign group, West on Track, has done
6 o'clock incredible work to prove the viability of this project, particularly with regard to freight transport. The western rail corridor campaigners were accused of imagining the demand for services and their projections for freight traffic were scoffed at by commentators from the east coast. Subsequently, they proved the demand by securing 18 trains per week, which were obliged to travel on an interim basis through the congested greater Dublin area on the route to Waterford port. Cynics ignored this achievement, but Dublin cannot produce even one freight train per week. The success in transferring 16,000 truck movements from road to rail represents 3 million displaced truck miles per annum between counties Mayo and Waterford, a fact that sustains our projections and confounds sceptics. Unlike the DART, the Luas and the Dublin Port tunnel, the freight trains do not receive subsidies. They will be transferred to the western rail corridor when complete to complement revenue from passengers.

In Transport 21, I compliment the Government for having chosen to develop rail transport in a way not seen since the State's foundation. Given that the western rail corridor project comprises a small fraction of the plan, 0.5% of the total budget, why is it being singled out for attack? Balanced regional development and the implementation of the national spatial strategy are the cornerstones of Government policy and the logical basis for the re-opening of the western rail corridor. In my opinion and that of many in the west, the phased re-opening of the corridor makes sense, not just for the west but for Ireland as a whole. It will tip the balance in favour of sound regional development. I look forward to the Minister of State's reply.

Deputy Noel Ahern: I welcome the opportunity to reaffirm the Government's commitment to the re-opening of the western rail corridor as provided for in Transport 21. Work is under way on the re-opening of the Ennis-Athenry section of the link, involving a complete renewal of the track and signalling and the re-opening of stations at Gort, Ardahan and Craughwell. When complete, the re-opening of this section will facilitate the operation of direct rail services between Limerick and Galway. The Department of Transport has allocated €60 million to Iarnród Éireann for expenditure this year on the first phase of the western rail corridor. The total cost of this phase will be €106.5 million and services are due to commence by next May. Transport 21 provides for the completion of the Athenry-Tuam section by 2011 and the Tuam-Claremorris section by 2014. The Minister, Deputy Dempsey, understands from Iarnród Éireann that planning is under way on the Athenry-Tuam section.

[Deputy Noel Ahern.]

The re-opening of the western rail corridor is just part of the Government's major commitment to the upgrading of transport infrastructure in the west. Recent years have seen the completion of major upgrade works on the national road network serving the region. A number of significant projects have been completed on the Atlantic road corridor, including the Newmarket-on-Fergus bypass, the Croom bypass, the Youghal bypass, the Sligo inner relief road, the N15 Bundoran-Ballyshannon bypass and the Ennis bypass. The Limerick southern ring road phase 2 — the Limerick tunnel — and the Waterford city bypass are under construction.

In recognition of the need to accelerate development of this corridor, the national development plan provided for the acceleration of funding for the N18 Crusheen-Gort and Gort-Oranmore schemes. The Minister understands that both schemes will commence at the end of this year or in early 2009. As there are many projects under way in the west, it is not fair to claim that there is only one.

Senator Fidelma Healy Eames: I am referring to public transport.

An Cathaoirleach: The Minister of State without interruption.

Deputy Noel Ahern: Perhaps the Senator does not view the road projects as public transport exclusively.

Senator Fidelma Healy Eames: I am referring to railways.

Deputy Noel Ahern: It is clear that the Government is committed through Transport 21 to ensuring that the west has the transport infrastructure necessary to support ongoing growth and development.

I heard one of the radio programmes to which the Senator referred. No matter how good the Government is, however, it cannot control economists, be they based in Dublin or the west. They are a law and a breed unto themselves. They say different things——

Senator Fidelma Healy Eames: What about Deputy Fahey?

Deputy Noel Ahern: It depends on which section to which he was referring. Not all of the corridor is being worked on or will open this year.

Senator Fidelma Healy Eames: It was not expected to be.

Deputy Noel Ahern: I would need to know what the Deputy stated. Work is under way and other sections are being planned. The Senator's comments on freight trains were not true because not all CIE services are subsidised. The Government will consider the financial situation when the six-month figures become known tomorrow.

Senator Fidelma Healy Eames: Am I one day too early?

Deputy Noel Ahern: In this atmosphere, people outside the Government and the Houses, such as the economists to which the Senator referred, are pushing the pet projects in which they have an interest. As much as we would like to, we cannot control them. I have given the Senator the Government's commitment, work is under way and other sections are being planned.

Senator Fidelma Healy Eames: May I confirm that the Government does not plan to stop the project?

An Cathaoirleach: If the Senator has a supplementary question, she should ask it. If she does not, we will move on.

Senator Fidelma Healy Eames: Economists can speculate all they want. However, given that Deputy Fahey, the Chairman of the Joint Committee on Transport and a colleague of the Minister of State, has raised doubts concerning work on the Athenry-Tuam and Tuam-Claremorris sections, will the Minister of State confirm whether the overall project is safe within the outlined timeframes?

Deputy Noel Ahern: I do not want to get into local politics——

Senator Fidelma Healy Eames: It is a national project.

An Cathaoirleach: The Senator should resume her seat.

Deputy Noel Ahern: ——between the Senator and Deputy Fahey. I would rather they have their argument in the west. I have provided Senator Healy Eames with the Minister's statement and reaffirmed the Government's commitment to the re-opening of the western rail corridor as provided for in Transport 21.

Senator Fidelma Healy Eames: I thank the Minister of State for his reassurance. I appreciate it.

Toxic Waste Disposal.

An Cathaoirleach: I welcome the Minister for the Environment, Heritage and Local Government to the House.

Senator Jerry Buttimer: Cuirim fáilte roimh an Aire. I do not want this matter to become a political dogfight. I appreciate Senator Boyle's role in Cork prior to his party joining the Government. He will give me some support today.

It is unfortunate and regrettable that I have been required to seek an urgent debate on the extent of toxic waste in Haulbowline. It is time for honesty and for answers to be given to the people of Cork, who deserve answers and to be treated with respect by officials, the Government and the relevant agencies and councils. It is time that the full facts be given. Last week's events in the Lower House were unacceptable. Answers are required. The Minister and his Department must address what is being labelled by many as a cover-up of the treatment of highly hazardous waste at Haulbowline.

That some 500,000 tonnes of hazardous waste are buried in Cork Harbour is extraordinary and it beggars belief that, to date, the genuine concerns of residents and locals have not been addressed. Last week, Senator Boyle issued letters in this respect. We need answers. Can the Minister provide me and the people of Cork a guarantee that their health and lives are not at risk? The site is being flushed twice per day by the tide washing in under the site and leeching material.

Last week and despite the Minister's comments in the media, it took two *Irish Examiner* journalists — Eoin English and Conor Kane — to reveal what was occurring. I salute them for their courageous efforts. Why did it take the Thursday, Friday and Saturday editions of the *Irish Examiner* to reveal the extent of events? Why did a person appointed to make representations to three agencies receive no answers? What was known, what has occurred and what will occur? That three to five commissioned reports have not been published is alarming. Was the report on chromium 6 passed on to the Department? If so, who saw it and what action was

[Senator Jerry Buttimer.]

sanctioned and taken? If it was not, why did Cork County Council, the EPA, or whoever was involved who had the report not pass it on to the next relevant authority?

This latest episode again highlights the need for a base-line health survey in the area. Why did the Minister's Department engage in a clean-up and fail to present a precise plan to those of who were not in the know? It seems there was no plan.

The Minister and his colleagues have rightly described this as an environmental disaster. It has been covered up. The full facts have not emerged and there is a continuing potential risk to human life.

Will the Minister indicate if there was cover-up? The Minister may look with disdain at my question but as Minister, he is responsible. The EPA, Cork County Council and the Department have a case to answer.

What happens from hereon? Has a decision been taken on what to do next with the site? What will be the cost of the full clean-up and is the Minister prepared to sanction one? Will the EPA have to apply to have the site licensed as a toxic waste dump?

The people of Cork deserve an answer and I look forward to the Minister's reply. He is here as a man of integrity and honesty. I hope the Green Party will stand up to Fianna Fail because the people of Cork are tired of being treated badly by the Government.

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I thank the Senator for raising this issue on the Adjournment. This gives me the opportunity to address the issue in the Oireachtas, something I was unable to do on Thursday last as I was in Cork on official business. This is an issue on which my colleague, Senator Boyle, has been to the fore for many years, and he has been helping me inform an appropriate response.

Senator Buttimer will appreciate that I have to meet the residents directly after this debate. I will be answering questions tomorrow in the House as well as giving a speech and listening to others raise questions. I will have to go directly after I speak, but I will answer the Senator's questions.

As Minister, I have offered assurances to residents in the Cork Harbour area that I am satisfied that no immediate health risk exists due to airborne substances or contamination to water sources. However, we have recognised all along that hazardous material was allowed accumulate on this site over many decades, and the Government has a particular responsibility to see that it is effectively dealt with, especially to ensure that public confidence in the Cork Harbour area can be maintained.

As Senators will be aware there has been a long history of industrial activity on Haulbowline island which was an important source of employment and a significant part of the local economy. Ultimately the steelworks located there became the property of Irish Ispat which went into liquidation in 2001. The State, acting through the Department of the Environment, Heritage and Local Government in a co-ordinating role, took over custody of the site from the liquidator in 2003, as mandated by Government. The mandate required the Department to co-ordinate all legal actions in relation to the site and to cover issues such as ongoing site security, maintenance and other such issues, and also to enable a site investigation to be carried out to assist in determining the best option, environmentally and economically, for the future use of the site and its remediation.

Steelworks have operated on Haulbowline since 1939 and at a time when such industrial activities were poorly regulated. Inevitably, the nature of the activity generated very large quantities of hazardous wastes which were dumped on the island in an area which became known as the East Tip.

Since 2004 the Department, in complying with its mandate from Government, has co-ordinated all legal actions in relation to the site; carried out a comprehensive site investigation; set up ongoing environmental monitoring; decontaminated and demolished the steelworks buildings; and arranged for a site surface clearance contract with Hammond Lane Metal Company Limited. These steps have now brought the site to a position where the Government can make an informed decision as to its future use and where a detailed risk assessment of the entire site with recommendations for the appropriate remediation required can be undertaken.

The particular issue which has arisen recently relates to the uncovering by a sub-contractor of sub-surface waste. Sub-surface excavation of waste was not part of the Department's contract with Hammond Lane Limited. It was the considered view of the Department, following consultations with the Environmental Protection Agency and Cork County Council, that the required course of action in the short term would be to cap the exposed waste with inert slag material.

This was not acceptable to one of Hammond Lane's sub-contractors, which expressed concern that liability might accrue to it as a consequence of any impact which the disturbed material might cause. By way of reassurance, and in the context of the then proximity of the end of the planned surface clearance works, the Department wrote to the contractor on 18 April 2008 advising that the back-filling approach was what was required.

It was also stated that the management of the area which had been disturbed would fall to be determined by the Government in the context of the pending decision on the overall future of the site and the resultant more comprehensive remediation which might be required. The contractor was also assured that it would not be expected to accept future liability.

Despite these assurances and repeated instructions to stop unauthorised works relating to the sub-surface waste, including by letter from the Chief State Solicitor on 23 May 2008, the subcontractor refused to leave the site and continued to operate without authorisation and in a piecemeal fashion causing a potential threat to the environment.

Following legal advice the contract with Hammond Lane Metal Company Limited was terminated with immediate effect on 30 May 2008, with instructions to vacate the site by 1700 hours on Tuesday, 3 June 2008. The sub-contractors still refused to vacate the site and continued to operate without authorisation. They only finally left the site following discussions with the main contractor, Hammond Lane Metal Company Limited, the only company with which the Department had a contractual relationship.

My Department has now engaged consultants to carry out an independent and rigorous assessment of site conditions following the extensive unauthorised works by the sub-contractors. This assessment, which will begin in the coming week, will involve analysis of soil, slag, dust, surface and ground water samples for all likely contaminants, including heavy metals such as chromium.

These consultants previously carried out an extensive site investigation in 2005 which indicated no evidence of any immediate threat to human health or the environment and they are best suited to determine the best way forward in securing the site from an environmental and health and safety point of view in the short term, and pending a Government decision on its future use.

My Department and other relevant agencies are properly engaged in the management of this legacy site in a manner which is consistent with good practice and minimisation of risk to human health and the environment. A coherent overall approach rather than piecemeal action, which could inadvertently cause problems to the local community and the environment, must be taken and that is the objective being pursued by the Department.

[Deputy John Gormley.]

I should also note that this evening I will be meeting, as I said, with local residents and hoping to put in place procedures that will allow for the full and regular access to information. I would acknowledge that the provision of such information has not been adequate in the past. In the situation that has now arisen I believe it is right to now release the 2005 report and I am committed to also releasing the report on the further site investigation now under way.

Any information that the residents require will be given. I have been an environmental campaigner for 26 years. They will get information. Access to information is vital. There has never been a cover-up and I resent any insinuation to that effect by the Senator. I would not tolerate any sort of cover-up in my Department. I have said to my officials all along to provide information and to ensure that all reports are comprehensive and tell people the facts. Even though sometimes one gives out information that may not be palatable, people feel better when they get the full facts, and that is my task.

I will speak on this in the Dáil again tomorrow. I am committed to also releasing any other reports that exist, but there is considerable misinformation. That is the problem. When there is misinformation, fears are stirred up. I want to reassure people that relevant and accurate information is in the public domain to counter the misinformation being circulated in recent days.

Senator Jerry Buttimer: I welcome the Minister's *metanoia* this afternoon. He is correct about misinformation. However, that comes about as a consequence of not having been given information in the first place. There has been a veil of secrecy in the Minister's Department prior to him becoming Minister and in the past seven days.

The Minister has said, in response to my concerns that he is satisfied that no immediate health risk exists. How can he allay the fear of residents, given that he said in his reply that he was engaging consultants. Is that for the purpose of an independent review?

Deputy John Gormley: Yes.

Senator Jerry Buttimer: If so, can we take it there will be a comprehensive report? Will the Minister confirm if there are numerous reports and if they will all be published? I accept where the Minister is coming from. The time has come when people are sceptical because of the lack of information.

Deputy John Gormley: To repeat what I said, all the reports in my Department will be published. Those concerned will have access to the information. It is an independent report. Not only that, I hope they can liaise with those carrying out this investigation in order that they can be assured they are doing a proper job.

An Cathaoirleach: I thank the Minister for a very detailed response.

The Seanad adjourned at 6.05 p.m. until 10.30 a.m. on Wednesday, 2 July 2008.