



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

SEANAD ÉIREANN

TUAIRISC OIFIGIÚIL—*Neamhcheartaithe*
(OFFICIAL REPORT—*Unrevised*)

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SEANAD ÉIREANN

Dé Máirt, 1 Márta 2022

Tuesday, 1 March 2022

Chuaigh an Cathaoirleach i gceannas ar 2.30 p.m.

Machnamh agus Paidir.
Reflection and Prayer.

Gnó an tSeanaid - Business of Seanad

An Cathaoirleach: I have received notice from Senator Fiona O'Loughlin that, on the motion for the Commencement of the House today, she proposes to raise the following matter:

The need for the Minister of State with responsibility for special education and inclusion to make a statement on the issues being experienced by children and their families in seeking assistive technology.

I have also received notice from Senator Seán Kyne of the following matter:

The need for the Minister for the Environment, Climate and Communications to carry out an assessment on whether bye-laws Nos. 806 and 809 of 2006, as they relate to inland fisheries, are compatible with the EU habitats directive.

I have also received notice from Senator Lynn Boylan of the following matter:

The need for the Minister of State with responsibility for heritage and electoral reform to make a statement on reports of disturbance of wildlife at OPW-managed properties.

I have also received notice from Senator Robbie Gallagher of the following matter:

The need for the Minister for Foreign Affairs to make a statement on the Government's efforts to address the issue of the undocumented Irish in the United States.

I have also received notice from Senator Victor Boyhan of the following matter:

The need for the Minister for Transport to make a statement on the Limerick-Shannon metropolitan transport strategy.

I have also received notice from Senator Maria Byrne of the following matter:

The need for the Minister for Justice to make a statement on the barriers facing non-

fluent English speakers in reporting sexual and gender-based violence.

I have also received notice from Senator Tim Lombard of the following matter:

The need for the Minister for Rural and Community Development to make a statement on the provision of funding for agricultural shows.

I have also received notice from Senator Garrett Ahearn of the following matter:

The need for the Minister for Education to provide an update on an emergency works scheme application for Donaskeigh National School, County Tipperary.

I have also received notice from Senator Martin Conway of the following matter:

The need for the Minister for Health to carry out a review of the Shannondoc out-of-hours GP service.

Of the matters raised by the Senators suitable for discussion, I have selected Senators O'Loughlin, Kyne, Boylan and Gallagher, and they will be taken now. I regret that I had to rule out of order the matter raised by Senator Victor Boyhan on the ground that it is a repeat of a Commencement matter raised on 17 February 2022. The other Senators may give notice on another day of the matters they wish to raise.

Nithe i dtosach suíonna - Commencement Matters

School Equipment

Senator Fiona O'Loughlin: I welcome the Minister of State, Deputy Niall Collins. I speak on behalf of concerned and frustrated parents who have contacted me over the last months. They have struggled to access the assistive technology that their occupational therapists have absolutely, unequivocally confirmed was needed for their children. I have no doubt that that is reflected around the country.

Assistive technology is not a luxury. It is a necessity for those who need it. Ireland prides itself on having a world-class education system that is inclusive, free at the point of use, open to everyone and supportive of everyone. As the Fianna Fáil spokesperson on education in the Seanad, I am proud that our party introduced free education. Education is still something that our party is passionate about.

I have always been a passionate advocate for inclusive education. I fundamentally believe that all children should be able to receive a high quality education within their own communities and areas. If we truly want an education system that works and caters for all, then we need to ensure that we advocate for all. In the modern world, a child's access to educational supports such as assistive technology is vital. We cannot allow bureaucracy to hinder it.

I have been in contact with the Minister of State, Deputy Madigan, and her office for some time about a child who is local to me. Roadblocks to accessing assistive technology have been put in his way. This child has had two professional assessment reports from an occupational therapist and an educational psychologist, both of which supported and confirmed his need to

be supplied with assistive technology. The Department is now, for some reason, requesting a third evaluation. It will take time and more money. The child's parents have already paid for one, with the school paying for the first evaluation. The family and the school have already paid privately for assessments to this point. There is a clear need, based on these reports, for additional supports. This is completely unfair and unacceptable. I requested that the Minister's office intervene, which has not happened.

I spoke to the principal of this child's school, who is most concerned for the child. The principal also feels that it is essential that appropriate supports be put in place well before this child faces into second level. The child is not engaging in classes. He says he feels stupid. He is being bullied by his peers. This is down to a lack of adequate supports, which have been clearly identified in the assessments to date. Something must be done to ensure that every child is supported and afforded the quality education to which they are entitled.

I was contacted by another parent who was given the run-around by the Department when she sought to access assistive technology. She first applied when her daughter was diagnosed with dyspraxia hypermobility in 2018. She was in sixth class then and was told to reapply to have this set up for first year. She was then told to reapply the following year and nothing happened. In the second year, they applied again and were told by the Department that the grant had been posted to the school. No cheque ever arrived. They chased this all last year. Recently, they had to apply again for a third time. Their daughter was approved by the Department but nothing happened. When the parent contacted me, I again tried to advocate on her behalf with the office of the Minister of State, Deputy Madigan, but did not get anything. It was only when I got a colleague in the Dáil to table a parliamentary question that the Department finally moved on this. This is totally unacceptable. Is there an issue with the administration of assistive technology within the Department? Have appropriate resources been assigned to ensure that children who need services can access them? Will the Department conduct a review of the process to ensure that children are not left behind without vital educational supports?

Minister of State at the Department of Further and Higher Education, Research, Innovation and Science (Deputy Niall Collins): At the outset, I would like to convey the requests from the Minister for Education, Deputy Foley, and the Minister of State, Deputy Madigan, who are unavoidably unable to get to this session for reasons beyond their control. They have asked me to cover in their place.

I thank Senator O'Loughlin for raising such an important issue on behalf of her constituents. She has advocated their case quite articulately. Enabling children with special educational needs to receive an education is a priority for the Government. This year, the Department will spend in excess of €2 billion, or over 25% of the Department's budget, on providing a wide range of schemes and supports for children with special educational needs.

As part of these supports, the Department operates an assistive technology scheme. This allows schools to buy specialist equipment for pupils in primary and post-primary settings who have a degree of physical or communicative disability and need an individualised technological approach to assist them in accessing the curriculum. The type of equipment provided under the scheme is varied and includes audiological supports for students with hearing impairments, Braille equipment for children with visual impairments and computer equipment with associated modified software for students with physical or severe communicative disabilities.

There has been a significant increase in the demand for assistive technology in 2021 over

previous years, which has resulted in the number of applications rising by 32% to nearly 6,500 in a year. All completed applications for 2021 have been fully processed. In line with our increasing investment in special education, the spend for assistive technology has increased by 47% to almost €3 million in 2021.

In regard to the application process, the National Council for Special Education, through its network of local special education needs organisers, SENOs, is responsible for processing applications for schools for special educational needs support, including applications for assistive technologies. SENOs make applications to the Department where assistive technology is required, operating within departmental Circular 10/2013.

The increase in the number of applications received by the Department looks set to continue in 2022, with over 1,200 applications received since January. Of these, all applications for audiology supports for children with hearing impairments and equipment to assist children with visual impairments are fully up to date, while there are about 190 ongoing applications for post-primary laptop supports. The Department is very conscious of the need to process applications in as timely a manner as possible.

A review of the assistive technology scheme and circular has begun this year and a working group has been established to progress this. The review will also include a review of the overall assistive technology application process. If the Senator wants to communicate the details of her constituents to me directly, I will ensure they are conveyed directly to the Minister, Deputy Foley, and the Minister of State, Deputy Madigan. I also agree that she should not have to ask a colleague to ask a parliamentary question to elicit some action in terms of a response.

Senator Fiona O'Loughlin: I acknowledge the significant spending by the Department of Education on special needs, and that is very much to be welcomed. I am still very concerned about the reply the Minister of State has given because while he talked about the rise in applications in 2021, both situations I have spoken about have been going on for years, one since 2018. Every year the pupil is told to reapply. In the first case I spoke about, the child concerned is going through a third examination. At this stage, the assistive technology would have been paid for. The family has already paid for an assessment.

While I welcome the fact that there is a review and that a working group has been established to progress it, the young man I am talking about is one of the 190 ongoing applications and it is vital that he gets the necessary supports.

I accept the Minister of State has said that if I give him the details he will pass them to both the Minister, Deputy Foley, and the Minister of State, Deputy Madigan. I hope he has more luck than I did. I have spoken to both of them one to one, sent emails and spoken with their secretaries and I have not had any success with this. I certainly hope the Minister of State fares better.

Deputy Niall Collins: To conclude, I can only reiterate to the Senator what I said in my opening remarks. The position is far from acceptable. The Senator has said that in the case of at least one of her constituents, the application has been ongoing since 2018, which is entirely unacceptable. A person is entitled to have an application considered in a timely fashion. Seeking a third assessment seems quite excessive and dragging out an application for that length of time, when the person in question needs the support of assistive technology, does not seem right. As I said, I will endeavour to take this up directly with both the Minister and Minister of

State if the Senator gives me those details.

Inshore Fisheries

Senator Seán Kyne: I thank the Cathaoirleach's office for choosing this Commencement matter. In 2006, the conservation and prohibition on sale of coarse fish bye-law No. 806 of 2006 was signed by the then Minister of State, John Browne. The bye-law states a person shall not take and kill by any means more than four coarse fish on any one day in all waters. It states a person shall not take and kill by any means any coarse fish greater than 25 cm in length measured in a straight line from the tip of the snout to the fork of the tail. Bye-law No. 809 of 2006, which is the conservation of pike bye-law, states it is prohibited for a person to take or kill any pike greater than 50 cm in length measured in a straight line from the tip of the snout to the fork of the tail.

Both of these bye-laws were signed in 2006 and it is my view and that of many anglers in the west of Ireland and elsewhere that bye-laws Nos. 806 and 809 of 2006 are not compatible with the habitats directive and should never have been applied to special area of conservation, SAC, lakes. No appropriate assessment was done for these by-laws to see what effect pike, perch, roach and bream and the protection thereof would have on SACs, particularly with respect to native species of trout and salmon in SAC lakes. Anglers in the west and particularly on the western lakes would like to see the spirit of the habitat directives implemented in full, leading to a return of these waters to as close as reasonably possible to their original state.

The failure to have an appropriate assessment done for these two bye-laws can be compared to the process for bye-law No. 964 of 2018, which I initiated and was signed by the then Minister, Deputy Richard Bruton, in October 2018. It was the designated salmonid waters by-law for the waters of Lough Corrib, Lough Mask, Lough Carra, Lough Conn, Lough Cullin, Lough Arrow and Lough Sheelin. The bye-law specified that the waters were designated as wild salmonid waters for the purposes of the regulations and the designated waters shall be managed primarily for the benefits of wild salmonid species. It stated that notwithstanding the prohibitions in the conservation of pike bye-law No. 809, a person shall take by rod and line from the designated waters more than four pike of any size on any day in any year during the period of the year in which fishing is permitted.

That bye-law was challenged and fell because of the lack of appropriate environmental assessments. There is a clear contradiction in how the by-laws were approached and initiated by the Department. The Department failed to defend the challenge to bye-law No. 964 of 2018 yet both bye-laws Nos. 806 and 809 of 2006 stand, despite not having an appropriate assessment done on the impact of protecting pike and coarse fish on trout and salmon species in the seven lakes I have mentioned. There are hundreds of lakes in this country but the seven western lakes have a specific role as strong salmon and trout lakes. They deserve protection. As I have said, I did my best to provide that protection through a bye-law, which was challenged. I now want the Department to look at bye-laws Nos. 806 and 809 again to see whether they should now stand in the absence of an appropriate assessment or any assessment of the impact the protection of pike and coarse fish is having on other species, particularly native species of salmon and trout, in the western lakes.

Deputy Niall Collins: I thank the Senator for raising this matter, which emanates from a commitment in the programme for Government to designate certain lakes the Senator has

named as Corrib, Mask, Arrow, Carra, Conn, Cullin and Sheelin, as salmonoid waters. The initial approach to delivering on this was to put in place a bye-law to address the designation. The inland fisheries division of the Department of Environment, Climate and Communications progressed a comprehensive draft bye-law within the established legislative processes during the first half of 2021. Later in 2021, during the public consultation process on the draft designated salmonoid waters bye-law covering the seven distinct lakes, a very broad range of diverse, and often significantly divergent, views were submitted to the Department.

The Minister is acutely aware of the threat to these waters from a range of factors such as infrastructural developments, intensive agricultural practices, water quality, climate change, invasive organisms, and degraded habitats due to arterial drainage. Established programmes, managed by Inland Fisheries Ireland, IFI, and its predecessors, have been in place on these State-owned waters since the 1950s. I emphasise that the lakes in question have long been designated for management primarily for the benefit of wild brown trout as a matter of policy and that this policy designation remains. However, the Minister is conscious of the need to address the full range of issues facing fish and aquatic animals and their habitat.

On foot of feedback from the consultation, it was clear that reaching broad stakeholder consensus on a bye-law would be extremely challenging. Based on this feedback and on the advice of IFI, the proposed bye-law is not being pursued. Instead, following detailed discussions between departmental officials and senior management of IFI, the Minister formally asked IFI to develop a comprehensive, evidence-based management plan for these waters to be known as the western lakes management plan. The Senator was briefed extensively on these developments and the strategy to discontinue the proposed bye-law in favour of pursuing the policy goal via a comprehensive management plan. He will no doubt be aware of the Minister's intention to have IFI develop that plan.

IFI submitted its first iteration of the plan to the inland fisheries division in mid-October 2020 and, following detailed joint consideration, a second refined version was delivered last week. It is expected that the draft plan will be submitted to the Minister for his consideration shortly in response to his formal request for the plan. It is also intended that the draft plan will be provided to the Angling Consultative Council of Ireland, which is the group, open to all national angling representation organisations, established by the Minister for consultation on angling matters. In addition, broad stakeholder consultation will be undertaken across all disciplines of angling and with environmental and biodiversity stakeholders and other affected and interested parties.

In the context of these developments, certain stakeholders have raised, mainly by means of requests under the Freedom of Information Act 2014, the matter of the two bye-laws cited by the Senator in this matter. In the interests of clarity, those making freedom of information requests were advised by the Department that, following a search of available files from 2006, no records within the scope of the requests were located. This may indicate that the Department concluded that the bye-laws did not come within the scope of the directive and that, as such, an appropriate assessment or even an appropriate assessment screening was not necessary. It should be noted that the bye-laws in question have been in force for 16 years and, while fisheries legislation provides for an appeal of any bye-law to the High Court within 30 days of its enactment, no such contemporaneous appeal was entered in either case.

It is also important to note that the carrying out of appropriate assessments or screening assessments or the initiation of assessment processes on more recent regulations or bye-laws does

not imply that the Department considers bye-laws Nos. 809 or 806 of 2006 to be non-compliant with the habitats directive. These issues would have to be considered as regards the specific bye-laws and the matter of compliance with the EU habitats directive within the perspective of relevant EU case law. In addition, it may not be feasible to review bye-laws from 16 years ago without reviewing all bye-laws currently in force.

Legislative change required, if any, can be considered in the context of the Inland Fisheries Ireland western lakes management plan. The future application of bye-laws Nos. 806 and 809 of 2006 to the western lakes will, therefore, also be informed by the implementation of Inland Fisheries Ireland's forthcoming western lakes management plan.

Senator Seán Kyne: I thank the Minister of State for the comprehensive reply from the Department of Communications, Climate Action and Environment. In fairness, there is a lot of information in that. The crux of it is in the last line of the second last paragraph "the initiation of assessment processes on more recent regulations or bye-laws does not imply that the Department considers bye-laws Nos. 809 or 806 of 2006 to be non-compliant with the habitats directive". Of course, they are not saying they are compliant with the habitats directive in that case either. In my view they are not. I believe we cannot have a situation where a bye-law is challenged and thrown out because it tries to protect salmon and trout while the same bye-laws operational in those great western lakes that are designed to protect pike and coarse fish are not the subject of an appropriate assessment. We cannot have one rule being applied to salmon and trout and another rule being applied to pike and coarse fish. It is quite clear the two bye-laws in question need to be reviewed, rescinded and started again with appropriate assessment to see what impact they are having on salmon and trout in the great western lakes.

Deputy Niall Collins: The Minister is happy that the Inland Fisheries Ireland western lakes management plan will draw on the latest developments in scientific data, survey work and research to create a strategy for these waters that will protect, conserve and preserve their unique status and importance in the long term. The plan will be subject to rigorous environmental governance, including the requirements of EU directives and, critically, will take ecological, biodiversity and socioeconomic impacts into account. If legislative change is required in the pursuit of this strategy, it will be considered in the context of the aims of the plan and will encompass consideration of the wider legislation and not confine itself to a very narrow range of species, as suggested.

It is envisaged that stakeholder engagement between the State bodies, public representatives, the angling community and conservation groups will be a key component to the formulation of the management plan. It is anticipated a broad range of diverse views will again emerge from this engagement. Department officials continue to work closely with Inland Fisheries Ireland on the matter. The issues around the habitats directive must consider the salmonid species included in annexe 2 of the directive on wild Atlantic salmon and the need to protect it from threats, including human exploitation. Salmon in all waters in Ireland are afforded specific protections via established fisheries policy and annual conservation legislation. Ireland's protection of salmon is considered best in class internationally and aligns fully with the EU habitats directive and the North Atlantic Salmon Conservation Organization principles.

Management is based on annual scientific management assessments for salmon stocks, ensuring the harvest of salmon is only from waters with sustainable reproductive capacity, closing waters of salmon that are below sustainable reproductive capacity, opening waters to catch and release, licensing, tagging of harvested salmon, and annual legislation defining the status of

each river. There is also annual legislation to regulate salmon angling and, separately, to regulate commercial fisheries. The salmon management regime also applies to sea trout more than 40 cm in length, and the potential to extend similar protections to other salmonid species will be considered to afford particular protections to salmonids in general.

3 o'clock

Wildlife Protection

Senator Lynn Boylan: I am delighted the Minister of State, Deputy Noonan, is here to take this question. I raised it last week and still have a number of questions arising from the response I got from the Minister of State, Deputy Peter Burke.

The background to this matter is that works carried out in Emo Court appear to have been done without the necessary derogation licence and inevitably led to the disturbance of a significant long-eared brown bat roost. In regard to the timeline, the works were detected in November 2019 and an inspection by the National Parks and Wildlife Service, NPWS, followed in December 2019. That found there was very little evidence of bats at that stage other than swept-up bat droppings and a dead bat. In response to that inspection a letter was sent to the Office of Public Works, OPW, at Emo Court to say the works as proposed and already carried out may be contrary to the legislation and inadequate protection was put in place. An ecological report that stated the mitigation was inappropriate and could not prevent disturbance to the bats was ignored and on that basis no further works were to be done pending the outcome of the investigation report.

The question today arises from the fact that last week we heard they were emergency works. We know that is not the case because a scoping exercise was carried out with the ecologists and the basement was clearly listed as planned works. They were not emergency works. I have been working on this for a number of months, trying to get to the bottom of what exactly took place. It appears that one arm of the State was very concerned about the actions that were taking place at Emo Court and the fact that they were done without a derogation licence. However, another arm of the State, the OPW, is saying that is not the case and that they were emergency works. The first parliamentary question response I had was a complete denial that the works took place at all or that any bats were disturbed.

Will the Minister of State release the report that was carried out by the National Parks and Wildlife Service in January 2020 with the full list of recommendations? Can he confirm that on that investigation there was a recommendation for prosecution, given the fact that the OPW had carried out works that were not licensed and that led to the disturbance of the bat roost? They are the questions at the nub of this issue. Is it the case that the National Parks and Wildlife Service recommended a prosecution and somebody, at some point, has intervened to make sure that did not happen? In that case, there would be a very serious situation where we would have senior civil servants deciding on who should or should not be prosecuted. That is the simple question. Will the Minister of State release that report, with its recommendations unredacted? Can he confirm or deny if the recommendation for prosecution was made?

Minister of State at the Department of Housing, Local Government and Heritage

(Deputy Malcolm Noonan): I will respond to the question on the Commencement and these are additional, if that is okay. My Department has a very strong relationship with our colleagues in the OPW, with the OPW holding statutory responsibility for the day-to-day maintenance of a large number of monuments and buildings in the ownership of the Minister for Housing, Local Government and Heritage. These sites can of course be complex, spanning both our built and natural heritage and equally spanning protections and controls under various pieces of legislation including the National Monuments Acts, the planning Acts and the Wildlife Acts. The National Parks and Wildlife Service of my Department maintains an ongoing contact with the OPW in regard to its obligations under the wildlife Acts.

Departmental officials are happy to work with the OPW and with local authorities and any other public authorities, in order to assist them in meeting these obligations. For example, to assist public authorities in meeting their obligation with respect to strict protection given by EU law to bats and their roosts, the NPWS will shortly publish a series of guidance documents dealing with the practical aspects of bat conservation. A guidance document for public authorities entitled Strict Protection of Animal Species is also available on the NPWS website. This guidance is intended to assist in the application of Article 12 and Article 16 of the habitats directive to ensure that works are compliant with these articles.

To cite one recent example, a member of the NPWS visited and reviewed works at a castle site, advised on the works then being undertaken and future proposed works, and was satisfied that the works at the time were unlikely to cause disturbance to bats. He further advised on the requirement for oversight in works and the potential requirement to apply for a derogation licence for future works. We are aware that the OPW has subsequently appointed specialists who are now monitoring works on site. The Department remains in regular contact with the OPW and is satisfied that a derogation licence will be sought for future works given the potential impacts.

On concerns specifically regarding a bat roost at Emo Court, the NPWS is in ongoing contact with the OPW regarding its obligations under the wildlife and birds and habitats legislation on the important hibernation and breeding roosts at Emo Court for brown long-eared bats, soprano pipistrelles and Leisler's bats, which are the main species that have been identified there. I am informed by the OPW that Bat Conservation Ireland undertook three surveys at Emo Court in 2021 and the surveying records indicate a stable population of bats in line with levels recorded in the 2012-20 period. In 2022, Bat Conservation Ireland will carry out three further systematic counts to monitor the continued health of the roost in Emo Court.

To conclude, it is my strong view that this ongoing good working relationship provides the best and most efficient means of protecting wildlife and our built heritage sites in the care of the OPW.

Senator Lynn Boylan: I thank the Minister of State for his response. It goes back again to the point that it is clear that the works were carried out without a licence. I contacted the NPWS, requesting all of the derogation licences that were granted to Emo Court for the works. There is no licence for the works that were carried out in November and December of 2019. Therefore, that is an offence. If it was not for the colleges flagging this and reporting and reporting it to the NPWS, the later bat conservation surveys probably would not be as optimistic. This is just one example where there were plastic bags shoved into the passageways, trying to prevent the bats re-entering the building. That was on the basis of the report that was made by the NPWS. We are in a biodiversity crisis, and if a State body such as the OPW is stuffing plas-

tic bags into holes to prevent bats entering a building or carrying out works without licences, we do not stand much of a chance when it comes to the private sector living up to its obligations under the law. Again, I ask the Minister of State to release the report on the investigation of the works that were carried out in November and December of 2019.

Deputy Malcolm Noonan: I will make inquiries on that report. I go back to my point about the good working relationship that we have with the OPW in relation to built heritage sites in its care. We are also working on a proposal for a voluntary continuous professional development scheme to equip private and public contractors with practical skills, knowledge and awareness of ecology and environmental law, as well as best practice in terms of risk management. This is something that is ongoing in our Department and we are working specifically on that. As the Senator rightly said, we are in the depths of a biodiversity crisis and it is something we need to work collectively and collaboratively on. I will get back to her on that.

Undocumented Irish in the USA

Acting Chairperson (Senator Ned O’Sullivan): I welcome the Minister of State, Deputy Brophy, to the House.

Senator Robbie Gallagher: I welcome the Minister of State to the Chamber. The plight of undocumented Irish people living in America has been ongoing for many years. Many of them feel isolated and, indeed, forgotten. Many of them have been unable to come home for years. They have missed out on significant family events and milestones such as births, deaths and weddings. Their main fear is not about returning to Ireland but of not being allowed back into the USA, where many have worked for decades. The pandemic has added another barrier for parents wishing to travel to America to see their children. Many undocumented Irish people turned to immigration centres and NGOs in order to survive. Online communication through social media is no replacement for physical contact, especially with one’s nearest and dearest. Fears of deportation limit the use of social services, access to the legal system and full integration into local communities.

It is important to note the contribution that undocumented Irish emigrants have made to the US economy. In many instances they pay their taxes and contribute to local organisations. They are builders, carpenters, manual labourers and they work in many different areas. They have helped to build America and continue to do so. In 1990 the Donnelly programme allowed over 10,000 people to avail of a visa to live and work in the USA in the first year after the Bill was enacted. From 1992 to 1994, 16,000 of 50,000 Morrison visas were set aside for Irish people each year. These programmes are evidence of what can be achieved. Unfortunately, however, those programmes were more than 30 years ago.

The issue of Irish emigration to the USA, particularly the status of undocumented Irish, has been a priority for successive Irish Governments. Emigration issues have been raised on an ongoing basis with the US Administration. Most recently in October 2021, the Minister for Foreign Affairs, Deputy Coveney, said that the situation of undocumented Irish immigrants in the USA and working to secure legal pathways for Irish people wishing to live and work in the USA had been priority issues for successive Governments and continued to be key priorities for the current Government. I have spoken to many who ask what people can expect to see done differently on this issue. We now find ourselves with a unique opportunity because the current US Administration has a strong Irish-American influence and has control over the White House,

Congress and the Senate. This presents a unique opportunity for Irish political representatives to develop a strategy to exert whatever influence they can on the US Administration to get this issue over the line once and for all.

It should be noted that Irish heritage is strong in America, with more than 31.5 million residents claiming Irish ancestry, which is almost one in ten people. The same talking points come up year after year but nothing seems to happen. There are no exact figures for the number of illegal Irish in the USA but estimates range from 10,000 to 15,000, although many would claim the number is much greater. As I said, with President Biden in the White House, who is very proud of his Irish ancestry and refers to it at every opportunity, we now have a unique opportunity to put this issue to bed for once and for all. I ask the Government to redouble its efforts and to avail of this unique opportunity so that those people who have been hiding while trying to find a solution to this issue for years will finally find one.

Minister of State at the Department of Foreign Affairs (Deputy Colm Brophy): I thank the Senator for raising this important matter. Addressing the situation of undocumented Irish immigrants in the USA and working to secure legal pathways for those wishing to regularise their status has been, as the Senator rightly pointed out, a priority issue for successive Governments and continues to be a priority for the current Government. Emigration matters continue to be raised by senior members of the Government at every opportunity and will be a key issue raised during the upcoming series of St. Patrick's Day engagements, not least by the Taoiseach with President Biden. The Minister for Foreign Affairs, Deputy Coveney, has also raised the matter of the Irish undocumented on a number of occasions, including in high-level meetings during his most recent visit to Washington DC.

The Government continues to seek opportunities to deepen and strengthen Ireland's bilateral relationship with the US Administration under President Biden and members of Congress, particularly on a bipartisan basis. The promotion of solutions to the undocumented Irish in the US is a key part of that relationship. The Department of Foreign Affairs, through our embassy in Washington DC, continues to prioritise immigration issues and to develop immigration pathways for our citizens through active engagement with the US Administration and political leaders at all levels. We seek opportunities to deepen and strengthen our bilateral relations with President Biden's Administration.

We are pleased to see that immigration issues, including possible pathways to citizenship, are a priority for President Biden as demonstrated by his proposal in the US Citizenship Act of 2021. The Government looks forward to working with his Administration, as well as with the US Congress, on a bipartisan basis as they pursue comprehensive immigration reform in the US.

Through our embassy in Washington, as well as our seven consulates general across the US, the Government works closely with Irish immigration centres that provide support and information to our citizens, including the undocumented. Many of these groups, including the Coalition of Irish Immigration Centers, receive significant annual funding through the Government's emigrant support programme.

In response to the pandemic, a dedicated Covid-19 response fund was also set up for Irish communities to help these organisations meet the needs of those who are particularly vulnerable, including the undocumented Irish in the US. In 2021, over €4.22 million was paid to diaspora organisations in the US from the emigrant support programme and Covid-related projects

and support thereof.

Senator Robbie Gallagher: I thank the Minister of State for his comprehensive response. As I outlined, it is heartbreaking to hear the stories, as I am sure he has, of the undocumented people living in the US. Someone who went to the US 30 years ago at the age of 20 will be 50 today yet there is still no sign of progress on this issue. I reiterate that this is a unique opportunity for the Irish Government to make inroads on this issue and to put it to bed once and for all. We have a friend in the White House in the form of President Biden and we cannot let this opportunity slip. I ask that the Government redouble its efforts to ensure we find a solution to this long-running problem while he is in office.

Deputy Colm Brophy: I share the Senator's view that there is an opportunity. As I said, we are absolutely committed to working on this issue at every single level. It is an issue that I have worked on, as has the Minister and the Taoiseach. It is a very important issue and we will use the opportunity of the upcoming St. Patrick's Day events to continue that engagement. Thankfully, there is a willingness in the current Congress and President Biden's Administration to look at immigration reform. There is an absolute determination in the Government to use every opportunity to see what can be achieved for the undocumented from that willingness. I thank the Senator again for raising the matter.

Cuireadh an Seanad ar fionraí ar 3.18 p.m. agus cuireadh tús leis arís ar 3.30 p.m.

Sitting suspended at 3.18 p.m. and resumed at 3.30 p.m.

Gnó an tSeanaid - Business of Seanad

An Leas-Chathaoirleach: Sula nglaoim ar Cheannaire an Tí, tá ráiteas beag le léamh agam faoi Sheachtain na Gaeilge agus na grúpaí stiúrtha. Cuirtear tús inniu le Seachtain na Gaeilge, an fhéile idirnáisiúnta Ghaeilge lena ndéantar ceiliúradh ar ár dteanga agus ár gcultúr dúchais. Leanann Seachtain na Gaeilge ar aghaidh ón 1 Márta go dtí Lá Fhéile Pádraig agus, le linn an ama sin, iarraim ar Sheanadóirí an Ghaeilge a úsáid sna himeachtaí aon am is féidir leo. Tá sé sin iontach tábhachtach.

Ba mhaith liom an deis seo a ghlacadh freisin chun a chur in iúl do Chomhaltaí go bhfuil grúpaí stiúrtha bunaithe anois don Seanad agus don Dáil d'fhonn úsáid na Gaeilge sna himeachtaí sa dá Theach a chur chun cinn. Is cuid den tionscnamh 'An Ghaeilge sa Teach', gníomh rithabhachtach i Straitéis na Gaeilge, 2021, iad na grúpaí sin. Déanfar na grúpaí stiúrtha a sheoladh an tseachtain seo chugainn agus beidh an Leas-Cheann Comhairle agus mise mar Leas-Chathaoirleach an tSeanaid, faoi seach, ina gcathaoirligh ar na grúpaí sin. Beidh mise i mo chathaoirleach ann. Guím gach rath ar na grúpaí ina gcuid oibre leis an gcuspóir tábhachtach seo thar ár gceann. Tá sé sin an-tábhachtach. Molaim díobh giota beag Gaeilge a úsáid an tseachtain seo. Úsáidigh cúpla abairt aon seans a fhaigheann sibh.

Death of Former Member: Expressions of Sympathy

An Leas-Chathaoirleach: Is ábhar bróin dom bás an iar-Sheanadóir Ó Murchú a chur in iúl don Teach. Professor John A. Murphy, who has passed on, would have been known to some Members of the House. Members will be aware that Professor Murphy was a Member of this

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House from 1977 to 1982 and from 1987 to 1992. He died yesterday. He was a renowned historian and lecturer and had a lifelong association with University College Cork, UCC. He received a scholarship to study history and Latin in 1945 and was appointed professor of Irish history at UCC in 1971. He remained in that position until his retirement in 1990. The Mac-room man was held in such high regard by his home county that he was named Cork person of the year in 2005.

He was first elected to Seanad Éireann on the National University of Ireland panel as an Independent Member in 1977. Indeed, we have another very distinguished Member from that panel here, Senator McDowell, who may have known Professor Murphy at some point along the way. The late Senator Murphy was passionate about the availability of high-quality education for all and advocated for political and cultural inclusivity. At this sad time my thoughts are with this family. On behalf of the House, I wish to convey sincere sympathy to his children, Susan, Cliona, Brian, Hugh and Eileen, and to his extended family and friends on their loss.

I will add a little personal anecdote. After I was first elected to this House in 1989, which is a while ago, I went to the Merriman Summer School with a very distinguished former Member of this House who had preceded me, Senator Andy O'Brien, who would be known to Senator Vincent P. Martin. Senator O'Brien and I went to the school and on the night in question we met Senator John A. Murphy. It was an extraordinary experience to spend an evening in his company. He was a great raconteur, a very brilliant man, and he held the entire place in awe. One could hear a pin dropping all night as he recorded stories upon stories. Arís, ar dheis Dé go raibh a anam. Glaoim anois ar Cheannaire an Tí, agus beidh rún aici níos déanaí.

Senator Regina Doherty: A chairde, at the end of the Order of Business I will ask you to join me in passing a motion for the expression of sympathy on the death of our former colleague, John A. Murphy.

An tOrd Gnó - Order of Business

Senator Regina Doherty: The Order of Business is No. 1, statements on the situation in Israel and the occupied Palestinian territories, including the recent report of Amnesty International, to be taken today at 4.45 p.m. and to conclude at 6.30 p.m., if not previously concluded, with the time allocated to the opening remarks of the Minister not to exceed ten minutes, the contributions of group spokespersons not to exceed eight minutes and the contributions of all other Senators not to exceed five minutes, and with the Minister not to be given less than ten minutes to reply to the debate; and No. 2, statements on the situation in Ukraine, to be taken today at 7.30 p.m. and to conclude at 9 p.m., if not previously concluded, with the time allocated to the opening remarks of the Minister not to exceed five minutes and the contributions of all other Senators not to exceed five minutes, and with the Minister to be given no less than five minutes to reply to the debate.

Senator Lisa Chambers: At the outset, I propose an amendment to the Order of Business, namely, that No. 22 be taken before No. 1. I also join with the Leader's remarks with regard to the late John A. Murphy. I also want to extend our condolences on behalf of the Fianna Fáil group to Senator Paul Daly on the passing of his father, Seán Daly, to the Senator's mum and Seán's wife, Mary, and to the extended family. The funeral took place this morning. On behalf of our grouping, we extend our condolences to Senator Daly and his family.

Today marks the beginning of March, which is endometriosis awareness month. Members will be aware that this is an issue that I have long campaigned on and am very passionate about. It is very important that we have this month of awareness because we are trying to achieve a greater knowledge among young girls and women of what endometriosis is and how it can affect one's menstrual cycle, health and well-being. One of the greatest things we can do for young girls and women is to provide education, which will empower them to ask the questions they need to ask regarding their own healthcare. Endometriosis is one of the top four gynaecological conditions representing 80% of referrals to gynaecology departments. It is a significant issue affecting one in ten women throughout the world and, therefore, 10% of women and girls in Ireland are affected by this chronic condition. I join in supporting the Endometriosis Association of Ireland, which is running a month-long campaign of awareness throughout the country on its social media platforms to raise awareness of that condition.

We will have statements on the situation in Ukraine later. It is posing some very challenging questions for us as a country to consider. There has been a lot of conversation throughout the country about how we can help and stand, in practical terms, in solidarity with the Ukrainian people. As we speak, there are collection points across the country for clothing, food, baby nappies and baby food, but people are asking what is the best way we can help the Ukrainian people. Is it through donations to the Irish Red Cross? Is it working through our Ministers? Is there a proper channel through which to funnel that goodwill? We could do with some direction from the Government on what is the best way to practically help to get equipment and supplies to people on the ground as quickly as possible.

The visa waiver for those Ukrainians entering the country is welcome. It was disappointing it came when the flights out of Ukraine had stopped. That decision could have been made a little quicker. I cannot understand why there was any delay whatsoever. My gut reaction would have told me of course that we would open our doors and let people in. We left that a little too late. Better late than never, but we could have made it a bit easier to get people out of the country and get them here safely.

We will deal with the questions later regarding what the Ukrainian situation means for us as a member of the EU. I stand fully behind the members of the European Parliament whom I believe will unanimously pass a resolution calling for entry of Ukraine into the bloc as a member state. Some officials at European Union level are saying this may take years to happen. We have elected members versus officials. The elected members speak for the people on the ground. The view of most people is that Ukraine should be admitted expediently into the bloc. That would be good for all of us. We will come back to that later.

Senator Mary Seery Kearney: I would like to speak about Ukraine. I was really struck by the press release from the Auschwitz memorial at the weekend. It gave a great summary of what our disposition should be. It stated:

This act of barbarity will be judged by history, and its perpetrators, it is to be hoped, also by the International Court of Justice. As we stand at the Auschwitz-Birkenau Memorial, it is impossible to remain silent while, once again, innocent people are being killed purely because of insane pseudo-imperial megalomania. We express our absolute solidarity with the citizens and residents of free, independent, and sovereign Ukraine and with all Russians who have the courage to oppose this war. At this moment the free and democratic world must show, if it has learned its lessons from its passivity of 1930s. Today, it is clear that any symptom of indifference is a sign of complicity.

I am proud we have expressed ourselves as a nation in support of Ukraine. I am proud of all the actions the EU has taken and that they were taken quickly, and I expect them to be implemented quickly. What was the Russian response? It was to put its deterrent forces on special combat duty. Its response was to shoot a family trying to flee with its children to safety, to shoot dead a beautiful little girl, Polina, and her parents, to strike civilian buildings, to shoot other children and parents and to murder civilians. Its response is to send a military convoy of anything between 27 km and 60 km in length with a mission to murder other innocent families and innocent children.

There is no such thing as neutrality in the face of atrocity. We are not neutral on Ukraine. I am not neutral on Ukraine. Today, Polina is not in her fourth grade class because she has been murdered in the name of an evil lie and evil man supported by his lackeys. Today, Ukrainian children are not at school, in parks or in playgrounds. They are in underground car parks and in basements fearing for their lives. I have seen the photographs of people I can name and know, and know where they are right now. There is no neutrality in the face of such atrocities.

Today, children with illnesses and in need of comfort and treatment in hospitals are in basements in the dark, in fear of being killed. They have been carried there by their terrified parents and are being cared for by staff in fear of their lives and those of their families. Today, there are vulnerable Irish citizens, our nation's babies, in Ukraine. We want them home. I find the calls to expel the Russian ambassador impotent and ill-informed, to be perfectly honest. It is not that I would not happily march the man to Dublin Airport myself but our diplomatic links, however distasteful, may be necessary. I do not want the ambassador to be expelled, but I want him to know that we are not neutral on human suffering. We are not neutral on Russia's atrocities. I am calling for a debate on our neutrality. Standing together in the EU may bring the support Ukraine needs. Standing together with the nations of the world that stand against these atrocities may well be the end that is stimulated by the Russian people, many of whom have expressed such courage in the last few days. Standing together, we say that there is no neutrality in the face of atrocity.

Senator Michael McDowell: Ar dtús báire, ba mhaith liom aontú leis na focail atá ráite ag an Leas-Chathaoirleach i dtaobh bás John A. Murphy agus comhbhrón a dhéanamh lena chlann. Tírghráthóir, staraí uasal agus Seanadóir thar barr a bhí ann. Tá brón mór orm go bhfuil sé tar éis bás a fháil. Bhí sé mar chomhshínitheoir mo nomination paper in 2016. Táim an-bhuíoch de as sin.

We are going to make statements on the Ukrainian situation, but we should be adopting a motion. We should be declaring clearly where we stand. Statements are not enough any more. We all know what we would like to state and we all know what we will state in advance, but we must place on the record of this House that we have come to a decision about what has happened and that we are making a declaration, in precise terms, of where we stand on this issue. I am not going to divide the House on the matter but I ask the Leader to consider whether in substitution for statements, we can have a motion that we all agree on and pass, so that the Irish people know where this House stands on the issue.

As Senator Seery Kearney has said, we are dealing with murder on a massive scale. We are dealing with the attempted annihilation of a European democracy. This is happening in our time because we have been blind, in the past, to the emerging Sino-Russian alliance, which has emboldened tyrannies both in Beijing and Moscow to use force and threaten to use force in breach of all international norms. Going back to 1956, I recall Hungarian refugees coming to

my house on Leeson Street and selling goods just to survive. I remember the Russian invasion of Czechoslovakia in 1968. Members will be glad to know that in 1978, and the other day, I was outside the Russian embassy on Orwell Road, protesting on the tenth anniversary of that event. We must learn one lesson from all of this, which is the following. If the leaders of the Russian people, however that leadership is constituted, want to live in a world where they can do this to other people, they must live in the same world that Brezhnev and others did in 1956 and 1968. They must live in a Cold War world where they have nothing to do with the West, where we cut off all economic ties with them and reduce diplomatic ties to the absolute minimum and where the Russian people bear the brunt of international aggression. We must be ruthless in pursuing that aim. This time, the Russian people must know in their hearts, not what they probably sense in secret, that their leadership has brought them into a barbaric, criminal war and that they must pay the price for that. We must ensure that the people of Ukraine, such of them as will be there in a week's time and so much of Ukraine as a democracy as will exist in a week's time, have not made their sacrifices while the West stood idly by.

Senator Vincent P. Martin: The Green Party, Comhaontas Glas, also conveys its sympathy on the death of former Senator John A. Murphy. He was a towering intellectual. Thousands and thousands of people enjoyed reading his erudite published pieces in Sunday newspapers and elsewhere. I did not always agree with him. Other Senators referred to former Senator Andy O'Brien, who showed that constitutional republicanism is alive and well in Fine Gael. It is the Peter Barry school of republicanism. He was a great friend of John A. Murphy. I was delighted that Senator Joe O'Reilly made that connection between those two great friends.

Today is independence day for Bosnia and Herzegovina. Professor Simms described Ireland's performance at that time as squalid with regard to the carve-up and ethnic cleansing of that country in the 1990s. The phrase "level killing field" was used by some as a misguided reason for reluctance. That was used to justify doing little or nothing, thus isolating the Bosnians to defend themselves and their country. That conflict took place on the doorstep of Europe and it should have taught us the massive price of prevarication and doing too little, too late. As the heavily-armoured Russian convoys edge closer and closer to Kyiv, ready to lay siege to the capital as happened with Sarajevo, let us not be found wanting as an EU community. Let us act with our eyes open this time. Sanctions need to be cripplingly deep. Even if it costs us something, which it no doubt will, let us take that hit, because it will not cost the lives of women and children. Defending democracy is not cost-free.

Senator Pauline O'Reilly: I second the amendment to the Order of Business from Senator Chambers to take No. 22 before No. 1.

Senator Paul Gavan: I extend my sympathy to the Murphy family on the passing of John A. Murphy and to Senator Paul Daly and his family on the passing of his father.

I am looking forward to the statements on Ukraine this evening. It is surreal to see what is unfolding across the world at the moment. I hope that we can be constructive in what we can do with sanctions. I put on record my praise for my colleague, Deputy Mairéad Farrell, in the Dáil. She has highlighted again the issue of section 110, and the €118 billion of Russian oligarchs' funding that has flowed through that section for the past 15 years.

At the top of the Irish Horseracing Regulatory Board's website is a clear statement, written in bold print, "Protecting the Integrity & Reputation of Irish Horseracing". The IHRB, formerly the Turf Club, is the regulatory arm of the sport in this country. It receives €10 million

annually to perform this important duty, protecting the reputation and integrity of the so-called sport of kings in Ireland. This is a self-elected club that has been allowed to appoint its own regulatory directors. It receives €10 million each year in taxpayers' funding with little or no accountability. It has also refused for years to publish the salary of its chief executive, who abruptly resigned last year and has since not been replaced. I read, as I am sure many Senators have, the two substantial, apparently well-researched investigative articles written by Paul Kimmage for *The Sunday Independent* over the past two weekends. There has been plenty of rumour, innuendo and speculation prior to these articles being published about the possible use of illegal performance-enhancing drugs in Irish racing. The man who has bravely led the way in this regard is one of our most celebrated and famous horse trainers, a man of impeccable reputation, Jim Bolger. He has been castigated in many quarters for doing so in, from his own training colleagues to the racing press and the man on the street. However, he has also been applauded and supported by many others who know this man is to be trusted when he opens his mouth about such a serious matter. The key suggestion in Mr. Paul Kimmage's article is that the Irish Horseracing Regulatory Board, IHRB, sought to discredit the trainer, Mr. Stephen Mahon, because of his prior claim as a whistleblower regarding the use of performance enhancing drugs in horseracing. After reading Mr. Kimmage's articles, I believe there are serious questions to be asked about the regulatory board because if any of this is proven to have some truth, there will be serious questions about the treatment of Mr. Mahon and his family. I have to ask the question: who is going to regulate the regulator?

Major concerns are being raised about the office of the governing body, the IHRB, in the Curragh, County Kildare, and the oldest sporting club in the world. It seems to be a closed shop funded by every one of us in this country who pays tax. I request a full independent inquiry into all affairs, activities, practices and appointments relating to the IHRB.

Senator Eileen Flynn: Today I want to bring to people's attention that March is anti-racism month, a month that focuses on interculturalism, equality and anti-racism. On 1 March five years ago, Travellers were recognised as an ethnic minority group in Irish society. NGOs and Travellers fought for many years to be recognised by the State as an ethnic minority group. Thankfully, we are now recognised by the State, even though we have always existed in Irish society and always played an equal part in our society. This year we mark 100 years of the Seanad, and I am a very proud member of the Traveller community who takes part in negotiations that have an impact on all walks of society. To be able to be part of those larger conversations is critically important.

There can no longer be token recognition. It is not just about recognising Travellers on a piece of paper in this House; it is also about implementing the recommendations that Travellers came up with. We need to work with NGOs to improve the quality of life of Travellers within society. We should have the same outcomes as the general population. It is important that there are no longer just tokenistic gestures for our community.

I want to bring to the attention of the House that in April it will have been a year the Minister for Justice, Deputy Helen McEntee, published the heads of a Bill on hate crime. While that was welcome, we would like to know the current status of the Bill. It would be brilliant if the Minister could come to the House, especially in the month of March, to give us an update on hate crime legislation. I have spoken to the European Network Against Racism, ENAR, which is desperate to get it over the line. We would welcome that legislation.

It has also been a year since the launch of the Government's White Paper on ending direct

provision. It would be brilliant if the Minister for Children, Equality, Disability, Integration and Youth, Deputy Roderic O’Gorman, could come to the House and give us an update on ending direct provision.

It is important that the recognition of the Traveller community five years ago be recognised by the House. That, along with hate crime legislation and ending direct provision, are important matters that, in my opinion and that of the Civil Engagement Group, have been pushed aside over the past year. I would love to see further discussion on these matters with the two Ministers I mentioned.

Senator Shane Cassells: I welcome that, eventually, the long overdue defamation laws seem to be progressing.

4 o’clock

It is very important and has been called for over a long period by those in the publishing industry and the National Union of Journalists. It is very important as it would allow for proper debate and prevent vexatious complaints. I hope we will eventually see swift action in this regard from the Minister for Justice.

Equally in the sphere of valid criticism, this night last week in the House we were debating the online media Bill. A very important interjection was made at the weekend at the national congress of the GAA when the president, Mr. Larry McCarthy, proposed a protection of volunteers in amateur sports Bill and asked that our committee dealing with media and sport take this up. I spoke to an uachtarán about this and he explained that there was a corrosive assault on civility, affecting players, referees, officials and volunteers in general. The question has been asked in the media over the past couple of days since this address to the national body of the GAA as to why only amateurs should be included. Mr. McCarthy made the point that amateurs return to their place of work and own homes after playing and do not have the protection of professional sports bodies in cocooning from such activity.

This would be a worthy debate and I welcome the interjection by Mr. Larry McCarthy in this respect. I will ask the committee Chairman, Deputy Niamh Smyth, to allow us to examine the matter. It is again an example of the GAA promoting discussion within our country, particularly in this respect with regard to a protection of volunteers in amateur sports Bill. I welcome that interjection made at the weekend.

Senator John McGahon: The biggest fear in Russia and Putin’s Moscow is a free and democratic Ukraine as then people in Russia might look to Ukraine and ask why they cannot have what Ukraine has when they share so many culturally close ties. I have absolutely no doubt Ukraine will be Putin’s legacy but it will not be the legacy he intended. It will be the legacy of a stronger and more united European Union and European Continent than has been known before.

We can ensure Putin’s foreign policy ends in total and utter failure. I do not say it lightly but we can do this by ensuring we see the accession of Ukraine into the European Union as soon as possible. The reasons for this are twofold. The European people over a number of years have demonstrated they stand up for European values as we know them and the European Union was devised so no war would again cross the European Continent. It is the reason the European Union came into being in the first instance.

There are 44 million people in eastern Europe looking towards the west, democracy and freedom and they want to be part of that. It would be a terrible sin for European countries to turn around and say they are okay and they do not really want Ukraine in the European Union. The European Union cannot say Ukraine fosters all our values and agrees with its sentiments but it does not want it in the Union. When a sovereign nation has been attacked in the way Ukraine has been by a murderous regime in Putin's Russia, we should look to ensure that if the Ukrainian people and its Government want to join the EU, all efforts are made to see that can happen.

Senator Sharon Keogan: I draw attention to the recent announcement by the United Kingdom Government that the country will end telemedicine abortions by autumn, a decision we should follow. The UK provision was first introduced in March 2020 by the British Government as a temporary Covid-19 response. When our then Minister for Health, Deputy Harris, followed suit in early 2020, modelling the system on the UK decisions, we were also told this would be a temporary measure. Covid-19 restrictions are increasingly being lifted and our nearest neighbours have taken steps to end telemedicine abortions. The Minister for Health, Deputy Stephen Donnelly, should now do the same.

On health and safety grounds alone, the case for ending telemedicine abortions is overwhelming. Mounting evidence demonstrates that telemedicine abortions have many risks and dangers. In England, emergency ambulance responses to complications relating to abortions have spiked since telemedicine was introduced. In London specifically, monthly ambulance dispatches dealing with abortion pill-related complications have doubled since telemedicine was introduced. Research released in November 2021 reveals more than 10,000 women had received hospital treatment following an at-home use of abortion pills between April 2020 and September 2021. That is shocking. Unfortunately, we are forced to rely on data from the UK as neither the HSE nor the Department of Health have conducted any research in Ireland on the impact of telemedicine abortions. Instead, they have relied solely on literature from the UK. This was a shocking oversight on their part which has endangered the lives of Irish women. It is sufficient to say that, if these cases can happen in the UK, they can also happen in Ireland.

Telemedicine abortion separates a woman from her doctor and this system is more open to abuse than a system based on face-to-face consultation through, for example, coercion from a partner. Additionally, a woman cannot receive an in-person examination from her doctor, making it impossible to verify her gestational stage, which raises questions of legality under the 2018 Act. There is overwhelming evidence pointing in a clear direction. The Minister, Deputy Stephen Donnelly, needs to address this issue without hesitation and to take immediate steps to end telemedicine abortions here.

Senator Eugene Murphy: In recent days, a member of An Garda Síochána, Garda Padraig Scott, who lives about 40 km from me at home, was brutally attacked in County Cavan where he was on duty. I will not say much about the case because we do not know a lot about it at the moment. However, I would like the House to wish Garda Scott well today and to utterly and totally condemn another attack on a member of An Garda Síochána.

In the middle of the night, Garda Scott obviously noticed something that was not correct and he has paid a great price for that. I am glad to say that Garda Scott is now out of hospital. He is at home with his family. We wish him a speedy recovery.

We should have a discussion about crime. We tend to let these things go. It is a very seri-

ous matter that these attacks are happening. The young men and women entering the force at the moment are heroes. They have a great many issues to deal with and we sometimes let them down. They are also let down by the courts. They are frustrated. It is time that we had a good open debate. Where members of An Garda Síochána do wrong, the law should deal with them, but we have a good force in general. I look at the many young men and women turning out to join An Garda Síochána. There is a campaign urging them to join. We must stand with them. I am sure everybody will join with me in wishing Garda Scott a speedy recovery.

I will also very quickly send my good wishes to Aoife O'Rourke from Castlerea in Roscommon who, along with Kellie Harrington, won a gold medal in boxing in a major international competition in Sofia at the weekend. I wish her and Kellie Harrington the very best of luck. I also congratulate Fiona Tully of the St. Coman's Handball Club in Roscommon who won a major tournament in Missouri in the USA at the weekend. Every weekend, sports stars from Ireland, whether their sport is handball, ladies' soccer, golf or something else, give Ireland a great name across the world. We should always pay tribute to them.

An Cathaoirleach: I join with the Senator in his congratulations. Along with all colleagues, I too wish Garda Scott a speedy recovery.

Senator Emer Currie: This weekend, I was privileged to attend the British-Irish Parliamentary Assembly. It was my first in-person plenary session. I really got to see the benefits of the informal and formal engagement with members of the Parliaments of Britain, Scotland, Wales and Northern Ireland. It was really great to be able to talk about the challenges that face us and the difficulties we are going through.

We all know that the bilateral relationship is not as good as we would like it to be but it was a positive weekend for parliamentary engagement. One of our first acts was to pass a resolution on the conflict in Ukraine. It was pointed out that it would be good to see the UK follow Ireland's actions with regard to visa restrictions.

It is hard to talk about everyday issues when such things are happening so close to home but I suppose we are lucky that we can so I am going to talk about another issue that is ongoing in Dublin 15. I want to raise another issue in Dublin 15. The Fine Gael Party is really focusing at the moment on making publicly-funded infrastructure open more for public use, such as schools being used for after-school activities for example. I see it in Dublin 15. A campus in Tyrrelstown has two primary schools, a community centre and a car park. The local community want to use that car park to facilitate activities in the park next door, which includes the cricket club and the park run but because of bureaucratic entanglement we cannot use it. We need to be sensible about these issues. We need to be able to overcome barriers so that we can use resources. Right now there is a group of people who want to build another car park because they cannot get access to one that is there. That to me is madness. A lot of work goes into these things, but sometimes one just has to call for common sense.

Senator Lynn Boylan: I would like to raise the Intergovernmental Panel on Climate Change, IPCC, report, which is a stark reminder of the failure of successive Governments to heed the call of scientists to act on climate change. I will focus on a few points of the report, one being adaptation. The IPCC report is crystal clear about the global failures to adapt to climate change. Again, those least responsible for the climate crisis will be those least able to adapt. The Climate Change Advisory Council examined the Government's performance on adaptation, and the scorecard is damning. Not a single sector was given the highest score.

The IPCC report is a stark reminder, not only of the dire impact of climate change on biodiversity but also the potentially negative impact of our efforts to solve climate change. In Ireland, we have had too many examples of what the panel yesterday referred to as “maladaptive actions”. Examples of this happening in Ireland would include Amazon’s wind farm that is leading to bog slides, and Bord na Móna’s attempt to build on the site of the mid-Shannon wilderness park, despite the fact that this was a carbon sink. I have repeated over and over again in this Chamber that we cannot allow biodiversity to be the sacrificial lamb of climate action.

I will also raise the issue of climate justice. As a wealthy country, Ireland has a key role to play in ensuring the additional funds for climate finance for the poorest regions so that they were able to adapt. It is very clear again that while the poorest have contributed the least globally, the same is true on the national scale where the top 10% of Ireland’s earners emit nearly as much as the bottom 50%.

These are just some of the points that came up in the report yesterday. Back in December 2020, we talked about having climate crisis as a standing issue on the Order of Business. I ask the Leader if we could again look at that to have an update on what is happening about that.

Senator Fiona O’Loughlin: I share the sentiments expressed earlier by Senator Currie that it is difficult to concentrate on the day-to-day business, but we are lucky to be able to do it so we need to do that.

I also wish to be associated with the condolences for the family of our colleague, Senator Paul Daly, and the family of Professor John A. Murphy. From reading about Professor Murphy, and indeed when I studied history in college he was one of our eminent history scholars, he had said that if there was one thing he could change in his life it would be the quality and availability of education. The Higher Education Authority is currently working on a new access programme for higher education for 2022 to 2026. This is hugely important because it is really about giving the opportunity to those who would not have the opportunity to go on to further education or third-level education. We are referring to those from vulnerable backgrounds, people from a Traveller background, and people with disabilities who do not have the opportunity to go on to further education. I believe this is one of the most important debates we could have in the House. It would be appropriate given that this plan is at a preparatory stage now. When Professor Murphy was talking about the quality of education he was also talking about our teachers. Support for our teachers is always important.

I will briefly raise another issue, which relates to CHO 7 to which Kildare belongs, and the lack of neurology nurses. Tallaght University Hospital is the main neurology centre for people from Kildare and west Wicklow. It is short of neurology nurse specialists. There are only 2.5 where there should be 20. I ask for this to be taken as a priority. We need 100 extra nurses throughout Ireland, and 20 in Tallaght University Hospital.

Senator Maria Byrne: I join colleagues in expressing condolences for our colleague, Senator Paul Daly, and also for my colleague, Senator Jerry Buttimer, on the death of his father-in-law. I wish to have those recorded.

Today is national self-harm awareness day. It is important to put it out there in regard to the stigma about self-harm and the fact there are organisations such as Pieta House and the Samaritans out there. It is also national eating disorder week. It started on 28 February and runs until 6 March. They both have a common link and are in many cases associated with mental health.

Once again I want to raise the fact that University Hospital Limerick, UHL, is the most overcrowded hospital in the country. In February it was two people short of 1,500 people on trolleys, waiting for beds. The INMO has come out again today highlighting this problem at University Hospital Limerick. I raised the issue here last week and the Leader's response made the headlines on our local radio station. It was up there on a podcast. Something has to happen. The INMO will come before the Joint Committee on Health next week. Serious questions have to be asked because it is not just about the patients, it is also about the staff and working conditions there. Last weekend UHL actually asked people not to go to the hospital. That is not acceptable. It is not a right message to be sending out. There are people who have minor injuries, and while there is a minor injuries clinic, people need to be able to avail of the services of the hospital in an appropriate manner.

Senator Mary Fitzpatrick: I offer my sympathies and condolences to the Murphy family and to Senator Paul Daly and his family as well. It is a sad time for them. It is a sad time for our country, for Europe and for the world. Later this evening we will have statements on the Russian invasion of Ukraine. I agree with Senator McDowell and wholly endorse his call for us not just to have statements but to have a unanimously agreed motion from this House utterly condemning Russia's invasion of Ukraine, the brutality and inhumanity that Russia is perpetrating on the Ukrainian people and welcoming and endorsing Ukraine's candidacy for membership of the European Union.

In the aftermath of the Second World War visionary leaders, politicians, lawyers and resistance fighters came together to start the European Union. They had shared values of peace and wanted a Europe that was peaceful, prosperous and where solidarity was real. Those are values we all share. Whatever our differences may be at other times I believe that we all share an ambition for a peaceful and sustainable Europe. I hope there can be a unanimous endorsement tonight of a motion from this House welcoming and supporting Ukraine's candidacy.

In the last six days more than 600,000 Ukrainians crossed the borders towards the European Union. This war is so depressing, so last century, outdated, destructive and inhumane. I think of the fathers, sons and brothers remaining. I heard Ukrainian men are travelling from Cork to fly back. They are fighting for their lives, for their land and for freedom. We need to support them and I believe that this House has a duty to pass a motion tonight.

Senator Garret Ahearn: I normally ask for a Minister to do something, but I will be different this time. I want to thank a couple of Ministers. Yesterday there was an announcement in County Tipperary of the go-ahead for Fethard primary care centre. Members will be aware I have brought this up a number of times in the Seanad and I tabled this as a Commencement matter. It is a very important primary care centre for Fethard, Killenaule and Mullinahone. I know all the GPs are delighted, as I met them yesterday. The community as a whole is delighted. It is on a campus that is all about health, well-being and support - Fethard Town Park - which we have invested more than €3 million in already and there is a top-class sports facility there. I thank the Minister of State at the Department of Health, Deputy Butler, for the work she has done on this.

I also thank the Minister of State at the Department of Education, Deputy Madigan, for emergency funding for Donaskeigh National School, just outside Cashel. This funding was badly needed. The children's playground area where they play during lunchtime has been dangerous for a number of years, and this is the school's third time applying for emergency funding. The school staff had almost given up hope of getting it entirely. They are thrilled with

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the news today. The principal, Mairead Sheehy, and Martin Daly, chairperson of the board of management, are thrilled with the news.

Finally, it is a big day in Tipperary today where a new hotel has opened - the Cashel Palace Hotel. The building been closed since 2014. As most people will be aware, Cashel is a tourist town. We get thousands upon thousands of visitors every year. However, one of the challenges we have always had is that there has not been enough accommodation to keep people in Cashel and in the county. The opening of this hotel gives people the opportunity to stay in Cashel overnight, and there will be a knock-on effect for cafés, restaurants and the wider community in the town. It is a very important day. The community is thrilled with it. I thank everyone and all the workers who have been involved. It has been promised for a long time to be opened on 1 March, but most projects get delayed. However, this one opened up today and everyone is delighted. Everyone is invited to come down and try it out sometime.

An Cathaoirleach: If the Senator is buying dinner, we will all show up.

Senator Micheál Carrigy: I want to offer my sympathies to both Senator Paul Daly and Senator Buttimer on their recent bereavements. I also support the comments of Senator Cassells. One thing about the GAA Congress is that either the uachtarán report or ard stiúrthóir report always makes some thought-provoking proposals. I look forward to working with Senator Cassells and, indeed, the GAA at Oireachtas joint committee level to progress the proposals, which are extremely important.

I also support Senator McDowell's comments. It is important that both Houses of the Oireachtas send out a strong message to support not just the people in Ukraine, but the Ukrainian community in Ireland. We are in the decade of centenaries and we are celebrating the 100th anniversary of the men and women from our country who fought for freedom and gave us the freedom we have. Yet, 100 years on, on the European continent, we have the men and women of Ukraine fighting to keep their democracy. It is important that we send out that strong support.

I would like to raise the issue of car parking places. It is something that I believe in. Waterford City and County Council has taken a lead in introducing a pilot scheme for what are called "hidden disabilities". That basically means providing specific spaces for people with autism, chronic pain, learning difficulties, mental health conditions, mobility issues, etc, beside amenities. The lack of such spaces makes simple everyday tasks such as shopping and going to appointments more challenging for people with those disabilities. Just because we cannot see it because it is a hidden disability, it can be difficult for people to understand or even recognise the challenges and respond with empathy or patience. I believe firmly, and I am speaking as a father as well, that we need to generate more awareness of these conditions and encourage acceptance, understanding and inclusion in our society. I call on all local authorities to follow the lead of Waterford City and County Council and provide hidden disability parking places in their county towns.

Senator Jerry Buttimer: I join others in paying tribute to the giant, colossus of a man that was iar-Sheanadóir John A. Murphy. I had the pleasure of knowing him and of meeting him on many occasions. I enjoyed many a robust debate with him, in particular around the marriage equality referendum in 2015 on which we disagreed, but we agreed to disagree. In this Chamber, in his teachings and in his writings he was a champion of what was right about Ireland. I urge all Members of this House to read his scholarly writings, in particular on republicanism

and on the Irish State. I pay tribute to him and sympathise with his family.

The contribution of Senator McDowell this afternoon is one upon which we should all reflect. I appreciate that the Cathaoirleach has facilitated the making of statements in the House tonight on Ukraine but it is important that we, as the Upper House of the Houses of the Oireachtas, join with Dáil Éireann in passing a joint motion condemning the actions of Russia in Ukraine. I appreciate that we cannot replicate the motion before the Lower House but I am sure we can put together a motion on Ukraine before Thursday. Perhaps it will not be possible to do that today but we do need to send out more than just statements on Ukraine. We need both Houses of the Oireachtas to send out a very strong message internationally. The fact that over 6 million people have watched David McCullagh's interview with the Russian ambassador tells its own story. We must stand, but not just in words, with the people of Ukraine. Both Houses of the Oireachtas should send a strong message to the international community and I hope we can do that before the end of the week.

An Cathaoirleach: I join with colleagues in expressing my condolences to Senator Buttimer on the sad loss of his father-in-law.

Senator Barry Ward: I want to briefly mention an issue I have raised in the House previously relating to the Irish Thalidomide Association. I want to put on record my thanks to the Minister for Health, Deputy Stephen Donnelly, for agreeing to meet the association. While it was somewhat delayed, that meeting took place yesterday. Having spoken to Ms Finola Cassidy this morning, I believe there are the green shoots of a new plan for addressing the terrible unfairness suffered by the survivors of thalidomide, who are decreasing in number. They are now all in their 60s and some have been lost already. This is also important for their parents in particular, many of whom have passed on with the guilt that was attached to having taken the thalidomide drug. The Minister for Health took the time to talk to me this morning and I am grateful for that. He is hopeful that we will find a way to deal with the litigation and other issues on an ongoing basis. The Minister for Justice, Deputy McEntee, has also been engaged in this process. It is very important that the Government understands that the narrative that has been coming from the Department of Health for the last number of years on this is wrong. The Department has gotten it wrong. The number of survivors is small - fewer than 40 - and they are entitled to justice. The Government failed to withdraw this drug from the market in a timely manner in the 1960s and as a result, we have citizens and residents of this country who have lived with lifelong deformities. It is only fair that they get a resolution.

Senator Aisling Dolan: I wish to speak about the Skillnet funding that has been announced today for businesses in this country. This funding is for SMEs and microenterprises and has been allocated from the Brexit adjustment reserve fund, which totals over €1 billion. That fund, which was channelled through the Department of Foreign Affairs, was designed to support countries impacted by Brexit.

We already have over 73 Skillnet business networks across a lot of sectors and regions in Ireland and the Government has just provided an additional €11 million. In that context, companies and businesses out there should think about setting up their own Skillnet network if there is not one in their own area or sector. Eligible applicants include industry bodies and private sector enterprises of any size, including sole traders. To find out more, people should go to www.skillnetireland.ie/our-networks. The focus here is on transforming business through talent by upskilling the people in our companies, both employees and managers, in areas like digitalisation, online social networks, customer engagement and preparing for the impact of

Brexit by expanding export markets.

I wish to highlight that Skillnet Ireland is a wonderful way for businesses to gain free training for their companies. I thank the Minister for Further and Higher Education, Research, Innovation and Science, Deputy Harris, who announced the initiative today.

An Cathaoirleach: Iarraim ar Threoraí an Tí freagra a thabhairt ar an Ord Gnó. I call on the Leader to respond on the Order of Business.

Senator Regina Doherty: Senator Dolan was right to highlight the welcome business funding that was announced today and the Skillnet expansion, which is welcome and timely.

I thank Senator Ward for bringing to the attention of the House that the Minister for Health met representatives of the Irish Thalidomide Association yesterday. The Senator said it better than I can when he said that this issue has gone on for far too long and I really do hope that there is a speedy resolution.

Senator Buttimer touched on the issue of the Ukraine and I will address the matter when I get to the suggestion made by Senator McDowell.

Senator Carrigy spoke about a pilot scheme on hidden disabilities that is being run in his neck of the woods with regard to car parking. It never ceases to amaze me how indignant people can be when they see somebody parked in a disabled car parking space but a person whom they assume has no disability gets out of the car and that person is berated for parking there. It is inherent upon us all to recognise that a disability is not just physical and there are so many challenges that people have in their lives today that are not entirely visible. The pilot scheme is very welcome. It will be interesting to see how the scheme goes and I wish the people in the Senator's neck of the woods good luck with it.

In an unusual departure, Senator Ahearn expressed his appreciation that moneys and resources have been directed towards Tipperary, which is very good news. I wish the new Cashel Palace Hotel every success. Yesterday, I stopped in Cashel to get a bowl of soup but I could not get one because there was not a single car park space available. That tells everyone how busy Cashel is from a tourism perspective and the development is a very welcome addition to the community.

Senator Seery Kearney spoke Ukraine and paid her respects to our colleague, Senator Paul Daly, on the passing of his daddy.

Senator Maria Byrne spoke again today about University Hospital Limerick. I spoke to the Taoiseach last week after she raised the issue, probably for the tenth time, trying to find out what happened the independent inquiry that was promised, as far as we were concerned, and he was to come back to me. Today, I will put my query in writing to both the Taoiseach and the Minister for Health to see if we can speed that up as the issue is highly critical at this stage.

Senator O'Loughlin talked about neurology nurses. She also sought a debate on the quality of education, which is very timely. There was a report on the leaving certificate that was issued only locally in my neck of the woods. It outlined how and why we are failing our children with the way we teach them the leaving certificate and the subjects. I will try to organise a debate in the next couple of weeks.

Senator Boylan asked for a debate on the Intergovernmental Panel on Climate Change re-

port and biodiversity. It was intended to have a standing item on climate. To be very honest, every week something more important keeps coming up that is more topical. As the Senator and we all know, there is probably nothing as important as the climate debate so I will try to get ourselves back on track again and do that.

Senator Currie talked about the first in-person session of the British-Irish Parliamentary Assembly. I know that lots of colleagues attended and enjoyed the interactions over the weekend. It is nice to see them because the relationship, and any face-to-face meetings and interactions that we have, are vitally important to improve what the Senator described as a strained relationship.

Senator Murphy talked about what can only be described as an horrific event for Garda Pádraig Scott and his loved ones in the last couple of days. We utterly condemn the attack. It is a bizarre situation and God love the man. I thank the Senator for updating us that Garda Scott is home. The Senator is right that we need a debate on crime. We have seen a number of instances in the last number of weeks, particularly concerning older people in communities, that has literally put the fear of God in them. I mean no disrespect when I say that people's minds are not put at rest by an assistant commissioner telling us that statistics show that the level of crime is down. We need to see gardaí in communities in order to reassure the older members of communities that they are there.

Senator Keogan talked about seeking the end of telemedicine abortions and I will make her views known to the Minister today. As in everything else, I think that any of those emergency measures that were introduced do obviously need to be pulled back.

Senator McGahon talked about Russia's biggest fear and he is probably right. I think that all of us would agree that the open membership into the EU should be fast-tracked and that we should do anything we can to help.

Senator Cassells spoke about the defamation process that was announced by Cabinet this morning and the Minister for Justice, and called for swift action. He also commended the GAA, particularly Larry McCarthy, on its adventures over the weekend, which were very welcome. Time and again the GAA has stoked conversation and debate about its innovations.

Senator Flynn reminded us that today is the fifth anniversary of the Houses' recognition of the ethnic minority status of the Travelling community. I happened to be in the Chamber the day Enda Kenny made that statement. It is a true saying that people never remember what you said but never forget how you made them feel. The joyous atmosphere that was very obviously present that day was really something to behold. Considering how much of an impact the decision has made on the Traveller community, an impact that can even be seen on Senator Flynn's face this morning, one has to wonder why it took so long. It did not take anything from anybody else's life to recognise a particular part of our community and to give them recognition and joy for the heritage and the culture they have enjoyed for years.

In her contribution, Senator Flynn made a call for no more tokenistic gestures. She was referring in some way, I think, to herself being a token of a community in this House. I wish to put it on the record that Senator Flynn is absolutely not a token Member of this House. She is an admirable, intelligent leader for her community and she represents that community so well and so beautifully. I wish to acknowledge that and put it on the record.

Senator Flynn also called for debates on the heads of the Bill on hate crime and on the White

Paper on direct provision. I will try to organise those debates as quickly as I can.

In response to Senator Gavan, I have not read the articles to which he referred so I am a little reluctant to comment on them. I will bring his request in respect of the revelations that were made by Paul Kimmage over the weekend about the IHRB to the relevant Minister's attention and see what response we get.

Senator Martin informed us that today is Independence Day in Bosnia and Herzegovina. I wish all their people well and all their citizens residing in Ireland a very happy day.

I absolutely agree with Senator McDowell's comments. It is always a matter of hindsight. Had I had notice of his request last week, maybe this would have been easier. I think Senator Buttimer is right. I cannot facilitate a motion on the matter today, not because I do not think we could put the words together but rather because any motion would have to go through the various processes and then go on the Order Paper, and I am not sure that would be facilitated. May I ask Senator McDowell a favour? We can go ahead and have our statements on the situation in Ukraine today. If the Senator would not mind writing a motion that would be acceptable to us in this House, perhaps we could pass it without debate on Thursday or even, if we could turn it around faster than that, tomorrow. If he would not mind writing something and circulating it to all of us, we will get it on the Order Paper and maybe pass it without debate on Thursday if that-----

Senator Michael McDowell: We probably do not need another debate on the matter. We could just pass the motion.

Senator Regina Doherty: I am here and I am free. It is a question of whatever is acceptable. Thursday is probably the earliest day on which we could bring the motion before the House. We will go ahead this evening and have our statements and let people express their views with the intention then to have a joint and, it is to be hoped, a unanimously agreed motion the day after tomorrow.

Senator Seery Kearney is not in the Chamber at present but her contribution was probably one of the most impassioned and personal statements I have heard anybody make in this House or indeed the other House in an awfully long time. I wish to acknowledge that. She requested a debate on neutrality, which is timely. I will ask for that to be scheduled as quickly as we can.

Senator Chambers, our Deputy Leader, opened by talking about endometriosis and the fact it is prevalent and is being spoken about, with people being made aware of the issue through campaigns at present.

Senator Chambers also spoke about visa waivers and Ukraine, which is pertinent. What she said is probably true. We all are somehow seen as either, in my case probably, very nosy or leaders in our communities. People have been asking us what we can do to support the efforts in Ukraine. There are individual Ukrainians in probably all our communities trying to organise things, but it would be very helpful if we had a national response through either a Government agency or a leading charity we could all get behind. One lovely idea that was put to me over the weekend was that we get somebody, in the same way as with Daffodil Day, to manufacture sunflowers and that we all buy and sell sunflowers in every retail outlet and have the money go directly to GOAL, the Irish Red Cross or some other body like that. I will make inquiries and come back to Senator Chambers as soon as I can.

There is a proposed amendment to the Order of Business, which I am very happy to accept.

An Cathaoirleach: Senator Chambers has proposed an amendment to the Order of Business: “That No. 22 be taken before No. 1.” Senator Pauline O’Reilly has seconded the amendment. The Leader has indicated that she is prepared to accept this amendment. Is the amendment agreed? Agreed.

Amendment agreed to.

Order of Business, as amended, agreed to.

Death of Former Member: Motion

Senator Regina Doherty: I move:

That Seanad Éireann –

- expresses its deep sadness on the death of Professor John A. Murphy;
- conveys its sincere condolences to his family; and
- expresses its gratitude for his notable contribution, as a member of Seanad Éireann, to Irish public life and for his dedicated service to the people of Ireland.

Question put and agreed to.

An Cathaoirleach: I ask Members to be upstanding for one minute’s silence.

Members rose.

Criminal Justice (Amendment) Bill 2022: First Stage

Senator Lisa Chambers: I move:

That leave be granted to introduce a Bill entitled an Act to amend the Criminal Justice Act 1993, to amend the Civil Legal Aid Act 1995 and to provide for related matters.

Question put and agreed to.

An Cathaoirleach: When is it proposed to take Second Stage?

Senator Lisa Chambers: Next Tuesday.

An Cathaoirleach: Is that agreed? Agreed.

Second Stage ordered for Tuesday, 8 March 2022.

Cuireadh an Seanad ar fionraí ar 4.42 p.m. agus cuireadh tús leis arís ar 4.45 p.m.

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Sitting suspended at 4.42 p.m. and resumed at 4.45 p.m.

Situation in the Middle East: Statements

An Cathaoirleach: I welcome the Minister of State, Deputy Brophy, to the House.

Minister of State at the Department of Foreign Affairs (Deputy Colm Brophy): I am here with Members of the House to address both the current situation in Israel and the occupied Palestinian territories and, in particular, the issues raised in the report published on 1 February by Amnesty International. Amnesty International is a respected NGO that carries out important work around the world. The Government values the vital role it and other civil society organisations play. Israeli and Palestinian civil society organisations, as well as international organisations such as Amnesty, make a significant contribution to the development of the Middle East peace process.

The report published by Amnesty is a detailed and comprehensive document, and officials in the Department of Foreign Affairs are reviewing its contents in depth. The allegations in the report echo those we have seen in recent similar reports from other well-known civil society organisations such as Human Rights Watch and B’Tselem. These reports undoubtedly raise difficult questions for the Israeli Administration. The report makes several specific claims regarding the policies of the Israeli Government towards the Palestinian people. In particular, as Members will be aware, the report finds that “Israel has perpetrated the international wrong of apartheid, as a human rights violation and a violation of public international law”.

It is clear the report paints a bleak picture of the situation of the Palestinian people, and documents a number of issues regarding the practices and policies of the Israeli Administration that Ireland raises regularly. The substantive issues raised in the report include, for example, illegal settlement activity and settler violence, evictions and the demolition of Palestinian property, as well as other discriminatory practices and policies towards the Palestinian people.

Our position on these matters is and will continue to be based on international law, including international human rights law and international humanitarian law, which sets out obligations under the Fourth Geneva Convention for Israel as the occupying power, and on the relevant resolutions of the UN Security Council. Our approach is rooted in the illegality of Israel’s occupation and the right of Palestinians to self-determination. Ireland has been consistently clear-----

Senator Paul Gavan: On a point of order, where can I get a copy of the Minister of State’s speech, please?

Deputy Colm Brophy: There are copies outside and available in the anteroom, I believe. My apologies.

Senator Paul Gavan: I thank the Minister of State.

Deputy Colm Brophy: Ireland has been consistently clear that the restrictions imposed on Palestinians undermine the right of the Palestinian people to self-determination, a right that is at the heart of the two-state solution. Ireland has been forthright in expressing concern regarding the unequal treatment of Palestinians and the application of different standards in the occupied Palestinian territories. We have been clear in the language we have used to describe the situa-

tion and are conscious of how the language we use can be interpreted.

As the Taoiseach has stated clearly in the Dáil, the Government does not use the term “apartheid” as we do not think it is helpful. We raise our concerns regarding discriminatory practices towards the Palestinians regularly in our direct contacts with the Israeli authorities at both political and official level. The Minister for Foreign Affairs, Deputy Coveney, visited Israel and the occupied Palestinian territories in November 2021 and strongly underlined Ireland’s position in his contacts with his Israeli interlocutors, urging them to cease unilateral actions such as settlement expansion which undermine the prospects for peace.

Ireland has also been proactive in ensuring these issues are highlighted in multilateral forums, in particular at the EU and UN, notably at the Human Rights Council and in the context of our current role as a member of the UN Security Council. At the most recent Security Council meeting on 23 February, Ireland expressed serious concern at how the policies of the Israeli authorities have an impact on the human rights of Palestinians. Ireland condemned the unequal treatment of Palestinians and Israel’s failure to ensure the protection and welfare of Palestinians living under its occupation, calling once again on Israel to comply with its obligations under international law, in particular international human rights law and international humanitarian law.

Furthermore, following the Security Council meeting on 19 January, Ireland issued a strong joint press statement with France and Estonia. In this statement, we urged Israel not to proceed with new outline plans for the construction of hundreds of housing units in East Jerusalem, including the lower aqueduct plan, which will further undermine the territorial contiguity of a future Palestinian state.

I wish at this point to address the ongoing tensions in the West Bank, including East Jerusalem, which are a source of deep concern. In recent weeks, we have seen incidents of provocation, violence, including settler violence, and escalatory acts in the occupied Palestinian territory, which serve only to inflame an already tense situation. Reports of the use of excessive force by Israeli security forces are deeply disturbing. The UN Office for Co-ordination of Humanitarian Affairs, OCHA, has reported that between 25 January and 7 February alone, 215 Palestinians, including 28 children, were injured by Israeli forces in the West Bank. The killing of two Palestinian teenagers on 13 and 21 February were particularly shocking.

As Ireland reiterated at the Security Council on 23 February, it is the responsibility of the Israeli authorities, as the occupying power, to ensure all incidents of disproportionate use of force are thoroughly investigated and to hold those responsible accountable for their actions. Ireland has also called on Israel to bring to justice settlers responsible for carrying out violent attacks on Palestinians. We are concerned also regarding the imminent threat of further evictions and demolitions in an East Jerusalem neighbourhood, which will inevitably fuel tension. Ireland’s representative in Ramallah was present, along with other EU like-minded diplomats, at the scene of evictions and demolitions, which took place in Sheikh Jarrah on 17 and 18 January and our ambassador in Tel Aviv has communicated our concern directly to the Israeli authorities.

I referred at the beginning of my remarks to the importance of civil society and the vital role civil society organisations play in this context. The designation by the Israeli authorities of six Palestinian NGOs as terrorist organisations remains a source of deep concern. These designations have the potential to affect not only the six organisations concerned but civil society more broadly across the occupied Palestinian territory and to seriously undermine vital humanitarian development and human rights work. Again, the Minister, Deputy Coveney, underlined

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Ireland's position on this during his visit to the region and we have raised this consistently at the Security Council, including at the meeting on 23 February, where Ireland stressed our commitment to supporting civil society remains undimmed. We will continue to work closely with our partners on our response to these designations, including at EU level. Ireland is a consistent voice in the EU on the Middle East peace process and we work to utilise our influence at all levels.

Ireland and the EU will continue to monitor actively developments on the ground. We will remain committed to the two-state solution and will continue to work with partners to revive a political process in line with international law, which ensures equal rights and is acceptable to both parties.

Senator Joe O'Reilly: I welcome the Minister of State to the House and thank him for his remarks. It is important to reiterate it is Ireland's policy to achieve the two-state solution and that Ireland totally condemns all breaches of international law and all denial of human rights, and that we are unequivocal about that. That is not in any sense to be interpreted, as is sometimes said, as some form of antisemitism. It is quite the contrary. It is a belief in the rule of law and order. Ireland is very conscious of the historic, appalling and tragic suffering of the Jewish people down the generations but that in no sense excuses or gives any form of legitimacy to the issues raised.

The Amnesty report is comprehensive. From my reading of its executive summary and having only glanced through the rest of the report, the detail of which I hope to read, it is extremely comprehensive and covers all classes.

5 o'clock

We are into semantics here and I am aware of the Taoiseach's position as outlined by the Minister of State. However, in essence it establishes that there is a totally discriminatory regime, with systematic discrimination against the Palestinian people and systematic wrongdoing. I speak personally here. While it depends on how one would define the word, I would see it as apartheid. We are into semantics here but personally I would see it as that. No matter how we define it, the consistent wrongdoing is undeniable.

During the protests in May 2021, it was shocking that the Israeli military fired grenades at worshippers and protesters gathered at the Al-Aqsa mosque. In October 2021 it shut down and outlawed six organisations, including three human rights organisations. The Amnesty International report is based on wide consultation with NGOs, UN agencies, stakeholders, scholars, academics etc. It establishes the concept of demographic hegemony. The issue is the illegal Jewish settlements throughout the occupied territories. What is very disturbing about what has been happening with these settlements in recent times is the degree to which they are making a two-state solution particularly difficult. The nature and spread of those settlements make such a solution very difficult to achieve. Of course, that is the intention, a two-state solution. While we cannot give up the fight on that, it is a major problem.

The laws give Jews a different status from their Palestinian neighbours, which is shocking. This report identifies 1,800 military orders. It states that since 1967, some 800,000 Palestinian men have been arrested and residency permits denied to persons of other nationalities who were married to Palestinians in the occupied territories. At the end of 2020, there were 272 settlements and outposts in the West Bank, excluding east Jerusalem. Some 441,600 Israelis were

settled in the occupied territories. As of July 2021, an additional 225,178 settlers were living in east Jerusalem, which was then home to 358,800 Palestinians, indicating an extraordinarily rapid increase in that time.

The discrimination extends to planning, national and financial resources, access to water, maritime access, livelihood opportunities, healthcare, education and sanitation. This is all well documented and established in the report. Obviously, as consequences of all that, there are higher levels of poverty and lower levels of participation in the labour force. The Amnesty International report is an extraordinary chronicle of discrimination and wrongdoing. In recent years there has been a great acceleration of the illegal settlements. That is contrary and damaging to the objective of Ireland's foreign policy, which is to establish the two-state solution.

I made this point at the Joint Committee on Foreign Affairs and Defence and it is more appropriate to put on the record of this Assembly than that committee. The Minister, Deputy Coveney, and the Minister of State, Deputy Brophy, are highly committed to dealing with this question. The Minister, Deputy Coveney, has occupied himself with the Palestinian issue as a primary foreign affairs issue from when he first became Minister for Foreign Affairs. He has made it *primus inter pares*.

The situation is very grave. The Amnesty International report is damning and I believe its contents. Amnesty International is a reputable organisation. It has consulted widely and the report's contents are well tested and proved. It is not damaging its international reputation by producing false information. Tragically, the information it has produced is consistent with previous information and with our Government's material. It is just another document and a particularly stark documentation of the same issues.

We need a very strong approach here. We cannot be equivocal about it. It is a very damning report and a very damning situation. I congratulate Amnesty International on the report which I personally welcome. What is happening is wrong. No form of antisemitism is implicit in condemning that as wrong. On the contrary, the rule of law and human rights values enhance civilization, enhance people and are not contrary to the well-being of any particular demographic.

I am grateful for the opportunity to contribute to this debate. This is a damning report. The Government and this State need to be very strong in our response to the findings of this report. We cannot equivocate about it and tragically we cannot deny the accuracy of it.

Senator Paul Gavan: Well said.

Senator Lisa Chambers: I commend Amnesty International on the publication of this report and the immense amount of work that went into researching it, backing up its findings and recommendations, and bringing to the fore an extremely serious situation in the occupied territories and in Israel. The authors of the report understood the gravity of the wording they were using. I do not believe they put pen to paper without thinking long and hard about the implications of the wording used. Given the meaning and the definition of apartheid and based on the evidence presented by the report, it is difficult to disagree with its findings. We need to acknowledge what is happening on the ground in the occupied territories and what Israel is inflicting on the Palestinian people.

The report states:

1 March 2022

Israel has pursued an explicit policy of establishing and maintaining a Jewish demographic hegemony and maximizing its control over land to benefit Jewish Israelis while minimizing the number of Palestinians and restricting their rights and obstructing their ability to challenge this dispossession.

We need to respond strongly to those words and the content of the report. What we are discussing here is a clear and consistent breach of international law and a consistent breach of the human rights of Palestinians.

The report states that Israel is committing the crime of apartheid against Palestinians and it raises serious issues. My colleagues and I requested the Leader to schedule this debate because we wanted an opportunity to acknowledge the work of this report and put our views on the record.

The Irish Government's foreign affairs policy is to pursue a two-state solution, which I believe ultimately will be the best outcome and something we should pursue. However, we must acknowledge that is not currently possible because of what Israel is doing to the Palestinian people. It is very difficult to see how we would achieve a two-state solution in any sort of meaningful timeframe.

Evictions of Palestinian people continue to take place with their homes being demolished. There is deliberate and consistent discrimination at all levels against the Palestinian people in clear breach of international law and yet very little action has been taken. I acknowledge that these are not the actions of every Israeli. Many people in Israel are not supportive of the actions taking place. My colleague, Senator Joe O'Reilly, put it very well when he said this is not about pitting one people against another but about upholding values we in this House all hold dear. Those values are human rights and their protection, the protection of human life, the upholding of international law, and the idea that we should all be held accountable to the same international law by which we all wish to abide.

It is important to point out that Ireland has consistently used its position where it can at EU level and UN Security Council level to advocate peace, to support the Middle East peace process and to advocate a two-state solution. This is Ireland using its mandate and doing what it can to try to assist in the situation. It is important, however, to call this what it is and to acknowledge the actions consistently taking place and not to airbrush, minimise or sugar-coat them in any way. As I said, I believe the author of this report, Amnesty International, was very considered in what it put on paper and would have known very well the implications the report would have. Those implications have been very wide-reaching.

I recently had the opportunity to meet with the Palestinian ambassador. We had a very long and detailed conversation. I know this report is important to the Palestinian people and to the ambassador's office. It is important a platform is given to the report and that we have this discussion. I will wait to hear the Minister of State's response to the issues raised by Members, but I am sure he will find that equally strong views will be expressed across the Chamber by all parties and none as to what the report contains. It is important that we, as a House, stand in collective support of the Palestinian people, that they should be treated with dignity and respect and that international law should be respected. Clearly, that is not happening. I know it is the position of the Irish Government to call for a cessation of all evictions, demolitions and the consistent discrimination, but we have been calling for that for some time, as have many other countries around the world, and we are yet to see any action taken to respond to those calls.

While we continue to play our role internationally, engaging with the Middle East peace process, while we will continue to use our mandate at EU level and UN Security Council level and while we will continue to call for a cessation of those activities that we know blatantly breach and contravene international law, does Deputy Brophy, as Minister of State, or the Government intend to take any further action, particularly on foot of this report and its findings and the clear evidence and facts presented in it, which are not open to interpretation and which cannot be disputed? We are yet to hear a response to what has been presented in the report. We have been given lots of general responses to the overarching issues and information on the work the Government has done to date, but I am yet to hear a very clear and detailed response to the issues raised in the report, which is why we are discussing it on the floor of the House.

I commend Amnesty International and its branch here in Ireland on their work on this report and on their continued engagement with Members of this House and the other House in trying to advance international law, the upholding of same, and the interests of those in vulnerable groups who may be discriminated against.

Senator Vincent P. Martin: Only a few short months ago, Seanad Éireann roundly condemned the outrageous, totally disproportionate and indiscriminate bombardment of Palestine by Israeli forces. Any country that engages in such flagrant breaches of international law is more than capable of operating an apartheid system. The overreaction of the Israeli Government to Amnesty's published findings was not surprising because those findings cut deep and upset many people. The report states that Israel's apartheid system against Palestinians is a "cruel system of domination" and a "crime against humanity". We have heard the usual response, that is, the disingenuous, fake information response that somehow Amnesty is antisemitic or an organisation of left-wing crazies. The usual lines were trotted out. The response was disgusting but not surprising. No doubt President Putin would call Amnesty a group of drug addicts and neo-Nazis as well. That is how these actors deal with such findings. There can be no normal conversation.

A wonderful and eminent senior counsel, Bill Shipsey, recently had published an excellent piece on Amnesty's findings. It was a very measured response. He stated that he understood that, without looking at the facts and the findings of the report, the finding of apartheid against the state of Israel would upset many people. Because there are those sensitivities and because there is a fake information war, it is always good to put on record, in case we are ever misunderstood, that we, as democrats, recognise the right to self-determination of the Jewish people. We recognise the right to existence of the state of Israel, just as I do the state of Palestine. We always condemn antisemitism, because if we do not do so, we will be misrepresented. If the Israeli Government cannot go for the ball, it goes for the man or the woman.

An analogy can be drawn with South Africa and its apartheid system. To F.W. de Klerk's eternal credit, very late in the day, before he passed away in November of last year, he retracted and apologised for what he had earlier said, that apartheid was not a crime against humanity. He found peace with himself by being true to himself. It was extremely late coming, but it is never too late.

A young man just finished his matriculation and his leaving certificate, Bill Shipsey, with a few of his fellow young pupils, went off to Israel and had a very happy summer working in a kibbutz. They worked on moving irrigation pipes in extensive cotton fields. Each morning, Mr. Shipsey passed what looked like the ruins of a village on the top of a hill above the kibbutz. It looked like one of the famine villages of the west of Ireland. No explanation was forthcoming,

and it took many years later for that measured, practical man, Bill Shipsey, an eminent barrister, to realise what he had lived through that summer. He discovered that the land on which that kibbutz operated had been obtained by driving Palestinian tenants off the land in the 1930s and again in 1948. That abandoned and ruined village was one from which residents had been forcibly removed. Some of the descendents of its former residents live as refugees in Jenin, in the West Bank. Had he known what he knows now, Mr. Shipsey's attitude at the time would have been very different.

Mr. Shipsey concludes, however, with a note of hope that justice requires change, compromise and a willingness to recognise wrongs. I would add that it requires honesty, and for some that has to be raw honesty. A peace based on justice has to include a willingness to recognise wrongs. Martin Luther King said, "I do not see how we will ever solve the turbulent problem of race confronting our nation until there is an honest confrontation with it and a willing search for the truth and a willingness to ... [discuss] the truth when we discover it." That search for truth goes hand in hand with long-term peace and reconciliation. We can see that on the island of Ireland. Ours is not a perfect peace but it is a precious peace, and every day is a victory. There is a sharing of different traditions. We see how South Africa put its dark past behind it. However, there will be no resolution, no grim dark past consigned to the history of the Middle East, until people in a mature and calm way are first of all true to themselves and show honest leadership, not populism, and call things out as they are.

Amnesty has done the world a great service by backing up its findings with evidence in a very detailed report. Israel must come clean with the world and have a normal discussion. We understand the wicked past it has suffered but it has to differentiate. Its past cannot set it free of the truth of yesterday and the day before. Its past will never give a reason or excuse for the blatant apartheid, which is a blemish on this living, modern civilisation.

Senator Paul Gavan: I am sharing my time with Senator Lynn Boylan.

I welcome the Palestinian ambassador, who is in the Gallery, as are my comrades Mr. Frank Connolly from the Irish Congress of Trade Unions and Mr. Tim Hanley from Amnesty International. It is great to have them here today. I thank them for coming.

I have a prepared speech but am not sure how much of it I will use. I want to stress how important this Amnesty International report is. As others have said, it is very detailed, amounting to 300 pages. It is so conclusive because it produces evidence under so many headings to demonstrate that Israel is operating an apartheid state.

I will refer only briefly to my script because I want to make some other points. The report is meticulous, its details are microscopic, and its sources are comprehensive and knowledgeable. It builds on decades of investigations by Amnesty International and human rights organisations, including Israeli and Palestinian organisations. More than 450 civic organisations have recognised that Israel is an apartheid state. I hope no one is going to suggest seriously that all 450 are wrong.

For the purposes of accuracy and authenticity, I want to highlight some of the wording of the report rather than give my interpretation of the report: "Amnesty International has documented and analysed Israel's institutionalised and systematic discrimination against Palestinians within the framework of the definition of apartheid under international law." It also states: "It has done so by firstly determining Israel's intent to oppress and dominate all Palestinians by establishing

its hegemony across Israel and the OPT, including through means of demography, and maximising resources for the benefit of its Jewish population at the expense of Palestinians.” Its assessment is that almost all of Israel’s civilian administration and military authorities, as well as governmental and quasi-governmental institutions, are involved in the enforcement of the system of apartheid against Palestinians across Israel and the occupied Palestinian territories, and also against Palestinian refugees and their descendants outside the territory.

The work done by Amnesty International has been thorough and extensive. It also states what we all know and what is very clear: “Apartheid is a violation of public international law, a grave violation of internationally protected human rights and a crime against humanity under international criminal law.” Why is the State of Israel permitted to be part of the international community? Why does the EU continue its preferential treatment of Israel? This report demonstrates quite clearly that Israel is not a democratic state and should not be a member of any democratic assembly of nations until it earns the democratic right to be so.

I want to talk briefly about the fact that I visited Palestine just a few years ago and saw for myself how apartheid operates. I met a young woman in the West Bank who explained that she could not even travel the seven miles to East Jerusalem because she was not a Jewish citizen. She did not have the right to travel within her own country. I saw at first hand military courts operated by the Israeli authorities. There is a civil court system for Jewish people and a military court system for Palestinians. I saw a young man who did not understand what was going on because all the proceedings were in Hebrew. He had an interpreter who was laughing and smiling along with the military before he, the young man, was sent away to prison. Hundreds of children are interned in occupied Palestine. We do not know the number because the authorities have stopped releasing the figures. There are horrendous demolitions of properties and, of course, the callous taking of lives over such a long period.

I cannot understand the phrase “the Government does not use the term ‘apartheid’ as we do not think it is helpful”. To whom does the Minister believe it is not helpful? As the last speaker, Senator Martin, said, we have to be honest with ourselves. I call on the Minister of State to be honest and recognise what all of us in this Chamber know, that is, that Israel is an apartheid state.

An Leas-Chathaoirleach: I thank Senator Gavan. I thought for a moment that he was going to exercise discrimination against Senator Boylan by taking up her time.

Senator Lynn Boylan: That is okay because Senator Gavan has put it better than I possibly could. The time of Operation Protective Edge was the first time we really saw the indiscriminate targeting of innocent civilians played out in real time on social media. Following that, in 2014, I had the opportunity to travel to Palestine. What I saw with my own eyes I recognise in the Amnesty International report. I did not get into Gaza, but, as a European delegation, we travelled around Palestine. What we saw is corroborated in the Amnesty International report. We saw vital medical supplies being withheld. In Hebron, we saw little children being stopped and searched on their way to school, their bags being turned upside down. We saw Palestinian market sellers who had to put canopies over their stalls because, if they did not, the residents above would throw human excrement down on their supplies. We saw the wall and the separate bus transport systems. No matter how many times people relay what the Israeli Government is facilitating and perpetrating against the Palestinians, it seems the reaction is always to deny it and make the false accusation of antisemitism.

Amnesty International is just the latest reputable witness to the Israeli Government's apartheid regime. I commend it on its report and the detail within on Israeli apartheid against the Palestinian people. Headings cover apartheid in international law; the intent to oppress and dominate Palestinians; territorial fragmentation and legal segregation; legal segregation and control; the use of military control to control and dispossess; the denial of nationality, residency and family life; the disruption of family life; the restriction of movement; the restriction of the right to political participation; the dispossession of land and property; discriminatory zoning and planning policies; the suppression of Palestinians' human development; a system of apartheid; crimes against humanity; administrative detention, torture and other ill-treatment; unlawful killings and serious injuries; and the denial of basic rights and freedoms, and persecution. That is the apartheid straitjacket that is daily life for nearly 5 million Palestinians who live under Israeli military occupation in the West Bank and the Gaza Strip.

The Irish Government and the EU must end their appeasement policy on Israel. There is a price to be paid to be respected and accepted as a democratic state. At the moment, Israel is a rogue state at war with all the Palestinian people. It has to end its war and the apartheid system before it is accepted and respected. As Senator Gavan asked, if using the word "apartheid" is not helpful, to whom is it not helpful? Having read the Amnesty International report and all the reports that came before it, there is no denying that Israel is an apartheid state. The Irish Government needs to stand up against it.

An Leas-Chathaoirleach: Senator Gavan has already offered a welcome, but, from the Chair, I officially welcome the ambassador—head of mission of Palestine to the Visitors Gallery. She is very welcome. I welcome the other visitors also. They are all very welcome. It is good to see an interest in the proceedings.

Senator Marie Sherlock: I am glad time has been afforded to discuss the Amnesty International report into Israel's treatment of the Palestinian people. I am delighted the Palestinian ambassador is here and is joined by people from the trade union movement and beyond who have been working to agitate for the rights of the Palestinian people over many years. I am very glad they are here. I am very grateful to Senator Black. It is because of her pushing of this issue that we are having this debate today.

In the past week, we have witnessed Russia invade Ukraine against the democratic will of its people and in the knowledge it will lead to the loss of thousands of its citizens' lives. It is poignant we are discussing the acts of apartheid and oppression of the Israeli Government against the Palestinian people in the knowledge that it has gone on for decades. The Amnesty International report is the latest in a litany of reports we have seen over many years describing what is apartheid by the Israeli state against the Palestinian people. We know the 2017 UN report, entitled *Israeli Practices towards the Palestinian People and the Question of Apartheid*, came to the same conclusions as the Amnesty International report, namely, that the Palestinian people had been subject to relentless land seizures, air strikes, restrictions on movement, unlawful killing and denials of their nationality and citizenship - denials of their very identity. It is as abhorrent when it happens in Gaza as when it happens in Europe.

All people in this world have a right to self-determination and identity and this right must also belong to the Palestinian people. This right has been consistently denied to the Palestinian people by the Israeli Government. As documented in such detail in the Amnesty International report, the Israeli Government continues to treat the Palestinians as a demographic threat - even to think about that phrase in itself, a demographic threat - and that, every day, Israel imposes

and enforces measures to control and decrease the Palestinian presence in and access to land in Israel and the occupied territories. The Amnesty International report goes on to illustrate how the Israeli Government has systematically treated the Palestinian people as an inferior racial group regardless of where they live and that Palestinians are being forced to live as a second-class people in a state that is built on the destruction of their national identity. It involves rendering people homeless, nationless, without an identity and access to basic democracy, and excluded from healthcare and education, all because of their nationality. That is apartheid and neither Ireland nor this Government can stand by and say we cannot use phrases like apartheid because Israel is an apartheid state.

Apartheid is not some nebulous or vague political charge or term. We know three main international treaties prohibit and explicitly criminalise apartheid - the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention on the Suppression and Punishment of the Crime of Apartheid and the Rome Statute of the International Criminal Court. This report from Amnesty International goes into graphic detail about how the crimes against humanity and against the Palestinian people conform to that definition of apartheid, how the absentee property law is used as a tool of war and apartheid effectively to deprive the Palestinian people of their land, and how there is suppression of so many civil society organisations within Palestine, something we do not talk as much about. Six prominent ones were closed down in recent years while more than 400 Palestinian organisations have been banned since 1967. Palestinians are being denied that freedom of association we enjoy across most European countries because an assembly of more than ten people without a permit is forbidden.

What is the Irish State going to do? We have a seat at the UN Security Council. How are we using that? What are we doing with regard to Senator Black's Bill banning the importation of products from the occupied territories? How are we going to respond to Amnesty International's recommendations? It urges the international community to re-establish the Special Committee Against Apartheid, which was originally set up in 1962. Are we going to recognise that Israel is committing the crime of apartheid? We have heard the Minister of State's comments and believe he needs to change them. Amnesty International specifically calls for all states to enforce a ban on products from illegal Israeli settlements. How is Ireland taking leadership on the Security Council and within Europe on this issue, because we cannot stand back? We can issue all the words in the world but we need to see action and we need to see this Government taking a leadership role and calling it as it is.

Senator Frances Black: I welcome the Minister of State. I can only imagine how busy he is and particularly the Minister for Foreign Affairs at this time with everything that is happening in Ukraine. I imagine it must be taking up the majority of the Minister of State's time. It is a very worrying situation and I express my sympathy for the Ukrainian people, who are being subjected to terrible violence, and I condemn the invasion by Russia of a sovereign country.

Our Government along with our European partners have rightly condemned the breaking of international law. Without the adherence to international law, the world could quickly spiral into destruction, but the flouting of international law by Israel has been ongoing without any real consequences. This could also be said in the case of Saudi Arabia and the war on Yemen, which has been ongoing for the past seven years and where 10,000 children alone have died due to direct and indirect causes of this war. The war on Yemen has been extremely under-reported due to the media being prohibited from entering the country. There has been very little humanitarian assistance provided to this country and its people due to blockades imposed in 2016

However, we are here to talk about the Amnesty International report. I must start by congratulating Amnesty International on publishing this report, which is the result of years of research and lays out in great detail the crime of apartheid as committed by Israel against the Palestinian people. I welcome Tim Hanley from Amnesty Ireland, Frank Connolly from ICTU, Mags O'Brien, Brian Allen and Yara Alagha, and extend an especially warm welcome to the Palestinian ambassador to Ireland, H.E. Jilan Wahba Abdalmajid. This is the latest in a growing list of such reports from UN committees and from Israeli, international and Palestinian organisations. Of course, Palestinians have been telling us for decades that they live under a regime of apartheid imposed on them by Israel. We, however, have not been listening.

At the outset, it is important to be clear about the exact nature of the crime of apartheid. The International Convention on the Suppression and Punishment of the Crime of Apartheid outlines in great detail why apartheid is a crime against humanity. It states that policies and practices of racial segregation and discrimination are crimes that violate the principles of international law and the Charter of the United Nations. The Rome Statute establishing the International Criminal Court describes the crime of apartheid as crimes committed for the purpose of establishing and maintaining domination by one racial group over any other racial group and systematically oppressing them. That is exactly what Israel has done. It has established and maintains a system of domination and oppression of the Palestinian people in the entire territory from the river to the sea and among the Palestinian refugee population.

As Hagai El-Ad, director of the Israeli NGO B'Tselem, said on publication of that organisation's report on Israeli apartheid, no Palestinian has rights equal to any Jewish Israeli in the territory between the Jordan River and the Mediterranean. The primary objective of a colonising project such as that practised by Israel is the control of territory. This control requires the displacement, removal, fragmentation and isolation of Palestinians from each other and from the outside world. Even Mahmoud Abbas, President of the Palestinian Authority, cannot leave Ramallah without permission from Israel, whether for overseas or internal travel. Everything we see serves a purpose. This includes: forced removals and transfers; demographic manipulation; land grabs; settlement expansion and settler violence; the construction of hundreds of kilometres of walls and fences; endless checkpoints; separate roads for Palestinians and Jewish settlers; different laws for Jewish Israelis and Palestinians; administrative detentions; the system of travel permits; mass surveillance and restrictions on movement; inequality of access to basic resources such as water; the denial of building permits; the blockade of Gaza; and the denial of nationality and citizenship. It goes on. The result is a series of disconnected bantustans surrounded by Israeli occupation forces and settlements, just like Israel has done in occupied Golan. Israel has no intention of ending this decades-long system of oppression. In fact, it has intensified and it plans to continue as the world stands by and refuses to respond. We have all the details now. It is no longer possible to pretend we do not know or that we do not understand. We know. We understand. Surely now we are also convinced.

Let us be clear. Apartheid is a crime against humanity. Israel has constructed a regime of apartheid over Palestinians in the entire territory under its control. By continuing to not take action, Ireland and the Government are complicit in crimes against humanity. As a responsible member of the international community of nations, totally dependent as a small nation on the rules-based order and no longer able to pretend we did not know, we are now obliged to act. Israel must be accountable for the crime of apartheid.

We are told the occupied territories Bill, which would make illegal the importation of goods or services from occupied territories which, by the way, could include the importation of goods

and services from an occupied Ukraine, cannot be enacted as trade is an EU competency. There is considerable eminent legal advice available to me that indicates the Bill would be lawful under EU public interest considerations. Given the invasion and occupation of Ukraine, is this legislation not more necessary now than ever? The Minister, Deputy Coveney, has told me many times it would breach EU law. I urge the Minister of State, the Minister, Deputy Coveney, and the Department to look at this again. It is a modest initiative and one which we as a sovereign nation should implement. If the EU wishes to challenge it let it do so. This is a matter of doing the right thing and having the courage of our convictions. These are two actions the Government could take tomorrow if it wished. It could pass the occupied territories Bill and make a clear public statement that Israel is implementing apartheid policies against the Palestinian people.

The past week has shown the world how quickly sanctions can be imposed on states engaged in violations of international law. Some of the sanctions imposed on Russia go far beyond anything Palestinians and their supporters have called for to be applied to Israel. More than seven decades after Palestinians were ethnically cleansed from their homes to facilitate its creation, the occupation and colonisation of the remainder of historic Palestine, decades of apartheid laws, human rights abuses and international law violations, not a single economic or diplomatic sanction has been placed on Israel despite the overwhelming support of global public opinion for such actions. I urge all Members to invite people to support the European citizens initiative. If it secures 1 million signatures from European citizens by 20 February 2023 it will force the European Commission to propose legal acts to prevent the import and export of products to and from the illegal settlements. This is a very important effort and deserves our full support.

There are many important recommendations in the Amnesty report. Amnesty has asked that countries review any co-operation and activities with Israel to ensure they do not contribute to maintaining the system of apartheid. I wholeheartedly support this. I ask the Minister of State to institute such a review in the case of Ireland and to report on the outcome to the Oireachtas.

Will the Minister of State acknowledge today that Israel's treatment of the Palestinian people amounts to apartheid? Will he agree to prepare a set of actions which the Government will implement following Dáil Éireann's unanimous adoption last year of a motion stating that Israel has, de facto, annexed large parts of the occupied West Bank?

Acting Chairperson (Senator John McGahon): This is an important debate and I am happy to give people a bit of latitude as they are speaking.

Senator Ned O'Sullivan: I welcome the Government's statement this afternoon. I particularly welcome the Government's decision not to adopt or utilise the term "apartheid" in relation to Israel, a position it shares with a great number of western democracies. Last week, Yoseph Haddad offered an entirely different perspective on the Israeli-Palestinian conflict to what we have been hearing in the Houses over the past decades and what we have heard again this afternoon. Mr. Haddad is an Arab Israeli. Growing up in a mixed community of Arabs, Jews and Christians he experienced no form of segregation or difference whatsoever. He joined the defence forces when a local restaurant owned by an Arab-Jewish partnership was blown apart by a Palestinian suicide attack in which 21 people of mixed ancestry were slaughtered. He was in command of Jewish soldiers as an Arab and was severely wounded in the south Lebanon war. Mr. Haddad is proud of being an Israeli. It is his strong belief as an Arab that the Amnesty report entirely misrepresents the lived experience of the non-Jewish community in Israel.

Members may be surprised to learn that Arabs serve at the highest level in every sector of life in Israel. For instance, more than 50% of all pharmacists in Israel are Arab. More than 30% of all doctors are Arab. Last week, an Arab Muslim was appointed to the Israeli Supreme Court. It already had judges of the Arab Christian tradition. In all other walks of life, including business, the arts, education and government, Arabs, both Muslim and Christian, have achieved the highest positions in the land. Are these the characteristics of an apartheid state?

Like every country, Israel has its flaws and inequalities. For Amnesty to invoke the term “apartheid” seems an abuse of the English language and Israeli state. Apartheid for most people describes the obscene system of racial discrimination upheld in South Africa for far too long and which is now, thankfully, consigned to the scrapheap of history. To equate Israel, the one democratic and secular state in the entire Middle East, with what the black and coloured races suffered in South Africa is outrageous. It is an injustice to the non-white African community. Amnesty in introducing this flawed report has greatly damaged its own credibility. In the past, Amnesty has not distinguished itself for its fairness to Israel. Some of its prominent spokespersons have been forced to withdraw false allegations about Israel. Not even Amnesty would suggest for a moment it could be seen as a neutral or disinterested voice on the conflict.

It is worth noting that Amnesty focused on the Negev region for its survey. The Negev has approximately 100,000 Israeli Arabs. This is 5% of the total Arab Israeli population. How can Amnesty extrapolate a global finding from such a narrow sample? Why did it not include the testimonies and experiences of Israeli Arabs such as Yoseph Haddad? Is it not aware of the Harvard University study that shows 77% of Arab Israelis would choose to live in Israel above any other country? Does this sound like an apartheid state? Does Amnesty believe the state of Israel has a right to exist? It is a question I could put to many people in this country who support the Palestinian cause. I have often heard the question asked of certain people and they have refused to answer it because they know the answer will not be acceptable to the Irish people.

We are not talking about normal circumstances. Israel is a small nation surrounded by people who are sworn to destroy it and who will never agree to any resolution of the conflict other than the extermination of the Israeli state. “Palestine will be free from the river to the sea” is a chant we have heard many times outside the gates of Leinster House. It sounds great but what it means is that Israel is to be wiped off the face of the earth. Will that bring peace to the Palestinian people if it is achieved? Not a chance. Hamas, Hezbollah and Fatah will all keep bombing and killing each other. They will continue to use innocent women and children in the front line for propaganda purposes, as heretofore, because there are differences far greater than their hatred of Israel. That is saying something. It is these same groups that inflict the greatest suffering on the Palestinian people, and Amnesty ignores this. Has Amnesty any report on Hamas in Gaza? Has Amnesty any report on the Palestinian Authority in the West Bank?

One thing I find unacceptable in the current Amnesty advertising campaign is that they ask people to join its anti-Israeli crusade by signing a petition, and if they do, they receive a call. This is clearly a recruitment and fundraising exercise at the expense of the people of the Middle East. I find it despicable. I withdrew my Amnesty subscription many years ago when I saw what they had to say about the conflict here in this country. If they got that so wrong, could we trust them in anything? There is widespread support in these Houses and in my own party for the Palestinian cause. I too believe in a two-state solution. I too want to see an end to the suffering of the Palestinians, but I am not blind to the underlying causes.

I hope the Acting Chairman will give me a small bit of leeway as I am offering an alternative

position here. As a member of the new Ireland-Israel parliamentary friendship group, I look forward to engaging with members on all sides of the House, with members of the Knesset in the months ahead, and with Jewish, Christian, and Arab members of parliament. Yes, all creeds can contest elections in Israel, unlike their adversaries who, of course, do not have any elections at all. If they did, we can be certain no Jewish man or woman would be allowed on the ballot paper.

With regard to women, it is astonishing that so many of our leading feminists take sides against Israel with people who treat women as slaves, who execute members of the LGBT community, and who in some cases think that public raping of what they would call “inappropriately dressed” women, is acceptable behaviour.

In the Dáil last week the Taoiseach referred to Colum McCann’s outstanding novel *Apeirogon*, which is inspired by the real-life experiences of two men, one Arab and one Jew, who had both suffered the loss of a daughter. The title refers to multi-sided shape, which reflects brilliantly the actual make-up and definition of the conflict in Israel. I have no doubt these heroic men would not appreciate the ham-fisted report of Amnesty. They are doing the hard work of building bridges. This report tears them down.

It is time that the one-way narrative stopped. Amnesty’s dreadful intervention might do something good. It might be the catalyst to open the door to a wider dialogue and, it is hoped, put an end to the simplistic one-way, anti-Israel campaign and rhetoric that has blighted recent conversation in these Houses for too long. I thank the Acting Chairman for his indulgence; I appreciate it.

Senator Martin Conway: The Minister of State, Deputy Burke, is very welcome, as always. Clearly this debate is very impassioned. I will start by saying there are wrongs on all sides with this. There is no doubt the Palestinian people have suffered greatly over the years. I have not studied the Amnesty International report in great detail. Amnesty as an organisation has done more good than bad in the world as a whole. It certainly has and does call out injustices that have taken place around the world over many decades. Amnesty’s contribution must be acknowledged and it must be saluted for what it has done.

Reports must be challenged, however, and it is appropriate we would have a debate on and challenge the report. Every report worth its salt should be challenged. I want to see a solution to this problem that has gone on for far too long. The international community has a responsibility, and a greater responsibility now more than ever before, to engage with all sides and come up with a solution. Foreign affairs in general has changed in the past week or two. We now must have a more hands-on approach in dealing with conflict, dealing with bullies and dealing with what happens. On what Russia is doing to Ukraine, Russia did the same in Crimea back in 2014 and yet the world stood by and did nothing about it. This is happening now in Ukraine. We are imposing sanctions and clearly Russia has factored those sanctions into its behaviour.

The international community really needs to engage in a very focused and determined way in the conflict between Israel and Palestine. I believe in the two-state solution but this needs to be negotiated in a very intense way. Rhetoric on both sides and entrenched positions on both sides will not work. There have been wrongs on both sides of that. There is no doubt the Palestinian people have suffered enormously but we must look to the future. We must put a roadmap in place now that will bring a solution and peace and that will, it is hoped, build the bridges Senator O’Sullivan is talking about. Clearly the bridges are not there. It would be very sad if

the Amnesty report actually created more conflict and further entrenched positions. The people who have subscribed to Amnesty over the years would not want to see that.

As Senator O’Sullivan has said, and I believe he is right, maybe it will be the catalyst that will see a micro-focused and very determined approach by the international community. Does Ireland have a role to play in that? Absolutely we have a role to play in that. We certainly do not have role in creating further division by using language that is clearly offensive, that has an historical context and connotation, and that would clearly upset and create entrenchment. We have a role to play. Ireland has been over the years a peacemaker. Let us use the influence we clearly have on the international stage to bring together communities and peoples to negotiate the type of arrangement we all want to see, where all people are treated with respect: Palestinians and Israelis.

Senator Fiona O’Loughlin: My esteemed colleague Senator O’Sullivan referred to the novel *Apeirogon* by Colum McCann. This is one of the best books I have read in the past year or two. Essentially, it is about the futility of war. It is about Rami, an Israeli whose daughter was killed in a suicide bombing, and Bassam, a Palestinian whose daughter Abir was shot by an Israeli soldier. The novel is about how these two men found one another and found that more united them than divided them. They spend their lives travelling the world, essentially talking about the need for people to work together. Colum McCann spent a lot of time with Rami and Bassam because this is based on a true story, and he really cracked it. It is a wonderful story around what is now their life’s work to try to bring peace to the Middle East and to bring peace between Israel and Palestine.

One of the reasons I was particularly interested in reading this book was because many years ago I spent several months in Israel. I worked on a kibbutz near Ashkelon, just six miles from the Gaza Strip. A number of Palestinians from the Gaza Strip worked in the kibbutz. I worked with them and became friends with them in what is called a *padres*, which is a citrus fruit orchard. A good friend and I were called “Team Ireland”. Interestingly enough, this was the very first time this kibbutz had allowed Germans come to work as volunteers on the kibbutz. There were six Germans, who were engineers in their gap year in college and had decided to come to Israel. They spent their whole time apologising for what the Germans had done to the Jews. The kibbutz itself was named Kibbutz Yad Mordechai, in honour of Mordechai Anielewicz, a Polish Jew who led an uprising in Poland. The Jews had no home in central Europe.

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Others like him came by boat across the Mediterranean Sea to this particular kibbutz, which was three miles from the sea. They pitched up with nothing and built a good life for themselves and their families but, more importantly, they dwelt in ease and peace with their Palestinian neighbours.

I learned a lot during my time there about how people could genuinely work together. I had nothing but good experiences with both Israelis and Palestinians but a lot is wrong in their country. I spent Christmas Eve in Bethlehem. Myself and my friend got tickets for midnight mass. We met some Arabs who lived in Bethlehem but they were not allowed into Manger Square, even though they lived in the city, which shocked me. I recall looking up as we went into Manger Square and seeing snipers all around. It was actually quite a dangerous place to be because of the conflict. I was in my very early 20s at the time and I remember being quite shocked at some of the stories I heard. I learned more and continued to be very interested in

the conflict.

I am proud that our country has been consistently forthright in expressing concern regarding the unequal treatment of Palestinians and the application of different standards in Israel and the occupied Palestinian territory, both bilaterally and at EU and UN level, including at the UN Security Council. As a country, we have been very proactive in consistently highlighting these issues, including demolitions and settlement expansion, at the UN Security Council during our current term. There is no doubt that Israel must cease evictions and demolitions and comply with its obligations as an occupying power under international law. It must also allow those who want to support the Palestinians to enter their country to do so. Approximately three years ago, Ms Elaine Daly and a number of others who used to go in and do a lot of work, particularly with Palestinian children, were not allowed into Israel because they were supporting Palestinians. They were supporting them in a very peaceful way and in a way that the children needed. That is something that we must call for too.

I welcome this debate. Apeirogon is a mathematical term for an object that has an infinite number of sides. This is not a black and white issue. It is not simple. We have to work to help people on both sides, in a two-state solution, to live and work together peacefully.

Senator Fintan Warfield: I welcome the Palestinian ambassador to the House. I also welcome Mr. Tim Hanley from Amnesty International and all our visitors in the Public Gallery. I commend Amnesty International on its work on this report. It very much interrogates the record of the Israeli state in its treatment of the Palestinian people. It is a stark document that records a litany of crimes against humanity and it is a damning indictment of an apartheid state that is intent on the oppression and complete domination of the Palestinian people. As damning as the report is, sadly it comes as no surprise to those of us who watch what is happening on the ground in Palestine, the fragmentation of Palestinian lands, the dispossessions and the suppression of political and civic activity. We have seen apartheid in South Africa, the systematic attempt to control a people and this is daily life for Palestinian people.

I want to add my voice to the recommendations of the Amnesty International report. I also support the call by Amnesty International for the UN Security Council to impose targeted sanctions against Israeli officials implicated in the crime of apartheid. The UN special assembly on apartheid needs to be re-established. I also have to mention the designation by Israel of six Palestinian NGOs as terrorist organisations. This is a blatant attempt to suppress human rights organisations involved in essential work in highlighting the human rights abuses of the Palestinian people. I call on the Government and the Minister for Foreign Affairs and the Minister of State, Deputy Byrne, to add their support to the conclusions and recommendations contained in the Amnesty report. Ireland's role on the UN Security Council must be made to mean something. The Minister needs to begin to challenge the international inertia that exists in challenging Israel on its human rights record. We must influence the EU to speak out on Israel's record of apartheid. It is simply unacceptable that an international body that lauds the cause of human rights is content to ignore one of the worst instances of crimes against humanity taking place in the world today.

Finally, through the Cathaoirleach, I ask Senator Ned O'Sullivan the following question: what is not apartheid? Is the forcible transfer of Palestinians to make way for illegal Israeli settlements not apartheid? What about preventing Palestinians from returning to their homes and lands, including millions of refugees living in exile? What of the systematic and severe deprivation of fundamental human rights of Palestinians based on their identity? Is denying

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Palestinians the right to freedom of movement and residence, especially but not limited to Palestinians living on the Gaza Strip, not apartheid? What of murder, torture, unlawful imprisonment and other severe deprivation of physical liberty, or the persecution of Palestinians because of their opposition to apartheid?

We should never assume that there are not feminist and queer movements everywhere across this world, including in Palestine. There are and I commend them as they persevere in their fight for equality.

Senator Paul Gavan: Well said.

Senator Alice-Mary Higgins: Others have outlined what the Amnesty report tells us, which is how systematic the measures are, what the dismantling of equality looks like, and what the crowding out of the space for a population within a territory means. We come into this House, again and again, when we see attacks on Gaza and the West Bank and when we see another round of bombings but what has happened in between is so important. While the world has continued to not act on Israel's breach of international human rights and humanitarian law, while we have continued to play a long waiting game of occasionally expressed disapproval, we have seen a culture of impunity build up. That has reached a level now where evictions are happening almost daily in East Jerusalem.

Over the past few days, we have seen coverage of the conflict in Ukraine and it has been so difficult to watch. We will discuss that following this debate. We have seen those who are standing up against occupation in Ukraine. We have seen those taking defiant steps and have talked about the children standing up on the fences but what we have seen in Palestine, with the Palestinian people, is decade after decade, generations in a row having to come up again and again to demand their rights. Children have died. Last year was the worst in a decade in terms of the number of Palestinian children killed. Just this week I read of the arrest of a 12-year-old, and of a nine-year-old being hit by Israeli forces in the context of forced evictions. Those children are part of yet another generation and I have seen four or five generations come through. They continue to put their trust in international law, international institutions, multilateralism and the idea that there might be a politics of principle at play in this world. They do that despite being failed and being given breadcrumbs from the table of justice. A trail of breadcrumbs has repeatedly led them through new UN processes, structures and resolutions, yet action is not taken. It is a miracle of hope, humanity and trust in the world that Palestinians are again pointing to the politics of principle. Having pointed to all of the breaches of humanitarian law and to war crimes, they are also now pointing to the crime of apartheid as defined in Article 7 of the Rome Statute of the International Criminal Court and to the fact that, again, this is systematic oppression and domination by one racial group over another that is committed with the intent of maintaining the regime. I refer specifically to the reference in the article to "murder", "deportation or forcible transfer of population" and "persecution against any identifiable group or collectivity". This is the crime and people have pointed to yet another piece. It is another marker for why we should act.

In the minute remaining, I will focus on how we can act, not whether this is another level of crime because it is.

Senator Frances Black: Hear, hear.

Senator Alice-Mary Higgins: We can first apply the kinds of sanctions that have sud-

denly become possible. We know these are possible under the Rosneft ruling. In terms of the occupied territories, we should not be trading with settlements. That law is very clear. This should not even be a question of sanctions because occupied territories are not legally part of the supply chain. Ireland can take a lead on that and should also feed into and influence the due diligence process in the EU to ensure settlements never become part of a supply chain. That is an area that needs to be strengthened.

In the Rosneft ruling, the European Court of Justice and the EU were extremely clear that in relation to Russian breaches of international law the European Commission is justified, on the grounds of public policy, in imposing trade restrictions. That is exactly the same circumstance and context. Occupation, breach of international law and public policy are grounds for action. Let us be consistent. We are now acting, rightly, in relation to Ukraine and we have acted on Crimea in the past. We should be consistent in acting in relation to Israel.

The occupied territories Bill is where Ireland can show leadership. This House has shown that we care and not only about Ukraine. We have passed motions on Yemen and spoken up for Palestine. Let this House and Ireland show leadership in this area.

Minister of State at the Department of Housing, Local Government and Heritage (Deputy Peter Burke): I thank all of the Senators for their remarks. Many points have been raised and I will address a few on behalf of the Minister for Foreign Affairs, Deputy Coveney, and the Minister of State, Deputy Colm Brophy. I underline that the Government shares the concerns of Senators regarding the situation in Israel and the occupied Palestinian territories, and the plight of the Palestinian people.

The Middle East peace process remains a key foreign policy priority for Ireland, including in the context of our term on the UN Security Council. The Government remains firmly committed to a two-state solution. The Government will continue to work with partners to revive a political process in line with international law, which ensures equal rights and is acceptable to both parties.

I want to address the points Senators have made about the Amnesty International report. I acknowledge that strong views have been expressed regarding the use of the term “apartheid”. The Taoiseach has been very clear regarding the Government’s position on this. While the Government does not believe it is helpful to use this term, we will continue to be frank with Israel and our concerns in this regard, including in our statements to the UN Security Council as well as during visits to the region by Ministers. It is important that, as a member of the UN Security Council and the European Union, Ireland remains a credible and effective actor in international fora in respect of our views on the treatment of Palestinians by the Israeli Government. We are acutely aware that we must be careful in our choice of words, clear in our interpretation of international law and conscious that our influence is greatest when we speak candidly with the actors involved. As the Minister of State, Deputy Brophy, stated in his opening remarks, the Government regularly raises our concerns, including on a number of issues detailed in the Amnesty report, on which Senators have spoken today, directly with the Israeli authorities and at EU and UN level.

A number of Senators highlighted the issue of illegal settlement activity on the part of Israeli authorities and the related issue of settler violence. The Government has been consistently vocal in our opposition to settlements and their expansion on the West Bank, including in strategically sensitive areas around East Jerusalem. We have been clear that settlements are illegal

under international law and threaten the continuity of a future Palestinian state and, therefore, the viability of the peace process.

At a Security Council meeting on 23 February, we strongly reiterated the long-standing position of Ireland and the EU that Israel must end its settlement expansion, confiscations, demolitions and evictions. Such practices, all of which further entrench Israel's illegal occupation, are underlying causes of tension and violence. Ireland also raised the continued escalation of settler violence, including in sensitive areas in East Jerusalem, which is acutely worrying. We highlighted the disparity in conviction rates between Israeli settlers and Palestinians who have committed acts of violence and called on Israel to bring the perpetrators of violence against Palestinians to justice.

As some Senators have expressed, the way in which the human rights of Palestinians are affected by the policies of the Israeli authorities is deeply troubling. As the Minister of State noted, Ireland has strongly underlined its concerns in this regard at the UN Security Council as well as at the Human Rights Council.

The Amnesty report refers to the human rights situation not only in the occupied Palestinian territories but also in Israel. In this regard, the Minister for Foreign Affairs has previously stated that it is imperative that the rights of non-Jewish citizens of Israel are not infringed and that there is respect and tolerance for the diversity of its population. Where the Government has concerns about laws and practices that undermine equality among citizens and disregards the rights of minorities, particularly the Palestinian minority, we make our views known clearly to Israel. We have, for example, strongly expressed our concern about the nation state law, which we believe might enable discriminatory practices against non-Jewish citizens.

Furthermore, Ireland can be very proud of its record as a long-standing supporter of human rights in this context, providing humanitarian assistance, legal and other supports of specific development projects to improve the situation of Palestinians, including a number of civil society partners that are active on human rights issues, particularly in the occupied Palestinian territories. Ireland has also provided significant assistance to the Palestinian people, including through our support of the United Nations Relief and Works Agency for Palestinian Refugees in the Near East, UNRWA. Last year, Ireland signed a three-year memorandum of understanding with UNRWA underlying Ireland's commitment to the agency and pledging predictable funding of at least €6 million annually. In 2021, Ireland provided €9 million to UNRWA, equalling the largest ever contribution to the agency.

Some Senators have referred to the designation by Israeli authorities of Palestinian NGOs as terrorist organisations. I reiterate that the issue continues to be of priority for Ireland, including at the EU and the UN. On 8 November, Ireland supported the convening of a discussion of the designations of the UN Security Council. We made a press statement at the UN Security Council, following the meeting with France, Estonia, Norway and Albania, underlying our serious concerns at these designations and their potential political, legal and financial consequences. We have raised the issue at every subsequent Security Council meeting, including, as noted by the Minister of State, Deputy Brophy, at the most recent meeting on 23 February. We have also raised this matter repeatedly bilaterally with the Israeli authorities.

I assure Senators that Ireland remains committed to funding civil society organisations and humanitarian rights defenders through the Irish Aid programme, including Palestinian civil society. I also underline that Ireland continues to provide funding to two of the designated

organisations Al-Haq and Addameer. Ensuring there is peace and space for civil society organisations is a key part of our foreign policy globally. The Government recognises the particular importance of prioritising this in the context of the occupied Palestinian territories.

Ireland remains steadfast in its commitment to a resolution of the conflict, ending the occupation and achieving a two-state solution in line with the relevant UN resolutions, international law and bilateral agreements. This is the path to progress for all people of Israel and Palestine.

Cuireadh an Seanad ar fionraí ar 6.30 p.m. agus cuireadh tús leis arís ar 7.30 p.m.

Sitting suspended at 6.30 p.m. and resumed at 7.30 p.m.

Situation in Ukraine: Statements

An Cathaoirleach: I welcome the Minister for Foreign Affairs to the House. I know he has been working very hard on this issue along with our European colleagues and other world leaders. I thank him for being here.

Minister for Foreign Affairs (Deputy Simon Coveney): I have just come from the Dáil, where we have agreed a motion expressing our support for Ukraine's sovereignty and territorial integrity. I understand that the Seanad will also shortly consider a motion on the issue and I wholeheartedly support its efforts in doing so. I know that party leaders have been talking about how they might do that this evening or tomorrow. It is right that both Houses of the Oireachtas are engaged on this vital issue. I hope we will have all-party support on a motion that we worked hard to write with that in mind. We have used UN language that is clear and deliberately does not go into great detail to try to ensure we have a clear, positive and firm message coming from all parts of this Oireachtas and from all parties.

In the early morning of Thursday last week we saw a large-scale assault by Russian forces on Ukraine. Through its decision to launch an invasion, and by violating the sovereignty and territorial integrity of Ukraine, the Russian Federation has brought war back to European soil for the first time in many decades. The message from Ireland and the EU in response has been one of clear and unwavering support for the people of Ukraine and for Ukraine as a sovereign country. Ireland is a militarily neutral nation but we are certainly not neutral, and I hope never will be, in terms of political neutrality on the bombardment of innocent civilians, laying siege to cities and the unprovoked military assault on a sovereign nation that is looking for peace.

We have been very clear in demanding that Russia withdraw its forces immediately from Ukraine's territory. I am greatly concerned by reports of the deployment of cluster munitions in Ukraine's second largest city in the past 24 hours and also of missile strikes directly from the Chernobyl exclusion zone. The Ukrainian Government is facing extraordinary challenges, as indeed are ordinary people across Ukraine. It is important that we are clear that the EU will not abandon Ukraine as it struggles for survival against Russian aggression.

I have never seen the EU as united as it has been in response to this crisis and I have been around in politics for a while. We have put in place extensive measures with major financial consequences for Russia. The EU has essentially agreed three significant sanctions packages in four to five days, which is an extraordinary pace of movement given how complex EU institutions are and how they normally arrive at decisions. We have closed EU airspace to Russian

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aircraft, we have frozen the assets of the Russian Central Bank in the EU and have added many more individuals to the sanctions list. I think approximately 500 individuals are now on that list. We are excluding key Russian banks from the Society for Worldwide Interbank Financial Telecommunications, SWIFT, system; sanctioning more oligarchs on top of the more than 100 already listed; sanctioning Belarus for its role and support of these war efforts; and banning Russian media outlets that disseminate disinformation across the EU.

The EU has also shown strong and active support for Ukraine's efforts to defend itself. Two days ago, along with our EU colleagues, we agreed a package of €500 million in military assistance for the Ukrainian military through the European Peace Facility, EPF. Ireland will pay our full share in those efforts and our proportion will be approximately €10 million. The allocation key for the EPF means that Ireland will pay approximately 1.9% of total expenditure on any project. There is now a commitment to spend €500 million, which means we will end up spending between €9 million and €10 million in those efforts. The money that we spend will go exclusively towards the provision of non-lethal support such as helmets, bulletproof vests, medical equipment, fuel and other equipment that has been requested from the Ukrainian side.

In response to the humanitarian crisis, we have removed all visa requirements for Ukrainian citizens seeking to enter Ireland. I suspect that many thousands will make the choice to do so. Ireland has also led the response at UN level, ensuring that an urgent session of the UN General Assembly was convened after the Russian Federation used its veto at the Security Council to prevent a strong resolution being passed. It is important to say that the Russian Federation was the only country to vote against that resolution. A small number of countries decided to abstain but Russia was on its own, isolated in the Security Council, while in the chair and using its veto to protect its own interests. We hope and expect that a majority of the members of the UN General Assembly will support a clear and robust resolution to condemn this outright violation of the UN Charter, which is exactly what this is. We are pushing today at the Security Council for the adoption of a resolution calling for safe and unhindered humanitarian access for all. I hope we will be able to find agreement on this resolution, even with Russia.

On the sensitive consular issues relating to this crisis, officials are in ongoing contact with the remaining Irish citizens in Kyiv and across Ukraine. The number fluctuates daily but my information today is that it stands at just under 80. We are in constant contact with families regarding surrogacy arrangements in Ukraine. A number of parents have been and continue to be in very difficult circumstances. We are working through those cases with them to try to find a way of uniting parents with newborn children through surrogate mothers. This is not easy in a war zone.

I take this opportunity to underline that the deep concerns that I have outlined about the actions of the Russian leadership does not diminish the friendship and respect we have for ordinary Russian citizens, including those who have built a future in Ireland and many of whom have protested bravely against this invasion across Russia and the world. I say directly to Russian citizens in Ireland: we do not hold you responsible for the decisions of the Kremlin and your Government. No Irish person should single out a Russian, a Russian family or a Russian child in Ireland and blame them for what is happening in terms of the devastating consequences of war in Ukraine. Any Russians I have been in contact with are appalled by what is happening and the decisions being made by their leadership.

There can be no justification for threatening to use nuclear weapons. I have called on Russian to immediately revoke the order to place nuclear weapons on high-alert status and I urge

maximum restraint and de-escalation. Many countries join us in those calls.

I wish to underline that enormous damage and destruction has been done. The loss of human life is truly shocking. In some ways, this is the first war to be literally played out live on social media. When one sees charred bodies of civilians on streets in civilian residential areas who were targeted by cluster munitions or other lethal weaponry, one realises that Europe is being reminded of the horrors of war on the back of the decisions Russia has made. The United Nations High Commissioner for Refugees, UNHCR, estimates that approximately 500,000 Ukrainians have fled to neighbouring countries - mostly in the EU - such as Romania, Hungary, Slovakia, Poland, the four countries bordering Ukraine, and Moldova. They have been put under extraordinary pressure as a result of what is happening. However, we can expect many more. Poland alone has, in the past 24 hours, seen more than 100,000 Ukrainians flow across its border. The estimates of 1 million or more Ukrainians fleeing conflict in Ukraine will certainly happen and I believe it will go well beyond that number. Ensuring that we play our part in responding to the human response that is necessary for that number of people, I expect it will mean that many Ukrainians will come to Ireland. We need to find a way to ensure they will be welcomed and looked after here in respect of their dignity and plight.

There is still time for Russia to choose a path of reason, restraint and diplomacy. What has happened will not be forgotten - that is for sure - and we need to ensure people are held to account for the atrocities that have happened over the past four to five days. I was glad that the International Criminal Court, ICC, has formally opened a file on potential war crimes and crimes against humanity in Ukraine. We will support the ICC fully in its work, as we always do, as a global entity that ensures, in wartime situations, we continue to fight against impunity and breaches of international humanitarian law. What has happened will not be forgotten, but we can still work towards peace and resolution, which should be everybody's focus. It must be our goal, ultimately, to bring this conflict to an end as soon as possible through intensive diplomacy and intense pressure from the EU with partners from around the world, through sanctions and the further isolation of Russia so that the message is very clear. A continuation of this war will have dire consequences for Russia as well as the country it has, unfortunately, chosen to attack.

I thank Senators for this opportunity. Unfortunately, I will not be able to stay for the entire debate, but I will try to stay for as long as I can.

An Cathaoirleach: I thank the Minister for his comprehensive reply.

Senator Joe O'Reilly: I welcome the Minister. His handling of this situation is exactly how the Irish people would want it to be done on all fronts. There are three words that come to mind as I think about this - medieval, barbaric and tsarist. We are back to the worst of tsarist Russia. Innocence is suffering. I saw a news headline on my phone that stated 350 civilians have died in Ukraine, including 14 children. The 64 km long convoy of tanks approaching Kyiv this morning was quite shocking. The suggestion that the people of Kyiv should flee their city is awful.

We should salute the courage and resilience of the Ukrainian people and, indeed, we should salute the peace movement in Russia and those soldiers who are reluctant to kill their own kith and kin, which effectively is what the Ukrainian people are. Without being flippant or trivial in comparison, it is the equivalent of the Irish Army being asked to go to one of our islands and attack the people on it. These are their own people and it is a shocking state of affairs. I agree with the Minister in that it is very important the message goes out to Russian people. I know

some of them, as we all do, who are living here and they are in no way implicated in this in our eyes.

The cluster munitions, the missile strikes, the suggestion of nuclear war and the intensified bombardment with rockets descending on Kharkiv are a horror. That begs the question of what we do. First, we work in solidarity with the EU in regard to all sanctions as outlined earlier. It is very important that we in Ireland miss no oligarchs in the process, and that we are seen to do our bit and do it well. It is very important that we receive the refugees heartily and properly. It is important that we support the moves to bring Ukraine into the EU, and I would also suggest Georgia, because the Baltic states of Latvia, Lithuania and Estonia are in the EU, but Georgia is exposed. Some 22% of Georgia is occupied by the Russians at present and the Georgians are vulnerable people. Although a Georgian application to join the EU has not been lodged yet, we should support it when it is. We should support the candidacy of Ukraine as well. Any signal such as that, which supports the people in their hour of great need, is something we should give.

Sanctions will hurt our people, but we have to be prepared for that. We cannot expect an abstract concept of sanctions and yet be in favour of sanctions. When they hurt our pockets and our incomes, as inevitably they must if they are properly done, we will have to measure up to and accept that. Equally, if it puts pressure on our villages and towns to receive refugees from Ukraine, we will have to accept that. There is no room for an ambiguous approach. We are either committed to international law, proper practices and a peaceful outcome or we are not. The way in which we can do that is support the sanctions unambiguously and when the sanctions hurt us to accept that it is an inevitability, unless they are ineffectual. We must also be ready to embrace the refugees. We cannot have meetings about Ukrainian refugees such as the despicable meetings that took place in this country when refugees came to towns. Towns, villages and communities across the country will have to be willing to make that effort. We are very fortunate people in that this is the only contact we will have with the war. Our troubles in that regard fade into insignificance compared to those of the people huddled in basements across Kyiv and Kharkiv. People are suffering, including the refugees on the Polish border. We are very removed from it here and if there is any way for us to do something about it, we should.

It is important that this debate takes place. It is also important that we pass an unambiguous and unanimous motion in this Chamber, and in the Dáil. In a bicameral Parliament, it is crucial that this be the case. It is also crucial that speech after speech we are unambiguous in our willingness to accept refugees, and suffer the consequences of the sanctions and really implement them.

Senator Gerard P. Craughwell: Ireland and its Governments have basked in the mistaken belief that as a small island nation no one would ever want to hurt us, with the mantra of how we box above our weight and our marvellous reputation as peacekeepers from a neutral state allowing us to take the high moral ground on the international stage. Countless Ministers over the years have spoken of our neutrality. Indeed, some have referred to Ireland's neutrality and our military non-alignment in the same sentence, not realising that these two positions are polar opposites. What does this say about the advice Ministers are given? Perhaps the Minister of State might clear up which we are. As Mr. Justice Kearns put it in 2003, despite the great heroic value attached by Ireland to the concept of neutrality, the status of our neutrality is nowhere to be found in Bunreacht na hÉireann or in any domestic legislation. Are we neutral or are we militarily non-aligned?

Due to Government policy down through the years the average citizen has been indifferent

to defence and the Defence Forces, trusting Government to look after such matters. It took a crisis in Ukraine and a decision by the Russian navy to carry out an exercise off the south-west coast of Ireland within our exclusive economic zone, EEZ, to bring into sharp focus the appalling state of our Defence Forces and our defence capability. Shamefully, countless Governments have presided over the disinvestment in the Defence Forces and have brought us to our current sad state. We have a Naval Service with ships costing taxpayers millions of euro yet almost half the fleet is tied up due to lack of crew, lack of investment in people and lousy working conditions. We have no idea what is operating beneath the sea for we have no sonar. Our neutrality is laughable when we are allowing a NATO country to protect our skies with its RAF fighter jets. Just as we have no idea what lies beneath the sea, we have no primary radar to see what flies above us. Neutral or otherwise, as a nation we are in a very sorry state.

The Minister set up the Commission on the Defence Forces, which has now reported. Following the publication of the report, he stated it would take four to five months to analyse the recommendations fully. Compare this to the swift action of the German Government. Five days ago the chief of the German Army vented his frustration over what he saw as a long-running neglect of military readiness in his country in an unusual public rant a few hours after Russia invaded Ukraine, adding that his army was in bad shape. Three days later, the German Government committed €100 billion to fund its armed services and ramped up its defence spending to 2% of its gross domestic product. Why does the Government need four to five months to consider what to do following the report of the commission? Spending in Ireland on defence is 0.2% of GDP. As a nation we are rapidly becoming defenceless and must by now be a laughing stock in Europe.

Ukraine's president pleaded with the European Union today. He said, "Prove that you are with us" in an impassioned speech that received a standing ovation from the Members of the European Parliament. How has Ireland shown that it is with Ukraine? Our response has been strange, to say the least. At the European Parliament, two of Ireland's MEPs voted against a resolution condemning Russia's aggression towards Ukraine, although 637 of their colleagues supported the resolution. Where the truly neutral states of Finland and Sweden are prepared to provide weapons to assist Ukrainians defend themselves, Ireland is providing medical supplies, body armour, fuel and other non-lethal materials to the Ukraine military to aid in the defence against Russia. Indeed, one MEP suggested that the petrol provided should not be used in tanks.

People are dying on the streets of Ukraine. Civilians are standing in front of tanks and armoured cars, using their bodies to stop them moving forward into their cities. Men, women and children are being murdered. Ukraine must be able to defend itself. We have military hardware we can donate. For God's sake, send what we have. We have a few dozen Javelin missiles, automatic self-guidance missiles. We have 84 mm unguided, man-held anti-tank weapons. The Minister must work with EU partners in every sense. We must be prepared to provide ammunition and so on. When it comes to the Russian embassy and expulsions from it, we must be at one with Europe. We are not neutral; we are not sure what we are. That is a question for another day. In the words of Desmond Tutu, if we are neutral in situations of injustice we have chosen the side of the oppressor. Have we chosen the side of Russia?

Senator Malcolm Byrne: Let us be very clear in response to the question Senator Craughwell has raised. This country has not chosen the side of Russia but is very much on the side of the Ukrainian people. We stand in solidarity with them. We also stand in solidarity, as the Minister of State said, with the ordinary people of Russia and Belarus. This is not their fight. In calling out Russia, we also need to call out the tyrant Lukashenko, whose regime has lasted for

far too long. The Minister was correct in his remarks.

The people we need to think about more than anybody else are ordinary Ukrainians. People are dying again tonight as a result of war crimes being perpetrated by a thug, Vladimir Putin. The question is: how can we help? I am very proud of the Government's approach in many ways. We immediately lifted the visa requirements to allow for families to be reunited. We have to send out a message, as Senator Joe O'Reilly said, to our Ukrainian brothers and sisters, our fellow Europeans, that they are more than welcome to come to Ireland. We also need to consider what other supports apart from immediate humanitarian support will be needed when the Ukrainians come here, such as translation services and helping people to get to work because many people will want to work and contribute to the country. We need to start to plan for how we can do that. Then hopefully when Ukraine does defeat the Russian aggressor, we will be able to support those Ukrainians who wish to return to their homeland. I am proud of the stance the Taoiseach, Government and Minister for Foreign Affairs have taken at European level. This is the EU acting at its best. At a moment of crisis, it has responded. Two weeks ago, I do not think anybody would have expected the strength of the stance that was taken. Indeed, we need to go further.

There are other questions we need to address. We can be certain that we are going to experience far more cyberattacks. If not state-sponsored, they will certainly be state-condoned. That means we need a debate in this country on cybersecurity. We have to remember that the largest ever attack on a health service anywhere in the world last year came from Russia. I am not saying that it was sponsored but this kind of activity was condoned. A small number of cyberattacks are being perpetuated around the world and they tend to be from a small number of states. We need to take action at global and European levels. That requires us to co-operate through the PESCO arrangements on cybersecurity.

We will need to address food and energy security. A quarter of the world's grain comes from Russia and Ukraine and this will have implications. We do not import a lot from that region but there will be global implications. Much of the grain, barley and corn from that region goes to the Middle East, Lebanon, Yemen, Egypt. People will be aware that problems around food security can further destabilise regions. We have to be willing to take part in that discussion. We are not a neutral country; we are a non-aligned country. We have always had a very proud independent foreign policy. We should look at co-operating with our fellow non-aligned members of the EU, that is, Finland, Sweden and Austria.

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We should look at their approach on a number of issues including through PESCO and in other areas relating to global security issues.

This is a real test of Ireland's and the European Union's foreign policy. So far, we have adopted the correct approach but at a global level we are now seeing a battle between democracy and autocracy. We need to make the choice on which side we stand. Overwhelmingly the view of the Irish people and in these Houses is on the side of democracy. Unfortunately, as we saw in the European Parliament again this evening, we have a small minority of politicians in this country who are nothing more than soft puppets for the Putin regime. They have supported and echoed the speaking notes of every authoritarian regime. They are anti-European Union and anti-United States. While that is fine and it is their prerogative, to continue to support dictators such as Vladimir Putin, Alexander Lukashenko and Maduro in Venezuela is not acceptable.

Senator Gerard P. Craughwell: Hear, hear. Well said.

Senator Malcolm Byrne: We need to call out those members of the fifth column who are trying to operate within Irish politics. They have been getting away with it for far too long. They do not represent the Irish people. They are an embarrassment to the people of Ireland and they need to be called out.

Senator Vincent P. Martin: Today marks independence day for Bosnia-Herzegovina. In the reprehensible ethnic cleansing of the 1990s, Professor Brendan Simms described Ireland's performance and response at that time as squalid. Our reasoning for doing little or nothing was we would not be seen to level the killing fields. Doing little or nothing was justified by a predecessor of the Minister's in the Department of Foreign Affairs. Thus, the Bosnians were isolated. They had to defend themselves and their country. That conflict in the 1990s should have taught us the massive price of prevarication, inactivity and doing too little too late. Defending democracy is not for free. As the armoured tanks edge closer to Kyiv this evening, the EU must respond as best we can as a united community, unlike at the time of the horrors in Sarajevo. We must not be found wanting again. Let us support the cripplingly deep sanctions and be honest with people that they will cost us, but at least it will not cost the lives of men, women and children.

We must stop our dependence on fossil fuels. We must become energy secure. For the past century we have seen greed-driven wars being waged over the control of fossil fuels with innocent victims suffering by being deprived of fossil fuels as a result of war. Renewables are a force of peace. Spending money on fossil fuels destroys our world, including biodiversity. Spending money on Russian fossil fuels is akin to contributing money to buying Russian tanks.

The strength of our language in condemning the atrocious barbaric acts of Russia must be acknowledged and never taken for granted or belittled. However, words are not enough. In a biblical phrase, words satisfy the soul as food satisfies the stomach. However, it is not satisfaction that people want and it is not words. Actions speak louder than words. I take some solace from the EU acting together. There must be a day of reckoning for dictators such as Lukashenko and Putin. They must be held accountable and hunted down. Ukraine applied to the International Criminal Court to investigate Russian war crimes in Ukraine. On 28 February, the ICC prosecutor, Karim Khan, decided to open an investigation. People should face all the rigours of the law and be held to account. We must go further.

I am heartened by the contributions tonight and how we have made the differentiation that this is not the war of the decent Russian and Belarusian people. The Russian people in Ireland that I know are mortified, hurt, upset and embarrassed by the actions of a dictator. In the meantime, what is the reality? If the politburo does not remove Putin, we must do our best to call on the Russian people to put their lives in harm's way with a mass mobilisation of people. If that does not happen, we need to look at humanitarian aid like never before.

Before the invasion, I mentioned in the Chamber my concerns that Ireland was not supporting Ukraine in seeking EU membership. I brought that up informally with Department of Foreign Affairs officials. I still have not got an answer. It took an invasion for us to move on that. It did not take an invasion for Lithuania, Estonia, Slovakia, Poland, Croatia, Slovenia, Bulgaria, the Czech Republic and Romania soon to join them. That is called practical solidarity. Why was Ireland not one of those signatories in the declaration of the perspective to support Ukraine. The Ukrainians really wanted support. I have spoken to the Ukrainian ambassador on a number

of occasions. That would have been practical support. Why did it not happen sooner? We are not on our own and other big states are conspicuous by their absence. People feel it is because certain member states feared provoking the lovely President Putin. We must do more. I commend Poland. The EU should not face paralysis by always having to act together. One country can go ahead and still be in unison. Poland did not wait for FIFA or UEFA to say it would not play that team. Pope Francis and the Holy See took an amazing position by expressing concern over the war in Ukraine. It was an extraordinary papal gesture that has no recent precedent.

I am sure the Cathaoirleach will agree with me that RTÉ's Tony Connelly, Bram Verbeke and now Paul Cunningham and Owen Corcoran are putting themselves in harm's way to let us know what is happening in those countries. They deserve enormous thanks on behalf of the Irish people, as does President Zelenskiy, who is a modern-day Lech Walesa bringing his people together. We stand with him shoulder-to-shoulder in solidarity.

Senator Paul Gavan: The Minister of State is welcome. The images coming from Ukraine that we see on our television screens are heartbreaking, especially the distressing scenes of women, children and elderly people fleeing Ukraine. We can only imagine the many emotions Ukrainian people are going through right now. As I said earlier today, it is surreal to be witnessing what is day six of a war in Europe. All of us who value freedom, sovereignty and the right of self-determination of free peoples can only look on in horror at the actions of the Russian Government and its leader in embarking on the type of invasion that we have not seen in Europe for decades.

Of course, we have seen such acts of aggression around the world in modern times, in Iraq, Afghanistan and Palestine. On behalf of Sinn Féin, I extend our solidarity to the Ukrainian people at this desperate time. Ireland, more than most countries, understands the impact of occupation. We know the importance of sovereignty and the right to self-determination. We also understand the importance and difficulty in finding peace.

All of us are united in our condemnation of the actions of the Russian President. No country and its people should be subject to the kind of military aggression that is bringing death and destruction to Ukraine. What is critical now is that the international community, through diplomacy, brings about a peaceful resolution to stop this war. The way out of this, as with any conflict, is through politics and dialogue. As a militarily neutral state, Ireland has played an important role in peacekeeping and in the battle against nuclear proliferation. Now, as a member of the United Nations Security Council, we must do whatever we can to stop this war and ensure the right of Ukraine to a peaceful future as a sovereign independent state.

We must also use our role on the UN Security Council to bring about a speedy resolution to stop the war. Ireland must be a voice for peace, justice and freedom. We support the strongest possible sanctions against Russia as part of the diplomatic effort to stop this war. The EU is not a military alliance. Its strength is its promotion of democracy, the rule of law, human rights and peace. That is what we focus on, not further militarisation.

We support the decision by the Government to abstain on the EU using its money to pay for weapons for Ukraine. We support the decision of the Government to contribute via the purchase of protective equipment. What the Ukrainian situation is showing us is the need to focus on diplomacy, peacebuilding and the promotion of democracy, key values that we must not forget in the current situation. No one involved in this conflict should stand on a narrow ground of principles. Ceasefires should be immediately called and negotiations must begin to

resolve the issues that lie at the heart of this conflict. There is a way out of this. I believe that, as with any conflict, the way out is through politics and dialogue.

In the meantime, we must also step up our support for those displaced by this conflict. Ireland must play a full part in accommodating our fair share of refugees as part of a comprehensive EU response. I, like others, also want to acknowledge that there are many in Russia who do not want this war. We send to them our solidarity as they protest the unjust actions of their leaders. This war must end speedily and Ukraine's borders must be respected and recognised.

Senator Rebecca Moynihan: The images from Ukraine are quite shocking. I never thought we would be in a position where one neighbour would invade another's territorial borders in a modern Europe in 2022 in the way we have seen happen in Ukraine. As I said on the Order of Business the other day, there is a view that it appears to be the greatest act of aggression since the Second World War; it is not. It is worth remembering that in the 1990s we saw the breakdown of Yugoslavia and 100,000 of our fellow European citizens and other people on the border slaughtered. We also saw 8,000 people, primarily men, slaughtered in Srebrenica while UN peacekeepers stood aside. This is not as shocking an anomaly as it seems.

We also saw Russian aggression, including foreign policy aggression, in an intervention in Syria in 2015 to the extent that it turned the war around for Bashar al-Assad. Russian foreign policy aggression is happening not just in Europe but elsewhere, something that has been very evident to a lot of people over the past couple of years. We have seen the rise of Serb nationalism once again, backed by the Russians. Russia has made the argument for the annexation of Crimea and Donbas but, at the same time Kosovo, one of the youngest countries in the world, has not been recognised. That is the context we are in. This is not to engage in whataboutery, but the current situation is a consequence of Russian aggression that has been building up over the past number of years. It is worth putting that in that context.

The unlawful and wholly unwarranted invasion of a sovereign nation by the Russian Federation demands an unprecedented international response. We are at long last seeing significant financial sanctions being imposed by the EU on Russia. I agree that we also need a co-ordinated European response from other countries regarding expelling Russian ambassadors. That should not just be done in an Irish context; it needs to be done on a co-ordinated basis.

Ireland must show, even in its neutral stance, that we believe in a strong international law and human rights-led approach to these issues. We must show that we are willing to provide humanitarian assistance to the people of Ukraine. I very much welcome the statement from the Minister for Justice that she will waive visas for people coming from Ukraine or Ukrainian nationals, but we need to go further. People are fleeing and have refugee status, but are not necessarily Ukrainian nationals. They are living in Ukraine and suffering the consequences of this war but they are being stopped and turned away at borders. We need to extend the measures for Ukrainians to anyone living in Ukraine.

We also need to make sure that we are accepting national ID cards. Many people do not have, or have not been able to access, passports but in Ukraine people are used to using national ID cards. We need to bring them along.

The Minister knows that the Government has been working particularly hard with people who have arranged international surrogacy in Ukraine, but I have been quite distressed to read some of the newspaper reports over the past number of days that did not mention the women in

Ukraine who have given birth to those children or those who are pregnant or are having transfers in the middle of a war. Ireland needs to have an arrangement whereby someone who has arranged surrogacy with an Irish family can be flown to Ireland and have medical bills guaranteed, maternal healthcare and living expenses over here. We need to go further.

The Ukrainian currency is worthless at the borders where people are fleeing. People are on the borders of Moldova, Romania, Poland and Hungary. We need to make sure that we are shoring up the Ukrainian currency so that people who are leaving with cash in their pockets can use that money at the borders. We can do many things to help and stand in solidarity with the people of Ukraine that require very little effort from us. We will be taking part in international efforts, but we need to welcome people from Ukraine to this country, and not just waive visas but go much further.

I welcome this debate. We will have this debate for a number of weeks and months and, if places like Syria are anything to go by, we will be having this debate for years to come. We need to make sure that the eyes of the world are not just on Ukraine over the couple of weeks but over the next couple of years because ignoring Russian foreign policy aggression over the past ten to 15 years has gotten us to where we are today.

Senator Alice-Mary Higgins: Mention was made of which side people are on. Ireland, very clearly and correctly, is on the side of international law, humanity and peace. That is our record, and where we come in and add value in situations such as this. It is entirely consistent with that position that we express, directly and clearly, our solidarity with Ukraine, as Ireland has rightly done and as we will with a motion in the House tomorrow when we express solidarity with Ukraine and the Ukrainian people in the struggle they are facing.

We must condemn, resolutely and completely, Russian actions because they are in breach of international human rights law and the UN Charter. That charter, founded coming out of World War II with the goal of peace, specifically the very first line which states, “[T]o save succeeding generations from the scourge of war ... armed force should not be used, save in the common interest”.

When we talk about the choices we have, this is a key battle. It is not solely about Russia and Ukraine. It is also about whether we have an international politics of principles or move back to that imperial version of politics that is clearly part of the philosophy and agenda promoted by Vladimir Putin, namely military might decides everything. We had centuries of that.

I note with caution those who say this is simply about military might versus military might. We need to fight not in terms of the principle of condemning an occupation and military invasion, but also pushing back, with every international multilateral instrument of diplomacy that we have, including sanctions and other pressures, to say that we believe in the international rule of law and those instruments. In battling, we are battling for how Europe and the UN does things. That is why measures such as prosecutions in the ICC are going to be important. That is why diplomatic tools are so important. We have had these discussions previously and it is a little frustrating because we have talked about sanctions being a problem in other contexts. I agree with sanctions as a tool of diplomacy, a hard tool of diplomacy that must be used. It is appropriate that sanctions are used in this circumstance.

It is also important we push for the humanitarian issues. I do not think it is a small thing to give protective equipment or medical aid. It is a really important, if not vital, thing. It is vital

for the signal it sends in terms of what we believe is acceptable with regard to how people are treated and what people suffer. It is an important thing.

When we talk about demilitarisation, I would point out that we have all been shocked to see the cluster munitions that seem to be falling on Ukraine. I was in Croke Park, representing Trócaire as part of the cluster munitions coalition, when Ireland led the negotiations for a ban on cluster munitions. Such munitions used to be commonplace and were used everywhere, but now Russia, as a nation, is flouting international law by using them. The fact is we used our powers of diplomacy to make them unacceptable on a wider scale and that is an example of where Ireland has made a huge difference in the context of saving lives.

To return briefly to the sanctions, it is appropriate we take strong measures. Indeed, I would argue they are measures we should be using in other contexts as well. The SWIFT measure is very important and I support it. It needs to be done. However, we must try to ensure it is done in a way that has maximum impact on the Russian regime while also seeking to protect ordinary Russians. While we have the SWIFT sanctions on banking, we see that the very wealthiest oligarchs get to move their money around through places like the IFSC, as they have been doing and as has been pointed out to the Irish Government for the past year and a half. A total of €34 billion is held by Russia-linked shell companies in the IFSC. The section 110 companies that were debated in these Houses previously must be tackled. In that context, I urge that we do not simply look to the banking system but also to our role and complicity in relation to Russian and Saudi money. Showing we are willing to act on this shows not that we are willing to rattle sabres but to rattle shareholders and stock markets if that is what is required to uphold the principles of international law.

Senator Paul Gavan: Well said.

Senator Eugene Murphy: The invasion by Russia of Ukraine's sovereign territory and its attack on the Ukrainian people is an outrageous and immoral breach of the most fundamental and basic principles of international law. Our thoughts are with President Zelenskiy and the innocent people of Ukraine in their most difficult hour and hours to come. It is saddening to watch as the might of Russia closes in on another city. Russia is warning the people to get out. It is blowing up buildings in the middle of the city, killing people. It is just unacceptable.

The UN Charter requires all countries to refrain from the threat or the use of force against the territorial integrity and political independence of any state. To a small country in particular, the use of brute force in pursuit of a warped perception of national interest is a serious affront. It has presented Europe with the most grave security situation it has faced in decades, with repercussions for global security and the world's economy. It cannot and will not go unanswered. I believe that at the end of the day, while a lot of damage will be done, Mr. Putin will fall on his sword.

I am somebody who gives out a lot about social media, but thanks to social media, everybody knows about the brutality that is happening in the world. The world is disgusted at what the Putin regime is putting the people of Ukraine through. We all thought those days had gone. We thought when Gorbachev arrived that Russia had changed. I meet many Russians every year. Many of them run businesses now and have become western people in many respects. They are not going to tolerate this for long. They will rise up against this man and, at the end of the day, they will have a major say in bringing this horrible situation to an end.

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This aggression by Russia will cause untold hardship and tragedy for people of Ukraine and the Ukrainian Government. It is so important that nations like Ireland and all of Europe stand firm, as they are doing now. One has only to look at the bravery of the Ukrainian people, men, women and children. There is also the sad side, like the picture on social media of a little girl in one of the hospitals in Kyiv, drawing at a table in a bunker with lots of other people. The innocence of that little face makes one wonder how many innocent little faces are going to be gone in the next few hours, days or weeks.

I commend the Government on the way it has handled this to date. Ireland is at the forefront of efforts across the UN to bring an end to this conflict and to hold Russia accountable. Humanitarian assistance for those who need it is one of our primary objectives. At the UN Security Council, where Ireland currently has a seat, we are pushing very strongly for a resolution on humanitarian access. Russia's veto cannot silence condemnation of Russia's actions. Ireland has supported the convening of an emergency special session of the UN General Assembly and will also push for a strong and robust General Assembly resolution. As we all know, the EU has agreed a package of €500 million in military assistance for Ukraine, with €450 million for lethal equipment and €50 million for non-lethal supplies. Ireland did the right thing in abstaining on the lethal equipment package. Of course we will pay our full share but Irish funding will go to non-lethal items.

Ireland is also providing €10 million in humanitarian aid to Ukraine. The next big problem coming down the line is the humanitarian fallout from this conflict. The number of people who will be in difficulty will be enormous. Millions will flee to other countries and we must accept as many Ukrainians as possible into this country. I feel very strongly about that. We must help out and the Irish people will do so. I have my own view on the Russian ambassador and have issued a strong statement saying he should be sent home, for now. That said, I understand what the Minister has said about keeping diplomatic channels open. However, I read in *The Irish Times* today that there are 32 officials at the Russian embassy here in Dublin and I would send 26 of them packing straight away. It is an extraordinary number of people and any work that is going on in that building should be stopped straight away.

Like many others, I am saddened and shocked. I stand with the Ukrainian people. This is a very sad time for us all and we may be facing very challenging times in the months ahead.

Senator John McGahon: The drums of war are beating across the European continent once again. Death stalks the land once again and things will be totally and utterly different from now on. Things will not be the same as they were just a number of weeks ago. There can be absolutely no legitimate return for Vladimir Putin to the world of political respectability after this is finished. He must be treated as an outcast and he must be confined to the same depths of depravity as the other dictators who haunt our history. An attack on a democratic and sovereign nation is an attack on all of us. It is an attack on everybody who believes in freedom and the democratic right of a nation to set and chart its own course.

Ukraine cannot be left orphaned by the West. That is why I believe that in the short to medium term, we should be seriously considering and supporting its accession to the EU. We should also be supporting its application to join NATO. I have seen some of the comments about NATO warmongering and aggression. God forbid that small countries on the doorstep of a sleeping Russian giant want to come together and have a bit of shared, joint protection in the face of unwarranted Russian aggression. The events of the last few days have certainly proven that. Indeed, over the course of the last week, Putin has fostered more unity among the

democratic nations of the world than in the last 20 years. His legacy on Ukraine will not be the legacy that he determined. His legacy will be a more united and stronger European Union and international community. That is what his legacy will be after his attack on Ukraine. There can be no complacency when it comes to Russia from now on. It has shown its hand. Putin has been backed into a corner, and he is perhaps more dangerous than ever before because he has been backed into such a corner by the international community. I believe the reason that this is happening is because Putin cannot let Ukraine be a success story on his doorstep. He cannot let Ukraine be a democratic success story. The one way he will be toppled in his own country is when the Russian people start to notice that a country like Ukraine is having free democratic elections and ask why Russia cannot do the same. That is why Putin is in Ukraine today. He is there to protect his own political capability in Russia. We, and the world, must stand up to his aggression.

Senator Aisling Dolan: We must be clear that the Irish people and the Irish Government condemn Vladimir Putin. It is not just that. There is a war on democracy. Democracy in countries around the world is failing. Ukraine, as a democracy of 40 million people, is being invaded and attacked. Increasing sanctions have been introduced. I know, through the Minister, that aid has been offered to the Ukrainian people. However, that has not stopped the aggression. We have to be more extreme in the sanctions taken and in locking Russia out of every single aspect of life so it cannot take part. We see it in the world of sport and in other areas. It must be made clear that it is unacceptable for Russia, in its current form as a country, to participate in global politics, in the world and in the economy at large. We must ensure that the countries Russia deals with, such as China, step up strongly to help us with peace talks.

Today, Russia is increasing its bombardment of the towns and cities of Ukraine. We have seen over 600,000 people flee. This is happening in our time. The Second World War is in living memory. Is this what we are going to face and what is going to come across our doorsteps every 80-odd years? What are we going to do for the next generation? What stand are we going to take? I know that we are doing our utmost to support the Ukrainian people. We will be doing more to provide humanitarian aid and to help those who come to our doors looking for assistance. My heart is with the people in Ukraine today.

Senator Martin Conway: I welcome the Minister of State to the House. I am aware of his own personal commitment to this issue from the meeting of the British-Irish Parliamentary Assembly yesterday, and so on. What is happening in Ukraine is quite appalling. However, we must remember that what happened in Georgia in 2005, and in Crimea in 2014, was appalling. Yet, the world stood by and allowed Vladimir Putin to get away with what he did in Crimea. I must ask why we are letting him get away with it now. Yes, we are introducing sanctions, and very punitive sanctions, but if Putin invaded a NATO country, Russia would be invaded back. Ultimately, it does not matter, in my view, whether Ukraine is a member of NATO. It is a democratic country in Europe. Eventually, we are going to have to go in and take Putin on. As dangerous, difficult, challenging and frightening as it is, the world is going to have to take this man on. If he gets away with what he is doing in Ukraine, it will be Romania or some other country next.

Like everybody else, I stand in solidarity with the poor people in Ukraine who are fleeing their homes. I think of the people in Ukraine with disabilities, including adults with disabilities and parents of children of disabilities. We see the pictures on the news of people in railway stations trying to get on trains. Unfortunately, in these cases it is a case of survival of the fittest. We think of what happened in Germany in the 1940s under Hitler and the Nazis. It is the

poorest and the most vulnerable, the people with ailments and disabilities, who are left behind. Unfortunately, they are the people who are not mobile, who cannot run and who are not in a position to evacuate themselves and flee. In my view, the world has questions to ask itself. We are at a pivotal time and we must take more decisive action than we are taking currently. Clearly, what is being done at the moment is not working.

Senator Barry Ward: I join other Senators in expressing my abhorrence at what is happening in Ukraine. It is obvious to see. I am tremendously proud of Ireland's reaction. I would say we are hamstrung on one level because of our military neutrality and non-alignment. That is actually appropriate. I do not want Ireland to shed its military non-alignment. It is a tremendously important part of our polity. Looking at what Ireland has done to respond to this and the tangible actions taken, for starters, sending a very clear message to people in Ukraine that they are welcome here is an incredibly important gesture. I had many conversations with the Minister for Justice over the weekend about what that means. It has already been mentioned in the debate that people will be able to access Ireland even if they do not have a Ukrainian passport. A driving licence will suffice. These are important and tangible measures that show the depth of feeling in this country for the people of Ukraine.

I have the privilege of being counsel before the International Criminal Court, ICC. I particularly want to acknowledge the steps taken by Karim Khan as prosecutor of the ICC, which made a very clear statement of the ICC's intentions in terms of Russia and Belarus. I am aware that the Minister mentioned it in the course of his remarks. I praise the Lithuanian Prime Minister for taking the step of making a complaint to the ICC so that it can begin an investigation. There should be nowhere to hide for Putin and his allies, and Lukashenko and his cronies. They must have nowhere to go when the violence ceases - and it will cease, eventually. The question is how many people are going to die before that happens. How many communities and lives will be destroyed before that happens? Whatever happens, those people who are involved in it must understand that there will be nowhere for them to hide when it comes to an end.

The question of where Ireland stands was asked already in the course of this debate. To my mind, there is absolutely no doubt about it. I am astonished by how some people have used this crisis as a political point-scoring opportunity. One Senator made a speech today that was used really to needle at the Minister of Defence about defence spending, which has nothing to do with this debate. The Senator asked if Ireland is on Russia's side. That is an extraordinary comment. Last week, I took part in a radio debate against a Deputy from another party, People Before Profit, which one academic has renamed "Putin Before People". The Deputy essentially blamed the situation on NATO. I am not an apologist for NATO, but this is the fault of nobody but Vladimir Putin. It is about his greed and his avarice for power and domination. That is what is at the heart of the matter. No blame should be apportioned to the Ukrainian people or any other group.

I am very proud of the steps Ireland has taken so far. I wish the Minister well in the enormous work that comes from now, particularly in relation to our role on the UN Security Council. I commend the Minister on his work to date. Let us keep up the good work.

An Leas-Chathaoirleach: I call the leader of the Irish delegation to the Council of Europe, Senator O'Loughlin.

Senator Fiona O'Loughlin: I thank Leas-Chathaoirleach for giving me my full title. I thank the Minister, Deputy Coveney, for being here to listen to our concerns. We are talking

about two men here. Putin is a bully, a thug and a warmonger. At the other extreme is President Zelenskiy, who spoke so movingly to the European Parliament today. He made it very clear in a heart-rending speech that today will be many people's last day on this Earth in their homeland and country. That is a very true and striking statement that cuts to the heart of this. He has demonstrated incredible leadership to his people and bonded people like never before. We can clearly see people trying to escape from their homeland but we saw equally heartbreaking scenes from Dublin Airport as young Ukrainian men leave our country, where they found a safe haven, to go back and fight for their homeland.

We have been witnessing the scenes in Ukraine unfolding on our television screens, newspapers and our phones and they are absolutely heartbreaking. There is no doubt we cannot stand by idly and, to be fair, we have not. Everything that can be done has been done to build bridges with Russia and it is clear diplomatic actions have absolutely failed. That is very regrettable. The actions by Putin and his tyrannical cronies must be called out for what they are, which are breaches of international law. If this morning's reports of the cluster bombing are accurate - I have no doubt they are - there is absolutely no doubt that war crimes are being committed. We all thought the days of war and warmongering were behind us.

I agree with previous speakers' comments about our precious neutrality, which is important to us. We are at the heart of one of the world's most successful peace organisations in the European Union and as a nation and people, we know the strife of conflict. We know the results and heartbreak caused for generations afterwards. We have experience of conflict on our island and we want and need to see every measure being taken to support peace and the rule of law. There is no doubt that Europe will be fundamentally weakened if we do not stand up for our core beliefs in democracy, the rule of law and human rights. We must be definite and definitive in our actions.

Last Friday, on behalf of the Irish delegation to the Council of Europe, we had a very long meeting with our ambassadors on the question of suspending Russia's membership of the Council of Europe. It was unanimously voted through. I am really proud to see my colleague, Mr. Billy Kelleher, MEP, taking such a strong stance in the European Parliament, calling out the Russians and supporting Ukraine. I am proud of the response of our Government in waiving visa requirements and offering Ukrainian people refuge in our country.

I have had a number of conversations with different people on different sides of this. Today, I met Mr. Anton Krasun, a Ukrainian man who has lived happily here with his wife for over 12 years. His family was caught in the crossfire, and his 73-year-old father and his mother had to flee, mainly by foot, to Poland. We are thankful they arrived here safely on Sunday.

I met Olyesya on Monday when I had a special afternoon just for the Ukrainian community in Newbridge to see how we could help them. Olyesya's mother does not want to leave her country, which I understand, and her twin sister was torn between leaving her mother and husband and bringing her two children here. I am thankful that they have a flight booked for Thursday to come here and stay with their family.

I had conversations with Zenya, a member of parliament in Ukraine, who has sent me videos from the bunkers where she is. Her husband is away fighting and she has not seen him in six days but she knows he is okay.

I think of a conversation with Vladimir, a Russian member of the opposition. I met him

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in Strasbourg in late January, when he told me his wife and children had to move to America because they were not safe. His life was also in danger. I have reached out to him several times over the past week but I have not had any contact; I hope he is okay because I am very concerned about the good Russian people who are against this invasion.

I welcome the application by President Zelenskiy for immediate membership of the European Union and fully support it in that regard. We must stand in unison and shoulder to shoulder with Ukraine. We must offer every protection available under international law to the country and President Zelenskiy.

An Leas-Chathaoirleach: I understand Senator Ahearn is sharing time with Senator Lombard. Is that agreed? Agreed.

Senator Garret Ahearn: I welcome the Minister to the Chamber. I have been listening to debates in this Chamber for over a year and a half and I have heard some strange comments in that time but I struggle to think of a more daft comment than what I have heard from one Senator tonight. I do not know if the Minister was here when it was said. The question was put as to whether Ireland is on Russia's side. These sorts of comments are infuriating when we are trying to have a conversation about supporting and protecting a vulnerable country. In fairness to Senator Higgins, she put it very well when she said Ireland is on the side of humanity. That is what the European Union is doing and it is why decisions were made today at Cabinet, such as the waiving of the requirement for visas for people from Ukraine. This effectively means we are treating these people as if they are EU citizens, which is really important. It demonstrates what Ireland wants to do.

I have two questions that the Minister may be able to answer. We are to allow Ukrainian citizens into Ireland and treat them almost like EU citizens. They will be able to work for up to a year and possibly three years. If Ukrainian citizens are already here and their visas are terminating, under normal circumstances they might have to go back to Ukraine, so do the new provisions apply to them as well?

Deputy Simon Coveney: It does, of course. Nobody is going back to Ukraine.

Senator Garret Ahearn: Yes. If Ukrainian citizens who are also Irish citizens want to leave Ukraine but are male and aged between 18 and 60, how does the Irish State deal with that?

I listened today to Ms Adi Roche, who is from Clonmel and an expert in matters relating to Chernobyl in Ukraine. She said Ireland will never leave people behind when it comes to humanity and protecting people. I commend the Minister and the European Union on the work they are doing with this.

Senator Tim Lombard: I welcome and acknowledge the Minister's statement earlier this evening in the Chamber. It was a very powerful statement of the way we are going with this unfortunate crisis that we have experienced in the past six days. It is hard to imagine that six days ago this war was inflicted on the Ukrainian people. In many ways we are watching this war from Ireland on social media and our access to such media has made very obvious the pain that the Ukrainian people are experiencing.

Last Monday I met a delegation in my office in Bandon of perhaps eight or nine people from Ukraine. There are over 200 people in Bandon from Ukraine, and they work in the many factories we have there. There is a great fear among them. Some of them are going home to

fight and some have Ukrainian nationals coming to them on Friday afternoon through Dublin Airport. These people were deeply concerned about passports, visas and social welfare and this afternoon's announcement from the Cabinet is really helpful in that respect. In many ways it has answered the questions put to me on behalf of the Ukrainian people in the Bandon area about how they will survive and operate over the next couple of years. It is a really important and brave step from the Irish Government.

We have also seen a really positive and brave step from the European Union in the past six days in particular and the strength demonstrated by the Union is unique. It must be recognised that the sanctions it has brought to bear on Russia are something we thought the European Union would not have the power to do. It has proven us wrong and it brought forward a line of monetary and airspace sanctions, along with other initiatives that have really helped the cause and put out the message that we are really behind the Ukrainian people. This is literally our war. We are all involved in one way or another. I have seen myself that there are Ukrainians living in every parish in this country. There is a connection to all of us. We need to support them. I compliment the people who are raising money and gathering food to help the Ukrainian people. That is happening everywhere today. That is a sign of what the Irish people view as their mandate to help the Ukrainian people in their hour of need.

Today, we have seen a major step forward at Cabinet, which we hope will help Ukrainians on the ground, but the longer-term issue is how to deal with a dictator in Russia. The Minister and other Members of the European Council have to work on ensuring we have an answer to that question.

Senator Timmy Dooley: I welcome the Minister to the House, and recognise and thank him for the leadership he has shown on this particular issue on behalf of the Government and the people. Many striking issues arise from this outrageous act of barbarism perpetrated by an evil thug. One of the most striking is that we did not really see it coming. Notwithstanding the best available intelligence, the international community felt that it was a bluff. That outcome was designed and delivered through the way in which information was provided through various different sources by the Russian Federation. It was about presenting the idea that it was strengthening its army, training and doing various manoeuvres while it clearly had a strategy and plan all of the time. It is really disturbing that it did this before our wide-open eyes. However, it has happened and we now have to react.

I recognise the role the Government played in working behind the scenes to make the package of sanctions really effective. The work the Minister and the Taoiseach have done in recent days has not gone unnoticed at European level. As others have said, the sanctions are biting. When we consider the extent to which the rouble has been devalued and the efforts the Russian Federation is deploying at a financial and economic level to try to shore up its currency, it can be that it is fighting a rearguard action that I suspect it did not expect. The removal of some key banks from the SWIFT system has been really effective. We have to keep that up and go much further.

The Minister has rightly identified a way of addressing our military non-alignment. However, there is a debate to be had on that, although it is one for another day. I know that debate is opening up from listening to Joe Duffy. I happened to be in the car both yesterday and today when that debate was ongoing. There are people who quite frankly cannot understand our position of being non-aligned militarily. We need to have that debate as a people at another time. That purpose would probably be best served by a citizens' assembly, or some other format, in

due course.

For now, it is about doing everything we can. We are leading the way at European level on that. The Minister has talked about the purchase of helmets, blankets and various other elements to fuel the machine that is driving the resistance. All of that is good stuff. However, we have to move to the humanitarian aspect. I acknowledge that the Government, through the Minister's Department and the Department of Justice, is working on a programme to work with the refugees when they come. The Minister will get a lot of support from Irish people on that. I was at Shannon Airport late on Sunday night to meet a family who have contacts in the region and who were coming from Poland. I have seen the reaction of people on the ground. They want to help. While I was waiting for my speaking slot, I received a text from a woman saying that she is not going to stand by. She has a room in her house and wants to take in a family. There is a lot of goodwill and I hope the Government, through the NGOs or some other means, will be able to harness that enthusiasm and desire to help.

Many different communities are taking up collections at the moment. However, it is worth pointing out that the relief agencies and NGOs are saying that what they want is money rather than equipment. I know people are really trying to make an effort and have the best will in the world but, with money, the necessary goods can be purchased rapidly on the ground rather than having to truck equipment from Ireland to the front line. The Minister will know better than most that there is a humanitarian crisis along the borders of the countries that are most affected as refugees come across from Ukraine. We have to play our role in providing the appropriate funding in that regard.

All the words of condemnation of Putin are for naught; it is now about action. I have every faith in the Minister, his Department, the Minister for Justice and the Government in general to put in place a package of measures that will be embracing and in tune with where the Irish people are at. They want us to do everything we can to ease the suffering of these people. The Minister rightly identified in reply to another Senator that many of these people will not be going home anytime soon. Sadly, many of the women and children who will come here will not have a home to go back to. The sad reality is that their sons, husbands and partners will not be there when they go back. As they leave to cross the border, it is most likely the last time they will see many of them. That is the striking reality. The Irish State cannot be in this for the short haul and I know we will not. The Irish people will want us to make these people a home in Ireland, where they will become valued members of our community. We have to work with education partners, social partners and everybody else to make them as welcome as possible. There is never a happy ending to war. Sadly, as we see mothers and children coming through, we know there will unfortunately be no happy ending for them.

Minister for Foreign Affairs (Deputy Simon Coveney): I apologise to Senators for having had to leave for approximately half an hour during this debate. I assure them it was for a good reason relating to some of our consular interests in Ukraine. We are trying to work with families involved in very complex surrogacy cases in Kyiv at the moment and to put in place arrangements for them, which is very challenging in these circumstances.

I will respond to a number of issues. I was not here for the contribution that some Members have spoken about but, to make it clear for anybody who has not been listening to what we have been saying for the past week or so, Ireland is on the side of Ukraine and we are unapologetic about that.

Senator Vincent P. Martin: Hear, hear.

Deputy Simon Coveney: We are on the side of international law, the UN Charter, peace, European values, democracy, the rule of law and European solidarity with other countries around the world in the face of horrific Russian aggression. That is what we are on the side of. If people choose to try to undermine that message or not to work with us in sending a clear message to people in Ukraine who are literally fighting for their survival and the future of their families and country, that is up to them, but I have been very clear on this issue. This is not an issue of neutrality. Ireland is militarily non-aligned and have been for many years. However, neutrality in Ireland means that Ireland chooses when to intervene in conflicts to bring about peace and stability and we choose to intervene in this conflict now. It is a one-side conflict for which one side bears all responsibility. I am sick of hearing people trying to create equivalence with other conflicts in other parts of the world or trying to find some excuse that somehow blunts the message and suggests that this is somehow all because of NATO expansion and legitimate Russian security interests. That does not stand up to scrutiny. If the Baltic countries of Lithuania, Estonia and Latvia are asked why they joined NATO, they will tell say that they did not do so because they wanted offensive capacity or to threaten Russia. They joined NATO because they wanted defence and security for their own countries because they feared Russia from the east. NATO is primarily a defence pact in Europe. There is an idea that NATO has somehow been strategically creeping east to challenge or undermine Russian security but that is not what NATO is about.

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NATO is about defensive capacity. Understandably, because of their history with Russia, people fear the kind of brutality we are seeing in Ukraine right now. It is something I never thought I would see again on the Continent of Europe in my lifetime. A global military super-power is effectively trying to brutalise a neighbour into submission for whatever twisted reason it is using as a justification. There is a legitimate debate that Russia needs to be part of Europe's security as a continent, which is a different issue. That is not what this is about. This is about Russia trying to forcibly inflict its will on a country that is looking away from Russia, towards a different way of life that is based upon what we enjoy in the European Union. It is far from perfect, but it is based on democracy, free speech and a value system that allows people to live the lives they want to live. That is what the vast majority of Ukraine's population wants. We have seen that in recent elections. Russia wants to prevent Ukraine from accessing and developing that way of life.

We need to be clear with our messaging. We need to be part of a united effort to isolate Russia on this path and to continue to offer a channel of communication and diplomacy, as a way of ending this madness and looking to resolve legitimate concerns through politics and diplomacy. It is not easy, but it is a hell of a lot better than what we are seeing at the moment. In the meantime, we have an obligation to do everything we can to help the Ukrainian people to defend themselves, their country and their families. That is what we are doing in the context of the European peace facility, about which I know there have been many questions. In case there is any misunderstanding, Ireland is making its full contribution to that, as is France, Germany and every other country in the European Union. We are making our financial contribution to the element of the package that is non-lethal. It is equally legitimate and important to provide helmets, flak jackets, fuel, medical supplies and all of the other supplies that the 16- and 17-year-old young men who are being sent to the front to face oncoming tanks can use to make themselves just a little safer.

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The sanctions package is about trying to impress on Russia as a country that we cannot accept and live with what Russia has decided to do. Until it changes course, we will isolate it and make life as difficult as we possibly can for a country that we would much rather have a completely different relationship with. It has decided the terms and Europe is responding in a way that has shown a level of determination and resolve that many people questioned the European Union was capable of showing. I have been in politics for 23 or 24 years, as have others in this House, and I have never seen the European Union in this mode before. Germany turned its foreign policy on its head overnight. We see countries across the European Union that have different histories and relationships with Russia coming together to unite behind a focused message and a strong package of sanctions, which will get stronger in the next few days. In four days, we have had three sanctions packages from the European Union and we will probably have a fourth package to add to it to continue to send clear, strong, firm messages.

Unfortunately, it appears the Kremlin only listens to powerful, forceful messages. It sees everything else as weakness. Chancellor Scholz made genuine attempts to reach out and find alternative solutions through diplomacy and compromise. President Macron reached out. Even yesterday, President Macron had a conversation with President Putin, trying to find alternatives to war. Europe will continue to reach out, both through back channels and direct conversations, to try to bring an end to this madness.

In the meantime, there is a country that desperately needs our help and it will get it. We will see a humanitarian challenge unfold, of a scale which Europe has not seen in a very long time. The conservative estimates are that we will see about 1 million Ukrainians cross the border if the conflict ends relatively soon. The UN suggests that the figure could be as high as 4 million. I was asked today what that means for Ireland and I gave an honest answer. I said that we are trying to share the burden across the European Union and to ensure every country plays its part. Ireland will not be found wanting. The allocation key for Ireland is normally 1.92%, so if there are 1 million refugees, 20,000 people would come to Ireland. Approximately 4,000 Ukrainians have taken up Irish citizenship over the last 15 years or so. Another 2,500 or 3,000 Ukrainian citizens are in Ireland, living, working, studying and so on. They will want to bring their extended families, connections and so on here. We are looking at significant numbers. The Ministers for Justice and Children, Equality, Disability, Integration and Youth, Deputies McEntee and O’Gorman, respectively, are looking at ways to do that with the generosity that is needed.

Do not be under any illusions. There is huge uncertainty here. There are no norms with a war of this scale. We will have to change our approach, be more flexible, act quicker, allocate money that was not budgeted for and play our part in this war in Europe where Ireland is not neutral and is not going to be neutral. Our focus will be on humanitarian response and responding to the questions of impunity regarding breaches of humanitarian and international law. That is why we will be so forceful in our support of the International Criminal Court and other mechanisms that can hold to account the people who are responsible for the war crimes that are being committed.

These are extraordinary days. History is unfolding. Europe is changing. In my view, this will change Europe permanently with regard to political relationships, strategic security alliances and the way that Russia is perceived by the European Union and how we respond to it in the future. We will have a debate in this country as we move past this, which we hopefully will, about what implications it has for Irish foreign policy. For now, let us be as helpful as we possibly can be to a country that is on its knees and fighting for its survival. Let us be gener-

ous. People around the country are asking how they can help. Adi Roche put it well today when she said we should financially support credible international organisations that already have a footprint and mechanisms to get products in and out of Ukraine and to support people. Those include organisations such as the International Red Cross and other UN organisations and NGOs that have the capacity to do that. Even though people are very well-meaning, what is not needed is thousands of small packages arriving in Poland to be managed by who knows.

For now this is about supporting organisations that we know can get the assistance to where it is needed quickly. Believe me there will be a lot to do for the Ukrainians who chose to come to Ireland to make sure they feel safe and welcome here in the days, weeks and months ahead.

I thank Senators for the opportunity to speak to the House. I am sorry I missed some of the contributions but I suspect we will be having many more of these debates in the days and weeks ahead. If Members have issues they wish to raise with me they should feel free to do so directly. This should not be a party political issue. The decision by People Before Profit to introduce an amendment to a motion we put before the Dáil this evening is just really unfortunate. It is completely unnecessary. I deliberately insisted on a motion that was not controversial in terms of any of the political issues around this so that people could get behind it and send a clear message. People have decided not to support that approach and that is regrettable given what is at stake. I do not suspect any such division in this House when Members decide to vote on the motion tomorrow hopefully, or I should say not to vote but to agree the motion either tonight or tomorrow.

I thank the House for the opportunity to respond to some of the issues that were raised.

An Leas-Chathaoirleach: I thank the Minister. I also thank colleagues for the number of Members who took part and stayed to ensure this was a very good debate. The gravity of this situation is very clear and the response of Members matches the situation we are in.

When is it proposed to sit again?

Senator Tim Lombard: Tomorrow at 10.30 a.m.

Cuireadh an Seanad ar athló ar 9.12 p.m. go dtí 10.30 a.m., Dé Céadaoin, an 2 Márta 2022.

The Seanad adjourned at 9.12 p.m. until 10.30 a.m. on Wednesday, 2 March 2022.