

DÁIL ÉIREANN

AN ROGHCHOISTE UM GHNÓTHAÍ EACHTRACHA AGUS TRÁDÁIL, AGUS COSAINT

SELECT COMMITTEE ON FOREIGN AFFAIRS AND TRADE, AND DEFENCE

Déardaoin, 13 Iúil 2017

Thursday, 13 July 2017

Tháinig an Roghchoiste le chéile ag 12.15 p.m.

The Select Committee met at 12.15 p.m.

Comhaltaí a bhí i láthair /Members present:

Teachtaí Dála /Deputies	
Seán Barrett,	
Seán Crowe,	
Darragh O'Brien,	
Maureen O'Sullivan.	

Teachta/Deputy Brendan Smith sa Chathaoir in the Chair

Framework Agreement between European Union and Republic of the Philippines: Motion

Chairman: I welcome the Minister of State, Deputy Ciarán Cannon, and his officials and invite him to make his opening statement.

Minister of State at the Department of Foreign Affairs and Trade (Deputy Ciarán Cannon): I thank the Chairman and members for giving me the opportunity to discuss the motion referred to the select committee for consideration. The motion Dáil Éireann has been asked to approve reads:

That Dáil Éireann approve the terms of the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and the Republic of the Philippines, of the other part, signed at Phnom Penh, Cambodia, on 11 July 2012, a copy of which was laid before the Dáil on 1 June 2017.

The main objective of the agreement is to provide a framework for a strengthening of the bilateral relationship between the European Union and the Philippines. The agreement will provide for comprehensive and wide-ranging dialogue between the European Union and the Philippines, including co-operation in a wide range of areas such as trade and investment, human rights, development, civil society, disaster management, energy, tourism, the environment, asylum and migration, science and technology, as well as maritime and aviation transport, agriculture and health. It is also, of course, expected to benefit the people of the Philippines and the Philippine economy.

There are no bilateral agreements between Ireland and the Philippines. Our political, economic and cultural contacts with the Philippines have increased in recent years and the potential to expand further. For many years Irish missionaries have taught in schools and worked in parishes across the country and although their numbers have dwindled, their vital work continues today. In recent years there has been a considerable increase in the number of Filipino citizens living and working in Ireland, particularly in the health sector. Some 3,500 Irish citizens identify themselves as Irish-Filipino. The Irish community in the Philippines is small - approximately 500 - and they work predominantly as missionaries and, more recently, in sectors which include ICT and telecoms, construction, renewables and energy.

Our bilateral trade with the Philippines has increased in recent years. In 2016 total merchandise trade was valued at €257 million, with exports and imports being of almost equal value, at €134 million and €123 million, respectively. In 2015 total services exports were valued at €169 million. The beef industry has been particularly successful in recent years in accessing the Philippines market. In 2016 we exported over 14,000 tonnes of beef to this market which has a population of over 102 million. Ireland also provided funding and supplies worth more than €3.5 million in the aftermath of Typhoon Haiyan-Yolanda. A team of Irish Aid technical experts visited in December 2013 to conduct a needs assessment. The former Minister of State, Deputy Joe Costello, visited in March 2014 to evaluate programmes supported by Irish Aid, and members of this committee visited the Philippines later in the same year.

We need to build our profile and reputation in countries with which we do not have long-standing historical associations. Strengthening our bilateral relationships with such countries is all the more important as we adjust to new political and commercial realities in the run-up to Brexit. This is reflected in the Government's commitment to deliver a new cross-sectoral strategy for the Asia-Pacific region, and this is under development.

That said, the EU, including Ireland, has expressed strong concerns about the deterioration in the human rights situation over the past year, including extrajudicial killings associated with a so-called war on drugs and the possible reintroduction of the death penalty. The partnership and co-operation agreement is based on a commitment to promoting respect for democratic principles and fundamental human rights. It will introduce a framework for a human rights dialogue with the Philippines, which will provide a forum for discussion of these concerns with the authorities there. The agreement also addresses issues in the area of money laundering, illicit drugs, organised crime and combating terrorism.

This agreement is the first between the EU and the Philippines since the 1980 EC co-operation agreement with the Association of Southeast Asian Nations, which has served as the primary legal framework for Philippines-EU relations until now. As the agreement is a mixed competence agreement, it must also be ratified by all EU member states as well as by the European Union. Ireland has signed but not yet ratified the agreement and is one of only two member states, the other being Greece, that has not yet completed the necessary ratification procedures. It is important that Ireland makes the necessary arrangements to ratify the agreement as it will not enter into force until the first day of the month following the date on which the last party has notified the others of the completion of the legal procedures necessary for this purpose. The Philippines has signalled its intention to ratify the agreement by August 2017. If Ireland is the last EU member state to ratify the agreement, this will be the final impediment to the agreement's entry into force. The agreement was signed on 11 July 2012. It was endorsed during the plenary session of the European Parliament on 8 June 2016.

I again thank the committee. I hope this motion will meet with the committee's approval and that Dáil Éireann will approve the terms of the agreement in order that Ireland can proceed to ratify it very soon. I am willing to take questions at this point.

Chairman: I am glad the Minister of State referred to the concerns on the human rights situation. The possible reintroduction of the death penalty would be a reprehensible and objectionable idea. The EU and the Irish Government need to make that position very clear and continue to make it clear.

It was our colleague, Deputy Maureen O'Sullivan, who arranged for Fr. Shay Cullen to make a presentation to Oireachtas Members. It was a powerful presentation on the ills, vices and terrible injustice in that society. He highlighted a number of issues of which all governments need to be conscious and the terrible plight of so many people, in particular the exploitation of young people and children. These are issues that all of us must bear in mind at all times in regard to the Philippines, while trying to help the situation of the underprivileged in that country.

Deputy Darragh O'Brien: I would like to be associated with the comments of the Chairman in congratulating the Minister of State on his appointment and I wish him all the very best. I know this is the first of what will be many visits to this committee, given his other areas of responsibility.

I have a general question. We dealt with another framework agreement for Mongolia recently. Ireland was the last or the second last in Europe to ratify that agreement and we are again second last in this regard. That is not a criticism and I am wondering whether this is a resource issue or a procedural issue. Why is it that Ireland and Greece are the last two countries in the EU to get to this stage?

In one respect, that is not necessarily a bad thing and I do not think we should rush the

fences. I note we have a substantial Filipino population in Ireland and they play a very active part in the community here. However, over the course of this framework arrangement being negotiated, we have seen quite substantial changes in the Philippines, in particular around the extrajudicial killings and the comments of its President, whose regular public comments nearly incited people to take the law into their own hands with regard to suspected drug dealers. There are vigilante gangs, bodies being left on streets and people being murdered after being dragged out of their homes. While he seems to be extremely popular, based on opinion polls in the Philippines, I would be particularly uncomfortable with the manner in which he is ruling his country.

The Minister of State rightly mentioned the area of human rights and the potential for the death penalty to be reintroduced. Does he consider this the right time to be ratifying an agreement like this with the Philippines given the horrendous human rights record under President Duterte? I have serious questions. Trade is important and we certainly need to look to new markets. To be specific, trade with the Philippines is not insignificant and there is potential given the large population, our long-standing good relations with the people of the Philippines through the work of missionaries and Irish Aid and, as I said, the substantial Filipino population here, who are very welcome. I am most uncomfortable with this and I want to know what assurances, if any, the EU has got from the Philippines Government about what is happening in the country at the moment and about ensuring the rule of law is upheld, given the regular extrajudicial killings, which greatly concern me. I want to know what assurances the EU or the Irish Government have sought and received from the Philippines Government. I would also like to know that we have received assurances the death penalty will not be reintroduced and what outs there are in this framework agreement should the situation there deteriorate politically. What would be available to the EU at that stage, should we formally enter into this agreement? I have genuine concerns about this.

Deputy Maureen O'Sullivan: Comhghairdeas and very best wishes to the Minister of State in his new role. It is a strange kind of country, with some 140 families ruling over 100 million. I note there is not that much of a difference between exports and imports, which is interesting. The Minister of State might outline what we are exporting and importing. I see trade as a real opportunity to get and keep human rights on the agenda. There is an opportunity to have those conversations in any of our trade negotiations, especially in regard to workers' rights. The agreement is also based on a commitment to democratic principles and fundamental human rights and there is a basis to establish a formal human rights dialogue between the EU and the Philippines.

There are opportunities to highlight exactly what Fr. Shay Cullen and others have been telling us. Issues of particular concern are the plan to reduce the age of criminality to nine years of age, the reintroduction of the death penalty - although I see this morning a report that Japan has hanged two people for offences - the shoot to kill policy and, in particular, the exploitation of children and women. Fr. Cullen showed us very graphic pictures of children behind bars, children who were malnourished and very significant cases of stunted growth, but in particular material in regard to the sex industry. It is horrifying to learn about children being forced to perform sexual acts in videos which are live-streamed to adults who can pay for this. Fr. Cullen also highlighted human trafficking.

I want to bring the discussion back to what we can do because we are not doing enough. At this point, a convicted paedophile from this country with his or her passport - it is usually a he - can travel to the Philippines and buy children for sex. Between this committee, the Committee

on Justice and Equality, and Defence, and the Minister of State, this is an issue we can address. I hope to meet some of the officials from the Department of Justice and Equality because I have been advised that is what we have to do. Our legislation allows this and it is allowing people in this country to pay to see children being murdered on video as well for sexual gratification, which I do not understand. The trade is an opportunity to do that and I hope we take every opportunity we can to highlight this and to say it is totally and utterly unacceptable but Ireland will do what it can in legislation to prevent this happening. Australia recently introduced legislation to combat this and we hope to bring that to the justice officials as well.

Deputy Seán Crowe: I welcome the Minister of State and congratulate him on his appointment. I will pursue the same theme as my colleagues. The EU regularly negotiates these framework or partnership agreements with third countries. They generally contain proposals to improve diplomatic and economic ties and they usually contain paragraphs on respect for human rights, but there is no framework for these to be enforced or acted on. The agreements are usually precursors to free trade agreements and this particular agreement contains references to the EU supporting the Philippines on counterterrorism and anti-crime measures. The agreement, which was supposed to be negotiated in 2012, came before the European Parliament for ratification in 2016. We generally abstain in the Parliament from these types of reports because we object to the EU being the body negotiating with third countries *en bloc*. The text of the agreement has positive elements relating to human rights and inclusive conflict resolution. My colleague, Gerry Kelly, has been involved in conflict resolution on one of the Philippine islands. Unfortunately, that negotiation has broken down but it is positive work if we can get involved in that.

The agreement goes to member states to ratify and the question is why it is taking so long. When the agreement went through the European Parliament, President Duterte had only taken up office, but since then a campaign of extrajudicial killings by the police of people they accuse of selling drugs, including addicts, has unfolded and the death penalty has been introduced. It is reported that up to 7,000 people have been killed as part of the campaign. Collectively, we have concerns about deteriorating human rights in the country. The EU should not agree to work with the Philippines on counterterrorism and anti-crime measures and I have a huge problem with that. This will involve sharing additional information with that state. The human rights provisions in the agreement will not be enacted by the Union. Why do I say that? We have similar agreements with other countries such as Colombia, Morocco and Israel. People are being picked off one by one in Colombia because of their background while, with regard to Israel, war crimes were committed in Gaza and 2,700 people were killed. People were saying we should cut this off but there is no mechanism and my worry is this agreement will result in the same lack of enforcement. An Irishman, Mr. Eanna Ó Cochláin, was arrested leaving the Laoag Airport and it was claimed he had drugs on him. He claims they were planted on him. Since then, he is living in fear and he is hiding because of the campaign by President Duterte and his followers. This agreement will, therefore, impact on an Irish citizen.

Considering it was approved by the European Parliament in 2016, why is the Government only bringing the agreement to the Oireachtas during the final week of this session? It is a fair question. Everyone is asking about this and what went on in the Dáil earlier in the week. Does the Minister of State agree the Dáil should at least debate these important framework agreements before it is asked to approve them? We have not had the opportunity previously to debate such an agreement. As a new Minister of State, does he accept that should be best practice and the normal practice? The agreement was reached in 2012 and ratified by the European Parliament in 2016. A great deal has changed and President Duterte has come to the power. My diffi-

culty relates to the counterterrorism and anti-crime measures. The President has openly boasted in media interviews about his own involvement in extrajudicial killings and he is completely unrepentant. He has no regrets about his involvement. Human rights groups say this is bonkers and are asking what message this is sending not just to the Philippines Government but other countries around the world. Why should we ratify an agreement with a country that has such a despicable human rights record?

I acknowledge the Minister of State will argue that we are trying to move the Philippines on this but if it does not move, what will be the trigger mechanism to stop the agreement? The human rights provisions are weak and will not be enacted. Will the Minister of State outline one example of where an EU framework or association agreement with a third country has led to substantial improvement in human rights in that country? I do not know of one but I can think of many where this did not happen. I outlined what is happening in Colombia and Israel. Why will this framework agreement be any different? These are reasonable questions, which we must ask as part of our role in monitoring these agreements. The Minister of State referred to Brexit in his opening contribution and positives for trade and so on but we need to look at who we are trading with and why we are trading with them. If they have a bad human rights record, we should try to avoid trading with them. This framework agreement will not push the Philippines Government in any direction. President Duterte is proud and boasts of his own involvement in this activity while one Irishman is potentially facing a long sentence and there could be others in the future. He says it is the result of corrupt practices, but he has been in touch with us as committee members and his friends here have also been in contact with us. They are terrified about his safety. As part of the bigger picture, we are being asked to agree to this framework but I have huge difficulties with it. When the committee concludes its discussion, a message will be sent to the Dáil stating we have scrutinised it. I request that the committee recommends that the Dáil debates this framework before it is ratified. That would be best practice but I do not know if other committee members agree.

Chairman: Under Standing Order 197, we can only consider the agreement. We cannot make a recommendation, or reject or approve it.

Deputy Seán Crowe: Perhaps the Minister of State could refer to this approach when he replies. I acknowledge there may be difficulties scheduling this in the time remaining this session, but we should at least have the opportunity in the House to discuss this.

Deputy Ciarán Cannon: I thank all the members for their kind words about my appointment as Minister of State. I am looking forward immensely to the role and to performing to the best standard.

Deputies Darragh O'Brien and Seán Crowe raised the issue of the delay. I agree with them that there has been a significant and regrettable delay in terms of our ratification of this agreement. The agreement was first signed on 11 July 2012, following which an issue arose within the EU. The conclusion of the agreement was held up by a challenge by the Commission to the choice of a legal basis for the relevant Council Decision. This continued until June 2014. Since then, in Ireland, for a number of reasons, including resources, the reallocation of responsibilities between the Departments of Foreign Affairs and Trade and the Taoiseach and the time taken to form a Government and appoint committees in 2016, the matter was, unfortunately, not progressed until late March 2017. The delay is regrettable, but it is now important that we make the necessary arrangements for the approval and ratification of the agreement as quickly as possible. As I said earlier, this will not enter into force until the first day of the month following the date on which the last party has notified the others of the completion of the legal

procedures. I would not like Ireland to be the last group standing in terms of final ratification because we would, in essence, be the final impediment to the agreement entering into force. It has been ratified by all countries, with the exception of Ireland and Greece. We should move with as much haste as possible to approve and ratify it.

All Deputies raised the issue of the ongoing and significant human rights issues within the Philippines. While the focus of my earlier contribution may have been on the significant trade opportunities arising from this particular agreement, the agreement is about much more than that. Concerns had been expressed by the EU, including Ireland, about the deterioration of human rights in the Philippines since 2016. Many Deputies referred to the large number of extra-judicial killings. We have continually raised our concerns at a bilateral level and in our contacts with the authorities in the Philippines in regard to the death penalty. At the most recent 35th session of the Human Rights Council in June last, we delivered a statement in which we raised our concerns about the proposed reintroduction of the death penalty and the number of extra-judicial killings which have taken place in the past year. We also supported a joint statement delivered by Iceland on the human rights situation in the Philippines, which raised concerns about impunity for violence and killings in the country.

I reiterate that the purpose of the agreement is to provide a framework for strengthening a bilateral relationship between the European Union and the Republic of the Philippines. It is based on a commitment to promoting respect for democratic principles and fundamental human rights. It will provide for a comprehensive ongoing and wide-ranging dialogue between the EU and the Philippines, including co-operation in many areas such as trade, as mentioned earlier, and in the areas of health, civil society, development co-operation, disaster risk management, the environment, climate change, energy, science and technology. It is a wide-ranging agreement. I have always argued that in one's attempts to engage with a country that has a very poor human rights track record, one should create that engagement around an ongoing building of trust and a relationship between two entities. One cannot stand on the sidelines and criticise, and legitimately so. If one is seeking to engage with a country or any entity and to work with it in changing practices which have been ongoing for decades and are deeply imbedded in its culture, it is essential that one engages with that country or entity at every level and builds relationships that will hopefully allow the parties concerned to address the issues arising, currently, and into the future.

This agreement is an incredibly important tool in our arsenal not alone in Ireland, but across the European Union, to address the issues raised. Without it in place and without the ongoing relationship building, the type of issues about which we are deeply concerned will never be addressed. That is my view on it. I agree with what Deputy Crowe said. If time had permitted, this should have been debated in both Houses of the Oireachtas. We are now at the point where, perhaps, that time is not available to us. As I said, I do not want us to arrive at the point whereby Ireland is the final country to ratify this agreement. In an ideal situation, and if the delays to which I referred earlier had not occurred, the most desirable outcome would have been to have it debated in both Houses of the Oireachtas.

Deputy Maureen O'Sullivan raised the issue of child slavery and online abuse of children and the incredible work of Shay Cullen in the Philippines through the Preda Foundation. The rights of children globally remains a priority for my Department and for Ireland. We have engaged in the protection of children's rights and the elimination of violence against children through our work to address the root cause of gender inequality, to prevent gender-based violence, to strengthen child protection systems and to combat child labour. We have also provided

funding for a number of organisations working on the rights of the child, including UNICEF, the UNFPA and UN Women. Between 2012 and 2015, we provided funding to Anti-Slavery International of more than €500,000. Our long-standing commitment to eliminating child slavery is at the core of the work we do.

The Deputy also referred to the horrendous exploitation of children that technology allows and is taking place globally. This is a very difficult area. If we were to pass a law in this jurisdiction seeking to eliminate such activity, it would have little impact in the Philippines or anywhere else. The global borderless nature of the Internet allows such exploitation to occur. Many people are, unfortunately, exploiting this and engaging in the horrendous things mentioned by the Deputy. All we can do is continue supporting NGOs in particular who work in these regions to eliminate child slavery. Last week, I had an engagement with one NGO that is working with a number of NGOs in India where child slavery is also an issue. I was surprised to learn that there are 50,000 charities in India alone working on child slavery, which is extraordinary, and shows just how pressing an issue this is there.

Deputy Crowe raised the issue of Mr. Eanna Ó Cochláin's ongoing consular case. Again, the Department is conscious of the interest of a number of Deputies in this particular case. I assure the committee that the Department continues to work on behalf of this citizen and that this case is a top priority for the Government. Based on my knowledge of the case, it is a difficult, complex and challenging one. The citizen has been on bail since his conviction and sentencing in 2013 and he remains on bail. His lawyer has filed an appeal with the Philippines Supreme Court and we made a representation asking that the appeal process be expedited on humanitarian grounds. I am pleased to note that the appeal is now proceeding on foot of that request. At a political level, and through our embassy in Singapore, we have raised our concerns about the case and made a request to the authorities in Manila on a number of occasions that the appeal would proceed as quickly as possible. The former Minister for Foreign Affairs and Trade, Deputy Charles Flanagan, raised the issue with his Philippine counterpart in New York last September and our ambassador in Singapore, who is accredited to the Philippines, followed up, including with a direct letter to the administrator of the Supreme Court, which I understand is highly unusual but we deemed it a necessary step to take. I am very much aware of the gentleman's ongoing issues and we are working to support him in every way possible.

Chairman: I thank the Minister.

Deputy Darragh O'Brien: I, too, thank the Minister for his initial responses. I note that the Philippines' plan to ratify this agreement in August. The Minister of State has explained the reason for the delay. I would like to know if there are any other draft framework agreements coming down the track that will be brought before us at the last minute? It is wholly inappropriate that the Dáil and the Seanad may not have an opportunity to debate this motion. The Minister, in terms of his response, has assumed the consent of the Dáil on this motion but it will only be taken in by the Dáil at 6 p.m., without debate. There are some very important issues arising. In fairness, if there was ever a draft framework agreement that required debate in terms of how it will work into the future, particularly in light of the changes in the political situation in the Philippines, it is this one yet we are expected to pass it on the nod in the Dáil this evening. It is the last week and the Dáil goes into recess for the summer tomorrow. It is not a situation that we, as parliamentarians, want to be put in. I do not think the Minister of State does either. How firm is the timeframe? It is scheduled to go to the Dáil today without debate. It is only being considered by the committee in a short hearing, which is wholly inappropriate. If we really want to look at the ramifications of the agreement and the potential positives and

negatives, it requires debate in the Dáil. It should be put back to September; so what if we are the last. We are second last at present. It does not make a massive difference. There has been no contact from the Minister of State's Department. I can only speak for my party. I do not know if Deputy Crowe will agree there was no contact from the Minister of State's office on the urgent need for this to be passed until it was scheduled for today. Between now and the vote at 6 p.m. this evening, we will have to make a decision on supporting it. To bring forward an important framework document like this with all the issues associated with it, which Deputies Maureen O'Sullivan and Crowe and I have highlighted, and to deny our colleagues in the Dáil an opportunity to debate it is not acceptable. Is there a possibility of deferring it to September to allow a proper debate on it? We will have to see what we do later today.

Chairman: For clarity, the procedures and processes were agreed at the Business Committee. The Government put the proposal to the Business Committee and it was agreed. It was then put before the Dáil and the Dáil decided-----

Deputy Darragh O'Brien: The Order of Business will not be agreed until 1 p.m. today.

Chairman: It was referred to us by the Dáil on 27 June and we can only consider it and report back to the Dáil.

Deputy Darragh O'Brien: If there are other framework agreements coming down the track, can we at least have a commitment that we will not be in this situation again? That is the most important thing in all of this. I am not trying to be obstructionist.

Chairman: I will bring the Minister of State in after the other members.

Deputy Seán Crowe: I asked whether there was an example of an EU framework or association agreement with a third country that led to substantial improvement in human rights. Does the Minister have an example? I do not have one. It is not a trick question. I am concerned by the idea that this is put in the agreements as a sop to show we are trying to move towards better conditions in the country.

I have listened to the Minister of State's explanation. The framework was negotiated back in 2012. It did not come to the European Parliament until June 2016. The Minister of State said there were all sorts of difficulties. I do not know what preparation was done for this. There is nothing wrong with being the last man standing. It is an honourable position. It is probably the correct position to be in particularly in light of the fact that one of our citizens is facing serious charges. I am not saying it should be used to send a signal but it does send a signal that we are concerned about what is happening in that country. The agreement is also about sharing information on crime and drugs. There was such an agreement between the EU and Iran on the pipeline for heroin that comes through Afghanistan to Europe. We cut off that co-operation because Iran has the death penalty. We could not be convinced about the way the information that was shared would be used so the agreement fell through. Some of us say it is a key component in seriously fighting drugs. We could say the same about sharing crime and security information with the Government of the Philippines, which is involved in the extra-judicial killing of up to 7,000 of its own citizens. Its President is on record boasting about his involvement in it. I have huge difficulties with it. Our party will not support it if we do not have an opportunity to debate it in the Dáil. If the Minister of State cannot give that commitment, that is our position. It sends out the wrong signals.

In many countries with which we had framework and partnership agreements in the past,

there was huge concern it did not improve the situation or it pushed them in a different direction. Perhaps the Minister of State can enlighten me on it. The direction we are taking is all wrong. It would be good if we were the last country standing in Europe. If this went to the European Parliament today for ratification, it would not receive it because of the concerns I have outlined. They are not only concerns of the left. There are individuals in all groups in the European Parliament who have huge concern about what is happening in the Philippines.

Deputy Ciarán Cannon: In an ideal scenario I would agree wholeheartedly with Deputy Darragh O'Brien. It would have been far more desirable to have this debated in both Houses of the Oireachtas. That opportunity does not arise right now. In April, all Departments confirmed that no new legislation was required to ensure Ireland is able to implement the agreement once it has been ratified. There has been significant interdepartmental collaboration on getting us to the point we are at right now. There are no other similar agreements in the pipeline but I will give a commitment that we will not arrive at a point again where we are running up to a vote at 6 p.m. without having had an agreement debated in the Dáil and Seanad. It is not the most desirable scenario. I agree with the Deputy and undertake to ensure it does not happen again as long as I am working with my colleagues in the Department.

Deputy Crowe sought examples of inter-country or framework agreements that have secured lasting human rights improvements in the past. The only comparison one might be able to make is with the expansion of the EU after the fall of the Berlin Wall. It is not completely analogous to this but the agreements that were formed with countries such as Romania and Bulgaria are the basis for what we are trying to do now with the Philippines. They were countries in which there were significant human rights abuses back in the 1950s, 1960s and 1970s. As part of accession to the EU and forming ongoing economic and societal relationships, those issues had to be addressed. They were addressed through engagement and by building bilateral and multilateral relationships with these countries. What is the alternative to not forming this agreement with the Philippines? It has been ratified by virtually every other country in the EU. I would like Ireland to be inside the fence of that ongoing engagement in order that it is able to interact with the Philippines at the highest level with the support and backing of the EU. In that way, we can address the very issues the Deputy raised because it is a far more productive use of our time and diplomatic power to be able to engage and change culture. I agree with the Deputy that it will take a very long time but the alternative is not being part of the process. We have much to bring to the table and much expertise that we have built up over the years to be able to play a very productive part in slowly but surely addressing these major human rights issues.

Did I leave anything out?

Chairman: When the Minister of State and his officials have an opportunity, they might communicate to us the details of any other agreement that may be coming down the tracks.

Deputy Ciarán Cannon: At this point we are not aware of any, but I assure the Chairman that we will communicate with the committee very early on in the process.

Chairman: Perhaps we might hear from the Minister of State and his officials before the end of the month.

Deputy Seán Crowe: I could get into an argument with the Minister of State who gave as examples two countries looking to join the European Union. However, the countries that are relevant to this discussion are not seeking to join the European Union and not subject to European human rights law. There is a difficulty in that regard. I gave as an example what was

happening in Gaza. There are war crimes and the world is looking on helplessly. Meanwhile, we have a favourable trade agreement with Israel and have not really been able to do anything to this day, but we know what conditions are like in Gaza. I can also give as an example what is happening in Colombia where trade unionists, land activists and so on are being assassinated, but, in its wisdom, the European Union decided to go ahead with the agreement.

I do not want to argue with the Minister of State; I just think what we are doing is wrong. While I am conscious of Irish citizens, I am also conscious that we need to stand up to these regimes. What is the worst case scenario? At worst, we would not have this agreement, but Ireland would have stood up for human rights. It is not only about the people who are impacted on directly, it is also about Irish citizens. On the information we are going to share with the Philippines Government and its security organisations, what they are doing is wrong and I do not think it can be justified by anyone. They are not even bringing people to court. They are killing them on the streets and in their homes. They are extrajudicial killings. Someone is making that decision and it is wrong.

I have outlined my position. The Minister of State says there cannot be a discussion on the framework agreement. It is not the first to be left until the last minute in order that we do not have an opportunity to discuss it. It is the wrong way to do things and another agreement that will slip through, although I welcome the Minister of State's commitment that it will not happen in the future. It may not happen under his watch, but it may happen under another Minister's. It is something we all accept that we need to address. There was enough time since March to discuss the agreement in the Dáil. We know for a fact that there were times when there was no legislation being brought forward and nothing was going through the Dáil. There were long gaps during which we could have had this debate.

Chairman: I thank the Deputy. As well as reporting back to us on whether there are other framework agreements coming down the tracks, will the Minister of State also have the Department make some analysis of the benefits, if any, that have flowed from previous framework agreements, particularly in the areas of civil and human rights, as referred to by Deputy Seán Crowe? Again, I emphasise to the Minister of State the need to keep emphasising in all of the fora available to him and the Department the intolerable human trafficking and exploitation of women and children and the extrajudicial killings referred to by all of our colleagues. Every opportunity must be taken to deplore such deeds and make our very serious concerns known about the unacceptable treatment of innocent people in the state in question.

I again thank the Minister of State for his engagement with the committee.

Message to Dáil

Chairman: In accordance with Standing Order 90, the following message will be sent to the Dáil:

The Select Committee on Foreign Affairs and Trade, and Defence has completed its consideration of the following motion:

That Dáil Éireann approve the terms of the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and the Republic of the Philippines, of the other part, signed at Phnom Penh, Cambodia,

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on 11 July 2012, a copy of which was laid before the Dáil on 1 June 2017.

The select committee adjourned at 1.05 p.m. *sine die*.