

DÁIL ÉIREANN 06.03.2015:

An Bille um an gCeathrú Leasú is Triocha ar an mBunreacht (Neodracht) 2013: An Dara Céim [Comhaltaí Príobháideacha]

Thirty-fourth Amendment to the Constitution (Neutrality) Bill 2013: Second Stage [Private Members]

Deputy Seán Crowe: Tairgim: "Go léifear an Bille an Dara hUair anois."

I move "That the Bill be now read a Second Time."

This Bill seeks the insertion of a reference to neutrality in Bunreacht na hÉireann. Essentially, it seeks to amend the Constitution to ensure Ireland could not, and would not, aid foreign powers in any way in preparation for a war, save with the assent of the Dáil. The Bill also affirms that Ireland is a neutral state and that the State would have a policy of non-membership of military alliances. Ultimately, it would give power to the people in that it would trigger a referendum on whether Irish citizens wanted Ireland to be a neutral country. The overwhelming evidence is that they do. A Red C poll carried out in September 2013 found that 78% of Irish people believed Ireland should have a policy of neutrality.



In 2003 Sinn Féin tabled a neutrality Bill. The weekend prior to it being moved in the House more than 100,000 people marched on the streets of Dublin to protest at the impending US and British invasion of Iraq and call on the Irish Government to oppose and play no part in it. Many of us in the Chamber this morning took part in that historic march. Sadly, the then Government did not listen to the demands of the people and instead facilitated the war and the subsequent invasion by allowing Shannon Airport to become a staging post for the US military's operations in the Middle East.

Article 5, Chapter 1, of the Hague Convention which deals with the rights and duties of neutral powers states a neutral power must not allow belligerents to move troops or convoys of either munitions of war or supplies across its territory. Successive Governments have clearly breached the Hague Convention and undermined Irish neutrality. They sold Irish neutrality, piece by piece, against the wishes of the people. While in opposition, the Labour Party voted in favour of the Sinn Féin Bill introduced in 2003. At the time Deputy Joe Costello said, "I too have no difficulty in supporting the Bill" and "The House should not divide on the Bill but allow it to proceed." Uachtarán na hÉireann, Michael D. Higgins, who was a Member of this House at the time also spoke passionately in favour of neutrality and the passage of the Bill. The Tánaiste and several former Labour Party Front Bench Deputies voted "Tá" and I appeal to them and Fine Gael to allow this Bill to pass Second Stage and let us begin to openly and honestly debate Ireland's policy of neutrality.

A referendum would bring greater clarity to the State's neutrality policy which has become blurred, distorted and riddled with double speak, as successive Governments state one thing and do the opposite. The Department of Foreign Affairs and Trade's most recent 57-page policy paper, The Global Island, references neutrality only twice. The recent and ongoing court case of Deputies Mick Wallace and Clare Daly has done us all a public service. Like other Deputies, both have consistently raised the issue of the failure of and the need for the Garda authorities to investigate and search flights carrying military personnel through Shannon Airport. The ongoing court case has heard important evidence from military experts that details how foreign military forces transport weaponry on aircraft passing through Shannon Airport. During the case Dr. Tom Clonan, a former Defence Forces member and security analyst, played a recording that had been made on a US military aircraft at Shannon Airport which advised US soldiers to "leave their weapons on board." While these aircraft are guarded by the Irish Army and the Garda, neither has ever been given the order to make even a cursory search of them for weapons.

Dr. Clonan claimed in evidence given to the court that he had boarded an aeroplane and interviewed soldiers heading to war and that he had personally witnessed soldiers putting pistols into bins and automatic rifles under their seats. A former driver of in-flight kitchen trucks also stated he had "seen weapons on board US military planes on a regular basis." Shannonwatch has provided the Garda with all of this information and more but, to our knowledge, no investigation has taken place. Statements are taken and that is it. Shannon is a civilian airport and was not built for military purposes. An accident or crash could potentially result in huge civilian casualties.



Dr. Clonan also stated in his evidence that he believed Irish neutrality had been so diluted by successive Governments that it was questioned by many abroad. He claimed that 2.25 million US troops had passed through Shannon Airport since 2002, making it a virtual forward air base for the US military and the largest invading force to have ever passed through Ireland. The Bill gives us and the people an opportunity to change this. There are many within the European Union who wish to build a military structure to complement NATO and clean up its mess, under the guise of peacebuilding. Ireland's deeper integration into the European Union's military system ensures the Bill is timely. A Fianna Fáil-led Government signed Ireland up to NATO's ironically named Partnership for Peace, PfP, which is generally seen as a stepping stone to full NATO membership. Ireland has a dedicated office in Brussels just for NATO's Pfp which brings no financial, security, political or social benefits to Ireland but which costs us hundreds of thousands of euro every year. NATO is a Cold War relic which should be disbanded. Instead we have seen it aggressively grow and encourage greater spending on weapons of mass destruction. The NATO-led operation in Libya may have been declared a success in terms of regime change, but it has left behind a country in tatters, as in the cases of Iraq and Afghanistan.

[Deputy Seán Crowe:  ] On a visit to Dublin in 2013 the then Secretary General of NATO said he warmly welcomed the prospect of Ireland becoming more involved in NATO. A motion at the 2014 Fine Gael Party conference called for Ireland to join NATO and, while it was defeated, it shows that some are eyeing up that possibility. Decisions such as this should not be left solely in the hands of a Government but should directly be made by the people in a referendum. That is what the Bill seeks to do.

The Government's Green Paper on Defence wrongly suggests Irish neutrality has its origins in the Second World War. In fact, the Irish impulse to neutrality predates this. Sinn Féin's support for neutrality is a product of a well developed and coherent Irish republican position stretching back over 200 years, when Wolfe Tone called for Irish neutrality in the face of an impending war between Britain and Spain in the 1790s. In 1914 James Connolly founded the Irish Neutrality League and the women activists of Cumann na mBan republished Wolfe Tone's pamphlet "The Spanish War" in 1915.

Some argue that neutrality is outdated, but what they fail to rationalise is that we live in a world where half of the population live in poverty, with one person in eight suffering from malnutrition, and where poverty kills approximately 19 people around the world every minute of the day every month. In 2011, \$1,738 billion was spent globally on military activities. To ensure we live in a safer and more equal world, greater military expenditure is definitely not the solution. Instead, we need to challenge the very structures that cause poverty, food insecurity and conflict. Sinn Féin believes that if Ireland was to follow a policy of positive neutrality, the State could make a highly significant and powerful contribution towards the long-held global objective of international peace with justice. Through a policy of positive neutrality, the State would not increase its military spending, or take part in the arms trade and profit from war; it would instead focus on guaranteeing the economic, social, political and cultural rights of people worldwide. If we were to redouble our efforts to focus on working with countries to implement global targets on issues such as land rights, climate change, citizen participation, economic equality and government accountability, the world would inevitably become a better and safer place. Neutrality, therefore, is not a policy of opting out of international affairs; rather, it is a commitment to a different type of international politics based on justice, development and human rights. Sinn Féin fully supports the continued role of Irish troops in UN peacekeeping missions around the world and the brave work they carry out. Blue helmet peacekeeping missions and Irish Aid continue to be two of the most positive pillars of the State's foreign affairs during the decades.

I hope all Deputies will support the neutrality Bill and allow the people to decide on whether the Constitution should enshrine neutrality. We have a unique opportunity to send the right message and allow the Bill to pass Second Stage. It is long past time power was given to the people to decide on Ireland's future and whether neutrality should be at the core of policy. I hope for a full debate and that this marks the start. Other Bills are pending, including the one published by Deputy Mick Wallace which is to be debated in a few weeks time. This Bill provides a useful opportunity. Bearing in mind the new information that has come to light in the court case involving Deputies Mick Wallace and Clare Daly, it is useful that the debate is beginning. I hope it will not finish here.

Minister for Defence (Deputy Simon Coveney):   I welcome the opportunity to respond, on behalf of the Government, to the proposed legislation. I convey the apologies of the Minister for Foreign Affairs and Trade, Deputy Charles Flanagan, who cannot be here because he is attending a meeting of EU Foreign Ministers in Latvia.

The Government welcomes the debate because it affords an opportunity to restate our continued commitment to Ireland's long-standing policy of military neutrality and set out how and why we strongly support this policy. The Government attaches great importance to our military neutrality. The policy dates back to the Second World War and successive Governments have restated their commitment to it. That commitment remains as strong as ever under the Government which was most recently set out in January in its foreign policy review, *The Global Island: Ireland's Foreign Policy for a Changing World*, which states, "Our policy of military neutrality remains a core element of Irish foreign policy". The Government is, therefore, very clear on our policy of military neutrality. We are also very clear that the legislation proposed to the House is unnecessary and could potentially impact negatively on Ireland's ability to contribute positively in the international

community.

There are provisions in the Constitution that underpin Ireland's policy of military neutrality. Article 29 of the Constitution establishes the framework within which Ireland conducts its international relations. It commits us to the ideals of peace and friendly co-operation among nations founded on international justice and morality, adherence to the principle of the pacific settlement of international disputes by international arbitration or judicial determination, and acceptance of the generally recognised principles of international law as its rule of conduct in international relations. In particular, Article 29.1 states "Ireland affirms its devotion to the ideal of peace and friendly co-operation amongst nations founded on international justice and morality", while Article 29.2 confirms that "Ireland affirms its adherence to the principle of the pacific settlement of international disputes". Further safeguards on this issue are provided in Article 29.4.9° which imposes a constitutional block on Ireland's participation in a common defence under Article 42 of the Treaty on European Union. The constitutional safeguard was inserted in 2002 at the time of the Nice treaty referendum and reconfirmed in 2009 in the Lisbon treaty referendum. This safeguard will remain in the Constitution unless and until the people decide otherwise in a referendum on a future occasion. Moreover, the Protocol on the Concerns of the Irish People, attached to the Lisbon treaty, specifically recognises Ireland's policy of military neutrality stating, *inter alia*, that, "The Treaty of Lisbon does not affect or prejudice Ireland's traditional policy of military neutrality".

One of the motives behind the Bill may be to ensure we do not deploy the Defence Forces in support of military operations in international conflicts. The Defence Acts set out the parameters within which Defence Forces personnel may be deployed on international operations. Any such deployment is constrained by the provisions known as the triple lock. The triple lock requires that, where participation by members of the Permanent Defence Force in overseas peace support operations is proposed, the operations must first be mandated by the United Nations; second, approved by the Government and, third, approved by way of a resolution of Dáil Éireann where the size of a Defence Forces contribution is more than 12 personnel. The triple lock provisions also form part of the national declaration made by Ireland in respect of the Lisbon treaty.

Successive Governments have pursued a policy of military neutrality which is characterised by non-participation in military alliances such as NATO and non-engagement in mutual defence commitments. Ireland's concept of military neutrality has served us well. Ireland has not become involved in conflicts that have resulted in death and destruction at different times since the Second World War. We choose to remain neutral but not out of a sense of fear; nor should our decision to remain militarily neutral be interpreted as a lack of interest in issues underpinning conflicts or an isolationist stance.

(Speaker Continuing)

[Deputy Simon Coveney:] Ireland's approach to international relations is founded on a full and active engagement in the international community in support of international peace and security and the rule of law. We follow and will continue to follow this policy of militarily neutral but full engagement because as a committed member of the United Nations we subscribe fully to the

principles set out in the UN charter. In particular, we believe disputes between states should be resolved in a peaceful manner. This is set out in the provisions of Article 2(3) of the UN Charter which states, "All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered". We subscribe to and are bound by the provisions of Chapter 6 of the charter which deals with the peaceful settlement of disputes and Chapter 7 which sets out provisions for joint action in respect of threats to the peace and acts of aggression. We are also committed as a UN member to meeting our obligations to contribute troops for deployment on UN mandated missions, whether those are peacekeeping or peace enforcement operations, requiring combat-ready and capable troops.

Since 1958, the Defence Forces have made an extraordinary contribution to such UN missions and some members have made the ultimate sacrifice. As a nation, we are very proud of the role the Defence Forces have played and continue to play in very challenging and difficult missions. The men and women of the Defence Forces have earned an excellent reputation as peacekeepers and their professional skills and experience are much sought after throughout the world.

As of 1 March 2015, Ireland is contributing approximately 429 Defence Forces personnel to 11 missions throughout the world. The main overseas missions in which Defence Forces personnel are deployed are the United Nations Interim Force in Lebanon, UNIFIL, with 199 personnel, and the United Nations Disengagement Observer Force, UNDOF, in Syria with 138 Defence Forces personnel. Other missions include the NATO-led international security presence, KFOR, in Kosovo with 12 personnel, the EU-led operation ALTHEA in Bosnia and Herzegovina, with seven personnel, and the EU-led training mission in Mali, with ten personnel, and which I will visit in a few weeks time and the NATO-led resolute support mission in Afghanistan with seven personnel. These missions are undertaken in pursuit of the guiding UN principles, namely, to maintain international peace and security and to take effective collective measures to prevent and remove threats to peace.

Concern has been expressed at various times, including this morning, about Ireland's participation in NATO-led operations. I again highlight the fact that NATO-led operations such as the resolute support mission in Afghanistan and the NATO-led KFOR mission in Kosovo have been authorised in accordance with the requirements of the Defence Acts by UN Security Council resolutions. They are operations undertaken at the behest of the United Nations, authorised by it and very often involve working with a UN mission. Ireland's participation in them in no way infringes on our traditional policy of military neutrality and our participation is both welcomed and supported by the United Nations.

Ireland's co-operation with NATO is conducted through the Partnership for Peace, PfP, which we joined in 1999, following approval by Dáil Éireann of the presentation document. Our purpose in participating in the PfP is to improve our military capabilities so as to be able to participate effectively and safely with other nations in UN mandated operations. In other words, it is about inter-operability without which our troops would not be as safe they are. In joining PfP, Ireland, in common with other PfP nations, reaffirmed its commitment to fulfil in good faith the obligations of the United Nations Charter and the principles of the Universal Declaration of Human Rights. Equally, Ireland reaffirmed its commitment to the Helsinki Final Act and all subsequent documents of the OSCE. Ireland's decision to participate in PfP is in full accordance with our policy of military neutrality. Other like-minded states, in particular Austria, Switzerland, Malta, Sweden and Finland also participate in PfP for the right reasons.

Concerns have also been expressed at various times that our participation in the Common Security and Defence Policy of the European Union has posed a threat to our military neutrality, which is not true. Ireland's traditional policy on military neutrality is completely unaffected by our membership of the European Union or by any treaties associated with the Union. We are not, and will not

become, part of an alliance or a permanent military formation. The guarantees under the Lisbon treaty and Ireland's declaration make this clear. Any form of common defence can only come about if all the member states agree unanimously. Even if the member states were ever to agree this, Ireland could not participate without a separate referendum.

What has developed in the context of CSDP operations with military elements is that the Union now engages in a wide range of crisis management operations, invariably in support of or in partnership with the United Nations. These actions are referred to as the Petersberg Tasks, which are humanitarian and rescue tasks, peacekeeping tasks and the tasks of combat forces in crisis management, including peacemaking, joint disarmament operations, military advice and assistance tasks in supporting the reform and restructuring of security services and legal institutions in fragile states, conflict prevention and post-conflict stabilisation. These are the sort of tasks already undertaken on UN mandated crisis management operations, combining the efforts of both civilian and military personnel.

In regard to EU missions and operations overseas, Ireland has the right of veto over launching any mission. Also, it must be recognised that our triple lock would prevent Irish troops from participation in any peacekeeping or peace enforcement mission without a UN mandate. I made that clear to my colleagues on Defence Council at a meeting in Riga as recently as two weeks ago.

At the time of the Lisbon treaty, our European partners responded to provide absolute clarity for the European Union at large and Ireland, in particular, around the security and defence issues. This was done by means of a legally binding decision of the Heads of State and Government of the EU member states at a meeting of the European Council. That decision has now also been given effect to through the protocol on concerns of the Irish People, which has entered into force as an instrument of primary EU law, with the same status as the EU treaties, following its ratification by all EU member states. The protocol, which includes a section containing legal guarantees on security and defence, clearly states that the treaties do not provide for the creation of a European army, or conscription and that any involvement in any aspect of security or defence is entirely voluntary. The Union has no authority to determine how, where and on what we spend money on defence or to suggest how much we should spend on defence.

Deputy Finian McGrath: What about the battle groups?

Deputy Simon Coveney: I will come to them. Perhaps the Deputy might learn a little about them.

Deputy Finian McGrath: I know about them.

Deputy Simon Coveney: These are matters entirely outside the scope and competence of the European Union and are solely matters for individual decision by each of the member states, as are the battle groups of which Ireland has volunteered to be part. As such, through the Lisbon treaty guarantees, we have protected and reinforced our independence in defence matters and our traditional policy of military neutrality. There is no need, therefore, to further enhance the issue of neutrality either constitutionally or legislatively. I have highlighted the Government's continued commitment to military neutrality as evidenced through successive policy statements, the Lisbon treaty guarantees and, most recently, the Government's foreign policy review, *Our Global Island*. Later this year we will also publish a White Paper on Defence, outlining Ireland's defence policy for the next decade. The provisions of that White Paper will be congruent and consistent with stated Government policy in this area.

While Ireland is committed to a policy of military neutrality, we need to be clear that Ireland is not ideologically neutral. Political neutrality in international affairs has never been part of Ireland's foreign policy tradition.

(Speaker Continuing)

[Deputy Simon Coveney:] Ireland is an outward looking country which continues to play a proactive role in preventing and managing conflicts and keeping peace.

In addition to broad political support, the policy of military neutrality enjoys widespread public support. While I agree with Deputy Seán Crowe on that matter, I am not sure this extends to support for a referendum or constitutional provision. Neutrality was not among the primary issues considered by the recent Constitutional Convention. In its final report, the convention addressed other issues which citizens and interest groups would have liked it to discuss. However, it was not possible to do so within the timeframe.

Deputy Seán Crowe: The Government set the parameters for the Constitutional Convention.

Deputy Simon Coveney: The Deputy should listen to what I have to say.

An Leas-Cheann Comhairle: Is it agreed to allow the Minister additional time to conclude his statement? Agreed.

Deputy Simon Coveney: I will repeat my previous point. In its final report the Constitutional Convention addressed other issues which citizens and interest groups would have liked it to discuss. However, it was not possible to do so within the timeframe. A ballot of members of the convention highlighted a long list of issues which they believed should be considered by the Government, Oireachtas or any future convention. International relations, which could include neutrality, were cited by just 3% of respondents.

Accordingly, in view of the strength and long-standing nature of this commitment, reiterated by successive Governments spanning the political spectrum, the Government is satisfied that there is no need to insert a constitutional lock for this policy. Not only are the proposals in the Bill unnecessary but they are also potentially fraught with difficulties. Enshrining these provisions in the Constitution could, for example, constrain the Government's flexibility and scope to respond effectively in emergency or urgent circumstances where speed is of the essence. Moreover, there is a risk that flexibility and speed of response in such circumstances could be seriously constrained by the possibility of judicial review. More serious, however, are the potential effects which cannot be foreseen. I am concerned, for example, that inserting the proposed text in the Constitution could constrain the Government's scope to support UN mandated actions, particularly in conflict zones and fragile states involving both State and non-State actors.

Military neutrality has always been a matter of policy and principle, rather than law. The instigators of the policy never sought to enshrine it in law and successive Governments have continued to maintain the policy but have not proceeded to give it legal or constitutional effect. This pragmatic approach has enabled successive Governments to respond to international crises through both civilian and military means in both peacekeeping and peace enforcement missions. The future implications of enshrining in the Constitution a specific provision, as proposed, cannot be foreseen at this remove. Invariably, however, as history has shown, the real world throws up all sorts of problems and difficulties which we cannot foresee at this juncture. The insertion of these proposed provisions would, by their nature, limit and constrain the capacity of government and Dáil Éireann to respond effectively and flexibly, as required, in support of international peace and security, authorising the deployment of our armed forces to worldwide conflict zones in appropriate

circumstances. I do not see any groundswell of public or political opinion to the effect that people would wish to constrain the Government and Dáil Éireann in this way.

I will briefly address the issue of the Government's policy on the use of Shannon Airport by United States aircraft. Claims will be made that this policy is incompatible with our neutrality. Successive Governments have made overflight and landing facilities at Shannon Airport available to the United States for more than 50 years. These arrangements are governed by strict conditions, including that the aircraft are unarmed, do not carry arms, ammunition or explosives, do not engage in intelligence and the flights do not form part of military exercises or operations. We impose these conditions to ensure compatibility between these arrangements and our neutrality. Civilian aircraft transporting troops through Shannon Airport have applied and received exemptions generally for the carrying of personal weapons of the soldiers on board.

I have set out the context in which the Bill must be considered. Government policy on neutrality is unambiguous. Effective safeguards are in place to protect Ireland's military neutrality, while enabling Ireland to continue to play its part internationally through a range of actions, including diplomatic activity, humanitarian interventions and peacekeeping, peace enforcement and crisis management operations. The proposal to include further provisions in the Constitution is not necessary.

Deputy Mick Wallace: 🗣️🔍 It is hard to know whether to laugh or cry in response to the incredible contribution we have just heard the Minister make. This and previous Governments dating back to 1999 have been disingenuous about our position on neutrality. It is simply too bad at this stage. The more we research and investigate the issue, the worse it looks. None of the four Departments dealing with Shannon Airport, namely, the Departments of Transport, Tourism and Sport; Justice and Equality; Foreign Affairs and Trade; and Defence, is taking responsibility.

The idea that Ireland is a neutral state has zero credibility. The Minister stated we are committed to the ideal of peace and choose to remain neutral. This statement is incorrect because we have taken sides. We would not allow Russia or Islamic State to use Shannon Airport to transport combatants to a war front and we would be right not to allow them to do so. We should not allow any military force to use Shannon Airport. I have no interest in what Russia gets up to and would not defend it for two minutes, no more than I would defend people who commit violence anywhere. However, we are taking sides.

About a year ago, I was involved in an argument in a pub in Ennis when a man got mad with me for raising issues about the US military's use of Shannon Airport. I asked him if he realised how many hundreds of thousands of people were dying at the hands of the US military war machine, which we were facilitating by allowing it to use the airport. His response was to tell me that he sold sandwiches in the airport and we should allow the Americans to keep coming. The attitude is that there is money in it for us.

Deputy Simon Coveney: That is not the Government's attitude.

Deputy Mick Wallace: The Minister may recall that I did not once interrupt him during his 20 minute speech.

We are eager to engage companies providing foreign direct investment, most of which are from the United States, which is proper order. I do not have a problem with that because it is great that these companies are creating so many jobs here. However, the truth is that we are prepared to allow innocent civilians to be slaughtered in order that we can have jobs and improve our business capacity. Only two weeks ago, the Minister linked the use of Shannon Airport with the opening of

the US market to Irish beef. The attitude is one of "We do well out of them and they do well out of us".

Deputy Simon Coveney: I did not make such a link. The Deputy is being disingenuous.

Deputy Mick Wallace: The Minister did make such a link. I will send him a copy of his remarks.

Deputy Simon Coveney: I said it was a matter of trust.

Deputy Mick Wallace: How in God's name can the Minister claim that Shannon Airport is not being used by aeroplanes engaged in military exercises? What would be the point of these flights coming through Shannon Airport if not for military reasons? Are the troops coming through the airport on their way to the Middle East to play golf? The 2.5 million troops who have passed through the airport since 2001 are not going on their holidays.

Deputy Clare Daly and I are forbidden from discussing the issues arising from our court case because it is ongoing and we will be before the court again next Tuesday. However, we will have much to say about the matter afterwards.

It is not true, as the Minister claims, that we have facilitated the US military at Shannon Airport for 50 years. Game-changing moments occurred in 1999 and 2003 when the then Taoiseach, Mr. Bertie Ahern, misled the Dáil. We did not maintain any neutrality when we allowed Shannon Airport to be used for the invasion of Iraq.

(Speaker Continuing)

[Deputy Mick Wallace:] There are too many aspects to this issue and I do not have enough time to deal with all of them. However, I want to touch on the Costa Rican aspect, as described by a barrister from Costa Rica who visited us. In 2003, when the Americans decided to invade Iraq, they did so without sanction from the United Nations and without sanction to occupy Iraq or Afghanistan. They went into Afghanistan without UN permission to invade and without a UN order to occupy it. We were complicit in that and it is outrageous that we still have seven troops there. The people of Costa Rica did not like the idea that they were being signed up to the US war mission in Iraq, but the Costa Rican Government voted to support it, much like our lads here who supported it against the will of the people, which brought 100,000 protesters out onto the streets of Dublin. In Costa Rica a barrister took a case to the courts and won. The main reason he won was the courts ruled the invasion was illegal and in breach of international law. We are in breach of international law by allowing Shannon Airport to be used for military purposes. We are not neutral.

I will read some of the Costa Rican barrister's argument:

"Neutrality may be defined as the attitude of impartiality adopted by third States towards belligerents and recognized by belligerents, such attitude creating rights and duties between the impartial States and the belligerents" ... neutrality is not just a matter of international politics but rather a matter of international law.

The general principles enshrined in the Hague Conventions are widely accepted as customary rules of international law.

In general principle and according to the Hague Conventions, the adoption of a neutral standing implies certain obligations towards belligerent States; freedom from hostile acts, respect for its territorial integrity, respect for its political sovereignty.

Respect for its territorial integrity refers directly to the provision regarding the prohibition of passage for war machinery, say, the neutral country can't even be "*en route*" to the warzone. Say the less, using the country as a station.

... Classically, neutrality has been linked to 2 elements; non participation and non discrimination.

Non participation seems quite clear and obvious, the neutral State cannot take ANY action related to the war itself ...

Non discrimination means that the rules of neutrality, as well as its implications and legal consequences, will be applied equally to either side of the conflict.

Some authors note that "*to qualify for treatment as a neutral, a state had to assume an attitude of impartiality toward the belligerent. Policies adopted by the neutral state had to be applied equally to all parties at war. In return for assuming the duty of impartiality toward belligerents, the neutral was guaranteed the inviolability of its territory and freedom from belligerent acts*".

Permanent or "perpetual" neutrality overcomes the theoretical problem of having to identify those belligerent, as it loses any importance. Whatever the conflict and whoever the Parties, a policy of permanent neutrality remains on top of the particularities.

The Costa Ricans won their case and the ideal of peace has now been enshrined. The Minister says we are committed to the ideal of peace. The Costa Ricans are committed to it and have enshrined it in their constitution. They are not allowed to support anyone who tries to resolve a conflict using arms or weapons.

This is a small island and we should be 100% neutral. The entire Middle East region has been destroyed and the situation there has got worse. ISIS is a creation from the original invasion of Iraq and was formed out of the troubles in 2006. What is happening is horrific, as is what is happening in Syria and Palestine. We are not neutral because we allow Shannon Airport to be used as a military base. We could play a different role and could be neutral. We should be working towards peace. Take Ukraine as an example. There is no military solution to what is wrong there. Russia should be incorporated into a peaceful Europe. It should sit down with ther rest of Europe. Ukraine should be neutral and everyone else should stay out of its business. What is happening is outrageous. We are not working towards peace but war.

There was a time when wars were fought over territory, money or resources. Today, more than anything else, it is about promoting the arms industry. It costs €1 billion to be elected President of America. The arms industry is one of the main contributors to a campaign and needs its money back. This means having to invade somebody, drop bombs and kill people to promote the industry. That is the main reason behind the escalation of war throughout the world. It is the promotion of the arms industry, in which we are not innocent.

The Minister made some comments about Shannon Airport that were outrageous. They were unfair and untrue, but we will deal with that issue after the court case.

Deputy Brendan Smith: Fianna Fáil is dedicated to Ireland's policy of military neutrality. It is a policy we have pursued both in and out of government and its key defining characteristic is non-membership of military alliances. This policy of military neutrality has gone hand in hand with strong support for international co-operation to ensure peace and stability, as manifested in Ireland's participation in UN mandated peacekeeping operations. Various Defence Acts passed by the Oireachtas mean that Ireland only takes part in missions which are unambiguously authorised by the United Nations and on the basis of a sovereign decision made by the Government, subject to the approval of the Dáil. Furthermore, the Constitution, in Article 29, confirms Ireland's dedication to the ideals of peace and friendly co-operation among nations founded on international justice and morality. Article 29 also upholds our observance of the principle of peaceful resolution of international disputes. Since the 1930s and 1940s, we have never sought to have the type of neutrality which, for instance, Belgium pursued before 1914, for the very good reason it proved not to be worth the paper on which it was written.

With this in mind, Fianna Fáil does not see a case to amend the Constitution. The second Nice treaty referendum introduced a provision in the Constitution affirming that Ireland could not take part in common defence without further amendment of Bunreacht na hÉireann. This gave constitutional effect to the solemn commitment in the national declaration by Ireland at Seville that a referendum would be held in Ireland on the adoption of a decision taken by the European Union to move to a common defence. The Seville declaration clarified that there was nothing in the Treaty of Nice or previous treaties that posed a threat to Ireland's traditional policy of military neutrality. In order for Ireland to join a common defence, the people would, first, have to vote to delete or amend this constitutional provision. Of course, while no decision to create a common defence can be taken at the European Council without Ireland's agreement, it has never been Ireland's position that we would attempt to block the desire of other member states to establish common defence arrangements among themselves in circumstances where Ireland was not going to participate, as long as these arrangements would not prejudice its national interests.

At the Seville summit in June 2002 the State secured the agreement of our EU partners to declarations that reflected Ireland's position on military neutrality and European Security and Defence Policy. Two declarations were included in the Nice treaty to underline the Irish position. The national declaration by Ireland states: (i) Ireland is not party to any mutual defence commitment; (ii) Ireland is not party to any plan to develop a European army; and (iii) Ireland will take a sovereign decision, on a case by case basis, on whether the Defence Forces should participate in humanitarian or crisis management tasks undertaken by the European Union, based on the triple lock of a UN mandate, a Government decision and approval by Dáil Éireann.

The declaration of the European Council at the time confirmed that (i) Ireland's policy of military neutrality was in full conformity with the treaties on which the European Union was based, including the Treaty of Nice, and (ii) that there was no obligation arising from the treaties which would or could oblige Ireland to depart from that policy. These are solemn formal political declarations which have been deposited at the United Nations and we stand by them. We also stand by the triple lock mechanism.

(Speaker Continuing)

[Deputy Brendan Smith:] Ireland has conferred fundamental importance on the United Nations since we joined 58 years ago and working with other UN members we have supported international action in areas such as disarmament, peacekeeping, development and human rights. We are strong and committed supporters of collective security through the United Nations. This has been the stated policy of many governments over the past 58 years. Alongside this we have endorsed and supported the primary role of the Security Council in the maintenance of international peace and security in accordance with its charter. This emphasis on the United Nations is not one we should lightly discard. While we are conscious of the opposition to the triple lock from some military and political commentators, we believe there is overwhelming public support for this mechanism.

We acknowledge that the United Nations is far from perfect and can be slow to respond to developing crises but it is still the guarantor of the freedoms of small nations and the best bulwark against unilateralism. Its imprimatur provides a greater legitimacy for peacekeeping operations than any other international organisation. Furthermore, the legitimacy conferred by a UN mission bolsters the safety and security of our Defence Forces when they participate in peacekeeping missions. No mission will be without risk but the absence of the blue hat will heighten the risk.

While neutrality was the given policy of successive governments prior to the Second World War, it was that conflict that put it to the test. In 1940 Éamon de Valera told this House:

We have chosen the policy of neutrality in this war because we believed that it was the right policy for our people. It is the policy which has been accepted, not merely by this House, but by our people as a whole, and nobody who realises what modern war means, and what it means particularly for those who have not sufficient air defences, will have the slightest doubt that that policy was the right one, apart altogether from any questions of sympathy on one side or the other.

In 1946 as the Dáil debated a motion on admission to the newly formed United Nations he provided another illuminating insight when he stated, "I would like our people and the Members of this House to bear in mind that for six years of war the question as to whether our neutrality would be respected or not depended ultimately upon the will of, perhaps, two men."

He went on to say with regard to the United Nations:

[I]t is the small nations particularly that should welcome an organisation which is intended to give collective security ... But the small nations, just like the big ones, will, if they become members of such an organisation, have to be really loyal members of it. They will have to make up their minds that the obligations which are necessary, if the organisation is to be successful, will be fulfilled and carried out.

Of course, our neutrality from 1939 to 1945 was feasible only because we had regained control of the treaty ports from Britain in 1938. When discussing this in the Dáil in the immediate aftermath of securing their return, de Valera emphasised sovereignty rather than neutrality.

As has been pointed out in this House before, the war between 1939 and 1945 showed clearly that military neutrality by itself is not sufficient to maintain conditions of peace and security internationally. It is also essential that we work actively for international peace and security, taking account of the prevailing circumstances. This support for collective security has essentially been followed through the United Nations.

I reject very strongly the contention that Irish Governments have degraded our neutrality. Let us recall very clearly that when our neutrality was most tested between 1939 and 1945, Sinn Féin and

the IRA did everything but respect that neutrality and for that organisation to present itself now as a champion of Irish neutrality lacks any semblance of credibility. Ireland is not alone in not providing a constitutional provision for its neutrality. Several of our EU partners do the same. Sweden has a long-standing policy of neutrality but it is not a feature of its constitution. Similarly, Finland is not in any military alliance but does not feel any need to provide for a constitutional prohibition.

What would happen if we did make a provision for neutrality in the Constitution? That is worth pondering. I suggest it would be left to the Supreme Court to decide on what our neutrality could mean. Can the definition of a military alliance be also open to interpretation? Is our participation in the United Nations Disengagement Observer Force, UNDOF, in the Golan Heights or the United Nations Interim Force in Lebanon, UNIFIL, a form of military alliance? If the provisions of the Bill became law, the Supreme Court could well have to decide because I have no doubt there would be a challenge to such missions. The truth is that a constitutional provision could be too rigid and too doctrinaire. Many in the legal profession share that view. It could undermine the whole purpose of collective security and the United Nations, to which Ireland is so committed. The inclusion of a specific reference to neutrality in the Constitution could have a serious impact on our capacity to support the United Nations. There would be serious doubt as to whether we could fulfil obligations as a member of the United Nations. Resorting to the courts would be a clear implication of this plan to amend the Constitution and it is simply not a suitable area for judicial decision. These are not matters to be settled in the Supreme Court rather than by those who have been elected by the people.

Deputy Simon Coveney: Hear, hear.

Deputy Brendan Smith: The people are sovereign through our electoral system and that is where sovereignty must reside.

Another myth that Sinn Féin and other supporters of this Bill peddle is that of increasing militarisation. The truth is that all over Europe, military expenditure has declined rapidly in the 20 years after 1989. Now events in Ukraine may reverse that in some countries where the important issue of the violation of sovereignty arises. Here in Ireland we have reduced our Defence Forces from around 14,000 in 1990 to fewer than 10,000. I hope that number can increase again to 10,000. In the ten years after 1997, defence spending in this country halved as a share of gross domestic product, GDP. In the era known as the Troubles we had a very substantial expenditure on defence and security due to the atrocities carried out by paramilitary organisations and the needless loss of thousands of innocent lives. Fortunately, we have been able to reduce those security and financial demands and the need to put in place security along the Border.

This Bill would represent a backward step. It would not do anything to enhance the protection of military neutrality that is already there and I restate my party's opposition to it. We did not support a similar Bill proposed by Sinn Féin while we were in government in 2003 and we will not do so now.

Deputy Thomas P. Broughan: I am pleased to support Deputy Seán Crowe and Sinn Féin this morning on Second Stage of the Thirty-fourth Amendment to the Constitution (Neutrality) Bill 2013. Almost 12 years ago, my Labour Party colleagues and I supported Sinn Féin's neutrality Bill and I reiterate that support today. The principle of the Bill is the insertion of the principle of neutrality into the Irish Constitution so that the Irish State cannot participate in any war, assist foreign states in any way to prepare for or conduct such a war, save with the assent of Dáil Éireann. The Bill reiterates that the Constitution will maintain a policy of non-membership of military alliances such

as the North Atlantic Treaty Organisation, NATO. By its nature the Bill, if passed, gives an opportunity to the Irish people to reaffirm Ireland's long history of neutrality.

Given the long history of oppression of our people by British ruling elites it is striking how deeply ingrained in our history is our attachment to the principle of neutrality. Over the two centuries before 1922 almost every year some part of our island was claimed by the British authorities and subject to martial law. Even during Ireland's period of legislative independence, under the College Green Parliament, when we had no government, the Irish Parliament debated in 1793 and 1794 whether that parliament would support England's war with Spain. The father of Irish republicanism, Theobald Wolfe Tone vigorously opposed that war which then spread into a huge continental war for 25 years against the principles of the French Revolution.

The terrible deaths and enduring trauma of the First World War and the War of Independence, between 1914 and 1923, left an indelible mark on at least 50,000 Irish families and a revulsion for militarism and violence. The founder of my tradition, the social democrat movement, or modern unions, James Connolly, bitterly opposed the First World War and was devastated when the German Social Democratic Party, SPD, supported the German dynasty and the capitalist elite going to war with Britain. Connolly wanted working people in all European countries if they had to go to war to turn their guns on the ruling classes who led them into a holocaust of perhaps 80 million or 100 million dead over those decades. Michael Collins and Arthur Griffith also tried desperately to include Irish neutrality in the negotiations with Lloyd George in late 1921.

(Speaker Continuing)

[Deputy Thomas P. Broughan:] After 1922 it is notable that Cumman na nGaedheal, Fine Gael, never seemed fully committed to Irish neutrality and its best orator, James Dillon, wanted Ireland to intervene on Britain's side in the Second World War. It is often said that we were neutral on the British side during that war, but Éamon de Valera and his Government, like countries such as Switzerland and Sweden, successfully maintained a policy of non-attachment to the two belligerent sides. We recall the great heroism of the Irish merchant marine during that time in keeping the country supplied and the role of the infant Aer Lingus, which the Government is now prepared to flog off, to maintain our aviation connection during those years.

Éamon de Valera's famous response to Churchill that Britain's necessity would become a moral code forcing Ireland into an unwanted war remains a classic text on the ethical basis for neutrality. Unfortunately, as we heard again today, de Valera's Fianna Fáil heirs have not been committed in the way as he was to that fundamental principle. In the past two decades there has been a growing apprehension that the principle of national neutrality has been steadily eroded on the basis of growing EU and UN commitments and Ireland's logistical support for American military operations, especially through the use of Shannon Airport by the US military.

The Taoiseach, in typical Fine Gael style, has stated, "[T]he truth is, Ireland is not neutral. We are merely unaligned." The 1996 White Paper on foreign policy stated that Ireland's policy of military neutrality would not be changed without a referendum, but that document advocated that Ireland would join NATO's partnership for peace and participate in missions of the Western European Union, although it states that we should not join NATO or the Western European Union. Despite our policy of neutrality after 9/11, Ireland was involved in a NATO-led ISAF mission to Afghanistan through the provision of military instructors. The Fianna Fáil-led Government before 2011 - the

former Minister for Defence, Deputy Willie O'Dea is not in the Chamber - signed the country up to NATO's partnership for peace, which is often seen as a first step to NATO membership. He negotiated Ireland's entry into EU battle groups.

These developments took place in spite of Article 29.4.9° of the Constitution, which was inserted during the campaigns on the Nice treaty in 2004 and the Lisbon treaty in 2009. The Minister referred to the triple lock. Article 29 stipulates that Ireland should not adopt any decision of the European Council to establish a common defence where that common defence would include the State. Since the 2003 invasion of Iraq by the United States and Britain and the decision to permit the US airforce to refuel at Shannon Airport, it is estimated that, as Deputy Mick Wallace said, some 2.5 million US troops have passed through Shannon Airport on their way to and from the terrible conflicts in Iraq and Afghanistan.

The former Taoiseach, former Deputy Bertie Ahern, and his successors were repeatedly unsuccessfully questioned in the House about the use of Shannon Airport and the failure of Irish Governments to invigilate US flights and ensure prisoners on their way to rendition and possible torture were not passing through an Irish airport. As Deputy Higgins famously said, the questioning was like playing handball against a haystack. As John Lannon and Shannonwatch observed, the UN Security Council did not authorise the military attacks on Afghanistan or Iraq in 2001 or 2003.

I was one of the more than 100,000 citizens, as was, I understand, the Leas-Cheann Comhairle, who marched in the city against the Iraq war. For most sentient observers, the regime in Saudi Arabia was the foreign power mainly involved in the appalling and murderous attacks on 4,000 US citizens in New York and Virginia in September 2001, yet the Bush Administration closely associated with that medieval regime and took no action whatsoever to bring Saudi Arabia's rulers to account for these horrors.



In the words of Roger Cole, the outstanding leader of the Peace and Neutrality Alliance, PANA, it is high time for neutrality to be enshrined in the Irish Constitution. It should not simply be a Government policy position, as the Minister has outlined and to which the Fianna Fáil spokesperson referred, but should be codified as a constitutional lynch-pin of our democracy. Hence my support for the Bill today. I warmly commend PANA, its committee and membership and Roger Cole for their tireless, indefatigable and valiant campaign since it was founded in 1996 to place Ireland's military neutrality clearly within the Constitution. It is to be hoped the campaign will succeed on foot of initiatives such as Deputy Seán Crowe's today.



PANA, as Deputy Crowe mentioned, commissioned a RedC poll in September 2013 which clearly showed that the vast majority of Irish people want to enshrine our neutrality in the Constitution. In that poll, 78% of Irish adults agreed that Ireland should remain neutral, 79% felt that Ireland should not support a war in Syria without a UN mandate and 85% were opposed to Irish troops being sent to Syria.



Roger Cole has also drawn attention to the 2011 Fine Gael and Labour Party programme for Government, which stated, "We will enforce prohibition of the use of Irish airspace, airports and related facilities for purposes not in line with the dictates of international law". He has also highlighted the emergence of ISIS, the major death toll and destruction which has resulted from the horrendous 2003 invasion of Iraq and the fact that elements of the American economic elite now want to fight a proxy war with Russia over Ukraine. I echo and support the comments of Deputy Mick Wallace on that terrible conflict. It seems incredible that the largest European country would be excluded from the developments that have taken place on the Continent to enhance democracy and co-operation in the past 50 or 60 years.

The continuing mayhem in Iraq, Libya and Syria and the situation in eastern Ukraine should be a primary responsibility for a greatly enhanced UN organisation. Ireland must avoid getting drawn in

a military manner into what are humanitarian disasters. For that reason, it is timely that Deputy Seán Crowe and Sinn Féin have presented this Bill to Dáil Éireann today. I full support it and will vote for it next week.



Acting Chairman (Deputy Seán Kenny):   The next speaker is Deputy Clare Daly. There are eight speakers remaining and under Standing Orders I have to call the Minister at 11.45 a.m. That leaves 35 or 36 minutes remaining.



Deputy Clare Daly:   The Minister has already had an extra five minutes.



Acting Chairman (Deputy Seán Kenny):   Others will not be able to speak. I am just pointing this out.



Deputy Simon Coveney:   We asked and the Deputy agreed.

Deputy Clare Daly:   I did not, actually.

Acting Chairman (Deputy Seán Kenny):   Other Deputies will not be able to speak if everybody insists on speaking for ten minutes.

Deputy Clare Daly:   How much time do I have?

Acting Chairman (Deputy Seán Kenny):   Five minutes, otherwise others will be left out. The Deputy is entitled to ten minutes.

Deputy Clare Daly:   I will do my best. We were told the Minister would speak for a short time, but his contribution went substantially over the odds. We all have a responsibility to balance our comments.

This debate is one of the twilight zone discussions that often occurs here, where we say one thing and the reality is something entirely different. The Minister talks about supporting our neutrality and then acts as a cheerleader and advocate of us being, in effect, an outpost of US imperialism. In reality, our approach to this issue is very much like our approach to abortion, where we say there is no such thing as Irish abortion and we provide a constitutional right for an Irish woman to have an abortion, but we do not allow her to have it in Ireland. It is the same sickening hypocrisy which has stood over this debate. I would have far more respect for the Government and Fianna Fáil if they told the truth, namely, that they are happy for us not to have a position of neutrality, because that is the reality of their actions. They do not do it because they understand very well that it is at variance with the will of the Irish people as indicated in repeated opinion polls.

Our neutrality probably has a lot more to do with the war against Britain, nationalism in the early days and trying to free ourselves from the yoke of British imperialism, but it has developed from that into something which Irish people hold very dear. When they go on holidays they like to be recognised as not being English or from an aggressor nation. They are very much affiliated with the idea of being part of the peoples of the world rather than facilitating world powers. We do, because of that, have the potential to punch way above our weight in terms of international affairs, something which we have abandoned.

As Deputy Mick Wallace said, we are curtailed in what we can say in the run-up to our court case but we will have the full benefit of that after it is over. Deputy Mick Wallace will move a similar Bill in about two week's time. We will develop some of our points at that stage. One of the key reasons put forward by the Minister as to why he could not support the Bill, which was ably echoed by his Fianna Fáil colleague, was the alleged basis that this would limit our willingness to respond to international situations. That is rubbish.

(Speaker Continuing)

[Deputy Clare Daly:] Obviously, the Government is worried that if the amendment were to be included in the Constitution, it might clip its wings somewhat, the actions of the State and its ability to kowtow and breach our neutrality. I am not surprised that Fianna Fáil supported the Government because Wiki leaks was very clear in exposing its role. Former Deputy Dermot Ahern came into the House and gave repeated assurances that Ireland was not involved in rendition, but we found out later that he was going to the Americans to express his sincerely held belief we were involved, through the use of Shannon Airport, in that project. We will be pursuing these issues and the complicity of certain sections of the Irish establishment in actively breaching our neutrality.

It is unfortunate that Fianna Fáil compared Ireland to Sweden when we all know about the active involvement of Sweden in NATO and despite the wish for us to remain neutral. These are very important issues. As Deputy Mick Wallace said, it is not just a matter of non-participation, it is also a matter of non-discrimination. By affording the US military the right to use Shannon Airport, if we were really neutral, we would give the same rights to Libya, Russia, Syria and anyone else on the way to bomb the United States, which, obviously, would be ludicrous because it would set up Shannon Airport as a potential battlefield.

We know from history that applications have been made. I refer to the example in 1959 of the British Government seeking permission to use Tory Island in refuelling helicopters on naval exercises. The response of the Department of Foreign Affairs and Trade at the time was illustrative:

It is difficult to see how this request could be acceded to. The islands mentioned [Tory Island was also mentioned as a location] are as much part of the national territory as Stephen's Green. It is known that we give permission for the landing in our territory of unarmed military planes engaged on peaceful duty, e.g. US army planes carrying US personnel for leave in Ireland or in transit to the USA. It is quite another thing to give permission not only for aircraft engaged on warlike exercises to land on our territory but also to use our territory as a refuelling base for such exercises.

Traditionally and in the 1950s, US troops went on their holidays to their garrison bases in Germany not involved in conflict, but that changed in 1999. The scale of movement of US personnel through Shannon Airport gives rise to no other conclusion other than that they are involved in military exercises. The total last year alone was 55,000. Over 600 exemptions were sought for military aircraft to land at Shannon Airport, or almost two flights a day, while over 700 exemptions were sought to carry weaponry on chartered aircraft transiting troops to the Middle East to the slaughter and horror under way there.

In deference to other Deputies I will conclude. The Minister should read the ruling of Mr. Justice Kearns in the High Court in the case of *Horgan v. Ireland*. He ruled that there were rules on neutrality, but that it was a matter for the Dáil rather than for the courts. We need to revisit this matter and consider boosting our legislation by means of a constitutional amendment. It is my belief the Government does not wish to do so because it wants to keep on doing what it is doing - doffing the cap to the US establishment in return for a few sandwiches or cows.

Acting Chairman (Deputy Seán Kenny): The next speaker is Deputy Shane Ross who is entitled to ten minutes, but I ask him to confine his remarks to four or five minutes to allow time for others who wish to speak.

Deputy Shane Ross: I will try to do so. I have enjoyed debates such as this for many years. There is a repetitiveness about them that people who claim to be the champions of neutrality are more vociferous than others. I agree with much of what Deputy Clare Daly said that there was a time when the voice of Ireland was respected overseas and that voice was respected mainly because neutrality had an identity. We were respected for saying things which were seen as courageous, if unpopular, but that day has gone. I do not like to personalise my comments, but they are fair. The Minister for Foreign Affairs and Trade, Deputy Charles Flanagan, has been in office for a very short time, but I cannot, for the life of me, remember a single thing he has said since he took office. He is the greatest advertisement for the abolition of the Department of Foreign Affairs and Trade. There is nothing being said which would offend anybody in the world-----

Deputy Jimmy Deenihan: He produced the policy.

Deputy Shane Ross: The Minister of State should stop interrupting because he will have an opportunity to reply.

Deputy Jimmy Deenihan: The Deputy's allegations against him are not true.

Deputy Shane Ross: He is the advertisement.

Deputy Jimmy Deenihan: The Deputy obviously does not read the newspapers.

Deputy Shane Ross: The Minister of State may be impressed by it-----

Deputy Jimmy Deenihan: He published a comprehensive policy three weeks ago.

Deputy Shane Ross: -----but he has even lower thresholds than I have. That is all I can say about the matter. It is regrettable and we should take note of it, but I ask why this has happened. Why is Ireland frightened to raise its voice against anything? Whether Deputies Mick Wallace and Clare Daly are right, surely the Minister should have expressed concern about the apparent activities of the United States at Shannon Airport. Instead, he is silent and we are cowed. We are not a neutral nation; we are a neutered nation. We are a nation that hides behind others, seeks consensus and then makes statements in line with it, whether it be the European Union, the United States or the United Kingdom. One thing is certain - because of this and the former Government's policy, we are now a satellite nation. We are a satellite nation one day of the United States, one day of the United Kingdom and another of the European Union, but we are certainly not an independent neutral nation the word of which is listened to around the world. That is something I regret.

Have I just two minutes remaining?

Acting Chairman (Deputy Seán Kenny): We agreed to a time limit of five minutes to allow others time to speak. As the Deputy is entitled to ten minutes, it is his decision.

Deputy Shane Ross: I will try to restrict my remarks to five minutes.

There used to be a time when Heads of State and Government came to address this House. I refer to visits by John F. Kennedy, Ronald Reagan, Francois Mitterand, Helmut Kohl, Tony Blair and Nelson Mandela. Such visits ended about the year 2000. If the Minister of State were to look at the photographs on the walls of Leinster House, he would find there was a spate of visits at a time when Ireland was respected. They do not come to address this House any more-----

Deputy Jimmy Deenihan: Mostly American.

Deputy Shane Ross: -----because they would probably be interrupted by a Minister who did not know what he was talking about. They do not come because they have no respect for what Ireland says among the nations of the world because it says virtually nothing. I understand fully the reasons for this, but let us be realistic.

I read in the newspaper this morning that last year our nation had received more in foreign direct investment from the United States than any other nation in the world. Of course, this exerts pressures and it is important, as is the economy. If multinational US companies are investing here, it has an effect. However, let us recognise the fact that we are bowing to American pressure, whether tacit or real, because we are economically dependent on the multinationals. That is what the Government should recognise and it should admit that this is the reason for its silence.

We are equally cowardly in our foreign relations, as demonstrated by our silence on the Greek issue. In fact, it is not silence but rather a situation where we are frightened to stick up for the rights of small nations, as we used to do. Let us not pretend that we are involved in aggressive neutrality because we are not. We have been neutered. If we are not a satellite nation of one block, we are a satellite of another. It is to our shame and that of the Government that it is not admitting to this today.

Deputy Aengus Ó Snodaigh: Tá sé ríthábhachtach go bhfuilimid ag déileáil leis an mBille seo inniu. Is trua nár glacadh le Bille eile dá leithéid a chuir muid chun tosaigh sa bhliain 2003, nuair ba léir do phobal na hÉireann - measaim go bhfuil sé soiléir fós - go raibh sé riachtanach go mbeadh neodrachas míleata istigh sa Bhunreacht i gceart. Is í sin an aidhm a bhí ann ag an am agus is í sin an aidhm atá againn inniu. Is léir ón méid a dúradh sa Teach seo sa bhliain 2003 gurb í sin an aidhm a bhíodh ag Páirtí an Lucht Oibre. Mar is gnáth, tá port iomlán difriúil acu anois. Ón am a bunaíodh an Stát seo, bhí port iomlán difriúil ag Páirtí an Lucht Oibre gach uile uair a chuaigh siad isteach sa Rialtas - mo náire iad. Dá dtabharfadh an Rialtas éisteacht cheart don mhéid a bhí le rá ag an Teachta Crowe, agus roinnt de na Teachtaí eile, thuigfeadh siad cén fáth gur chóir go mbeadh neodrachas míleata fite fuaite sa Bhunreacht sa tslí atá molta. Ní neutering orainn atá i gceist. Ní cheart go nglacadh muid taobh amháin in aon chogadh thar taobh eile. Ba cheart dúinn iarracht a dhéanamh síocháin a chothú sa domhain. Ba cheart go mbeadh prionsabal nó polasaí againn maidir le human security, coincheap nach bhfuil go leor plé déanta air sa tír seo. Ba cheart dúinn a bheith dírithe ar iarracht a dhéanamh a chinntiú nach bhfuil bochtanas sa domhain agus nach bhfuil éinne ag fáil bháis de bharr ocrais.

Chuala mé Teachta ag rá níos luaithe go bhfuil caiteachas míleata san Eoraip íslithe. Ní féidir a rá go bhfuil caiteachas míleata timpeall an domhain íslithe. Tá a lán comhlachtaí san Aontas Eorpach taobh thiar den chaiteachas sin a bhrú chun tosaigh. Tá siad ag baint tairbhe as an t-ardú ginearálta ó thaobh caiteachas míleata. Sa bhliain 2011, caitheadh €1,738 billiún ar armlón agus ar chúrsaí míleata timpeall an domhain. Tá sé sin scannalach ag an am céanna go bhfuil leath de dhaonra an domhain i gcruachás de bharr bochtanais. Gach uile bliain, tá na céadta míle duine ag fáil bháis leis an ocrais. Caithfidh muid díriú isteach ar sin. Is é sin an prionsabal atá taobh thiar den pholasaí atá againn, agus a bhí ag poblachtánaigh thar na blianta. D'fhoilsigh mé doiciméad, Positive Neutrality in Action, sa bhliain 2004. Nuair a bhí an díospóireacht seo againn roimhe seo, dúradh linn nach raibh polasaí taobh thiar den mhéid a bhí le rá againn agus nár thuig muid cad a bhí i gceist. Leag

mé amach go díreach cad a bhí i gceist agus an áit as ar tháinig sé ó thaobh stair na tíre seo. Bhí Positive Neutrality in Action mar theideal ar an bpolasaí a chuir mé le chéile sa bhliain 2004.

Acting Chairman (Deputy Seán Kenny): I apologise for interrupting the Deputy. Although he is entitled to take ten minutes, we agreed before he came into the Chamber that if every speaker was to be accommodated, each Member would need to take no more than five minutes.

Deputy Aengus Ó Snodaigh: I will try to wrap up má thugann tú deis gasta dom. Ba mhaith liom an méid a dúirt mé ag cruinniú coiste le déanaí mar gheall ar an bhfianaise atá ag Amnesty International maidir leis na gialla a bhí i Guantánamo a cheartú. Níl fianaise acu ó na gialla sin. Is léir, áfach, ó na ríomhphoist ó wikileaks agus a leithéid go raibh Aerfort na Sionainne gafa leis an cleachtas gránna sin ar a dtugtar "extraordinary rendition". Luaigh mo chomhghleacaí, an Teachta Seán Crowe, go leor den stuif eile a bhí mé chun a lua anseo. Bhí mé chun tagairt a dhéanamh do Wolfe Tone, mar shampla. Críochnóidh mé ar an bpointe seo. Ní raibh mé ag súil le haon rud eile ó Fine Gael ós rud é go bhfuil siad fite fuaite le fáil réidh leis an neodrachas más féidir leo. Bhí roinnt de na Teachtaí a bhí acu anseo cheana ag iarraidh go rachadh an tír seo isteach i NATO. Deireann ionadaithe Páirtí an Lucht Oibre go bhfuil siad i bhfábhar an méid a bhí le rá ag James Connolly. Mo náire iad - b'fhéidir gur leor sin ag an staid seo. Is trua nach bhfuil an Rialtas sásta díriú ar seo in aon chor. Glacaim leis nach mbeadh Fianna Fáil ag déanamh aon rud eile. Dá mbeadh siad ag iarraidh casadh timpeall ar an ábhar seo, faoi mar a chas siad ar go leor ábhair eile, bheadh siad ag tabhairt bréag don mhéid a dhein siad nuair a bhí said sa Rialtas. Ba náireach an tslí a chas siad ar neodrachas na hÉireann nuair a bhí said sa Rialtas thar na blianta.

Deputy Eamonn Maloney: The principal reason for my reservations about including a commitment to neutrality in the Constitution is that I am opposed to neutrality. All parliamentarians and parliaments in the free world should be free to express their views. We have a duty to do so openly and with freedom. In that vein, parliaments should have the choice or freedom to make decisions on whether they should support military action, wherever such action is proposed. Each case is different, as history has shown us. The absence of a reference to neutrality in the Constitution does not mean that Members of this Parliament approved of the invasions of Vietnam or Cambodia, for example, or, in more modern times, the events that have led to the situation in the Middle East. The majority of us do not support these actions.

It would be a mistake to include a neutrality clause in the Constitution because it would leave us in a situation where parliamentarians could talk all they like about these issues but could not do anything about them. To take the situation in Syria, for instance, and the ongoing situation at the Palestinian camp outside Damascus, is there any Member of the Dáil who is not appalled that thousands of Palestinians are dying of hunger? If such a clause were inserted into the Constitution, we could all come here on a Friday morning and talk about it, but we could do nothing for the people in question. Some disagree, but it seems clear that something should be done for them. There was, rightly, outrage following the recent bombardment of Gaza. What is happening in Syria is on a completely different scale, yet we do not hear a single word about it. It is extraordinary.

Let me give another example. We have the situation in north Africa where atrocities are being committed by various fundamentalist military groups. I do not care which religion they represent; what matters to me is the treatment by these organisations which seem to have easy access to arms and so on of children and women, in particular. It is appalling, but the West, including Ireland, turns away from it. We do not want to see or talk about what is happening, but it is a serious human rights issue. As I understand there is no longer anything in it for the super powers to intervene in north Africa, the West remains neutral about what is happening there, despite the slaughter of children.

Part of the problem is that there is double-speak in the West, including in Ireland. Some might not like the example I am going to give in this regard, but I will give it.

(Speaker Continuing)

[Deputy Eamonn Maloney:] We saw what happened in Paris over the left-wing magazine when 17 journalists were murdered. Rightly, we condemned it and people went out and marched not only in Paris but here also. I did not go out to march as only a matter of weeks before in Pakistan more than 100 people, most of them children, had been killed in a school and there was no march in this city or any place else. What is the message being sent? If one's face is white and one's religion is Christian, we will all get excited about it, but if Muslim children in Pakistan are blown to smithereens, there will not be one word about it. There was not one word in this House. That is neutrality. Do we just talk and do nothing to intervene in these instances? I do not believe that.

Deputy Finian McGrath: That is not true.

Deputy Eamonn Maloney: On the other hand, we should not crusade around the world chasing after US or Russian invasions. We should be able to come to the House to speak freely. Those of us who are elected should be free to decide to whether we should become involved in any activity in any part of the world. We should have that freedom.

Deputy Peadar Tóibín: Ba mhaith liom ardmholadh a thabhairt do mo chomhghleacaí, an Teachta Seán Crowe, as an mBille iontach tábhachtach seo a chur os comhair na Dála. Is é cuspóir an Bhille ná ceist na neodrachta a chur os comhair muintir na hÉireann. Ní hé seo an chéad iarracht atá déanta ag Sinn Féin dul sa tóir ar an gcuspóir sin. Rinneamar iarracht roimhe seo sa bhliain 2003 nuair a bhí gluaiseacht frith-chogaíochta ag fás timpeall na cruinne ós rud é go raibh Rialtas na Stáit Aontaithe ag ullmhú le haghaidh Cogadh na hIaráice. Tá a fhios ag cách cad a tharla sa Iaráic ag an am sin. Is tubaiste millteannach é go bhfuil torthaí an chogaidh sin fós ag feidhmiú, dosaen bliain ina dhiaidh. Chuaigh níos mó na 100,000 duine ar mhórshiúl ar shráideanna Bhaile Átha Cliath ag an am sin, mé féin ina measc. Thugamar teachtaireacht láidir don Rialtas, don Stát agus do Rialtas na Stáit Aontaithe; sé sin, "ná déan inár n-ainmneacha é". Oideachas polaitiúil géar a bhí ann do na mílte daoine a fhreastal ar an mhórshiúl sin. Roimhe sin, bhíomar den tuairim gur rud lárnach ab ea polasaí neodrachta na tíre seo. Is trua a rá go rabhamar mícheart.

An rud ba mhó a thug mé faoi deara agus mé ag féachaint siar ar tras-scríbhinn na Dála ón am sin ná an easpa cúis a bhain le séanadh prionsabal na neodrachta a chur isteach sa Bhunreacht. Bhí Fianna Fáil trína chéile ar urlár na Dála ag iarraidh seasamh an pháirtí sin i dtaobh na neodrachta a chosaint agus, ag an am céanna, ag iarraidh síniú suas go dtí rudaí cosúil leis an bhfeachtas Partnership for Peace a bhí ag NATO. Is trua a rá gur ocsamórón amach is amach a bhí ann. Sa bhliain 2003, mhínigh Aire ó Fhianna Fáil don Dáil go raibh neodracht míleata mar pholasaí ag an Stát seo le fada. Dar leis, ní raibh idé-eolaíocht na tíre seo neodrach. Leis an fhírinne a rá, léirigh sé sin an easpa tuiscine agus an dícheangal a bhí idir Fhianna Fáil agus muintir na tíre seo. Dá mbeadh a leithéid curtha os comhair muintir na hÉireann mar reifreann, is dóigh liom go bhfoghlaimeodh Fianna Fáil cé chomh tábhachtach is atá polasaí neodrachta don tír seo.

Sa bhliain 2013, rinne an Peace and Neutrality Alliance pobalbhreith trí Red C mar gheall ar polasaí neodrachta na tíre seo. Bhí sé an-suimiúil. Dhírigh Red C isteach ar an gcogadh atá ag tarlú sa tSiria ag an bomaite. Ní raibh said ag caint faoi rudaí ar pháipéar amháin - bhí said ag caint faoi chogadh uafásach atá ar siúl go fóill. Nuair a d'iarr siad an cheart don tír seo bheith neodrach, dúirt 78% de na daoine gur cheart go mbeadh. Nuair a dhírigh siad isteach ar an gcogadh sa tSiria, d'iarr siad an cheart d'Éirinn agus don Aontas Eorpach airm agus gunnaí a sheoladh go dtí na grúpaí frith-Rialtais sa tír sin. Dúirt 67% de na daoine go raibh siad in aghaidh an rud sin. Nuair a d'iarr siad an cheart

d'Arm an Stát seo dul go dtí an tSiria, dúirt 61% de na daoine go raibh siad in aghaidh a leithéid de phlean. Nuair a d'iarr siad an cheart don tír seo tacaíocht a thabhairt don chogadh sa tSiria gan aon mhandáid ó na Náisiúin Aontaithe, dúirt 79% nár aontaigh siad leis an ráiteas sin.

For too long Governments, past and present, have shied away from putting the big questions to citizens. Instead, they have assumed the role of the patriarch who knows better and have kept decision making and policy away from the people. I take the Constitutional Convention as an example. Significant matters were discussed at the convention and detailed reports were produced containing recommendations on many issues. These reports have been ignored. There is a disconnect between the Government and the people on the issue of neutrality. A referendum would bring clarity to the State's policy and end the double and triple-speak we have had to endure. More importantly, it would democratise the position the country has adopted.

My colleagues have spoken about the ongoing abuse of Shannon Airport which is now basically a US military airport and shrouded in secrecy. The major issue is that this and previous Governments have colluded in that secrecy. Fianna Fáil in government signed Ireland up to Nato's so-called Partnership for Peace, which is a stepping stone to full membership. Why is the Government afraid to hear the democratic will of the people on this issue? The people have a right to decide whether the Constitution should enshrine the concept of neutrality. I hope Members of the House will not deny them that right.

Deputy Finian McGrath: I am grateful for the opportunity to speak to this legislation. I welcome the Thirty-fourth Amendment to the Constitution (Neutrality) Bill and commend Deputy Seán Crowe for bringing the issue into this arena and to the top of the political agenda again.

It is important in looking at the word "neutrality" not to distort it. There is a great deal of confusion around it. I was fascinated to hear some of my colleagues earlier in the debate discussing the word. There was an implication that it meant one sat on one's hands and stayed out of trouble. That is not what I believe it implies. Neutrality, for me, means having an independent foreign policy line internationally. It means being an international peace broker. To bring matters home, I note that a nephew of mine is serving with the Irish Army on a UN mission in the Middle East. Three weeks ago one of his colleagues, a young French soldier, was blown away. He was a kid in his 20s, but there was no reaction anywhere. No one should say those who are serving their countries and risking their lives as peacemakers and peace brokers are sitting on the fence by distorting the word "neutrality". Tell that to the families of the Irish soldiers who died on UN service. Our history is steeped in it and it is the agenda I want to push. I assume Deputy Seán Crowe has the same agenda in bringing forward the Bill.

Historically, Ireland has been respected abroad because of our independence and neutrality. I emphasise that the policy is not isolationist, rather it is what I call "conflict resolutionist". People need to get this and it is my core principle. There are people in the Dáil and broader Irish society who seem to want to go and become involved in groups. The term "battle group" does my head in. When one looks at the details, it is clear that such groups are intended to act as international peace brokers and help people in conflict zones, yet the term "battle group" is used, which drives many of us bananas.

Let us not be afraid to talk about our positive independent foreign policy line. For example, we have a healthy policy on Cuba which has meant our relationship with that country has been very different from that of the USA. We have very positive links with Cuba, with which our trade in 2014 was worth in the region of €1.35 million, consolidating an increase in the previous year. In January our ambassador visited Cuba to develop various trade and economic issues. In November 2014 he organised an Irish cultural festival in Havana. These are important. There is constant co-operation

between Cuban and Irish Government officials. It is a very different line from the one taken by other countries, in particular the USA.

We can be strong, independent and neutral, but we can also do our best to assist countries in conflict. Staying at home or sitting on the fence is never an option for those of us who support the Bill.

Deputy Eoghan Murphy: I would like to have more time to speak on this but I appreciate the other speakers-----

Acting Chairman (Deputy Seán Kenny): The Minister of State comes in at 11.45 a.m. and there are two more speakers.

Deputy Eoghan Murphy: I appreciate the other speakers have shortened their time to allow me contribute.

I welcome the debate, although I think there is an air of unreality around it. We are not a neutral country and we never have been, and to say otherwise is ridiculous. Neutrality, as a position, historically, is almost impossible, and if we thought that by somehow putting neutrality in the Constitution would mean in a future conflict we would not be molested, we are kidding ourselves. We are also kidding ourselves about Sinn Féin. If their friends in America told them to drop this Bill, they would drop this Bill. If they said, "Stop speaking about Shannon", they would stop speaking about Shannon. There is a wider world in which we live and operate.

I worked on disarmament issues for four years with the UN and other bodies. I am a member of a number of peace organisations. I have always found it interesting that people have this perception of neutrality as an intrinsic good and they tend to equate it with concepts of peace, human rights and independence. That is a misperception. Deputy Wallace, on one of the facets of neutrality, said one would need to assume an attitude of impartiality toward belligerence. It is irresponsible to suggest, no matter what, even if there was genocide or atrocities happening, we would have to take no stance, either militarily or politically. When an aggressor seeks to dominate unjustly someone who is weaker than he, this idea of positive neutrality or passive observance is not a noble good. There is a time for active interest and active engagement. That is not necessarily an argument for intervention either. It is to recognise that one needs to get involved in some way and in a conflict, sometimes one needs to take a side.

The war in Iraq war has been cited here previously and of course we should have taken a side in that conflict. People marched on the streets. They were against it. We should not have kept our so-called neutrality as we did. Let us not kid ourselves. If we facilitate the movement of troops through our territory to a war zone, that is not a neutral stance either. However, we should have been stronger in terms of taking the right position in that war at the time when we could have.

We are having this debate at a time when the world is changing. It is difficult to see what those changes mean but we might be looking at the demise of the Westphalian era and the concept of the nation state and, with it, traditional concepts such as neutrality. If we look at the Middle East and at what is happening in Ukraine, we look at concepts of peace enforcement. To be involved in peace enforcement missions is not to be militarily neutral. It involves military operations and military engagement. It may well be that at a future time we will be called up to be involved in a peace enforcement mission in Ukraine, and Russia, at the United Nations, could veto such involvement because of our triple-lock provision. One action we should definitely take, as we talk about this area of Government's responsibility, is to move towards getting rid of the triple lock

because it is indefensible to sub-contract our foreign policy to an undemocratic body, such as the United Nations.

A Member mentioned defence spending and how its reduction in Europe was good. In fact, it is not a good development. The fact that defence spending is down in Europe means we are more dependent on countries such as the United States. If we are more dependent on such countries, then we will not be able to have the independence that we would like to take in future conflicts because we depend on them for our security.

I do not agree with participation in NATO or NATO-led missions because of its possession of nuclear weapons. It is important that we get back to our roots as a country pursuing nuclear disarmament since the late Frank Aiken was foreign Minister.

Acting Chairman (Deputy Seán Kenny): The next speaker is Deputy Durkan. There is one other speaker left and I must call the Minister of State at 11.45 a.m.

Deputy Bernard J. Durkan: I will do my best in a minute but, like the previous speaker, I would appreciate an opportunity to speak on this at some length. I compliment the other Members in the House who have been realistic in their assessment of the position.

I totally disagree with the Bill. We have long since established ourselves, since 1939, as a neutral country but we never had a tradition of neutrality in this country before that. It was a correct decision, even though it was a Fianna Fáil Taoiseach who took it. It was a correct decision in the circumstances at the time. Let us remember that a number of other countries across Europe were neutral as well. It did not stand up for long when the aggressor came on the scene and knocked at the gates, and he did not knock at the gate to ask if he could please come in for a little while. He said, "You are gone. That it is. It is all over."

One dangerous aspect here today is that we seem to have been identified by some speakers in the House as collaborators in some way in a war. We are not. One should never go down that road because it has implications.

The other issue emanating from this is the possibility of the closure of Shannon Airport. That is the reality of some of what has been said in this House today. If a Member wants to close down Shannon Airport, he or she should stand up and say so, and come out into the open.

We all support the United Nations. It has worked in many cases and failed in others. The war in the Balkans was a classic example of the latter. I would like to spend time on this subject. It is a subject that I have studied for years and I enjoy talking about it, but there is no time or space to do it now. Hopefully, we will have another occasion shortly.

Minister of State at the Department of the Taoiseach (Deputy Jimmy Deenihan): The Government welcomes this morning's debate and I have listened closely to the many points raised in the course of the discussion.

At the outset, I totally refute what Deputy Ross said about the Minister for Foreign Affairs, Deputy Charles Flanagan. Since the Minister took office, he has successfully involved himself in the Stormont House Agreement, which was a significant advancement in Northern Ireland affairs, and produced, "The Global Island: Ireland's Foreign Policy for a Changing World", a comprehensive progressive policy, and defines our neutrality as well. I wish to clarify that at the beginning. Deputy Ross was disingenuous and unfair about Deputy Charles Flanagan's record.

The Government is committed to maintaining the policy of military neutrality which has long been a key policy of successive Governments. We have most recently re-confirmed this commitment in the

foreign policy review I mentioned, which states that "military neutrality remains a core element of Irish foreign policy".

Our military neutrality does not mean that we take an isolationist approach to international affairs. On the contrary, it is part and parcel of our active and principled engagement in contributing to international peace and security. It enhances perception of Ireland as an honest broker which can be trusted to act impartially.

We actively seek to promote political solutions to problems and to conflict in accordance with the guiding principles set out in the United Nations Charter, in particular, the principle that all UN members shall settle their international disputes by peaceful means. We have a proud tradition of principled engagement on issues such as development, UN peacekeeping, disarmament and human rights.

We seek, through our programme of development assistance, to tackle underlying factors that may contribute to or exacerbate conflict. We work to help others to build their capacity to comply with international law and human rights. The tangible improvements that we have helped to bring about to the lives of others less fortunate are there for all to see.

Irish troops participate in peacekeeping and, where necessary, peace enforcement roles to maintain or restore peace and respect for international norms. The Defence Forces personnel have earned a well-deserved international reputation for their contribution which extends, unbroken, for more than 50 years. They put their lives on the line in order to contribute to collective security.

At the heart of this debate are two questions: first, is it necessary to incorporate provisions on military neutrality in the Constitution and, second, is it desirable to do so? I would answer "No" to both questions.

It is not necessary to incorporate a commitment in the Constitution because military neutrality is a policy to which, as I have said, we have been and remain firmly committed. Moreover, we already have in the Constitution commitments under Article 29 to "the ideal of peace and friendly co-operation amongst nations" and to "the principle of the pacific settlement of international disputes".

Our EU membership is entirely consistent with our military neutrality. The Common Security and Defence Policy is focused on equipping the Union to contribute to peace and stability in accordance with the principles of the United Nations Charter. The EU treaty makes clear that there will be no common defence without the unanimous agreement of the European Council and furthermore, the Constitution provides that Ireland cannot participate in such a common defence. This provision could not be changed without a referendum.

[Deputy Jimmy Deenihan:] Ireland is not a member of NATO and has no intention of becoming one. We participate in Partnership for Peace to ensure the Defence Forces can co-operate more effectively and safely with contingents from partner countries in increasingly challenging UN operated or mandated missions led by the European Union and NATO. These include other non-NATO members such as Austria, Finland and Sweden. As with these other countries, we decide on the scope of our engagement in accordance with our military neutrality.

In view of our continuing commitment to military neutrality and the constitutional and legislative

safeguards in the triple lock, as outlined by the Minister, Deputy Simon Coveney, the Bill would bring no added value. Amending the Constitution is not something that should be done lightly. I have no doubt that Deputy Seán Crowe proposed the Bill for well intentioned reasons. I am sure many of the supporters of his party which were mentioned in *The Irish Times* yesterday would not agree with the Bill either. We must be conscious of potential effects which cannot be foreseen. Placing these provisions in the Constitution could restrict Ireland's capacity to play an active role in UN mandated actions. We would risk tying the Government's hands when it needed to respond quickly and effectively to urgent situations. These are outcomes which neither the Government nor the people would support, but we must be mindful of the potential consequences.

Much has been said about the Government's policy on the use of Shannon Airport by United States aircraft. It has been argued that Shannon Airport is, in effect, a US base. That is simply not true. The Government permits foreign military aircraft to land at Shannon Airport only where they comply with a series of conditions, including that the aircraft are unarmed, carry no arms or ammunition and do not engage in intelligence gathering. These are strict conditions by any measure. Our policy on Shannon Airport has been maintained under successive Governments for decades; it is almost as old as our policy of military neutrality. There is no incompatibility between the two. These conditions are applied to all foreign military aircraft, including those of the United States. The large numbers of applications received from the United States are due to geographical factors. We do not vary the conditions depending on the government involved and there is no favouritism. We are objective in applying the same regime to all governments.

In the time available to me it has only been possible to give a brief response to the Bill. I thank all those who contributed to the debate, but I advise them that the Bill is unnecessary and should be opposed.

Deputy Seán Crowe: Ba mhaith liom buíochas a ghabháil leis na Teachtaí go léir a ghlac páirt sa díospóireacht tábhachtach seo ar neodracht mhíleata na hÉireann. Is trua é nach bhfuil an Rialtas sásta tacú leis an mBille seo agus, dá réir sin, tacú le tuairim phobal na hÉireann, a thaispeánadh i bpobalbhreithne thar na blianta.

I thank everyone who participated in the debate. We had a useful discussion, despite some wild allegations being made across the floor on certain matters. The comments made by the Minister for Defence were disheartening and, in some cases, misleading. He tried to differentiate between military and political neutrality. A number of speakers followed him in focusing on that issue. It is worrying that successive Governments have tried to peddle this idea because it shows how far down the road the debate has moved. The Minister has implied that military neutrality and Ireland's policy of not sending troops to conflict zones mean that we are neutral, but we have allowed one of the country's airports to be used as a forward base for a foreign army. Is that the action of a neutral country?

The Minister stated: "The legislation proposed to the House is unnecessary and could potentially impact negatively on Ireland's ability to contribute positively in the international community." I do not agree that my proposed constitutional amendment would in some bizarre 50 shades of grey scenario tie our hands in some way. It would, in fact, have the opposite effect. Other speakers suggested it was too rigid or doctrinaire or said they did not want this to be a matter for the courts. I am actually asking that it be decided by the people. I call for a positive approach to neutrality and a redoubling of our efforts to work with other countries in implementing global targets for land rights, climate change, citizen participation and economic equality. If we focus on dealing with these issues, the world will be a better and safer place.

The Minister has argued that the Bill is unnecessary because Article 29 of the Constitution already commits Ireland to upholding international justice. Unfortunately, successive Governments have violated this Article. International human rights organisations have repeatedly stated aircraft used Shannon Airport for rendition flights. We are back in the twilight zone of Ministers asking for proof, only for it to be dismissed when people come forward with it. Is that upholding international justice? The US-British invasion of Iraq was illegal, killed hundreds of thousands of people and created millions of refugees. More than 2 million US soldiers passed through one of the country's civilian airports on their way to wage this illegal law. How does this uphold Irish neutrality or international justice? How can the Minister say Ireland is not involved in foreign conflicts when he continues to facilitate these actions? He has argued that Article 29 ensures Ireland cannot join a military alliance and a policy of non-participation when it comes to NATO. We are part of the ironically titled Partnership for Peace which clearly states we are a partner of NATO. We are not a member, but we are a partner.

It does not surprise me that Fianna Fáil does not support my proposed amendment, given that it sanctioned our membership of the PfP and fully opened Shannon Airport to the US military. It is laughable that many speakers denied that EU militarisation is increasing. The Minister has suggested Irish people do not see a need for the Bill. He referred to the Constitutional Convention to support his assertion, but the parameters of the convention were set by the Government. More than 100,000 people marched on the streets of this city in opposition to the illegal invasion of Iraq. Where was the then leader of Fianna Fáil, former Deputy Bertie Ahern? He was knocking on doors in Drumcra, while hundreds of thousands of people were marching all over the world.

Deputy Brendan Smith: The people had their say.

Deputy Seán Crowe: That was the type of leadership given by the Taoiseach of the day.

Deputy Brendan Smith: The Deputy did not mention that the people had decided in the referendum put before them.

Deputy Seán Crowe: They wanted Irish neutrality and Shannon Airport to play no part in facilitating the war, but the Government ignored them and violated Irish neutrality. It is clear to the people that the Government will continue to ignore their demands and that a constitutional amendment is the only way to save neutrality.

Would it have made any difference if this issue had been discussed at the Constitutional Convention? Of all the issues selected for discussion, only two will be put to the people in a referendum. The Government has refused to stick to the agreed deadlines. It was supposed to prepare a referendum three months after the convention had concluded its work, but 12 months later we are still awaiting a response. The Government refused to debate the abolition of the Seanad, but it then introduced, and lost, a referendum on the matter. The Minister was clearly grasping at straws when he used the Constitutional Convention as an argument.

Deputy Clare Daly correctly stated Fianna Fáil and Fine Gael were opposed to the Bill because it would restrict their ability to violate neutrality when they wished.