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Ireland and International Law 2014

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INTRODUCTION

THE INTENSIFICATION OF armed conflicts in places such as Syria, Ukraine, Iraq and Central African Republic provided a stark reminder of the international challenges faced during 2014 by Ireland, the EU and the broader international community. However, a noticeable strengthening and deepening of official bilateral relations with our nearest neighbour continued apace. The state visit by President Michael D Higgins in April provided an opportunity to showcase the economic, social and cultural ties between Ireland and the United Kingdom, while the on-going peace and reconciliation process in Northern Ireland remained to the fore of foreign policy. 2014 saw the death of two key architects of the peace process, with the death of former Taoiseach [Prime Minister] Albert Reynolds in August, and former Northern Ireland First Minister Dr Ian Paisley in September.[1] Human rights continued to play an important role in Irish foreign policy during 2014, with a focus on sexual violence, hunger and climate change, alongside an on-going commitment to the provision of Irish humanitarian and development assistance, and multi-lateral peace support operations. Key international agreements signed by Ireland during the period under review were the UN Arms Trade Treaty and the 3rd Optional Protocol to the UN Convention on the Rights of the Child.

Meanwhile, following poor results in the local and European elections of May 2014, the Tánaiste [Deputy Prime Minister] and Minister for Foreign Affairs and Trade, Eamon Gilmore TD, resigned as Labour Party leader, and therefore his ministerial roles.[2] Charlie Flanagan TD, from the majority ruling party, Fine Gael, took over the position of Minister for Foreign Affairs and Trade following Gilmore's departure.

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[1] 'Tributes Paid to Former Taoiseach Albert Reynolds', *RTÉ News Online*, 30 November 2015, available at: www.rte.ie/news/2014/0821/638427-albert-reynolds-tributes (accessed 30 November 2015); 'Giant in Ulster Politics Ian Paisley Dies Aged 88' *RTÉ News Online*, 13 September 2014, available at: www.rte.ie/news/2014/0912/643262-ian-paisley (accessed 30 November 2015).

[2] Miriam Lord, 'Gilmore Departs after a Very Civilised Coup' *Irish Times*, 27 May 2014, available at: www.irishtimes.com/news/elections/miriam-lord-gilmore-departs-after-a-very-civilised-coup-1.1810096 (accessed 30 November 2015).

INTERNATIONAL AGREEMENTS

Following a seven-year negotiation process before the UN General Assembly, the UN Arms Trade Treaty (ATT) was concluded on 2 April 2013.[3] The ATT is the first legally binding instrument to regulate the international trade in conventional weapons, and state parties are prohibited from exporting arms to countries if they know those weapons will be used to commit gross violations of human rights.[4]

Ireland was one of the first states to sign the ATT, and exactly one year after its conclusion Ireland ratified the ATT in New York on 2 April 2014, alongside 16 other EU Member States, including France, Germany, Italy, Spain, and the UK. In parallel, the Tánaiste announced that Ireland would contribute €150,000 to the UN Trust Fund established to help states to meet their obligations under the Treaty. In making the announcement, the Tánaiste said:

> Ireland remains committed to ensuring that irresponsible trade in weapons, which destabilises states and contributes to violence and conflict, is stopped. The Arms Trade Treaty is an important tool in achieving this. It is vital to ensure that as many states as possible are able to implement the rules laid down in the Treaty. With this donation, Ireland is offering practical support to states which are working towards ratification.[5]

Subsequently, after its ratification by 55 states, the ATT entered into force between contracting states in December 2014. In marking this event, the Minister for Foreign Affairs and Trade, Charlie Flanagan TD, stated:

> This important Treaty prohibits States which have ratified it from authorising arms exports where it knows that the weapons will be used in acts of genocide, crimes against humanity, grave breaches of the Geneva Conventions, or other war crimes. I particularly welcome the Treaty as the first-ever to recognise the link between gender-based violence, violence against women and children, and the international arms trade. Arms exporting States must, under this new Treaty, assess the risk of weapons being used commit serious acts of violence against women and children.[6]

Another key international agreement which Ireland ratified during 2014, was the 3rd Optional Protocol to the UN Convention on the Rights of the Child.[7] The 3rd Optional Protocol establishes an individual complaints procedure, and allows children or their representatives from ratifying states to bring complaints about grave or systematic children's rights violations directly to the UN Committee on the Rights of the Child.[8]

[3] Arms Trade Treaty (adopted 2 April 2013, entered into force 24 December 2014) UN Registration No 52373.

[4] See in particular, Article 6(3): 'A State Party shall not authorize any transfer of conventional arms covered under Article 2(1) or of items covered under Article 3 or Article 4, if it has knowledge at the time of authorization that the arms or items would be used in the commission of genocide, crimes against humanity, grave breaches of the Geneva Conventions of 1949, attacks directed against civilian objects or civilians protected as such, or other war crimes as defined by international agreements to which it is a Party.'

[5] Department of Foreign Affairs and Trade, 'Tánaiste Welcomes Ratification of Arms Trade Treaty to Halt Weapon Sales', Press Release, 2 April 2014.

[6] Department of Foreign Affairs and Trade, 'Minister Flanagan Welcomes Entry into Force of Arms Trade Treaty', Press Release, 23 December 2014.

[7] Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure (adopted 19 December 2011, entered into force 14 April 2014) UN Doc A/RES/66/138.

[8] Ibid, Article 5.

In welcoming the Irish ratification of the Optional Protocol, Tanya Ward, Chief Executive of the Children's Rights Alliance stated:

> We commend the Minister for Children and Youth Affairs, Dr James Reilly, for being extremely proactive in ensuring that children's rights are protected at the highest level. Now children will have somewhere to turn when our national bodies and courts cannot help them. The Children's Rights Alliance has campaigned for Ireland to sign and ratify this important procedure since 2012 and we are delighted that the Government has taken this decisive action.[9]

List of Multilateral Agreements that Entered into Force during 2014

The following is a list of the multilateral agreements that entered into force for Ireland during 2014.

ITS Number	*Title of agreement*
No 16 of 2014	Agreement on the Application of Article 65 of the Convention on the Grant of European Patents, done at London on 17 October 2000. *Ireland's instrument of accession deposited on 25 November 2013, entered into force with respect to Ireland on 1 March 2014.*
No 18 of 2014	Framework Agreement on Comprehensive Partnership and Cooperation between the European Community and its Member States, of the one part, and the Republic of Indonesia, of the other part, done at Jakarta on 9 November 2009. *Notifications of the completion of requirements for entry into force deposited on 4 June 2013, entered into force on 1 May 2014.*
No 19 of 2014	Political Dialogue and Cooperation Agreement between the European Community and its Member States, of the one part, and the Republics of Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama, of the other part, done at Rome on 15 December 2003. *Notifications of the completion of requirements for entry into force deposited on 25 May 2004, entered into force on 1 May 2014.*
No 20 of 2014	Framework Agreement between the European Union and its Member States, on the one part, and the Republic of Korea, on the other part, done at Brussels on 10 May 2010. *Notifications of the completion of requirements for entry into force deposited on 4 June 2013, entered into force on 1 June 2014.*
No 22 of 2014	Convention on the Law of the Non-navigational Uses of International Watercourses, done at New York on 21 May 1997. *Ireland's instrument of accession deposited on 20 December 2013 and entered into force with respect to Ireland on 17 August 2014.*

[9] Children's Rights Alliance, 'Government Decision Paves the Way for Children to Complain Directly to the UN', Press Release, 17 September 2014. See also: Department of Foreign Affairs and Trade, 'Minister Charlie Flanagan Ratifies a Key UN Protocol to Strengthen the Rights of Irish Children', Press Release, 24 September 2014.

No 24 of 2014	Protocol of 2002 to the Athens Convention relating to the Carriage of Passengers and their Luggage by Sea, 1974, done at London 1 November 2002. *Ireland's Instrument of Accession deposited on 7 August 2014 and entered into force with respect to Ireland on 7 November 2014.* *[Ireland's Instruments of Denunciation of the Athens Convention relating to the Carriage of Passengers and their Luggage by Sea, 1974, and the Protocol of 1976 thereto, deposited on 7 August 2014 and took effect on 7 November 2014.]*
No 25 of 2014	Protocol on the Concerns of the Irish People on the Treaty of Lisbon, done at Brussels on 13 June 2012. *Ireland's instrument of ratification deposited on 8 October 2012, entered into force on 1 December 2014.*
No 26 of 2014	Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure, done at New York on 19 December 2011. *Signed by Ireland on 24 September 2014, Ireland's instrument of ratification deposited on 24 September 2014, entered into force with respect to Ireland on 24 December 2014.*
No 27 of 2014	The Arms Trade Treaty, done at New York on 28 March 2013. *Signed by Ireland on 3 June 2013, Ireland's instrument of ratification deposited on 2 April 2014, entered into force with respect to Ireland on 24 December 2014.*

Statements on the Work of the International Law Commission

Over the course of 2014, the Department of Foreign Affairs and Trade provided written statements in the UN General Assembly Sixth Committee (Legal) on a variety of topics under consideration by the International Law Commission. These statements are included in full in the Documents section of this Yearbook.[10] The three statements covered the following topics:

Statement to UNGA 69, 27 October 2014 on Part 1 of the ILC Report Relating to Expulsion of Aliens, Protection of Persons in the Event of Disasters, Crimes against Humanity and *Jus Cogens*.[11]

Statement to UNGA 69, 31 October 2014 on Part 2 of the ILC Report Relating to Subsequent Agreements and Subsequent Practice in Relation to the Interpretation of Treaties,

[10] See p 237 below.

[11] *Statement by Mr James Kingston, Legal Adviser, Department of Foreign Affairs and Trade, at the Sixth Committee, United Nations General Assembly 69th Session, Agenda Item 78: The Report of the International Law Commission on the Work of its 66th Session*, 27 October 2014, available at: www.dfa.ie/media/dfa/alldfawebsitemedia/ourrolesandpolicies/internationallaw/Statement-on-the-Report-of-the-ILC,-Part-1.pdf (accessed 30 November 2015).

Immunity of State Officials from Foreign Criminal Jurisdiction and the Obligation to Extradite or Prosecute.[12]

Statement to UNGA 69, 3 November 2014 on Part 3 of the ILC Report Relating to Identification of Customary International Law and Provisional Application of Treaties.[13]

DIPLOMATIC MATTERS

During 2014, the President of Ireland received credentials from ambassadors representing: Switzerland, the Czech Republic, the Republic of Tunisia,[14] the Republic of Cuba, Italy, the Republic of Zambia,[15] the Federative Republic of Brazil, the Republic of South Africa, France,[16] the Republic of Paraguay, the People's Republic of Bangladesh, Peru,[17] the People's Republic of China, the Islamic Republic of Iran, the Republic of Senegal,[18] the Federal Republic of Germany, the United States of America, the Republic of Colombia,[19] the Republic of the Union of Myanmar, the Republic of Namibia, and the Kingdom of Sweden.[20]

Welcoming the historic resumption of diplomatic relations between the United States of America and Cuba in December 2014, Minister for Foreign Affairs and Trade, Charlie Flanagan TD, stated:

> I look forward to speedy progress towards ending the long-standing economic, commercial and financial embargo against Cuba and towards the granting of civil, political and economic rights and freedoms to the people of Cuba by their government, as long advocated by Ireland and our partners in the European Union.[21]

Minister Flanagan continued by urging the Government of Cuba to continue and extend the economic and social reform process embarked on since 2011. The Department of Foreign Affairs and Trade press release further noted that Ireland did not believe that the embargo had contributed to democratic reform in Cuba and strongly opposed the extra-territorial application of its financial and other aspects.[22]

[12] *Statement by Mr James Kingston, Legal Adviser, Department of Foreign Affairs and Trade, at the Sixth Committee, United Nations General Assembly 69th Session, Agenda Item 78: The Report of the International Law Commission on the Work of its 66th Session*, 31 October 2014, available at: www.dfa.ie/media/dfa/alldfawebsitemedia/ourrolesandpolicies/internationallaw/Statement-on-the-Report-of-the-ILC,-Part-2.pdf (accessed 30 November 2015).

[13] *Statement by Mr Trevor Redmond, Assistant Legal Adviser, Department of Foreign Affairs and Trade, at the Sixth Committee, United Nations General Assembly 69th Session, Agenda Item 78: The Report of the International Law Commission on the Work of its 66th Session*, 3 November 2014, available at: www.dfa.ie/media/dfa/alldfawebsitemedia/ourrolesandpolicies/internationallaw/Statement-on-the-Report-of-the-ILC,-Part-3.pdf (accessed 30 November 2015).

[14] Department of Foreign Affairs and Trade, Press Release, 14 January 2014.

[15] Department of Foreign Affairs and Trade, Press Release, 16 January 2014.

[16] Department of Foreign Affairs and Trade, Press Release, 12 February 2014.

[17] Department of Foreign Affairs and Trade, Press Release, 11 March 2014.

[18] Department of Foreign Affairs and Trade, Press Release, 15 April 2014.

[19] Department of Foreign Affairs and Trade, Press Release, 8 October 2014.

[20] Department of Foreign Affairs and Trade, Press Release, 15 October 2014.

[21] Department of Foreign Affairs and Trade, 'Minister Flanagan Welcomes the Resumption of Diplomatic Relations between the United States and Cuba', Press Release, 18 December 2014.

[22] Ibid.

Meanwhile, as part of the continuing release of historical foreign policy documents, Volume IX of the *Documents on Irish Foreign Policy*[23] series was launched on 20 November, covering 1948 to 1951. The period under review includes when the Free State became a Republic and the establishment of the first Inter-Party Government under Taoiseach John A Costello. Also included in the Volume are documents relating to Ireland's decision to leave the Commonwealth, and Minister for External Affairs Seán MacBride's decision to seek the approval of Archbishop of Dublin, John Charles McQuaid, for Ireland's foreign policy. The Volume also contains reports of Winston Churchill speaking of his hopes for a United Ireland in 1948 and the Government's concern at the prospect of a third world war.[24] Other historical documents released during 2014 included an online archive entitled 'Ireland's Memorial Records', detailing 49,000 soldiers from the island of Ireland who died during the First World War or as a result of wounds sustained during battle.[25]

BILATERAL RELATIONS, CONSULAR SERVICES AND THE DIASPORA

Bilateral Relations

Following the widely-acknowledged success of Queen Elizabeth II's visit to Ireland in May 2011,[26] the President of Ireland, Michael D Higgins, undertook a state visit to the United Kingdom (UK) in April 2014. The President was accompanied by his wife, Sabina Higgins, and the Tánaiste and Minister for Foreign Affairs and Trade, Eamon Gilmore TD.[27] Of note, Queen Elizabeth II hosted a Northern Ireland-themed reception in Windsor Castle, attended by representatives from the UK and Irish governments, and the Northern Ireland Assembly. Speaking in advance of the visit, the Tánaiste noted:

> The very detailed and personal nature of this visit reflects the depth and substance of the relationship between our two countries. It provides an opportunity to acknowledge the warm friendship which now exists across the Irish Sea and to recognise the substantial contribution made by the Irish community in the UK.[28]

[23] Caitriona Crowe, Ronan Fanning, Michael Kennedy (eds), *Documents on Irish Foreign Policy, Volume IX: 1948–1951* (Royal Irish Academy, 2014).

[24] *Documents on Irish Foreign Policy* is a project of the Department of Foreign Affairs and Trade, the Royal Irish Academy, and the National Archives of Ireland and was established in 1997. The project publishes essential source material on the development of Irish foreign policy since 1919. See: Department of Foreign Affairs and Trade, 'Minister Flanagan Launches Documents in Irish Foreign Policy, Volume IX', Press Release, 20 November 2014.

[25] The archive is available at: http://imr.inflandersfields.be (accessed 30 November 2014). See also: Department of Foreign Affairs and Trade, 'Ministers Launch Online Records of Ireland's First World War Casualties', Press Release, 10 January 2014.

[26] See for example: 'Queen Elizabeth II Concludes Irish Visit', *RTÉ News Online*, 20 May 2011, available at: www.rte.ie/news/2011/0520/301304-queen (accessed 30 November 2015); Stephen Bates and Henry McDonald, 'Irish Eyes are Smiling: Show of Respect Turns Queen into Runaway Favourite' *The Guardian*, 20 May 2011, available at: www.theguardian.com/uk/2011/may/19/queen-ireland-visit-respect-adams (accessed 30 November 2015).

[27] Department of Foreign Affairs and Trade, 'Tánaiste to Accompany President Higgins on State Visit to the UK', Press Release, 7 April 2014.

[28] Ibid.

During the visit, the Tánaiste addressed an event for Irish High-Potential Start-Up companies and British businesses at the Irish Embassy in London, and argued that:

> The UK is our most important export market, with trade of over €1 billion worth of goods and services every week, and 200,000 people employed in Ireland as a result of exports to the UK. This visit will help to forge even closer economic links which support jobs on both sides of the Irish Sea.[29]

The relationship between Ireland and the UK was also under scrutiny during the campaign on the Scottish referendum on independence, which took place on 18 September 2014. While refraining from intervening during the referendum process, the recently appointed Minister for Foreign Affairs and Trade, Charlie Flanagan TD, issued a statement following the 45/55 per cent vote for Scotland to remain part of the UK. Reflecting on potential implications of changes to devolution structures in the UK, not least how these may affect the Good Friday Agreement of 1998 and the powers of the Northern Irish Assembly, Minister Flanagan stated:

> The strong bonds and historic links between us all run deep and are well-known. As a neighbour, friend and partner across political, economic, cultural and many other spheres, Ireland enjoys excellent and ever-improving relations with Britain and with Scotland.
>
> We will be in close contact with London, Edinburgh and other administrations as discussions proceed on enhanced devolution for Scotland and on the political changes across the UK as outlined by Prime Minister Cameron in his statement this morning.[30]

Nevertheless, despite the increasingly close relationship between Ireland and its nearest neighbour, echoes of the past remain. In December 2014, the Irish Government formally requested the European Court of Human Rights to revise its judgment in the so-called 'Hooded Men' case of 1978.[31] In this case, the European Court held that the five interrogation techniques used by the UK forces in Northern Ireland during detention[32] amounted to inhumane and degrading treatment contrary to Article 3 of the European Convention on Human Rights, but not torture. In explaining the rationale behind the Irish Government's decision to request a review of the original judgment, the Minister for Foreign Affairs and Trade, Charlie Flanagan TD, noted:

> The Government is aware of the suffering of the individual men and of their families, of the significance of this case, and of the weight of these allegations … On the basis of the new material uncovered, it will be contended that the ill-treatment suffered by the Hooded Men should be recognised as torture.
>
> The Government's decision was not taken lightly. As EU partners, UK and Ireland have worked together to promote human rights in many fora and during the original case, the UK did not contest before the European Court of Human Rights that a breach of Article 3

[29] Department of Foreign Affairs and Trade, 'Tánaiste Supports New and High Potential Irish Exporters during State Visit', Press Release, 9 April 2014.

[30] Department of Foreign Affairs and Trade, 'Statement by Minister Flanagan on the outcome of the referendum in Scotland', Press Release, 19 September 2014.

[31] *Case of Ireland v the United Kingdom* Application no 5310/71 (ECtHR, Judgment 18 January 1978).

[32] The techniques were: hooding, wall-standing, subjection to noise, sleep deprivation, and deprivation of food and drink.

> of the European Convention of Human Rights took place. The British and Irish Governments have both worked hard to build stronger, more trusting relations in recent years and I believe that this relationship will now stand to us as we work through the serious matters raised by these cases which have come to light in recent months.[33]

The on-going challenges of peace and reconciliation in Northern Ireland were also evident throughout 2014, not least in the negotiation process that led to the conclusion of the Stormont Agreement between the five Northern Ireland Executive parties, and the Irish and UK governments.[34] The Agreement, signed on 23 December 2014, addresses a broad range of political, social and economic issues. In particular, the Agreement contains provisions covering: financial and welfare reform;[35] flags, identity, culture and tradition;[36] the devolution of responsibility for parades to the Northern Ireland Assembly;[37] the establishment of a dedicated Historical Investigations Unit;[38] and institutional reform at Stormont.[39] In welcoming its conclusion, Minister for Foreign Affairs and Trade, Charlie Flanagan TD, stated:

> As co-guarantors of the Good Friday Agreement, this Government is conscious of our responsibilities to all of the people of this island. The last three months have involved a huge commitment from both the Governments and from all of the parties concerned. Minister of State Sherlock and I, with the support of the Taoiseach and Tánaiste, were privileged to carry out this work. We will continue to advance political progress and to play our part in the implementation of today's Agreement. This will help to ensure that the huge potential in the Agreement is realised.[40]

The end of 2014 also saw the first formal bilateral meeting between the newly-appointed British Foreign Secretary, Philip Hammond MP, and the Minister for Foreign Affairs and Trade, Charlie Flanagan TD, during which the Minister stressed that Ireland intended to continue to work with the UK to 'deal with common global challenges, and also to make the most of the shared opportunities ahead'.[41]

Moving to the Middle East, in the context of advice for Irish individuals and companies regarding the Israeli settlements in the Occupied Palestinian Territories (OPT), the Irish Government reiterated its support for the EU position on the OPT, in particular its clear position that:

> The West Bank, including East Jerusalem, Gaza and the Golan Heights are territories which have been occupied by Israel since 1967. Israeli settlements are illegal under international law, constitute an obstacle to peace and threaten to make a two-state solution to the Israeli-Palestinian conflict impossible. The EU and its Member States will not recognise any changes

[33] Department of Foreign Affairs and Trade, 'Statement by Minister Flanagan on the "Hooded Men" Case', Press Release, 2 December 2014.

[34] See also: Brice Dickson, 'Human Rights in Northern Ireland 2014' in this volume.

[35] The Stormont House Agreement, 23 December 2014. See in particular, sections 4–14, plus the Stormont House Agreement Financial Annex.

[36] The Stormont House Agreement, section 15.

[37] Ibid, sections 16–20.

[38] Ibid, sections 30–40.

[39] Ibid, sections 56–66.

[40] Department of Foreign Affairs and Trade, 'New Agreement Means Brighter Days Ahead for Northern Ireland—Minister Flanagan', Press Release, 23 December 2014.

[41] Department of Foreign Affairs and Trade, 'First Formal Meeting with British Foreign Secretary and Minister Flanagan Concludes a Positive Year', Press Release, 16 December 2014.

> to the pre-1967 borders, including with regard to Jerusalem, other than those agreed by the parties.[42]

The advice continued by noting the potential reputational implications of getting involved in economic and financial activities in settlements, as well as possible abuses of the rights of individuals. The Government also reiterated its long-standing policy of complete opposition to any form of boycott directed against Israel, as well as its continued strong commitment to promoting trade and business ties with Israel.[43] In a meeting with the Israeli Ambassador to Ireland, the Minister for Foreign Affairs and Trade also strongly condemned the attack on a UN-run school in Gaza by Israeli forces on 25 July, and stated:

> I again reiterated to the Ambassador that the appalling level of civilian casualties which we are now seeing in Gaza as a result of Israel's current military operation cannot be justified under any circumstances. The violence on all sides must stop now and an immediate ceasefire be agreed.
>
> I requested the Ambassador to convey these messages on behalf of the Government to the Israeli Government and he undertook to do this immediately.[44]

Consular Services

In January 2014, the Tánaiste and Minister for Foreign Affairs and Trade, Eamon Gilmore TD, announced the establishment of three new Embassies (in Bangkok, Jakarta, and Zagreb), the re-opening of Embassies in Nairobi and the Holy See, plus three new Consulates (in Hong Kong, China; Sao Paulo, Brazil; and Austin, Texas, USA).[45] The re-opening of an Irish Embassy in the Holy See represented a reversal of the controversial closure decision taken in November 2011[46] as part of a cost-cutting programme across the Irish consular services. The Tánaiste explained that the decision to re-open an Embassy to the Holy See followed Pope Francis' election in February 2013:

> I've been particularly impressed by what Pope Francis has been saying about his priority to tackle world hunger and poverty. The issue of hunger and poverty is now at the centre of the international agenda. That's why we're opening a one-person mission to the Holy See, which will have a focus on aid and poverty and hunger agenda.[47]

[42] Department of Foreign Affairs and Trade, 'Advice on Investment in Israeli Settlements in Occupied Palestinian Territory', available at: www.dfa.ie/our-role-policies/international-priorities/middle-east-and-north-africa/opt-investment-advice (accessed 30 November 2015). See also: Department of Foreign Affairs and Trade, 'Tánaiste Publishes Advice on Financial and Economic Activities in Israeli Settlements in the OPT', Press Release, 3 July 2014; Department of Foreign Affairs and Trade, 'Statement by the Minister for Foreign Affairs and Trade on Israeli Settlement Expansion', Press Release, 1 September 2014.

[43] 'Advice on Investment', ibid.

[44] Department of Foreign Affairs and Trade, 'Minister Flanagan Speaks to Israeli Ambassador: Calls for Immediate End to Violence', Press Release, 25 July 2014.

[45] Department of Foreign Affairs and Trade, 'Tánaiste Announces Expansion of Irish Embassy Network in Support of Trade & Aid', Press Release, 21 January 2014.

[46] See Darren O'Donovan, 'The Diplomatic Disputes between the Holy See and the Irish State, 2009–2012: A Legal Analysis' (2011) VI *Irish Yearbook of International Law* 69.

[47] Colm Kelpie, 'Two Years after Cuts Led to Closure, "Scaled-Down" Vatican Embassy Opens' *Irish Independent*, 22 January 2014, available at: www.independent.ie/irish-news/two-years-after-cuts-led-to-closure-scaleddown-vatican-embassy-opens-29938282.html (accessed 30 November 2015).

Meanwhile, nearly 1,650 Irish citizens were supported during serious consular emergencies by the Department of Foreign Affairs and Trade during 2014, representing a 10 per cent increase on 2013. These figures include arrests, accidents, child abductions and hospitalisations, and assistance provided to the families of 217 people who died while abroad. The highest number of cases occurred in Spain, followed by Australia, USA, Canada, Britain, France, Thailand, UAE and Portugal. Meanwhile, the Department registered more than 5,500 people for Irish citizenship through Foreign Births Registration, and provided more than 3,000 *Certificat de Coutume* (civil letters of freedom) to Irish citizens getting married or entering into civil partnerships abroad. The most popular countries for ceremonies abroad were Italy, Spain, Malta, France and Germany, and 50 applications were received from Irish citizens entering into same-sex civil partnerships abroad. Additionally, Department of Foreign Affairs and Trade staff authenticated over 60,000 Irish documents such as educational certificates, legal documents and company documents, for example, in order to secure employment abroad or for property and commercial transactions.[48]

The prominent and long-running case of detained Irish citizen, Ibrahim Halawa, continued during 2014. Mr Halawa was arrested with his three sisters in Cairo in August 2013 for allegedly taking part in demonstrations supporting the deposed President, Mohammed Morsi. In July, the Minister for Foreign Affairs and Trade, Charlie Flanagan TD, met with the Halawa family in Dublin to brief them on his conversation with the Egyptian Minister for Foreign Affairs. Minister Flanagan stated that:

> I spoke to Minister Shoukry on my first day as Minister for Foreign Affairs and Trade and I subsequently wrote to him setting out the Irish Government's concerns with regard to Ibrahim's case … Throughout, I have emphasised that Ibrahim was only seventeen when the alleged offences took place, and that he planned to return to Ireland immediately if released. In my contacts with Minister Shoukry, I stressed that while I was in no way attempting to interfere in the judicial process, it is the Government's view that Ibrahim should not be tried as part of a trial involving a large number of defendants; that he should be advised of the specific charges to be laid against him, and be allowed to be defended in court by a lawyer of his choosing.[49]

Following a subsequent postponement of the trial date in Cairo, Minister Flanagan stated:

> I am very concerned about the continuing delay in the hearing of the case involving Ibrahim Halawa. I know that the deferral of the case today is a great cause of concern for Ibrahim and his family, as it is to me and the Government … I have taken a close personal interest in this case and myself and my Department will continue to provide all assistance possible.[50]

However, while his sisters were released in December 2013, Ibrahim Halawa remained in pre-trial detention at the close of 2014.

A total of 629,446 passports were issued in 2014 by the Department of Foreign Affairs and Trade, with over 25 per cent of all passport applications received during the months

[48] All figures from: Department of Foreign Affairs and Trade, 'Almost 1,650 Irish Citizens Assisted Abroad by the Department of Foreign Affairs and Trade in 2014', Press Release, 4 January 2015.

[49] Department of Foreign Affairs and Trade, 'Minister Flanagan Meets Family of Ibrahim Halawa', Press Release, 31 July 2014.

[50] Department of Foreign Affairs and Trade, 'Minister Flanagan Statement on the Case of Ibrahim Halawa', Press Release, 12 August 2014.

of May and June.[51] However, despite the newly designed passport winning the Regional ID Document of the Year 2014 at the High Security Printing Conference in Milan,[52] 2014 commenced with a cloud hanging over the Passport Office. In early February 2014, is was confirmed that a joint Passport Service / Garda investigation had taken place at the Passport Offices in Molesworth Street and Balbriggan, resulting in two employees of the Passport Service being arrested by An Garda Síochána. The Passport Service had launched an investigation in late 2013 when internal checks revealed irregularities in the processing of three passports. The Garda National Bureau of Criminal Investigation was subsequently informed and a joint investigation was launched.[53]

The Diaspora

Continuing the focus on the role of the Irish Diaspora in supporting the economic development and recovery of Ireland following the economic crisis of 2009, the Tánaiste and Minister for Foreign Affairs and Trade, Eamon Gilmore TD, met with the Global Irish Network Advisory Group in February 2014, and argued that:

> The Global Irish Network is a powerful demonstration of the resourcefulness of the Irish Diaspora. The economic backdrop to their work has changed a lot since the crisis began and I think it's important that we continually look at the reach of the network, as our export markets evolve, in order to ensure that the Government and the Network, working together, can best contribute to creating jobs and supporting exports.[54]

The on-going commitment to working with the Diaspora included the launch in March of a public consultation process on the Government's engagement with the Irish abroad,[55] and the announcement of 10 recipients of the Presidential Distinguished Services Awards for the contributions of members of the Diaspora to Ireland and its international reputation. Recipients included: Fionnula Flanagan, Catherine Day, Niall O'Dowd and Thomas Keneally.[56] In addition to recognising the contribution of individuals, the Minister for Diaspora, Jimmy Deenihan TD, announced a series of funding measures during 2014 to support diaspora groups. The Emigrant Support Programme in the USA was awarded over €1.8 million in funding to support vulnerable Irish emigrants in America, including cultural and heritage grants of €310,000 and funding for mental health and suicide

[51] Department of Foreign Affairs and Trade, 'The Department of Foreign Affairs and Trade issued 629,446 passports in 2014', Press Release, 5 January 2015.

[52] Department of Foreign Affairs and Trade, 'Irish Company Wins International Award for Passport Design', Press Release, 18 February 2014.

[53] Department of Foreign Affairs and Trade, 'Statement on Investigation Concerning the Passport Offices in Dublin', Press Release, 5 February 2014. See also: Conor Lally, 'Inquiry into Alleged Sale of Bogus Passports by Civil Servants', *Irish Times*, 5 February 2014, available at: www.irishtimes.com/news/crime-and-law/inquiry-into-alleged-sale-of-bogus-passports-by-civil-servants-1.1680891 (accessed 30 November 2015).

[54] Department of Foreign Affairs and Trade, 'Tánaiste Meets with Global Irish Network Advisory Group', Press Release, 17 February 2014.

[55] Department of Foreign Affairs and Trade, 'Tánaiste Seeks Views on Future Diaspora Policy', Press Release, 18 March 2014.

[56] Department of Foreign Affairs and Trade, 'Minister Flanagan Announces Recipients of Presidential Distinguished Service Awards for 2014', Press Release, 30 September 2014.

prevention activities by Pieta House in New York.[57] Likewise, €415,000 was granted to organisations across Australia to provide welfare services and support to Irish emigrants. Announcing the funding, Minister Deenihan noted:

> I also acknowledge the work being done by organisations to promote Irish culture and preserve our heritage in Australia. Australia is often dubbed 'the most Irish country in the world outside of Ireland' and the stories of successive Irish emigrants and their descendants form an important part of Australian history. In the 2011 census, nearly 2.1 million Australians indicated they had Irish ancestry. I am delighted that these grants will help to increase interest and understanding of that heritage and enhance our connections with the global Irish community.[58]

Within Europe, funding was provided to the Franco-Irish business network, Network-Irlande, which has received a total of €113,500 from the Irish Government since its foundation in 2010.[59] Meanwhile, coinciding with the major debate over immigration reform in the United States of America, the Tánaiste raised the on-going issue of over 50,000 undocumented Irish citizens living and working in the US during a two-day visit to Washington, DC in June 2014.[60]

List of Bilateral Agreements that Entered into Force During 2014

The following is a list of the bilateral agreements that entered into force for Ireland during 2014.

ITS Number	*Title of agreement*
No 15 of 2014	Agreement Between the Government of Ireland and the Government of Romania on Co-operation in Preventing and Combating Illicit Drug Trafficking, Money Laundering, Organised Crime, Trafficking in Persons, Terrorism, Terrorism Financing and other Serious Crime, done at Dublin on 17 January 2013. *Notifications of the completion of the procedures necessary for the entry into force of this Agreement exchanged on 2 August 2013 and 19 December 2013, entered into force on 19 January 2014.*
No 17 of 2014	Agreement Between the Government of Ireland and Government of the United States of America to Improve International Tax Compliance and to Implement FATCA, done at Dublin on 21 December 2012. *Notifications of the completion of the procedures necessary for the entry into force of this Agreement exchanged on 7 March 2014 and 2 April 2014, entered into force on 2 April 2014.*

[57] Department of Foreign Affairs and Trade, 'Irish Emigrants in the US to Receive Support of over €1.8 million—Minister Deenihan Announces', Press Release, 6 November 2014; and Department of Foreign Affairs and Trade, 'Minister Deenihan Announces Mental Health Funding for New York Irish', Press Release, 11 December 2014.

[58] Department of Foreign Affairs and Trade, 'Minister Deenihan Announces Funding to Support Irish Emigrants to Australia', Press Release, 23 November 2014.

[59] Department of Foreign Affairs and Trade, 'Minister Deenihan Visits Irish Community in Paris', Press Release, 3 December 2014.

[60] Department of Foreign Affairs and Trade, 'Gilmore in Washington to Discuss Undocumented Irish', Press Release, 18 June 2014.

No 21 of 2014	Exchange of Notes constituting an Agreement between the Government of Ireland and the Government of the People's Republic of China concerning the establishment of the Consulate General of Ireland in the Hong Kong Special Administrative Region. *Notes exchanged on 21 May 2014 and 6 June 2014, entered into force on 6 June 2014.*
No 23 of 2014	Agreement on Technical and Development Cooperation between the Government of Ireland and the Government of the Federal Democratic Republic of Ethiopia, done at Addis Ababa on 3 November 2014. *Entered into force on 3 November 2014.*
No 28 of 2014	Protocol to amend the Convention between the Government of Ireland and the Government of the Kingdom of Denmark for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, which was signed at Dublin on 26 March 1993, done at Dublin on 22 July 2014. *Notifications of the completion of the procedures necessary for the entry into force of this Protocol exchanged on 17 December 2014 and 23 December 2014, entered into force on 23 December 2014.*

FOREIGN CONFLICTS

The four-year conflict in Syria continued to dominate both international headlines and diplomatic efforts during 2014. In supporting the EU's call for the situation in Syria to be referred to the International Criminal Court, the Tánaiste and Minister for Foreign Affairs and Trade, Eamon Gilmore TD, stated: 'War crimes have clearly been committed in Syria and we have a duty to ensure that there should be no impunity for those responsible.'[61] The Tánaiste continued:

> Humanitarian access remains a serious concern and has become even more precarious due to security, administrative, and operational restrictions. We fully support the existing Security Council Resolution 2139, which calls for all parties to the conflict to facilitate the delivery of life-saving humanitarian aid. Ireland has been to the fore in the international efforts to help alleviate the suffering of the Syrian people and is one of the most generous contributors to the humanitarian response on a per capita basis.[62]

Meanwhile, the escalation of sectarian violence in the Central African Republic (CAR) in early 2014 led to a series of attacks on humanitarian workers in the country. In addition to announcing additional humanitarian assistance and stressing the grave consequences for the civilian population of CAR, Minister for Trade and Development, Joe Costello TD, stated:

> Ireland condemns in the strongest possible terms recent attacks on humanitarian personnel as they seek to deliver lifesaving assistance to the most vulnerable populations. It is vital

[61] Department of Foreign Affairs and Trade, 'Ireland Calls for Security Council to Refer Syria to the International Criminal Court', Press Release, 21 May 2014.
[62] Ibid.

> that all parties respect International humanitarian law; that civilians are protected; and that humanitarian access is provided for UN agencies and NGOs working in CAR and neighbouring countries.[63]

Also in Africa, the civil war which erupted in South Sudan in December 2013 continued throughout 2014, resulting in almost two million people being forced to flee their homes, and almost half a million people taking refuge in neighbouring countries. During a visit by President Michael D Higgins to refugee camps in Gambella, Ethiopia, in November 2014, Minister for Foreign Affairs and Trade, Charlie Flanagan TD, said:

> I am gravely concerned at the impact that the violence is having on the civilian population. I am particularly alarmed by the high levels of sexual and gender based violence being perpetrated against women and girls and at the plight of refugees who have fled the country.[64]

The threats to the civilian population, and humanitarian personnel working to assist them, were also a feature of the increasing violence in Iraq during 2014. In June, Minister Costello called on all those involved in the fighting in Iraq to 'respect international humanitarian law, to ensure that civilians are protected, that safe and unhindered access is granted to humanitarian agencies and that those fleeing areas directly affected by the fighting are guaranteed safe passage'.[65]

Meanwhile, the elusive search for a peaceful solution to the Israel-Palestine conflict was the focus of a speech given by the Minister of Foreign Affairs and Trade at a major international conference on the reconstruction of Gaza, convened by the governments of Egypt and Norway, held in Cairo in October 2014. Minister Flanagan noted:

> The recent conflict in Gaza has been a disaster, the third—and the worst—in only five years. While neither side may have wished it, the conflict followed inevitably from the policies they pursued. Nobody won, nobody achieved their objectives, and innocent civilians above all lost.[66]

Minister Flanagan reiterated Ireland's long-standing support for the Palestinian people, and for a negotiated two-state solution. However, he also warned that: 'We need to be able to see that our investment for the people of Gaza is going to last, and not just produce tomorrow's targets.'[67] Minister Flanagan concluded by stressing:

> Only a political process to bring about the urgent realisation of a negotiated two-State solution can end this, and secure the future of both the Palestinian and Israeli peoples. I urge political leaders on both sides to commit themselves genuinely to this process and to avoid all actions which might impede the prospects for peace.[68]

[63] Department of Foreign Affairs and Trade, 'Ireland Dispatches Vital Supplies to Refugees from Central African Republic', Press Release, 13 June 2014.

[64] Department of Foreign Affairs and Trade, 'Government Announces €2 million in Funding to Help Communities Affected by Conflict in South Sudan', Press Release, 4 November 2014. See also: Department of Foreign Affairs and Trade, 'Minister Sherlock Announces €1.5 million Funding to Fight the Threat of Famine in South Sudan', Press Release, 7 August 2014.

[65] Department of Foreign Affairs and Trade, 'Government Announces Funding to GOAL for Emergency Assistance in Iraq', Press Release, 18 June 2014. See also: Department of Foreign Affairs and Trade, 'Ireland to Send Urgently-Needed Supplies for People Displaced by Violence in Iraq', Press Release, 29 June 2014; Department of Foreign Affairs and Trade, 'Government Announces Funding to Meet Immediate Life-Saving Needs in Northern Iraq', Press Release, 13 August 2014.

[66] Department of Foreign Affairs and Trade, 'Minister Flanagan Address at the International Conference in Support of the Reconstruction of Gaza', Speech, 12 October 2014.

[67] Ibid.

[68] Ibid.

The potential reignition of the Cold War was brought starkly into focus during 2014 with the Russian annexation of Crimea in March, and the escalating conflict in eastern Ukraine. Alongside other EU Member States, Ireland rejected the Crimean referendum results of 16 March, with the Tánaiste noting:

> As I have already made clear, today's referendum in Crimea is illegal. The results of the vote are without legal effect. Ireland and the majority of the international community do not recognise the legitimacy of the referendum. Nor do we accept the validity of the result.[69]

Following the subsequent EU Foreign Affairs Council meeting on 17 March, the Tánaiste stressed the EU's support for the territorial integrity and sovereignty of Ukraine, and the establishment of targeted sanctions against 21 named Russian individuals.[70] However, following the deterioration of the security situation in eastern Ukraine in the run-up to the Ukrainian Presidential elections in May, Ireland sent a team of election monitors under the auspices of the Organisation for Security and Co-operation in Europe (OSCE), and supported additional sanctions against named individuals and companies.[71] The signature of the Minsk Agreement on 5 September appeared to indicate a potential resolution to the conflict in eastern Ukraine, particularly around the Donbass region.[72]

However, the year ended with no end in sight for the conflict in Ukraine. On 15 December, Minister of State for European Affairs and Data Protection, Dara Murphy TD, stressed:

> Ireland remains deeply concerned by the ongoing crisis in Ukraine. The increased levels of violence and troop movements on the ground in Eastern Ukraine in recent weeks clearly threaten progress towards peace.
>
> While there has been a reduction in violence in recent days, the situation remains extremely fragile. It is crucial that all sides, including the Russian Federation, fully implement the commitments they have signed up to in Minsk. No actions should be taken to undermine the objective of the negotiated and peaceful end to this crisis that we all wish to see.[73]

INTERNATIONAL TERRORISM

In response to a series of bombings in Cairo in January 2014, the Tánaiste and Minister for Foreign Affairs and Trade, Eamon Gilmore TD, unreservedly condemned the attacks and all such acts of terrorism and called on all Egyptians to renew the spirit of national

[69] Department of Foreign Affairs and Trade, 'Tánaiste says Referendum Outcome in Crimea is Illegal', Press Release, 16 March 2014. See also: Department of Foreign Affairs and Trade, 'Tánaiste Calls for Cancellation of Referendum in Crimea', Press Release, 14 March 2014.

[70] Department of Foreign Affairs and Trade, 'Ireland Welcomes Foreign Affairs Council Agreement on Crimea', Press Release, 14 March 2014.

[71] Department of Foreign Affairs and Trade, 'EU Imposes Additional Sanctions as Situation in Ukraine Deteriorates', Press Release, 12 May 2014.

[72] Department of Foreign Affairs and Trade, 'Minister for Foreign Affairs and Trade on the Announcement of a Ceasefire in Ukraine', Press Release, 5 September 2014. See also: 'EU Agrees New Sanctions on Russia over Ukraine' *RTÉ News Online*, 5 September 2014, available at: www.rte.ie/news/2014/0905/641560-ukraine (accessed 30 November 2015).

[73] Department of Foreign Affairs and Trade, 'Minister Murphy in Brussels to Discuss Iraq, Syria, Western Balkans, Ukraine and Ebola', Press Release, 15 December 2014.

unity which inspired the peaceful protests of January 2011.[74] The Tánaiste likewise condemned attacks and abductions in Nigeria in April, stressing that:

> The increasing frequency of violent attacks in Nigeria is of great concern to Ireland and its partners in the European Union. Acts of violence against school children and other innocent civilians cannot be tolerated. Ireland, together with our EU partners, will continue to support efforts to counter extremism and violence in Nigeria and to support the rule of law and human rights.[75]

Meanwhile, the attack on Malaysian Airlines flight MH17 on 18 July over eastern Ukraine was swiftly condemned by the Minister for Foreign Affairs and Trade, Charlie Flanagan TD. Noting that an Irish citizen was amongst the 298 people on board who were killed when it was hit by a rocket, Minister Flanagan stated:

> Ireland fully supports calls for a full, independent international investigation to establish the cause of this grave tragedy and to ensure that those responsible are swiftly brought to justice. I encourage all the authorities involved—and the parties to the conflict in Ukraine—to work together, to ensure that the hundreds of families who have been bereaved can get the answers they need.[76]

In Pakistan, Minister Flanagan condemned the attack on the Army Public School in Peshawar on 16 December 2014, which killed 141 people including 132 school children, as 'an attack of savage brutality which targeted innocent children in their place of study'.[77] The Minister continued by noting that 'Those responsible showed extreme cowardice in carrying out this senseless act of violence.'[78] On the same day, Minister Flanagan likewise extended his sympathies and the thoughts of all Irish people to the victims of the attack and hostage-taking in a café in Sydney.[79]

DISARMAMENT

On 28 March 2014, the Royal Irish Academy hosted a major disarmament conference, organised by the Department of Foreign Affairs and Trade, in association with University College Cork and the Embassy of Japan. The conference was addressed by Setsuko Thurlow, a survivor of the nuclear attack on Hiroshima. In a keynote speech, the Minister for Trade and Development, Joe Costello TD, stressed:

[74] Department of Foreign Affairs and Trade, 'Tánaiste Condemns Cairo Bombings', Press Release, 24 January 2014.

[75] Department of Foreign Affairs and Trade, 'Tánaiste Condemns Recent Violent Attacks in Nigeria', Press Release, 16 April 2014. See also: Department of Foreign Affairs and Trade, Tánaiste Condemns Recent Violent Attacks in Nigeria', Press Release, 7 May 2014.

[76] Department of Foreign Affairs and Trade, 'Statement by Minister Flanagan on the Loss of Flight MH17 in Ukraine', Press Release, 18 July 2014. See also: 'Malaysia Airlines Passenger Plane Reported Shot Down over Ukraine' *RTÉ News Online*, 18 July 2014, available at: www.rte.ie/news/2014/0717/631440-ukraine-plane-crash (accessed 30 November 2015).

[77] Department of Foreign Affairs and Trade, 'Minister Flanagan Condemns Attack on Pakistan School', Press Release, 16 December 2014.

[78] Ibid.

[79] Department of Foreign Affairs and Trade, 'Statement by the Minister for Foreign Affairs and Trade, Charlie Flanagan, on the Attack in Sydney', Press Release, 16 December 2014.

> The humanitarian consequences of the use of nuclear weapons must become the guiding principle of international efforts to eliminate nuclear arsenals entirely. Recent research has revealed that the risk of an explosion happening through human error or systems failure is higher than previously thought. Because of the huge destructive capacity of modern nuclear weapons and the growing populations in urban areas, any attempt at managing the aftermath in a coordinated way would be utterly ineffectual.

The Minister continued by stressing:

> The pace of nuclear disarmament has been far too slow. Ireland is determined to see the fulfilment of the Nuclear Non-Proliferation Treaty, which calls for effective measures towards nuclear disarmament.[80]

PEACE SUPPORT OPERATIONS

At the end of 2014, the Irish Permanent Defence Forces (PDF) amounted to 9,280 personnel, comprised of 7,457 Army, 766 Air Corps and 1,057 Navy personnel. The number of serving females amounted to 570, representing 6.1% of the overall strength of the Permanent Defence Forces (a marginal increase from 5.9% in 2013). An additional 2,555 personnel were members of the Reserve Defence Forces (comprised of 2,159 Army Reserve, 143 Naval Service Reserve and 253 former PDF personnel in the First Line Reserve).[81] At the end of 2014, 425 personnel were stationed abroad, representing 4.6% of the total Permanent Defence Forces.

During 2014, approximately 1,181 members of the Permanent Defence Force served overseas in various missions, including postings with the UN, EU, OSCE and NATO. In particular, Ireland participates in the European Defence Agency and the NATO Partnership for Peace (PfP), and is an active contributor to UN peace support operations. The overall total commitment to Peace Support Operations during 2014 was as follows:[82]

Missions	*01-Jan-14*	*31-Dec-14*
1. UN-led operations		
UNTSO (Middle East)	12	12
MINURSO (Western Sahara)	3	3
MONUSCO (Democratic Republic of Congo)	4	4
UNOCI (Côte d'Ivoire)	2	2
UNIFIL HQ (Lebanon)	16	9
UNIFIL Infantry Battalion (Lebanon)	185	181
UNIFIL Sector West HQ (Lebanon)	8	4
UNDOF Infantry Group (Golan Heights)	114	129

[80] Department of Foreign Affairs and Trade, 'Minister Costello Calls for a Quicker Pace of Nuclear Disarmament', Press Release, 28 March 2014.
[81] All figures from: *Department of Defence and Defence Forces Annual Report* 2014, pp 19–20.
[82] Ibid, p 39.

Missions	*01-Jan-14*	*31-Dec-14*
UNDOF HQ (Golan Heights)	4	8
UNMAS (Mine Action)	4	-
UNIFIL Contingent Security team	5	5
Sub-total (UN)	***357***	***357***
2. EU-led operations		
EUFOR (Bosnia & Herzegovina)	8	7
Nordic Battlegroup	-	14
EUTM Somalia	7	-
EUTM Mali	8	10
Sub-total (EU)	***23***	***31***
3. NATO-led operations		
KFOR HQ	12	12
ISAF (Afghanistan)	7	7
Sub-total (NATO/PfP)	***19***	***19***
4. OSCE-led operations		
OSCE	4	4
Sub-total (OSCE)	***4***	***4***
5. Military Reps/Advisors/Staff Postings		
UNNY (New York)	1	1
EUMS (Brussels)	5	5
NATO/PfP (Belgium)	5	4
CSDP/PSC (Brussels)	4	4
Sub-total (Military Reps/Advisers/Staff)	***15***	***14***
Total Personnel Overseas	**418**	**425**

A major international conference hosted by US Vice-President Joe Biden and UN Secretary General, Ban Ki-moon took place in New York on 26 September 2014, as part of a review of all UN peacekeeping operations. Reflecting Ireland's long-standing commitment to UN peacekeeping operations, the 'Strengthening United Nations Peace Operations' conference was attended by the Minister for Foreign Affairs and Trade, Charlie Flanagan TD, where he announced the establishment of a dedicated training programme for officers and NCOs in specific African countries. Building on existing relationships established through Ireland's overseas development programmes, Minister Flanagan noted:

> The training will include a specific focus on areas including protection of civilians, gender sensitivity, human rights and leadership training and logistics. There are also niche areas in which Ireland has specific expertise, such as training in countering improvised explosive devices or training for military police.[83]

[83] *Minister Charlie Flanagan announces new Irish peacekeeping initiative at major New York summit*, Department of Foreign Affairs and Trade, Press Release, 26 September 2014.

CLIMATE CHANGE

The Fifth Assessment Report of the Inter-Governmental Panel on Climate Change (IPCC) on 'Impacts, Adaptation and Vulnerability' was published in March 2014,[84] which confirmed that it is 'extremely likely [ie 95 to 100 per cent certainty] that human influence has been the dominant cause of the observed warming since the mid-20th century'.[85] In welcoming the publication of the IPCC report, the Minister for Trade and Development, Joe Costello TD, stated:

> Ireland will continue to play a strong and active role in addressing the climate challenge. Since our EU Presidency in 2013, Ireland has been taking a lead in the negotiations for a new framework for global development post-2015 which will include efforts to address climate change. I am participating in the negotiations at the Open Working Group at the UN in New York on the development of new sustainable development goals.
>
> Through this work, and the work of our aid programme on the ground, we are determined to ensure that the interlinked challenges of hunger and climate change receive the urgent attention they need and deserve.[86]

In July, former Irish President Mary Robinson was appointed as a Special Envoy on Climate Change by UN Secretary General, Ban Ki-moon. The Minister for Foreign Affairs and Trade noted that 'the appointment is both an honour for Ireland and a tribute to Mary Robinson's stature on climate change and human rights issues and across the UN system'.[87]

HUMAN RIGHTS

Several specific aspects of international human rights law were highlighted and prioritised by the Irish Government during 2014. In February, the Tánaiste expressed his deep concern about the impending enactment of legislation to criminalise homosexuality in Uganda, and in a statement stressed:

> I would like to express support for all human rights activists in Uganda, particularly those working for the human rights of Lesbian Bisexual Gay and Transgender people. I want to assure them that Ireland is committed to ensuring that the people of Uganda do not suffer violence or discrimination on the grounds of their sexual orientation. Ireland will continue to play a positive role in support of human rights and equality in Uganda.[88]

Gender equality and tackling sexual violence were also key themes raised by Minister for Trade and Development, Joe Costello TD, two weeks later at a UN meeting in New York

[84] CB Field et al (eds), *Summary for Policymakers. Climate Change 2014: Impacts, Adaptation, and Vulnerability. Part A: Global and Sectoral Aspects. Contribution of Working Group II to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change* (Cambridge University Press 2014).

[85] Ibid, 3, 6.

[86] Department of Foreign Affairs and Trade, 'Minister Costello Welcomes Report on Climate Change', Press Release, 31 March 2014.

[87] Department of Foreign Affairs and Trade, 'Minister Flanagan Welcomes Appointment of Mary Robinson as UN Climate Change Envoy', Press Release, 14 July 2014.

[88] Department of Foreign Affairs and Trade, 'Statement by the Tánaiste on the Anti-Homosexuality Bill in Uganda', Press Release, 18 February 2014.

to discuss the contributions of women, young people and civil society to the Post 2015 Development Agenda.[89] Minister Costello highlighted Ireland's position the following day, International Women's Day, arguing that:

> Ireland's development policy, One World, One Future, reaffirms our strong commitment to gender equality. Studies have shown that in countries where women do not have the right to own land, there are on average 60% more malnourished children. This rises to 85% when women cannot access credit.
>
> Ireland wants to see gender equality positioned centrally as a standalone goal in the Post 2015 Development framework as well as being integrated across all the other goals.[90]

Moreover, in July at the 'Global Summit to End Sexual Violence in Conflict' in London co-hosted by the UK Foreign Secretary, William Hague, and Angelina Jolie, the Special Envoy of the UN High Commissioner for Refugees, Minister Costello reiterated the Government's policy that gender-based violence is 'a major abuse of human rights, which can have serious impacts on women's health, well-being and livelihoods'.[91]

Following the international conference on hunger, nutrition and climate justice held in Dublin Castle in April 2013, another continuing priority during 2014 was Ireland's role in tackling global hunger. In September, the Minister for Foreign Affairs and Trade, Charlie Flanagan TD, co-hosted the 'Delivering Zero Hunger' conference in New York, alongside the Netherlands, Mexico, and three UN agencies. The primary objective of the conference was to encourage governments, businesses and civil society organisations to adapt five key actions to eradicate global hunger. Reflecting on Ireland's own historical experience of famine and hunger, Minister Flanagan stated:

> Ireland is recognised as a global leader in the battle against hunger. It is at the heart of our aid programme, Irish Aid, and of our foreign policy … The Taoiseach last year committed Ireland to doubling our development funding for nutrition by 2020 and I am re-affirming that promise at the UN today.[92]

Meanwhile, reflecting the generally improving economic situation within Ireland, the Department of Foreign Affairs and Trade's annual Forum on Human Rights in November 2014 focused on business and human rights. A cross-section of business and civil society representatives addressed the forum, including representatives from Google, Marks & Spencer and CRH, as well as Emily Logan, Chief Commissioner of the Irish Human Rights and Equality Commission and representatives from the American Chamber of Commerce, Amnesty International, Trócaire and the United Nations. In delivering his keynote speech, the Minister for Foreign Affairs and Trade noted:

> Ireland is now well on its way to economic recovery … The challenge now is to harmonize economic growth with the protection of human rights. Many companies recognise the moral

[89] Department of Foreign Affairs and Trade, 'Minister Costello Attends High Level UN Meeting on the Future of International Development', Press Release, 7 March 2014.

[90] Department of Foreign Affairs and Trade, 'Minister Costello Highlights Ireland's Support for Gender Equality on International Women's Day', Press Release, 3 March 2014.

[91] Department of Foreign Affairs and Trade, 'Minister Costello Calls for Action to End Sexual Violence at London Summit', Press Release, 12 June 2014.

[92] Department of Foreign Affairs and Trade, 'Minister Flanagan Co-Hosts Major International Summit on Achieving Zero Hunger', Press Release, 25 September 2014.

imperative to respect human rights and it is the role of the State to assist Irish companies in meeting human rights standards in today's fiercely competitive business environment.[93]

OVERSEAS DEVELOPMENT AID

Following a marginal increase in Euro terms of Overseas Development Aid (ODA, comprised of Irish Aid's annual budget plus expenditure by other government departments, including contributions to the EU international development and co-operation budget) in 2013, the total ODA budget fell to €614.9 million in 2014, equivalent to 0.39 per cent of Gross National Product (GNP). This represented the sixth consecutive year that the proportion of ODA to GNP has fallen, from a high of 0.59 per cent in 2008, as reflected in the figures below.[94]

Year	*2008*	*2009*	*2010*	*2011*	*2012*	*2013*	*2014*
***Total ODA Budget** (€ millions)*	920.7	722.2	675.8	657.0	628.9	637.1	614.9
% of GNP	0.59	0.55	0.53	0.50	0.47	0.46	0.39

In advance of the elaboration of the Budget in September 2014, the submission from Dóchas (an umbrella body for Irish development non-governmental organisations (NGOs)) called on the Government to ensure it made 'no further cuts to the overseas aid budget and to set out how it will meet the 0.7% ODA/GNI target it had originally committed to achieving by 2015'. Dóchas furthermore highlighted that an opinion poll undertaken by Ipsos MRBI in July 2014 found that 75 per cent of people in Ireland think that 'even in an economic down-turn, we have an obligation to invest in overseas aid'.[95]

Despite the reduction in overall funding, during 2014 over 30 countries received ODA, including Irish Aid partner countries (Ethiopia, Lesotho, Malawi, Mozambique, Sierra Leone, Tanzania, Uganda, Vietnam and Zambia), as well as a range of other countries, in particular the Democratic Republic of Congo, Zimbabwe, Kenya and Liberia.[96] Humanitarian assistance was provided following natural disasters, in particular for the Ebola crisis in West Africa, and armed conflicts, including those in Syria, South Sudan, Central African Republic, and Gaza.[97]

The quality of Irish overseas development assistance was prioritised by the government and recognised internationally throughout the course of 2014. In April, at the first meeting of the Global Partnership for Effective Development Cooperation, held in Mexico,

[93] Department of Foreign Affairs and Trade, 'Our Challenge is to Harmonise Economic Growth with Protection of Human Rights', Press Release, 7 November 2014.

[94] Figures from: Irish Aid Annual Report 2014, p 54.

[95] Dóchas, '2015 Budget Submission: Overseas Aid Works and is Widely Supported—Stop Cutting the Aid Budget, say NGOs', Press Release, 16 September 2014.

[96] Irish Aid Annual Report 2014, p 59. For full details of the activities of Irish Aid, see: www.irishaid.ie (accessed 30 November 2015).

[97] Irish Aid Annual Report 2014, p 9.

the Minister for Trade and Development, Joe Costello TD, argued that 'as well as the volumes of assistance, the quality of aid and the way in which it is delivered is critical for its impact in fighting hunger and malnutrition, delivering sustainable livelihoods and reducing poverty'.[98] This international focus on aid effectiveness was subsequently translated into the domestic context via a conference in Dublin entitled 'Protecting Public Trust: Preparing the NGO sector for changing times', which focused on the importance of charity regulation, transparency, and accountability of international aid.[99] This was followed in July with the Washington-based Brookings Institute's third report on the quality of official development assistance.[100] This report bench-marked the ODA of 31 developed countries against four headings, namely: maximising efficiency; fostering institutions; reducing burden; and transparency and learning. The Irish Aid programme was the only one which was ranked within the top four in all four categories. Indeed, the report noted: 'Most donors have their strengths and weaknesses in different dimensions of aid quality … Ireland is a stand-out, ranking first in fostering institutions and 4th or better in the other three dimensions.'[101] The Development Assistance Committee (DAC) of the Organisation for Economic Co-operation and Development (OECD) likewise praised the Irish Aid programmes in December 2014 following its regular development co-operation peer review process.[102] The OECD noted that:

> A strength of Ireland's development co-operation is the way in which development priorities are grounded in the needs of partner countries and in what the Irish public supports, while being informed by Irish Aid's country level experience.[103]

Nevertheless, the OECD also issued a number of recommendations for the Irish ODA programmes, including a recommendation that 'Ireland should communicate the rationale and priorities for scaling up its ODA towards 0.7% of GNI to the public and key stakeholders. It should also start planning how increases will be allocated'.[104]

During the second half of 2014, the threat posed by the rapid spread of the Ebola virus in West Africa became apparent. In July, the Minister for Trade and Development, Joe Costello TD, announced the first tranche of additional funding to fight Ebola in Irish Aid partner countries Sierra Leone and Liberia.[105] Minister for Trade, Development and

[98] Department of Foreign Affairs and Trade, 'Minister for Trade and Development: Ireland a Leader in Aid Effectiveness', Press Release, 16 April 2014.

[99] Department of Foreign Affairs and Trade, 'Minister Costello Welcomes NGO Drive for Greater Accountability and Value for Money', Press Release, 1 May 2014.

[100] Nancy Birdsall and Homi Kharas, *The Quality of Official Development Assistance (QuODA)* (Washington, Brookings Institute, 2014).

[101] Ibid, 14. See also: Department of Foreign Affairs and Trade, 'Minister Costello Welcomes Report Praising Quality of Irish Aid', Press Release, 12 July 2014.

[102] As explained on the OECD website: 'Each DAC member country is peer reviewed roughly every four years with two main aims: to help the country understand where it could improve its development strategy and structures so that it can increase the effectiveness of its investment; and to identify and share good practice in development policy and strategy. Led by examiners from two DAC member states, the process typically takes around six months to complete and culminates with the publication of the findings.' See: www.oecd.org/dac/peer-reviews (accessed 30 November 2015).

[103] Organisation for Economic Co-Operation and Development, 'OECD Development Co-operation Peer Reviews: Ireland 2014' (OECD Publishing, 2014) 15.

[104] Ibid, 16. See also: Department of Foreign Affairs and Trade, 'Ireland Continues to Excel in Delivering Effective Aid—OECD', Press Release, 2 December 2014.

[105] Department of Foreign Affairs and Trade, 'Minister Costello Announces Additional Funding to Help Fight Ebola in West Africa', Press Release, 15 July 2014.

North South Co-Operation, Seán Sherlock TD, subsequently called on the international community to 'further support these efforts in a coordinated manner through the allocation of more human and financial resources to support these countries',[106] and Ireland continued to provide additional funding, materials and human resources over the course of the year.[107] Minister Sherlock was subsequently the first EU Minister to visit the region in October 2014, where he met with the President of Sierra Leone, Ernest Bai Koroma, and Government representatives to discuss their response to the crisis and the support provided by the international community. During his visit, Minister Sherlock highlighted that:

> My visit this week allows me to demonstrate solidarity with those who have been worst-affected and to assess the response to the crisis by the Government in Freetown and also the work of the international community.[108]

Meanwhile, in November, the Cabinet agreed to the deployment of three Irish Defence Forces personnel to Kerrytown, Sierra Leone, as embedded members of the UK Armed Forces Treatment Unit. In making the announcement, the Minister for Foreign Affairs and Trade, Charlie Flanagan TD, stated:

> The deployment of Defence Forces' personnel to the embassy in Sierra Leone is a clear example of the whole of government approach required to fight this dreadful disease. By bringing field experience in areas such as emergency planning and response, logistics and risk mitigation, those deployed will add a significant new dimension to the Ireland's contribution.[109]

The year concluded with a series of events marking the 10th anniversary of the 2004 Indian Ocean Tsunami, which killed over 226,000 people and displaced millions across 14 countries.[110] The Irish Ambassadors to Thailand and Indonesia attended commemoration ceremonies in Khao Lak and Banda Aceh, while the Minister for Foreign Affairs and Trade, Charlie Flanagan TD, and the Minister of State for Development, Trade Promotion, and North South Co-Operation, Seán Sherlock TD, reflected on the anniversary at events in Dublin, where Minister Sherlock noted:

> Irish Aid learnt some very valuable lessons from the Tsunami and we have put in place new approaches to ensure that we are better equipped to respond efficiently and effectively when major crises occur. Ireland has been recognised internationally as a leader in providing humanitarian aid. We have developed an innovative system to prepare for and respond to major disasters. These include the pre-positioning of funding so that it can be quickly accessed when disaster strikes and also by establishing a corps of skilled personnel, the Rapid Response Corps,

[106] Department of Foreign Affairs and Trade, 'Minister Sherlock Announces €120,000 Additional Funding to Fight the Spread of Ebola in West Africa', Press Release, 6 August 2014.

[107] Department of Foreign Affairs and Trade, 'Minister Sherlock Announces over €600,000 in Funding and Emergency Supplies to Tackle Ebola', Press Release, 22 September 2014; Department of Foreign Affairs and Trade, 'Minister Sherlock Announces over €1 Million in Additional Funding to Fight Ebola Outbreak', Press Release, 3 October 2014; Department of Foreign Affairs and Trade, 'Government Announces New Funding to Fight Ebola in West Africa', Press Release, 23 November 2014.

[108] Department of Foreign Affairs and Trade, 'Minister Sherlock Travels to Sierra Leone to Assess Response to Ebola Outbreak', Press Release, 1 October 2014.

[109] Department of Foreign Affairs and Trade, 'Defence Forces Personnel to Assist in Ireland's Response to the Ebola Crisis in West Africa', Press Release, 11 November 2014.

[110] See for example: Irish Red Cross, *After the Wave: A Pictorial History of the Irish Red Cross Indian Ocean Tsunami Relief and Recovery Programme 2005–2011* (Irish Red Cross, 2011) 8.

> to deploy at short notice to provide targeted support in areas including logistics, telecommunications, sanitation and health. We are also recognised for our generous funding and support.
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> In 2014 we airlifted 269 tonnes of supplies—such as tents, blankets, jerry cans, water tanks, mosquito nets, pickaxes and spades, on eight occasions as part of Ireland's response to emergencies and crises in a number of countries and regions. Some 32 members of our Rapid Response Corps have been deployed so far in 2014 to countries including South Sudan, Central African Republic, Jordan, Lebanon, Ethiopia, Somalia and Senegal.[111]

The UN Central Emergency Response Fund (CERF) was established in the aftermath of the 2004 Indian Ocean Tsunami, as a means of better coordinating responses to major international humanitarian crises. To mark the 10th anniversary of the CERF in December 2014, Ireland committed an additional €10 million to the fund, which brought Ireland's total contributions to the CERF since its commencement to €120 million. In making the announcement, Minister for Foreign Affairs and Trade, Charlie Flanagan TD, noted:

> When major emergencies happen because of a natural disaster or conflict, a quick and coordinated response is essential to save lives. This is why Ireland is such a strong supporter of the UN's Central Emergency Response Fund, so that aid can be deployed as quickly as possible to where it is most needed. I am proud that Ireland is among the top ten donors to this fund.[112]

[111] Department of Foreign Affairs and Trade, 'Ireland Represented at Ceremonies to Remember those who Died in the Indian Ocean Tsunami, Press Release, 26 December 2014.

[112] Department of Foreign Affairs and Trade, 'Ireland Pledges €10 million to the UN's CERF for Humanitarian Emergencies', Press Release, 23 December 2014.