



Eu battlegroups legislation

Policy statement



IN DYING DAYS OF DAIL, GOVERNMENT LEGISLATION TO UNDERMINE NECESSITY FOR UN MANDATES BEFORE IRISH TROOPS SENT ABROAD

With the Defence (Amendment) Bill 2006, the Government has effectively abandoned the triple lock, say Greens.

Next Wednesday, July 5th, the second last day of the Dail session, the Government will be rushing all stages of the Defence (Amendment) Act 2006 through the Dail. In just a few hours, with no proper debate, fundamental changes will be made to the Irish Defence Acts, changes which will have far-reaching impacts on Ireland's proud tradition of blue-helmeted UN peacekeeping service. The Government is hoping that it will all be over very quickly, that it can sneak off into the Summer Recess without the public - including many of Fianna Fail's core supporters - being aware of just how momentous this legislation is.

The Green Party/Comhaontas Glas will be opposing this Defence Bill at every (brief) stage of its passage through the Dail. Minister of Defence, Willie O'Dea's continuous mantra that our Triple Lock requirements will remain intact has been proven to be meaningless cant: the necessity of Government and Dail approval and a UN mandate before Irish troops are sent abroad has now effectively been ditched. Triple Locks take time to open. And Rapid Reaction Forces don't have time. The EU Battlegroups that this Government - and Fine Gael and Labour - are so eager to join, need rapid decision making. The EU's ambition is to deploy the Battlegroups within 5 to 10 days after approval by the EU Council. Waiting for UN mandates are a 'luxury' that only Ireland requires. And so enters the Defence (Amendment) Act 2006.

An EU Battlegroup consists of a battalion-size force package of around 1,500 troops, complete with combat support and logistics units as well as the necessary air and naval components, ready for rapid deployment anywhere in the world - no geographical boundary has been set. The Battlegroups will engage in the full range of so-called Petersberg Tasks, --

humanitarian and rescue tasks; peacekeeping; tasks of combat forces in crisis management, including peacemaking; -- as well as new tasks approved in the EU's European Security Strategy -- joint disarmament operations; support for third countries in combating terrorism; and Security Sector Reform (SSR). This means in fact that Battlegroups can do just what they say: go into battle. For the Government to portray the Battlegroups as a misnomer and as something more akin to the Red Cross is a complete misrepresentation of what Ireland is about to join.

The Green Party will be focusing their objections and amendments to the Defence (Amendment) Bill in the following three areas:

1

The Definition of International United Nations Force in Section One

"International United Nations Force" means an international force or body established, mandated, authorised, endorsed, supported, approved or otherwise sanctioned by a resolution of the Security Council or the General Assembly of the United Nations;

The definition in section 1 of "International United Nations Force" is now so broad that any vague resolution from the Security Council will do. The present Irish Defence Acts state only that such a force should be 'established' by the Security Council or General Assembly. A number of recent military missions have been 'authorised' by the UN Security Council [e.g. Resolution 1244 (1999), SC decision to deploy international civil and security presence in Kosovo, under UN auspices] and the Green Party would be open to 'established, mandated or authorised'. However, the other terminology is far too broad and open to abuse. Both the United States and Britain insisted that their illegal attack on Iraq was in line with UN resolutions and the UN Charter.

2

Dispatching Irish soldiers abroad with only the approval of the Government in Section Three

- 3.-(1) A contingent or member of the Permanent Defence Force may, with the prior approval of and on the authority of the Government, be despatched for service outside the State for the purposes of-
- carrying out duties as a military representative or filling appointments or postings outside the State, including secondments to any international organisation,
 - conducting or participating in training,
 - carrying out ceremonial duties, participating in exchanges or undertaking visits,
 - undertaking monitoring, observation or advisory duties,
 - participating in or undertaking reconnaissance or fact-finding missions,
 - undertaking humanitarian tasks in response to an actual or potential disaster or emergency,
 - participating in sporting events, or
 - inspecting and evaluating stores, equipment and facilities.
- (2) Nothing in this section shall prevent the Government from giving general approval, for such period of time as they determine, to such classes of any of the activities specified in subsection (1) as they consider appropriate and subject to such conditions as they impose.

Section 3 makes it clear that not even Dail approval is required for certain operations. The Green Party can understand that military personnel attending sporting events or on ceremonial duties should be able to do so with Government approval only. However, contingents of troops involved in such areas as training, military reconnaissance, or humanitarian tasks in response to 'actual' or potential' disaster or emergency should not be able to be dispatched at the whim of a Government. The question which Minister O'Dea refused to answer from Green Party Deputy, John Gormley, in the Dail last week is: what happens if our troops are fired upon in such circumstances? Also, the EU Battlegroups are supposed to be involved in humanitarian tasks under the Petersberg Tasks. It appears that Section 3

leaves the way open for Irish troops to participate in EU Battlegroups in such instances without any UN mandate, let alone even Dail approval. The definition of 'humanitarian tasks' can be extremely broad: when NATO began its bombing campaign in Kosovo in March 1999, NATO argued that it was to 'avert a humanitarian catastrophe'. Much tighter controls will be required in Section 3 for certain overseas military activities.

3

Provision for Irish troops to be dispatched with EU Battlegroups before UN authorization in Section 8.

8.-Section 2 of the Act of 1960 is amended-

a) in subsection (1), by substituting "subsections (2) and (3)" for "subsection (2)", and (b) by inserting the following after subsection (2):

"(3) A contingent or member of the Permanent Defence Force may, with the prior approval of and on the authority of the Government, be despatched for service outside the State as part of a force to be assembled or embarked before being deployed as part of a particular International United Nations Force if, but only if, the contingent or member is not so deployed until a resolution under subsection (1) of this section has been passed by Dail Eireann approving of their despatch for such service."

Section 8 is both farcical and dangerous. It is designed to allow Irish troops to go off with the Battlegroups prior to UN approval - to be rapidly 'assembled' or 'embarked', but not 'deployed'. This is the Irish Government's half-baked solution to the inconvenience

of UN mandates. It would appear that our troops are expected to wait on the fringes - perhaps on the fringes of an armed conflict -- awaiting UN authorisation to join the remainder of the Battlegroup. Again, what happens if our troops are attacked in this situation? The logical answer - the one Willie O'Dea did not give in the Dail last week - is that they can defend themselves, in which case they are involved in a conflict before there is proper UN authorisation. This dangerous section needs to be totally deleted from the legislation.

The Defence (Amendment) Bill 2006 represents the final assault by Fianna Fail and the PDs on what remains of Irish neutrality. It takes a hacksaw to the Triple Lock and undermines the status of UN mandates. It is true that Kofi Annan has welcomed regional organizations in assisting the peacekeeping role of the United Nations. However, this has to be under the authority of the UN. The General Assembly has emphasized that only the UN Security Council has the legal authority to mandate coercive action to maintain and restore international peace and security.

Ireland is a small country with a small military and an immense, highly respected and proud reputation as UN peacekeepers. This is the role the Green Party would like to see our defence forces maintain. We are convinced that Ireland's military strength in promoting international peace and security is to be found in this 'niche' role, not as a tag- on to an EU Battlegroup. Unfortunately, Fianna Fail and the PDs, along with a willing 'Opposition' in Fine Gael and Labour, have decided - via the Defence (Amendment) Bill 2006 -- to launch our defence forces in a new, highly dubious and regrettable direction.



The Green Party / Comhaontas Glas
16/17 Suffolk Street, Dublin 2
Tel: 01 6790012
Fax: 01 6797168
Email: info@greenparty.ie
Web: www.greenparty.ie