



SUBMISSION

ASSOCIATION OF RETIRED COMMISSIONED OFFICERS

FOREIGN POLICY & EXTERNAL RELATIONS

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1. Introduction

- a. During the last decade, significant changes were witnessed in the regional and international defence and security environments, especially in the areas of perceived threats, early warning, security strategy, security architecture, and military and civilian responses to conflict prevention and crisis management.
- b. In recent years, supporting Ireland's external goals, enhanced operational capabilities enabled the Defence Forces - Óglaigh na hÉireann to deploy units and personnel in challenging overseas environments such as Lebanon, Syria, Liberia, Chad, Uganda and Mali, and to actively participate in the European Union's Battlegroups.
- c. Likewise, Naval Service ships have deployed and sustained equipment, material and supplies for Defence Forces overseas missions. In addition, Naval Service ships provide a unique platform to promote trade opportunities abroad. In this context, Naval Service ships have participated in supporting trade missions in conjunction with the Department of Foreign Affairs and Trade, and Enterprise Ireland.
- d. Defence Forces personnel augment the staff of the Department of Foreign Affairs and Trade in New York with the Permanent Missions in the United Nations, and in Vienna with Organisation for Security and Cooperation in Europe.
- e. Likewise, in Brussels, Defence Forces personnel are assigned to the European Union Permanent Representation and to the Europe-Atlantic Partnership Council (NATO's Partnership for Peace) Representation.
- f. As national military experts, Defence Forces personnel are seconded to the European Union Military Staff in Brussels. Defence Forces personnel have also served on the United Nations Military Staff in New York.
- g. The Department of Foreign Affairs, Irish Aid, the United Nations and the Organisation for Security and Cooperation in Europe continue to use the expertise and experience of retired Defence Forces personnel in areas such as confidence building and humanitarian assistance worldwide.
- h. At the outset, the Association of Retired Commissioned Officers (ARCO) wishes to place on record, its members' acknowledgement of the significant involvement of the Department of Defence in advancing the role of the

Defence Forces in the international arena. Likewise, ARCO acknowledges the involvement of the Department of Foreign Affairs and Trade plays in championing the Defence Forces participation in Peace Support Operations, the support it provides to Defence Forces personnel serving with the Permanent Representations in New York, Brussels and Vienna, and in areas of interface such as State Ceremonial, Irish Aid and Presidencies of the European Council.

- i. Since 1958, Óglaigh na hÉireann has actively participated in international peacekeeping operations, suffering the loss of 84 personnel who died serving Ireland in the cause of peace.
 - (1) The Defence Forces provided senior officers to fill the appointments of Force Commanders in the Congo, Cyprus, Lebanon, the Golan Heights, and Somalia, Chief of Staff in the Middle East, and the Operation Commander in Chad – Central African Republic.
 - (2) Within the area of external affairs, overseas missions conducted by the Defence Forces, enables the Department of Foreign Affairs and Trade to strengthen its position in advancing Ireland's foreign policy in the international arena, especially within the United Nations, the European Union and the Organisation for Security and Cooperation in Europe. This significant international posture pays dividends for Ireland.
2. **ARCO's Submission**. ARCO welcomes the publication of the Department of Foreign Affairs and Trade's consultation paper on foreign policy and external relations. As part of the related consultative process, ARCO is availing of this opportunity of advancing the views of its membership for consideration by the Department of Foreign Affairs and Trade in the development of an updated statement on Ireland's foreign policy and external relations. This submission is endorsed by ARCO's Executive Committee, and reflects the views of ARCO's members whose experience, knowledge and understanding can play an important role in this important process.
3. **Release of Submission**. ARCO understands that the Freedom of Information Acts will apply to its submission. The Association is fully aware that the Review Team may wish to release all or part of a submission, and may publish the submission on the Department's website. ARCO wishes to indicate that it has no objections to any of these publication issues.
4. **Topics**. Whereas a wide range of topics are discussed in the Department's consultation paper, ARCO's submission will be confined to those issues pertaining to the interface between foreign policy, security and defence, and, in particular, issues associated with the Department's High Level Goal "to contribute to international peace, security and human rights". Documents sourced during the preparation of this submission are listed in Annex 'A'. The key topics are:
 - a. National Values and Interests,
 - b. International and Regional Organisations,

- c. Defence and Security Environment,
 - d. International Response,
 - e. Defence Forces Overseas Operations,
 - f. Developing Capabilities – European Union and NATO,
 - g. Defence Forces Support for Trade Missions – Naval Service Ships,
 - h. Education and Training,
 - i. Irish Aid,
 - j. Retired Officers in Civilian Crisis Management Operations,
 - k. Defence and Diplomacy,
 - l. Embassies,
 - m. Defence Posture & Neutrality,
 - n. Triple Lock Mechanism, and
 - o. Conclusions.
5. **National Values and Interests.** Whereas the Department of Foreign Affairs and Trade's Strategy Statement prescribes both a mission and high level goals, the consultative process would benefit from the elaboration of Ireland's intrinsic values and enduring interests. Identified values and interests should inform foreign and defence policy. In turn, they should be reflected, as appropriate, in the policies, activities, statements and outputs of international and regional organisations in which Ireland is involved. Examples could include:
- a. The State's freedom of action to pursue and promote its national and international interests must be safeguarded.
 - b. Maintaining peace and stability throughout the island of Ireland, coupled with the successful implementation of the peace process.
 - c. International peace, stability and world order, as promoted by the United Nations Charter and the European Union's Common Foreign and Security Policy, must prevail.
 - d. International relations should be founded on justice and morality, democracy, and the pacific settlement of disputes by international arbitration, or judicial determination, and the application of international law.
 - e. A favourable European environment based on common political, economic, security, heritage and cultural interests, and the maintenance of regional co-operation and stability, through the European Union and the Organisation for Security and Cooperation in Europe.

- f. Ireland's support for arms control, disarmament, convention on cluster munitions, non-proliferation of nuclear, biological and chemical weapons, human rights, eradication of hunger and poverty, promotion of trade, tourism and investment, the ethos of confidence building and cooperative security, the settlement of conflict by peaceful means, and a willingness to participate in military and civilian Peace Support Operations.

6. **International and Regional Organisations**

- a. Implementing a vast range of international obligations, Ireland remains a valued and influential member of the United Nations Organisation, a significant member of the Organisation for Security and Cooperation in Europe, a proactive Member State of the European Union, and active participant in NATO's Partnership for Peace.
- b. ARCO welcomes the statement in the consultancy paper that Ireland will "retain a strong voice in the development of the Common Security and Defence Policy".
- c. Following on from the successful Chair of the Organisation for Security and Cooperation in Europe in 2012 and the Presidency of the European Council in 2013, our international partners will view with interest Ireland's further development of its foreign policy and external relations.
- d. Reinforcing Ireland's commitment to collective security and the United Nations Standby Arrangement will have a positive effect within the United Nations.
- e. Embracing within Ireland's foreign policy, the parameters of the Common Security and Defence Policy will provide an enhanced national and regional understanding of Ireland's posture in European Union's security and defence affairs.
- f. A commitment to conflict resolution and the development of confidence building measures throughout Europe and Central Asia, will enhance Ireland's posture within the Organisation for Security and Cooperation in Europe
- g. Likewise, a further endorsement of the objectives of NATO's Partnership for Peace will be favourably noted by Ireland's partners.

7. **Defence and Security Environment**. ARCO, based on its members' experiences and expertise, wishes to advance some realistic observations on the defence and security environment in which Ireland's foreign policy and external affairs will be informed and implemented.

- a. **Potential Global Threats**. Potential national, regional and international threats include¹: activists' turbulence and destructive power, asymmetric threat,

¹ Perceived threats listed alphabetically.

change in extension or reduction of European Union membership, chemical pollution, chronic and infectious disease, collapse of capitalism, competition for scarce natural resources, cyber and electromagnetic attacks, extremism, focused cultures, food contamination, food sabotage, global warming, interstate migration, intrastate conflict, intrastate war, nuclear exchange between two or more nations, organised crime, piracy, poverty, rebalancing of global power, regional conflict, subversive endeavours, state failure, sustained economic downturn, terrorism, weak governance, and weapons of mass effect.

- b. **Terrorism**. Terrorism will remain a key security challenge. It will become more asymmetric, widespread, extreme, international and autonomous, with access to increasingly sophisticated instruments and weaponry, requiring effective intelligence, communications, surveillance, protection and special operations (Army Ranger Wing) capabilities.
- c. **Middle East and Africa**. The Middle East and Africa will remain regions of concern for Ireland, with continued tension between States, within States, Europe's reliance on Gulf oil, and the challenges associated with weak governance, hunger, poverty and disease.
- d. **Readiness to Respond**. The greatest risk to Ireland is that the national or international environment will change faster than the Government can obtain the capacity and capabilities associated with its political, diplomatic, economic and military instruments of power, to address a threat to the nation's sovereignty, its national and international interests, and climatic and humanitarian emergencies. Early warning systems, effective analysis, robust decision-making procedures, operational readiness, evaluation of security and aid resources, logistical equipment and supplies at appropriate readiness to deploy, and prudent investment in military and civilian capabilities are required.

8. **International Response**

- a. It is envisaged that Ireland will continue to depend on NATO's collective defence, including the active involvement of the United States of America in this alliance, to shield against any strategic threat to the State.
- b. Contemporary security challenges as already mentioned include terrorism, regional conflicts, proliferation of weapons of mass destruction, state failure and organised crime. These challenges require international and regional organisations to respond using a comprehensive approach involving all instruments of power: political, diplomatic, military, humanitarian and economic.
- c. To address the defence and security environment, international and regional organisations, and nations need to enhance systems of early warning, collective security, intelligence exchange, interoperability, security cooperation, conflict prevention, conflict management and conflict resolution.

- d. Obviously, United Nations authorisation will remain desirable to sanction military intervention in zones of conflict. However, veto on Resolutions by members of the Security Council could seriously undermine the United Nations efforts for conflict prevention, crisis management, humanitarian intervention, peacekeeping and peace enforcement, leading to stalemate and possible inaction by the international community.

9. **Defence Forces – Overseas Operations**

- a. ARCO appreciates the assessment in the consultancy paper stating that the “Defence Forces have gained international recognition for the important role they have played in peacekeeping operations for over fifty years”.
- b. Nevertheless, in order to support Ireland’s foreign policy, the Defence Forces must retain a robust all-arms capability and provide a credible contribution to the United Nations, the European Union, the Organisation for Security and Cooperation in Europe, and NATO’s Partnership for Peace.
- c. In this context, Defence Forces personnel are deployed overseas on operations such as Peace Enforcement, Peacekeeping, Confidence and Security Building Measures, Disarmament and Arms Control, Training, and Support for Humanitarian Relief.
- d. Ireland has assigned 850 trained and equipped personnel to the United Nations Standby Arrangement System. Ireland also provides a palette of military all-arms capabilities to the European Union’s Headline Goal, including elements for European Union’s high readiness Battlegroups.
- e. In addition to sustaining Defence Forces overseas units, Naval Service and Air Corps capabilities, including air and maritime platforms, should be deployed on overseas missions in their own right, in support of a Defence Forces overseas element or unit, or as a Force Headquarters resource as part of an international force. This would facilitate the Naval Service participating in Common Security and Defence maritime operations such as EUFOR in Somalia.
- f. Ireland’s involvement with Partnership for Peace envisages the provision of Defence Forces capabilities to NATO-led Peace Support Operations.
- g. In addition to deployed units and staffs to overseas missions, the Defence Forces continue to provide competent personnel to Permanent Representations, and military staffs within the United Nations, European Union, Organisation for Security Cooperation in Europe, and NATO.
- h. Ireland’s participation in Partnership for Peace should be maintained, including the Planning and Review Process and the Individual Partnership Cooperation Programme, enhancing the Defence Forces capability development to international standards, interoperability, and its capacity to deploy in NATO led United Nations authorised Peace Support Operations.

10. **Developing Defence Forces Capabilities – European Union & NATO**

- a. Supporting Ireland's foreign policy, future overseas deployments will require the Defence Forces to operate in complex multi-dimensional, political, ethnic, cultural and geographical environments. In addition to contemporary operations, these deployments could include stabilisation operations, security sector reform, humanitarian intervention and evacuation, all requiring an extensive range of conventional and non-conventional military capabilities.
- b. The required capabilities will include the capacity for strategic analysis, early warning, strategic and operational planning, military advice, effective intelligence resources, deployable military assets, effective force protection, sustainable operational lift, efficient logistics, and appropriate command and communications.
- c. In the European environment, Ireland's participation in initiatives such as the European Union's Defence Agency's Research and Technology Joint Investment Project on Force Protection, and the Agency's CBRN Programme and Maritime Surveillance project, are examples of active capability development programmes.
- d. Within the European Union, the Pooling and Sharing initiative is paying dividends in the area of capability shortfalls and subsequent cooperation between Member States.
 - (1) For example, since January 2012, Ireland is taking the lead in a Defence Agency project, which is reviewing naval training across the eleven participating Member States, seeking to deliver value for money through reducing duplication.
 - (2) In an environment of reduced financial resources, the Defence Forces would benefit from participation in appropriate Pooling and Sharing projects such as intelligence, cyber security, surveillance, reconnaissance, procurement, aircrew training, medical, strategic lift and logistics.
 - (3) In particular, "quick impact projects" such as the centralised procurement of small arms ammunition and the disposal mechanisms for surplus stocks, would be cost effective and of benefit to all Member States.
- e. Likewise, the role of NATO's Partnership Goals in capability development to international standards should be noted. In the same context, the Operational Capability Concept, under the auspices of NATO's Partnership for Peace should be embraced. This concept provides an international assessment tool to measure capability development and to benchmark operational readiness, thus enhancing force protection and risk mitigation.

11. **Defence Forces Support for Trade Missions – Naval Service Ships**. A visit by a Naval Service ship, it being a sovereign platform, is a unique statement of a positive relationship between nations. Such visits provide high profile visible evidence of Ireland's external relations with a host nation. The ship itself

provides a platform from which to showcase trade opportunities with Ireland from which Government Ministers, Ambassadors and business stakeholders can engage with colleagues from the host nation. In the past, successful visits have been conducted in centres of economic power ranging from New York, to South America, to Tokyo. Such visits convey a clear message of a desire on the part of a small country to actively engage in an open and friendly manner with the host nation in order to pursue mutual economic, trade and tourism interests.

12. **Education and Training**

- a. As part of foreign policy, the Defence Forces should remain actively involved in Common Security and Defence Missions within the realm of training, such as the European Union's Training Missions in Somalia.
- b. Likewise, the procedures permitting foreign students on career courses conducted by the Defence Forces and on courses under the auspices of the United Nations Training School Ireland should continue.
- c. Defence Forces personnel should to be educated in the European Union's Defence College, NATO's Training College and on courses conducted by other armed forces (e.g. UK, USA, France and Germany).
- d. The education and training benefits accruing from NATO's Partnership for Peace process and the European Union's Battlegroups should be further exploited.

13. **Irish Aid**. Irish Aid is an essential element of Ireland's foreign policy supporting long term development and providing humanitarian assistance in over eighty countries. There is further scope in harmonising Defence Forces overseas operations with those of Irish Aid, thereby promoting an Irish comprehensive approach in areas of conflict.

- a. As experienced in Liberia, Irish Aid advance teams can benefit by the presence of Defence Forces officers in senior appointments within a United Nations mission, who can provide situation awareness and security briefs to visiting teams.
- b. The United Nations Training School in The Military College has provided focussed pre-deployment training for volunteers of the Irish Aid Rapid Response Corps. Serving Defence Forces personnel, especially in the transport and logistics areas, can deploy in support of Irish Aid. Defence Forces locations can be used to accommodate Irish Aid equipment, stores and supplies.

14. **Retired Officers in Civilian Crisis Management Operations**. As highly skilled and experienced professionals, retired Defence Forces officers, members of ARCO, can play a valuable role in civilian crisis management operations.

- a. Having retired from the Defence Forces, they have served in senior appointments in difficult areas and challenging conditions with International

Organisations such as the United Nations, the European Union, the Organisation for Security and Cooperation in Europe and the International Red Cross.

- b. Their previous military expertise, professional experience and specialist training make them eminently equipped for such roles. Such retired officers project a significant positive image for Ireland and the Department of Foreign Affairs and Trade, in demanding international environments.
 - c. Some retired officers who have assumed full time employment with these International Organisations, have risen to the highest echelons, filling the most sensitive posts and appointments.
 - d. In the field of election monitoring, many former military personnel have served as both short and long term observers. In addition, they have played a significant role in training observers in the legalities and practicalities of election monitoring.
 - e. In addition, having the necessary competencies, former personnel of the Defence Forces have been pivotally involved in the establishment of the Irish Aid Rapid Response Corps. They continue to be involved in the training and personnel selection functions of the Corps, in addition to serving on missions as members. Their experience, leadership and management skills have been invaluable to the Stand-by Partners, (UNHCR, WFP, UNOCHA, UNICEF, International Red Cross, MSF and Irish NGOs), in the running of relief operations, and also in the provision of a wide range of skills not readily available at short notice to Irish NGOs and to other International Organisations.
 - f. ARCO posts notification of vacancies arising in the United Nations and in the Rapid Response Corps on its web site.
15. **Diplomacy, Defence and Trade.** Diplomacy and defence and are fundamentally interconnected in conflict prevention, conflict resolution, security sector reform, crisis response, peace building and development. In recent years, this concept has evolved from the enhancement of trust and accountability between armed forces, to contributing to stable security environments, security sector reform, enhancing transparency and openness, and building cooperative relationships with friendly countries.
- a. Supporting Ireland's foreign policy, Defence Forces activities in the international environment, such as Peace Support Operations, could be viewed as falling under the remit of the "Diplomacy, Defence and Trade".
 - b. The effective external relationships and military cooperation with like-minded countries such as Sweden and Finland, benefited the Defence Forces deployments in Liberia and Lebanon and with the European Union's Nordic and German Battlegroups.
 - c. Student exchange on foreign courses and training outputs of the United Nations Training School, promote external relations. The same applies to

inspections, evaluations, communications network and information exchange under the auspices of the Organisation for Security and Cooperation and contained in Europe's Vienna Document,

- d. Within the international environment, Naval Service ships should continue to be used as platforms for promoting Irish diplomatic and economic interests in conjunction with the Department of Foreign Affairs & Trade, and bodies such as Enterprise Ireland.
 - e. The provision of a limited and focussed number of Defence Attachés, in particular on a reciprocal basis, should be actively explored.
16. **Embassies.** Irish embassies provide significant support to Defence Forces units serving overseas. The presence of Ambassadors and embassy staff at overseas ceremonial parades is indicative of the significant relationship between the Department of Foreign Affairs and the Defence Forces, and the role that Irish soldiers play in the international peace and security environment. In the past, overseas Defence Forces units have provided support to embassy staff and Irish Aid staff in areas such as security advice and communications.
17. **Defence Posture.** Ireland's current Defence Posture is independent of a military alliance, yet supportive of international and regional security cooperation. Ireland implements this posture in accordance with national and international law, and strictly adheres to the provisions of the United Nations Charter. The Department of Foreign Affairs and Trade's consultative process provides an ample opportunity to examine Ireland's future defence posture in the context of the nation's prevailing position on collective security, military neutrality, and the European Union's Common Security and Defence Policy.
18. **Neutrality.** Whereas, Ireland declared a policy of neutrality during the Second World War, the country has never been ideologically neutral, or morally indifferent to major international security challenges. Neutrality, which has a strict legal basis, only applies in war. Some believe that neutrality is a political aspect of Ireland's sovereignty – a symbol of the country's uniqueness. The Hague Conventions of 1899 and 1907 prescribe obligations associated with neutrality. A policy of neutrality is conditional on having an adequate defence capacity requiring substantial expenditure on organisation, infrastructure and equipment. Failure to maintain the capacity to implement the internationally prescribed neutrality provisions is a significant liability to national sovereignty. However, the maintenance of adequate military resources, outside of a military alliance, for both deterrence and defence, is financially unrealistic, especially with the absence of a conventional threat. The concept "military neutrality" has no statutory basis.
- a. **European Union.** The Treaty on European Union makes clear that the Union's security and defence policy shall not prejudice the specific character of the security and defence policy of Member States. The National Declaration presented to the Seville European Council on 21 & 22 June 2002²

² Annex 3, Presidency Conclusions, 13463/02, circulated to EU Delegations on 24 October 2002.

stated, inter alia, that Ireland will not adopt any decision taken by the European Council to move to a common defence, or ratify any future Treaty which would involve a departure from the traditional policy of “military neutrality”, unless it has first been approved by the Irish people in a referendum.

- b. **Security Values and Interests.** It should be noted that the retention of a posture of “military neutrality” is not a prerequisite for advancing Ireland’s core security values and interests such as: arms control, disarmament, human rights, rule of law, non-proliferation of weapons of mass destruction, confidence-building, settlement of conflict by peaceful means, and a willingness to participate in Peacekeeping and Humanitarian Operations.
- c. **Collective Security.** Ireland should continue to support the concept of collective security based on international law through its active participation in international organisations especially the United Nations, the European Union and the Organisation for Security and Cooperation in Europe. It is unlikely in the short to medium term that Ireland will become a “full member” of any military alliance, such as NATO, that involves an automatic obligation to come to the defence of an alliance partner.
- d. **Regional Cooperation and Security.** In addition to Ireland’s measured engagement with NATO through its Euro-Atlantic Partnership Council, the Partnership for Peace framework, and participation with NATO-led Peace Support Operations, Ireland’s defence posture in the future, should also be served with its proactive involvement in defence arrangements within the European Union. In this context, a robust military capability will be required in support of regional cooperation and security involving the European Union and NATO, including any defence arrangements envisaged in the European Union Treaties under the Common Security and Defence Policy.
- e. **Common Defence.** In ratifying the Nice Treaty, a constitutional amendment prescribed, inter alia, that the State shall not adopt a decision taken by the European Council to establish a common defence which would include Ireland, (vide Article 29.4.9). Nevertheless, Ireland continues to be actively engaged in the Common Security and Defence Policy. A modification of Defence Posture away from “military neutrality” is, in ARCO’s view, compatible with the Constitution and would consolidate Ireland’s position within the European Union’s Common Foreign and Security Policy and its Common Security and Defence Policy.
- f. **Overseas Deployments.** The decision-making parameters associated with Defence Forces overseas deployments have little or no bearing on Ireland’s retention or modification of its “military neutrality” posture. In contemporary Peace Support Operations, it is debatable whether being “military neutral” has any positive bearing on the effectiveness of Defence Forces outputs.
- g. **Non-alliance and Collective Security.** Accordingly, it is prudent to re-examine within the domain of foreign policy, the optimum defence posture for peacetime and in times of war. Accordingly, in order to reflect on the security

changes that have taken place both internationally and regionally, it is considered desirable to restate Ireland's defence posture as follows:

- (1) Moving away from the outdated concept of "military neutrality"; towards
- (2) In peacetime, a posture of non-alliance and collective security, with full commitment with the United Nations, the European Union, the Organisation for Security and Cooperation in Europe, and NATO's Partnership for Peace; and
- (3) Falling back on article 28.3.1 and 28.3.2 of the Constitution in times of war.

19. **Triple Lock Mechanism**

- a. **Decision-Making Parameters.** The Department of Foreign Affairs and Trade's current consultative process provides the opportunity to clarify parameters associated with the decision-making process for overseas deployments. Participation in overseas Peace Support Operations should remain a sovereign decision. Military advice associated with new missions should address parameters such as legitimacy, existing commitments, appropriate response, objectives, risk assessment, force protection, command and control, capabilities, resources, duration and endstate. Legislation provides that Dáil Éireann's approval is required for the dispatch of a Defence Forces armed contingent, or an unarmed contingent of more than 12 personnel.
- b. **Legitimacy.** The aims and principles of the Charter of the United Nations confer primary responsibility for the maintenance of international peace and security on the United Nations Security Council. Ideally, all Peace Support Operations should derive their legitimacy from decisions of the United Nations General Assembly or Security Council. In recent times, under chapter VIII of the UN Charter, Regional Organisations such as the European Union and NATO have been authorised to conduct such operations.
- c. **National Declaration.** The National Declaration presented to the Seville European Council on 21 & 22 June 2002³, confirmed, inter alia, that 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 United Nations authorisation, Government decision and approval by Dáil Éireann.
- d. **Sovereign Decision.** Deploying Defence Forces personnel and units overseas is a sovereign decision.
 - (1) The associated national decision-making procedures should be within our sovereign competencies, informed but not determined by decisions taken by international organisations, regional organisations, or other nations.

³ Annex 3, Presidency Conclusions, 13463/02, circulated to EU Delegations on 24 October 2002.

- (2) Whereas there is some support for the Triple Lock Mechanism, ARCO holds the view that the requirement for United Nations authorisation constitutes a self-imposed legal constraint on the State's sovereignty in making decisions about its armed forces deploying on Peace Support Operations.
 - (3) The term 'triple lock' is in itself a contradiction in that a Government, which favours a deployment, will presumably use its majority in the Dáil to confirm their decision. Effectively, the only impediment restricting a Government decision is that which requires some form of United Nations authorisation. The United Nations limitation also implies that we accept the judgement of the United Nations Security Council as the ultimate arbiter of the legitimacy of a military deployment.
 - (4) Whereas legitimacy for the deployment of military force is essential both at home or overseas, such legitimacy should derive from national and international legislation, including the Constitution, Defence Acts, the United Nations Charter and International Humanitarian Law.
 - (5) The inclusion of United Nation's authorisation in the Triple Lock Mechanism undermines national sovereignty and inhibits the Defence Forces from fully participating in peacekeeping, crisis management and humanitarian operations.
 - (6) The sovereign decision should be informed by advice from Government Departments and made by the Government and Dáil Éireann, according to Ireland's national interests, values and security needs. This process naturally would include an analysis of any decision made by the United Nations Security Council, United Nations General Assembly, or the European Council.
- e. **United Nations Authorisation.** Authorisation from the United Nations General Assembly or Security Council is highly desirable in all cases for military action for overseas operations. However, within the Security Council, this authorisation is determined by the national interests and values of the Council's members. In particular, each of the five permanent members could veto authorisation, and thereby block the deployment of a United Nations peacekeeping force, or veto the authorisation of a Regional Organisation, (European Union, NATO, African Union), to conduct the operation⁴. Under the Triple Lock Mechanism, this situation would preclude the Irish Government and Dáil Éireann from authorising the deployment of Defence Forces units or personnel in excess of 12 on overseas Peace Support Operations such as peacekeeping, humanitarian or evacuation operations.

⁴ The Irish Times editorial of 19 July 2013 states: "Is it right that a Chinese veto should be able to block an Irish military mission that would otherwise have the support of the rest of the world's community? But this is a hook we have hoisted ourselves upon".

- f. **Regional Organisations.** The vigorous decision-making procedures within the European Union and NATO, endorsed by democratically elected representatives, do not include United Nations authorisation for the deployment of peacekeeping, crisis management or humanitarian operations.
- (1) Both the European Union and NATO have robust crisis management procedures as part of their formal decision-making apparatus.
 - (2) Within the European Union, formal decisions for the deployment of military operations are made by democratically elected representatives at Head of State, Head of Government, or Government Minister level.
 - (3) The European Union's Political and Security Committee, consisting of diplomatic representatives of Member States, exercise political control and strategic direction of all military and civilian operations.
 - (4) The European Union and NATO's Military Committees are active forums, provide military advice and exercise military control over all military operations.
- g. **Spectrum of Peace Support Operations.** The Treaty of the European Union, as amended by the Lisbon Treaty, has expanded the range of Peace Support Operations from the original scope of the Petersberg Tasks.
- (1) **Tasks.** The tasks involving civilian and military means, contained in Article 28 A (1), include joint disarmament operations, humanitarian and rescue tasks, military advice and assistance tasks, conflict prevention and peace-keeping tasks, tasks of combat forces in crisis management, including peace-making and post-conflict stabilisation. The Article also states that these tasks may contribute to the fight against terrorism, including by supporting third countries in combating terrorism in their territories.
 - (2) **Rapid Deployable Operations.** Evacuation Operations are one such type of Peace Support Operation catering for the rapid withdrawal of European and non-European personnel from a crisis area. It is likely that such evacuees could include Irish nationals. The associated timeframe may not allow for United Nations authorisation, and such is not a prerequisite for European Union Action. In such circumstances, with the current Triple Lock Mechanism, a unit or element of the Defence Forces, (e.g. Army Ranger Wing, Air Corps Aircraft, or Naval Service Ship), could be precluded from supporting the rapid evacuation of Irish nationals. A limited timeframe is also required for the rapid deployment of European Union Battlegroups, which may not be sufficient for a United Nations authorisation.
- h. **Modification - The Triple Lock Mechanism.** The advantages to the State in retaining the Triple Lock Mechanism, in particular in ensuring the international legitimacy of Peace Support Operations, do not merit the retention in its present format with the inclusion of the present clause pertaining to United Nations authorisation. Based on the above analysis,

ARCO contends that this clause should be deleted from the mechanism, or alternatively modified to incorporate United Nations or European Union authorisation⁵.

20. **Conclusions.** ARCO welcomes the Department of Foreign Affairs and Trade's invitation to advance its views for consideration as part of the consultation process in the development of an "updated statement on Ireland's foreign policy". Those views have been presented in this written submission. For ease of reference, ARCO's key issues for consideration are outlined below, reflecting the order as presented in the submission.

- a. **Values and Interests.** The consultative process would benefit from the elaboration of Ireland's intrinsic values and enduring interests falling under the domain of foreign policy and external relations.
- b. **Defence and Security Environment.** Numerous challenges pertain in the defence and security environment in which Ireland's foreign policy will be informed and implemented. Terrorism remains a key security challenge. The Middle East and Africa are regions of concern.
- c. **Response.** The greatest risk to Ireland is that the national or international environment will change faster than the Government can obtain the capacity and capabilities associated with its political, diplomatic, economic and military instruments of power, to address a threat to the nation's sovereignty, its national and international interests, and climatic and humanitarian emergencies.
- d. **External Actors.** Ireland remains a valued and influential member of the United Nations Organisation, the European Union, the Organisation for Security and Cooperation in Europe and NATO's Partnership for Peace. These partners will view with interest the country's further development of its foreign policy and external relations,
- e. **Defence Forces Capabilities.** Supporting Ireland's foreign policy, Óglaigh na hÉireann must retain the required operational readiness in order to fulfil its overseas roles. Future overseas deployments will require the Defence Forces to operate in complex multi-dimensional, political, ethnic, cultural and geographical environments. In addition to contemporary operations, these deployments could include stabilisation operations, security sector reform, humanitarian intervention and evacuation, all requiring an extensive range of conventional and non-conventional military capabilities. In addition to the Army component, Air Corps and Naval Service capabilities and platforms should be deployed on overseas operations.

⁵ Note: the term "authorisation" is sometimes incorrectly replaced with the word "mandated". As in the UN Charter and the Seville Declaration – the term "authorisation" should be used rather than "mandated".

- f. **Defence Forces Support for Trade Missions – Naval Service Ships.** Foreign visits by a Naval Service ship project a high profile visible evidence of Ireland's external relations with a host nation, providing a platform to showcase economic, trade and tourism opportunities with Ireland.
- g. **External Education and Training.** Defence Forces personnel should participate in foreign courses, including those conducted in the European Union's Defence College and NATO's Training College. The education and training benefits accruing from NATO's Partnership for Peace process and the European Union's Battlegroups should be further exploited. As part of foreign policy, the Defence Forces should remain actively involved in Common Security and Defence Missions within the realm of training, such as the European Union's Training Missions in Somalia.
- h. **Support for Irish Aid.** The Defence Forces should continue to support Irish Aid, with the provision of military capabilities in areas such as transport and logistics, in-theatre advice to advance teams, focussed pre-deployment training for volunteers, and locations to accommodate Irish Aid equipment, stores and supplies.
- i. **Retired Officers in Civilian Crisis Management Operations.** Projecting a positive image of Ireland and the Department of Foreign Affairs and Trade, retired Defence Forces officers, members of ARCO, can play a valuable role with International Organisations in civilian crisis management operations. Their previous military expertise, professional experience and specialist competencies, make them eminently equipped for roles such as observers in conflict zones and election monitoring, and in particular in a range of functional areas associated with the Irish Aid Rapid Response Corps.
- j. **Diplomacy, Defence and Trade.** The effective military cooperation with like-minded countries such as Sweden and Finland, benefited the Defence Forces deployments in Liberia and Lebanon, and with the European Union's Nordic and German Battlegroups, and promotes external relations. The same applies to inspections under the auspices of the Organisation for Security and Cooperation in Europe, student exchange on foreign courses, and the training outputs of the United Nations Training School. In the international environment, Naval Service ships should continue to be used as platforms for promoting Irish diplomatic and economic interests in conjunction with the Department of Foreign Affairs & Trade, and bodies such as Enterprise Ireland.
- k. **Embassies.** Irish embassies provide significant support to Defence Forces units serving overseas. The provision of a limited and focussed number of Defence Attachés, in particular on a reciprocal basis, should be actively explored.
- l. **Neutrality.** Ireland's defence position should move away from the concept of military neutrality to a posture of non-alliance and collective security, with full commitment with the United Nations, the European Union, the Organisation for Security and Cooperation in Europe, and NATO's Partnership for Peace

- c. **Triple Lock Mechanism**. The Triple Lock Decision-making Mechanism for Defence Forces overseas deployment should be modified by either deleting the United Nations authorisation, or modified to incorporate United Nations or European Union authorisation.

Association of Retired Commissioned Officers

February 2014

Annex A. Reference Documents

REFERENCE DOCUMENTS

Documents sourced during the preparation of this submission, included those listed below:

Bunreacht na hÉireann – Irish Constitution – 1937;

Challenges and Opportunities Abroad, Department of Foreign Affairs – 1997;

Defence Acts 1954 – 2011;

White Paper on Defence 2000;

European Treaties;

“Seville Declaration”, Presidency Conclusions, 13463/02, circulated to EU Delegations on 24 October 2002

European Security Strategy 2003;

European Union Council Conclusions 2004 - Headline Goal 2010; Annex 3,

EU Food for Thought Paper, Enhancing EU - UN Cooperation 2010;

Programme for Government 2011-2016;

National Recovery Plan, the Public Sector Reform Programme;

Annual Reports – Department of Foreign Affairs and Trade;

Department of Foreign Affairs and Trade's Strategy Statement 2011 – 2014; and

Department of Foreign Affairs and Trade's Consultation Paper 2013.