21st December 2015

Dear Christina,

Following my recent meeting with the Joint Ministerial Committee on Europe, held on Monday 7 December 2015 at Whitehall, I attach a report of the meeting with the agenda items covered.

The meeting was full and covered many of the items that were discussed by Heads of EU Member States at European Council, which took place on 17-18 December. This is reflected in the attached document.

Please note that since the meeting of the Joint Ministerial Committee on Europe the EU Referendum Bill has now completed its passage through both Houses and is expected to obtain Royal Assent by Christmas. Peers voted against insisting on the amendment on extending the franchise. Therefore the franchise will not be extended to 16/17 year olds. The Bill also passed with no provision for ‘double majority’.

I trust you find this report informative and helpful.
Joint Ministerial Committee on Europe, 7 December 2015

1. I attended the meeting of the Joint Ministerial Committee on Europe on Monday 7 December 2015 on behalf of the Scottish Government. Rt Hon Philip Hammond MP, Secretary of State for Foreign and Commonwealth Affairs (FCO) chaired the meeting which was attended by Rt Hon David Lidington MP, Minister for Europe (FCO), George Eustice MP, Minister of State (DEFRA), James Brokenshire MP, Minister for Immigration (Home Office), Andrea Leadsom MP, Minister for Energy (DECC), David Gauke MP, Financial Secretary (HMT), Alun Cairns MP (PuS, Wales Office), Lord Dunlop (PuS, Scotland Office), Sir Geoffrey Adams, UK Ambassador to the Netherlands, and from the other Devolved Administrations: Jane Hutt AM, Minister for Finance (Welsh Government), and Emma Pengelly MLA for (Northern Ireland Assembly).

2. The agenda set for the meeting was (1) EU Reform and Referendum, (2) EU Commission Work Programme 2016, (3) the Netherlands Presidency of the EU, and (4) Preparations for the December European Council.

EU Reform and Referendum

3. There was a discussion on the progress of the EU Referendum Bill. I expressed that the Scottish Government was pleased that the House of Lords had voted to extend the franchise to 16/17 year olds and hoped that the UK Government would allow this amendment to stand. In addition I stressed that the Scottish Government still believes that a ‘double majority’ system should be in place to ensure that no part of the United Kingdom is removed from the European Union against the will of its people.

4. On the subject of the Renegotiation process, I reiterated the Scottish Government’s position, stressing that it is the belief of the Scottish Government that membership of the EU is in the best interest of Scotland and the UK. I asked for assurance that the Devolved Administrations would be included in further discussion prior to February Council when a full agreement is expected to be negotiated.

EU Commission Work Programme 2016

5. Discussion was held on the Commission Work Programme which is a more focussed agenda compared to some previous years. I emphasised areas of the work programme that the Scottish Government has interest in. These include the strengthening of the Digital Single Market, stronger trade/investment strategy and the continuation of regulatory review through REFIT.

6. I stressed that there are concerns in each area that must be addressed including the concerns for copyright and the creative industries, the effect of trade negotiations such as TTIP on the right of governments to legislate effectively, and the concern that REFIT and Better Regulation may result in arbitrary deregulation with impact on standards – including environmental.
The Netherlands Presidency of the EU

7. The Dutch take the presidency of the EU very seriously and forego national interest in taking forward the presidency programme. As such there is expected to be considerable overlap between the Dutch Presidency agenda and the Commission Work Programme.

8. I highlighted that we are happy to work with the Dutch where appropriate and that we would be keen to take forward collaborative work in relation to the Climate Agenda outcomes of COP-21 in Paris.

Preparations for the December European Council

9. The next European Council is scheduled to take place in Brussels on 17-18 December. Member States are expected to meet and discuss a variety of topics of key interest. Migration and Refugees is still expected to be the main topic of debate. In addition to this there will be an update on the progress of the Five Presidents Report on Economic and Currency Union, the Single Market Strategy, Counter Terrorism and a discussion of Russia and Ukraine. It is also expected that there will be some discussion of the UK Government renegotiation asks and some level of agreement on Competitiveness, Economic Governance, and Sovereignty is expected.

10. I asked the UK Government to remain open-minded about opting in to the resettlement plans being put forward by the EU and if possible to continue to press Greece to accept assistance in logistical support in Lesbos which had so far been declined.

HUMZA YOUSAF
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