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Convener
Europe, External Affairs and Culture Committee
Scottish Parliament

By email: EEAC.committee@parliament.scot

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Dear Patrick,

I am writing to follow up on the ministerial evidence session at the Europe, External Affairs and Culture Committee on Tuesday 1 September.

I thought the session provided a useful opportunity to explore important issues relating to the Government's approach to Europe and External Affairs, and hope I was able to contribute in a way that was helpful to your members.

Members asked for additional information, which I have noted as follows and annex to this letter:

- A. Tartan army diplomacy around the Men's World Cup in the USA;
- B. Arctic Framework and SG work on the High North;
- C. Alignment / keeping pace powers.

Please let me know if there is anything else that would be helpful. Ms Kumar is writing separately covering her portfolio interests.

I look forward to further cooperation with the Committee in future.

Yours sincerely,

STEPHEN GETHINS

Annex A

Tartan army diplomacy around the Men's World Cup in the USA

As part of Scotland's participation in the FIFA World Cup 2026, the First Minister visited Massachusetts and Kentucky between 11 and 14 June. The programme was designed to maximise the opportunities presented by Scotland's return to the tournament by advancing Scotland's interests in trade and investment, innovation, education, culture, tourism and international engagement.

While Scotland's World Cup campaign concluded at the group stage, the tournament nevertheless delivered significant benefits for Scotland's international profile. Across host cities, Scottish supporters generated considerable goodwill through their positive conduct, community engagement and charitable activity. This enhanced visibility and positive recognition of Scotland, and provided a valuable platform for promoting Scotland's wider economic, cultural and diplomatic interests.

The visit included engagement with political, business and academic leaders across a number of priority sectors. In Massachusetts, the First Minister met Governor Maura Healey and Boston Mayor Michelle Wu to discuss opportunities for collaboration in areas including trade, innovation, climate action, education and tackling poverty. The programme also included engagements with investors, entrepreneurs and business leaders operating in fields such as artificial intelligence, financial services, advanced manufacturing and clean energy.

The visit provided opportunities to highlight Scotland's strengths in innovation, research and skills, and to support ongoing investment discussions. It also marked the launch of Scotland's first state-by-state United States Export Plan, which will help focus efforts to grow Scottish exports in one of Scotland's most important overseas markets.

Educational and research partnerships also featured prominently. Engagements with Harvard University reinforced Scotland's reputation as a globally connected research and education nation and highlighted the importance of international collaboration in supporting economic growth, innovation and talent development.

The Kentucky programme focused on Scotland's longstanding economic relationship with the American spirits industry and the importance of the Scotch whisky sector to Scotland's economy. Meetings with industry representatives and members of Congress provided an opportunity to discuss the continued case for stable and open trading arrangements and to underline the close economic links between Scotland's whisky sector and Kentucky's bourbon industry. The discussions formed part of wider efforts advocating for the removal of tariffs and trade barriers affecting the sector, an objective that was subsequently realised with the lifting of tariffs on Scotch whisky exports, providing greater certainty for producers and exporters on both sides of the Atlantic.

The visit also demonstrated the value of major international sporting events as platforms for economic diplomacy. Alongside specific investment, trade and policy discussions, the programme helped strengthen relationships with key partners and raise Scotland's profile among influential political, business and civic audiences.

Building on the success of Scotland's engagement during the FIFA World Cup 2026, the Scottish Government and Team Scotland partners will continue to leverage the enhanced profile, connections and goodwill generated through the tournament to advance Scotland's economic and international objectives in the United States. A key element of this work will be

the implementation of Scotland's first state-by-state United States Export Plan, which provides a targeted framework for strengthening trade relationships, increasing exports and supporting Scottish businesses to access opportunities across priority US markets.

Alongside this international activity, the Scottish Government will continue to strengthen Scotland-US ties through engagement at home, including working closely with the United States Consulate to mark the semi-quincentennial of the signing of the United States Declaration of Independence. These commemorations will provide opportunities to celebrate the historic and contemporary links between Scotland and the United States, while fostering deeper connections across business, education, culture and civic society. The Scottish Government and its partners will also seek to build on relationships established during the World Cup by supporting inward delegations from the United States, creating opportunities for potential investors, business leaders, policymakers and academic partners to engage directly with Scotland's key sectors, institutions and innovation ecosystem.

Looking ahead, New York Tartan Week 2027 will provide a further high-profile platform to showcase Scotland's strengths in business, innovation, culture, education and tourism, while deepening engagement with political, commercial and civic partners.

Together, these initiatives will help ensure that the momentum created through Scotland's World Cup participation delivers lasting benefits for Scotland's economy, international relationships and global reputation.

The First Minister highlighted in a speech this January that the High North remains an area of significant strategic importance for Scotland; and that Scotland will have an increasingly important geopolitical role to play in the effective safeguarding and sustainable development of the High North and Arctic.

Through Scotland's Arctic Connections Policy Framework, launched in 2019, the Scottish Government has strengthened relationships with Arctic and sub-Arctic partners and facilitated knowledge exchange on shared challenges, including climate change, community resilience, demographic change, innovation, and sustainable economic development.

A recent evaluation of the Framework has provided valuable evidence of its impact and effectiveness. The findings demonstrate the benefits of sustained engagement with Arctic partners and will inform both the next phase of Scotland's engagement in the High North and our broader international approach.

Looking ahead, the Scottish Government intends to build on these foundations by continuing to work closely with our Arctic, Nordic and Baltic partners. The changing geopolitical landscape, in particular the ongoing impacts of Russia's illegal invasion of Ukraine, has highlighted common regional challenges relating to resilience, critical infrastructure protection, energy security, digital connectivity, cyber preparedness, and community readiness. These issues are directly relevant to Scotland and present opportunities for meaningful policy exchange and practical collaboration.

Engagement with northern European partners enables Scotland to learn from international best practice and apply relevant lessons within the Scottish context. Such cooperation supports delivery of wider government objectives on resilience and preparedness while contributing to long-term economic, environmental and societal outcomes for the people of Scotland.

Our future engagement in the High North and Baltic regions will be guided by a more focused and delivery-oriented approach. The findings of this review will be used to translate strategic objectives into clearer priorities and actions, improving coordination across policy areas and ensuring that activity in the High North remains effective, targeted and cost-efficient. Further information and updates will be provided as this work progresses, and the next stages of implementation are developed.

The Scottish Government intends to seek an extension of the power in section 1(1) of the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021 ("the keeping pace power"), which is currently due to expire on 29 March 2027.

Ministers have agreed that officials should commence the policy and legal work necessary to prepare regulations extending the effect of the power for a further four years, until the maximum date permitted by the Act of 29 March 2031. An extension would ensure that Scottish Ministers retain access to an important legislative mechanism through which developments in EU law can, where appropriate and in Scotland's interests, be reflected in devolved Scots law.

The Scottish Government considers the Continuity Act to have provided an effective framework for supporting its commitment to maintain alignment with developments in EU law where appropriate. Section 1(1) is a discretionary power which Ministers may use where alignment is considered appropriate and where suitable alternative legislative powers are unavailable. It serves as an important backstop. Although it has been used on only three occasions, the power has provided an important safeguard where no suitable alternative mechanism was available, including in relation to implementation of elements of the EU Recast Drinking Water Directive, the Masterplan Consent Area Scheme (Environmental Impact Assessment) (Scotland) Regulations, and the Energy Performance of Buildings (Scotland) Regulations.

The effectiveness of the Scottish Government's alignment policy is not measured solely by the number of times section 1(1) has been used. Alignment has been delivered through a range of legislative and non-legislative measures across government, with section 1(1) complementing those wider arrangements by providing a targeted power where alternative mechanisms are unavailable. The Scottish Parliament's EU Law Tracker has concluded that the Scottish Government's commitment to align with developments in EU law has been "largely upheld" and identified no significant divergence in areas within scope of the alignment commitment during the reporting periods considered. This reflects the fact that alignment activity is delivered through a range of mechanisms across government, with the section 1(1) power operating as an important safeguard where no suitable alternative route is available.

Any extension of the power would require regulations subject to the affirmative procedure and therefore parliamentary scrutiny and approval before it could take effect. Subject to the necessary preparatory work and parliamentary timetables, the Scottish Government's intention is to lay the required regulations before the end of January 2027, allowing sufficient time for parliamentary consideration ahead of the March 2027 expiry date.

As the Committee will be aware, the Continuity Act also requires annual reporting on the use and intended use of the section 1(1) power. The Scottish Government remains on course to lay this year's reports before Parliament by the end of October and intends to retain the broad scope adopted in recent years, including reporting on wider legislative and non-legislative EU alignment activity across government alongside the statutory reporting on section 1(1).