



The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

EUROPEAN AND EXTERNAL RELATIONS COMMITTEE

Thursday 17 September 2015

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EUROPEAN AND EXTERNAL RELATIONS COMMITTEE
14th Meeting 2015, Session 4

CONVENER

*Christina McKelvie (Hamilton, Larkhall and Stonehouse) (SNP)

DEPUTY CONVENER

Hanzala Malik (Glasgow) (Lab)

COMMITTEE MEMBERS

*Roderick Campbell (North East Fife) (SNP)

*Willie Coffey (Kilmarnock and Irvine Valley) (SNP)

*Adam Ingram (Carrick, Cumnock and Doon Valley) (SNP)

*Jamie McGrigor (Highlands and Islands) (Con)

*Anne McTaggart (Glasgow) (Lab)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Claire Baker (Mid Scotland and Fife) (Lab) (Committee Substitute)

Patrick Engelberg (Ambassador of the Grand Duchy of Luxembourg to the United Kingdom)

Humza Yousaf (Minister for Europe and International Development)

CLERK TO THE COMMITTEE

Katy Orr

LOCATION

The Robert Burns Room (CR1)

Scottish Parliament

European and External Relations Committee

Thursday 17 September 2015

[The Convener opened the meeting at 09:16]

Interests

The Convener (Christina McKelvie): Good morning and welcome to the 14th meeting in 2015 of the European and External Relations Committee. I make the usual request that mobile phones are switched off, because they interfere with our broadcasting. We have received apologies from Hanzala Malik; substituting for him today we have Claire Baker MSP. Claire, I do not believe you have been to committee before. Do you have any interests to declare in relation to this committee?

Claire Baker (Mid Scotland and Fife) (Lab): No, convener. I do not have any interests that are relevant.

The Convener: Thank you very much, and welcome to the committee.

Scottish Government Action Plan on European Engagement

09:17

The Convener: Agenda item 1 is an evidence session with the Scottish Government's Minister for Europe and International Development, Humza Yousaf. Welcome back to committee this morning, minister; we are delighted to have you here. We are going to speak to you this morning about the Scottish Government's European Union engagement. I believe that you have a short opening statement.

The Minister for Europe and International Development (Humza Yousaf): Yes. Thank you for welcoming me back, convener. Good morning to you and to committee members. Thank you for the opportunity to speak to you today.

I wrote to the committee on 4 August with a summary of the Scottish Government's EU Brussels-based engagement in the first half of 2015. That included a brief update on how our refreshed action plan for EU engagement is starting to influence our EU activity, bringing a new focus and greater transparency to our actions and to our interests in Europe. Alongside that, there was a short summary of the priorities that have been published by the Luxembourg presidency. I hope that the committee found it useful. I am happy to elaborate on any aspect of that correspondence if you would find that useful.

Turning to the second half of 2015, I would like to say something about the Scottish Government's EU priorities during the current period of Luxembourg's presidency of the European Union. I will begin with what is undoubtedly the major issue facing Europe at the moment—that of the refugee crisis and the need for community agreement on a package of measures that offer solutions that will endure.

European Commission President, Jean-Claude Juncker, said during his state of the union address to the European Parliament last week that

"now is not the time"—

for Europe—

"to take fright—

at the scale of the challenge. He said:

"It is time for bold, determined and concerted action by the European Union, by its institutions and by all its Member States. This is ... a matter of humanity and of human dignity."

Those are sentiments that the Scottish Government echoes.

We have repeatedly made it clear that Scotland stands ready to play its part and take its fair share of refugees to help some of the most vulnerable people in need. The First Minister has announced the refugee task force, which has now met twice and has considered the immediate, practical actions that we can take to help. The Parliament debated these issues only two days ago—members of this committee made passionate speeches in that debate.

In the first instance, we are working with local authorities across Scotland to identify capacity to accommodate refugees. We must identify which services local authorities will need to put in place to support families to start a new life in safety in Scotland and to ensure that the appropriate integration takes place. It is very encouraging to hear that the majority of local authorities have indicated a willingness to accommodate refugees. We will build on that positive and overwhelming response and ensure that appropriate support and integration services are put in place.

I think that all of us have been overwhelmed, in our constituencies and across the country, by the support for refugees throughout social media and other means. The Scottish Government, along with our partners the Scottish Refugee Council, has launched a website as an essential online hub to help to co-ordinate the efforts and the kind offers that have come in from the public. That website is www.scotlandwelcomesrefugees.scot.

Following the emergency EU justice and home affairs council meeting on Monday 14 September, the Scottish Government now hopes that member states can find a consensus to allow the EU to deliver the comprehensive package that is required for refugee resettlement and relocation. A further emergency meeting will take place on 22 September. The issue will also be discussed by leaders at European Council level. Scottish ministers have pressed, and will continue to press, the UK Government to ensure that Scotland's views are reflected in the United Kingdom's position. We would continue to urge the UK to opt in to the various European schemes.

Secondly, I would like to say something about the forthcoming renegotiation process and the UK referendum on membership of the EU, which we know will take place by the end of 2017, although not, as we now know, on the same day as the May 2016 elections to the Scottish Parliament or, indeed, the May 2017 local elections. We understand that, following the Prime Minister's introduction of the UK Government's renegotiation at the European Council in June, technical talks have now commenced between the UK Government and EU institutions. Their progress is due to be considered at the December European Council, which will take place during the

Luxembourg presidency. In the meantime, the Prime Minister will continue to meet member states, having visited Madrid and Lisbon earlier this month.

It is vital that Scotland's voice is heard in that process. The Scottish Government must be kept informed of those discussions and our interests must be represented. That must include genuine opportunities for Scotland to have a clear role in the development of the UK's position, to ensure that Scottish ministers are fully involved. It cannot be right that other member states know more about the UK's possible renegotiation than Scotland.

Where there is common ground, we will be constructive. Where there is disagreement, we will argue robustly to protect Scotland's interests. Of course, we realise that the EU is not perfect: I have never met a member state, an ambassador, a diplomat or a politician who believes that it is. This Government believes that the EU should focus more on economic and social policies that make a tangible difference to the lives of its citizens, while allowing member states more autonomy to address specific domestic issues, particularly those with a health and social impact. Progress towards those goals can be made within the framework of the existing EU treaties. A protracted process of treaty change is neither desirable nor realistic within the referendum timeframe.

In relation to the referendum itself, the Scottish Government is committed to protecting Scotland's EU membership. We will continue to argue that the double majority principle should apply to the referendum. It cannot be right that, if Scotland votes in favour of remaining in the EU, it can still be dragged out of the EU against its will.

To conclude, the Scottish Government supports the Luxembourg presidency and the efforts on the part of the rest of the EU to see sustainable and inclusive growth take hold again in Europe. Unemployment is far too high, particularly among those who are under 25. We need it to fall from its unacceptable levels. In order for investment to drive economic recovery, we will be pushing for full—for fiscal stability. That was a Freudian slip, I promise. We will push for fiscal stability to be the norm and for strong and sustainable policies to support key sectors. Therefore, we will continue to pursue our work in key areas such as the digital economy, the environment, energy, agriculture and fisheries, research and innovation, and justice.

In addition, we will continue to promote the best of Scotland—particularly in this year of food and drink—through our cultural diplomacy at home, in Brussels and across the EU. I thank the committee

for the opportunity to come here and I look forward to answering your questions.

The Convener: Thank you very much for a detailed and concise contribution. You touched briefly on the work of the refugee task force, which is a moving feast every day. Maybe we could have a wee update on that.

In my speech in the chamber earlier this week, I raised the issue of the vulnerable persons resettlement scheme and the issue within that of children's rights—for example, the right of a child to be reunited with their family. I wonder whether the minister has any avenues to take that forward, for example through the joint ministerial committee on Europe.

Humza Yousaf: Yes. Let me first put on record the incredible efforts of members of the Scottish Parliament, including yourself, convener, to show Scotland in a passionate and compassionate light throughout the years when it comes to the refugee question. Scotland has a phenomenal reputation in the United Nations and among international players for the way in which it has responded in the past to the most vulnerable in the world. That is not, by any stretch of the imagination, the sole credit of the current Scottish Government; it is the credit of previous Governments, Executives, Administrations and MSPs past and present.

Convener, you are absolutely correct in your description of the task force. It is a moving feast, not even day by day but hour by hour. The refugee crisis is taking a twist and a turn in different directions, often in a very negative way. On the task force, one of the advantages of being a country of our size is that we have been able to bring people around the table very quickly. I thank all the stakeholders and non-governmental organisations, particularly the local authorities and many others who have managed to come around the table so speedily. That shows a determination to take the issue forward.

The task force has a few immediate priorities. Of course, one is to find suitable accommodation for the immediate 1,000 refugees who we have said we are ready to take. As I reiterated in the debate, Scotland will take more—we will take a proportionate share of refugees. However, the immediate concern must be to find suitable accommodation. I use the word “suitable” deliberately, because I would say that Scotland has not always got the accommodation right in the past. We have put people in accommodation that nobody else wanted or that was seen as substandard. We have also put refugees only in areas of high and multiple deprivation. We have to ask local authorities that do not have areas of multiple deprivation to play their part. Suitable accommodation is the first aspect and we have made good progress on that.

The second thing is to ensure that the wraparound services of integration are there for refugees, not from the day they arrive but pre-arrival. As you know, these things have to be in place before people arrive—we particularly need to work with local communities where refugees will be housed. I will endeavour to keep this committee updated on the work of the task force, which meets weekly. There are now two subgroups, one on housing and one on refugee integration, which will also meet regularly.

Furthermore, Amal Azzudin, Pinar Aksu, Margaret Woods from the Glasgow campaign to welcome refugees and one of the members of the task force are on their way to the island of Lesbos as we speak—they are probably on a flight in transit. They will give us an update from the island on how the refugee crisis is panning out.

Your second point is very well made. I am hoping to secure a meeting with the minister for refugees, who has just been appointed by the UK Government. Once I get confirmation of that meeting, I will raise the issue with him. Family reunification is a huge issue. A number of refugees could be brought into this country if the UK Government changed the family reunification rules. It seems utterly bizarre that those who are recognised as refugees here—who have been given refugee status because they have fled from war-torn Syria—still have to jump through hoops of fire to be reunited with their family. That cannot be right; when it involves children, it is even more disturbing. I will certainly raise that issue in my next meeting with the UK Government, particularly if I can meet the minister for refugees.

The Convener: Thank you very much. We will look forward to that.

Jamie McGrigor (Highlands and Islands) (Con): Obviously, I share the concerns about refugees, but my question is not about refugees. Before I ask it, I should declare an interest and refer members to my agricultural interests, as set out in the register of members' interests.

The Scottish Government's EU action plan states that the Government will continue to work with other devolved Administrations and the UK Government to ensure that Scotland's interests are represented at EU level. The common agricultural policy is, I think, 40 per cent of the European budget. On Radio Scotland this morning, I heard crofters and farming interests from the north-west of Scotland complaining that those with grade 3 land get only £7 per hectare subsidy, whereas the equivalent Welsh farmers get £88 subsidy. When you work with the other devolved Administrations, do you have conversations with the Welsh and, if so, will you try to get to the bottom of that?

09:30

Humza Yousaf: I understand that the member has an interest in the issue—he certainly has done for the years that I have been in the Parliament. We work closely with the other devolved Administrations. The convener mentioned the JMCE. We tend to meet with the other devolved Administrations before the JMCE takes place, and we have a good and frank discussion. However, we have not touched on the specifics that the member asks about, so I will endeavour to raise that with my devolved counterparts.

The member may have seen—if not, I will ensure that we send him a copy—a press release put out just a couple of days ago by the Cabinet Secretary for Rural Affairs, Food and Environment, Richard Lochhead. Mr McGrigor will know that farming and agriculture are a huge issue in Brussels, and that there are a variety of sectors from dairy to livestock and arable farming. He will no doubt have seen the scenes of protest that took place in Europe. The UK's allocation of the EU emergency funding package of €500 million, which was announced by the Commission earlier this month, is €36.1 million. Richard Lochhead has written to the UK Government to determine what Scotland's share of that will be and, obviously, to make a case for Scotland's share.

I will get to the bottom of the specifics of the issue that the member asks for. I will certainly work with the other devolved Administrations—we work with them very closely. Perhaps I can give the member an update. I can also find out from my colleague Richard Lochhead what conversations he has had with his Welsh counterpart.

Jamie McGrigor: Thank you. I refer to the issue because there is a very real worry about depopulation of certain areas of the north-west of Scotland, and the fall in the euro has added to the woes of those who receive subsidies, which are paid in euros. I would be grateful if you would look into the issue.

My next question also relates to food products. Could we have an update from the minister on the Government's talks with the UK Government on the TTIP—transatlantic trade and investment partnership—negotiations? With regard to CETA, the comprehensive economic and trade agreement, which is the deal with the Canadians, an issue was raised the other day about Scottish and other British food products that might be under threat, such as Arbroath smokies, Scottish farmed salmon, Stornoway black pudding, the Cornish pasty and Cumberland sausages—obviously, those last two are not Scottish, but the other ones are. Can you give us any reassurance as to the protection status of those iconic Scottish food products?

Humza Yousaf: Yes, I hope that we can give you reassurance on that. The work on CETA is progressing well. I have seen the press reports, and we were deeply concerned by them. From our conversations with EU officials, I think that protected names will remain as they stand within the EU. We have had that reassurance at official level. Notwithstanding that, the cabinet secretary, Richard Lochhead, has written to his UK counterpart to get a response and to get reassurances. Once he receives those reassurances, which I am sure and certain he will, we will pass that letter on to the committee and to the member in particular. We share the concern. From official discussion, it seems as though protected names will remain as they are, so there is no disturbance to that. However, it is important to have that confirmed in black and white, so the cabinet secretary has written to his counterpart.

On progress on TTIP, the member will understand that, because of the refugee crisis, other issues have tended not to move at the pace that we might have wished. Our concerns remain the same. I met the Minister of State for Trade and Investment, Lord Francis Maude, a couple of days ago and had a good conversation with him about how we can work more closely on trade and investment. TTIP was mentioned and, once again, I put on record our concerns around it in relation to public services and, in particular, the national health service.

I also told Lord Maude that we are not convinced about the investor-state dispute settlement mechanism. The member may have seen that the EU made a statement about ISDS and how it sees it progressing. The press conference took place just a couple of days ago, so I will need to look at the detail.

TTIP is progressing. We will continue to raise what we think are the legitimate concerns of the Scottish people. Of course, there is potential benefit from TTIP, but our economic modelling shows that it is modest, and it certainly would not outweigh some of the concerns that we have around the NHS, public services and ISDS.

On the member's first question, I will ensure that, once a response to Richard Lochhead's letter is received, that is presented to him and to the committee.

Jamie McGrigor: Thank you.

Roderick Campbell (North East Fife) (SNP): I want to touch a wee bit more on the TTIP question. Obviously, the European Commission's further proposals are for what it now calls, I think, an investor court system, rather than ISDS. Do I take it from what you are saying that you remain sceptical about that but that you will be looking more closely at those proposals?

Humza Yousaf: Yes. The investor court proposal is a step in between: it would happen before something goes through an ISDS mechanism, but an ISDS mechanism could still be a last resort. Therefore, we are still not convinced about the need for ISDS for this particular agreement. Although such a mechanism is present in other agreements, we have to take each agreement on its merits and consider them on a case-by-case basis.

The position as you have summarised it—that we remain sceptical but we will look at the detail—is absolutely correct. For advanced democracies that have very secure and safe legal and arbitration systems, there is a question of whether ISDS is needed, and I think that that has not quite been addressed. The investor court proposal is interesting, but it does not remove ISDS from the equation.

Roderick Campbell: Does the Scottish Government plan to carry out more economic modelling to assess the impact of TTIP?

Humza Yousaf: That is a good question. I asked the UK Government for its economic modelling because, in my discussions with Lord Maude, he disagreed slightly with the presumption that there would be only a modest benefit for business. I was happy to have a discussion with him, but I asked him for the economic modelling that the UK Government has done. We will have a look at the UK Government's economic modelling. We will continue to do that and to work with businesses here. It is difficult to do that when we have a draft agreement and we do not have all the specifics, but I am happy to share whatever information that we have on the economic models. We will of course share with the committee whatever we are able to share and is appropriate to share.

Claire Baker: I wish to ask about two areas. The first is the upcoming EU referendum. I think that everyone who is in the broad coalition that is supporting a yes campaign is talking about reform and the need for change in the EU, but we have a Conservative Government that is controlling that situation. I am looking for a couple of assurances from the Scottish Government. If the Prime Minister comes back with a package of measures that the Scottish Government is not happy with, will that change its commitment to a yes campaign in any way?

Secondly, I have concerns that, if we involve Scottish constitutional politics in the politics of an EU referendum, there is a risk that that will weaken the effectiveness of a yes campaign. Therefore, is the Government looking to create a broad coalition of work with other partners in presenting the case?

Humza Yousaf: The answer to the member's first question is that our stance will not change. Our stance of being pro Europe does not rely on what the Prime Minister does or does not renegotiate at the European Council and with other member states—it is irrelevant to that.

Of course, we will push for Scotland's interests to be represented in the areas that the First Minister mentioned in her speech in Brussels a couple of months ago. We will continue to push for more autonomy for member states on social and health issues. We will continue to push for Europe to focus on producing less but better regulation, and to work on single markets, digital single markets, international co-operation and so on.

We will continue to push those interests and to push the Prime Minister on them. Of course, during his renegotiation, if there is any weakening of the social rights that Europe affords, we will be robustly against that. That is how we will approach the issue but, regardless of what the UK Government and the Prime Minister specifically come back with, we will campaign to remain in Europe. I hope that that gives the member reassurances on that point.

It is important that we have mechanisms to feed in. As I said, the Prime Minister is travelling to capitals across Europe and it does not seem right to me—I think that it would not seem right to many people—that people in Madrid, Lisbon, Berlin and other cities and countries across the world know more about the Prime Minister's plans than we do. We need to have a dialogue with the UK Government so that the information is fed in two ways.

On Claire Baker's point about constitutional politics, I suspect that she and I will not reach agreement, in that I think that the two issues are completely interlinked. No matter whether people voted yes or no in the referendum on Scottish independence, if people in Scotland democratically choose to remain in the European Union, how can it be right for the UK to leave? The Scottish Government has always said that another referendum on Scottish independence will happen only when the people demand it and dictate it. If there is no outcry from the people for another referendum, there will be no referendum. It will be for the people to decide when that is.

There is an article in *The Herald* today on a survey done by the Federation of Small Businesses across the United Kingdom. I suggest that the member looks at that, as it shows that, in Scotland, businesses are pro Europe by quite a margin, at almost 60 per cent, whereas only 45 per cent or thereabouts of businesses in the rest of the UK support Europe. Those are worrying and concerning attitudes.

We will continue to make a positive case and we will join with anybody. On the member's latter point about a yes campaign, we have not determined exactly how that campaign will look. I can say that we certainly will not share platforms with the Conservatives, as we do not feel like we need to do that. However, we will make a positive case for Europe, with any other partners in sectors across Scotland.

In Scotland, the signs are generally good. I hope that, whatever case we make for Europe, it remains positive. We do not have to go into the language of trying to scare people into voting for the European Union. If we keep it positive, we will get the result we need.

Claire Baker: The example of businesses is a good illustration of the point that I am attempting to put across. If the polling is correct and Scotland has a stronger pro-EU feeling, how do we use that to our advantage to gain a yes vote across the whole UK? Regardless of the issue of double majorities or how that would be resolved, if the UK as a whole—where a vote in Glasgow is worth the same as a vote in Manchester—votes to leave the EU, that is extremely problematic for Scotland and is not an outcome that I want. Surely, it is in all of our best interests to make sure we have a yes vote. How can we use the seemingly pro-European stance in Scotland not to say that in Scotland we are different from the rest of the UK but to get involved more in the UK campaign—for example, by the FSB in Scotland working more with its national partners—and to strengthen such relationships?

Humza Yousaf: It is a fair point that the member is attempting to make. I refer her to her colleague the Welsh First Minister, Carwyn Jones, who said that it cannot be right that any part of the UK is taken out of the European Union against its will. He made that statement, so it is recognised by the Welsh First Minister as much as by the Scottish First Minister that that cannot be acceptable. I think that she said that it would be “unacceptable”. It is worth putting that on record.

Claire Baker: I do not think that anyone is agreed on that so far, but I accept that it is recognised that it would be problematic.

09:45

Humza Yousaf: Sure—I accept that.

As far as the latter part of your question is concerned, I know from discussions that I have had with the organisations that will be campaigning across the UK for the UK to remain in the European Union that they are already in discussions with their Scottish counterparts across a variety of sectors, including farming, agriculture and fisheries, business, research and innovation,

and the trade unions. Those organisations are already involved in discussions with their Scottish counterparts to ensure that a co-ordinated approach is adopted.

In relation to where the Government fits into that, I believe that the campaign to remain in the EU must be very organic. It will not be aided by politicians being at the front and centre of it. I mean no disrespect to anybody, but particularly if the campaign is seen as being in the interests just of middle-aged men in suits, whether we are talking about people from the Confederation of British Industry, the Chancellor of the Exchequer or anybody else, I do not think that that would portray a very healthy image. I think that we need to promote more diversity in the campaign. It needs to be grass-roots led—that is the way for it to be done.

I have no doubt that there will be co-ordination between the sectors that I mentioned, and I imagine that each of the political parties will have their own campaigns, which will be strong and robust, if they are able to agree a position.

Claire Baker: I know we are short of time, convener, but I wanted to ask about the European social fund. Would that be possible?

The Convener: Yes, if you are very quick.

Claire Baker: You will be aware of the issue with the European social fund. What is the financial impact of that? Why did the situation arise? How does the Government plan to resolve the situation?

Humza Yousaf: As far as the European social fund is concerned, it is important for us to say that no project has been impacted, because the Scottish Government made the payments and it is now looking for reimbursement. Therefore, all that is being delayed is a reimbursement to the Scottish Government. It is important to put on record that no project has been affected.

It is also important to put the issue in context. Almost half the projects that are involved in the ESF have been suspended at one time or another because of what can be marginal administration errors. We have written to those projects and have ensured that they correct those auditing errors, because it is important that any public money should be absolutely accounted for. We have submitted that to the EU—I think that it was submitted just at the end of August—and we are waiting for a response.

We agree with the EU that we should meet the highest possible standard when it comes to the auditing of public money and we have written to the projects involved to ensure that their mechanisms are more robust, but no project has been adversely affected, because it is the Scottish

Government that will be reimbursed the funds and we have already paid out to the projects involved.

The Convener: Rod Campbell has a quick supplementary question.

Roderick Campbell: I want to pull together some threads of the discussion—the refugee crisis, renegotiation and the referendum vote. Are you concerned that the way in which the refugee crisis is being handled at a European level might impact on the referendum campaign here?

Humza Yousaf: I would say that the UK's approach to the issue and how it is portrayed in the European Union have been unhelpful. As the member will be aware, there have been calls from the Scottish Government and from across the Parliament for the UK to opt in to the relocation and resettlement schemes as proposed by President Juncker. Thus far, the UK Government has resisted. Some of the countries that do not have to opt in have chosen to opt in. Ireland is a perfect example of that—it is going above and beyond what its obligations are. Ireland has been commended for doing so at the highest levels of Europe.

The UK Government has chosen not to opt in, and although I welcome the fact that the UK is taking 20,000 refugees from Syria and neighbouring countries, we will continue to urge the UK Government to take refugees from Europe. We think that that is important.

It is clear that anything that presents the UK as being unhelpful, obstinate or difficult will not warm the hearts of other member states. That is a clear consequence of the UK Government's stance, but—to separate the issue again—I hope that, regardless of what happens with renegotiation, the UK looks at the refugee crisis as a moral rather than a political issue and gets involved and opts in to the European schemes.

Adam Ingram (Carrick, Cumnock and Doon Valley) (SNP): That pre-empted some of the questions that I had intended to ask. It is clear that the Scottish Government does not see eye to eye with the UK Government on how it is dealing with the refugee crisis, which is the number 1 issue across Europe at the moment. It is a humanitarian emergency that we should all be engaged with.

As far as the mandatory quotas that are being suggested by the EU leadership are concerned, I take it that the Scottish Government is in favour of that approach as well, which begs the question what Scotland's capacity is to help in that regard. I presume that that is being discussed by the task force. The figure that you mentioned was 1,000, but I presume that that is just a starter for 10, because 1,000 just scratches the surface of the problem.

To what extent can the Scottish Government influence the UK as the member state in responding to the refugee crisis? If you cannot influence the UK Government, to what extent can you act independently, if at all possible, with European institutions to deal with the crisis? We saw some shocking scenes on the television last night, with people being tear gassed and prevented from crossing the border from Serbia into Hungary. Is there not something that we can do more immediately to open our doors to deal with people who are in extremis and who are already here in Europe?

I realise that I have asked a number of questions; I am sorry, minister.

Humza Yousaf: I will do my best to address all of them as concisely as possible. I thank the member for the questions. He hits a number of nails on the figurative head.

When it comes to the question of how Europe responds to the refugee crisis, relocation and resettlement of refugees is only a part of the solution. Tackling the issue at source is, as the UK Government has often mentioned, another part of the solution. A third part of the solution that is not often talked about, or not talked about nearly enough, is that the EU needs to come to some sort of resolution on how to create safe and legal passages for migration and asylum. At the moment, the only way for someone from war-torn Syria to claim asylum legally is to go to the British embassy—which, by the way, does not exist any more—and fill out a form. That is the way to get into Britain.

I was debating the matter with a Conservative member of the European Parliament, who suggested that we should be prioritising only the people who are able to—I think that these were his words—fill out the appropriate forms and form an orderly queue. I cannot comprehend how people are meant to do that when Assad's forces have just ransacked their village or their town, but the position is not unique to the UK. That is the position across the EU, so the first thing that the EU needs to do is to create safe and legal passages.

As far as your more substantial points are concerned, you are correct to say that this is not an issue that has started only in the past four or five weeks. We have been involved in discussions on Syrian and other refugees since I came into post. I wrote to the then Foreign Secretary, William Hague, almost three years ago to say that the UK should accept Syrian refugees at that time. It is only because of pressure—this relates to your secondary point—on the UK Government that it has now come to the figure of 20,000 over five years, which, as you say, is scratching the surface.

The pressure from the Scottish Government may have played a part but, in all honesty, it is the public outcry that has forced the UK Government to change its tack and to respond to the humanitarian crisis. Although, as I say, devolved Administrations and Governments and local authorities have played their part, the credit for getting the UK Government to change its mind should go to campaigners and the public at large, who responded overwhelmingly.

In relation to the 20,000 and 1,000 figures that we mentioned, the figure of 1,000 relates to those refugees whom we can take immediately, but we will take our proportionate share. When we say “proportionate share”, we are talking about around 10 per cent of whatever the UK Government will take, so if it is taking 20,000 over five years, we will take at least 2,000 or thereabouts, but we will push the UK Government to take more.

The relocation and resettlement schemes talk about there being 160,000 people in total to deal with across the European Union. They use something called the distribution key, which is an algorithm or an equation that would make the mind boggle. It allocates distribution across the EU. Even if the UK Government were to double the numbers and were to take 20,000 to 40,000 people, or even if it was to triple them—which would not be the case under the distribution key—it would still only be scratching the surface. In the context of a situation in which there are 160,000 refugees to deal with in the EU and a crisis involving 4 million refugees, that is just scratching the surface. However, we must push the UK Government and urge it to do whatever it can.

We must deal with the source of the problem, which is—I was about to call it a civil war, but it is difficult to call it that—brutality by the Syrian Government’s regime and the threat of a global terrorist organisation. Innocent people who are trying desperately to defend their land are caught in the middle.

Your final question was about the influence that the Scottish Government has and whether it can act unilaterally. Let me say definitively that, without any doubt, we cannot act unilaterally. It would give me pleasure if I could open up Scotland to take more refugees. I would not hesitate to do that, nor would our local authorities hesitate for a second, but that cannot be done. There is no legal route for us to do that.

As things stand, we are represented by the UK when it comes to EU schemes or to negotiating with the United Nations, although we have a dialogue with them. We cannot simply send out boats and bring people here; that is not possible for us. What we can do is continue to influence the UK Government and to put pressure on it, but the public will need to continue the pressure. We

cannot allow the issue to disappear off the front pages of the newspapers—it will; another issue will come along—with the result that the refugees are forgotten. As a result of that public pressure, added to the Scottish Government’s pressure, perhaps the UK Government will act to help those in Europe, as well as helping those in Syria and the neighbouring area.

I give Adam Ingram and the committee the commitment that the Scottish Government will not forget this issue. Even when it goes off the television screens, we will continue to work and pursue the UK Government to take more refugees, not just from Syria and the neighbouring countries but also from Europe.

Adam Ingram: Thank you for that fulsome response. We could spend all morning discussing the issue, but I know that there are other subjects that need to be dealt with.

The Convener: We will have a round-table session dedicated to the issue in a few weeks’ time, which will allow us to keep it on the front page, as the minister said.

Willie Coffey (Kilmarnock and Irvine Valley) (SNP): Good morning, minister. I want to continue the discussion on the refugee crisis, if you do not mind. You told us that the UK Government had been brought to the table pretty late to step in and assist and accept refugees to the UK. For the record, can you clarify whether, if the UK had not done that, Scotland would have been able to take any refugees? If the UK had not agreed to take any, would we have been able to take any?

Humza Yousaf: If the UK had not acted in that way, the only way that refugees would have been able to come to the UK is through the normal asylum process.

The refugees would have to go through the asylum process, which, as MSPs, you will know can often take years. We are not talking about one or two years; some people who have come to me through the asylum process have spent 10 years in limbo. People would have to go through the asylum process and a judgment would be made about whether they were a refugee. That would be the only way they could come here.

There is no way that Scotland would be able to take refugees unilaterally. The UK Government controls our borders, it controls immigration, it controls asylum and it controls who is a refugee and who is not a refugee. We have not an inch or an ounce of control over that. Of course, it will not come as a surprise to any of you to hear that I wish that we did have control over that, but we do not, so we will have to work within the existing structures.

Willie Coffey: As far as wider European policy is concerned, I think that there is a perception among the public that Europe was particularly slow to react here, particularly in relation to the rescue mission in the Mediterranean. When you compare and contrast that experience with the amount of effort that Europe puts into things such as the TTIP process that my colleagues have mentioned, one stands in stark contrast with the other. Do you think that there is a need for Europe to sharpen up its act in terms of policy on issues such as migration and refugee crises so that it is absolutely clear about its position and is ready to act, instead of being, as I think the public perceive it to be, slow to act?

10:00

Humza Yousaf: Yes, I think so. The European Union does not have a choice; it has to act. It must. This refugee crisis is not going anywhere. The Syrian conflict—the brutality in Syria—has been going on for four and a half years and there is no end in sight that I can see in the immediate future. Of course, we will continue to push world leaders to find that diplomatic and political solution but that conflict has been raging for four and a half years.

Even if we take Syria completely out of the equation, plenty of refugees will come because of the effects of climate change. We know that the Commonwealth has a young population—two thirds of its population are under the age of 25. If their countries are in abject poverty, as many Commonwealth countries are, it is hardly surprising that they will look for opportunities in more developed parts of the world, and Europe would be a prime destination for anybody.

People call them economic migrants but how can we call somebody coming from Afghanistan an economic migrant? What made him or her an economic migrant? It is the fact that the Russians invaded in the 1980s and it is the fact that we invaded, along with a coalition, post-2000. That is why their country is in such poverty, and we can hardly blame people from Afghanistan or Iraq for trying to seek a way out of economic poverty. My point is that Europe has to come to a solution that includes safe passages and legal routes for migration.

I also agree with Willie Coffey's point about the coastguard operation. Fiona Hyslop, the Cabinet Secretary for Culture, Europe and External Affairs, raised that issue with the UK Government. When *mare nostrum*, the Italian coastguard operation, was withdrawn, she said that it would lead to more lives being lost. The rationale for withdrawing that operation was because it was seen as a "pull factor". They removed it and, since then, more people have died trying to cross the

Mediterranean than ever before. For anybody who tries to suggest that those things are a pull factor, I would say that the evidence suggests otherwise.

Although Europe has been slow to respond, I was heartened by what President Juncker had to say. The solutions that he talked about were positive. They were also courageous because it will be difficult to get other member states to agree to all the measures that he put forward. Although the European Union has responded late, what it is proposing will certainly go a long way towards helping in the future.

Willie Coffey: My final question is on rescue operations over the summer months—in July and August. You mentioned the Irish Government, minister. We saw the Irish navy rescuing 3,500 people from drowning in the sea, but we also know that the UK Government withdrew HMS Bulwark from rescue operations in early June. Is the Scottish Government pressing the UK Government to increase its rescue operations in the Med so that more people do not drown at sea?

Humza Yousaf: I will look into the issue but my understanding is that, although HMS Bulwark was removed, it was replaced with other vessels. I will check on that point, but certainly, if there is more that the UK Government can do, we will always press it to do so. If I get to meet the minister for refugees, I will certainly raise that issue if necessary.

We should give the UK Government credit where it is due in terms of the international aid that it has spent. It is only second to the United States when it comes to international aid in regard to Syria and the camps. HMS Bulwark played an important role in saving lives but I believe that the UK Government has replaced it with other vessels. I would not say that all of that pales into insignificance compared with the camps because that would be absolutely unfair, but certainly the root problem that we need to deal with is ensuring that refugees are taken out of squalid conditions in camps, both in the southern coast of Europe and in neighbouring countries, and brought to a refuge here in Scotland and in the rest of the United Kingdom.

It makes sense to do that from the moral obligation that we have—from a moral perspective—but even if we were to look at it from a rational perspective of demographics, the European continent has an ageing population and many countries have a declining population. Who is going to take care of me when I get older? I do not know. When I was at a national care home open day a couple of months ago it seemed to me that the majority of those who worked in care homes came from an immigrant background. Perhaps there are ways of ensuring that those who come here are appropriately skilled, can go

into education and can then even fill existing skill shortages if that is an appropriate thing to do.

Willie Coffey: Thank you.

The Convener: Anne, do you have a quick question?

Anne McTaggart (Glasgow) (Lab): My question has been asked, so that is fine, thank you, convener.

The Convener: Minister, I wanted to ask you about your thoughts on a programme that we saw yesterday from Siemens in Germany, which has set up a whole training programme for refugees coming to Germany, to identify the skills that the people have and to fit them in or retrain them for the skills gaps that they have. I just want to get your thoughts on such a proactive, positive intervention. The Germans are quite clearly saying, "These people are a boost to our economy". I would not like to put human beings into the proposal that there is an economic bounce from tragedy but there is almost an equality there in saying, "We have the capacity if you are willing to come here and we will support you to come here to do that". I see what a big company such as Siemens is doing, and other German companies are following suit. As part of the task force in the longer term, would you be looking at Scottish companies doing something along those lines?

Humza Yousaf: The point is well made, convener. It is appropriate to put on record the leadership that the German Government has shown on the refugee crisis. It has been exceptional in how it has handled it. You would have to have a heart of stone not to have been moved by the scenes of refugees coming through airports and train stations and being welcomed by the German population with signs, with flowers, with chocolates, and with kisses and cuddles from kids to kids. I thought that it was a beautiful spectacle for which I applaud the German Government and, more so, the German people.

As you have said, convener, we should not look at the training programme as an economic bounce from human tragedy. I would look at it as fulfilling the needs of refugees. Every refugee I have ever come across has told me that they want to work—they are desperate to work. I have never come across a refugee who wants to be signed on. I have never come across an asylum seeker who is happy with the Azure card and £35 a week—never, never. They are desperate to work. Refugees, of course, have the right to work, but asylum seekers do not. People have the right to work when they come here as refugees. The task force will definitely be looking at how we get people ready for employment.

There will be a couple of key points to that. One will be to ensure that we have appropriate

provision for teaching English. That is going to be vital in terms of integration but also in terms of finding educational and employment opportunities. That will be a huge challenge; the upskilling of teaching English will be a big challenge. Also, on the employment front, getting ready-for-work programmes designed particularly for refugees will be important.

A third aspect—we have not touched on the point but it is important—is to ensure that we work with local communities before refugees arrive. If I lived in an area of multiple deprivation, for example, where the unemployment rate was higher than the Scottish average and I saw refugees coming in and being given jobs, how would I feel? Understanding what is going on and working with communities is going to be absolutely vital. I cannot stress that enough because we will not have seen the acceptance of refugees on this scale in Scotland ever before. Whatever we have done before with the Democratic Republic of Congo, Bosnia, Kosovo, Iraq and Afghanistan, we have seen nothing on this scale before, so that aspect will be important.

The final point is one that Jamie McGrigor made earlier, which I forgot to pick up on. He mentioned the depopulation of rural areas; there are parts of Scotland where depopulation is a real problem. Of course, with increased population comes infrastructure, access to broadband and so on. I am pleased to say that a number of local authorities that cover rural geographies of Scotland have also expressed an interest in taking refugees. Many of them have done that publicly and I commend them for doing that. There is no doubt at all that they are doing that for a humanitarian purpose but there is no doubt that they also see the advantage of addressing depopulation and that is something that we should consider.

The Convener: Thank you very much, minister. Obviously the refugee crisis has dominated our session this morning and will no doubt continue to dominate. If we have anything to do with it, we will ensure that it continues to dominate and we take forward the work so that it is done.

I should put on record that I have been a proud member of the Glasgow campaign to welcome refugees. Margaret Woods started it and I wish her, Amal Azzudin and Pinar Aksu well in their endeavours this morning. I managed to wave them off on Twitter first thing this morning when they left for the airport.

We thank you for your contribution this morning, minister. We look forward to seeing the pieces of work that you said you would share with the committee, and we look forward to seeing you at the committee at a future date.

Humza Yousaf: Thank you, convener.

10:10

Meeting suspended.

10:13

On resuming—

Presidency of the Council of the European Union (Priorities)

The Convener: Our second item is an evidence session with the ambassador to the United Kingdom for Luxembourg. We are discussing the priorities of the Luxembourg presidency of the Council of the European Union, and I welcome to the committee His Excellency Patrick Engelberg, the ambassador of the Grand Duchy of Luxembourg to the United Kingdom.

I hope that you had a nice evening last night, ambassador. We had a wonderful reception for you in the Parliament, and I am sure that the members who were there enjoyed themselves and very much enjoyed your speech. We are looking forward to your evidence this morning, starting with a brief opening statement.

Patrick Engelberg (Ambassador of the Grand Duchy of Luxembourg to the United Kingdom): Thank you very much, convener, and good morning, members of the committee. Thank you once more for having so graciously hosted the reception of the Luxembourg presidency at the Parliament yesterday evening.

I am very honoured to be invited to give evidence this morning and to engage in dialogue with this committee on the Luxembourg presidency. I also wanted to congratulate this committee on its very keen interest in European affairs. I was very impressed when I was browsing through the documents, papers and reports that you produce by the very thorough interest that you take in European affairs—although it is a little bit intimidating because I have the impression that you know much more about the Luxembourg presidency than I do.

As you know, the presidency started on 1 July. Second-semester presidencies are always slightly different from first-semester presidencies. They are shorter and the bulk of the work is done in autumn because the summer break cuts a little bit into our efforts. For us, this presidency is the first to take place under the auspices of the new Lisbon treaty where the new institutional balance has been established and the presidency competencies have changed a lot. However, the programme is placed in the context of the implementation of the strategic agenda of the European Council, which was adopted in June 2014 and outlines the key priorities for the European Union for the next five years. The framework is set and the programme also takes into account the policy orientations of the president of the Commission, the Commission's annual work programme and, of course, the trio

programme of the Italian, Latvian and Luxembourg presidencies.

We see this as a genuine opportunity. It will allow us to show our attachment and our engagement vis-à-vis the European integration project and to share our expertise and extensive tradition in this field. The task that we have taken on will allow us to put at the service of Europe the qualities that we esteem very highly: the vocation to build bridges; the capacity to reconcile diverging positions and traditions; and the willingness to commit ourselves to the quest for compromise. In general, Luxembourg will strive to apply its core values—reliability, dynamism and openness—to this presidency for the benefit of the European Union.

Recalling our attachment to the European integration process and to the principles and values that the European Union is built upon, we have chosen an approach based on outreach and openness, listening to citizens, supporting enterprises and collaborating with partners and institutions with a view to acting in the general interests of the EU. As our Prime Minister stated recently, we intend to build bridges between the member states. Later he said that it is not going to be a routine presidency, as we are facing a number of crises and tensions and we are very much concerned about, and dedicated to, finding a solution to them—of course, with all the member states.

You know that we have seven key objectives. I will cite them very quickly: stimulating investment to boost growth and employment, which is certainly the main concern of the European public; deepening the social dimension of the EU, which has probably been a little bit neglected over the past years because we had to face so many hard decisions about our economy; managing migration—I will certainly come back to that later—combining freedom, justice and security; revitalising the single market by focusing on its digital dimension, which is certainly one of our main priorities; placing European competitiveness in a global and transparent framework; promoting sustainable development, with a very important rendezvous, which is the COP21 in Paris; and strengthening the European presence on the global stage.

When we started the presidency, we were already in the middle of the Greek crisis. It is not direct presidency business, as much of it was done as a euro group and also at the level of the European Council. Nevertheless, in chairing the economic and financial affairs council—ECOFIN—Luxembourg was very much involved as well. We eventually came to what I would describe as a positive outcome, and we are very confident that

the Greek people will now be back on track to improve their situation.

The UK renegotiation is another of those topics where the presidency is not directly in the front line but, as you can imagine, we have many high-level contacts with our British colleagues and we have assured them of the full support of the Luxembourg presidency in finding a constructive, positive solution for all parties. Like so many European countries, we are in favour of reform—the EU needs to be reformed in certain areas—but what we undertake must not jeopardise the *acquis communautaire* nor put into question the main freedoms of the EU.

On migration, you know that the presidency has been very active over the past month. We have now convened for next Tuesday the third extraordinary justice and home affairs council. The first was on 20 July, when we endeavoured to find a solution to relocate and resettle up to 60,000 people. The second was last Monday. It has been presented in the press—a little bit quickly—as not having been a success. I do not share that view. One of the indications that it is at least, let us say, encouraging success is that we have a follow-up meeting next Tuesday. We know what the situation is, we know what the challenges are, and the presidency is absolutely dedicated to finding, in the spirit of solidarity and responsibility, a solution with our member states for the benefit of the refugees.

The EU has been working very hard for the past six months on the issue. I know that my colleagues in Brussels are working non-stop, around the clock, on this dossier, consulting member states and convening many meetings. We are confident that we will make progress, especially now that the Commission has asked us to speak on the relocation of 120,000 refugees. There is a broad agreement to do that.

We still have to work on how we are going to relocate the refugees through the mandatory quota system. We understand that, for a number of member states, that is problematic for internal reasons, and we know that, because of political traditions, it is difficult to accept such a system now. Therefore, we cannot force a decision or a solution too quickly.

We probably need some time so that people get used to doing more than they thought they would in the first place, but we have also seen the surge of generosity and welcome from people throughout Europe. We saw it here in Scotland. We saw it in many countries last weekend, with people going into the streets and demonstrating their willingness to help, which is very encouraging. We are confident that over time we will find a solution to the present problem.

We must not forget that it is a crisis that is probably only the tip of the iceberg and we will be faced in the future with more waves of refugees coming to Europe. Something that has not really been debated so far is that perhaps one day we will also face climate refugees. It is not a topic that will go away very soon.

I will stop there and I am ready to engage with you on the different topics.

The Convener: Thank you very much. There is a diversity of topics, but you quite rightly focused on some of the more pertinent ones right now. I believe that Luxembourg has held the presidency on a number of occasions now and I think that being a small nation makes you quite agile. Does the benefit of your experience allow you to hit the ground running? You may have a bit of an overview on what needs to be targeted quite quickly. Is that why your seven priorities are in the order that they are in?

Patrick Engelberg: It is true that it is our 12th presidency, which gives us certain experience, although the last one was in 2005 under very different circumstances and very different rules. We still have the same foreign minister who chaired the EU general affairs council from the first council in 2005. Like all of us, he is used to a different system. In 2005, the presidency would have been at the exact centre of everything that was going on in Brussels. Now we have new institutions—we have the permanent President of the European Council and we have the High Representative of the Union for Foreign Affairs and Security Policy. In a way, that restricts the presidency actions and activities to certain domains.

We are no longer as pivotal, which for us Luxembourgers is something that we have to integrate and get used to. It is comfortable because we do not have to chair so many hundreds of meetings but it is also sometimes a little bit confusing. In June, when things started to get more concrete and we also had the Greek crisis, I was asked so many questions in London—“What is the presidency going to do on the Greek crisis? What is the presidency going to do on British renegotiation? What is the presidency going to do on this and that?” I had to say, “Sorry, but for the Greek crisis, we are not in the driver’s seat. On the British renegotiation we must see what working methods the European Council comes up with”. All that limits our margin of manoeuvre a little bit.

Luxembourg has had experience over the years, and because we believe so much in European integration, we tend to put the European agenda above our national interests, which is very much reflected by the comments that were made by our partners over all the previous presidencies. I think

that that is perhaps more typical for small countries—at least it is typical for Luxembourg. That sounds very idealistic but it is truly how we approach European affairs. I recently had a discussion in which I illustrated how much European topics are part of our national political debate. I will give you an example that the committee may perhaps find interesting. When, for example, civil servants or ministers give evidence in Luxembourg at the various committees, the members of the Europe Parliament are invited to join that national Parliament committee. There is no ring-fencing around national politics and European politics.

By that I mean that the European debate is very much integrated in the national debate, hence the capacity to put European affairs above the national interest for the six months of the presidency. That is highly regarded by other member states. They trust us. I must stress this point—they trust us to genuinely push European dossiers ahead, which does not mean of course that they do not overlap with some of our national interests because certain positions and certain situations go into our work programme.

An example is the digital single market. We are thoroughly convinced that the digital single market is absolutely fundamental for the European Union with regard to strengthening and expanding the single market, which is a cornerstone of the EU for generating growth and then employment. However, as a small country we experience what it means to be blocked off from digital content from other countries, which is known as geoblocking. We know what it means because we have a small market. When we order something abroad via e-commerce we so often hear, “We do not deliver to Luxembourg,” or we have to pay an extra amount of money to get it delivered, so we know what it means to experience such annoyances. The UK is a big country; people here can order so much from British providers. In Luxembourg, it is not so easy. All that makes us think that we should put the European agenda ahead of ours.

What can a small country do? Because we enjoy the trust and confidence of the EU member states, we can probably achieve more on certain dossiers than countries that are identified directly with a particular interest. I do not cite any particular country, but one country might be well known for trying to push agriculture because it has its own very strong interest. Other countries will try to push this or that interest. For the EU presidency, it is probably an advantage to be a small country and not to be seen as harmful.

The Convener: My colleague Willie Coffey is going to give you an insight into some of the challenges that we have in Scotland, which are very similar to those in Luxembourg.

Willie Coffey: Good morning, ambassador. The whole digital agenda has been discussed at this committee on a number of occasions and members are interested in many of the aspects of it, from broadband to mobile speeds, mobile roaming charges and so on. I am keen to ask you about your digital agenda priorities and whether you might wish to make any progress in bringing roaming charges for mobiles across the European Union to an earlier end. I know that the member states pushed the timing back for that and I would like to understand why. Does Luxembourg see that as a priority during its presidency? What do you think you might be able to do about it?

10:30

Patrick Engelberg: Again, our national situation is such that, when you have a Luxembourg mobile phone provider, the country is so small that you often slide into a foreign network. Luxembourgers probably suffer from that every day. The idea of abolishing roaming charges was initiated by the commissioner in charge of communication and media, Mrs Reding, who happens to be a Luxembourg commissioner and who, for other reasons, was not immensely popular in this country. She does not get enough credit for having initiated the Commission initiative to abolish roaming charges throughout Europe.

Although, obviously, Luxembourg would benefit from the initiative, the providers in Luxembourg were not so happy about it because they would suffer economically. Although I did not follow the dossier directly, the fact that it has been pushed back a bit is probably to give more time to the industry to adapt to it. A lot of revenue is generated from roaming charges and that must be bridged. However, I imagine that the fact that people are now using their mobile phones much more while travelling, because they do not have to pay roaming charges, will compensate for the loss in roaming charges. There will be more communications.

The Luxembourg presidency, nevertheless, is very much putting the digital agenda—the digital single market—at the top of our list. That was confirmed again last week when our ministers talked to the European Parliament. They see the digital agenda as one of the elements that should make progress fast. Unfortunately, I cannot give the committee a concrete deadline but I know that we are pushing other aspects that are absolutely fundamental for the digital single market, for example data protection. Latvian colleagues managed to come to an agreement at council level and we have scheduled trilogue discussions with the European Parliament in such a way that, by the end of the year, a data protection package should be agreed.

The package is absolutely fundamental for the digital single market. I can imagine that roaming charges would be part of the general approach, too.

Willie Coffey: Thank you for that and I wish you luck in pursuing that particular agenda.

Anne McTaggart: Good morning, ambassador. I know that some good work is happening in the area of women's rights and gender equality. However, could you provide more detail about measures that you are putting in place to ensure a balanced representation of women and men in political and economic decision-making processes?

Patrick Engelberg: Again, that is a topic that very much reflects our national policy. It is very high on our national agenda and it also features in a prominent position in our work programme. Browsing quickly through my papers, I am not sure whether I have the latest details of how and at what point we are going to push that topic. However, as I said, I know that it features prominently in our programme of work. Although I cannot give you more detail of exactly how we are going to achieve that, my Government, as the presidency, is very sensitive to the issue. That general comment is the only thing that I can tell you now.

The Convener: Would you be able to give us an update at a later date, ambassador?

Patrick Engelberg: Absolutely. If possible, I will send you more in written form.

The Convener: That would be great. Thank you.

Jamie McGrigor: In relation to the current refugee crisis affecting Europe, competence largely rests with member state Governments. The crisis is not new—it has just escalated. For example, over the past 15 years, 30,000 people have drowned in the Mediterranean while trying to get to Europe. Do you consider that the response from Europe has been unified enough? What can your presidency do to produce a more unified response in relation to trying to stop these fearful deaths in the Mediterranean?

Patrick Engelberg: Well, never to stop trying: that is what my Government is doing. We are conscious that it is an absolutely tragic situation for the refugees concerned. We should not forget them. When we talk about the refugee crisis, we are talking about actual people who are experiencing terrible hardship. Thousands have drowned this year alone. Also, we should not forget—this makes things a little bit more urgent—that in six weeks' time it will be winter in the Balkans, Turkey and Lebanon. We are running out of time.

The only possibility that we have as a presidency is to keep trying—we will never stop trying—and to convene one justice and home affairs council after the other, being sensitive to the idea that we might have an extraordinary European Council, perhaps in October. We know that the European Council in October will be almost exclusively dealing with the refugee crisis and trying to convince member states that we need to show the necessary solidarity—solidarity first of all with the refugees, of course, but also among ourselves.

As we know, solidarity is not a one-way street. Sometimes it is a little bit more complex than it is perhaps presented in the press or in political slogans. Last week, Mr Juncker made a very long intervention on that, in which he said very strong and very true things. At the same time, he expressed a lot of solidarity with the three countries that are in the front line, including Hungary, which is now facing a new situation; so far, it has mainly been Greece and Italy. Hungary already has 140,000 or so people on its soil. It is an absolutely difficult situation.

Some countries are not used to managing such a situation. Greece and Italy have a long experience, unfortunately, and have systems and procedures in place. They have people who are knowledgeable and have experience; other countries do not. Solidarity is not only about saying, “According to the Dublin procedures, you must do this and that”. It is also about member states that are far away from the front line understanding the hardship of those on the front line. Solidarity goes in different directions.

As I said in my introduction, in Brussels we are literally working around the clock non-stop producing papers. We did it for last Monday. We did not succeed in having proper official conclusions, which is why we adopted presidency conclusions. We would not have done it if we had not been confident that it indicated a robust process, eventually leading to formal council conclusions. However, we have made progress on the number of 120,000. We know that it is not enough but we must proceed incrementally because, otherwise, public opinion will not be able to digest everything.

We agreed on reinforcing our borders—on border control. We agreed to give more means to Frontex. We agreed to be more concrete and more operational when it comes to return policies, because we know that a number of economic migrants are now coming over with the refugees. Our record in sending people back who are not entitled to refugee status is not very good. We know that.

By working on all those satellite dossiers, which are so important when it comes to the crisis as a

whole, we show solidarity with the member states that get the first wave of refugees. They understand that we are not only sending money, volunteers and perhaps equipment but working on a policy that will, in the medium term, relieve them of that huge effort because we will have better agreements with countries for the return. We will have better agreements with third countries of transit. We will at last have an EU agreement on safe countries that we can send people back to and so on. At the next stage, therefore, fewer people will come to those countries. Solidarity is a complex issue.

We know that the problem will not go away, so we must remain hands-on and not put ourselves under undue pressure. The meeting last Monday was not meant to solve the crisis once and for all. Unfortunately, the press were saying, “They did not succeed. Schengen is dead”, and all those sorts of things. That does not help. We cannot forbid the press to say what the press wants to say, but we must remain constant and determined in what we are doing so that all member states feel that we are developing a strong policy that, ultimately, will help us collectively to face these problems.

Jamie McGrigor: Thank you very much for that, your excellency. On the issue of changing or improving EU procedures, will EU reform be on the agenda for the December European Council meeting? What are the most important things that you think will be discussed?

Patrick Engelberg: Do you mean EU reform in a more general sense?

Jamie McGrigor: Yes.

Patrick Engelberg: EU reform has been on our agenda for quite a while. You can see that in what the present Commission is doing, in the mandate given to Vice-President Timmermans and in our work on better regulation. We very much intend to have the institutional agreement, which is part of our reform effort, adopted in December.

The process has been stimulated by the British will to have renegotiation and the idea that there are some reform points that must be discussed, so we are not only in an on-going reform process. It is true, however, that in December we intend to have some stocktaking on where we stand with reforms. The Luxembourg presidency wants to have certain things agreed by then, such as the institutional agreement.

We know that there is a sort of rendezvous clause to discuss again British renegotiation and we know that that is worked on in dedicated working groups, so we are quite confident that, in December, we will have a reform agenda to discuss and, we hope, to agree on.

Roderick Campbell: Good morning. The European convention on human rights is quite controversial among some people in the United Kingdom. Can you give us an update on the possible accession of the European Union to the convention?

Patrick Engelberg: Thank you for the question. It is indeed one of our objectives to have the EU accede to the European convention on human rights. We know that there are some legal considerations, which are not of presidency competence to solve. I may be able to find in my papers the proper wording that has been agreed on. As we know, it is part of the Lisbon treaty to accede to ECHR. We are waiting for the opinion of the European Court of Justice. There is a legal question that remains open. Luxembourg is absolutely in favour of the accession. However, I know that, in this country, there are different views.

Roderick Campbell: Indeed.

I will move on to another slightly contentious issue: TTIP. Is there anything that you can add to the point about the promotion of maximum transparency in relation to ISDS, or the investment court system as it seems to be renamed by the Commission?

10:45

Patrick Engelberg: Yes. Luxembourg is among the group of countries that were absolutely not happy with the ISDS proposal. The public in Luxembourg generally are not hesitant to have such an agreement; on the contrary, Luxembourg is an open economy and we owe our success to having very open trade with our neighbouring countries and those further away. However, we were very uncomfortable with the ISDS system.

Luxembourg was among the countries that proposed a different system, which has been supported by the European Parliament, to have a court of independent judges rather than a sort of arbitration system in which the transparency and the appointment of the members of the system would not be transparent enough. Such an arbitration system would also not be in line with our understanding of what the competence of national states and Parliaments should be. Luxembourg therefore very much supports the proposal to have an international court of independent judges.

To improve transparency, Luxembourg has decided, during the presidency, to organise a public debate in Brussels—I think that it is in November—so that the general public and trade unions can participate and to ensure that the public gets some sort of ownership on what is really going on in TTIP. We are among the

countries that fully understand why, at the beginning, there was a lot of reservation among the European public. That was because the process was seen as being behind closed doors and one that would eventually cause a lot of negative consequences in many fields. I know that in Scotland and the UK there are also a lot of reservations on certain aspects.

Now that the Commission is taking a much more transparent approach, which can probably even be improved over time, along with the public debate that has been organised by the presidency in November in Brussels, the public understanding of what is going on should be enhanced and improved.

Roderick Campbell: Have specific invitations to that general public debate been given to any people in Scotland?

Patrick Engelberg: I am not aware whether there will be formal invitations or whether it is just an open invitation, but I can certainly check that and let you know.

Roderick Campbell: That would be helpful.

Patrick Engelberg: I take it from your question that the committee would be interested in being involved.

Roderick Campbell: We would certainly be interested in knowing more about it.

The Convener: The committee has taken a keen interest in TTIP. It has been a hot topic of conversation over the past few months, not only in the committee but on the social media related to the committee. Many constituents have raised concerns about the whole process, so it is something that we keep a watching brief on.

Claire Baker: Ambassador, will you reflect on Luxembourg's experience of having the presidency? You said that the last time was 2005. We could look back at that period in Europe's history as a time when it was making great progress on social rights and trade union rights and was seen as quite a positive force for change. Now, in taking on the presidency, there are many challenges and difficulties, particularly economic ones, facing the European Community. How do you find the change? What are the challenges for the European project? Do you recognise that there has been a significant shift? Increasingly, there is a feeling that it is not relevant to people in their communities or life. How do we increase that understanding of what the European Union has to offer and make it more relevant to the public?

Patrick Engelberg: Your question goes straight to the core of our approach. Obviously, after the 2008 crisis, we were all very busy saving our national budgets, fighting debts and all those sorts of things, and we probably all neglected the social

dimension of the EU. That opened the door to radical parties, as we have seen in some countries. Those have become hugely popular because they have been promising to the general public a number of improvements that might be very unrealistic.

In general in Luxembourg, we are very conscious and aware of the necessity of a strong social dimension, and we are very much convinced that that applies to the EU as a whole. We are also very aware—I think that this is shared by all the member states—that the EU has become very distant and difficult for the general public to comprehend. It is a far-away and strange animal and people do not connect to it any more. That is why we titled our programme “A Union for the citizens”, because we want to reconnect the general public and the EU.

Claire Baker spoke about making the EU relevant, and that is exactly what we want. We want to make the EU relevant again for European citizens. That is why we structured our seven priorities in such a way that, although we start with economic growth, which is fundamental for giving us a means to be more social, that economic growth should not be to the detriment of the people. That is why we need to connect economic growth with the social dimension. When we talk about improving the social dimension, we do not mean that we should just spread out a lot of money and give more benefits to people, which would actually be counterproductive. Instead, we want to reform labour markets and to make sure that our young people get the right education and skills so that they can find a job later. Obviously, we also want to improve working conditions in certain sectors. One example that springs to my mind is the transport sector, where we know that lorry drivers experience a lot of hard working conditions. We might improve the working conditions in certain sectors.

We want to ensure that the European citizen sees that the EU has a policy that ultimately will be for their benefit. That is why we want to deepen, expand and improve the single market. That may sound very remote from what people think but, to put it concretely, it means that there will be more jobs. That is why we are so convinced about and working hard on the digital single market. As well as adding a new layer to the single market, the digital single market is the future—it is how the economy will function and will be run in the future. We must make sure that, at the same time, we give digital skills to our populations, not only so that they are comfortable when they are on Facebook and surfing other media but so that they get the right skills to be able to apply for the new jobs that are going to be created, and so that they can access products and services.

Another dimension of making the EU more relevant is that we need to be more concrete and bring more positive outcomes on sustainable development and environmental protection, because we all live in an environment that needs to be protected. If the public sees the EU as having positive policies on that, that will make the EU more relevant in people's eyes.

We must absolutely make sure that people see the EU as a positive force and that they do not lose confidence and then just follow radical parties, which often happen to be anti-EU. The EU is a positive thing. We in Luxembourg are very much convinced of that, and that is also the conviction of the Luxembourg presidency.

The Convener: As we have exhausted our questions to you, ambassador, I thank you very much for joining us. We look forward to an ongoing dialogue with you and we wish you all the best with your presidency. You have lots of challenges ahead of you, but I see a determination to face those challenges, and we wish you well in that work. We will take a keen interest in how you do that.

Thank you very much, ambassador. I think that you are going to stay with us for the next agenda item, after which we will go into private.

“Brussels Bulletin”

10:54

The Convener: Agenda item 3 is our “Brussels Bulletin”. Do members have any questions, queries or comments?

Willie Coffey: I draw members’ attention to page 7 and the item that is titled “Cybersecurity”, which is about the vision for the internet of things, or IOT. That means that, in future, more and more electronic devices will be able to communicate and share data in a variety of ways, presumably to help people to make decisions and choices. However, with that comes a concern about security and data security when it is shared.

I was concerned to read that Europe’s cybersecurity agency feels that it is “unprepared” for the challenge. Although I do not think that there is any work for the committee on the issue, it is worth highlighting it, and perhaps we could get more information about it. As the Luxembourg ambassador mentioned, the digital single market is very important, and the internet of things is a natural progression for technology to take, but it brings risks. I was a wee bit surprised to read that a European security agency is unprepared for that eventuality. Somewhere in Europe, some work must be being done on the issue.

The Convener: We will do some investigations and discuss the matter at a later date.

Is there anything else in the “Brussels Bulletin” that is exercising members?

Jamie McGrigor: Yes. On agriculture, I notice that there is a €500 million emergency package to support European farmers—basically, it is for the dairy sector. Do we know yet the amounts that the Scottish Government will have to give to Scottish dairy farmers?

The Convener: That information is imminent. I am sure that Richard Lochhead now has some dialogue set up on that, so we can investigate that and find out.

Jamie McGrigor: Okay—thank you.

The Convener: If there are no other comments, can we commend the “Brussels Bulletin” to other subject committees of the Parliament? Should we raise the two items that members have mentioned with the appropriate committees, which are the Rural Affairs, Climate Change and Environment Committee and the Infrastructure and Capital Investment Committee?

Members *indicated agreement.*

The Convener: That concludes our business in public today. I thank those in the very full public

gallery—I hope that you all got something out of the committee and we look forward to maybe engaging with you all on social media. I know that you are all quite new university students. Thank you all very much for your attendance.

10:56

Meeting continued in private until 11:26.

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