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OFFICIAL REPORT AITHISG OIFIGEIL

Culture, Tourism, Europe and External Relations Committee

Thursday 16 November 2017



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Session 5

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Thursday 16 November 2017

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CULTURE, TOURISM, EUROPE AND EXTERNAL RELATIONS COMMITTEE 27th Meeting 2017, Session 5

CONVENER

*Joan McAlpine (South Scotland) (SNP)

DEPUTY CONVENER

*Lewis Macdonald (North East Scotland) (Lab)

COMMITTEE MEMBERS

*Jackson Carlaw (Eastwood) (Con)

*Mairi Gougeon (Angus North and Mearns) (SNP)

*Ross Greer (West Scotland) (Green)

*Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con) *Richard Lochhead (Moray) (SNP)

*Stuart McMillan (Greenock and Inverclyde) (SNP) *Tavish Scott (Shetland Islands) (LD)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Her Excellency Tiina Intelmann (Ambassador of Estonia to the United Kingdom)

CLERK TO THE COMMITTEE

Katy Orr

LOCATION The Robert Burns Room (CR1)

Scottish Parliament

Culture, Tourism, Europe and External Relations Committee

Thursday 16 November 2017

[The Deputy Convener opened the meeting at 10:21]

Presidency of the Council of the European Union

The Deputy Convener (Lewis Macdonald): Good morning and welcome to the 27th meeting in 2017 of the Culture, Tourism, Europe and External Relations Committee. I remind everyone to switch off mobile phones, and members using electronic devices to access committee papers throughout the morning should ensure that those devices are switched to silent mode.

On behalf of the committee, I am delighted to welcome to the meeting Her Excellency Tiina Intelmann, Estonia's ambassador to the United Kingdom, who will give evidence on the occasion of the Estonian presidency of the Council of the European Union. I invite the ambassador to make an opening statement before we take questions.

Her Excellency Tiina Intelmann (Ambassador of Estonia to the United Kingdom): Thank you for inviting me to address the committee. Estonia took over the presidency of the European Union on 1 July, which, as you might know, was not what was initially intended; it was supposed to be the United Kingdom's presidency, to be followed by us. However, we took over the presidency, because the UK felt that it was no longer in a position to preside over Europe.

Estonia is a country of 1.4 million people. As we are holding the presidency for the first time, we are very keen to perform the role to a very high standard. In Estonia, support for the European Union stands at around 80 per cent, so the Government and the civil servants are lucky enough to have strong backing at home while they perform the presidency's duties. When we reviewed our first six months, our Prime Minister said that he felt that we had been able to build some bridges. It was a good statement, and it reflects the feeling and challenges that we face at this time.

The theme of the Estonian presidency is unity through balance. When we took over, the mood with regard to the European Union was not the best. The question following the UK referendum was whether we in Europe had generally been doing something wrong and whether we had not been sending the right messages to our people and were, as a result, losing their support. However, we can say now that the mood has changed quite considerably. In Estonia, support for the European Union is very high, but the popularity of the union is increasing in other member states, and the economy is growing. Brexit might present a challenge in terms of negotiations, but it also gives us food for thought. How do we, in a format of 27, want to move ahead, and which avenues of deeper integration do we want to explore?

The President of the European Commission, Jean-Claude Juncker, made his proposals a couple of months ago, and the French President, Emmanuel Macron, has expressed his views on how he sees the future of Europe. Over the next two years or so, the EU27 leaders will have a thorough discussion on how to move ahead in different areas such as the eurozone, internal security, trade and the future financing of the European Union, all of which are vital issues.

In the framework for our presidency discussions and priorities, we have said that European citizens need to see tangible results from Europe. We get into trouble when citizens feel alienated or they take for granted what they have and do not realise what they get from the European Union. We have always stressed that citizens need to see what they get and that the institutional set-up, although important, is not the most important thing.

I will now talk about the four stated priorities of the Estonian presidency and add some key words to those priority areas, which are: an open and innovative European economy; a safe and secure Europe; a digital Europe with free movement of data; and an inclusive and sustainable Europe.

On the first, the European economy is, as I have said, growing, but the honourable members of the committee will know better than I do that you have to run as fast as you can to stand in one place and run twice as fast if you want to get to another. The same is true of economic development. We cannot simply be reassured by the fact that the economy is growing right now, as the structure of our economies is changing. We have companies such as Uber as well as digital nomads who work and live in different countries and expect to have a relationship with their country while living elsewhere.

We should also mention strategic investments in Europe. The European fund for strategic investments needs to be reinforced, and we need knowledge-based growth and competitiveness. Over the past few months, we have moved ahead on issues—how to apply VAT to e-commerce, for example—that are now coming up because of changes in the structure of our economies. Another priority area is inclusiveness and sustainability, which is essentially the social agenda for Europe. There will be a proclamation of the European pillar of social rights and a deeper look at the social acquis, and social security regulations will be simplified and co-ordinated. We have free movement of people within Europe, and because people are moving, we need to look at the social guarantees and how we treat the rights of workers who move from one place to another.

The third priority is a safe and secure Europe. The issue of security and the overall security environment in which we operate is of concern to us collectively and to Estonia in particular. We have looked at how we can explain to people where we stand. Europe has imposed sanctions, some of which are linked to sanctions that have been imposed by the United Nations Security Council, but how can people actually understand and digest that information? In response to that, we have created a user-friendly EU digital sanctions map. At the moment, there are 40 sanctioned regimes, and we are now able to have a better look at that.

10:30

We are looking forward to the launch of permanent structured co-operation, and there is a clear understanding of the European defence industrial development programme. We are also continuously tackling the migrant and refugee crisis, which has not been resolved and will not go away. We are better prepared to address it, and the migration flow has significantly reduced this year, but the pressure from economic migrants and refugees will persist.

With regard to the security environment, we are also facing hybrid threats and cyberthreats. We got defence ministers and the NATO secretary general around the table in Tallinn and carried out for the first time ever a practical simulation of how to address the cyber and hybrid threats, which gave ministers a better understanding of the security environment in which we are living right now.

There are also terrorist threats to deal with. Terrorism will not go away, but again we are much better prepared to address the issue. We are reinforcing the exchange of information; it is the terrorist threats that happen that get into the media, but the fact is that there are many threats that do not happen and which we do not know about.

The Estonian presidency has been referred to as a digital presidency. We held a digital summit in Tallinn to get across the message that the digitalisation of our economies is not optional or something that will happen only in some countries; it is an overarching EU issue and all leaders need to be committed to it. Now that we are talking about a digital common market, we feel that the free movement of data should be announced as the fifth freedom of the EU. For instance, there is a digital signature in place in Estonia and a number of other countries. It is probably an avenue for all European countries to explore, and the digital signature and other digital interactions between citizens and member states—in our case, between Estonian citizens and the Estonian Government should be applied across the board if we are to have an integrated Europe.

Those are the issues that the Estonian presidency has been dealing with. I am more than happy to respond to questions on Brexit, but I must point out that Brexit is being dealt with by the two negotiating teams. It is not a topic for the presidency, although, of course, we all have a stake in it. It is sad, but we want to get through it as smoothly as we can and start looking at future arrangements. We hope that we will have a friendly and strong relationship with the UK in future, and I trust, too, that that is the hope of all EU member states.

The Convener (Joan McAlpine): Thank you very much for that comprehensive opening statement—and good morning to you.

I have been looking at the Estonian presidency's programme and, as you have said, one of its priorities is to protect and promote the EU's four freedoms—in other words, freedom of movement of goods, persons, services and capital. A priority action under that is the modernisation of the rules on promoting labour mobility and the free movement of persons. What are the chances of reaching an open trading agreement with the UK, given that the UK is very much opposed to the free movement of persons?

Tiina Intelmann: Unfortunately, I do not have my crystal ball with me—I left it in the hotel. Of course, the fact is that no one has a crystal ball as far as this issue is concerned.

We are well aware that the UK is an important trading partner, but, at the same time, one cannot be inside as well as outside. If you look at the trade agreements that the European Union has, you will see that there are different ways of dealing with trade. Right now, we are finalising a freetrade agreement with Japan; we have another with Canada; and we have been negotiating one with the USA that is still in the process of being considered. Those considerations take quite a long time, and there will be a separate process once we agree on the divorce. The situation is also made more complex by the fact that there is no existing modality, relationship or agreement that is acceptable to the United Kingdom. As a result, there will have to be another modality,

system or framework, and that will take time to negotiate.

The Convener: What are the chances of our being able to move to the next stage of negotiations in December?

Tiina Intelmann: There will have to be further movement in the financial obligations. As was quite clearly said at the October council, there has been movement on the issues of citizens' rights and Ireland, but there has been insufficient movement on the financial obligations.

We very much hope that, in December, we can start the next phase. Internally, the European Union is talking about the possible arrangements for the transition period. We are preparing ourselves, but Brussels feels that the ball is in the United Kingdom's court, and the UK must be a little bit more forthcoming in terms of financial agreements.

We have achieved very deep integration, the financial obligations that we have taken on together are quite complex and the EU27 feel that there is still room for the UK to be a little bit more forthcoming. Somebody has to carry on the financial obligations—the loans that we have given and so on—which are quite substantive.

The Convener: You mentioned transition. If there were to be a transition agreement after March 2019, would freedom of movement, in your view, have to continue as part of it?

Tiina Intelmann: As I understand it, the UK Government has said that, during the transition period, freedom of movement would continue, and the European citizens who are already here would be welcome to stay here, provided that they register. That is the Government's position, and we have taken that information as it has come to us.

As I have said, the modalities of the transition period and the question whether we engage the transition period have still to be decided. We want to keep the negotiations between the two negotiating teams, because it is beneficial for the UK to have one negotiating partner and it is vital that we stay together as a block of 27 countries, address every issue that arises within our own group and then go out and negotiate. Unfortunately, that is where we are right now.

The Convener: You talked in your opening statement and in your lecture yesterday about your e-commerce ambitions. Estonia has a global reputation as a digital nation, and yesterday, you talked about co-operation with health professionals in this country on e-health. Is co-operation on digital matters with the UK made easier or more difficult as a result of Brexit?

Tiina Intelmann: I will put the issue of digitalisation into a broader context. Private businesses have moved forward with digitalisation in a very strong and global way, and they engage all our citizens in e-commerce and other activities—for example, Facebook. Our citizens are using the opportunities that private businesses have created.

However, we are starting to see another side to digitalisation, and the fact is that not everything that our citizens do in the virtual world is good. Governments have not stepped up to their responsibilities to play a role in protecting their citizens and offering them a safer digital environment in which to operate, and the Estonian Government has made a strong statement that it and other European Governments have a role and responsibility in this respect. That is the intellectual position from which we come at the issue, and why we continually talk about it.

We had an exchange of views yesterday on ehealth, and it is possible that we can work together on that. Both Scotland and Estonia have seen considerable development in the area, and we could benefit from different aspects of the other's work.

On whether future co-operation will be made less or more possible because of Brexit, the fact is that co-operation will still be possible. Your exiting the European Union will not make co-operation impossible—we will just have to find other ways of doing that. Clearly, though, you will not be automatically associated with what we in the European Union decide with regard to a digital common market or the free movement of data.

Lewis Macdonald (North East Scotland) (Lab): I was struck by your presidency themes of an open and innovative European economy, a safe and secure Europe and a digital Europe and the free movement of data. Those themes are all important to the United Kingdom and to Scotland, as well as to Estonia and the rest of the European Union.

The convener asked about safety and security. There are live and present dangers in the world that affect the UK as much as they affect the rest of the EU, and you have talked about some of the things that have been initiated under the Estonian presidency to develop safety and security policy in the EU. How far will it be possible to maintain connection with the UK as a key partner that faces many of the same threats and risks in the wider world, including risks to cybersecurity, political interference by foreign powers and the threat of terrorism?

Tiina Intelmann: It is in our interests to keep co-operating closely with the UK, and the UK Government has said exactly the same thing. The UK Government has said that it will continue to participate in EU missions abroad and that it would be interested in exchanging data and setting up different frameworks. However, there would probably have to be an additional agreement about aspects of that.

The interest in co-operation is very much there, because we face common threats. We have analysed those threats and understand that we are stronger when we face them together. However, as I say, different agreements would probably have to be concluded on individual elements.

10:45

Lewis Macdonald: Lately, guite a lot of concern has been expressed about interference by Russia and its agencies in political processes in Spain, Britain, the United States and other parts of the world. Concern has been expressed about their online presence and the threat of digital warfareas, I think, someone described it the other day-or certainly digital aggression in their interference in the internal affairs of other countries. When defence ministers from the EU member states are pulled together to discuss cybersecurity, such issues will be on the agenda. Can you say a little more about how we can work together effectively on those issues? I know that government in Estonia is very integrated electronically, which must be hyperefficient most of the time but clearly carries a security risk.

Tiina Intelmann: We like to talk about digital threats, some of which are allegedly emanating from Russia. A related issue that I want to put on record is the appearance of propaganda—what people call alternative or distorted facts—and the vulnerability of the public in European countries to it. There is space for politicians of all European countries to be more aware of that issue.

On the issue of cybersecurity, another thing that we like to talk about is cyberhygiene. People go on to the internet without doing basic things to protect themselves. For example, when they do internet banking, they should log out afterwards—we all know that—but there are also certain things that people do not know, because no one has told them about them. The private companies that offer people those possibilities do not mention that they will make themselves vulnerable, because all that they are interested in is people using what they provide; they are not there to give people lessons or teach them things. It is an area in which Governments have a role to play.

Fortunately, the issue of cybersecurity is being addressed not only at a European Union level but by NATO, of which the United Kingdom is a member, by the Organization for Security and Cooperation in Europe and by the United Nations. It is a global concern and a global issue. In fact, the United Nations has been talking about introducing international law to govern that area of activity, as international law is necessary to deal with it even if people do not abide by it and even if there is a certain amount of confusion over it. After all, if there is no international law, there are no rules that we can show to those who violate them.

We hope that we can work together with the United Kingdom in all those spheres; indeed, we have been doing so. We are grateful to the UK for leading the boots-on-the-ground exercise in Estonia and for the British military personnel in the country, who are a great asset to us. That kind of physical, boots-on-the-ground security and cooperation in facing cyber threats makes those of us who are in NATO stronger.

Lewis Macdonald: Thank you very much.

Tavish Scott (Shetland Islands) (LD): I will carry on Lewis Macdonald's line of questioning about physical security. Would you say that Russia is your biggest concern as a country?

Tiina Intelmann: Russia is a big concern, but not only for us. It is a concern for the western world and for us all, jointly. Russian activities have become unpredictable. As we all remember, Russia has occupied part of Ukraine's territory, and such actions are totally unacceptable to us.

Tavish Scott: The reason that I ask the question is that I represent Shetland, in the far north of these islands—and, indeed, of Europe—and the UK Ministry of Defence is reinstalling a radar dome there to keep an eye on aggressive military behaviour by the Russians in the air and on the sea. The MOD has explained that in pretty worrying terms in recent days.

How does your presidency conceive of the development of an EU defence force? There is some discussion about pursuing that as opposed to continuing with NATO. Have you a view on how that concept will become a reality or where that debate will lead in the six months of Estonia's presidency?

Tiina Intelmann: European Union defence cooperation is deepening—that is a fact. There is a clear, common understanding that it needs to develop. That will not happen at the expense of NATO, though. We believe in a strong NATO, in article 5 and in the value of robust co-operation through NATO. We believe in keeping clear what NATO stands for and why it was created: it is a defence alliance.

Tavish Scott: However the EU defence cooperation deepens, do you foresee a role for the UK in that through partnerships? **Tiina Intelmann:** Yes, we very much hope that the UK will work in partnership with the EU on that.

Tavish Scott: What do you think will happen with that agenda in the next six months? Is that one of your presidency's particular objectives or workstreams?

Tiina Intelmann: Yes. More and deeper discussion about that will take place in the next six months, during the Bulgarian presidency. It is clear that there is a common will to deepen defence co-operation. As I said, there is permanently structured co-operation and there are discussions on the European defence industrial development programme, which is going ahead.

Tavish Scott: You spoke about propaganda. Do you have a view about Russia Today being an arm of Kremlin propaganda in this country?

Tiina Intelmann: Yes. Russia Today is an arm of Kremlin propaganda. That is exactly what it is.

Tavish Scott: Thank you.

Jackson Carlaw (Eastwood) (Con): During our previous parliamentary session, either your predecessor or one of your ministers spoke at a lunch in the Scottish Parliament. They were really quite evangelical about the paperless or digital infrastructure that has been established in Estonia. It is fascinating to see what has been achieved and the many platforms, agencies and ways in which the Government has managed to embrace that infrastructure.

I am interested in that subject because a digital attack on our national health service paralysed hospitals all over the country. Have there been any attempts to paralyse the infrastructure in Estonia? What systems do you have, and how able are you to respond to that? Has having a much deeper and broader digital platform that the public interface with in many different ways led to a much deeper awareness among citizens of their personal security and their need to be cautious and to act?

In this country, there is considerable concern about the lack of awareness and naivety of many people in the way that they engage. I am interested to know how, in a country that is much more developed in that regard than we are, you are responding to that threat and whether you have faced attempts to undermine your digital infrastructure.

Tiina Intelmann: We experienced massive cyberattacks coupled with riots in the streets approximately 10 years ago, which was when we started talking about cyberattacks and cyberwarfare. We know where those attacks originated. Sadly, we became leaders in the field because we saw what can happen.

None of our systems were damaged irreparably, but that is why we started ringing the alarm bells and saying that we need to work on international law and practical measures. There is a lot of awareness out there. NATO members have together established a cybersecurity centre in Tallinn, where we are dealing specifically with such issues.

Awareness of cybersecurity is quite high in Estonia, but, as a simple consumer, I am quite stupid compared with people who have expert knowledge. That is why the Government is taking responsibility for the whole paperless environment. In essence, Estonian citizens interact with the state through digital means. That is how they pay their taxes, set up companies, view their health records and whatever—we cannot imagine going to an office any more, because we just log on to the computer and use our digital identification. That is how we do business. We have created a safe environment, with different passwords and so on.

Nevertheless, nothing is 100 per cent safe. When I walk in the street, I am not 100 per cent safe. I might be run over by a car—accidentally or on purpose—but that does not mean that we will ban cars. We need to face the threats that there are, but we cannot stand in the way of progress.

Silicon valley is always there. People come up with new solutions, and citizens of our states use them. There is progress. If the Government shuts its eyes, there will be no benefit for anybody. As I said, there is awareness, but a lot remains to be done and we are dealing with the issue systematically, on a daily basis.

Jackson Carlaw: I am sure that this is an area in which we will want the strongest co-operation, irrespective of the future relationship.

Tiina Intelmann: Absolutely, because the cyberworld is not made up of compartments. There is not one compartment for Estonia and another one for the UK—our citizens are all there together.

Jackson Carlaw: When your colleague was here, we discussed the quite advanced links between Scotland and Estonia, particularly in Tallinn, where there is considerable entrepreneurial exchange through business links and co-operation. Where does that stand today?

In passing, I assure you that, whatever the future relationship is, everyone here will do all that we can to ensure that the productive relationship that has existed between Scotland and Estonia—particularly in the business community in Tallinn—continues.

Tiina Intelmann: The relationship is very good, but a business relationship is never enough. As an

ambassador, I intend to look into ways of deepening relationships and exchanges, and I hope that businesses are doing the same. Yesterday, we inaugurated a new honorary consul here, who has a digital company and who, I am sure, will be active in strengthening ties.

Next year, we celebrate 100 years of the Estonian state, and I am happy to say that a big part of our cultural celebrations will take place in Scotland. We are very much for co-operating with Scotland and maintaining good relations.

Jackson Carlaw: I look forward to that.

Stuart McMillan (Greenock and Inverclyde) (SNP): Ambassador, as you said, Estonia took over the presidency six months prior to the date that you had planned for. How easy was that to do?

Tiina Intelmann: There were moments of panic, but we decided to do it. There were discussions in Brussels and it was decided that it would be even more difficult for someone else to step in at short notice.

We are losing some of the moment de grandeur, because we were supposed to be celebrating the 100th anniversary of the Estonian state as we took on the presidency. A lot of the activities that we had planned needed to be planned differently. However, overall, I hope that we are managing and that our presidency is being appreciated. December is approaching fast.

11:00

Stuart McMillan: You stated that the theme for your presidency is unity through balance. We have discussed some events in the EU, but we have not mentioned the referendum that took place in Catalonia earlier this month and the subsequent violence against people who were attempting to vote. Was that a balanced approach from the Spanish Government towards citizens who wanted to exercise their democratic right to express their view?

Tiina Intelmann: We all know that we do not live in the perfect world, but we aspire towards being perfect. The European Union is made up of mature democracies. We trust each other and we think that each of those democratic countries is prepared to address the issues that arise in their countries. We feel that we should give each other the opportunity and time to address those issues.

In Estonia, we would hope that, if we had a difficult situation, people in Brussels and other member states would give us the opportunity to address that situation ourselves. The United Kingdom is leaving the European Union because you feel—or at least part of your population feels—that Brussels orders you to do too many

things and is too prescriptive. We trust that the Spanish Government has all the means to address the situation in its territory.

Stuart McMillan: A great deal of concern has been raised by many politicians, not just here but elsewhere, regarding the events that took place and, in particular, the violence. The EU has not encouraged dialogue between the two sides, which probably has not done the EU much good, as a lot of concern has been raised about that. Is that a fair summation?

Tiina Intelmann: The Spanish Government has decided that there will be another election in Catalonia, which is very much within the democratic means that any Government can use in such circumstances.

Ross Greer (West Scotland) (Green): I have follow-up questions to the questions that Jackson Carlaw and Tavish Scott asked. Over the past 10 years or more, electronic voting has grown considerably in Estonia to the point that around 30 per cent of your population now vote electronically. In the same period, the risk of cyberattack on European and other western democracies and democratic processes has increased. How do you ensure the integrity of the electronic voting system? Has there been any debate about whether the approach is sustainable in the light of recent events in other democracies?

Tiina Intelmann: There are continuous discussions about electronic voting, but they are not about eliminating it; they are about keeping it very secure. We have had 10 years of electronic voting in different elections, including the elections to the European Parliament, and there is overall support among the population for that. People are used to it and they take it for granted. Before I was posted to London as an Estonian ambassador, which is a big privilege, I served in west Africa, and I cast my vote from my desk there. I saw that as my right. Taking that right away from citizens would not be nice and people would not appreciate it. Although we know all the risks, we are still pursuing that approach, and we feel that the system that we have established is safe enough.

Ross Greer: Following on from Tavish Scott's point about defence, Russia Today has been raised as an example of propaganda and disinformation. The issue of disinformation and propaganda campaigns cannot be solved by installing new radar stations, so how do we tackle those very direct attempts to pump alternative facts or false news into the European debate?

Tiina Intelmann: First, there must be a recognition that that is happening. Frankly, I think that politicians and the media have a role in explaining and highlighting the issue. By being

very open and believing that the end of history is near, we have become a little careless about what is happening in our societies.

Ross Greer: Would it be a mistake for European politicians to normalise those outlets as though they are legitimate media outlets compared to our own?

Tiina Intelmann: Sorry—would it be a mistake to do what?

Ross Greer: To legitimise those outlets as though they are comparable to, say, the BBC or any of your broadcasters. Would it be a mistake for a European politician to act as though Russia Today is comparable to a free western media outlet?

Tiina Intelmann: That very much depends on the collective and personal judgment of politicians in each country.

Mairi Gougeon (Angus North and Mearns) (SNP): In your opening remarks, you mentioned the pillar of social rights. I am a member of the Committee of the Regions, which adopted a position on that a couple of months ago. National Governments will have policies that affect social inequalities, but how can they be addressed at a European level? Will that involve specific EUfunded programmes to tackle inequality in individual areas? How will it be done?

Tiina Intelmann: You are asking how we even things up.

Mairi Gougeon: Yes. How do we prevent or at least do something positive to tackle the social inequalities that exist between member states and across Europe?

Tiina Intelmann: That will take time, but it is happening as part of the normal economic processes. When some of the EU member states joined, they were at a slightly lower level of wealth. There are different ways of addressing the issue. For instance, the posted workers directive was adopted recently, and we need to see what effects the free movement of persons and workers has. The posted workers directive relates to groups of people who go from one member state to another temporarily and who are hired under the conditions of the member state that they come from. There must be a certain limitation on that, and certain rules apply to it.

There are different means of dealing with the issue, but there is no magic solution that would change the situation from one day to another.

The Convener: I thank Her Excellency Ambassador Intelmann for giving evidence.

Tiina Intelmann: Thank you for inviting me.

Meeting closed at 11:08.

This is the final edition of the Official Report of this meeting. It is part of the Scottish Parliament Official Report archive and has been sent for legal deposit.

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