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## OFFICIAL REPORT AITHISG OIFIGEIL

# Culture, Tourism, Europe and External Affairs Committee

Thursday 21 February 2019



The Scottish Parliament Pàrlamaid na h-Alba

**Session 5** 

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## CULTURE, TOURISM, EUROPE AND EXTERNAL AFFAIRS COMMITTEE 5<sup>th</sup> Meeting 2019, Session 5

#### CONVENER

\*Joan McAlpine (South Scotland) (SNP)

### **DEPUTY CONVENER** \*Claire Baker (Mid Scotland and Fife) (Lab)

#### **COMMITTEE MEMBERS**

\*Annabelle Ewing (Cowdenbeath) (SNP)

\*Kenneth Gibson (Cunninghame North) (SNP)

\*Jamie Greene (West Scotland) (Con)

\*Ross Greer (West Scotland) (Green)

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

\*Alexander Stewart (Mid Scotland and Fife) (Con)

\*attended

THE FOLLOWING ALSO PARTICIPATED:

His Excellency Dan Mihalache (Ambassador of Romania to the United Kingdom of Great Britain and Northern Ireland)

CLERK TO THE COMMITTEE Stephen Herbert

LOCATION The Robert Burns Room (CR1)

## **Scottish Parliament**

## Culture, Tourism, Europe and External Affairs Committee

Thursday 21 February 2019

[The Convener opened the meeting at 09:00]

## Decision on Taking Business in Private

**The Convener (Joan McAlpine):** Good morning and welcome to the fifth meeting in 2019 of the Culture, Tourism, Europe and External Affairs Committee. I remind members and the public to turn off mobile phones. Any members using electronic devices to access committee papers should please ensure that they are turned to silent.

Agenda item 1 is a decision on taking business in private. Does the committee agree to take in private item 4, which is consideration of a draft report on our inquiry into the Glasgow School of Art?

Members indicated agreement.

## Presidency of the Council of the European Union

#### 09:00

The Convener: The next item on the agenda is an evidence session with the ambassador of Romania to the United Kingdom of Great Britain and Northern Ireland. Romania currently holds the presidency of the Council of the European Union. I welcome the ambassador, His Excellency Dan Mihalache, and invite him to make a short opening statement.

His Excellency Dan Mihalache (Ambassador of Romania to the United Kingdom of Great Britain and Northern Ireland): Thank you very much, convener and distinguished members. It is an honour for me to come before you in the Scottish Parliament to present the priorities of the Romanian presidency of the Council of the European Union. This is the first time that I have been in this position—actually, it is the second time, as I was once in the British Parliament—but before being the ambassador of Romania to the United Kingdom and to the Court of St James's, I sat on your side as a member of Parliament. Roles switch, and you never know what will happen in your life.

For Romania, holding its first-ever rotating presidency of the Council of the EU is a key moment. This is the first time that we have experienced being in this challenging position, and we are in very complicated and interesting times, given the challenges that the EU has. It is also an opportunity for us to consolidate and to take part in the strengthening of the European project.

As an opening statement, I want to say that Romania will act as a genuine and honest broker, an impartial mediator and a consensus facilitator. It will act in co-ordination with Finland and Croatia, as the trio of presidencies, while ensuring continuity with the previous trio in achieving the objectives established by the strategic agenda. Our presidency comes at a time of on-going European developments-the Brexit process and the clarification of the future relation with a strategic partner; the reflection on the future of Europe; the transition towards a new legislative cycle as a result of the European elections in May 2019 and, implicitly, the end of the European Commission and European Parliament terms of office; and the negotiation on landmark policies and strategies, such as the post-2019 strategic action framework, the economic and monetary union and the future multiannual financial framework.

Moreover, those European dynamics are further influenced by a rapidly evolving general context, a

complex transatlantic agenda and the advance of Eurosceptic rhetoric, to mention just a few of the challenges.

As our motto states, we consider cohesion to be a common European value, as well as an expression of unity among the countries and regions of the European Union. During its presidency, my country aims to achieve tangible results and to maximise the benefits that a strong and cohesive Union could bring to each and every citizen by reducing economic, social and territorial disparities between the member states, regions and peoples of the EU.

We have set up four pillars. Our motto is about cohesion because-to talk openly-we can see that cohesion in Europe is weak at the moment and the differences in approach between various European countries are getting stronger and stronger. Therefore, rediscovering cohesion is the aim of our presidency, and that effort is something that we want to continue with. Of course, it will be a long and complicated process. Brexit does not help European cohesion at all. For a strong Europe, it is important that we rediscover a cohesive approach. We must avoid differences between old Europe and new Europe and between more developed states and less developed states. We must try to use European development policies to reduce disparities between countries and between regions.

Our second pillar is "A safer Europe", because we cannot consolidate the European project without strengthening the EU's internal security by combating terrorism and radicalisation, ensuring that there is a comprehensive approach to migration, consolidating the Schengen area and enhancing cybersecurity. Currently, the EU is confronted with a wide range of risks and threats that undermine the values and prosperity of our open societies. Increasing the safety of European citizens is at the centre of their needs and expectations. Ensuring the security of the external borders is one of the most important assurances that the area of freedom, security and justice can provide.

If we have cohesion and security, Europe can be a stronger global actor. One of the objectives of our presidency is to strengthen Europe's role as an important and strong global actor. In a rapidly changing world where the geopolitical context evolves very quickly, we should have the objective of maintaining Europe as a strong global actor, because we are involved in a competition between various centres in a multipolar world.

The principles of cohesion, security and Europe as a strong global actor cannot exist without shared, common values. Romania aims to stimulate solidarity and cohesion in the EU through promoting policies on the combating of discrimination, through ensuring that men and women have equal chances and treatment and through increasing the involvement of citizens in European debates.

We want the summit on 9 May in Sibiu, which is an important city in Romania and was European capital of culture some years ago, to be a milestone in the debate on the future of the European Union. We need all the member states to redesign the EU in a world that is changing very quickly.

Yesterday, during our reception in the Parliament's lobby, which was hosted by the office of the European Commission in Scotland and our consulate general, I was remembering how complicated history is and how quickly it changes. I was one of the first members of the European Parliament from Romania. I got into the European Parliament in 2005 as an observer, because that was the procedure. When Romania became a full member in 2007, we transformed ourselves as members of the European Parliament, and then there were the elections. Our generation experienced something that no generation will experience again, in that we were members of the national Parliament before we got into the European Parliament, and then there were organised elections.

I remember the debates from 10 years ago, when we were talking about more federalism and whether more power should go to the European institutions or to the national states. We were talking about enlargement and having serious discussions about Moldova, Ukraine and the Balkan states. What are we talking about now? We are talking about a divisive Europe and a Europe that lacks cohesion, and about the United Kingdom's decision to leave the European construction. I assure you that, as I said, the Romanian presidency will act as an honest broker. We will try to orient the debate among member states so that they take a positive approach to relations with the United Kingdom, to allow for the-I need to say it as such-orderly withdrawal of the United Kingdom from the European Union.

We can speak about the summit in Sibiu and the future of relations, which is mainly in your hands, for sure. We will try to orient the debate about future relations between the European Union and the United Kingdom towards a positive approach. In my view, your place is in Europe. Okay—people decided otherwise, but the UK is near Europe. For Romania, the issue is important for Europe and from the bilateral point of view.

#### 09:15

I am glad that, under my mandate as ambassador to the UK, I have managed to

upgrade Romania's political and diplomatic representation in Scotland from what was until last year a simple consular bureau to a general consulate, which is now functioning. Anton Barbu, who is here, was appointed as our consul general some months ago. I am convinced that, whatever happens and although the political environment will be complicated, our relations will stay at and be developed at the highest level.

**The Convener:** Thank you for your opening comments, your excellency. You talked about your priorities of achieving a cohesive Europe and a safer Europe. Will the Brexit process make that cohesion and safety more or less likely?

**Dan Mihalache:** I arrived in London one day after the referendum. Since then, I have tried to follow the debate on Brexit, but I confess that, not only as an ambassador but as a political analyst and professor of political science in my previous career, I have sometimes been very confused.

I do not know what the future will be. There are many complicated questions. I feel that time is running quickly and I do not know what the situation will be. It is February, and in theory there is a month until the official withdrawal on 29 March, but no solution is on the table. I am interested in how honourable members of the Scottish Parliament see the solution, if there is one.

**The Convener:** Do you think that the withdrawal agreement will be finalised by 29 March?

**Dan Mihalache:** That is in your hands. I do not see what the solution will be—whether the withdrawal will be postponed, for example—but it should be well motivated. It is complicated to give an answer.

As I said, as a presidency, we stand for a very orderly withdrawal, and I believe that the no-deal scenario would probably be the worst option. It could also influence relations between the EU and the UK. Speaking very frankly, I note that the mood is not essentially positive among many European partners. You should be very aware of that.

**The Convener:** Would you care to expand on that? You say that the mood is not positive. Are you suggesting that there is unlikely to be any flexibility?

**Dan Mihalache:** There is a tendency to inflexibility among some partners. I do not know how to formulate my response more diplomatically. Some believe that Brexit is not the first priority of the European Union.

The Convener: Do you mean that they want to move on?

**Dan Mihalache:** There are some other things on the agenda. We tend to be a bit centrist, and not only in your case. Every nation tends to think that the world moves around it. Sometimes the world is moving a little bit differently.

The Convener: Thank you—that was very well put.

**Claire Baker (Mid Scotland and Fife) (Lab):** I was interested in the ambassador's reflections on the past 10 years, from when Romania joined the EU until the present day, and on the changes in Europe. How destabilising is the UK's exit from the EU? You mentioned the elections that are coming up. Do you think that there is a mood in Europe that reflects what has happened in Britain? You said that one of the four pillars is convergence. How challenging is it to achieve convergence in Europe at the moment, within the remaining 27?

**Dan Mihalache:** In Romania, there is still a high degree of support for membership of the European Union. Opinion polls show that 80 to 90 per cent of the population supports our membership of the EU and NATO. You have to understand our psychology. It is a complicated area. Romania has an occidental culture, and it is also a Latin country. The 50 years when we were under the communist regime created a high degree of expectation and frustration among Romania's population. The European Union is seen as the hope for the occident and for prosperity and freedom of movement, which were problems under the communist regime. When I was a child, I was not allowed to travel abroad with my family. You would never have experienced that.

The younger generation of Romanians believe that studying here in Edinburgh is a right. There are around 1,000 Romanians studying here, and 9,000 are studying in the entire UK. For the older generation, which experienced the communist regime—my generation—belonging to the European Union is seen as a great achievement of our political generation.

**Claire Baker:** When you were talking about cohesion and convergence, you talked about the difference between old and new Europe. Do you think that Romania's experience is typical of a new entry to the EU?

**Dan Mihalache:** No, I do not believe that. That was my next point in talking about Romania. We do not have anti-European political movements, such as there are in other central or eastern European countries. However, if we look at the general political landscape in Europe, we notice that some of the newer European Union countries are beginning to move to a different path. I will not name them, because that would not be diplomatic. We are talking about illiberal ideologies or democracies, for instance. There is also a debate in newer European countries about the benefits of being a member of the European Union, and a game is being played by other big actors in the international arena—I will not name them—which are working to try to influence that. I believe that, with a wise policy, those centrifugal tendencies can be avoided.

I am sorry; I have concentrated on Romania. We are living in interesting times, and the Brexit process is symbolically very dangerous for Europe. What is the slogan? I think it is: "Britain goes global". I do not know whether that is possible any more or whether we should stick to our common identity and policy in a world in which the other actors are strong.

#### 09:30

Jamie Greene (West Scotland) (Con): Good morning, and thank you for attending the meeting. I want to pick up on two separate issues, the first of which is cohesion, which you mentioned in your opening statement. You talked about the ambitions for greater cohesion in Europe, but said that there is currently a lack of cohesion or perhaps even some division between member states. I think that that is natural in a geographically wide and politically diverse continent. Are you trying to rediscover some form of cohesion that you believe existed previously, or are you trying to create something that was never there in the first place? Are you seeking a new form of cohesion among member states that have very different needs and anxieties? Are the needs of Romania and Bulgaria similar to those of the Netherlands or Ireland, for example, or are they on different completely paths? Will cohesion therefore be extremely difficult to piece together?

**Dan Mihalache:** When there was the debate about enlargement, there was a cohesive approach. Now, we have to rediscover cohesion because the world is changing and we have other challenges. For instance, can we make a common approach on migration? That is an important question because, if we look at various European countries, we see that they have different approaches. Can we somehow rediscover the political will for further enlargement of the European Union? If we look carefully, we see that enlargement is no longer at the top of the European Union's priorities, although some countries, such as Romania, support the objective.

I will give members some examples. Are we still interested in rebuilding the eastern partnership or not? Are we still interested in including the Balkans in the European Union or not? What is happening with our relationship with Turkey? There are a lot of questions about European Union policies that we will have to answer. What will we do with the Schengen area? Does Schengen still exist, or is it now just a past piece of paper through measures that some countries have taken? What will we do with the eurozone? This is about rediscovering a cohesive approach for the European Union.

I have remembered Claire Baker's other question, which was about elections, I believe. For sure, we will have European elections on 26 May. However, what will the European Parliament look like? In various European countries, there are now many political forces that are atypical. Can the European Parliament rely on what has been the balance between right and left—between the European People's Party and the Party of European Parliament was based on co-operation between the two big political forces. Will that be possible any more? What will it look like? What will the European Commission look like in future?

There are many subjects to be discussed. For example, do we need a European army, or do we stick to co-operation in NATO? What will the transatlantic relationship be? Will it be based only on bilateral agreements, or will it be a European relationship with the United States? There are a lot of subjects for which we need to discover a clear approach that is widely accepted by the European states.

**Jamie Greene:** Thank you for that detailed response, which may have raised more questions about than given answers on the future of Europe.

I want to pick up on the issue of enlargement, which I am glad you raised. Enlargement has been talked about for a number of years through various incarnations of the presidency. As you know, the EU has not expanded in any way since 2013. The Romanian presidency has said that EU enlargement is

"high on our agenda, we are the children of enlargement".

It is true that you are

"the children of enlargement".

Enlargement may be on your agenda, but do you think that it is on the agendas of other countries? Do you foresee a situation in which enlargement occurs with the Balkan states, Georgia, Moldova or even Turkey? Would the risk or potential of losing further member states in the west be a danger to further enlargement?

**Dan Mihalache:** That is a delicate and sensitive issue, and it is hard to say whether there is unity on it. It is clear that, for some member states, enlargement is not on the agenda. We can at least push the debate and put it on the table again as a matter for discussion, especially when it is about states that are advanced in the process, such as some of the Balkan states. We have to decide what to do with Moldova, which is a battlefield between its European aspirations and the Russian influence, which is very strong. Whether we as Europe are prepared to abandon Moldova is a question. Are we prepared to say that Moldova should go into the arms of the big bear?

In my opinion, Turkey is a different issue, because of its culture and size. However, you should take that as an analyst's opinion and not an ambassadorial opinion.

How do we define our policy on Ukraine, for instance? Some European voices say that we should simply accept what happened with the Crimea and transform the de facto situation into a legal one. Are we prepared to do that?

I go back to the question about cohesion. We also have to define our policy towards the Russian Federation. Does Europe as a whole accept that type of policy, or do we stick to the principles and values of freedom, democracy and international law?

For Romania in particular, the UK's leaving the European Union is a great loss because there was excellent co-operation between the UK and Romania in various fields. We held the same positions on foreign policy, security policy, and cooperation on police matters and information exchange. Those are strong points of our bilateral relations, and the UK's not being at the round table of decision making in the EU will mean that we will lose an ally at that table. Although there is an optimistic feeling in the political environment in the UK that the role should be maintained, I am more sceptical. The UK will not be at the table of decisions any more, and you should be aware of that.

Kenneth Gibson (Cunninghame North) (SNP): I want to talk about Scotland's links post-Brexit. Sixty-two per cent of people in Scotland voted to remain in the European Union, and that position appears to have strengthened. Post-Brexit, how can we build our relationships both directly with Romania and with the EU under the Romanian presidency? You talked about the 1,000 Romanian students who are here and the strengthening of Romania's consular presence in Edinburgh, which is heartening. Regardless of what happens post-Brexit, how can we strengthen trade and cultural links with Romania and the other nations in Europe?

**Dan Mihalache:** Not only are there 1,000 Romanian students in Edinburgh—I am not talking about other cities—but there are 40,000 Romanians working in Scotland, a lot of whom are employed in agriculture and services. Yesterday, we were in the royal cafe near here, where there were two or three Romanian waiters. What we, and I personally, value very much is that every time I come to Scotland—I am now on my fifth or sixth visit here—I feel that Romanians are welcome. I feel a positive sentiment, with no hostility or cases of discrimination, which is very fine.

#### 09:45

I believe that we can build our relations in the future and that we can try to identify fields of mutual interest for Scotland and Romania. At the reception yesterday, I had a discussion with some of the participants in which I asked, "Okay, why are we not developing a Romanian-Scottish chamber of commerce as a point of contact between the business environments in both countries?" We can also have deeper co-operation in the field of education between universities in Scotland and universities in Romania. Possibilities certainly exist. Scotland has a vibrant cultural environment, and we can also be part of that.

**Kenneth Gibson:** I am sure that we will build an increasingly positive and close relationship despite the Brexit situation.

More widely, how will the Romanian presidency deal with the Visegrád group? You hinted at that without mentioning any of the countries involved. You said that you want to strengthen European projects. How will you deal with that? I think that it is becoming more of an issue within the European Union.

**Dan Mihalache:** It will be a challenge post-Brexit, when we know what the environment will look like, to define the future of Europe. What do we want to do with this structure? Let me put it more delicately. Are we prepared, as Europe, to lose the international game? If we look at how the discussion is evolving, we see that some forces are tempted to find partners for discussion, or competitors, other than Europe. Do we want a strong Europe? Do we want a competitive Europe that is advanced in technology and innovation, or are we prepared to lose that game?

I believe that defining the future will be the most challenging role for our presidency. That is not just about drafting a theoretical paper about our future; it is about finding the values and objectives that can unite and mobilise.

**Kenneth Gibson:** Will Romania press for the expansion of the European Union to go higher up the agenda given your links with Moldova, which was of course part of Romania before 1940, and countries in the western Balkans, some of which are fairly small and, one would have thought, would be relatively easily absorbed into the European Union, given their populations? I realise that some of them have major economic problems, but does Romania feel that that should be progressed much more assertively and will it do that during its presidency?

**Dan Mihalache:** We support the enlargement of the European Union. If you are asking for my personal view, I think that it could be one of those objectives that could mobilise people. If we look at the 1990s, we see that enlargement with Poland, the Czech Republic, Slovakia, Romania and Bulgaria was sometimes one of the driving forces of the European Union, and it could be one of the objectives in the future.

We have to find consensus; it is very complicated, but an organisation such as the European Union is not easy to manage. As a presidency, we are just a broker for six months, so I am not talking about our management; I am just talking theoretically. The EU is very diverse and it has to have a driving force. In the past century, the driving force was prosperity. We have to have a driving force, or a driving idea, to keep the organisation united.

Kenneth Gibson: Thank you.

Stuart McMillan (Greenock and Inverclyde) (SNP): Good morning. As you said, quite a lot of change will take place over the next few months, but some of the normal activities that will take place are the discussions on the CAP, structural funds and horizon Europe. Can you provide the committee with any information on how Romania is progressing those issues?

Dan Mihalache: We have to prepare for the new financial exercise. That will be on the agenda. On structural funds, we are sticking to the idea that we have to maintain a comparative level for development and for reducing disparities between countries and between regions in countries, which I mentioned. On the impact of the withdrawal of the UK, there will probably be a temptation to make some changes to regional development policy. I am not very aware of that issue-it is a more complicated discussion that exceeds my understanding from time to time-but, as a political attitude, we will push or try to influence maintenance of the level of spending on development and reducing disparities between countries and between regions in countries.

I believe that horizon 2020 is now on the right path. I know that there is a discussion—I had some meetings in London about how the funds will go. I do not recall the details—I have them written down somewhere. I can send you our point of view on the programme.

**Stuart McMillan:** What scope will there be for non-EU members to participate in horizon Europe and Erasmus+?

**Dan Mihalache:** We had that discussion in the Ministry of National Education some months ago, with the minister of state—we spoke about what the relationship will be. I will give you all the details. The rapporteur for that issue in the European Parliament is Romanian; there is somebody else, but he is the main rapporteur.

Annabelle Ewing (Cowdenbeath) (SNP): I return to the issue of Brexit, as I fear that we must—somebody has to. Leaving to one side the political declaration, which is an entirely different document, there has been much speculation in the UK media and among many Tory MPs in the House of Commons that the withdrawal agreement can easily be opened up. Are they right?

**Dan Mihalache:** I believe that the European Union waits for your step. It is your turn. The ball is in your court.

**Annabelle Ewing:** Okay. The prevailing view in Brussels, as stated by Messrs Barnier, Tusk and Juncker, is that the withdrawal agreement cannot be opened up. It has been agreed—it was agreed by the UK Prime Minister—and there is no way to open it up. Is that the view of each of the 27 member states?

**Dan Mihalache:** It is complicated to give you my opinion about that. As I said, for various reasons I do not think that the mood is very positive in some political circles in Brussels, and there could be serious opposition.

**Annabelle Ewing:** My final question concerns the possibility, at least, of the UK seeking an extension to article 50. Has that been discussed informally at the Committee of Permanent Representatives? If the UK Government were to ask for that within the next 36 days—or however long it is—is it likely to be agreed to?

**Dan Mihalache:** To my knowledge, the UK Government has not asked for that.

Annabelle Ewing: Not yet.

**Dan Mihalache:** Not yet. For sure, there would be a discussion, but at this point I am not aware that there has been a discussion about that, which means that I could be wrong. I am not always involved in discussions, but to my knowledge that has not happened yet.

#### 10:00

**Tavish Scott (Shetland Islands) (LD):** From your introductory remarks on a safer Europe and the committee's briefing notes I see that one of your priorities is cybersecurity. Where does the biggest threat to cybersecurity come from?

**Dan Mihalache:** I could tell you, but I believe that you have the necessary data from your specialist agencies and institutions to have an opinion about that. I know something about the issue because before I was appointed as ambassador I worked in the President of Romania's office so I have some competence in national security matters. It is a delicate matter to reveal to such an important committee where cybersecurity threats come from.

**Tavish Scott:** I am not asking you to reveal state secrets, but if something is a priority for the country that has the presidency of the EU there must a be a basis for that.

**Dan Mihalache:** Well, we are very preoccupied with cybersecurity. Romania has specialised in it. For instance, we have the NATO role in providing cybersecurity to Ukraine. There is an important cybersecurity threat in these times, and if you see the media you will know that the highest number of cyberattacks on governmental structures, banking systems and personal data come from the east.

**Tavish Scott:** Would it be fair to say that it is as big an issue for Romania as it is for the other member states of the European Union?

**Dan Mihalache:** We have a good cyber defence system, but I am not sure whether the European Union as a whole has a good one. Cyberattacks are a powerful weapon to deal with in these times. Nowadays, such attacks are among the most important, powerful weapons—we are not dealing with traditional warfare any more.

If you study proceedings, you will know this. Our countries are part of NATO and nobody will risk triggering article 5 of the NATO treaty—you know what I mean. I am thinking of situations that move near to triggering article 5, such as happened in Crimea. Cyber is a useful tool. It does not risk triggering article 5, because people can say, "It was not me".

**The Convener:** I thank His Excellency Dan Mihalache for coming to give evidence. It has been a very useful and wide-ranging discussion.

The opportunity for the committee to speak to the holder of the presidency of the European Union, which comes around every six months, is facilitated by the European Commission's office in Edinburgh. As a result of the Brexit process, that office is to close. As I said last night, I would like to put on record the committee's thanks to the staff of the Commission's office in Edinburgh for the assistance that they have given the committee over the years. In particular, I thank Graham Blythe and his staff for all the support that they have given us. I think that I speak for everyone when I say that they will be much missed.

10:06

Meeting suspended.

10:10

On resuming—

## European Union (Withdrawal) Act 2018

#### Creative Europe Programme and Europe for Citizens Programme Revocation (EU Exit) Regulations 2019

**The Convener:** The next item of business is consideration of a statutory instrument consent notification. The Creative Europe Programme and Europe for Citizens Programme Revocation (EU Exit) Regulations 2019 would give consent to the UK Government legislating, using the powers under the European Union (Withdrawal) Act 2018.

When we discussed the consent notification at our meeting on 31 January, the committee agreed to seek more information from the Scottish Government. That information has been forthcoming, and the Scottish Government has advised that it is no longer content to consent to the notification, as it would require direct payments to be made in the name of the UK Secretary of State for Digital, Culture, Media and Sport to organisations in the Scottish cultural sector. The Scottish Government does not consider that a Scottish statutory instrument would be required in that situation, as legislation exists that allows the Scottish ministers to make payments to deliver the EU funding guarantee to the relevant Scottish organisations in the event that that is necessary. Therefore, the Scottish Government does not consider that an SSI is required to remedy any deficiency in this area.

We are asked to note the Scottish Government's new position, as the committee has no further role in the matter. Are members content to do that?

Members indicated agreement.

10:11

Meeting continued in private until 11:17.

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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