

EUROPEAN AND EXTERNAL RELATIONS COMMITTEE

Tuesday 21 December 2004

Session 2

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EUROPEAN AND EXTERNAL RELATIONS COMMITTEE **22nd Meeting 2004, Session 2**

CONVENER

*Mr John Swinney (North Tayside) (SNP)

DEPUTY CONVENER

*Irene Oldfather (Cunninghame South) (Lab)

COMMITTEE MEMBERS

*Dennis Canavan (Falkirk West) (Ind)

*Mrs Margaret Ewing (Moray) (SNP)

*Phil Gallie (South of Scotland) (Con)

*Mr John Home Robertson (East Lothian) (Lab)

*Gordon Jackson (Glasgow Govan) (Lab)

*Mr Alasdair Morrison (Western Isles) (Lab)

*Mr Keith Raffan (Mid Scotland and Fife) (LD)

COMMITTEE SUBSTITUTES

Ms Wendy Alexander (Paisley North) (Lab)

Murdo Fraser (Mid Scotland and Fife) (Con)

Richard Lochhead (North East Scotland) (SNP)

Nora Radcliffe (Gordon) (LD)

*attended

CLERK TO THE COMMITTEE

Stephen Imrie

ASSISTANT CLERKS

Nick Hawthorne

David Simpson

LOCATION

Committee Room 1

Scottish Parliament

European and External Relations Committee

Tuesday 21 December 2004

[THE CONVENER opened the meeting at 14:02]

Item in Private

The Convener (Mr John Swinney): Good afternoon. I welcome members to the 22nd meeting in 2004 of the European and External Relations Committee, which will be our last meeting in 2004. I have received no apologies. I remind members and guests to switch off their mobile phones.

The first item on the agenda is to seek the committee's agreement to take in private item 5, which is initial consideration of issues for inclusion in the draft report on our inquiry into the promotion of Scotland worldwide. Do members agree to take the item in private?

Members indicated agreement.

Pre and Post-council Scrutiny

14:02

The Convener: Item 2 is consideration of a paper on pre and post-council scrutiny, which has been circulated to members. Members might notice a time lag in some papers' arrival at the committee, which, for once, is not the fault of the Scottish Executive but is the result of our decision to defer consideration of those papers because of the volume of evidence that we were taking at previous meetings. The table at annex A summarises the recommendations on various issues. Do members have comments on the paper? One of the major issues at this time of year is the talks at the agriculture and fisheries council, about which there was a debate in the Scottish Parliament on 9 December. The Minister for Environment and Rural Development gave evidence to the Environment and Rural Development Committee in advance of the talks and I am sure that we will receive feedback from that direction.

Phil Gallie (South of Scotland) (Con): In the past there has been much discussion about the harvesting of sand eels, but I see no mention of the matter in the papers. The issue has perhaps dropped off the horizon. There have been concerns about the impact of sand eel harvesting on fish breeding grounds. Is the matter of interest to the minister?

The Convener: The point that you raise has been a material point in many of the negotiations in the past. Given that the Environment and Rural Development Committee has taken evidence from the minister, I do not think we should duplicate that committee's work by taking evidence as well. We can certainly ask the minister in writing about the outcome of discussions in the council on that point.

Mr John Home Robertson (East Lothian) (Lab): From experience, I can say that the British interest in that industrial fishery is very small—merely a blemish. In general, the British side in the talks tries to negotiate the fishery down, while other sides try to negotiate it back up again. That is probably why the issue does not figure in the papers.

Phil Gallie: That is the point that I was making.

The Convener: We will write to Ross Finnie to ask about the matter in the light of the negotiations, but we do not expect to take evidence on the point at this stage.

Mr Home Robertson: Big changes are happening in fisheries and in agriculture. It is clear that the Environment and Rural Development

Committee is the lead committee on such matters, but given the nature of the changes—particularly in agriculture support, as members know from their constituency work—there might be something to be said for the European and External Relations Committee working in tandem with the Environment and Rural Development Committee, in view of our direct links to counterparts in Brussels and in view of the fact that the Environment and Rural Development Committee has other things on its plate. The changes could affect many areas in Scotland in a big way and given the preponderance of less favoured areas for farming in Scotland we should keep an eye on the situation. It would be worth making common cause with our counterparts on the Environment and Rural Development Committee.

The Convener: There is an awareness among conveners of the importance of respecting committees' boundaries, to ensure that we do not duplicate work. The matter was raised briefly at the Conveners Group meeting last week and we should bear it in mind. However, I will ask the clerks to include your point in our briefing papers for the away day in January, at which we will select our forward work programme, so that we can reflect on the matter in more detail.

Mr Home Robertson: The second bullet point of annex B, on the agriculture and fisheries council, is on deep-sea stocks. We can have as many total allowable catches and quotas in deep-sea areas as we want, but if they are not enforced, it is all hot air. We have raised the point in the past. Action must be taken, but what is being done about enforcing the rules?

The Convener: We will ask the minister about that, too.

Mrs Margaret Ewing (Moray) (SNP): The agriculture and fisheries council negotiations always take place in December and I think that all members who represent fishing communities are aware of the difficulties of relaying information apart from what we read in the press, hear on the radio or see on the television. Should the committee recommend a more flexible approach to decisions and the moving of the main fisheries council meeting from December to an earlier or later date? John Home Robertson was Deputy Minister for Rural Affairs and had responsibility for fisheries; does he think that it would be better if those talks took place at another time of the year?

Mr Home Robertson: There is a December madness that comes round every year, which has aye been, I am afraid.

The Convener: That is probably the most scientific comment that could be made about the process. Most observers take the view that the December rush to set quotas is a thoroughly

unacceptable process, but the will is required to change the situation. We can raise the point in our letter to the minister. If there are no further comments on the paper, we will move on.

Sift

14:09

The Convener: Members have a copy of the sift paper. The key point that the paper highlights is the significance of the Council of the European Union's draft operational programme for 2005, which has been submitted by the incoming Luxembourg and United Kingdom presidencies. In effect, that draft operational programme complements the legislative work programme for 2005, which is due to be published on, I think, 11 January. As that material will be of some significance in informing the committee's work pattern in the year ahead, I plan to include it on the agenda of our January away day.

Those draft programmes fit into our general work programme, which will include a trip to Brussels in the spring. During that trip, all members of the committee will meet various Commission representatives so that we can begin to establish a proactive assessment of the emerging agenda both of the Council and of the Commission for the year ahead. Therefore, all that material is pretty fundamental to the issues that we may look at in the period ahead.

The sift document also lists other documents of importance.

Mr Keith Raffan (Mid Scotland and Fife) (LD):

As that document will be published on 11 January and our away day will be held on 14 January, it will be useful to receive a copy of that material as soon as possible. That would allow us to read the material in advance.

Will we discuss our away day today?

The Convener: No. We did not plan to do so.

Mr Raffan: I have an issue to raise, but I can mention it later.

The Convener: I am sure that you will find some way of doing so.

Do members want to raise any points about the sift paper?

Irene Oldfather (Cunninghame South) (Lab):

The initial explanation mentions the important mid-term review of the Lisbon strategy. As the convener will know, I have submitted a suggestion on skills development that ties in with the Lisbon strategy. It would be helpful to have the report of the high-level group that was convened by Wim Kok.

The Convener: We will ensure that we have available and at our disposal all material that can inform our discussion of our forward work programme.

Convener's Report

14:11

The Convener: Agenda item 4 is my report, which contains three points. The first concerns a response from the Minister for Parliamentary Business to our request for more detailed information on concordats between the Scottish Executive and the United Kingdom Government. The letter illustrates the areas in which concordats have been agreed and details whether any reviews have taken place or are current. In the past few days, the issue has reared its head again because of the Housing Bill that was passed at Westminster. The letter deals with that sphere of activity. Do members have any points that they want to raise about the minister's reply? I think that it provides us with the information that we requested.

The second point concerns a letter that we received from the Minister for Finance and Public Service Reform, Tom McCabe, on the location of European Union agencies. The issue emerged from a meeting that Irene Oldfather convened in early September. I think that the only action that we might take would be to encourage the minister to keep the committee advised of the priorities that he intends to focus on in securing such agencies.

Mr Raffan: Perhaps we could ask the minister's office to clarify what he means by

"the possible creation of an EU Agency for linguistic diversity and language learning",

given that he then goes on to refer to it as

"an agency for minority languages."

I would like to know whether the proposed new agency will be an agency for linguistic diversity that includes minority languages plus language learning or an agency just for minority languages. I would certainly be in favour of broadening its scope rather than of limiting it narrowly to minority languages.

Irene Oldfather: I know that we are waiting on the outcome of the feasibility study that has been commissioned. My understanding was that the agency would have a wider remit, but I have noticed that it has been referred to once or twice as an agency for minority languages. Obviously, such an agency would be important to us in Scotland but it would be different from an agency for linguistic diversity. It is important to have the broader context of language learning, which really fits in with the Commission's direction on the Lisbon agenda. I hope that we can receive a report back on the recommendations of the feasibility study once it has been completed.

14:15

The Convener: I will ask the clerks to clarify the issue with the Executive. When we get more detail, we will make it available to committee members.

Do members have any other points?

Mr Home Robertson: I want to take up an earlier point and return to a couple of issues in the pre and post-council report. I was struck by the paper's mention of the proposed directive on batteries and accumulators and—

The Convener: Sorry, have you gone back to a previous agenda item?

Mr Home Robertson: I apologise, but I want to pick up on a point that is made in the pre and post-council report.

The Convener: Are you referring to page 7 of paper EU/S2/04/22/1?

Mr Home Robertson: Yes. Page 7 mentions the proposed directive on batteries and accumulators and the proposed regulation on registration, evaluation, authorisation and restriction of chemicals. Although those proposals are a long way down the line—the commencement date for the batteries directive is 2011, while the date for the REACH regulation is uncertain—I remember what happened with the directive on refrigerators and waste. As far as I am aware, there are no arrangements at the moment for collecting waste batteries in my part of the world. If such directives and regulations are in the pipeline, we need to be clear that the Executive and local authorities are gearing themselves up to implement them.

Irene Oldfather: I think that discussions are taking place with the Convention of Scottish Local Authorities on that issue. People are aware that we were caught short on the waste electrical and electronic equipment directive and that we do not want the same thing to happen again. Although a number of commercial agencies have been set up to deal with hazardous waste, I think that batteries have a certain flag on them that means that they can be deemed to be hazardous waste. That is causing some problems. I understand that COSLA has been alerted to the problem, but the committee could certainly monitor the issue.

The Convener: Annex A states that we will seek further information from the Executive on its transposition plans on the batteries directive, but John Home Robertson's point is well made. We will ensure that the Executive's response is communicated to committee members.

Mr Home Robertson: Thank you.

Mr Raffan: I want to ask about inward visits.

The Convener: Let us return to the convener's report. As I said, I will ask the clerks to pursue with Tom McCabe the point about the status of the language agency.

The final point in my report concerns a report from the Parliament's clerk/chief executive and its external liaison unit on external relations activities in the Parliament.

Mr Raffan: Perhaps the clerks can clarify the brief point that I want to make about inward visits. Like other members, I sometimes hear about such visits after they have taken place. The process that seems to occur at the moment is that we hear about inward visits only through the party business managers and party whips, who are contacted by the external liaison unit, or we read about them later. It would be useful if members of this committee received notification about inward visits through the convener. Our involvement in those visits has been a bit pot luck until now.

The Convener: The process can seem a bit haphazard, so I will ask the clerks to discuss with the external liaison unit how that information flow can be improved. Of course, there should be a totally seamless flow of information from business managers to members, but I shall leave members to chew over that point.

Mr Raffan: It is always good to have a back-up from the clerks.

The Convener: I am sure that that seamless flow is never interrupted. We will note Keith Raffan's point and come back to him on it.

If members have no other points on my report, we can draw to a conclusion the items that are to be held in public. We will continue with item 5 in private.

14:19

Meeting continued in private until 15:33.

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