

# **EUROPEAN AND EXTERNAL RELATIONS COMMITTEE**

Tuesday 31 January 2006

Session 2

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## EUROPEAN AND EXTERNAL RELATIONS COMMITTEE

### 2<sup>nd</sup> Meeting 2006, Session 2

#### CONVENER

\*Linda Fabiani (Central Scotland) (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 Charlie Gordon (Glasgow Cathcart) (Lab)

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

Gordon Jackson (Glasgow Govan) (Lab)

\*Mr Jim Wallace (Orkney) (LD)

#### COMMITTEE SUBSTITUTES

Ms Wendy Alexander (Paisley North) (Lab)

\*Derek Brownlee (South of Scotland) (Con)

Richard Lochhead (North East Scotland) (SNP)

Nora Radcliffe (Gordon) (LD)

\*attended

#### CLERK TO THE COMMITTEE

Alasdair Rankin

#### ASSISTANT CLERKS

Emma Berry

Nick Hawthorne

#### LOCATION

Committee Room 6



## Scottish Parliament

### European and External Relations Committee

*Tuesday 31 January 2006*

[THE CONVENER *opened the meeting at 14:00*]

**The Convener (Linda Fabiani):** I open the meeting 17 seconds late. Good afternoon and welcome to the second meeting of the committee in 2006. We have received apologies from Gordon Jackson, Charlie Gordon and Phil Gallie. Committee members might wish to know that, sadly, Phil's wife has passed away. We will pass on our condolences and let him know that our thoughts are with him.

**Irene Oldfather (Cunninghame South) (Lab):** That would be appropriate.

**The Convener:** I welcome Emma Berry to the clerking team.

Before we move on to the items on the agenda, members will recall that we had invited the minister to come to today's meeting to discuss the costs and benefits to Scotland of hosting last year's G8 summit, on which a report has been published. We have been informed that the minister is unable to attend. I am slightly disappointed that we did not receive a more positive response because the minister had indicated that he was willing to discuss the issue with the committee. I recommend that the clerks follow the matter up and try to arrange a suitable alternative date.

**Dennis Canavan (Falkirk West) (Ind):** Why do we not fetter him with a summons?

**The Convener:** Would that be in writing or verbally?

**Mr Jim Wallace (Orkney) (LD):** Are we due to hear from him on anything else? Could we double up?

**The Convener:** He is coming to our meeting on 28 February to discuss the European Union's priorities and programme. Could we combine that with discussion of the costs and benefits of the summit?

**Mr Wallace:** Yes, we could.

**Irene Oldfather:** I was not at the meeting at which we agreed to invite him along. I felt that the report was self-explanatory—although we would always be happy to welcome a minister who had expressed an interest in attending one of our meetings. I agree with Jim Wallace: we would not want to have an hour-long stand-alone session

with the minister on the G8 summit—15 minutes would be fine—so we could tie it in with something else.

**Mr John Home Robertson (East Lothian) (Lab):** We would struggle to fill half an hour, never mind an hour, on that issue alone.

**Irene Oldfather:** That is why I suggested 15 minutes.

**The Convener:** Would everyone be happy if we asked the minister to address the G8 issue when he speaks to us about the EU's priorities and programme?

**Members indicated agreement.**

## Fresh Talent Initiative Inquiry (Executive Response)

14:02

**The Convener:** The first item on our agenda is consideration of the Executive's response to the committee's report on the fresh talent initiative, which appears in committee paper EU/S2/06/2/1. It is accompanied by a covering letter from the Minister for Finance and Public Service Reform, Tom McCabe, in which he discusses the importance of attracting fresh talent to Scotland and of retaining our existing talent. The report and the Executive's response will be debated in the chamber on 23 March. Do members wish to comment on the response?

**Irene Oldfather:** I thought that it was a positive response that formed a good conclusion to the committee's work. The Executive and the committee were in agreement on many areas. There was a great deal of consensus on most of the issues that we highlighted. When we produced the report, we agreed that fresh talent was a good initiative that was likely to develop over time. The Executive's response suggests that such evolution is taking place, which is to be welcomed.

**Mr Wallace:** It is a good response. The only disappointing aspect of it relates to the recommendation over which we deliberated for some time, which was that, in its discussions with the Home Office, the Executive should

"make the case for employment opportunities for those asylum seekers awaiting a decision."

To be fair, that does not really fall within the Executive's remit and it was quite proper for the Executive to say:

"it is for the Home Office to determine policy on this issue."

However, in the debate in March, it might be worth while flagging up the fact that the Executive could be more proactive in making a push on that.

**The Convener:** We will all have the chance to make such points in the debate. In the meantime, are we happy to note the Executive's response?

**Members indicated agreement.**

## Pre and Post-council Scrutiny

14:04

**The Convener:** The next item is our regular scrutiny of agendas for and reports from meetings of the Council of the European Union. Members will note that we have still not received from the Executive the report on the agriculture and fisheries council that took place between 22 November and 24 November, which we identified as being late at our last meeting and which we have been requesting for some time. We have had quite a few problems in getting information from the Scottish Executive Environment and Rural Affairs Department over recent months. Given that the clerks have already written to officials in that department in an effort to improve the situation, I recommend that we write directly to the Minister for Environment and Rural Development, Ross Finnie, to ask him for the report and to seek an explanation of why it is taking us so long to get it.

**Irene Oldfather:** I agree with that proposal. It took us a long time to set up the system and, as part of that process, we agreed timescales. One can understand that timescales might slip occasionally, but that seems to be a regular occurrence with the department in question. It would be worth while to write to the minister to ask for an explanation.

**The Convener:** I point out that there is a typing error—these days, we would call it a keyboard skills error—in line 5 of the relevant paragraph in annex A. I will correct it, in case members read the paper again later. Instead of saying that the report "has now been presented", it should say that it "has not been presented".

**Mr Home Robertson:** Can the clerk tell us what subject was discussed at that council? Was it anything particularly complicated?

**Alasdair Rankin (Clerk):** I do not remember off hand; it is a while since the council took place.

**Mr Home Robertson:** One wonders whether there is some reason why it is taking so long for us to get the report. Is it a case of cock-up or conspiracy?

**Mr Wallace:** Has there been any engagement with the minister's office to find out why the report has not been provided? In the past, written answers to parliamentary questions have been issued shortly after councils, although I do not know whether that happened on this occasion. Can we check whether a parliamentary question was asked about the council?

**The Convener:** The clerks have phoned and e-mailed the department many times to chase up the report and we have received reports on

subsequent councils. It is strange that the report on that particular council was missed out.

**Mr Wallace:** The department may think that it has already provided it.

**The Convener:** Perhaps it has lost it.

**Alasdair Rankin:** We have gone through our usual single point of contact in the Executive. That is where the answer would lie and we can check on that.

**The Convener:** That leaves us with the pre-council agendas for the two economic and financial affairs—ECOFIN—councils. Do members have comments on either of those?

**Irene Oldfather:** The difficulty with pre-council agendas is that sometimes things can change before the meeting, so in a sense they are a bit hypothetical. I am content to note the agendas.

## Sift

14:07

**The Convener:** We are fair rattling through the agenda. Item 3 is our regular sift of EU and European Community documents and draft legislation. As usual, some items have been flagged up as being of special importance to subject committees. The first document is for our attention and that of all the Parliament's subject committees. It is on the operational programme of the Council during the current Austrian presidency of the EU and the Finnish presidency that will begin in the second half of the year. As I have already mentioned, Tom McCabe will tell us about the Executive's EU priorities on 28 February.

The next documents provide the results of the green paper consultation on defence procurement, which the committee identified as an issue that it wanted to follow. The paper gives us the latest position. If my memory serves me correctly, it was Mr Gallie who had a particular interest in the subject. Perhaps we should wait until the next meeting to consider the documents, so that Phil Gallie has a chance to say whether he is happy with the information that has been provided or whether he requires more.

**Derek Brownlee (South of Scotland) (Con):** I thought that he had given me a note of his views on the matter, but he has not. I do not know how I picked up that he was concerned about defence procurement, but I believe that he is.

**The Convener:** The next item is for our attention. The relevant documents are about improving openness and transparency in the Council, which I understand the committee has considered in the past.

The fourth item is for the Enterprise and Culture Committee and the justice committees and it concerns the green paper on damages actions for breach of the EC's anti-trust rules, which deal with the law relating to competition policy.

The final document is a green paper in which the justice committees will be interested. It is about conflicts of jurisdiction and the principle of *ne bis in idem* in criminal proceedings. I ask those members who speak Latin to excuse my pronunciation. Was that the correct pronunciation, Jim?

**Mr Wallace:** I did higher Latin and I am sure that it was. Is that the double jeopardy rule?

**The Convener:** Jim Wallace will now explain to us what that means.

**Mr Wallace:** It means that someone cannot be tried twice for the same offence.

**The Convener:** Well done. I had that written down. That was good.

**Mr Wallace:** I read my briefing paper.

**The Convener:** Do members agree to refer the documents to the committees that are indicated in the sift paper?

**Members** *indicated agreement.*

**The Convener:** Do members have any further comments to make?

**Derek Brownlee:** The only document that I want to highlight is the one on the proposal for a regulation on the definition, description, presentation and labelling of spirit drinks, which I am sure the Enterprise and Culture Committee will deal with appropriately. The definition of spirit drinks is particularly important to the whisky industry.

## Convener's Report

14:10

**The Convener:** My goodness, we have reached the final agenda item, which is the convener's report. I refer to paper EU/S2/06/2/4.

First, I ask members to note a letter from the Deputy First Minister and Minister for Enterprise and Lifelong Learning, Nicol Stephen, which relates to the European Commission's regional aid guidelines for 2007-13. No member has any comments to make on the letter, which seems to be pretty straightforward.

Secondly, there is an update on the position of petition PE804, which we discussed at our meeting on 17 January. Following that meeting, I wrote to the Environment and Rural Development Committee to ask whether it would be willing to consider the petition. That committee will consider our letter at its meeting on 8 February and we will be able to consider its response at our meeting on 28 February. I think that the petition's covering letter said that the petition would also be sent to the European Parliament's Committee on Petitions, but that committee has confirmed that neither the petition nor any similar petition from the Cod Crusaders has been lodged with it.

**Irene Oldfather:** I think that the Cod Crusaders said that the petition had been submitted to the European Parliament—it did not specify that it had been sent to the European Parliament's Committee on Petitions. The petition may be elsewhere in the European Parliament. Perhaps it is with the Committee on Agriculture and Rural Development, the Committee on Fisheries or another committee.

**The Convener:** Alasdair Rankin has told me that he has asked the Cod Crusaders to check whether the petition has been submitted in any other way, but the organisation has not yet come back on the matter. There could well have been a misunderstanding.

Members have copies of two letters on the petition that Ross Finnie sent to the Public Petitions Committee last year. I think that Dennis Canavan requested copies of those, as they were missing from the package. Members will have gathered that we have written to the petitioners to keep them informed. Are members happy to note the letters?

**Members** *indicated agreement.*

**Irene Oldfather:** I am happy to note the letters, which are helpful. They underline what I thought the position was at the previous meeting, which Gordon Jackson clearly expressed. Having an inquiry may not be the best approach because I do



not think that the committee will reach agreement on anything in the wording of the petition. Ross Finnie's letters clearly bear that out.

**The Convener:** We will wait and see what comes back from the Environment and Rural Development Committee.

The final item in the convener's report is the Executive's building a bridge project. My report does not refer to the three Ds.

**Dennis Canavan:** Does the item have anything to do with the Dunfermline by-election?

**The Convener:** We will ignore that remark.

We have received no further information from the Scottish Executive on its building a bridge between Europe and its citizens project—I was about to say building a bridge from Rosyth—but we have information from a working group of Executive and Parliament officials that Alasdair Rankin has attended.

As part of the project, the Executive is undertaking research work, examining case studies of its consultations and other activities to engage with citizens and, on the Parliament side, petitions, e-petitions, committee inquiries and events. As that work is already in hand, we could see what the Executive produces and then decide whether we want to take that further with witnesses or whatever. We could consider whether we want to propose additions or amendments to what it says. As we agreed at our previous meeting, we could also contact the other committees and the Parliament's outreach and education services.

14:15

**Irene Oldfather:** I think that Jim Wallace suggested at the previous meeting that we should take evidence and ask someone from the Executive—not necessarily a minister—to come along to a meeting to tell us a little bit about how the project is developing and rolling out. That would be helpful.

**The Convener:** You might remember that we tried to get someone to come along, but the problem was that no one was available. By sheer chance, of the two officials who are actively involved in the project one was off on holiday or something and the other was away at a conference on the day of our meeting. If you think that such an approach would still be useful a bit further down the line—

**Mr Wallace:** It might be if there is something to discuss, but discussing matters in the abstract might be a bit awkward.

**Dennis Canavan:** Have we received a written brief on the project?

**The Convener:** No. That is the issue—we have not received anything. I suggest that we ask Alasdair Rankin to keep in touch with his counterpart in the working group to check what is happening. Meanwhile, we will continue to do what we intended to do. When we reach the appropriate point, at which probing and discussing the project further is worth while, an official who is dealing with the project could come to a meeting to discuss it.

**Irene Oldfather:** I think that we asked whether our parliamentary officer could attend the conference on democracy, dialogue and debate. I understand that he did so.

**The Convener:** He loved every minute of it.

**Irene Oldfather:** I understand that he is preparing a written report for us, which I hope will be considered at a future meeting. Is he doing so?

**The Convener:** Yes.

**Irene Oldfather:** It looks as if Alasdair Rankin wants to tell me something.

**Alasdair Rankin:** A report has been produced and can be circulated to members.

**The Convener:** Has a report been produced already? My goodness. The staff are so efficient.

**Mr Home Robertson:** On the theme of building bridges with communities in other parts of Europe, the presentation that we were given before the meeting was the best thing that we have heard for some time.

**The Convener:** It was excellent.

**Mr Home Robertson:** The people involved should be seconded on to the project. There are certainly lessons to be learned about bottom-up rather than top-down approaches.

**The Convener:** Yes. The next time that we discuss properly plan D for democracy, dialogue and debate and the building a bridge project in general, it would be worth discussing what is happening on the ground and whether we can note such things as part of our response. The presentation was super.

**Irene Oldfather:** I wonder whether it would be worth while if the clerks wrote to the local authorities, for example. I think that I mentioned to the convener before the meeting that my local authority is actively involved in educational links with Europe and in involving young people in bilateral conferences, workshops and so on. That is not simply about learning languages; it is about cultural development, historical links and, in my area, maritime links. It might be useful to find out about those. If my local authority has an active role, other local authorities will have an active role, too. Perhaps writing to the local authorities could be part of the trawl of information.

**The Convener:** Perhaps the first step should be to check whether the Executive is doing that as part of its project. If it is not, we can perhaps plug the gap.

**Mr Wallace:** I do not disagree with Irene Oldfather, but we should note what was said in the presentation. The local authority's involvement was pretty minimal. That is not a criticism of the local authority, but the approach was perhaps a strength of the project. Irene Oldfather has made an important point, but such a trawl would miss out such projects.

**The Convener:** We are in limbo until we know what the Executive is doing. We should get a wee bit further down the line and then have a fuller discussion.

**Mr Home Robertson:** What we heard about sounded like an example of very good practice that has evolved in a community, which could usefully be replicated in other parts of Scotland, if not other parts of the European Union. We heard only one presentation—

**The Convener:** There must be other examples.

**Mr Home Robertson:** The presentation was quite inspiring.

**The Convener:** It was.

That brings us to the end of the meeting.

**Mr Home Robertson:** There should be a vote of thanks to the convener.

**The Convener:** Our next meeting will be after the recess, on 28 February.

*Meeting closed at 14:19.*

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