

EUROPEAN AND EXTERNAL RELATIONS COMMITTEE

Tuesday 25 April 2006

Session 2

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CONTENTS

Tuesday 25 April 2006

	Col.
INTERESTS	1763
PETITION	1764
Fishing Industry (PE804)	1764
WORK PROGRAMME	1769
EUROPEAN COMMISSION WORK PROGRAMME 2006	1782
PRE AND POST-COUNCIL SCRUTINY	1784
SIFT	1785
CONVENER'S REPORT	1786

EUROPEAN AND EXTERNAL RELATIONS COMMITTEE

6th Meeting 2006, Session 2

CONVENER

*Linda Fabiani (Central Scotland) (SNP)

DEPUTY CONVENER

*Irene Oldfather (Cunninghame South) (Lab)

COMMITTEE MEMBERS

*Dennis Canavan (Falkirk West) (Ind)
*Bruce Crawford (Mid Scotland and Fife) (SNP)
*Phil Gallie (South of Scotland) (Con)
*Mr Charlie Gordon (Glasgow Cathcart) (Lab)
*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)
Nora Radcliffe (Gordon) (LD)

*attended

CLERK TO THE COMMITTEE

Alasdair Rankin

ASSISTANT CLERKS

Emma Berry
Nick Hawthorne

LOCATION

Committee Room 3

Scottish Parliament

European and External Relations Committee

Tuesday 25 April 2006

[THE CONVENER *opened the meeting at 14:02*]

Interests

The Convener (Linda Fabiani): Good afternoon and welcome to the sixth meeting in 2006 of the European and External Relations Committee. We have apologies from Gordon Jackson, who is elsewhere on parliamentary business, and John Home Robertson has given me notice that he will have to leave early to attend to constituency matters.

John Home Robertson (East Lothian) (Lab): No, I am going to another committee meeting.

The Convener: Sorry, I picked that up wrongly.

I welcome to the committee a new member, Bruce Crawford. Perhaps I should say, "Welcome back," because I know that he was a member of the committee before I joined it. I want to raise with members a matter arising from the previous committee meeting, but before I do so, I invite Bruce Crawford to declare any relevant interests so that he can take part in any discussion.

Bruce Crawford (Mid Scotland and Fife) (SNP): I am sorry, but this will take for ever because I have so many interests to list.

In fact, I have no interests to declare.

Petition

Fishing Industry (PE804)

14:03

The Convener: The matter that I want to raise with the committee is the procedural issue around the votes on petition PE804 at our previous meeting. Members will remember that, at that meeting, Richard Lochhead voted twice as a committee substitute. I have since asked the Presiding Officer for a ruling on the standing orders relating to committee substitution, and members have a copy of his ruling in the letter that is before them. Members who were in the chamber last week will remember the Presiding Officer talking about the issue.

As members can see from the letter, two rules apply: rule 6.3A and rule 12.2A. Taking those rules together, all five conditions listed in the letter must be met for a member to be able to substitute for another at a particular committee meeting. The rules also apply to other committee work, such as fact-finding visits. The condition that was not met at our previous meeting was number 3, which is that a member can substitute only for a member of the committee. When a member, whether by reason of resignation, death or otherwise, ceases to be a member of a committee, there is, therefore, no one to substitute for—there is simply a vacancy on the committee.

The Presiding Officer's ruling in the chamber last week, which is the same as that in the letter that he sent me at my request, was prompted by an error that we made in good faith at our previous committee meeting. Discrepancies have since shown up in other committees. I am glad that we have the Presiding Officer's ruling because this committee has now clarified the position on committee substitutes for all. I think that there will be stricter adherence to the rules than there was previously.

It is also relevant to recall what the Presiding Officer said in the chamber last Wednesday:

"I cannot overturn a committee resolution, however it is reached. I repeat that it is up to a committee itself to decide whether it wants to revisit any decision that it has made."—
[*Official Report*, 19 April 2006; c 24690.]

I open up the issue to members for general discussion.

Irene Oldfather (Cunninghame South) (Lab): I must place on record my concern about the fact that two rulings in relation to the eligibility of committee substitutes to act as such were made over such a short period of time. Clearly, there has been significant inconsistency. Who has responsibility for deciding competency in relation to whether a substitute member can vote?

This committee, to which Mrs Ewing made a significant contribution, made a decision in good faith. I think of my experience of committees in Europe, where substitute committee members regularly take part in votes. I would have hoped that the Health Committee would have come to the same decision as we did but, clearly, it did not. I think that there is an inconsistency. I would like further advice on the issue of who makes rulings on competency in relation to committee proceedings.

The Convener: I understand that the Procedures Committee recommended the current rules relating to substitutes on committees. It has been quite clear that those rules were being interpreted inconsistently by various committees—not only the two to which Irene Oldfather has referred, which were the Health Committee and this committee—because of advice that was given by clerks to conveners.

I understand that, at the end of the day, the decision is for the convener. Certainly, it should be of help and assistance to all conveners that the matter has now been clarified.

On the issue of rulings, the Presiding Officer would make a ruling in a circumstance in which there was any dubiety. However, looking at the rules that were laid out by the Procedures Committee and agreed to by the Parliament, it now seems that, if properly applied, they are fairly straightforward. I think that the Parliament got into some habits with regard to substitute members that were not, strictly speaking, correct.

Dennis Canavan (Falkirk West) (Ind): I seek clarification of one small point. What sparked off this request to the Presiding Officer for a ruling? Was your decision challenged in some way? Was a complaint lodged about the votes in the committee?

The Convener: I will tell you exactly what happened.

Members will have noticed that I wrote to the Presiding Officer as an MSP, rather than as a convener. After the previous committee meeting, the clerks came to tell me that the Executive had spoken to them to say that it had been noted that a substitute member had taken part in the two votes and that that was procedurally wrong and should not have happened. In the circumstances, the Executive graciously agreed to let the decision stand.

When I had a look at the standing orders, I felt that we needed proper clarification of the issue so that we would all be aware of the situation from now on. That was why I took it upon myself to write to the Presiding Officer.

The next week, after word had got round about the fact that our committee had done something

wrong, the convener of the Health Committee did not allow a substitute member, who had come along to take the place of someone who had resigned from the committee, to take part in a vote. That was the correct decision, if you like, based on a straight interpretation of the procedural rules. Meanwhile, there were anomalies in other committees. The result was the discussion in the chamber last week, but it seems that, now, the issue has been clarified.

Phil Gallie (South of Scotland) (Con): I acknowledge Irene Oldfather's gracious remarks about acceptance of the verdict. Perhaps that is dependent on contacts that have been made with those with whom the committee wished to make contact.

I passed to the clerks an e-mail that was sent by Barbara Strathern of the Scottish Executive. It attempted to dissuade United Kingdom ministers from appearing before this committee. To my mind, that is totally wrong. This committee is the voice of the Parliament, not the Executive. If the committee wishes to invite people to speak to it, it should be free to do so without interference from the Executive or anyone else.

I drew the issue to the attention of the Presiding Officer, who referred it to you and the rest of the committee, convener. I seek clarification of whether the e-mail was sent by Ms Strathern of her own volition—that is, whether a mistake was made by a civil servant. Alternatively, did the minister—presumably Ross Finnie, who is associated with the matter—request that it be sent? In either case, I would like a full apology for its being sent and an undertaking given by ministers and the civil servants who work for them that there will be no recurrence of this incident and that committees will be allowed to get on with their job in the way that they feel appropriate.

The Convener: You are saying that you wish the committee to undertake an investigation into the incident. As the Presiding Officer said—quite rightly—it is up to this committee to take that action.

In order for the issue to be discussed and for a decision to be made by the committee about what to do, we will have to place it on the agenda of a future meeting, so that all members know that it will be discussed. I suggest that we put the matter on the agenda of our next committee meeting. Do members agree?

Members indicated agreement.

Irene Oldfather: I am happy to agree to that. I am not sure who some of the people mentioned in the e-mail are. For example, I note that the e-mail has been sent to "Bertie". Who is Bertie? I would like some more information so that we can determine exactly the implications of the e-mail.

I would like to return to the initial matter that we were discussing, which we seem to have moved away from. I am happy for other members of the committee to express their views, but I want to say that the approach that this committee is taking in relation to the Cod Crusaders, given that the invitations have already been sent out, shows some common sense and is in the interests of good governance. Frankly, however, I would like that approach to be taken by other committees. Perhaps the committee could write to the Health Committee to outline the approach that we have taken. We could also raise with the Procedures Committee the implications of vacancies arising in committees with regard to the official representation of members by substitutes. As I said, in Europe, substitute members can vote whether there is a vacancy on the committee or not. Perhaps we should flag that up to the Procedures Committee.

14:15

The Convener: Irene Oldfather has asked that we write to the Health Committee. I think that the situation that it was in was rather different from the one that we were in. Bearing in mind what the Presiding Officer said about committee decisions, I do not know whether it is the role of one committee to interfere with the decision of another.

There is probably no reason why we cannot write to the Procedures Committee if members want to express concern about the role of substitutes, although I suspect that the Procedures Committee's response would be that every member of the Parliament had the opportunity to participate and express an opinion on the procedures when that committee went through the issues, which I understand was not all that long ago.

Irene Oldfather: Yet there has clearly been inconsistency in the application of the rules.

The Convener: I suggest, with respect to our clerks, who all work very hard, that the inconsistencies have been in the advice given by the clerking teams. It is up to them to know exactly where they are coming from and to ensure that there is consistency across all committees from now on so that conveners are given the proper interpretation.

John Home Robertson: As members know, I am meant to be at another committee for its deliberations on a stage 1 report, but I will comment briefly. I hear Irene Oldfather's point, but I suggest that the letter that you have received from the Presiding Officer covers the points that need to be covered. The important point is that the letter, which is addressed to you as the convener of the committee, probably ought to go to all

committees and to everyone concerned to clarify once and for all the application and interpretation of the rules on substitute members.

On the point about what to do about what was, in effect, a null and void decision made at this committee, I agree with Irene Oldfather that it would be pointless and churlish to step back from that decision at this stage. The decision was made in good faith on the basis of a misunderstanding. It would be right and proper for the committee to hear what the petitioners want to say in due course.

The Convener: Are there any other comments? I see that Phil Gallie is plugging in his headphones. Does he want to say something?

Phil Gallie: No. I wanted to ensure that I did not miss any of John Home Robertson's comments.

The Convener: That draws the matter to a close. I thank members for their views.

Work Programme

14:17

The Convener: The next item is the committee's work programme for 2006, in paper EU/S2/06/6/1. At the previous meeting we agreed that we would focus on structural funds, the Lisbon strategy and energy policy. The briefing paper in members' papers takes forward two of those issues: the Lisbon strategy and structural funds. A briefing paper on energy, which is the third issue, will be before us at our next meeting on 9 May.

Members can see that there are draft terms of reference for an inquiry into structural funds. As agreed, the terms of reference feature both a response to the United Kingdom Government's national strategic reference framework and a wider inquiry into the delivery of structural funds in Scotland for the next period, 2007 to 2013. Members may remember that a couple of months ago we took initial evidence from the minister on the matter. The intention is to take evidence on the national strategic reference framework on 9 May, before we agree our response on 23 May and submit it to the UK Government. The wider inquiry can run a little longer. We can take evidence on it on 23 May and 6 June, before we agree the final report at our final meeting on 20 June. Do members have any comments?

Irene Oldfather: I want to make a number of points about structural funds, but I thought that other members might want to come in first.

The Convener: Does anyone want to come in? Irene Oldfather can then sweep up with her remarks.

Phil Gallie: Structural funds are very important to private businesses and public bodies and are, to a degree, also important to academia, as there is room for them to be used to fund certain areas of research. However, I picked up from the paper an emphasis on academia, which I would not like to be overemphasised in our inquiry. Although academia has an important part to play, the funding of research is not the most important role for structural funds.

Mr Jim Wallace (Orkney) (LD): I will follow up on Phil Gallie's point. The paper indicates that we would take

"evidence from a panel of stakeholders (academic experts and interested parties)."

Do we have a view as to which interested parties we should invite to give evidence?

The Convener: Phil Gallie obviously does. Do you think that we should expand the reference to "interested parties" and include more stakeholder groups?

Mr Wallace: Yes—within the bounds of the inquiry remaining manageable.

The Convener: My goodness—Irene Oldfather has a tome with her.

Irene Oldfather: I have a substantial number of points, so it may not be appropriate to take up the committee's time going through them all. In essence, my focus is on the future funding programme. The draft terms of reference concentrate a little too much on what has happened in the past. Clearly, we will be in a slightly different ball game. For example, on page 6, it is suggested that we ask:

"Has the current structure of Structural Fund programme delivery in Scotland been successful?"

It is also suggested that we ask

"What are the advantages and disadvantages of changing this structure?"

We need a short, sharp and focused report. We know that we had successful programmes in the past, so, to be honest, I think that we need to look a bit more to the future and how we can maximise the future benefits. Clearly, the funds will be delivered entirely differently.

The programmes will be complemented by the wider urban strategies, such as that on urban regeneration. The draft terms of reference for the inquiry focus a bit too much on how we have worked in the past, whereas we need to get to grips a little more with how the programmes will be managed in the future. We also need to consider how they will tie in with the Executive's new way of applying funding through urban regeneration and other programmes to maximise funding. One issue is how the structural funds programmes can link with the community planning partnerships and community planning.

We should be more forward thinking, rather than look to the past. However, I am happy to take up with the clerks the issues that I have identified, with the aim of incorporating them in the terms of reference. The essence of my thinking is that, rather than start by asking about the advantages of previous programmes, we need an entirely different approach, because structural funds will be dealt with entirely differently. For example, we should consider whether the proposal to move from five partnership areas down to two areas is the right one. Should we have a west-central Scotland area as well as lowland Scotland? Would there be an advantage in having a west-central Scotland area, which could tie in more with urban regeneration planning? We should certainly consider the community planning partnerships and process, which would be a significant step.

The Convener: Are you going to move on to a different section of the paper now? I am not trying

to stop you, but you have said quite a lot about the eight key questions in the draft terms of reference. I want to address those before we go on to the next section of the paper.

Irene Oldfather: I was almost happy to leave it at that, although I have similar points about the delivery of the programmes, which will be done entirely differently and through entirely different mechanisms. I have several suggestions about how we could make the draft terms of reference a bit better by making them more forward looking.

Another issue that is worthy of mention, although I am not sure where it would go in the draft terms of reference, is how we can get into partnerships with the new member states, which is where the structural funds money will go. While growth in our gross domestic product is about 1.92 per cent, GDP growth in the new member states is running at 14 and 15 per cent, which means that there are huge opportunities there. Our trade with some of the new member states is about 400 times what it was in the past. We should perhaps consider how Scotland can tap into those opportunities.

The Convener: We must acknowledge that we are time constrained, in that we need to respond to the UK Government strategy and work out matters for ourselves. The basis of the inquiry will be how the Executive intends to disburse the very much reduced structural funds. The Executive has said that it will change the way in which the funds are disbursed, so we must focus on that. We do not have an awful lot of time to change the draft terms of reference, although some issues come to mind. I accept, as I am sure other members do, Irene Oldfather's point that it may not be terribly useful to concentrate overmuch on what went before and that we should concentrate on what is coming. Therefore, perhaps the first two of the eight key possible questions that are noted in paragraph 23 of the paper could be combined, so that we focus more on what will happen in future.

As the first evidence session for the inquiry will be on 9 May, we need to fire ahead. Given the valid points that Irene Oldfather has made—I am sure that other members will have suggestions, too—I propose that we should agree in principle today to the broad outlines of our inquiry. Members who feel strongly about other issues can then have a quick meeting with the clerks to discuss the questions that we should ask of witnesses so that we gain the maximum benefit and knowledge from the people who come before us.

Irene Oldfather: I would like two issues to be added to the list, but I have suggested others that could be removed from it. I have already mentioned one issue, which is the links with the new member states; the other is the solidarity fund

that was set up by the European Union. According to the annual report for 2004, the fund received only 13 applications and only one proposal was approved, which was for flooding in France. Therefore, I suggest that there are opportunities for Scotland to get a bit more out of that—

The Convener: I must interrupt you there. I think that those suggestions are about other issues. We have a tight inquiry into the disbursement of structural funds, and that is what we want to take evidence on.

Irene Oldfather: Those were my two extra suggestions. Given that we want a tight inquiry into structural funds, I suggest that we add something to the question at the third bullet point in paragraph 23. At the moment, we are to ask:

“How can Scotland maximise the reduced amount of Structural Funds available?”

I suggest that we should add something about linking those funds into the community planning partnerships and the new urban regeneration strategy. We should mention that specifically.

The Convener: Are you talking about the Government's urban regeneration strategy and community planning partnerships?

Irene Oldfather: Yes.

The Convener: The issue, then, is the extent to which the dispersal of structural funds links with Government priorities. That would catch everything that we might want to tap into.

Irene Oldfather: Also, the question at the fifth bullet point of paragraph 23 is:

“What are your views on the Scottish Executive establishing one European Regional Development Fund programme for Lowland and Upland Scotland?”

We should perhaps add, “In your view, which regions would better correspond with the urban regeneration and community planning partnership ideas?”

The Convener: My concern with that suggestion is that the Executive has more or less said that there will be only one fund for lowland and upland Scotland—the funds will cover the Highlands and Islands and then the rest of Scotland. The danger with opening up that issue is that the people who give evidence might just rerun all the arguments about why the old way was better. That would focus attention on the old rather than on the new.

Irene Oldfather: Certainly, we cannot go back to the old way. That is my point about the questions at the first and second bullet points in paragraph 23, which refer to the advantages and disadvantages of the past. We should not ask whether the previous structure was better and more successful, because we do not want to go back over that. All our questions should link the

structural fund programmes to future delivery. Given that the Executive will deliver in future through urban regeneration strategies and community planning partnerships, we need to incorporate them explicitly into our questions. There is no scope for going back to having four or five programme areas, but it may be possible for the community planning partnerships to put forward valid reasons for the need for, for example, a west-central Scotland programme.

The Convener: At some of the fora that the Executive held—some work on the issue was also carried out by consultants—stakeholders were asked about the extent to which structural funding should match Government priorities. I think that that is the catch-all that would cover Irene Oldfather's suggestion.

Many of the questions about which places should benefit from structural funds could be brought out by individual MSPs in their questioning of the people who come along to give evidence. What do other committee members feel about that? Do we need broad-based questions here? I take on board the need to put less emphasis on the questions in the first two bullet points, because they concentrate too much on the past and not enough on the future. Do members have any views on what broad-based questions we should ask, which they can then expand to refer to their constituency or region?

14:30

Mr Charlie Gordon (Glasgow Cathcart) (Lab): We have to make it clear to potential witnesses that our eight questions are designed to stimulate answers but are not intended to be exhaustive. Witnesses may range far and wide, and so may we. We often do; in fact, we usually do.

Phil Gallie: I am concerned that, on a very important issue, we are going to try to produce a report that appears to be informed but which will in fact be informed only by the evidence of witnesses at one meeting of this committee—and, as I understand it, those witnesses have not even been approached yet and have not had the chance to pull their thoughts together and put them on paper. A fortnight today, we will be expected to consider their submissions—if they have provided any—and make pretty profound judgments.

The timescale has been set by the need to respond to the consultation on the national strategic reference framework. Perhaps we should take two bites at this.

The Convener: We are taking two bites.

Phil Gallie: So the first bite is simply that we will receive an initial response that people will accept as being fairly ill-informed.

The Convener: Remember that there are two issues. Our response to the United Kingdom Government is time constrained by the Department of Trade and Industry's consultation on that acronym that I can never remember—the NSRF. Then there is our own inquiry into the disbursement of structural funds.

Phil Gallie: Okay. That is fine.

The Convener: We are asking for written evidence for that inquiry and we are not time constrained as we are with our response to the UK Government.

Mr Gordon: May I respond to what Phil Gallie said? A fortnight is plenty of notice if an expert is going to live up to the title of expert. To me, an expert should be able to give a view at two minutes' notice if they are worthy of the name.

The Convener: Do we agree in principle on what we are looking for, so that we can put information on the web and people can start responding as quickly as possible?

Mr Wallace: I agree in general with what is proposed. I would be concerned if we were to second-guess what the answers might be to questions such as

"How can Scotland maximise the reduced amount ... available?"

It is fine to ask the question, and members can think of ways of doing so, but if we start to name some things in our questions, we might seem to be excluding others.

Given the importance of focusing, I would be wary of certain things. I do not dispute the importance of opportunities in some of the new member states, but that is a slightly different issue from the way in which we apply structural funds in Scotland, and it might be worth a separate discussion.

The Convener: Perhaps we should get Dennis Canavan on to it once he has finished with Ireland.

Mr Wallace: If we discussed the issue now, it would lead us down an important track, but not one that would allow us to focus on what we are meant to be doing.

Mr Gordon: We were all clear from our recent visit to Brussels that the seventh framework programme on research and development is a far larger cake than the structural funds cake. To tap into funds, bodies will need international partners in other member states. There is therefore relevance to the discussion on structural funds. In due course, some stakeholders may feel that, forby structural funds, they need an alternative route—perhaps the seventh framework programme—to future resources.

The Convener: Information on that could be drawn out as part of our inquiry. If we keep the inquiry tightly to the disbursement of structural funds under the new programmes, that does not mean that other things may not arise that the committee is interested in working on. From what you have just said, I suspect that that is likely to happen.

Mr Wallace: I do not disagree with Charlie Gordon. The only point that I would make is that the other item that we have to consider is the Lisbon agenda. We will talk about FP7 in that context. It is relevant to both subjects; we might want to decide when it would be more fruitful to discuss it.

The Convener: We have already agreed the timetable for the committee's inquiries. We have agreed that we will have a fairly tight inquiry on the disbursement of structural funds. Do we agree to the key questions, subject to placing less emphasis on what has happened and more emphasis on the future? It was also suggested that more detail should be provided on whom we will invite to respond; that less emphasis should be placed on academia; and that the business sector, for instance, should be brought in. Is that agreed?

Members indicated agreement.

The Convener: Any committee member who wishes to can chat with the clerks before the evidence sessions. The committee tends to agree not questions but general themes that we would like to deal with, so that we cover all bases. If anyone has a view on themes that should be raised in oral questioning, they should ensure that we all know them.

Irene Oldfather: Do we have a list of witnesses yet?

The Convener: Paragraph 24 lists suggested witnesses. Jim Wallace talked about other interested parties and suggested that we should expand on the proposal. Any suggestions from committee members about whom it would be useful to take oral or written evidence from should be passed on to the clerks.

Irene Oldfather: Given the current difficulties in Scottish Enterprise and the future focus on urban regeneration and community planning, to which I have referred, I would have thought that we would want local government leads on some matters rather than representatives from Scottish Enterprise. If we take evidence from local government, we will hear about a strong emphasis on community planning and urban regeneration. I recommend that we approach local authorities for evidence.

The Convener: We should also aim for a geographical spread, because the situation in the

Highlands and Islands is likely to be different from that in the lowlands and uplands.

Mr Gordon: We will all suggest that to the clerks.

The Convener: They will consider themselves suggested to.

On research and development, the second item on the work programme—at annex B—is the inquiry into the Lisbon strategy, for which we have a draft remit and timetable. The intention is to focus on how Scotland is performing against the Lisbon targets. The inquiry will complement the work that the Enterprise and Culture Committee did for its business growth inquiry report. Some meetings ago, we agreed that we should not duplicate but complement the work that was done.

Members will see that a draft remit and timetable for the inquiry have been provided. The intention is that, following the meeting, I will write to ask the Executive how it is working to meet the targets and measuring its progress. Before the summer recess, the committee will be asked to agree the call for written evidence. We will seek submissions over the recess and hear oral evidence in the autumn. Is everyone content with that? Are the recommendations sound?

Bruce Crawford: Bullet point 4 of the remit says, rightly:

“in considering the regional dimension, the Committee may wish to compare ... Scotland with other constitutional regions within other Member States”.

However, that focus is rather narrow. Do we need to consider other small independent states in the European Union, such as Ireland and Denmark? That would give us a broad range of comparisons to benchmark ourselves against, instead of a rather narrow focus on constitutional regions. We need to broaden the examination to have a real indication in stats of how we are performing.

Irene Oldfather: I had written on the remit that the suggestion in it was a good idea. We want to compare Scotland with regions that have similar powers and population structures to ours. I disagree with Bruce Crawford: if we compare Scotland with smaller member states, we will not compare like with like.

I have one other point. The European Commission is producing various measures on competitiveness. Are we in Scotland taking maximum advantage of them? It would be helpful to analyse that.

Bruce Crawford: We would find it difficult to survey the European Union and find another constitutional region whose powers exactly mirror ours, unless there is one that is very similar. As far as benchmarking is concerned, we should be throwing our net wider to get a proper comparison.

Irene Oldfather: Well—

The Convener: We are about to end up with a spat between two members. Would anybody else like to give an opinion?

Irene Oldfather: Convener—

The Convener: We are not “anybody else”, Irene—we are the convener and deputy convener.

Irene Oldfather: I want to add something. The committee has a history of bilateral partnerships with other regions, through the network of regional parliamentary European committees—NORPEC—and other organisations. We have co-operation agreements with regions such as Tuscany, and there are regions with which we exchange a lot of information. We did some work with Flanders, Catalonia and other regions for the future of Europe debate. A number of regions find themselves in a similar position to ours. Catalonia is one of the obvious ones. I would not have any difficulty in identifying a few regions whose representatives we could invite and take evidence from.

Dennis Canavan: I do not see why we cannot do both. It would not be too complex to make comparisons with other parts of nation states, such as the members of NORPEC, while considering small EU member states. That would be a useful comparison.

Phil Gallie: The only difficulty that I would envisage would lie in the economic background to the various countries and their national identities. We recognise that there will be massive changes as a result of newcomers to the EU. Most of the newly joined small countries will be looking for fairly large contributions from the UK economy in particular. It might make things a bit difficult if we try to cast the net too widely. The value of NORPEC has yet to be ascertained, but the organisation is in place and would seem to be a reasonable basis on which to make like-with-like comparisons.

Mr Wallace: One factor that is possibly more relevant than whether the comparators include regions of member states with devolved powers or member states is the extent to which Scotland finds itself at the same level at the starting blocks, as it were. For example, we could not do a proper comparison with Estonia, which has emerged from Soviet domination only recently in its history, and which will have different issues. Finland might be thought to be more comparable. Rather than think about constitutional status, it would perhaps be more relevant to consider countries’ population and economic structure.

The Convener: The paper before us suggests:

“the Committee may wish to compare the performance of Scotland with other constitutional regions within other Member States”.

Does any member propose that we change the remit of the inquiry—or set its remit, given that it has not yet been agreed?

Bruce Crawford: Jim Wallace’s approach is sensible. It should be more about the size of the countries or regions and how comparable they are, irrespective of whether they are constitutional regions or member states. What commonality do they have with Scotland’s population, background and current economic development? I am not putting that into a suitable form of words for the remit now.

The Convener: Are you suggesting that we should consider comparable member states and constitutional regions?

Bruce Crawford: That would be helpful.

14:45

Irene Oldfather: We talk about the need to focus when we carry out inquiries, but Bruce Crawford’s suggestion would require us to undertake an exercise to ascertain which member states are comparable with Scotland in economic terms. I thought that our role was to consider the principle of devolved Administrations within member states and whether the Lisbon strategy is sufficiently decentralised in that regard. One criticism of the Lisbon strategy that has been expressed throughout Europe is that member states have too much control and insufficient power is devolved to regional Governments. A big issue in Europe is whether regional Governments and Parliaments have enough of a say on the Lisbon agenda in the context of their member states.

Bruce Crawford’s suggestion opens up a different issue. Scotland’s interests would be better served by our participating in a debate about the role of regions in Europe in the context of the Lisbon agenda.

The Convener: A proposed remit is before the committee, which we can agree or amend as appropriate. Mr Crawford, do you want to propose an amendment?

Bruce Crawford: The remit could indicate that we will consider comparable constitutional regions and small member states.

The Convener: Does anyone want to second Mr Crawford’s proposal?

Dennis Canavan: I will second it.

Mr Wallace: Before we decide on the proposal, we should not ignore Irene Oldfather’s point. What is our inquiry about? Is it about Scotland’s performance against the Lisbon targets or is it about how Lisbon can be implemented effectively through devolved Administrations? The proposed

remit is not clear on that. The paper says that the committee agreed

"To launch an inquiry into Scotland's performance against the Lisbon targets".

In that context, a comparison with Finland might be as relevant as a comparison with Catalonia. However, whether the structure of the Lisbon agenda is such that devolved regions with legislative powers are not sufficiently able to flex their muscles is a different issue.

The Convener: The focus of our inquiry is for the committee to decide. The paper—

Mr Wallace: The two issues are not mutually exclusive.

The Convener: Exactly. The paper says:

"The Committee is invited to agree a remit for the inquiry",

and goes on to say that the committee agreed to

"consider the implementation of the Lisbon Strategy for Growth and Jobs in Scotland."

It is for the committee to decide how we do that.

Irene Oldfather: The proposed remit says clearly that we will consider

"the regional dimension—Scotland's role and responsibilities as a devolved nation within a Member State—including Scotland's contribution to the UK Government's National Reform programme".

The Convener: Yes, but the proposed remit has not yet been agreed.

Irene Oldfather: Jim Wallace asked for clarification on the remit of our inquiry—

The Convener: We have not agreed a remit.

Irene Oldfather: We discussed the remit and the clerks produced a paper on the basis of our discussion. The proposed remit that the paper sets out reflects my understanding, which is that we will consider the regional dimension, because decentralisation is a subject of discussion in the wider EU.

A different remit now seems to have been suggested. The committee might want to change the remit that is proposed in the paper, but what is being suggested does not reflect the committee's previous discussions about the Lisbon strategy. I think that requests that the committee consider the matter came mainly from Mr Gallie and me.

The Convener: Every member of the committee has the right to put forward ideas for inquiries or changes to proposed remits for inquiries. Bruce Crawford has put forward a proposal, which has been seconded.

Mr Gordon: I do not have a problem with Bruce Crawford's suggestion in principle, but I was

considering it in the context of the fourth bullet point, which starts with the phrase

"in considering the regional dimension".

I am open to correction, but I took that to mean considering devolved structures and whether the fact that they are devolved structures has an impact on their economic performance. Although I do not have any problem with the principle of Bruce Crawford's suggestion, he has probably made it under the wrong bullet point.

The Convener: I was not thinking that we were going through the remit bullet point by bullet point.

Mr Gordon: I might have misunderstood.

Dennis Canavan: We can cover Charlie Gordon's point and Bruce Crawford's point by changing the second-last bullet point to read something like: "The committee may wish to compare the performance of Scotland with other countries in the European Union and other constitutional regions within other member states."

The Convener: Bruce Crawford's proposal, which is seconded by Dennis Canavan, is that we agree the remit for the inquiry as drafted with the addition of independent states to bullet point 4, as referred to by Charlie Gordon.

Bruce Crawford: They should be comparable.

The Convener: So the spirit of what you are saying is that we should consider comparable countries and constitutional regions.

Irene Oldfather: When you say comparable countries, do you mean comparable member states?

Bruce Crawford: Correct. Jim Wallace mentioned Finland as a good comparison.

Irene Oldfather: But then he asked for clarification of exactly what the inquiry is about.

Mr Wallace: I think that it is about both questions.

The Convener: We have a proposal; is there a counter-proposal?

Irene Oldfather: I am happy with the remit as it stands because there is more than enough in it to do. If we add other member states, we will not be comparing like with like. The agenda in Europe at the moment is decentralisation.

The Convener: Are you making a counter-proposal that we agree the remit as drafted in the paper?

Irene Oldfather: Yes.

The Convener: Is there a seconder for that?

Mr Gordon: No.

The Convener: Therefore the committee agrees the addition of comparable member states to the fourth bullet point.

If there is nothing else that anyone would like to raise on the Lisbon strategy, the final part of the paper for consideration is the timetable in annex B, which outlines how the committee's business will be managed. Committee members will note that the remaining meetings up to the summer recess are busy. I know that, as members are busy with other committees, there is no appetite for extra meetings unless absolutely necessary, so I make it known that we might have long meetings for a few weeks until the summer recess.

Mr Wallace: Has evidence taking on petition PE804 been timetabled or have I missed something?

The Convener: There is a nota bene at the end of the paper: it is yet to be scheduled.

Mr Wallace: I was looking at the grid.

The Convener: You need to learn to look outside the box, Jim.

Phil Gallie: Jim Wallace's point on that petition was fair, but other petitions come to the Parliament week by week, and evidence taking that is necessitated by other business that injects itself into our work programme will have to be accommodated. Therefore, I presume that the programme is not set in stone but covers the issues that we have identified to date.

The Convener: Yes. It is important that when we ask people to come and give evidence, we give them firm dates. Anything else would be organised around that.

European Commission Work Programme 2006

14:54

The Convener: The next item is our regular consideration of a paper that tracks the areas of interest that the committee has identified in the European Commission's work programme for 2006.

The debate that we had in the Parliament last week on the Commission's work programme was really good; members' speeches were super. Sadly, Phil Gallie missed it—I do not know how.

Phil Gallie: With deep regret. The clerks and the committee agreed to change the date and timing of the debate—

The Convener: I have to say that, having heard Jamie McGrigor speak in your place, we are delighted that you are the committee member. I never thought that I would see the day when Irene Oldfather and I agreed that you were the best thing since sliced bread, Phil.

Phil Gallie: You worry me.

The Convener: I would like to thank the clerks—in the office here and in Brussels—for the work that they have done in putting together the work programme tracker paper, EU/S2/06/6/2. Seeing the programme in this constantly updated format is useful and gives us a much better idea of how things are progressing.

Irene Oldfather: On the globalisation adjustment fund, the paper says:

"No activity to report following launch of fund in March 2006."

However, last week, the issue was discussed in the European Parliament and I gather that the commissioners made a statement that was well received. The main query has been about the amount of money that has been awarded to the fund. Also, the Committee of the Regions has decided to respond to the Commission's paper on the matter. I have been appointed rapporteur on that. There has been some activity over the past 10 days and I can assure you that I will represent Scotland's views in that regard.

The Convener: Good, thank you. The joy of this paper coming up at each of our meetings is that such developments can be reflected the next time we see the paper.

There have been developments in relation to the services directive, which members can read about. There is an accompanying note on the recent developments on the EU financial perspectives for 2007 to 2013, which is an issue that we have been following.

Are there any further comments under this agenda item?

Phil Gallie: Annex B of the paper deals with the EU budget. There has been speculation in the press that the budget, which we believed to have been agreed at the time of the ending of the United Kingdom presidency, has been changed. Annex B talks about

“an extra €4bn for the seven-year EU financing package”.

I understand that an extra £2 billion from the UK is going towards that. I do not quite understand the position or why there has been a sudden change to the figure that was announced at the end of the UK presidency.

The Convener: We can bring information on that to the next meeting.

Pre and Post-council Scrutiny

14:58

The Convener: The next item is our regular scrutiny of the agenda and reports of Council of the European Union meetings. Paper EU/S2/06/6/3 shows that the Executive has started to meet all of its deadlines recently.

Phil Gallie: Very good.

Bruce Crawford: On the meeting of the environment council on 9 March, paragraph 10, on page 14, talks about a public debate on genetically modified organisms and mentions a paper that was tabled by the presidency. I would like to get a copy of that paper and a bit more detail on the outcomes of the debate. Our paper contains some general comments about the outcomes but does not say what each state decided to do.

The Convener: Okay; that can be obtained.

If there are no further comments, we can simply thank the Executive for the information.

Sift

14:59

The Convener: The next item is the sift of European Community and European Union documents and draft legislation, in paper EU/S2/06/6/4. The first item is flagged for this committee and the Enterprise and Culture Committee. It concerns two documents on the Lisbon strategy, the first of which deals with the transfer of businesses and the second of which deals with corporate social responsibility, which is an issue that the committee dealt with before I became a member. Those documents will prove useful during our work on the Lisbon strategy.

The second item is, again, flagged for the Enterprise and Culture Committee as well as this committee. It relates to the services directive. We will continue to monitor the progress of that important legislation.

Does the committee agree to refer the papers to the committees indicated?

Members *indicated agreement.*

Convener's Report

15:00

The Convener: Our final agenda item is my report. The first item is a reply to our letter to Tom McCabe regarding the Executive's contribution to plan D. As members can see, the Executive is not planning a direct response to plan D but is focusing on its building a bridge between Europe and its citizens project. Do members have any comments on that or on the second item, the related letter from Douglas Alexander on the UK Government's proposed activities?

Phil Gallie: The letters reflect the earlier conclusion that the committee drew that the timescales for plan D consultation are total nonsense. It is little wonder that Europe is so misunderstood by people—

The Convener: You always have to spoil it, Phil.

Phil Gallie: I must make the point. This is exactly the sort of thing that brings Europe into disrepute. The plan D exercise has been farcical.

Irene Oldfather: Convener—

The Convener: I knew that she would not let you away with it, Phil.

Irene Oldfather: I was just going to say—

Phil Gallie: That you agree with me.

Irene Oldfather: I agree with your point about the timetable. However, I wanted to welcome the information that we received from John Edward of the European Parliament about the process that is being undertaken in the Basque region, where a conference is to be held on the matter. It would be helpful to get a detailed report on that in due course because I know that the Basque region is also a partner of ours in NORPEC.

The Convener: The third item is a letter from Ross Finnie to the Environment and Rural Development Committee, a courtesy copy of which was sent to this committee. It concerns the use of section 57(1) of the Scotland Act 1998 to allow the Intellectual Property (Enforcement, etc) Regulations 2006 to be implemented for the UK as a whole. The explanation for the proposal is given in the letter.

The fourth item is another letter from Ross Finnie—who has, obviously, been busy in the past fortnight—advising the committee that the Greenhouse Gas Emissions Trading Scheme (Amendment) Regulations 2004 entered into force on 6 April 2006 on an all-UK basis, for the reasons given.

The fifth item is a response from the Scottish Executive to two points that we raised at the last

meeting under pre and post-EU council scrutiny. The first relates to language learning, which was raised by Irene Oldfather, and the second relates to the definition of vodka, which was raised by Phil Gallie.

Dennis Canavan: The Executive's reply to Irene Oldfather's point is an absolute disgrace. The committee agreed to ask the Executive how Scotland was performing on modern language learning, and noted the importance of Scottish children learning two languages other than their mother tongue. However, I see no statistics for children learning two languages other than their mother tongue. The percentage figures for children from primary 6 to secondary 4 are difficult to believe.

On the number of pupils who sat national qualification examinations in languages—not the number who passed—the Executive uses global figures rather than percentages. There is no indication of what percentage of the cohort those figures represent. We should express our dissatisfaction with the Executive's response and ask for more detailed figures. My guess is that the Executive is trying to hide how bad Scotland does on language learning compared with other EU countries. It should be more honest and give us fuller statistics.

The Convener: My concerns mirror yours, Dennis. Irene, as you raised this important issue, would you like to say something?

Irene Oldfather: Dennis Canavan has picked up the points well. We are told that 99 per cent of pupils in primary 6 are studying languages but I get the impression that that might be a 15-minute slot somewhere in the week. Of course, that is not reflected in the statistics. The response does not adequately answer the questions that were asked. I think that we should write back to the Executive.

The Convener: Do we all agree to do that?

Members *indicated agreement.*

The Convener: Phil Gallie, what are your thoughts about the response to the vodka question?

Phil Gallie: I am grateful for the response. I am slightly surprised by it but I will take the issue forward with Diageo and others and try to confirm what the Executive has said. It might be that English products use measures other than grain measures. That might well affect Scottish producers with respect to bottling and so on. I just do not know.

The Convener: The sixth item in the paper is a letter from Tom McCabe, which follows up on the evidence that he gave to the committee on 28 February on the outcomes of the G8 summit. The letter updates us on progress on the

recommendations that were made in the committee's report on the Scottish Executive's preparations for the summit and the UK presidency of the EU and Scotland's contribution to those events.

Members will note that Patricia Ferguson is appearing before the committee at our next meeting to discuss progress on the Executive's international development policy, which ties in with this item.

Finally, I draw to members' attention the Civicus world assembly in Glasgow from 21 to 25 June. Members will remember that Kumi Naidoo, the chief executive of Civicus, visited the Parliament when we debated Africa prior to the G8 summit. The Scottish Council for Voluntary Organisations met him the other day. It has made a successful bid for the Civicus world assembly to be held in the Scottish Exhibition and Conference Centre in Glasgow for the next three years, which is marvellous. Almost 1,000 delegates from civic society around the world will come to Glasgow for those three assemblies.

Civicus is an international organisation whose aim is to promote civil society around the world, especially in those areas where democracy and freedom of association are threatened. I hope that there will be ways in which members of this committee can take part in the assembly. There will be lots of workshops and sessions and I believe that a delegation will come to the Parliament. Under the auspices of the cross-party group on international development, Des McNulty and I will be hosting SCVO when it comes to give information to MSPs about the Civicus assembly and how people can contribute to it. I assume that all members of the committee will be extremely enthusiastic about taking part.

Dennis Canavan: Will you send us full details?

The Convener: Yes.

That brings the meeting to a close. The committee will next meet on Tuesday 9 May at 2 o'clock.

Meeting closed at 15:09.

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