

EUROPEAN AND EXTERNAL RELATIONS COMMITTEE

Tuesday 20 June 2006

Session 2

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EUROPEAN AND EXTERNAL RELATIONS COMMITTEE

10th 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)
Richard Lochhead (Moray) (SNP)
Nora Radcliffe (Gordon) (LD)

*attended

CLERK TO THE COMMITTEE

Alasdair Rankin

ASSISTANT CLERKS

Emma Berry
Nick Hawthorne

LOCATION

Committee Room 4

Scottish Parliament

European and External Relations Committee

Tuesday 20 June 2006

[THE CONVENER opened the meeting at 14:10]

Items in Private

The Convener (Linda Fabiani): Good afternoon, everyone. Welcome to the 10th meeting of the committee in 2006—our final meeting before the summer recess. We have received apologies from Charlie Gordon, who is attending a meeting of the Edinburgh Airport Rail Link Bill Committee.

The first item is to consider whether to take in private items 7 and 8, which are discussion and agreement of the draft report on the structural funds inquiry and of Dennis Canavan's draft report on co-operation between Scotland and Ireland. Are members agreed?

Members indicated agreement.

European Commission Growth and Jobs Strategy Inquiry

14:11

The Convener: Item 2 is the committee's inquiry into the European Commission's strategy for growth and jobs, or the Lisbon strategy as we know it. When the committee agreed the remit for the inquiry back in April, we agreed that the general call for evidence would be based on information supplied by the Scottish Executive on the targets it is using to measure its progress against the Lisbon targets. That information has now been received and is attached at annex A to paper EU/S2/06/10/1. The call for evidence is framed around a number of questions seeking views on the Executive's progress against those targets.

Our next step is to agree the call for evidence. It is intended that the call for evidence will be posted on the Parliament's website, but we should also write specifically to some relevant organisations to invite them to respond. Members have received an additional paper, EU/S2/06/10/1a, which sets out a number of organisations that we could consider inviting. It has been suggested that we stop taking written evidence on 22 August. After discussion with the clerks, I suggest that we bring the deadline forward to 15 August—that gives us seven weeks, which is ample. We should also give some thought to whom we would like to take oral evidence from in the autumn. The paper sets out a provisional timetable for that, along with suggestions for witnesses from whom members may wish to hear. Do members have any comments on the report and the paper?

Phil Gallie (South of Scotland) (Con): We could bring the deadline forward to 15 August, but I would like to think that we are flexible enough to accept late contributions. Outsiders—let us say—have holidays as well. We should take account of that.

The Convener: The deadline would give us time to get the bulk of the evidence together before we come back after the recess. As always, any additional evidence could be taken into account.

Phil Gallie: That is fair enough. Looking at the list of possible witnesses, particularly on research and development, I wondered whether the Royal Society of Edinburgh would have any useful input. My other suggestion is Prospect, the trade union for managers and scientists, which is very much involved in research and development. Even as a Tory, I suggest that the committee might like to consider inviting Prospect along to give us its views.

Dennis Canavan (Falkirk West) (Ind): I have a comment on possible witnesses to give oral evidence. There is specific reference to Universities Scotland in the list, but I do not see any reference to the colleges of technology and so on. There is an umbrella group called the Association of Scottish Colleges, which has an office based in Stirling. That group should be invited too.

The Convener: I think that everyone would agree with that.

Bruce Crawford (Mid Scotland and Fife) (SNP): I agree with Phil Gallie that we should get information from Prospect; the Scottish Trades Union Congress generally would be a good idea, as would the chambers of commerce, to ensure that we plug into that particular group.

14:15

Irene Oldfather (Cunninghame South) (Lab): I have the STUC down as well, so I agree with Bruce Crawford that that is quite important. We have written a European dimension into the call for evidence and although we are putting it on our website, we wanted to have a comparator with another member state or region, and I do not know how many member states or regions might look at our website. I wonder whether we should target that a little bit more and ask for specific information.

I am also aware that the Local Government International Bureau, which represents local authorities in England and Wales, is doing a significant amount of work on sub-national strategies, so we should speak to it.

Would we want to invite someone from the European Commission? We could ask it what role it believes that regional Governments and Parliaments have and then put that to the Executive. I think the Commission would be quite supportive.

The Convener: Perhaps we could ask someone from the Commission to give oral evidence when we have the panel of witnesses giving evidence on the regional dimension.

Members will notice that paragraph 7 of the additional paper says that, during the recess, the clerks and the Scottish Parliament information centre will undertake some comparative research on member states. It would be worth while to ask people for submissions as part of that research.

Mr Jim Wallace (Orkney) (LD): Convener, you might have answered my point when you said that some comparative research is being undertaken, but I remember that we discussed our remit for this investigation and it says that we are to

"compare the performance of Scotland with other constitutional regions within the EU and comparable Member States".

That comparative dimension is not clear in respect of some of the people to whom we are writing. I do not know whether consular representatives would be able to speak about that, but perhaps someone from their embassy in London would.

The Convener: I hope that the research that SPICe and Emma Berry will do will show that up. The research might suggest whom to ask for evidence and we could invite someone to a further oral evidence session to give us that information. That is an important part of it.

Irene Oldfather: That is important.

The Convener: As there are no other comments, we will publish the call for evidence before the summer recess. Jim Wallace, did you have something else to contribute?

Mr Wallace: Are you doing the draft call for evidence separately?

The Convener: No, I am putting it all together.

Mr Wallace: Can I make a point about the draft call for evidence?

The Convener: Yes, of course.

Mr Wallace: I am looking at annex B of paper EU/S2/06/10/1, and the paragraph under the heading "Regional dimension". When I first read the question

"How much consultation did the Scottish Executive hold when in dialogue with the UK Government",

I took it to mean the exchanges between the Scottish Executive and the United Kingdom Government, and the chances of us getting some insight into that are fairly remote. No doubt the person who drafted the paper will tell me whether I am right, but perhaps the intention is to find out how widely the Scottish Executive consults to inform its dialogue with the UK Government. Could that amendment be taken on board?

The Convener: I see what you mean; it could be read either way.

Irene Oldfather: That has just reminded me of something. The Committee of the Regions did some research into the views of regional and local government on the strategy, and it might be worth getting a copy of that to help the clerks to undertake their research over the summer.

Phil Gallie: On Irene Oldfather's suggestion about inviting representatives of the European Commission, it is the Commission's strategy that we are looking into. If we are going to invite Commission representatives to give oral evidence, can we ensure that we do not invite them to come right at the beginning, so that we can formulate

some views first? As well as that, can we not put them at the very end? Perhaps we could invite them to come about two thirds of the way through, when they could be very useful.

The Convener: I am laughing because when you started talking, Phil, I was about to suggest that we invite them to come for the third session, then you said that you did not want them to come at the very end either. It sounds like you want them to come for the second session.

Phil Gallie: It will have to be.

The Convener: I can see what you are saying. It makes sense. We will juggle the three sessions to obtain optimum benefit from the witness from the European Commission. I understand what you are saying. That should not be a problem, if everyone agrees to that.

Do members have other comments? I should have made it clear that we are discussing the original paper and the additional paper. If everyone is happy, we are on the way with that inquiry, which is good. We will take evidence in the autumn.

European Commission Work Programme 2006

14:20

The Convener: Agenda item 3 is our regular paper that tracks the items in the Commission's work programme that the committee has identified as potentially being important to us. The paper includes updates on the European institute of technology and on the maritime strategy green paper.

The maritime strategy green paper represents a substantial consultation. Much interest has been expressed in it, but we do not have enough time in our work programme to do justice to it. The Environment and Rural Development Committee is considering an inquiry into marine environment issues and I think that we should write to that committee's convener to highlight the green paper for inclusion in that committee's inquiry. Are members happy with that?

Members indicated agreement.

The Convener: The other update is that Alyn Smith's office held a seminar on the European institute of technology that involved various educationists and others in Scotland. If anybody is interested in his report of that seminar, I can let them have a copy.

Pre and Post-council Scrutiny

14:21

The Convener: Item 4 is our regular scrutiny of agendas and reports of meetings of the Council of the European Union. Do members have any comments on paper EU/S2/06/10/3?

Bruce Crawford: Page 5 of our paper refers to a directive on priority hazardous substances in water and says:

"Defra propose to hold meetings with stakeholders on the Commission proposals. The Scottish Executive is working with Defra on these proposals".

I would like to understand what that is about. Does the directive concern drinking water or river water? What are the issues? Such a directive might end up having a significant effect on Scottish Water and its profile for the next four years, which I think it is to announce this week. The earlier we know about a new directive on priority hazardous substances that goes beyond the previous water directive, the better.

The Convener: We can ask for more information on that.

Phil Gallie: I have a question that probably links in with the work that Jim Wallace is doing. Page 7 gives information on better regulation. What thoughts does the Scottish Executive have on that? Has it given input? Has it expressed our concern that we are being tied up by regulation that comes from Europe, rather than by how we implement that regulation, although the Executive should consider that anyhow? It would be interesting to know the Scottish Executive's response.

The Convener: We can make that inquiry. The information may well be useful to Jim Wallace's work.

Irene Oldfather: I have a point about the post-council report on the education, youth and culture council on page 15. The committee has examined statistics on language learning and I note that Mr Peacock attended the council meeting on 19 May. At that meeting, it was agreed that

"pupils should be tested in two foreign languages at the end of ... level II (ages 9-14 in the UK). However, in those Member States where only one foreign language was taught at that level, testing of the second language would be at ... 15 – 19 and therefore after the end of compulsory education in the UK".

It would be interesting to ask the Executive what plans or progress will be made to meet those objectives, which are substantial. It is not clear from the report whether the UK will fall into the second or the first category; I am not sure.

The Convener: We can certainly write and ask about that. The matter has come up many times at the committee.

Mr Wallace: My point is perhaps pedantic. The pre-council agenda for the competitiveness (internal market, industry and research) council on 29 June looks like a report of a meeting that has already taken place. It states:

"Council reached political agreement on a draft Directive"

and

"Council took note of a Presidency progress report",

yet the meeting is not due to take place for another 10 days. Is the date wrong? I do not know. Perhaps the meeting was on 29 May.

The Convener: It is obviously the lawyer in you that noticed that. It might be because of the way in which it was drafted, but we can certainly check.

Mr Wallace: Do you see my point?

The Convener: Yes.

Mr Wallace: The matter that I am interested in is the seventh framework programme for research and technological development, which we have mentioned on a number of occasions. There appears to have been a substantive outcome on that.

The Convener: When we thank the Executive for all the information it has sent, we can ask it to clarify that.

Mr Wallace: The other one that I want to mention is definitely a post-council report. It is on the agriculture and fisheries council.

The Convener: What page, Jim?

Mr Wallace: It is on the last two pages. The report gives a breakdown of the discussion on the future of the European fisheries fund. It states:

"The issue may be raised at June Council, but most likely it will be left to the Finnish Presidency to consider how to unblock this impasse."

That has important implications for many fishing communities and the industry. We will be kept informed during the process, but we should ask for information on any initiatives that our ministers are taking to contribute to—

The Convener: To unblocking the impasse. Yes. We have got quite a lot of action out of agenda item 4.

Sift

14:26

The Convener: Agenda item 5 is the sift. I draw members' attention to the section on documents of special importance, the first of which is on the indicators and benchmarks for the Lisbon objectives on education and training. That is relevant to the Education Committee and the Enterprise and Culture Committee and it might be relevant to our Lisbon inquiry, which will start in the summer with a call for submissions and continue in the autumn with oral evidence taking.

The second document is relevant to us and the Enterprise Committee and is on the seventh framework programme. We will continue to monitor developments in relation to FP7. In discussing the matter earlier, we thought that it might be worth adding it to our tracker paper because it is such an important issue. We discussed it when we were in Brussels and we regularly return to it, so let us add it to our tracker. Is everyone happy with that?

Members *indicated agreement.*

The Convener: The third and final document is relevant to us and to the Environment and Rural Development Committee. It provides an analysis of the consultation responses to the green paper on energy efficiency. That might be useful in our energy efficiency inquiry, which responds to a related green paper.

Does the committee agree to refer the documents to the committees that I mentioned?

Members *indicated agreement.*

Convener's Report

14:28

The Convener: Agenda item 6 is my regular report to the committee.

The first item is a draft letter from the committee to the European Commission that responds to part of the green paper on the European transparency initiative. We agreed to send the response at our previous meeting, but I wanted to give members sight of the letter before it is signed and sent. Do members have any comments on it?

Members: No.

The Convener: Everyone is obviously delighted with it. Shall I move on?

John Home Robertson (East Lothian) (Lab): It is eloquent.

The Convener: The second item is information on genetic modification-free zones, which Bruce Crawford requested at a previous meeting. Do you have any comments, Bruce?

Bruce Crawford: When I looked at the list without reading the text at the top, I thought, "Wow. There are lots of regions that have declared themselves GM-free." However, in reality the standing of GM-free zones is no stronger than the standing of nuclear-free zones. The response led me to ask the following question. It might be the declared wish and intent of those areas to be GM free, but how many of them have adopted that into policy—via planning or other processes—and put it into effect? I do not know whether we can dig further and find out, but it would be useful for me to know.

The Convener: We can certainly try.

Mr Wallace: It would be interesting to know how the Highlands and Islands declared themselves a GM-free zone. I am not sure what forum there is for them to do that. Highland Council could—

John Home Robertson: They could, but it would not mean anything.

Mr Wallace: No. I am just not sure where the islands would come into it.

Dennis Canavan: Perhaps the island authority, Comhairle nan Eilean Siar, took the decision to do it along with Highland Council.

14:30

Mr Wallace: I do not remember.

The Convener: Does anyone?

Bruce Crawford: It may well be the same as for nuclear-free zones, a declaration on which has

been made in other parts of Scotland and which John Home Robertson tries to encourage so much. The underlying question is: what are the powers to do that? I am being a bad man again, John.

Phil Gallie: We should go for nuclear-free zones—[*Interruption.*]

The Convener: There is a lot of whispering going on.

Phil Gallie: I was just saying that we should go for nuclear-free zones all over Scotland, apart from in Ayrshire, Dumfriesshire and East Lothian.

The Convener: I think that we should leave the subject for another time.

The third item in my report is a copy of a letter I sent to Jimmy Hood MP, following our discussion on the next meeting of the European Chairs-United Kingdom group—see how quickly I managed to act. Of course, that meeting brings together the chairs of the European committees in the House of Commons, the House of Lords, the National Assembly for Wales and the Northern Ireland Assembly. Do members have any comments?

Members: No.

The Convener: The fourth item is correspondence from the Scottish Executive on a Council directive on the minimum rules on the protection of chickens that are kept for meat production. I suggest that we note the information that it contains.

Irene Oldfather: I think that I asked for clarification on that. The information that we have received from the Executive is helpful. I note that the proposal applies only to flocks of more than 350 birds. I will follow up the information by way of written questions.

The Convener: Good.

The fifth item is to update members on the latest position in respect of the legislative consent motion on the UK Parliament's Legislative and Regulatory Reform Bill. Members may remember that we took evidence some time ago on the original legislative consent memorandum for the bill. We expressed several deep concerns about the proposals.

John Home Robertson: Yes. What has happened about that?

The Convener: I am about to tell you.

John Home Robertson: Oh, good.

The Convener: I could do it if you would just be quiet.

John Home Robertson: I want to get George Lyon back and give him another doing.

The Convener: Mr Home Robertson, that is hardly gentlemanly.

Mr Wallace: It is now in the *Official Report*. [*Laughter.*]

The Convener: Okay. Since that time, the bill has been amended significantly. John Home Robertson will be pleased to know that the Executive is due to come back to the committee to give evidence on the bill again. However, the timetable at Westminster having slipped, we will not be considering the bill again until after the summer recess. We put a few slots into our agenda for it, but we were advised of the slip in the timetabling; the Executive also told us that it could not come back on the matter until the timetable was clear.

The Executive has said that it would like to have the motion agreed before Westminster reconvenes in October. Before we make our report to the Parliament, I am sure that everyone will want to have the appropriate time in which to consider the bill properly, take evidence and satisfy ourselves that all our questions have been put and our concerns raised. Therefore, I have provisionally scheduled an evidence session for our first meeting after the recess. That should give us sufficient time to consider our draft report before the motion is timetabled for chamber debate.

John Home Robertson: Will we have the information by that time? Do the clerks expect to receive the revised document in time?

The Convener: Yes. However, having said that, we have felt that way before. Surely this time, when we are talking about a date that is only about two months away, we should get it. We need to give the bill ample discussion; the strength of feeling when it came before us previously was such that that is warranted.

The penultimate item is to update members on the fact that we still await a response from the European Commission to our letter on public sector pensions.

The final item is to update members on the latest position on petition PE804, which was submitted by the Cod Crusaders. We still have not had a response from Ben Bradshaw to the invitation that we sent back in April. Last week, the clerks were in touch with Mr Bradshaw's office to press the issue. We were asked to resend the invitation, so we have resent it. The clerks have been told that the issue will be brought to Mr Bradshaw's attention again this week, so we are hoping for a quick response. Even though recess is coming up, I will keep pushing until we get a response. Time is passing.

Phil Gallie: I appreciate the work that has been done to keep the pressure on. However, although the invitation was passed to Mr Bradshaw, our original intention was to speak to one of the ministers responsible for constitutional matters, especially those relating to Europe. Mr Bradshaw is not really the person we wanted to speak to. If his response is negative, the invitation should perhaps be resent to the minister we originally intended—the Minister for Europe.

Nick Hawthorne (Clerk): We sent the original letter to Douglas Alexander, who was then the Minister for Europe. Mr Alexander's office got in touch with us to say that it did not feel that the invitation was appropriate for him and that it would refer the matter to Mr Bradshaw. That is how the present situation came about.

Phil Gallie: I am grateful for that explanation.

The Convener: I must admit that I am starting to get annoyed about this. I will keep on, and if we do not receive a satisfactory response from Ben Bradshaw, we should go back to the Minister for Europe, in the new incarnation.

Dennis Canavan: I am perplexed. Why were our clerks asked to resend the invitation? Was the original lost in the post?

The Convener: The person whom Nick Hawthorne spoke to seems to have been unaware what the invitation was, so it was resent.

Irene Oldfather: Phil Gallie's remarks have made me think. Douglas Alexander is now the Secretary of State for Scotland. If Ben Bradshaw were unavailable, there are two possibilities: either we view it as a fishing matter and invite Ross Finnie; or we issue the invitation to the Secretary of State for Scotland, Douglas Alexander, given that he has a background in Europe. A third possibility is Geoff Hoon, who is now the Minister for Europe.

The Convener: If we do not get a response within the next couple of weeks, I intend to write again. Geoff Hoon would have to be in the frame at that point. I do not see why we should not write to Douglas Alexander as well to say that he will be aware of the invitation and we still have not had a response. Is everyone content with that?

Members indicated agreement.

The Convener: We are now almost at the end of the public part of our meeting and there is something that I would like to say. Many of you have worked with Nick Hawthorne for a lot longer than I have, especially Irene Oldfather, Dennis Canavan and Phil Gallie.

Irene Oldfather: He is not leaving us, is he?

The Convener: He is. Nick was very quick to point out to me today the *Official Report* of last week's meeting where I said:

"What would I do without Nick Hawthorne?"—[*Official Report, European and External Relations Committee Committee*, 6 June 2006; c 1961.]

[*Laughter.*] All joking aside, I am not saying anything against the lovely Emma, but I am a bit worried that Nick will not be with us any longer. He is moving on to another committee. He has been a fount of information and has helped me so much in the short time that I have been convener, and I know that others feel the same. I put on the record that I thank him very much.

Dennis Canavan: Is he on a Bosman contract or can we demand a transfer fee?

Irene Oldfather: As someone who has worked with Nick for a very long time, I wish him all the best on behalf of committee members. He will be very much missed.

Nick Hawthorne: Thank you.

The Convener: We will go into private now before we all start crying.

14:39

Meeting continued in private until 16:04.

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