

EUROPEAN AND EXTERNAL RELATIONS COMMITTEE

Tuesday 18 September 2007

Session 3

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EUROPEAN AND EXTERNAL RELATIONS COMMITTEE

4th Meeting 2007, Session 3

CONVENER

*Jackie Baillie (Dumbarton) (Lab)

DEPUTY CONVENER

*Alex Neil (Central Scotland) (SNP)

COMMITTEE MEMBERS

*Ted Brocklebank (Mid Scotland and Fife) (Con)

*Alasdair Morgan (South of Scotland) (SNP)

*Irene Oldfather (Cunninghame South) (Lab)

*John Park (Mid Scotland and Fife) (Lab)

*Gil Paterson (West of Scotland) (SNP)

Iain Smith (North East Fife) (LD)

COMMITTEE SUBSTITUTES

Keith Brown (Ochil) (SNP)

Jackson Carlaw (West of Scotland) (Con)

Karen Gillon (Clydesdale) (Lab)

Jeremy Purvis (Tw eeddale, Etrick and Lauderdale) (LD)

*attended

THE FOLLOWING ALSO ATTENDED:

Malcolm Chisholm (Edinburgh North and Leith) (Lab)

Margo MacDonald (Lothians) (Ind)

THE FOLLOWING GAVE EVIDENCE:

Linda Fabiani (Minister for Europe, External Affairs and Culture)

◊ Ian Hudghton MEP (SNP)

◊ John Purvis MEP (Con)

Catherine Stihler MEP (Lab)

◊ by videolink

CLERK TO THE COMMITTEE

Dr Jim Johnston

ASSISTANT CLERKS

Emma Berry

Lucy Scharbert

LOCATION

Committee Room 1

Scottish Parliament

European and External Relations Committee

Tuesday 18 September 2007

[THE CONVENER *opened the meeting at 10:32*]

European Issues

The Convener (Jackie Baillie): Good morning, everybody. I welcome you to the fourth meeting of the European and External Relations Committee in the third session of the Scottish Parliament. We have received apologies from Iain Smith and we will, I am sure, be joined by our colleagues Irene Oldfather and Alex Neil shortly.

Before we move to item 1 on the agenda, I draw members' attention to the buff-coloured paper that is on their desks. The paper was received this morning from the Scottish Government, and relates to the Government's European Union priorities. It would be helpful to have information from the Scottish Government well in advance of, not on the morning of, committee meetings. I acknowledge that it is a summary of papers that have been presented to us, but for committee members' sakes we do not want that practice to continue.

First, we will take evidence on general European issues from three of our Scottish MEPs. I welcome Catherine Stihler, and—from Brussels via videolink—Ian Hudghton and John Purvis. Committee members will recall that, as part of the work programme that we agreed at our previous meeting, we said that we want to work closely with our MEPs in the course of developing our own work—in particular by using the opportunity that is presented by videolinks. The purpose of this agenda item is to enable members to discuss European issues from the perspective of the European Parliament and Scottish MEPs.

We will start the session with five-minute opening statements from Catherine Stihler, Ian Hudghton and John Purvis, and then move to general questions from the committee. Given the possibility of technical delays with the videolink, I want to keep this part of the meeting fairly tight in order to ensure that all members have an opportunity to speak. I would be grateful if Ian and John in Brussels could indicate when they wish to speak, in order to allow me to invite them in. All members should speak slowly and clearly, and avoid interruptions.

I ask members of the committee to introduce themselves.

Alex Neil (Central Scotland) (SNP): I apologise for being late. I am Alex Neil MSP, the vice convener of the committee.

Alasdair Morgan (South of Scotland) (SNP): I am Alasdair Morgan.

Gil Paterson (West of Scotland) (SNP): I am Gil Paterson.

Ted Brocklebank (Mid Scotland and Fife) (Con): I am Ted Brocklebank.

John Park (Mid Scotland and Fife) (Lab): I am John Park.

The Convener: Our colleague Malcolm Chisholm MSP is here for the meeting and Margo MacDonald may also make an appearance. I am Jackie Baillie, the convener.

Catherine Stihler MEP (Lab): Thank you, madam convener. I congratulate you on your elevation—today's meeting will probably be your last in this committee.

It is important that the committee has shown an interest in our work and has already visited Brussels. I hope that last week's visit was good for members and that we maintain a close relationship, with members visiting institutions and learning about our work and how you can influence it.

Before the meeting, we were asked to consider the committee's work programme, which looks realistic. The annual consultation of subject committees and stakeholders on the European Commission's work programme is vital to your being able to influence the process. One example of early consideration and influence in the legislative process was the successful maritime policy conference and seminars that were held last year, which gave stakeholders a chance to contribute to the consultation.

The consultation has now ended and Commissioner Joe Borg indicated back in June that we will perhaps next month see what is called a blue paper—I have never heard of a blue paper, but it is appropriate for maritime policy—which will outline the shape of future maritime policy. The Commission will probably concentrate on four issues: maximising economic use of the oceans and seas in a sustainable way; attributing a maritime role for Europe in the world; making the most of knowledge and innovation; and ensuring a high quality of life in our coastal regions.

Another issue is the creation of the European Union's waterborne technology platform, through which scientists and researchers, people in industry and policy makers can co-operate. Scotland could contribute to that body—if it is not already doing so.

I turn to the scrutiny of European legislation and the nomination of rapporteurs. Three of the big issues that we are dealing with in the European Parliament are the reform treaty, climate change and security of the energy supply—I am sure that John Purvis and Ian Hudghton will add to that.

Another issue is the European year of equal opportunities for all. As we approach the end of 2007, it is appropriate to talk about some of the issues in Scotland on which we need to work with the European Union: I am thinking, for example, about gender issues. The European Union raised the issue of equal pay for equal work, but we still have a pay gap between men and women throughout the EU, so we must consider that.

We must also keep language skills on the agenda—after all, it is a European Union policy that we speak our mother tongue plus one, if not plus two. In Scotland, we still have an issue with that. I have written to ministers to press the point that we must enable our citizens to participate fully, for which languages are important. I draw it to the committee's attention that one of the most popular podcasts at the moment is on Spanish. I learned about it when I was in California, but it is produced in Glasgow. Two Glaswegians are teaching the world Spanish—the podcast is the second most popular download on iTunes. We should celebrate that and realise that it is an interesting and accessible way for people to learn languages. If members are interested, the website is at www.coffeebreakspanish.com. If members have not already checked it out, I suggest that, in their eagerness to learn a foreign language—I am sure that many are eager—they do so.

I will quickly draw members' attention to two issues on which we have a good story to tell and on which we can influence European policy. The first is the white paper on a smoke-free Europe. Last week, evidence emerged that the smoking ban in Scotland has had a direct impact and has improved public health. As we debate that at Europe level, it will be important for the Scottish Executive to present evidence from Scotland and to exert pressure. I am sure that Commissioner Kyprianou would welcome Scotland's evidence on how to improve public health.

The European Parliament is currently debating the children's rights agenda. Our work to tackle child poverty is important, given that one in five children in the European Union is living on the brink of poverty. The roles of the commissioner for children and young people in Scotland and of the Scottish Youth Parliament are important in our dialogue with young people in Scotland. Tomorrow, I will be welcoming a group of Roma children from Scotland, who are part of a Save the Children delegation and will discuss their experiences during a visit to the European

Parliament, which I hope the committee will welcome.

I work on the Committee on Fisheries and the Committee on Regional Development. In the Committee on Fisheries, I have been awarded the rapporteurship on authorisations for fishing activities by Community vessels outside Community waters and the access of third-country vessels to Community waters. If the European and External Relations Committee is interested, I would very much welcome any evidence that it wishes to give me for my report on that subject.

The Committee on Regional Development is discussing the fourth cohesion report and, as a member of that committee, I am performing a shadowing role on issues relating to volunteering. Again, I would welcome any input from the European and External Relations Committee on that subject.

I hope that I have kept to my five minutes. Thank you for allowing me to speak, convener.

The Convener: I will tell members who do not have 15-year-old daughters what iTunes and podcasts are later. I was pleased that I could follow everything that Catherine Stihler said.

We will now hear from Brussels: I invite Ian Hudghton to contribute.

Ian Hudghton MEP (SNP): I welcome the flying start that the European and External Relations Committee has made. There have already been two opportunities for your committee and Scottish MEPs to meet, and I am sure that we all found those meetings useful.

Our work programme is, as ever, a major challenge, because of the throughput of legislation, regulation and changes to regulations here in Brussels. A couple of weeks from now, we will have a plenary session in Strasbourg, on the agenda for which are about 40 reports that are at various stages, and an assortment of declarations and resolutions—including, as Catherine Stihler mentioned—the action plan on maritime policy, which is key to Scotland's interests. I am sure that, as we do, the European and External Relations Committee will play close attention to that action plan, not just to help to assure Europe's place in the world on maritime policy, but to highlight Scotland's place in the European Union on maritime policy. We have a great deal to offer and, potentially, to gain if such a policy is devised. It could enable us, for example, to develop our port and maritime transport activity, including hub services, which could make Scotland a bridge between Europe and the rest of the world, which would be of benefit to our suitable location.

I have always said that, in considering a European maritime policy, we ought to learn

lessons from the common fisheries policy. As a maritime policy—of a sort—the CFP has not been outstandingly successful. I have told the Commissioner for Fisheries and Maritime Affairs time after time that, if we are to start with an overarching European maritime policy, we should not start from the CFP.

On that subject, the autumn negotiations leading up to the December quota round are under way. Although that is an intergovernmental process that does not directly involve MEPs, I am sure that the committee will, as we will, be interested to know how it goes, and that you will press for the best possible deal for Scotland and the strongest possible representation of Scotland's interests.

An initiative report on a roadmap for renewable energy is coming up at the next Strasbourg plenary session. I know that we, the Scottish Parliament and the Scottish Government are all interested in pushing our potential to contribute to Europe's overall energy shortage, potentially by using Scotland's energy surplus.

10:45

The Committee on Fisheries, on which I serve with Catherine Stihler, Struan Stevenson and Elspeth Atwool, is important. I am also on the Committee on Internal Market and Consumer Protection and, as a shadow rapporteur for that committee, I have just started to examine a new directive that is designed to tighten up regulation in relation to timeshare properties and similar leisure or holiday concerns. The original timeshare directive has been successful to an extent, but has had the effect of driving rogue operators into other areas of activity. Anyone who goes on holiday in the Mediterranean will still find themselves being pestered on the street by people trying to sell holiday clubs and other variations on the theme of timeshares. I would be interested to hear from MSPs who have constituents who have relevant experiences to share on the subject that might help to ensure that we address all the issues relating to selling and regulation in this area.

The reform treaty—or the constitution by another name—is at the intergovernmental stage. Once the final draft is agreed, the European Parliament will consider it. I have no doubt that, again, we should all pledge to ensure that Scotland's interests in the current negotiations are kept to the fore so that we can have a say in the shaping and framing of this important document.

With regard to the work of the Committee on Fisheries, Elspeth Atwool—I think—is our rapporteur on the relatively obscure topic of rights-based management in fisheries, which could end up having significant consequences in upsetting what is already a difficult and precarious situation

with regard to allocation of fishing opportunities. We will be paying a lot of attention to how that matter develops, as the Commission is perpetually trying to make the CFP work within a difficult framework, which I might call an impossible task.

Our Committee on Constitutional Affairs is considering proposals for a new division of seats in the European Parliament after 2013. Various treaties have adjusted the number of seats to take account of enlargement while trying, rightly, to keep the overall size of the European Parliament as workable as possible, in a multilingual environment. That is another issue to watch, because the number of seats that the United Kingdom ends up with will have a knock-on effect on the number of seats for Scotland. Of course, members are aware of the proposal to reduce Scotland's number of MEPs from the next round of elections. There is a lot of division about the Committee on Constitutional Affairs's current proposal and I think that many amendments will have been tabled by the deadline later on today. That is one area in which we should be pushing the fact that, because of Scotland's unique geography and other factors, it is difficult for a handful of MEPs to get around the country, tap into public opinion and represent the broad spectrum of opinion in Scotland across all the areas with which the European Parliament is concerned.

John Purvis MEP (Con): I am on the Committee on Economic and Monetary Affairs, which deals with competition policy, financial services, taxation and—of course—economic and monetary affairs. I am also on the Committee on Industry, Research and Energy.

I will run through issues that are currently being worked on and which will come up in those committees in the next few months so that members will have time to get involved with them and make representations, if they want to do so. Some issues that I will mention are not devolved, but are nevertheless important for Scotland. Members may therefore want input to the process.

On competition, state aids are always a ticklish point in Scotland, especially in the light of its remote areas and its transport issues. The Commission is eager to try to defuse the problem and, by using a *de minimis* approach and other processes, not to require strictest application of competition rules in remote areas where such issues are a particular problem. Members should not hesitate to contact me if their constituents have problems in that area.

The two main financial services issues that will be dealt with in the next few months are consumer credit and mortgage credit. The latter is a topical issue that affects the man and woman in the street as well as the whole financial set-up. There are

particular interests in Scotland—I am thinking about the mortgage companies. Investment management and banking issues and the structure of regulation in those areas will probably also arise in the next few months. Members should pass on any input on those matters from the Scottish financial services industry.

Accounting standards are a related issue. In Europe, we are moving to international financial regulatory standards, which companies will adopt, but the question is whether those standards will be adopted elsewhere in the world. The Americans are coming to terms with our standards, and I think that they will allow them to be used in America. Sir David Tweedie, who is a Scottish accountant, is heading that movement in the International Accounting Standards Board. Scotland has a proud tradition in accounting—indeed, I understand that Scotland had the first accounting body in the world. We have been involved in getting the standards that are now being adopted throughout the world.

The insurance industry and the solvency system will be under scrutiny, with the solvency II directive coming up. The insurance industry is another important industry for Scotland. Members who want to get involved with that matter should do so.

On research, we are now ensuring that the seventh framework programme for research and development, which started in January, is working properly. Some €52 billion is out there for the next seven years. Scottish universities and research establishments are usually very successful applicants for research and development funds. The framework programme has two particular aspects. First, the European Research Council, in which scientists rather than civil servants take decisions on projects, has been set up. The aim is to deal with fundamental research areas in particular, and I hope that Scotland will make applications to it. Secondly, there is the proposal for a European institute of technology—although whether that institute will get off the ground and how it will be funded are open questions that members may want to bear in mind.

A revision of the animal testing directive is heading our way. Obviously, animal testing is a sensitive matter. It is essential for our pharmaceutical industries and important for medical research and biotechnology in Scotland, but it is sensitive from an animal welfare point of view.

Ian Hudghton mentioned one or two energy issues. Directives on energy efficiency, renewable electricity and various technological aspects are coming through, so we will be involved in those areas. The reform treaty has also been mentioned. It will go through all the committees, so we can input our thoughts on that.

On the environment, I have been appointed as a shadow rapporteur on one of the subsidiary committees for environmental affairs on market-based instruments for the environment, which is about using the market and encouraging a market-based approach to achieving environmental objectives rather than using directives or other rules and regulations.

On global-market access for our products and trade, we still have problems getting whisky into India and things like that. There are also on-going trade negotiations with Korea, so if any constituents' companies are having trouble with trade in that area, or anywhere else globally, they should let us know.

Biogas and agriculture are also coming up for review.

Finally, on marketing of products and safety standards, the CE marking on products shows that they conform to European regulations, but there is a question about whether there should in the future be more safety symbols on products.

That sounded like a shopping list, but if I have said anything that strikes a chord, please let me know.

The Convener: I thank John, Ian and Catherine for their opening statements. I am sure that they will stimulate a lot of discussion among committee members.

Alex Neil: The opening statements were useful and helpful, and certainly gave us a range of issues to pursue.

I will start with Catherine Stihler. Obviously the constitution, or reform treaty, is a major subject for debate in Europe at the moment. Leaving aside the froth and cosmetics, such as the anthem and the flag, what are the key differences between what was in the constitution and what is in the reform treaty? What was taken out of the proposed constitution that justifies its redefinition as a reform treaty?

Catherine Stihler: We no longer have a constitutional codifying treaty that brings everything together in one straightforward document that people can understand. That document had to be ratified by member states and two of those states—France and the Netherlands—said no, which was very serious. It meant that the constitutional treaty was rejected.

Back in June, the ministers, under the guidance of Angela Merkel and the German presidency, brought forward a compromise in the shape of the reform treaty, which is different from the constitutional treaty. It contains many opt-outs and clarification of the charter of fundamental rights, and the intergovernmental conference is considering it.

It is important that the committee know about something that Ian Hudghton touched on earlier. One of the issues that has been brought before the Parliament is the number of MEP seats. As members know, the seven Scottish MEPs have been fighting to retain seven MEPs for Scotland. The Electoral Commission published its evidence and recommended six MEPs for Scotland. However, the European Parliament's constitutional committee says that Britain should have an extra seat, so if we can make a case for it—other regions might have a stronger case—there is a clear argument for Scotland retaining seven MEPs. That is an on-going opportunity and the seven MEPs hope to draft a letter to make their case once again.

When is a reform treaty not a reform treaty?

Alex Neil: That is my question.

Catherine Stihler: As someone said to me, a human being and a mouse have 90 per cent of the same DNA, but it is the 10 per cent that makes all the difference, and I think that it is clear that the reform treaty is a very different beast. It is like the Maastricht and Nice treaties, which basically sought to reform the original treaties. The reform treaty is not a codifying treaty. We are clear that there is not going to be an anthem or a flag or whatever.

Some of the issues that people have pointed out or are angry about have been agreed in previous treaties.

11:00

We desperately need to make the European Union work more effectively and efficiently. We now have 27 countries, but the institutions were set up with six. The fact that national Parliaments will have an opportunity to scrutinise European legislation in a way that they previously did not is important. The citizens' right of initiative, which will allow citizens throughout the European Union to input into legislation, is also important. Under that right, if citizens collect a million signatures, the European Commission will have to act. Those are important changes and we need to see the draft reform treaty through.

There are clear differences between the draft constitutional treaty and the reform treaty. It is a good idea to do away with the six-month presidencies, which do not help anybody in the working of the European Union. At the moment, we have a terrible situation in which, every six months, the presidency of the European Union changes. We need more consistency.

There is no need for a referendum—I argue firmly that we do not need one. We need to conclude the IGC as quickly as possible and have

the reform treaty agreed. It will then go out to the member states. Remember that Ireland is constitutionally bound to hold a referendum on the treaty. There are also rumours that Denmark might have a referendum. However, the constitutional treaty and the reform treaty are clearly two different documents.

The Convener: It is important to get a response from our two colleagues in Brussels on that subject. I invite Ian Hudghton to respond to the question.

Ian Hudghton: I am not sure whether the difference is what was left out of the document or what was included in it. The original so-called constitution was intended to replace the hotch-potch of treaties and become the authoritative document. If, at the end of the IGC, the mandate is strictly adhered to, the content of the reform treaty will not be hugely different.

The froth has been referred to, and it is meaningless nonsense. We already have a European flag—you might be able to see it behind us—and a European anthem. The draft reform treaty is yet another add-on treaty—an amending treaty, in effect—to add to the other treaties that we have. What is in it at the end of the process is the important thing. It has been widely trailed and predicted to be 90 per cent, or 95 per cent, the same as the constitutional treaty, depending on who is assessing it.

However, as with everything else in Europe, we need to consider what the treaty contains that is in Scotland's interests or against them. We should do that once we have the final document. For example, one of my objections to the draft constitutional treaty was that it elevated "exclusive competence" over marine biological resources under the CFP to a primary law or constitutional issue. If that line remains in the reform treaty, it will be the first time that the phrase appears in any of the treaties. We will have to consider the implications of that for Scotland and for future radical alteration of the CFP, which is necessary in my view.

The Convener: Does John Purvis wish to add any comments?

John Purvis: My colleagues have already said that there is not much difference between the two draft treaties once we take away the fact that the reform treaty is not an all-embracing rewrite of all the previous treaties, because the add-ons that were in the constitutional treaty and the contents of the reform treaty are not significantly different in character. The purpose of the draft reform treaty goes back to the Nice treaty. It was decided that we needed to consider how to deal better with 27 member states—and more member states beyond that. Therefore, the treaties needed to be updated

and rationalised so that the Union could work better. We have no argument with that.

There is also a question as to whether the add-ons are hugely significant in grand constitutional terms. For example, we hear a lot of talk in the media about Europe having a legal status. Of course it does; otherwise, it could not negotiate World Trade Organization arrangements and all sorts of other treaty arrangements. I am afraid that there is quite a lot of fluff in the media representation of the treaty. Once the truth is laid bare, the arguments against the treaty can be undermined.

It comes down to the fact that the draft treaty is much the same as the add-ons that were in the draft constitutional treaty. However, the question then is whether that is so significant in grand constitutional terms that it requires reference to a referendum process. The Government promised a referendum for the previous constitutional treaty. On the basis of that promise it could be argued that a referendum is justified, if we take it that there is no large change in the add-ons. The question is whether that promise was valid in the first place. Apparently, the UK has a representative democracy, in which Parliament is supposed to decide such matters. My conclusion is that if a referendum was fully justified for the previous draft treaty, it is justified for this one.

The Convener: Putting aside the froth and the fluff that members have referred to, and given the opt-outs, I ask each of the MEPs to say whether they support the treaty.

John Purvis: We need to do something to modernise the Community so that it works properly. It is perfectly valid for most of the items that are contained in the treaty to be in there if Europe is to work efficiently. In most cases, with a few tweaks, reductions and some possible changes—most have which have been achieved or will, I hope, be sorted out during the upcoming negotiations—there is not as much to worry about as there sometimes appears to be.

Ian Hudghton: There is no doubt that we need a treaty—or whatever it is called—to update the machinery, but it is what is finally in the treaty that is important. At this stage, we do not know what will finally be in it. There is a saying that nothing is agreed until everything is agreed. That is how decision making works between Governments and the European Parliament—there is much horse-trading and so on. I will judge whether this particular treaty is supportable once we see the final document.

Catherine Stihler: As it stands, the reform treaty is a compromise, and I support it.

Gil Paterson: During our recent visit to Brussels, I talked quietly to as many people as I

could, and it struck me that almost every person I spoke to was in favour of the proposed treaty. That does not chime with what I am finding with the general public, who are very much anti the treaty. What do our contributors make of that? Are they finding the same thing?

The other thing that strikes me is that if the UK Government's promise about a referendum is not kept we will all be the losers. If, as people suggest, there are many benefits in the new treaty, and it is not a constitution, why are we not reaching the public? Why are we missing out? Why is the dialogue so insular between the bureaucrats and the people who support the concept? My main concern is that if we go ahead as we are doing we will leave the public behind. I do not like the idea that people in Ireland, who will be big gainers from the new disbursement of resources, will have a hand in the system, whereas people in the UK—and particularly people in Scotland—will not.

Another point that came over loud and clear to me is that we in Scotland lobby the lobbyists who lobby the lobbyists. We are far down the line from making a meaningful impact in Europe. The new treaty is an example of that. Our thinking is so remote and we are so far from taking the public with us that we will all pay the price in the democratic deficit that will arise if we continue to proceed as we have.

The Convener: I ask members to keep their questions tight, because of the time.

Ian Hudghton: We risk leaving the public behind. That is why the referendums on the constitution were lost in France and the Netherlands: a certain arrogance came across in the process. We must watch out for that.

Having said that, at home in Scotland and in the UK, we have a long history of a sceptical media and of successive Governments that have been content to stand back and allow Brussels to be blamed for decisions in which they took part and which they supported. We have much to catch up with. If the public take their view of the reform treaty from the *Daily Mail* or *The Sun*, we have a big problem to counteract. However, we should not be afraid of public opinion or of holding a referendum, should that be necessary.

As the new treaty's content is largely what was in the so-called constitution, the case for a referendum is strong. Good reasons will have to be given for not holding a referendum on the reform treaty, although its status is slightly different from that of the original constitutional treaty.

What counts is the content, and we do not know what that will finally be, so I reserve judgment until we have that information. However, we can expect very little change from what was in the mandate.

Irene Oldfather (Cunninghame South) (Lab):

Gosh—I have so many questions that I do not know where to start. We went through the whole convention process. More public consultation took place on the European convention than on any previous treaty. National Parliaments, European civic groups and the European Parliament were involved. At the time, the clear view of politicians—I do not know whether John Purvis or Ian Hudghton shared it—was that we needed reform of the treaties and that having a simplified treaty would be better. I think that Neil MacCormick was one of the people who proposed that. The idea was that the treaties were becoming too complicated, that Europe's citizens could not understand them and that we needed to scrap everything and produce a simplified treaty that everyone could understand. We spent three years on that and we did not reach agreement, so we are back to reform of the treaties.

Will someone explain to me the differences between the reforms in the new treaty and those that took place under the Amsterdam and Maastricht treaties? The Maastricht amendments made significant changes—far more than the new treaty will make—and we did not have a referendum. We did not have a referendum on the Amsterdam treaty. I am not clear about the arguments for having a referendum this time when we had no referendum in the past.

Alex Neil: Your party promised a referendum.

The Convener: I am very aware of time, so it would help if the member arrived at her questions.

Irene Oldfather: Okay. I will focus on one point, because we are getting bogged down in legal issues and not discussing treaty content and political matters. On treaty reform, Ian Hudghton said that he would not start with the common fisheries policy as it stands. Where would he start from, and what role would zonal management play in fishing rights in Europe? This committee's predecessor committee very much advocated zonal management committees.

As I understand it, treaties have referred to exclusive competence in marine biological conservation and shared competence in common fisheries policy since about 1978—perhaps someone can correct me if I am wrong. The terms might need to be clarified.

11:15

Ian Hudghton: I think that everyone in Scotland supported zonal management in the lead-up to the reform of the CFP in December 2002. However, we did not get zonal management; we got regional advisory committees, which are not management bodies.

The fundamental problem with the CFP for Scotland is that it has led to a situation in which our fishermen and fishing communities do not think that they are guaranteed to get the benefit from the sacrifices that they make as a result of scrapping, closures and quota cuts. The CFP treats fisheries as a common resource. That is a fatal flaw, the impact of which is held at bay only temporarily, for example as a result of the principle of relative stability, which guarantees us a share of quotas. The CFP is fundamentally flawed and has irretrievably broken down.

When we debated the proposed thematic strategy on the protection and conservation of the marine environment, we said that the Commission should require member states to devise plans for the protection of their marine environment. That should be the starting point for the approach to fisheries. A member state, or part of a member state—as Scotland is, for the moment—should devise, control and manage its resources, in co-operation with other states, of course. We should manage stocks in co-operation with states around the North Sea and in the context of other appropriate zones. Currently, we are in a ridiculous situation in which Norway, which is not even a member of the EU, has more influence than Scotland has on EU fisheries management policy.

I understand that the phrase “exclusive competence” appears in a court judgment rather than in a treaty. I would be cautious about including the phrase in a treaty such as the draft reform treaty and thereby elevating it above its current status as case law, which is the interpretation of treaty law. I would not want to do anything that might prevent radical changes from being made to the CFP in due course.

Ted Brocklebank: What do Catherine Stihler and Ian Hudghton think about the review of the cod recovery plan? As you know, the plan has been operating for about three years, but there has been no recovery of cod stocks so far. The medicine that is prescribed seems simply to consist of tougher and tougher quotas, which are somehow supposed to lead to recovery of cod stocks.

Cod is not an iconic species in Scotland, where in many ways we are more interested in haddock. What methods could be adopted, apart from simple quota reductions? For example, could there be decoupling, to make it possible to fish for haddock without taking cod as a by-catch? I think that no decision will be made on the issue until about 2008. How much damage will be done to the Scottish fishing industry during the coming year?

Catherine Stihler: We are all deeply concerned about the situation. The International Council for

the Exploration of the Sea has again recommended closure. We have a mixed fishery, so if we have a good year for haddock—that is likely, as haddock stocks look very good—we face tough decisions.

Ian Hudghton might want to add to my comments, but Joe Borg told us recently that he is looking at what is happening. The fishing industry in Scotland is implementing a voluntary scheme, and we need to monitor that. We need innovative policies rather than draconian ones. However, if we want cod to recover, we have to take certain action. In the next few months, as we move towards the December fisheries council, we will have to watch the decisions that are made, but the commissioner is indicating that he is listening to us and I hope that he will take on board some of the measures that we have introduced.

Ian Hudghton's comments on Norway are interesting. The other side of the Norwegian example is what some people call facsimile democracy. When we make decisions in Brussels, a directive is faxed to Oslo and the Norwegians have to implement it without having had any say in the decisions that were made. I happen to serve on the Iceland, Norway and Switzerland delegation. Those countries are not members of the European Union. Last week, we had the Icelanders in Brussels. There is a debate about how we can change the common fisheries policy, and individual transferable quotas have been talked about. I think that members of the European and External Relations Committee have discussed that. It was interesting, in talking to the chair of the Icelandic delegation, to hear that going down that route benefits big industry while small-scale fishermen suffer. According to the chair of the delegation, small villages in Iceland are suffering.

It is good for the European Parliament to talk to those countries. Because Iceland has interest rates of 13 per cent at the moment, people are having an open discussion about membership of the European Union—that discussion is happening purely because of the euro. It is important for us to feed back to the committee some of the debates and discussions that we have. I hope that I answered Ted Brocklebank's question.

Ted Brocklebank: I think that you were trying to say that Norway does not have as much influence as has been suggested. However, Norway is involved in discussions in June, and the major carve-ups take place then, long before Britain becomes involved in the end-of-year talks in December.

Catherine Stihler: Ted Brocklebank knows a lot about fishing, but I am talking about other issues as well, and the matter is not as clear-cut as he suggests. Many people say that the Norwegians, the Swiss and the Icelanders lose out by not

having what could be positive membership of the European Union.

The Convener: I am conscious that John Purvis might need to leave during our discussion. If he does, I thank him for his participation this morning.

I invite John Park to ask his question.

John Park: I do not know whether to talk to Catherine Stihler or the television, so I will talk to the centre of the room.

My question is for all three witnesses. We were in Brussels last week, as you know, and we met the Commission. A strong view came across from the civil servants whom we met in the Commission that the UK is a big player in Europe and that Scotland has a high profile through Scotland house in Brussels. Do you agree with that analysis? It is something that I had not appreciated before our visit to Brussels last week.

John Purvis: I will have to leave just before 12.30, but I am happy to answer that question.

Scotland house does an excellent job. Scotland has a high profile in Europe—its profile rates at least as highly as the profiles of Bavaria and Catalonia. Scotland has that profile as part of the United Kingdom; because the United Kingdom is one of the big countries in the Council of Ministers and has a large number of MEPs and so on, we punch way above what one might think would be our weight.

We rate highly in areas such as financial services and tax; fishing, which we heard about today; transport; and all sorts of other areas that relate to European matters. I think that John Park has the right picture.

Ian Hudghton: I fully accept that Scotland has a high profile in the European Union, particularly since the formation of the Scottish Parliament and the Scottish Government, and I know that the new Scottish Government will work to improve that profile. However, profile is one thing, but rights of access to decision making are what really count. That is why I would rather like Scotland, unlike Norway, to have a full voice in the European Union, so that we would not get rolled over year after year in our fisheries quota talks. Although the UK is a big player in a theoretical sense, it plays for its overall interests, of which fisheries is not one. It is as simple as that.

Catherine Stihler: I disagree with Ian Hudghton's analysis of the situation. The fact that we have a devolved settlement in Scotland, whereby Scottish ministers can lead in council meetings—previous Scottish ministers have done so—allows us to have the best of both worlds. We are part of a large member state, but we can also lead on issues that are of great concern to us. The existence of Scotland house and, within it,

Scotland Europa means that our profile is high. It helps Scotland to have the seven Scottish MEPs working together. As the committee can gather, we have different views on the common fisheries policy but, when we can, we work together. The same cannot be said of many other areas of the UK. When seven MEPs write to a commissioner, that commissioner has to take notice of what we are lobbying them on.

Alasdair Morgan: I am sorry, but I want to return to the reform treaty. Everyone agreed that there is virtually no difference between the reform treaty and the new constitution, as originally proposed, apart from Catherine Stihler. Although she did not agree with that view, she did not list any differences between the two documents when Alex Neil asked her to.

There is considerable disenchantment in the UK with Europe, a great deal of which is for what I would say are bad reasons—the *Daily Mail*-type reasons. However, some of the disenchantment is probably for better reasons. People regard Brussels as a huge bureaucracy that is getting involved in more and more instead of trying to do what it does more efficiently and better. If politicians who are seen as remote simply try to get the same result by a different method, the only result will be greatly increased disenchantment in the UK and Scotland with the EU and all its works.

Catherine Stihler: In the work that we do in our committee areas, the seven Scottish MEPs try to put forward an agenda that will benefit our constituents. That is what being here today is about. Many people sometimes forget that we are seven democratically elected politicians. Our frustration is that the work that we do is often not heard about. That is why having the opportunity to come to the Parliament to talk about the work that we do in our committees is so important.

We have a challenge. When I was first elected in 1999, people were more positively European. There is now no debate at all about the euro, for example. Although 80 per cent of people in this country read Scotland-based press, not one journalist from that press is out in Brussels covering anything that we do. That situation is not all the fault of the media—Alasdair Morgan is right about some things—but when a positive piece of legislation that has been instigated at European level is implemented in Scotland, the fact that it was instigated at European level should be acknowledged. We hear only about the negatives, never the positives.

I will give an example of that. Last night, the European Court of Justice made a key ruling in the Microsoft case, which will benefit consumers throughout the world and will, I hope, lead to more innovation in that field. I do not think that any of the seven Scottish MEPs were asked to comment

on the ruling; a press spokesperson in the European Commission was consulted instead. This morning there was another story on a European issue in the news and, again, the seven Scottish MEPs were not consulted. That is a real shame because we have something to say on such issues, on which many of our committees are working and on which we have a direct responsibility to our constituents. We have a job ahead of us, but working with the committee at events such as today's is important in allowing us to raise some of the issues that we feel are of mutual concern.

11:30

Margo MacDonald (Lothians) (Ind): Convener, let me congratulate you on assuming your new responsibilities—give 'em hell.

Some dubiety has been expressed over whether the reform treaty is the constitution by any other name, and many scurrilous comments have been made about the role of this country's free press in reporting the matter. I should make it clear that I did not go to the *Daily Mail* or *The Sun* for this quotation; instead, I went to the fount of wisdom known as Valéry Giscard d'Estaing, who said:

"Public opinion will be led to adopt, without knowing it, the proposals that we dare not present to them directly ... All the earlier proposals will be in the new text, but will be hidden and disguised in some way."

Was he referring to the ratchet clause? If so, might that clause be used in the future—perhaps in the near future—with regard to the exploitation of energy supplies in Europe?

Ian Hudghton: The comment that you quoted is an example of the arrogance that, as I said earlier, got the constitution into trouble in the first place. Monsieur Giscard d'Estaing sees the process as his legacy—for all I know, he wants it to be known as the Giscard treaty.

As I have said a number of times, we need to examine these matters very carefully and not leap to judgment on what we think will be in the treaty on the basis of the current draft. Instead, we should wait until everything has been agreed and then judge the treaty's impact on Scotland. In fact, I am sure that we in Europe, your committee and the Scottish Government will do that. If a ratchet clause or some other provision impinges on rights of exploitation with regard to energy in the way that the CFP impinges on rights of harvesting that resource, it will be a no-no.

Margo MacDonald: But, with respect, the treaty is to be signed next month.

The Convener: I understand that.

Catherine Stihler: My understanding is that the reason why we have been debating the energy

question is less to do with exploiting resources than with the fact that fears over what happened in the Ukraine suddenly focused minds on the issue of security of supply across the EU. I believe that, originally, the issue of energy was not supposed to be covered in discussions about the constitutional treaty—perhaps Ian Hudghton can clarify that matter—but, in light of the current situation, addressing the problem of security of supply has become more and more of an issue.

The Convener: Do you wish to clarify anything, Mr Hudghton?

Ian Hudghton: Not really. I have no doubt that some people would like to control Europe's indigenous energy resources in the same way that, at the moment, there is centralised control of, for example, fisheries. We simply have to guard against that. I hope—indeed, expect—any such matter to be a red-line issue for Scotland and, I hope, for the UK.

Malcolm Chisholm (Edinburgh North and Leith) (Lab): I am tempted to pursue the issue of the treaty, but I will leave that for tomorrow's debate.

I was struck by Catherine Stihler's comment about the Microsoft case. As important members of the press are present, I wonder whether the witnesses could give us their views on how we explain to people the importance of what happens in Europe. After all, the fact that people do not know about the role of Europe and its institutions in any detail is a major problem. What can we in the Scottish Parliament do, not necessarily to change people's opinions but to keep them informed about what is happening in Europe?

Catherine Stihler: If Malcolm Chisholm went to any primary school in his constituency and talked to the primary 6 class, he would find that they do a five-week course on the European Union. Ian Hudghton, John Purvis, who had to leave, and the other Scottish MEPs have good experience of going on educational visits to help people understand a bit more about how Europe and the European Union works.

Promoting such understanding is a huge challenge. We must work together on it, because there is no easy solution. Part of that work should be to ensure that Europe is not regarded as being just about distant foreign affairs. Legislation that is made at European Union level impacts on people at local level. We need a way of being able to tell people about such legislation and to involve them in decision making. We must also ensure that they have a greater understanding of the European Union.

Few people, for example, understand that the European Union is not one institution but four institutions, which work together in a specific way.

It may be argued that it takes a lot longer to work in such a way, but getting 27 countries to agree to one set of rules is better than having 27 separate sets of rules, which would have an adverse impact on jobs in Scotland, for example.

We all have a job to do in promoting understanding of the European Union. The seven Scottish MEPs use their websites, speak in the European Parliament chamber—the hemicycle—and come here, but we still have a job of work ahead of us in grasping how to communicate better and bring European issues to life for people. In that context, I look forward to working with Malcolm Chisholm in his new role.

Ian Hudghton: Likewise, I make visits to schools, colleges and whatever. I will put in a plug for a little book on how the EU works, called "Simply...The EU...a guide for the bewildered", which I helped to publish in a special run. I am not for a minute suggesting that anyone in this audience is bewildered, but it can be difficult to understand the EU's complicated processes, particularly when the guidebook, if you like, is the hotch-potch of treaties that we have been talking about reforming for most of this session.

A combined effort is required on education about Europe. Indeed, the Scottish Parliament information centre has prepared a useful briefing on how decisions are made in Europe, which should perhaps be disseminated more widely.

The Convener: What input have the witnesses made to the shaping of the Scottish Government's EU priorities, which we are about to discuss with the Minister for Europe, External Affairs and Culture, Linda Fabiani? Are you having an on-going, structured dialogue with the Government, or is it more ad hoc than that?

Ian Hudghton: These are relatively early days for the new Government, but I have met Linda Fabiani and colleagues a number of times over recent weeks and months. I hope that this session will help to inform that process in a public way. I am sure that we are all feeding our ideas to the Government in the hope that we can help form the Government line that the committee is about to discuss.

The Convener: Is it correct that 20 of the current Government's priorities were priorities of the previous Government and that only one dossier is different?

Alex Neil: And it is not dodgy.

The Convener: I said "different". There seems to be a remarkably consistent line between the previous Executive and the current Government.

Ian Hudghton: Many things that happen in Europe take two or three years—or longer—to work through the system, so it is likely that there

will be overlap between Governments. However, I have no doubt that the minister will be well able to explain and promote the Government's programme. I look forward to listening in to that exchange.

The Convener: Indeed. Thank you.

Do you have any final comments, Catherine?

Catherine Stihler: On the issue to which you referred, it was unfortunate that, when the First Minister made his first visit to Brussels, we were meeting in Strasbourg, though I understand the timetable for that. It was also unfortunate that Commissioner Borg was used as a political football for the fishing issues. I personally apologised to him last week at the most recent meeting of the Committee on Fisheries in the European Parliament. The commissioner being put in the position that the First Minister put him in does not help anybody; I hope that, in the future, we will give the commissioner respect so that we can deliver the best results that we can, particularly in fishing, for the citizens of Scotland.

These are early days for the Executive. We have not yet had any formal meetings of the seven Scottish MEPs, but I am sure that we will have such meetings in the future.

The Convener: I apologise for overrunning, but such is the evident interest in having a dialogue with our colleagues in Europe that I am sure that what we have done today will be repeated.

I thank Catherine Stihler and Ian Hughton, and also John Purvis, who had to leave us. I appreciate how busy you all are. I hope that somebody sitting in this seat—even if it is not me—will continue the dialogue with you.

I suspend the meeting to allow the videolink equipment to be removed.

11:40

Meeting suspended.

11:47

On resuming—

“Report on an inquiry into the scrutiny of European Legislation” (Government Response)

The Convener: Item 2 is correspondence from the Minister for Europe, External Affairs and Culture. We will consider the Scottish Government's response to the report of the previous European and External Relations Committee on its inquiry into the scrutiny of European legislation and the previous Scottish Executive's last transposition and implementation report. Members will note from paper EU/S2/07/4/1 that, in previous sessions, the European and External Relations Committee regularly considered such reports, which detail the progress of European legislation during the transposition and implementation process in Scotland. Would members like to comment on the documents?

Irene Oldfather: Paragraphs 75 and 76 of the Executive's response refer to an internal review. The Executive states that, once the review has concluded, it will be in a better position to advise us on the two recommendations concerned. It would be helpful for us to seek an indication from the Executive of the timescale for the review and of whether it will report back to the committee once the review is complete.

The Convener: I suggest that we raise the issue with the minister under the next item.

Alex Neil: Following our visit last week, we should consider whether to seek observer status at the Committee of Permanent Representatives. The briefing that we received made clear that many decisions are made and many negotiations take place in that committee. What is the Government's position on the issue?

Scotland has 11 people at its Brussels office. It struck me that we have an extremely high-calibre team, led by Michael Aron, but he and others mentioned that some other devolved Administrations have as many as 50 people in their offices. We should review whether the Scottish office in Brussels has sufficient manpower resources. That is no reflection on the ability of the current team, which is first class. However, if other Administrations have as many as 50 staff, we may need to look at how the office is resourced.

The Convener: I have always believed that size is not everything, but we will put that point to the minister in due course. I am sure that members will raise with her any matters that they wish to

pursue. Does the committee agree to the recommendations in the paper?

Members *indicated agreement.*

The Convener: Excellent. I am glad that there is unanimous agreement on that point.

Scottish Government's European Policies

11:50

The Convener: Item 3 is evidence from the Minister for Europe, External Affairs and Culture, Linda Fabiani, on the Scottish Government's European policies and priorities. I apologise to the minister for keeping her waiting. She is joined by Lynne Vallance, who is head of the EU strategy and co-ordination branch in the Government's Europe division. I welcome the minister and Miss Vallance to the meeting.

Members have in front of them a copy of the Scottish Government's EU priorities, which the minister will address before taking questions. She has 10 minutes for her opening statement.

The Minister for Europe, External Affairs and Culture (Linda Fabiani): Will you cut me off if I have not finished by then, convener?

The Convener: Absolutely not. I may cut Alex Neil off, but I will not do that to you, minister.

Linda Fabiani: Thank you.

Thank you for inviting me to present the Scottish Government's current EU priorities and to outline our future intentions on European policy. When I appeared before the committee in June, I spoke of my desire to work closely with the committee on EU affairs, as we all share the same goal of raising Scotland's voice in Europe. Given that that remains my intention, I was keen to come to the committee today to set out our EU priorities. I am also keen to seek the committee's views on those priorities before I present them to the joint ministerial committee on Europe at its meeting on 2 October. I will return to that later.

I will start by setting out in some detail the thinking behind the approach that the Government intends to take on EU matters. The EU is important to the Government and to Scotland, as many of the decisions that are taken in Brussels have an impact on many areas of Scottish life—on the economy, the environment and agriculture, to name but a few. The EU also provides us with considerable trade, tourism and cultural opportunities that we can use to our advantage.

The Government is determined to raise Scotland's voice in Europe. Indeed, that was one of our manifesto commitments. To do so, we need to be engaged with all the relevant players: the key EU institutions, the UK Government, the devolved Administrations and other member states. At the same time, we need to monitor closely all policy developments and on-going

negotiations in Brussels and to consider their potential impact on Scottish interests.

The Government's approach to the EU falls into two separate categories: the current EU issues on which the Government needs to take action and the Government's approach to the EU over the medium to longer term. In the first category are the EU legislative proposals that are being discussed in Brussels at the moment and which are likely to have the greatest impact on Scottish interests in the not too distant future. The document in front of members has a table of 21 EU issues that will now be known as the Scottish Government's current EU priorities. We believe that Scottish efforts should be focused on those priorities, as they are the most important EU proposals and cover a wide range of policy areas. As members will note from the format of the table, all 21 issues combine to make a contribution to our five strategic objectives.

As negotiations unfold, it is vital that Scotland's voice on each of the 21 priorities is heard loud and clear in London and Brussels. Ministers and officials will therefore work closely with the UK Government as an equal, vocal and constructive partner to ensure that Scottish interests are reflected in the UK negotiating line. We will also use our relationships with key EU institutions and other member states to ensure that Scotland's interests are represented in Brussels at the earliest possible opportunity in negotiations.

Identifying the 21 priorities involved considerable discussion within the Government, but I would welcome members' views on them and on any other issues that members believe we have missed. I am happy to consider additions to the table before I present it to ministers of the UK Government and the devolved Administrations at the JMCE meeting on 2 October.

Although the Government intends to revise the list formally on a six-monthly basis, I am prepared to be flexible and, should an EU issue suddenly arise that merits immediate Scottish attention, I am more than happy to consider adding it to our table immediately, rather than awaiting the six-monthly revision. The key point is to protect Scottish interests in Europe. My ultimate goal is to finalise a table of priorities that all the key players with an interest in Europe agree. I hope that those key players will use any opportunity to raise Scotland's voice on any of the priorities.

As well as our current EU priorities, we have identified a list of key EU political objectives—crucial political issues that the Government will pursue within the EU framework. Those are fisheries and aquaculture; EU treaty reform; the EU budget review; justice and home affairs; EU energy policy; and agriculture. We have aims in each of those six areas, which we will pursue with the EU institutions, the UK Government and other

member states to ensure that Scotland gets the best possible deal. The key political objectives will be revised every six months.

Some of our objectives are more pressing in timescale than others, depending on developments in Brussels. The EU reform treaty is my immediate priority—the intergovernmental conference negotiations are taking place as I speak. It is an important issue for the Government and I am looking forward to discussing it in detail in tomorrow's plenary debate.

Another issue of priority to the Government is EU fisheries policy. We have set out our manifesto commitment to take the UK lead in the EU fisheries negotiations and my colleague Richard Lochhead has already raised the issue formally with the UK Government. I also intend to raise the matter at the JMCE meeting to ensure that other Whitehall departments are aware of our request. However, action is needed at not only UK but EU level and Scottish ministers will be inputting our views into both the IGC negotiations and discussions on the reform of the common fisheries policy, with a view to returning competence over conservation of marine resources to coastal states.

I turn to the Government's longer-term intentions in relation to the EU. We intend to consult on and publish a European strategy document in the coming months, which will set out our detailed priorities for EU and bilateral European business over our term in government. I envisage an important role for the European and External Relations Committee in contributing views on the development of the strategy document, as well as important roles for other key stakeholders. Discussion around the proposed strategy will be timed to coincide with the national conversation, which is due to be launched formally later this year. I see strong links between the two issues and I hope that the committee will pay particular attention to the EU aspects of the discussion in its work on the independence white paper.

I draw to the committee's attention the internal reforms that I am making to the way in which the Government handles its EU obligations. It is all very well ensuring that we are fully engaged in the development and negotiation of EU legislative proposals, but equally important is the way in which we implement them in national law. Our manifesto set out a number of commitments in this area. With advice from my officials and having read the previous committee's report on the scrutiny of legislation, I am considering ways in which we can improve our transposition processes to ensure that the legislation that we transpose accommodates Scottish-specific interests and does not impose unnecessary burdens on our businesses.

I apologise for the delay in providing the committee with the explanatory summary page to accompany our detailed paper of EU priorities. The difficulties surrounding the latest outbreak of foot-and-mouth down south led to delays in the paper being finalised by ministerial colleagues. I am sure that the committee will accept my apology and appreciate the unforeseen situation on which some of my colleagues are having to focus their attention at the moment to ensure minimum possible disruption to the farming industry.

I am happy to take any questions or hear members' comments. I am restricted in the extent to which I can talk in detail about each of the current EU priorities, given that many of them fall to my ministerial colleagues. However, I am more than happy to pass on detailed questions on specific issues to the relevant cabinet secretary.

The Convener: Thank you. Your apology on behalf of your colleagues is appreciated.

12:00

Alex Neil: I have three questions. First, I want to ask about the First Minister's first trip to Brussels. In our earlier session this morning, Catherine Stihler MEP said that she had had to apologise to the EU fisheries commissioner on behalf of the First Minister, whom she accused of treating the commissioner as a political football. That seems a pretty ridiculous accusation. As the Minister for Europe, External Affairs and Culture, you should have the opportunity to respond to that allegation.

Secondly, I want to ask about our representation in Europe in the devolved setting. When we visited Europe last week, it was clear that one of the most influential stages in decision making is the Committee of Permanent Representatives. I understand that we have no observer status at that committee's meetings. Is that something that the Government will consider?

My final question is on the treaty. I understand that the Government—perhaps also the previous Executive—has made assessments in some policy areas of the potential impact of current drafts of the treaty on aspects of Scottish life. I am especially interested in marine policy. Ian Hudghton expressed concern over the provisions in the draft treaty on marine policy. I am also interested in energy, and there are other areas to consider. Will the Government consider making its impact assessments available to the committee in the run-up to the final negotiations on the treaty?

Linda Fabiani: I accompanied the First Minister on his visit to Brussels. I do not think that he needs anybody to apologise on his behalf to anybody. The First Minister met four commissioners in Brussels: Commissioner Borg, on fisheries; Commissioner Mandelson, on trade;

Commissioner McCreevy, on internal markets; and Commissioner Grybauskaite, on the budget. Commissioner Borg came to Aberdeen in June. Because the First Minister was unable to meet him then, the commissioner was happy to meet the First Minister in July. Indeed, he stated that he was keen to do so. As far as I am concerned, and as far as the First Minister is concerned, that was an entirely constructive meeting, and the invitation is there for such a meeting to happen again.

Alex Neil: There have been no complaints from any of the commissioners.

Linda Fabiani: No. Absolutely not.

The Convener: Do you want to move on to the other questions that were posed?

Linda Fabiani: Sure. On our representation in the EU, our Brussels office is working closely with the UK perm rep. We are well aware of what happens at those meetings, although we do not have official observer status. That is not to say that we will not look at that in the future.

Both ministers and officials are working to ensure that the UK Government's approach to the IGC takes account of all Scottish interests. There will be a debate on the European treaty in Parliament tomorrow. There are issues regarding the treaty on which we are in agreement with the UK Government, including some of the justice and home affairs matters that Gil Paterson asked a question about in the chamber last week, which I detailed then. Scotland's competence over its marine environment has always been a red-line issue for the Scottish National Party, and it is no different now that we are in government. I will emphasise that when I attend the JMCE. We are awaiting the final text of the treaty before we make any final decision on our part in it.

I am happy to pass on your question about impact assessments to the cabinet secretaries.

Ted Brocklebank: I have two questions, one on fisheries and one on aquaculture. Nobody on the committee has expressed more concern than I have about the CFP and its effects on Scottish fishermen. Nevertheless, is it realistic to expect a Scottish minister to lead the UK delegation on fisheries? I accept that two thirds of the UK's fisheries are in Scottish waters, but there are also strong fisheries interests in the west country, in Northern Ireland and elsewhere. How realistic is it to expect a Scottish minister to lead the whole UK team, given the diverse nature of our fisheries and the fact that it is highly unlikely that the English and Northern Irish would be happy with that situation?

My second question is about aquaculture. As you know, the Council adopted a regulation to prevent the Norwegians from dumping salmon. As

you also know, five countries—Italy, Lithuania, Portugal, Poland and Spain—want to suspend anti-dumping regulations. How strong a part will you play in defending Scottish salmon interests against attempts to get rid of the regulations?

Linda Fabiani: It is true that we have issues with the common fisheries policy, but we are clear that we want member states to have their own jurisdiction over it.

There is no reason why our minister should not lead UK fisheries negotiations. Scotland has more of an interest in fisheries than any other part of the UK—that is beyond doubt and nobody argues with it. There have been other times when Scottish ministers have led in Council meetings. For instance, the Lord Advocate often leads and I understand that the former Minister for Justice led at one Council meeting, as did the former Minister for Education and Young People. I think that there have been other instances, too. There is no reason whatsoever why our cabinet secretary cannot be the lead minister in fisheries negotiations and work with the Department for Environment, Food and Rural Affairs and everyone else to agree a UK position.

Ted Brocklebank: Even though Scotland's interests might differ from those of Northern Ireland and the west country? Would the cabinet secretary hold the jackets if different areas all had separate interests?

Linda Fabiani: We work increasingly closely with the devolved Administrations. However, I am not convinced that those who currently lead for us in such negotiations have our best interests at heart. The arrangement works both ways.

As regards anti-dumping procedures against the Norwegian farmed salmon industry, it is essential that those measures are kept in place because we need to allow our industry to develop in a stable financial climate. Over time, we will continue to refine the strategic framework for Scottish aquaculture so that we can ensure the sustainability of the industry. Currently, there is a minimum import price in place, which is undergoing an interim review. The World Trade Organization is investigating the application of the anti-dumping measures. We are totally supportive of our industry in Scotland and we will maintain our position as part of the UK negotiations.

Alasdair Morgan: It is rather curious that you should be asked why it is inappropriate for a Scottish minister to lead negotiations in Europe and then be asked why we are not doing enough about salmon dumping, which I would have thought was a peculiarly Scottish concern.

I have two questions that you might not be able to answer today because they are specific, but perhaps you will take them to your ministerial

colleagues. One of the papers submitted to the committee refers to the upcoming health check on the common agricultural policy that is due to be completed next year. One of the proposals is to cap the subsidy levels at both the higher and lower ends of the scale.

Although we always knew that certain farm businesses received large subsidies, we did not know their identity. You might have seen in the newspapers last week that the recipients have been revealed under freedom of information legislation. Certain businesses are receiving huge sums, many in excess of £1 million. There is a case to be made for a cap on the subsidy levels that businesses receive, certainly at the high end of the scale. Subsidies of £1 million or £3 million to particular estates do not do much to sustain ordinary small farms or even larger farms that are trying to make their business more efficient. It might be sensible to redistribute the money in a more equitable manner.

My second question is about transport. It is key to the development of the internal market that all parts of the community have good transport links. We have a particular and on-going problem in Scotland because the transport budget is somewhat limited. The Opposition parties insisted that we spend some money on the Edinburgh tram system, which I do not think will benefit greatly my constituents in the South of Scotland.

However, there is nothing in the minister's papers on what contribution Europe can make, if any, to developing transport links. I wonder whether we should consider that. For instance, the A75 linking Northern Ireland to Carlisle is a Euroroute, but I am not aware of any European funding ever having been obtained for it; developments on the west coast rail link, although great for passengers, will probably squeeze out freight capacity; and Eurostar trains ordered for regional and Scottish links to the Channel tunnel not only have not been used but have now been leased to the French nationalised railway and are running in France. In all sorts of transport issues, there could be strong EU involvement.

Linda Fabiani: I will refer Mr Morgan's points on the information on farm subsidies that was published at the weekend to the appropriate cabinet secretary, who will decide whether he wishes to take a view.

An options paper on the CAP health check is expected to be published for consultation in November. Obviously, we will make representations. We will aim to ensure that, in negotiations on the CAP, full account is taken of any Scottish interests. Alasdair Morgan's question about capping the CAP is, of course, one for the cabinet secretary.

From what we have been told, initial reforms in the health check will focus on how well existing measures have been working since the 2003 reforms. There will be an opportunity for simplification. I understand that the European Commission is already discussing possible improvements to cross-compliance. Of course, we will welcome any further measures that help to cut needless red tape. We have to build on the good work that was done in the 2003 reforms. We will continue to work in partnership with key stakeholders to ensure the long-term viability of farming in Scotland.

A green paper on urban transport is forthcoming, so that might be included in our next set of priorities. It is too early to be able take a view, but officials in the Brussels office will keep us up to date.

The Convener: Before I invite other questions, I will just say that, in previous discussions, we were conscious of the short timescale for the presentation of the Government's EU priorities to the committee and for the forthcoming JMCE. However, we had an agreement with you, minister, and with your officials, that you would be able to answer questions on the detail of each of the current priorities. I therefore have to record my disappointment, for the benefit of the committee, that a lot of information will be passed back to portfolio holders. This is an opportunity missed for the committee to engage meaningfully—as you want us to do—in agreeing joint priorities. I do not know whether it can be considered in the future, but what has happened today is certainly not my understanding of what was going to happen.

Irene Oldfather: At the previous meeting at which she addressed us, the minister said clearly that standing up for Scotland was top of her agenda. She has also set out clearly today the importance of the EU to Scotland—she mentioned trade, tourism and cultural opportunities. Of course, the European institute of technology is also in the dossiers. I want the position in relation to the common fisheries policy to be clear, as the minister has said that it is a red-line issue. If there is no change in the wording of the treaty, will the SNP seek to withdraw from the common fisheries policy or from Europe? What exactly will the position be?

Linda Fabiani: I will first respond to what the convener said. Everyone could understand that timescales were always going to be difficult for us the first time we came forward with our EU priorities. Those priorities have to go through the Cabinet and through all the different ministers whose portfolios are affected. It is not I who set the timescale for the JMCE meetings. I had to work to those timescales and we tried very hard to get information to the committee on time.

I pledge that any detailed questions that committee members come up with today will be quickly passed on to cabinet secretaries and ministers for response. If there is agreement on those questions, the issues could be considered for further discussion prior to the JMCE.

The Convener: I appreciate that. It was because of the very tight timescale that we sympathised with the minister's position, but we were clear that, at this committee meeting, we wanted to hear detailed responses to detailed questions, rather than hearing that those questions would be referred back to cabinet secretaries. I am sure that we can sort that out in the future, but I have to express the committee's disappointment.

Linda Fabiani: I am disappointed that you are disappointed, convener.

The Convener: Good.

Linda Fabiani: Back to Ms Oldfather—

Alex Neil: Alasdair Morgan's question was about new policy that has not even been discussed. Asking the minister to outline on the Cabinet's behalf an entirely new policy on capping agricultural grants would be unfair.

The Convener: I am grateful for the deputy convener's support, but I was referring to the minister's comments, rather than to Alasdair Morgan's question. Not even I would be so unkind to the minister.

Irene Oldfather posed a question of substance, which I leave the minister to deal with.

12:15

Linda Fabiani: The question was about our position on fisheries and the red-line issue. When the proposed constitution was discussed, our position was always that we would call for a referendum on the constitution if the fisheries issue was not addressed to our satisfaction. That position has not changed. However, we cannot possibly state our position clearly until we have seen the text that will come back from the IGC. An awful lot is in the document. Once we have the final version, we will make our view plain.

Irene Oldfather: The European Council has said clearly that the substance of what is proposed will not change. If the substance does not change and marine biological conservation remains an exclusive right while the common fisheries policy is a shared competence, what will be your position?

Linda Fabiani: Our position has not changed. The Government's red-line issue is the inclusion of the conservation of marine biological resources in the common fisheries policy. None of us knows

what will be in the final text that goes from the intergovernmental conference to the Council of Ministers in December. Once we see that, we will make plain our position—

Irene Oldfather: You refer to a “red-line issue”. What does that mean?

The Convener: Let the minister finish before asking another question.

Linda Fabiani: The phrase means the same thing as it did before. We would call for a referendum on the treaty.

Irene Oldfather: So you are not calling for a referendum now.

Linda Fabiani: We have not seen the final text.

Irene Oldfather: So at this point in time, the SNP’s position is not to have a referendum on the treaty.

Linda Fabiani: We have to wait and see what the text is. We have made it clear that our position has not changed: if competence over marine resources does not change, we will wish to have a referendum. However, until we see the final text, we do not know what will be in the treaty.

The Convener: Is it fair to say that there is a difference between the SNP’s position and the Government’s position?

Alasdair Morgan: Exactly.

The Convener: Okay. That is now on the record. That is interesting.

Irene Oldfather: I have one further related point. Marine biological conservation is an exclusive competence in the draft treaty. Is the minister seeking clarification of what that means or seeking removal of that as an exclusive competence?

Linda Fabiani: I will try to respond to what I think you are saying. The common fisheries policy has huge shortcomings for Scotland—we are all aware of that. Pulling away from that policy would lead to much-improved management of Scottish fisheries, better prospects for fishermen and fishing communities and a general improvement in the environment around Scotland.

We do not yet have the final text of the treaty from the IGC. If the treaty retains that exclusive competence, an opportunity will have been missed to move away from the regulation by which the European Union pursues its common fisheries policy. Our position would be that we could not support a treaty that entrenched that EU competence over fisheries.

Irene Oldfather: There are shared competences and exclusive competences. The draft treaty says that marine biological

conservation is an exclusive competence. The common fisheries policy, other than marine biological conservation, is a shared competence. Are you seeking clarification of what marine biological conservation means or are you seeking removal of that as an exclusive competence?

Linda Fabiani: We will always look to Scotland’s best interests. Scotland’s best interests would be served by Scotland’s having competence over all those issues. We are negotiating with the UK and we await the text from the IGC. When we see that final text, we will make our position clear.

The Convener: Okay. We have had a fair run at that.

John Park: I will move on to another issue. The better regulation agenda is a priority for the Government. I am interested to see how the council of economic advisers and the national economic forum, which would sit below it, fit into the policy developments on better regulation. Will they have any input?

Before the election it was an SNP priority to look at regulations on a one in, one out basis. Will you address that in Government? I am also interested in hearing how the European strategy document that you are developing will dovetail with the Government’s work on the national conversation: there will be, if you like, an international conversation. How will those processes come together? Will they mirror each other? Are they the same process or part of the same process? Will there be similar outcomes?

Linda Fabiani: I will start by addressing better regulation. We welcome the latest developments on better regulation, which is vital if we are to compete effectively in the global economy. I understand that the current state of play is that the Portuguese presidency is pushing ahead with the simplification, codification and withdrawal of pending proposals and the reduction of administrative burdens. As we discussed previously, it was agreed at the European Council meeting in March to cut red tape by 25 per cent within five years.

We are committed to reducing the burdens on business, charities and the voluntary sector that arise from European Union directives and regulations. That means ensuring that there is no gold plating and no unnecessary introduction of unhelpful EU regulations. It also means involving Scottish businesses at a very early stage in formulation and reviews, and liaising closely with them on the transposition of EU regulations that are already in progress.

I think that John Park referred to the industry-led regulatory review group, which advises us on all aspects of better regulation. It is not convinced that an administrative burden measurement

exercise, such as the one adopted in Europe, is either suitable or appropriate in Scotland. It has doubts about the effectiveness and reliability of such an exercise. Nevertheless, we will keep under close scrutiny the issue of how we properly measure the costs and benefits of regulation.

As far as one in, one out and the transposition of directives is concerned, I am currently discussing with Lynne Vallance and other officials the best way in which to reform those internal procedures. I want to get more substantive information about our proposals to the committee at a later date. The Government's response to the previous session's "Report on an inquiry into the scrutiny of European legislation" marks the beginning of a dialogue between the Government and the committee and I am keen to ensure that we work together on the issue. I think that there is consensus in the Government and the committee that we should improve our transposition systems. I will come back to the committee with detailed proposals.

John Park: The council of economic advisers was set up to advise the Government on economic matters and to create an environment that would help business and the economy to prosper. Do you see any role for it?

Linda Fabiani: Sorry, I thought that you were talking about the regulatory review group. I did not pick up that you were talking about the wider issue of the economic advisers. Their remit is under discussion with the First Minister. Should better regulation be part of its remit, I will let you know.

Gil Paterson: I will take the minister back to the fisheries issue. Has the Government been in dialogue with the Northern Ireland devolved Government and fishing communities in the south of England about the possibility of a Scottish minister leading the United Kingdom team on fisheries? If that is the case, what has been the outcome of those discussions? What do other communities think of that possibility? Do they support it or oppose it?

Linda Fabiani: I have had one full meeting with our Northern Ireland counterparts, which was prior to the last JMCE that I went to. I will meet them again, prior to the upcoming JMCE, and I hope that our Welsh colleagues will be able to attend, too.

It is clear that we all have common interests. The discussions are in their early days, but I have not picked up that the other devolved Administrations have any worries about a Scottish minister leading the fisheries negotiations. As I said, Richard Lochhead, as Cabinet Secretary for Rural Affairs and the Environment, has already written to the UK Government about that and discussed it with the relevant minister at the time, who I think was Mr Miliband—of course, that has now changed.

Gil Paterson: I have a question about the EU's energy policy, from which any reference to nuclear power is absent. How does that interface with the Government's strategy and our discussions on the matter in general? Nuclear power does not seem to be mentioned in any European energy policy. What does the Government have to say about that?

Linda Fabiani: The energy policy for Europe is clear in not taking a position on nuclear power—it leaves that entirely to member states. This Government's position on nuclear power is quite plain and has been—and, I am sure, will continue to be—debated by the Parliament on many occasions.

Margo MacDonald: I have a question to tack on to that. Why does the minister think that the European energy policy—which I think will become an exclusive competence—does not take account of nuclear power?

The minister has stressed that the Scottish Government considers all the changes in Europe from the point of view of their impact on Scotland's interests. How many of the 59 new areas that will be subject to qualified majority voting have been assessed, analysed and reported on as regards their impact on Scotland and Scottish policy making?

The minister said that marine biology was a red-line issue, of which I had been unaware. I congratulate her Government on threatening to do a Norway if it does not manage to get that fixed. On red lines in general, is she satisfied that Her Majesty's Government can protect vital British interests with the red lines that former Prime Minister Blair said he had drawn, given that Margot Wallström, vice-president of the European Commission, said:

"Citizens will be able to claim before the courts the rights enshrined in the Charter ... The Charter will be binding for the European institutions, and also for member states when they implement EU law"?

In other words, she opined that the red lines do not amount to a row of beans. Does the minister agree?

Linda Fabiani: I will deal with your question about energy first. We welcomed the energy policy for Europe. It is currently with member states in the Commission, as thinking is developed on how to achieve the targets that have been set. As a country with huge potential renewable energy resources and opportunities for carbon storage, Scotland is well placed to contribute to that agenda. The Commission programmes will create genuine opportunities for us to seek additional funding and partnerships with other member states in relation to offshore grids, carbon storage and renewable energy. In July, the First Minister

had a constructive discussion with the appropriate commissioner, Commissioner Piebalgs, who supports European carbon sequestration projects. I repeat that the energy policy for Europe takes no position on nuclear power and leaves the matter entirely to member states to decide on.

In regard to the 59 areas that will be subject to QMV, we track everything that comes in. That will inform future decisions on what the Government deems to be its priorities and what we put before the committee.

Margo MacDonald: Are you unconcerned about any of those issues just now?

Linda Fabiani: They are all being tracked and any concerns will be flagged up to us. We will then be able to decide whether we want to put them into our priorities. Those priorities will be continually revised and presented every six months. The 21 dossiers are on issues that we feel could have an impact on Scotland.

As I have said, the red-line issue for us is about whether we demand a referendum on the treaty. I do not think that I said that we were considering doing a Norway. We will always consider Scotland's best interests. When we get information back, we will decide on our future strategy.

Margo MacDonald: The treaty has to be signed next month. How much time have you got?

Linda Fabiani: It is December.

Margo MacDonald: I thought that an intergovernmental meeting would be held next month.

Linda Fabiani: Yes, the final text comes out next month, but it will be December before the Council has to sign up to it.

12:30

The Convener: Minister, you said earlier that there was considerable discussion in the Government about what the current EU priorities should be. However, 20 out of the 21 dossiers are from the previous Administration. Do you therefore think that the previous Administration got its engagement with Europe right?

Linda Fabiani: I certainly do not think that we should throw the baby out with the bath water. The previous Administration tracked things that it was absolutely right to track. You will have noticed that we dropped three or four dossiers, but that was because they had come to a natural conclusion.

This committee always appreciated knowing what the Government's EU priorities were. That will continue. However, a difference with the new Administration is that we are now presenting our political priorities as well. We think it fair that the

Parliament should know what our priorities are in our term of government. I also think that we are more prepared to be flexible when this committee, on behalf of the Parliament, comes forward with an idea and says, "We think you might have missed this." When that happens, I will be happy to consider the idea and make adaptations.

There will always be issues of concern to Scotland on which we can find common ground. The difference now with this Government lies in just how hard we are going to push Scotland's best interests. I am talking, for example, about the joint ministerial committee on Europe. I intend to engage much more with that committee than ever happened before, and I intend to engage with the other devolved Administrations to consider our best interests.

The Convener: That is useful to know, but I want to pursue the point. Rhetoric surrounds the political objectives: we have themes for them, but we do not have detail. When will the detail emerge? Will that be part of the European strategy?

A further—and key—question is this: how do your six political objectives relate to the dossiers? I get the sense that there is simply a watching brief on the current EU priorities. If we consider the descriptions of what the Scottish Government is doing, we see that it is negotiating with the United Kingdom to ensure that Scottish interests are paramount. That description does not give sufficient detail to allow a real understanding of what the Government is trying to do.

Linda Fabiani: As I think I said earlier, we will bring the full European strategy to you. We intend it to be part of the conversation that we are having, and I hope that this committee will play its part in contributing to that conversation.

Our longer-term political goals have been laid out clearly. They are the big issues that the Government thinks have to be addressed so that we can really ensure that Scotland's best interests are looked after. The key EU dossiers come out of Europe, and we have no real control of what comes out of Europe. All that we can do is track the dossiers, consider them and decide what our priorities must be. They can then be fed into our objectives so that we always do the best for Scotland.

Following the conversation and consultation—when we will listen to what people have to say—we will come back to the committee with a full strategy. I imagine that that will be after the turn of the year, in the early part of next year.

The Convener: So, for the reasons that you have explained, there is no linkage between the current priorities in the dossiers and the Government's political objectives. When the Government arrived at its current priorities, what

consultation was undertaken with stakeholders, and how did the Government reflect on the committee's priorities as outlined in annex C of the committee's fourth report in the second session? I believe that you were the convener of the committee at the time. Which of the committee's and the Parliament's priorities actually fed into the Government's priorities today?

Linda Fabiani: First, there are linkages: everything that comes out of Europe is relevant to Scotland, and it all links into our political objectives—it is not possible to separate them.

I think that the second part of the question was on the Government's discussions with stakeholders on reaching our objectives. Every Government has to reach its objectives in relation to what it considers important and what comes out of Europe, and that is what we have done. As the convener said, in the main, our objectives are similar to those that the previous Administration set out in its dossiers. Of course they are: we are talking about the things that come out of Europe that people sensibly see have a direct relationship to Scotland—things on which we have to input. We have put our objectives on the net and people can give us their responses—all stakeholders know what is on the website.

Part of the on-going development to which I have referred is the fact that committee members and others can come back to us on the objectives. For example, John Park raised business and the better regulation agenda. In that context, the appropriate bodies that represent businesses can respond to what we have put on the net—they can tell us that we should do this or that. We are here to listen and to be flexible, and that is what we will do.

The Convener: I do not want to push you too far on the subject, minister, but, other than simply placing the Scottish Government's current EU priorities on the net, was any specific consultation undertaken?

Linda Fabiani: Department officials are in constant contact with stakeholders. Their role is then to speak to the relevant cabinet secretary or minister in order that a view can be taken on what has been fed into the process and so that decisions on the priorities can be made. A Government decides on its priorities—that is plain to see—but we are willing to listen to anyone who wants to feed into the process. In deciding on those priorities, we are confident that, in the main, we have taken on board the views of those who will be most affected. We did that by way of discussions with officials who are, after all, the people who sit in the middle, between ministers and stakeholders. After that process, we published our priorities. If stakeholders wish to contribute further, they are welcome to do so.

The Convener: Committees welcome the opportunity of regular dialogue with the appropriate minister. As a former committee convener, the minister knows the specific role that consultation has for stakeholders. I would hate to think that the Government is leaving its consultations to portfolio officials—whoever they are—as a matter of course. I am sure that the minister did not mean to suggest that. I hope that there is a focus to all of this.

Linda Fabiani: Of course there is a focus. We are three months down the line in terms of the new Government coming into operation. I am quite pleased about the way in which we have addressed the issue. We are saying to stakeholders and the committee, "This is us being open and transparent. Please consult us."

The Convener: I think you will find that it is five months, minister.

Margo MacDonald: I return to the business of what I call the constitution—because I am old fashioned—but which others call the reform treaty. One clause has been referred to as the ratchet clause—we asked the MEPs about it earlier. I appreciate fully that the SNP Government has not worked out its position on the provisions of the new constitution or reform treaty. That said, it is sailing close to the wind on the matter, as there is little time left in which to work one out. Does the Government have a position on the principle that is enshrined in the ratchet clause?

Linda Fabiani: There are issues in the treaty on which we have negotiated with the UK Government and reached agreement. For example, on some of the matters relating to justice and home affairs and to energy and climate change, it looks as if the text of the treaty will be useful to Scottish interests. We are having a full debate on the subject in the chamber tomorrow afternoon. I hope that the various issues for the parties will emerge then.

On the ratchet clause, I will be up front and say that I do not know enough about what Mrs MacDonald is talking about to be able to answer the question properly. I will take the matter on board and I should be able to give her an answer in the debate tomorrow.

The Convener: That is helpful. Thank you, minister.

Irene Oldfather: Minister, you talked about national priorities, one of which is the common fisheries policy. Do you envisage links between your domestic agenda—the national policies and priorities of the SNP Government—and the European agenda?

Linda Fabiani: Absolutely.

Irene Oldfather: I will give you an example.

Linda Fabiani: Please do. I cannot work out how it would be otherwise.

Irene Oldfather: You will be aware that I have a specific interest in Alzheimer's, which the First Minister said would be a national priority for the SNP Government. I do not see the link between your objectives and your priorities in the healthier Scotland agenda and the European agenda. A number of member states and regions throughout Europe have said specifically that they wish to make dementia a European public health priority. Are you looking to include that in your list of priorities, given that it is one of the SNP Government's domestic policy priorities?

Linda Fabiani: The EU makes recommendations in relation to the health agenda. Of course we will consider any recommendations on any specific health matter in relation to our national policy. I will pass on your concern about Alzheimer's and dementia to the Cabinet Secretary for Health and Wellbeing.

Irene Oldfather: There is an opportunity to work in partnership with others in Europe to influence the agenda. Now that Alzheimer's is a national priority in Scotland, I hope that you are looking to take it forward in Europe.

Linda Fabiani: I acknowledge Irene Oldfather's interest in Alzheimer's and the sterling work that she has done on it over the years. I will check out exactly where we are at and get back to you. Should I get back to the committee or to Irene Oldfather, convener? I will take your advice on that.

The Convener: I think that you should get back to the committee.

Linda Fabiani: Okay. I will also pass on the concern to the cabinet secretary.

The Convener: I have been asked to ask you about the timescale for the internal review of the transposition procedures and whether you will be engaging with stakeholders on it.

Linda Fabiani: We are working on the internal review of transposition procedures and are already engaging with stakeholders. I hope to have the full strategy for Europe before the committee near the beginning of next year, as part of the conversation that we are launching formally on 30 November.

The Convener: Thank you for coming to give evidence to the committee.

Meeting closed at 12:42.

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