

EUROPEAN AND EXTERNAL RELATIONS COMMITTEE

Tuesday 31 March 2009

Session 3

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EUROPEAN AND EXTERNAL RELATIONS COMMITTEE

6th Meeting 2009, Session 3

CONVENER

*Irene Oldfather (Cunninghame South) (Lab)

DEPUTY CONVENER

*Michael Matheson (Falkirk West) (SNP)

COMMITTEE MEMBERS

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

*Patricia Ferguson (Glasgow Maryhill) (Lab)

*Charlie Gordon (Glasgow Cathcart) (Lab)

*Jamie Hepburn (Central Scotland) (SNP)

*Jim Hume (South of Scotland) (LD)

*Sandra White (Glasgow) (SNP)

COMMITTEE SUBSTITUTES

Jackson Carlaw (West of Scotland) (Con)

Ken Macintosh (Eastwood) (Lab)

Gil Paterson (West of Scotland) (SNP)

Iain Smith (North East Fife) (LD)

*attended

THE FOLLOWING GAVE EVIDENCE:

Donald Henderson (Scottish Government Culture, External Affairs and Tourism Directorate)

Michael Russell (Minister for Culture, External Affairs and the Constitution)

Deborah Smith (Scottish Government Culture, External Affairs and Tourism Directorate)

CLERKS TO THE COMMITTEE

Lynn Tullis

Simon Watkins

ASSISTANT CLERK

Lucy Scharbert

LOCATION

Committee Room 2

Scottish Parliament

European and External Relations Committee

Tuesday 31 March 2009

[THE CONVENER *opened the meeting at 10:31*]

Decision on Taking Business in Private

The Convener (Irene Oldfather): Good morning, colleagues. Welcome to the sixth meeting in 2009 of the European and External Relations Committee. We have received no apologies today.

The first item on our agenda is to agree to take in private item 6, on our annual report, and item 7, on themes arising from oral evidence. Is that agreed?

Members *indicated agreement.*

Minister for Culture, External Affairs and the Constitution

10:32

The Convener: The second item on our agenda this morning is to take evidence from the new Minister for Culture, External Affairs and the Constitution on his approach to his portfolio and on European and external relations matters of interest and relevance to the committee. The minister is accompanied by Leslie Evans, Donald Henderson and Deborah Smith, whom I welcome to the meeting. I understand that the minister intends to make a short opening statement.

The Minister for Culture, External Affairs and the Constitution (Michael Russell): With your permission, convener, I would like to make a brief statement outlining some of my priorities.

I am grateful to the committee for giving me the opportunity to speak to it today and to set out my view of the portfolio. I begin by thanking my predecessor, Linda Fabiani, and recording my appreciation of the hard work that she did as a minister. I also thank the convener, as I look forward to having a close engagement—I do not know whether it will be long—with the committee. I hope that we will assist each other.

We are entering a key time for the Parliament, 10 years on from devolution. At the same time, we face pressures the like of which we have not previously known. All in the Government must bring the resources of their portfolios to bear on ensuring that two objectives are met: first, that Scotland is in a position to survive the short-term challenge; secondly, that it is able to prosper in the longer term. All the issues in my portfolio are focused on those objectives. I will touch briefly on two or three of them.

It goes without saying that the European Union has much to offer Scotland, but the environment in Europe in which we work is complex—even more complex than the context dictates. The EU is facing economic and institutional change. There will be European elections in June, and a new Commission will be put in place this year. The Irish referendum also has a bearing on the situation, because we do not know whether the Lisbon treaty will be implemented. Recently I had an opportunity to discuss the matter with the Irish minister John McGuinness. Progress is being made on the issue.

The Government's aim is that the people of Scotland should play a full part in Europe and that Scotland should play the same role as any other normal nation. We must have views on all the issues that arise as Europe develops, and we do.

For example, we have views on Iceland's application for EU membership, which I am happy to discuss. However, we must have views on what we are seeking to get out of the European Union.

Our policy is threefold. First, we must be involved in tracking key legislation and events. We must ensure that Scotland benefits when there is an opportunity for it to do so, and that we are aware of and capable of managing any threats.

Secondly, we must identify the key areas in which we can achieve things, pursuing work on our initiative because we think that it is beneficial to us. There is a long list of such issues—my role is to find ways of prioritising further the items on that list. For example, our key objectives must include energy, the marine environment and fisheries. Research, creativity and innovation are important to us. We are making an impact on justice and home affairs, and we want to keep on doing so. We can make a distinctive contribution in all those areas. We need to work out how we can do that, and then do it.

Thirdly, we must ensure that we are proactive rather than reactive. I appreciated the points that came out of the visit that Ted Brocklebank and Jim Hume made to the Czech Republic. One of the lessons was that early engagement with a new presidency is what matters. I have already met representatives of the incoming Swedish presidency. We need to be in the forefront of anticipating what is taking place, ensuring that we are influencing policy, being thought of, and indeed thinking of the permutations ourselves. In that regard, our presence is important.

Donald Henderson, who is here today, runs Scotland House, which is important in relation to support and proactivity. In particular, it supports ministers who seek to attend meetings, meet commissioners and attend Council. I stress the latter. Attending Council is not a cosmetic thing that we do simply because it makes us feel good; it ensures that we are represented and that we understand what is taking place. We can do that successfully, although not completely, as members of the United Kingdom delegation. The expectation is that the UK asks us to argue for a line that we have played a part in developing. In the current context, that is what we do, but in return we must expect to be integral to the process of developing that line and putting it forward. I repeat that our preference is to contribute as a normal nation, but even within the present context we can do something.

I am sure that you will want to ask me questions about transposition and the implementation of policies. I am happy to answer those, but I make the point that we should do those things in the right way for Scotland not just because we have to but because it benefits us. We must do so with a

method that works for us rather than simply run to somebody else's timescale.

I am sure that Donald Henderson will say a few words about Scotland House later. I am keen that we build that resource.

I am fully committed to ensuring that Scotland plays its part on the world stage, in support of the Government's framework. Our priority is to build our objectives and to do so in co-operation with others. I pay tribute to the excellent relationship with the Scottish consular corps, which helps us to do that, and to the work that is done through a variety of interests and agencies furth of Scotland, including Scotland House, the work that we do in Washington and Beijing, the work of Scottish Development International and the work of VisitScotland. There is a joined-up approach to representing Scotland, and there should be a joined-up approach in welcoming people to Scotland.

There are key priorities in this area. You will want to talk about China. I am happy to give you more details about the visit that the First Minister and Ms Hyslop made there, although information about that will come better from them when they return, particularly as I have never been to China. They are likely to have more authority in what they say. You will want to mention North America, where I, the Deputy First Minister and Mr Mather will be next week. I am keen on the work that we are doing to develop the India plan and our relations in India. I am also looking further afield. For example, we are asking ourselves what we might do in Latin America in the next two to three years.

We have a role to play in the fight against global poverty. As a Government, we have already met our manifesto commitment to double the international development budget to £6 million from the baseline of £3 million that was provided previously, and we have planned a further increase to £9 million in 2010-11. We continue to make excellent progress, for example in Malawi. I pay tribute to the work not just of my predecessor but of Jack McConnell and Patricia Ferguson, who sits on the European and External Relations Committee and speaks with great authority about these matters.

I have already met the key international development networking organisations and reiterated my support for the work that is being done, particularly in Malawi. I have also been involved in the funding of Scottish non-governmental organisations that are responding to the humanitarian crises in Gaza and the Democratic Republic of Congo. Those engagements are important to us and will continue to be so.

Finally, I will say a word or two about the islands of the United Kingdom. I have a new responsibility for the constitution, which has been added to the culture, Europe and external affairs brief. I will be the lead minister on relationships within these islands. I have already attended both the British-Irish Council summit and the round of joint ministerial committees. It is important to the Parliament to ensure that that representation allows the operation of existing institutions and the development of new ideas. I have responsibility for the development of new ideas in my work on the national conversation. I think that that is going well, but committee members might disagree with me—not all of them, but I can see that Mr Brocklebank is itching to do so.

With that in mind, I conclude my brief presentation. I am happy to answer questions. I hope that you will allow me to bring in my colleagues as appropriate.

The Convener: On behalf of the committee, I echo your comments about Linda Fabiani. We welcomed her positive and creative engagement with the committee and, in particular, her commitment to matters such as Malawi.

You mentioned the importance of a joined-up approach. I could not agree with you more. You also mentioned having a method for how we go about things. In that context, could you take a moment to explain the synergy between the different policy areas? We have European Union political objectives, EU political priorities, forward look long lists, early intervention long lists and action plans on European engagement.

First, how do we decide what is a political priority? Secondly, why do we have so many different strands? There seems to be a lack of clarity.

Michael Russell: As you know, I am a great enthusiast for simplification. I am a great fan of Occam's razor—whatever appears to be the simplest solution is generally the best. In these circumstances, I might tend to agree with you. We need to boil down what we want to achieve in all our policy areas, and particularly with Europe, into our key objectives.

This committee and my team are not solely responsible for European policy. In fact, the responsibility lies throughout the Government, and throughout the Parliament. I can give you a good example of that. The European elected members information liaison and exchange network committee met two weeks ago and the convener of the Health and Sport Committee was present. Helen Eadie was present to talk about cross-border health—

The Convener: Helen Eadie is not the convener of that committee; Christine Grahame is. You are promoting Helen Eadie.

Michael Russell: I am very sorry. I was labouring under a misapprehension. She may have been labouring under the same misapprehension.

Helen Eadie was there to engage on the issue of cross-border health care. It is entirely proper that that is a priority for the Health and Sport Committee. My job is to support the health minister on that, which is what I try to do.

There is not only the issue of other responsibilities but the issue of what our key priorities are—where we put most of our effort. I do not want radically to change our approach on that but to begin to allow to rise to the surface the things that we really want to achieve. I have mentioned some of them. For example, we have taken the lead in a work stream on marine energy in the British-Irish Council. At the end of last year, Jim Mather was involved in developing a structure in Brussels to support that. The new economic stimulus package that passed through the European Council last week contains an item that involves funding for the Aberdeen demonstrator offshore wind farm.

Clearly, there is recognition in Europe and in this Government that the issue of marine renewables is particularly important to Scotland. If we get that right, we can lead on the European side, and we can benefit from it. A number of things become clear priorities in the overall context, but I will not cut out the concerns of any minister or any committee. In the short term, I would like to simplify. I look forward to working with the committee on that.

The Convener: Are the current EU political priorities still the Government's EU political priorities? Are the current EU political objectives still the Government's political objectives?

Michael Russell: Yes.

The Convener: How did we arrive at those?

Michael Russell: Before my time. I am sure that a process of discussion and debate has taken place. The role of any new minister is to examine afresh and to see whether there are new perspectives that he or she can bring to bear.

Donald Henderson might tell us about the process of engagement within that, but I am keen to ensure that we focus increasingly on the things that we will get out of the relationship.

Donald Henderson (Scottish Government Culture, External Affairs and Tourism Directorate): In assessing any of the priorities—whether it is the political priorities or the more

detailed ones—it is inevitable that we consider a range of issues. First, where does the EU have responsibility and what kind of responsibility is it? Is it legislative or advisory? Secondly, what is the nature of that activity, public service or public interest in Scotland? Thirdly, is there something distinctive about Scottish experience, either within the EU as a whole or within the United Kingdom? For instance, do we have a disproportionate share as regards justice and home affairs? As the UK is the only member state in which two legal systems operate, are we somewhat unusual in the way in which we configure things in Scotland? Based on a synergy of those factors and others, we decide what the priorities ought to be. Those can be short-term legislative priorities, if we need to defend essential Scottish interests or take best advantage of opportunities; or broader-sweep issues that relate to the political priorities with big headings such as agriculture and fisheries.

10:45

The Convener: A couple of things occur to me. The committee has in the past raised the issues—to take two examples—of urban regeneration and Alzheimer's disease. Alzheimer's is a national priority for the Government and a European priority that has been taken forward by the French presidency, but it does not appear anywhere in the Government's priorities for European engagement. There is a lot in the Government's political priorities on long-term objectives for rural issues, but not a lot about urban regeneration. I want to know how those issues can get on to the table—I am not clear about how policies get to be where they are.

Secondly, I have to be honest: one thing completely baffled me. The nutrition white paper was on one of the priority lists—I am not sure which one, as there are so many—but the then Minister for Europe, External Affairs and Culture told the committee:

"The nutrition white paper has also been removed from the table, because it would have no practical impact in Scotland".—[*Official Report, European and External Relations Committee*, 7 October 2008; c 841.]

I am wondering, therefore, why it was on the priority list in the first place. The approach to those issues demonstrates that there is no clarity or clear strategy.

Michael Russell: I am sorry to disagree, convener, but I do not think that they demonstrate that. We have to ask ourselves what the added value is in each area. I recognise that you have a long and distinguished history of battling on the cause of Alzheimer's. If European engagement in the institutions of Europe can add value to the work that we do in Scotland, we should be prepared to take it on board. I make the offer

openly and genuinely that if you can show me that there would be such added value, I will do everything in my power to assist you on that matter.

Very effective action is taking place on urban regeneration in Scotland—we have only to look to Glasgow and the important work that will be carried out for the 2014 Commonwealth games and in the east end of the city to see it. If there is added value in that—including financial added value, which I am sure there will be—that is how we will engage.

I have to admit—I am never late to admit that I do not know things—that I have no idea about the nutrition white paper. I have just sought support from Lesley Evans who is sitting next to me, and it appears that she does not know about it either. I am afraid that we will have to write to you about that—I have no idea why the white paper was on the list or why it came off.

My view is that if it can be demonstrated that we will get added value in policies, we will take that approach. I have illustrated one or two of the areas in which I think there is added value—or in which we believe we can get it—and we will go for those with some purpose.

The Convener: I appreciate the minister's willingness, which I think he is offering us, to examine all the various policy strands that seem to be running—some of which, in my view, have no clear purpose. If the nutrition white paper could get on the list of political priorities only to be taken off, one has to wonder what the underlying criteria are and where the added value is. However, I will take the minister at face value on that, and we will return to the matter at the next meeting.

I have a hundred other questions, but I know that my colleagues want to come in.

Jamie Hepburn (Central Scotland) (SNP): Thank you, convener. I do not have 100 questions, but I have a few. The first pertains to the new part of the minister's portfolio, which he mentioned: his work on the constitution and the national conversation. How does that fit in with your work on international engagement? You mentioned that you hope that joint ministerial committees will allow for the development of new ideas about the way in which the various parts of these islands can interact with each other. Do you think that the committees will offer that opportunity?

Michael Russell: It will come as no surprise to any member of the committee that I am a nationalist and believe that Scotland should be independent—that is accepted. A normalcy is required for Scotland that it does not presently have, and I want that to come about. The national conversation is an information-oriented activity that tells people the facts and allows them to make

up their own minds. The two things—the national conversation and the referendum—sit together, in the sense that we want to tell people the facts and give them an opportunity.

The structures of the joint ministerial committee on Europe, which has operated without interruption, and the domestic joint ministerial committee, which has just been reformed—its first meeting was held last month—are mechanisms that should help devolution to work better and overcome some of the grit in the engine. Obviously, the mechanisms must operate in a way that is beneficial for all sides. There has been helpful examination of good practice. For example, the Ministry of Defence has analysed work that it has done on veterans issues and helpfully illustrated where that worked and where there was parity of esteem, a recognition of the different currents that are running and early engagement on issues. There has also been bad practice. Those structures should help that work.

In Scotland, we need to ensure that Scottish people are familiar with all the options that exist and help them to make an informed choice. We need the widest public engagement, which is one of the issues on which I will be engaged.

Sandra White (Glasgow) (SNP): My question is about India. Last week, I attended the opening of the Indian visa application office in Glasgow, at which the Indian high commissioner to the United Kingdom, who is looking forward to working with the Scottish Government, was present. I also attended the launch of an Indian tourism campaign. In your opening remarks, you mentioned joined-up thinking and VisitScotland. As India will host the Commonwealth games in 2010 and Glasgow will do so in 2014, are there any plans to visit India in 2010, perhaps for a handover of the baton or whatever? What are your future plans in relation to India? You also mentioned Latin America. Will you expand on that and let us know which countries you are thinking about?

Michael Russell: We do not have unlimited resources, so we need to prioritise work that has a variety of effects, including effects on population from people coming here and us going to a country, and trade and cultural effects. We look for a range of important outcomes. The China engagement is under way and is looking good. We will evaluate that as an overall activity as it goes ahead. In the past, we tended to evaluate little bits of programmes. We will let the China engagement run for a bit and then consider it. This year, we will talk broadly about how it is going.

I was at the launch of the consultation event on the India plan and Jim Mather was at the conclusion of the event. It is interesting that, last week, a prominent Indian businessman said that

there are big commercial reasons for encouraging that engagement and trying to put something together. I am glad about that. Sandra White is right that there are developments in India, too. In 2000, I was fortunate enough to attend a Commonwealth Parliamentary Association event in India. It was the first time the Scottish Parliament had been represented at a CPA event. The potential of engagement with India is enormous for a variety of reasons. There are many business and technology interests and an increasing amount of tourism interests. One remarkable feature of India is that it is the world's largest democracy and works in the most curious but interesting way. We have much to learn from India. In that sense, we can benefit from that engagement.

We are taking a step-by-step approach. We are developing a plan and we will work out the right approach. We are scoping the appropriate level of visitation and appropriate times for that. I can confirm that the Commonwealth games is on our agenda. We need to mark the continuity between one games and the next—that is always done—but we must also consider how the Commonwealth games fits into our Indian engagement and India plan. That is added value, convener. We will keep the committee informed. We are happy to talk about that and we will consider how it is going. I hope that the committee will be involved in that, because it has a role, as well as ministers.

On Latin America, my view is that as one plan moves forward, we need to know what follows behind. However, it is very early days on that. All I have said to Deborah Smith and her colleagues is that we should begin to consider the possibility of engagement. For example, we might engage with a Spanish-speaking country. Spanish is a major world language, so we need to engage in that way. There are existing links with a variety of countries. I do not make any supposition about what country it would be. I would welcome the views of the committee and others on that. Arguments could be made for a range of countries. For example, we have strong links with Chile through trade and industries. As I know from my previous role, the salmon farming industry in Chile is the second largest in the world. Engagement with Chile would be beset with difficulties, but there are interchanges already. There are possibilities in Argentina and strong links with that country. Other possibilities arise. We will consider the issue and think about what fits, so I welcome views on that. However, I do not expect us to make progress this year; we might begin to look at it next year.

The Convener: I think we got a letter from the previous minister about this; do you have a timeframe for the India plan?

Deborah Smith (Scottish Government Culture, External Affairs and Tourism Directorate): The intention is to publish the plan in late spring or early summer.

The Convener: We are also waiting for the refreshed North America plan.

Michael Russell: Our unified North America plan, which will bring together the United States and Canada, will be published by the summer. In view of your drive for simplification, convener, I think that the fewer documents we have, the better.

The Convener: I notice that the action plan on European engagement is in consultation. Are we expecting that to be finalised?

Michael Russell: I think that in light of all these questions we should produce a revised publications schedule. I point out, though, that we are not a publishing house; we have other things to do. We will look at the schedule of what we are providing to the committee. We want to give you as much information as possible, but we have to do it in a rational and reasonable way.

The Convener: Can I also draw to your attention the guidance on handling EU obligations—

Michael Russell: I think that you have already received a draft of that.

The Convener: There is a draft but, again, it still has to be finalised.

It is starting to sound as if you are a bit of a publishing house.

Michael Russell: I am never averse to publishing—indeed, I have earned my living by it—but we should also be acting. I want—as, I am sure, you will want—to ensure that we focus on action.

The Convener: Absolutely. That is why I am raising these issues with you.

Michael Russell: So you will not demand too many publications from us, then.

The Convener: We will expect you to meet the commitments that you have set out, or to revise them.

Michael Russell: That gives us an excellent opportunity. We will revise them.

The Convener: Great.

Michael Matheson (Falkirk West) (SNP): I notice that the India plan has four key areas, but it is not obvious to me whether there will be an international development plan associated with it.

Michael Russell: Apparently that is a subcontinent issue rather than a country issue,

because we are seeking to develop our engagement with the subcontinent rather than just with India. I feel that that requires a bit more clarification—and, indeed, I asked for that this very morning when I was discussing what I might say to the committee. I want to come back to you and say that the issue has been clarified.

Michael Matheson: That would be helpful.

You have set out this morning the themes of added value and the need for effective engagement and said that the Scottish Government has already engaged with the Swedish Government on its presidency. When should we start the engagement process to ensure that we get the most added value for Scotland? I am sure you agree that what you will get from engaging with the Swedish Government just now will be fairly limited. How far in advance should the Government begin to engage with those who will take on the presidency?

Michael Russell: Earlier than we have been able to so far. From discussions that I had last month, it was obvious that certain things were pretty well established—as they had to be—and therefore our opportunity to influence or be involved in them was more limited than it might have been. With the tripartite presidency that is coming up, we have to be engaged now. That said, we need to know what we are looking for and to ensure that, as the presidency develops its objectives, we find out where they coincide with our own—that is where added value comes in—and whether we can get involved.

The particular interest of the Swedish presidency will be young people and active involvement in culture. We could have been significantly engaged in those areas; although we will still be able to engage, we will not be able to do so as fundamentally as we might have done had we known about all this three or four months ago. We need to engage as early as we possibly can. This is one of Donald Henderson's roles. The Scotland House staff need to carry out horizon scanning very early on. Moreover, given that MEPs discuss what is happening next, we have to ensure that, as our new MEPs are elected, they become a resource for horizon scanning.

Other institutions also have a role. For example, members of the Committee of the Regions talk to people from other countries, know what is happening and can be involved in those discussions. I think that we are heading towards a system of joint intelligence gathering of information on what is going to take place next, which is then converted into political discussion and action.

Donald Henderson: I entirely concur with that, although I should perhaps add one thing. Not long after I started this job, last autumn, I met through

the Flemish Government contacts in the Belgian representation and discussed with them the troika involving the Belgian, Hungarian and Spanish presidencies, but it was too early to speak to them then. They are only just beginning to set up their work plans. I suggest that the clock starts ticking about 18 months before the start of a presidency, depending on the nature of the issue, the presidency's ambitions and our interests.

11:00

Michael Matheson: I will stick with the theme of engagement. Earlier, you spoke about developing lines for the discussions at the Council of Ministers. You said that in the present context we can do something not just to improve the development of those lines but to put the case itself. Can you indicate exactly what you mean and what that something might be? How are you seeking to pursue that approach?

Michael Russell: We need to get the best that we can within the present settlement. It is not the ideal settlement for us; you and I know—others in the room may disagree—what we think the best settlement is. However, within the existing settlement, we must engage positively with the United Kingdom permanent representation to the European Union. Donald Henderson works as part of UKRep. Recently I received a briefing from the head of UKRep; I have not held a meeting in my current or previous role at which UKRep has not been present, welcomed and part of the discussion.

However, there is a *quid pro quo*. If we are actively involved in helping to build and develop a case—as we are on a variety of environmental issues, for example—we need to be involved in putting and debating that case. I want to see engagement on both sides, so that when ministers attend councils they are actively involved both in developing a case with their officials and in the discussing that case. We have suggested that, on occasion, Scotland should lead on fisheries, in the same way as Flanders leads on fisheries for its delegation—it is perfectly possible for that to happen. The Solicitor General and the Lord Advocate have been actively and fully involved in discussions on justice and home affairs.

I hope that we can have the partnership that I have described, although it is not the best way of operating. I have sat at European fisheries councils at which the issue of cod has been discussed. A system in which, among others, the Luxembourg minister whose responsibilities include fisheries has the opportunity to debate that issue but the appropriate Scottish minister does not is not one that works in Scotland's best interests. We must ensure that we have a normal situation that works in Scotland's best interests.

The Convener: Many members would like to ask questions, minister, so I ask you to be a little more succinct.

You spoke about the importance of working within the present structures. The action plan that was published in April 2008 states:

"we will seek an early discussion on the potential to review the Memorandum of Understanding and the Concordat on the Co-ordination of European Union Policy Issues."

How is that progressing?

Michael Russell: Well.

The Convener: Good. Will you tell us about it?

Michael Russell: I am sorry—I thought that you wanted me to be very succinct. The matter is progressing well. A draft has been discussed, and I hope that we will reach a conclusion shortly.

The Convener: Do you have a timescale for publication?

Michael Russell: We do not tend to publish the proceedings of joint ministerial committees.

The Convener: Memorandums of understanding are normally made available.

Michael Russell: That will be a matter for the UK Government; I am sure that you will be able to request that information from it. Good discussion is taking place, and I am sure that it will reach a conclusion within the timescale for the meetings. We are not the only partners in the matter, but I presume that a memorandum will be published shortly.

Ted Brocklebank (Mid Scotland and Fife) (Con): As you can imagine, I would like to engage you on a range of issues. I hope that I will be able to raise some of them—not least the issue of fishing—later.

Sandra White raised the issue of India, which was also mentioned by other members. I have received a number of representations from the Indian business community in Scotland. I am aware that recently Jim Mather met and had dialogue with representatives of the Institute of Asian Professionals in Scotland. The Indian community is concerned that the Government has not pressed ahead with producing an India plan as quickly as it might have done. There is a feeling of frustration in some quarters that there are opportunities in India that we could be grasping and on which we should be moving much faster than we are. What is your reaction to that comment?

Michael Russell: I have been in office for six weeks and I have already been present at the India plan consultation. I intend to drive it forward. I want it to happen, and I will be happy to engage

with Indian businesses and organisations to ensure that it happens. I have been to India and I am enthusiastic about such engagement. I ask Mr Brocklebank to take me at my word when I say that I want the plan to move forward as quickly as possible. SDI is, and will continue to be, strongly represented in India. I see that engagement as being very important to us.

Ted Brocklebank: But I gather that we do not have anybody who represents the Scottish Government in India. We have somebody in the Commission, but I understand that we do not have anybody who represents us in India. Is that correct?

Michael Russell: We have SDI there. We have Donald Henderson at Scotland House in Brussels, we have Robin Naysmith in Washington and we have somebody in Shanghai. If you would like us to increase the number of our representatives, I would welcome your support for independence and the establishment of a normal representative structure. I look forward to that.

Ted Brocklebank: I am not sure that we need to go quite as far as independence to get one solitary person in India to represent Scotland's interests.

Michael Russell: You are somewhere on that continuum, then. Thank you, Mr Brocklebank.

Ted Brocklebank: I put to you another suggestion that you might take account of in your plan. It is thought that, although it might be a little difficult for a nation of five million people to engage with the many millions of people in India, we could perhaps engage with one of the states whose topography and population are similar to those of Scotland, rather as we have done with Malawi. That might be one way in which to develop the plan. Would be prepared to consider that?

Michael Russell: No, I do not think so. The concept of twinning is reasonable for towns and cities, but I do not think that it is a reasonable concept for countries, which tend to engage more widely. That is not to say that we should not seek to specialise—I agree with you on that. The Calcutta book fair was an important cultural innovation. We will need to see how that engagement goes, but that was important to us. There will be a variety of other engagements, but rather than specialise as you suggest, I want us to prioritise so that we get the biggest bang for our buck.

Ted Brocklebank: But we thought that it was important to engage directly with Malawi as a nation. What is the difference between that and—

Michael Russell: Malawi is a nation, India is a nation and Scotland is a nation, so there is an exact correlation there. If we were to specialise

only with Uttar Pradesh, we would not be engaging nation to nation. What I have suggested is a logical position for us to take.

Ted Brocklebank: If I am allowed to do so, I may ask you one or two questions about the European situation later. However, others probably want to ask you questions just now.

The Convener: I am sure that that will be allowed.

Jim Hume (South of Scotland) (LD): I welcome Mike Russell to his new post. I will miss shadowing him in his former post.

Michael Russell: I would say that I will miss you, too, but I want to be as honest as I can be.

Jim Hume: I am sure that we will refrain from being too political.

The European economic recovery plan was agreed in December. Further to that, on 19 and 20 March, it was agreed to cap the package at €5 billion, of which €3.98 billion is to go towards energy projects. For example, €30 million is to go to the Slovakia-Hungary pipeline. That is all in the current edition of the "Brussels Bulletin". I am interested in what projects you would prioritise to get some of those funds into Scotland.

On a completely different subject, I am also interested in your thoughts on the year of homecoming. We are a quarter of the way into 2009. What impact do you feel that the year of homecoming has had at this stage?

Michael Russell: Those are good questions, Mr Hume. Fortunately, I do not have to prioritise projects for the European recovery plan, as the European Union has helped us to prioritise for it. As a result of the resources that are coming forward, the priorities include three areas of key Scottish interest, all of which are in the energy sector. One of those is Longannet, which will receive a Community contribution of €180 million for the carbon capture and storage project. Another is the development of the Aberdeen offshore wind farm, which I have referred to as an exemplar project. That will receive €14 million. In addition, the contribution envisaged for the North Sea grid is €165 million.

We are urging the European Parliament to agree that package, and we want to work with the partners to secure the benefits for Scotland. It should be remembered that that package of measures had to be trowel ready—ready to go—and required a great deal of discussion and debate. I pay tribute to Caroline Flint, the UK Minister for Europe, who helped us to ensure that those important projects were part of the package.

I understand that Scotland will have smaller-scale benefits from the broadband package, which

is a small part of the plan. I pay tribute to our predecessors for the fact that Scotland got ahead of the game on broadband; Jim Mather has been active in closing the gaps. The requirements for that broadband package are less than they are in other places. I was in Wales on Thursday and Friday, where the problem is much more severe and where resources for broadband access will be needed. We will need some resources to upgrade what we are doing. By and large, the money is there. Provided that the European Parliament approves the package, it will be an important stimulus.

Our evaluation of homecoming Scotland so far is pretty good. The benefits have been clear in tourism and in other industries. Another strong benefit is in the public reaction. On 25 January—in more or less the opening weekend of homecoming Scotland—I was struck to see 17,000 people on the Whitesands in Dumfries taking part in one of the big opening events. That experience was tremendous. You know the Whitesands—you do not often see 17,000 people there, particularly not without wellington boots, given the problems there. That is an indication of what is happening in lots of places in Scotland—people are engaging.

We have more to do, but homecoming is working. In America and Canada next week, I hope to be able to continue to push the idea of homecoming. Some of the really big events are still to take place, such as the gathering in July, the whisky events and the golf events—the First Minister will talk about golf when he is in China next week. “Steady as she goes,” is my message on homecoming, but it is going pretty well.

Jim Hume: I will follow up on rural internet connectivity and broadband. I would like an assurance that broadband will go to the more rural areas. We have just heard that the introduction of superfast broadband, or whatever it is called, will start in Glasgow and Edinburgh, although I know that that is a different project.

Michael Russell: I stress that that is indeed a different project. The question is for Mr Mather rather than me. The context is that resources will be available for broadband, but the biggest resource from the European recovery plan is for energy. That is interesting, because the energy objective is a major objective for us, so that coincides well with what the European Union thinks that it should do to achieve recovery. The work of Donald Henderson and his colleagues in UKRep has been key, and we are grateful to them.

The Convener: I will follow up on the EU economic recovery plan. The minister knows that, to assist the situation, the European Union has relaxed state-aid and public procurement rules, in relation to which the Government has been

criticised for taking an overly cautious approach. Will you clarify the position?

Michael Russell: The Government has been criticised, most notably by Malcolm Chisholm, for being overly cautious. That is an opinion, but it does not reflect the reality. It was right for an important warning to be given about other legal issues that arise in the procurement process. It is interesting to note that several Scottish companies are taking advantage of the shorter timescale—I believe that most companies that enter the European procurement process are now doing that. If an unhelpful warning was given, it has not been heeded. If the warning was useful, it has helped those companies to scope quicker procurement. That is happening, and we welcome it. We have in no sense done anything to prevent that—quite the reverse.

The Convener: Thankfully, the warning is being ignored.

Michael Russell: It is always useful to remind people about legal realities.

Charlie Gordon (Glasgow Cathcart) (Lab): You said that you would like to reorder our EU priorities with added value in mind. That is entirely sensible, but it has a familiar ring to it. All the other EU countries probably want to do the same task, although they might not own up to it. That is all part of what goes on.

Among our discrete priorities and the range of priorities that make up the subset of research and development, do you have a feel for where we can progress our interests and achieve moral authority—perhaps at the operational level—to develop leadership and work that becomes interoperable and gives a wider benefit to every member state?

It is early days yet, and you have been minister with responsibility for Europe for just six weeks, but do you feel that there are some areas where we Scots could be giving a lead to the whole of Europe? If I had asked you that question a year ago, you might have suggested financial services as such an area, but we will perhaps not go there.

11:15

Michael Russell: Of course the financial services sector is on the list of subject areas in which we want to be involved. The renewed emphasis on regulation will provide a useful interchange. It will be valuable for us to examine our financial services sector to see what regulatory issues arise in the context of the on-going and detailed reviews of European regulation.

I am slightly concerned about the phrase “moral authority”, but I see where you are coming from.

Charlie Gordon: Perhaps “leadership”.

Michael Russell: Yes—that is it exactly.

I would also mention the energy sector. When I watched a company place turbines into the East River in New York last September, I was struck by the fact that it was doing things that we are doing—albeit in a slightly different way—off the island of Eday in Orkney. Last summer, I went to Eday and saw the European Marine Energy Centre and the experiments with a variety of different ways of generating tidal energy. We could learn from what is happening in New York, where electricity is being generated and is going into the system. Some interesting things are also being done on environmental issues there. They, in turn, can learn about the engineering side from us, as they and we are both learning lessons about how difficult it is to manage tidal energy, with its various stresses and strains.

We have the best potential for tidal energy anywhere in the European Union, although not the sole potential. Potential also exists off the west coast of Ireland and off Portugal, Spain, France and other places. There are implications for hydro energy in other places. I think that we could develop a Europe-wide specialism in tidal and wave energy, and the saltire prize might give us the potential to be world leaders in that area. We are always looking for emerging areas. We have also prioritised life sciences—we have some very important work in that area.

We are a small nation. There are disadvantages in being a small nation, but there are also advantages, such as being fleet of foot. We are also a nation with a reputation for being blunt and calling a spade a spade. I am not ashamed to say that we are looking for added value—you were right to raise the point. As a nation, we should, like any organisation, discuss not just what we bring to the table but what we get from it, as that helps us to prioritise our work.

Charlie Gordon: Fair enough.

Patricia Ferguson (Glasgow Maryhill) (Lab): Wearing your international development hat, have you had any discussions with your colleagues about the environmental side of things—perhaps with your close colleagues, given your previous ministerial role—particularly on the benefits that might be derived from the Climate Change (Scotland) Bill for our partners and friends in the international community?

Michael Russell: That is a key issue. I have had discussions on the matter with Stewart Stevenson, and I will have discussions with others. Stewart Stevenson is of course the lead minister on the bill, but a range of other people are involved. I was involved in one or two of the issues in my previous role. I do not want to mention the

word “forestry”, as Jim Hume might react adversely to that, but the forestry issue is key to climate change, too.

Therefore, the answer to your question is yes, and I would like to do more. The Climate Change (Scotland) Bill is a world-leading bill, and we should recognise the particular advantages that we might have that others do not in solving some of the problems. They are very difficult problems, even for us. Nations that have fewer resources available to solve the problems are still aspiring to do certain things. Quite rightly, they are asking why they should not be able to build and develop their economies in a way that is appropriate to them. We need to share experience, to understand those nations’ perspectives and to work with them.

I am keen for members of the committee to work on that subject with me and, perhaps, with other committees in the Parliament that are involved in climate change, so that we can begin to have the debates and discussions together and to provide the relevant information. I am certainly sensitive to the matter.

Patricia Ferguson: I would like to press you a little on that. This might be unfair, as you have been in your post for only a relatively short time, but given the portfolio that you held previously, this is probably a perfect opportunity for cross-cutting work. Were there any specific measures that you hoped would be included in the Climate Change (Scotland) Bill?

Michael Russell: I cannot give you specifics, but I undertake to continue discussions about specifics in the bill and to come back to you on them. That is a perfectly reasonable thing to expect, but I would need to have those discussions.

Jamie Hepburn: I want to raise a couple of issues, the first of which follows on from the area on which Sandra White touched. I heard what the minister said in his response to her question on Latin America, which is that it is early in the process and that it looks unlikely that a programme will be developed for any country before next year. However, I wonder what the basis for engagement might be, because it strikes me that we engage differently with different countries. For example, engagement with Malawi seems to be about its internal development, and that with China seems to be a bit more about mutual economic benefit. It might still be too early to ask this, but has the type of engagement with Latin America been considered?

Michael Russell: We are at a very early stage and are discussing all those issues. Perhaps Deborah Smith will say a word or two about that.

Deborah Smith: Generally, we would expect that, as with most of our international interaction, such engagement would support the Government's purpose, so that it would be work that would eventually bring mutual economic benefit. There is therefore a distinction to be made between that work and our work on international development, which is specific and is set out separately in our international development policy. I do not think that we are proposing development activity in Latin America, although that is not to say that it has been ruled out completely. However, engagement there is about supporting the Government's purpose and is therefore about doing work that can ensure economic benefit, whether through direct economic interaction or cultural interaction.

Michael Russell: We are at a very early stage. I would welcome and am open to views and ideas, which I know that Mr Hepburn and others have. We want to ensure that we develop a rolling approach so that we are constantly looking forward and being aspirational.

Jamie Hepburn: That is helpful.

I turn to a slightly different area. We have talked about the EU economic recovery plan, which stems from the economic situation that we find ourselves in. I do not know whether you managed to catch the article in *The Herald* yesterday in which it was pointed out that, according to Save the Children, there are 10 million children starving across the planet because of the global economic crisis, and up to 3 million of them could die by 2015. I am sure that we all agree that those are stark figures—it is an appalling waste of human life. How might the Scottish Government's international development programme respond to that challenge in areas where we are engaged internationally, and how might a wider European response be fostered, in your view?

Michael Russell: We will work with anybody we can, in any way we can, to relieve suffering where we find it. One of the frustrations that I feel is that we cannot do more in the circumstances, although I would like to do more. However, we must recognise that the changed economic circumstances will produce changed demands. It has already been indicated to me that we need to keep the position firmly under review.

A policy to relieve suffering does not always have to be reactive. However, to acknowledge its reactive nature is not a criticism, because it is necessary to react. For example, the way in which we were able to react in Gaza was an exemplar of how we should react. I find it difficult, because I would like to do a great deal more than we can do in such circumstances, but I think that any human being would say that: we can do the maximum that we can do, but still feel inadequate.

We will keep the situation that Mr Hepburn described under review. We have to do that, and we will do as much as we can, although I am certain that we cannot solve the situation. Perhaps the world should be thinking of how countries can do that together, rather than dealing with other priorities. However, that is probably outwith my remit.

The Convener: Jamie Hepburn is our unofficial spokesperson on human rights and he always does a good job, I have to say. Before I bring Ted Brocklebank back in, perhaps I can ask a question. You mentioned the Lisbon treaty in your introductory remarks and said that you had discussions with, I think, one of the Irish ministers. What is the Government's current position on the Lisbon treaty? Has any analysis been undertaken of its impact on Scotland?

Michael Russell: I ask Donald Henderson to answer that initially, because I think that the issue of the treaty's impact is very much his field.

Donald Henderson: Work on the treaty has just restarted at the UK level. We are working with the Foreign and Commonwealth Office, other relevant Whitehall departments and the devolved Administrations to examine where the impacts lie. Subject to events elsewhere in the EU, we want to put ourselves in a position in which implementation can take place throughout the UK towards the end of the year.

There will be no implications for us as regards MEP numbers. Under the Nice and Lisbon treaties, member states will have different numbers of MEPs. Regrettably, in any scenario, our number of representatives will go down from seven to six. However, there will be implications in areas such as justice and home affairs and fisheries, in which the European Parliament will take on new responsibilities. We will have to think about how we deliver our business and how we interact with people to ensure that Scotland's interests are represented. In addition, I suggest that the MEPs who are newly elected in June will have a responsibility to be aware of the new responsibilities that we expect the European Parliament to get come January next year.

The Convener: There will obviously be implications for the subsidiarity protocol that will affect committees such as ours. I imagine that discussions are taking place with colleagues at Westminster on such issues.

Donald Henderson: There will be a fairly broad range of effects. As I went to the relevant meetings in London, I would be happy to submit some more detailed information on the work that is being done.

The Convener: That would be helpful. We have an inquiry on the Lisbon treaty on hold—we are

awaiting the Irish decision—but it would be helpful to find out about some of the issues that the Government is considering.

Michael Russell: I have one point to make about the wider implications of the Lisbon treaty and the Irish situation. There is and should be a renewed focus on what one might call the citizens' Europe and the fact that we need to engage people with the idea of Europe. It is not quite pie in the sky to say that I look forward to the day when newspapers comment on the benefits of EU membership for the citizens of Scotland, as opposed to the disadvantages and downsides, but that is certainly a vision rather than a reality.

If we are to reach that point, Europe needs to be more responsive to its citizens. In addition, people who believe in the importance of Europe need to play a more evangelical role among the citizens of Scotland. We all have a role to play in that regard but, in doing so, we must recognise that we can talk openly about the things that we do not like and are not happy about and about what would happen if Scotland were an independent member of the EU.

The Convener: By way of introducing Ted Brocklebank's questions, I have a final question about the Lisbon treaty: are you in favour of the common fisheries policy that it outlines?

Michael Russell: The Scottish Government's position has been entirely clear—we think that the CFP that exists should not exist. We have been trying to make the best of the present situation, which is the best that we can do. Richard Lochhead continues to do a remarkable job working with the Scottish fishing industry. He has shown great persistence and has been a great spokesman for the industry, but of course the present state of affairs is not desirable.

The Convener: At one time, the CFP was a red-line issue. Is it still a red-line issue?

Michael Russell: Of course it is still a red-line issue. If Scotland were independent, the situation would be different—would that we were.

The Convener: So you would withdraw from the CFP.

Michael Russell: We would give people the opportunity to choose. We have made it clear that we find the CFP a difficult issue, but had we had the negotiating mandate, we might not be in the position that we are in. I am quite sure that the subtle minds of our officials and the not-so-subtle minds of our ministers would have been applied to negotiating a somewhat better solution than the one that we have. In my view, that is an example of why direct membership of the EU would be useful to us.

The Convener: I would need longer to debate that with you. I will let Ted Brocklebank in.

Ted Brocklebank: From your experience over the past two years, minister, you know better than most how difficult it is to achieve meaningful changes to the common fisheries policy. Like me, you will be aware of the extreme difficulties that our fishermen again face, which include problems with the number of days at sea and drops in the price of langoustines. Despite your kind words about Richard Lochhead, we are back in the situation that we were in two or three years ago. The fact is that the CFP is an extremely difficult policy to negotiate, given the situation that we are in.

11:30

My question relates to Iceland. If Iceland is successful in entering the European Union, might that actually lend strength to the Scottish case, given that Iceland pursues entirely different policies on landing catches, discards and so forth? Might Iceland's accession provide a way of introducing into the CFP the policies that have been followed by Norway, the Faroes and, until recently, Iceland? Might that help us to get some change and reality into the CFP?

Michael Russell: Clearly, it is up to the people of Iceland to decide whether they will apply for EU membership and it is up to the existing institutions to decide what then happens. I repeat what I said in my opening remarks: I have already made it clear that we will help in any way that we can. We recognise the importance of EU membership—that is why we want to be an independent member. Scotland and Iceland might be competitors in some areas, but we can work together.

I recognise the situation that Mr Brocklebank has mentioned, but the best solution that would strengthen Richard Lochhead's hand—I stress that I expressed support for him on the grounds not merely of friendship but of admiration for what he has done and continues to do—would be if he could take part as fisheries minister of an independent Scotland that negotiated as of right. In my view—I know that Mr Brocklebank will disagree—there is no substitute for that. Independence would make a difference because it would change everything in the context of such arguments. In the circumstances, that would be my recommendation to anyone who asked the question that Mr Brocklebank has just asked. I am sure that Iceland's presence will be important, given that bilaterals are established with a range of countries to deal with particular issues. However, Scotland's interests—in the fisheries council as elsewhere—would be best served by being at the top table as of right. For me, that is a fact, and facts are chieftains that winna ding.

Ted Brocklebank: However, there are things that Scotland can do in the present circumstances. I do not necessarily accept that we should always lead the UK negotiations. The Welsh, the Northern Irish and so forth might have problems that we could not represent—

Michael Russell: Why would we be unable to represent the Welsh and the Northern Irish?

Ted Brocklebank: Because the Northern Irish and the Welsh are our competitors on many issues.

Michael Russell: On previous occasions, the UK minister has been a representative of a fishing constituency. Presumably, he represented the interests of his area. I am quite sure that ministers' ability to take a broader view does not apply solely to those who are elected to the Westminster Parliament. Scottish ministers could take that broader view as part of the delegation. That is how the delegation might work.

Ted Brocklebank: It is totally unrealistic to think that the Welsh, the people in the west country and the Northern Irish would accept Scotland negotiating on their behalf.

Michael Russell: I can envisage certain circumstances in which I would be happy for a Welsh minister to lead the delegation. I have been there and I have seen how the system operates. It would be perfectly possible for that to happen. Indeed, in the present Scottish fisheries minister, we have a man who is more than capable of undertaking such a task. I do not want this to turn into a hagiography of Richard Lochhead, but I am absolutely certain that he would be capable of doing that.

The Convener: Let us move on, as we could discuss the CFP for quite some considerable time without reaching any agreement. Several members want to ask a second question, so I ask people to keep their questions brief.

Sandra White: I will be brief, but let me first put on record my thanks to the minister and the Scottish Government for the aid that was given to Gaza. As someone who has visited Gaza, I know that the aid was very much appreciated.

Further to Charlie Gordon's question about leadership and perhaps following on from Ted Brocklebank's question, I want to ask about the Government's "Action Plan on European Engagement", which was published in April 2008. The action plan states:

"The current constitutional framework ... treats all issues related to EU matters as foreign policy issues".

Given Charlie Gordon's suggestion that Scotland could show leadership, and in light of Donald Henderson's comments about our interest

in domestic matters, how difficult would it be for us, as an EU member going through the UK delegation, to push forward a domestic matter relating to education? I am interested particularly in exchange visits for students. On Monday, I heard criticisms from MEPs that the UK as a whole—including Scotland, which is what I want to speak about—does not send as many students on exchanges to other European countries, such as Spain, as those countries do. Other member states are more willing to send their students here to complete a year of their education. How difficult is it for us to send students on such exchanges? Europe is important and we should be able to do that.

Michael Russell: I would need to consider the matter with education ministers before I could tell you what the barriers are. It is important to differentiate between structural issues that prevent progress and ways in which we are not making good enough use of existing opportunities and institutions. We will try to provide a written answer on the matter that will tell you whether there is more that we can do and whether the issue is structural or operational.

The Convener: Are you happy with that, Sandra?

Sandra White: Yes, thank you.

The Convener: You made an important point. Exchanges offer a way of building Europe from the bottom up, because students' parents, grandparents, uncles and aunts learn about the benefits of exchanges and co-operation agreements.

Michael Matheson: The Government published its international development policy in May 2008. This month, the "Independent Review of Scottish Government International Development Fund Projects Focused on Malawi" was published. A key point that has emerged from the review is the need to focus on small-scale projects, for which we can lever in significant advantage on the ground. Will any aspects of the review lead to changes in the international development policy?

Michael Russell: The approach to which you draw attention is absolutely correct. The review was positive. Although Scotland's contribution is, of necessity, comparatively small, the review made it clear that our funded projects are having a direct, positive impact. There is a lesson in that. We know that when we focus our resource we can make it work, particularly when we are working with respected partners. Deborah Smith might comment on how we will proceed.

Deborah Smith: The review's main message about what we could do more of concerned monitoring and evaluation. A member of staff is working on a new monitoring and evaluation

framework, to ensure that what we learn from monitoring individual projects is fed in, so that we can achieve the wider purposes of the programme.

Michael Matheson: What is the timescale for the introduction of the new framework?

Deborah Smith: It will be introduced during the next few months. There is no specific timescale, but we want to introduce the framework as soon as possible, given that projects from the previous funding round are under way.

The Convener: Paragraph 10 of the Scottish Government international framework says:

"Scotland's success story of recent years has been our financial services sector ... It is also one of the fastest growing sectors of the Scottish economy."

The minister might want to add the framework to the list of documents that he plans to revise.

Michael Russell: I am always glad to review and re-present documents. However, despite the bad-news stories, there are still good-news stories, which we need to talk about from time to time.

Patricia Ferguson: It was remiss of me not to mention this earlier. If the minister checks, he will find that the baseline figure on international development that he inherited was slightly more than £3 million. He might want to reconsider what he said.

A general election in Malawi is pending. None of us can predict the outcome, but we know that the country's political situation has not always been stable. Is the Government thinking about how a change of Government in Malawi would affect work that is going on and whether relationships could be maintained with the new Government and partners on the ground? We cannot predict what will happen, which suggests that there is a need for greater engagement during the current period, to try to ensure that what has been gained with and for Malawi is not lost.

Michael Russell: Let me first address your point about finances, so that we are talking about the same figures. The baseline figure in 2006-07 was £3 million, but the previous Administration added £1.5 million, so the outturn figure was £4.5 million. The baseline figure was £3 million, which was added to in the final year.

I do not want to comment on what decisions will be made in elections in Malawi—the issue is difficult. Our relationship with the country is deep and is deepening—Patricia Ferguson and other members contributed strongly to that—and it is institutional, organisational and founded on the strongest principle of all: people to people. Therefore, I think that it will continue to grow and

develop. Of course we bear in mind any changes that might take place and their effects, but we would not want to discuss them openly at this stage. Whatever happens, we will want to continue to be there working with people, learning lessons from reviews of the projects—Michael Matheson mentioned that—and continuing to make a difference. That is our intention. How we do things may have to alter because of changed circumstances, but we will continue to do things to the best of our ability. I hope that the Parliament will support us in that.

Jim Hume: To cut a long story short, you mentioned wanting more European engagement. We all want that, but we are losing an MEP, and I do not think that any of us is happy about having less representation. Do you see actively encouraging people to be involved in the European elections that are just over two months away as being part of your portfolio? There is nothing to be seen about those elections in the media. Will the Government conduct a campaign to bring the—

Michael Russell: That is done on a European level. I have seen a presentation of the materials, but I have not yet seen those materials on the streets. That may be because the campaign has not been launched. The materials include a video box in which people can record comments, and a variety of campaigns, including a poster campaign, will be conducted. Of course it is entirely appropriate that you and I and everybody else who is involved in the democratic process encourage people to vote to choose their representatives in Europe; indeed, we should actively do so.

I entirely agree that the reduction in the number of representatives is undesirable. That would not have been contemplated if Scotland were an independent member of the European Union, but it has happened. However, we need to ensure that people vote. I am happy to say that and hope that all committee members will say that and do their best to ensure that people turn out to vote.

Ted Brocklebank: Given that you are travelling to the United States next week, it would be remiss of us not to wish you godspeed and good luck. A report that I saw on last year's tartan week seemed to say that there were a lot of interviews and a lot of television and radio spots, but I did not see much evidence of any pounds-and-pence business. Will anything like that result?

Michael Russell: You point to an interesting and key weakness in the approach that has been taken to evaluation. If you break things up into small parts, you get no sense of the continuum. I would be much happier if we undertook evaluation and published reviews of projects in a reasonable timescale rather than focusing down and down. I have no doubt that there was an impact because

of the distinguished calibre of those who attended tartan week, the many interviews that they took part in and the media appearances that they made. You and I know the value of the media to those who work in them and to those who are covered by them. The impact will not be seen 24 hours after the event, but I am certain that you will see a strong impact.

Ted Brocklebank: A year afterwards?

Michael Russell: An evaluation of the North American activity that we have undertaken over a year or two years will show genuine progress. We should do such evaluations broadly in all of our projects rather than narrow things down so tightly that we do not see what is before and after them. I agree with you on the nature of evaluation and am sure that you will be persuaded, as I am, that the impact has been positive and that even my presence in New York and Canada will produce financial benefit.

The Convener: I want to raise a couple of final issues. If you wish to come back to the committee on them, that will be fine. First, what is happening with co-operation agreements?

Michael Russell: I would like to come back to the committee on that. Are you talking about specific co-operation agreements?

The Convener: Yes. In the past, there has been a tradition of signed co-operation agreements with, for example, Tuscany and Catalonia. We have never quite understood the criteria for setting up those arrangements. It would be helpful to know what is happening with them.

Michael Russell: I think that I have said that such signed agreements do not fit within our current policy, but I would be happy to come back to the committee on the matter and say where we are with the existing agreements. Is that okay?

11:45

The Convener: That would be helpful.

As you will be aware, the committee wrote to you recently about the transposition of directives. We are a little alarmed that directive 2003/105/EC, which amends Council directive 96/82/EC on the control of major accident hazards involving dangerous substances, was four years late in its transposition. In your reply, you said:

"we have been developing an approach in tandem with the other UK Administrations".

We also understand that infraction proceedings may be taken and that a letter has been received in that regard. The Government seems a little complacent on some of these transposition matters. As you are aware, the committee has a responsibility to scrutinise the Government. One

directive is four years overdue, one is three years overdue and one is two years overdue. Would you care to comment on that?

Michael Russell: I would be delighted to comment. As a minister, I have been involved in transposition and infraction issues.

Of course, the committee is entirely right to scrutinise the issues. However, it is not the role of any Scottish Government in its relationship with Europe on transposition simply to ask, "How high?" when the requirement is to jump. We need to address the genuine issues in each transposition activity. There is no direct correlation between transposition and infraction.

The committee has raised transposition issues, all of which are worthy of being raised. Of the eight directives that were outstanding in 2007, six have now been transposed. Currently, eight directives have not been fully transposed, five of which will be transposed before the summer recess. Some directives are very complex and give rise to questions such as, "Why are we doing this?" and "What should we do?"

Directive 2006/38/EC is on the charging of heavy goods vehicles for the use of certain infrastructures. Given your detailed knowledge of Europe, you will know that it is also called the Eurovignette directive. Scotland has no tolls or road charges, so there is no benefit from the Government separately making regulations on the issue. The Department for Transport in England has agreed to transpose the directive on our behalf under section 57(1) of the Scotland Act 1998. There are ways in which transposition happens on directives with which we are not involved.

The Convener: But—

Michael Russell: I hope that you will allow me to finish, convener. These are important issues.

On other directives, we say to ourselves, "This requires a considerable amount of thinking." For example, the committee has raised questions on Council directive 96/82/EC on the control of major accident hazards involving dangerous substances. In the initial consultation, which was necessary and which the previous Administration rightly undertook, transitional issues were raised on sites that would be caught out by the changes. We are talking about genuine issues that would have put Scottish businesses at considerable disadvantage. We had to examine how to avoid that in the transitional process. If there were any proof of backsliding or incompetence on any directive, the committee would be right to draw the matter to our attention. However, in each of the circumstances that the committee raised, we were faced with genuine difficulties that required genuine examination.

Infraction proceedings are more common than they should be, but not every infraction means that the Scottish Government has done something wrong. For example, there may be interpretations that require significant debate and it is right that such debate should be had. In most cases, the final outcome of infractions is that things tend to go nowhere. Indeed, only three states have ever been fined. In those circumstances, infraction can be seen as a normal part of debate. The fact that there are 30-something infractions is no indication that anything has been done deliberately, maliciously or even accidentally wrong. It is often that there is a debate on the issues. I could give the committee a number of examples from my previous portfolio.

Of course, the committee should comment on these matters, but the automatic assumption that transposition that takes more time than expected or the raising of initial concerns about infraction is not in itself an indication that something has gone wrong. It is important to recognise that.

The Convener: I thank the minister for that update, which has been helpful. Perhaps when we raise these matters in the future, he will put a little more detail in the response that he sends to the committee, as that would help us to clarify some of the issues. Four years appears to be rather a long time in which to transpose a directive, even if we take into consideration what the minister said. We have questioned him for some time this morning. I am happy to leave it at that.

We welcome the minister's comment on the Eurovignette directive, but it is not a matter that we raised or were exercised about, albeit that we were aware of the issue.

Michael Russell: It was on the list of transpositions and I thought it important to draw attention to it.

The Convener: Yes, but it was not one that the committee raised.

Thank you. That concludes our questioning. I trust that the minister feels that the session has been a constructive one. We look forward to seeing his imprint on the portfolio and to his bringing forward many of the reviews that he has discussed this morning. I hope that he might also simplify some matters in accordance with the committee's suggestions.

Michael Russell: I have a passion for simplification. I will keep it going.

I look forward to working with the committee both formally and informally and with members both collectively and individually for as long as I am in office. Who knows how long that will be? Thank you.

11:50

Meeting suspended.

11:53

On resuming—

European Commission Legislative and Work Programme

The Convener: Item 3 is consideration of the European Commission's legislative and work programme. We have a helpful report from our Brussels officer. Do members have any comments or points that they wish to raise?

Sandra White: I have a point on the key theme of economic and social issues. Page 4 of the report mentions the financial situation and financial reform and states that President Barroso is looking towards early intervention. That is particularly important given what is—unfortunately—happening in financial institutions in Scotland. Early intervention to find out exactly what is going on is important. I look forward to June, when the de Larosi re report on financial reform will be discussed at the summer council.

The Convener: We will certainly keep a watching eye on that.

Patricia Ferguson: I have a comment on the Copenhagen conference in December, which is mentioned on page 5. In this country, we recognise that the climate change agenda is becoming increasingly important, but it would be useful to keep abreast of what is happening in Europe in the lead-up to that conference, which will be critical in relation to the interaction between member states.

The Convener: It might be worth while highlighting to the relevant subject committee that the conference is taking place. It might even wish to be represented at the conference. We will pass on the information and keep a watching brief ourselves.

Jim Hume: Page 6 states:

"Discussions on the future of the Common Agricultural Policy (CAP) will continue under the Czech Presidency, and may be given added impetus by the publication of the Commission's Budget reform proposals during the Swedish Presidency."

I am sorry for reading that out. I am sure that you can all read it for yourselves. However, we should bear it in mind that that is also one of our priorities for early intervention. If the proposals are to be typed up during the Swedish presidency, we have only nine months in which to influence the process.

The Convener: That is an important point.

Jamie Hepburn: The Commission's electricity unbundling proposal is covered on page 5. I am sure that we have discussed that before. I cannot

remember whether I asked the question at the time—

The Convener: I think that you did.

Jamie Hepburn: Yes. I might have got an answer and not remembered it, or I might not have got an answer. What is the Commission's proposal?

The Convener: I do not know whether the clerks can comment. We will check that out and send you a note on the proposal.

Ted Brocklebank: Following what Jim Hume said about the CAP, I note that page 6 of the report states:

"The Commission will launch its 'no holds barred' Green Paper consultation on the future of the Common Fisheries Policy ... on 29 April 2009."

As I mentioned earlier, perhaps before some members had returned, the Czech Republic presidency specifically did not address any fisheries problems, because of course it is a land-locked country, but Sweden will deal with the matter when it takes over. The consultation will continue for the rest of the year.

The Convener: I had noted that date. I think that it is also in the "Brussels Bulletin". On 29 April, a lot of eyes will be watching the green paper come out. We will certainly want to take a look at it ourselves.

As there are no other comments, do colleagues agree to note the contents of the report?

Members indicated agreement.

The Convener: Do we agree to advise the subject committees of the discussion that we have had and the key themes that arise from the legislative and work programme?

Members indicated agreement.

“Brussels Bulletin”

11:58

The Convener: Item 4 is our “Brussels Bulletin”. Do members have any comments on that?

The bulletin contains a helpful update on what happened at the spring council in relation to the financial regulation package and so on. It also covers cohesion policy, and I was interested to note that a jobs summit is to be held on 7 May 2009. We might want to get further information on that. I wonder whether we should write to the Scottish Executive to ask whether it intends to be represented at that summit. Do members agree to that?

Members indicated agreement.

Jim Hume: I note that page 2 of the bulletin covers the European economic recovery plan, which I mentioned to the minister earlier. The Council has agreed to increase the moneys that are set aside for energy projects by about €0.48 billion, but it is decreasing the funding for carbon capture and storage by €20 million, which might have an effect on Longannet.

The Convener: I notice that, in the appendix, Ian Duncan has helpfully listed the projects with sums attached. Longannet is mentioned, but it does not state how much of the envisaged €180 million would be for Longannet. We can certainly keep an eye on that.

Jim Hume: That was a carbon capture and storage project.

The Convener: According to the list, a fairly large sum is still attached to the project. However, we will keep a watching brief on it, because I, too, noticed the reduction in carbon capture.

Jim Hume: So there is good news and bad news.

The Convener: The Aberdeen offshore wind farm is still on the list, which is good news.

Do members have any other comments?

Jamie Hepburn: Colleagues will recall that, a few bulletins ago, we were told about a robbery at the European Parliament. I note that we have not received an update. Is the person still at large? I hope that he will be caught soon; I am worried that he will strike here as well.

The Convener: I am sure that the clerks will give you an update.

Jamie Hepburn: I look forward to it.

European Elected Members Information Liaison and Exchange Network

12:00

The Convener: Item 5 is a brief oral update on a meeting of the European elected members information liaison and exchange network meeting, which I attended on the committee's behalf. It was the first meeting of the Minister for Culture, External Affairs and the Constitution and I reported on the committee's work programme and highlighted various things in which we were involved, including our spring conference.

We received an update on the EU office from Donald Henderson, who was here earlier, and an update on the European Parliament elections; discussed cross-border health care; had a presentation on Europol; and decided to invite Richard Lochhead to the next meeting, at which we would also discuss the working time directive and the future of these meetings. I have to say that there is a slight feeling that these meetings have lost their focus. Their original intention was to agree a team Scotland approach and to bring together MPs, MSPs, MEPs and people who were arguing Scotland's case in Europe in order to pick one or two issues on which we would lobby each year. The minister has indicated his willingness to look again at whether the format is correct, whether it meets at the right time and so on. To be honest, I think that we should welcome that.

We will keep members informed of the date of the next meeting, which members are welcome to attend. The meetings are usually held every quarter but, as the European elections are being held in June, we have decided to miss the next quarter. The next meeting will be some time in September, and I will give members the date as soon as we have it.

As we have agreed to take item 6 in private, I bring the public part of the meeting to a close.

12:02

Meeting continued in private until 12:31.

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