OFFICIAL REPORT
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Constitution, Europe, External Affairs and Culture Committee

Thursday 25 November 2021

Session 6

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Pàrlamaid na h-Alba

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CONSTITUTION, EUROPE, EXTERNAL AFFAIRS AND CULTURE COMMITTEE
11th Meeting 2021, Session 6

CONVENER

*Clare Adamson (Motherwell and Wishaw) (SNP)

DEPUTY CONVENER

*Donald Cameron (Highlands and Islands) (Con)

COMMITTEE MEMBERS

*Dr Alasdair Allan (Na h-Eileanan an Iar) (SNP)
*Sarah Boyack (Lothian) (Lab)
*Maurice Golden (North East Scotland) (Con)
*Jenni Minto (Argyll and Bute) (SNP)
*Mark Ruskell (Mid Scotland and Fife) (Green)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Dr Kirsty Hughes (Royal Society of Edinburgh)
Dr Adam Marks (Law Society of Scotland)
Professor Murray Pittock (Scottish Arts and Humanities Alliance)

CLERK TO THE COMMITTEE

James Johnston

LOCATION

The Robert Burns Room (CR1)

Scottish Parliament

Constitution, Europe, External Affairs and Culture Committee

Thursday 25 November 2021

[The Convener opened the meeting at 09:00]

Decision on Taking Business in Private

The Convener (Clare Adamson): Good morning and welcome to this meeting of the Constitution, Europe, External Affairs and Culture Committee. Agenda item 1 today is to decide whether to take an item of business in private. Do members agree to take item 3 in private?

Members *indicated agreement.*

Scottish Government's International Work

09:00

The Convener: The committee is conducting an inquiry into the Scottish Government's international work. The aim of the inquiry is to consider how the Scottish Government engages internationally and what it wants to achieve from that work. That includes its European Union and wider international engagement, its support for international development and how its external affairs policies interact with United Kingdom Government policies in those areas.

I am delighted to welcome the committee's first panel on this topic: Dr Kirsty Hughes, who is a fellow of the Royal Society of Edinburgh; Dr Adam Marks, who is the international policy executive at the Law Society of Scotland; and Professor Murray Pittock, University of Glasgow, who is co-chair of the Scottish Arts and Humanities Alliance. Thank you for the written submissions that you sent before this morning's meeting.

We will move directly to questions. I will open with a question for everyone. What challenges and risks does the Scottish Parliament face in relation to the post-Brexit situation, the EU-UK trade and co-operation agreement—TCA—governance structures, and political and policy dialogue that might result in fewer opportunities for devolved institutions to input than before Brexit? I invite your reflections on that.

Dr Kirsty Hughes (Royal Society of Edinburgh): Good morning, everybody, and thank you for asking me to give evidence. Brexit represents a very big change to how the UK's relations with the EU are scrutinised, here in the Scottish Parliament and elsewhere. It is certainly true that that makes scrutiny more difficult. To state an obvious but nonetheless important point, it also means potentially creating new processes and structures. It is important for the Scottish Parliament to find a way to play a role in the new structures that are already in place or that are being fleshed out.

We know that the trade and co-operation agreement has a Partnership Council and a whole range of specialised committees. A parliamentary partnership assembly is also being established. I am not sure whether the names of the two or three Scottish MPs who will be on the assembly are known yet. There will be ways for Scotland to input into those things.

It is also important that there are Scottish officials on the specialised committees, where relevant and in devolved areas, and that the

Scottish Parliament gets feedback on those meetings. The Parliament also needs to get feedback on the Scottish Government's strategy to engage with the EU under the new relationship, on how the UK Government is engaging, on how the UK Government is relating to the Scottish Government and on where the Scottish Parliament fits into that.

Some of that involves processes that are still in the making. Some time ago, Lord Frost said that Scottish officials and officials from the other devolved Administrations should certainly be involved, where relevant, in the specialised committees and in devolved areas. We must ensure that that happens on a consistent, fair and equal basis.

There are some more informal mechanisms. The European Parliament has a European friends of Scotland group, and the Scottish Government's Brussels office provides the secretariat for that. It is important that the Scottish Parliament should consider both the formal and informal ways of being part of that process.

There is more that one could say, but I will let the other witnesses contribute.

Dr Adam Marks (Law Society of Scotland): I agree with almost all of that. It is important to emphasise that the UK and Scottish Governments should maintain as much transparency as possible throughout the process.

As Dr Hughes has outlined, much is still in flux at the moment. We now know some of the structures of the EU-UK TCA, which are starting to be set-up and created in a more concrete way, rather than just being on paper. To the extent that they operate, we will have to see how successful they are in the long term and whether any problems emerge.

It is worth going back slightly and thinking about the wide range of policy areas that will overlap with the devolved settlement. At its latest count, the Cabinet Office got to 156 overlapping areas. How the devolved Governments and legislatures interact with the various bodies—I think that Dr Hughes mentioned the Partnership Council, domestic advisory groups and civil society forums—will be significant as we move forward. This committee has a role in scrutinising what those bodies do in areas where they impact the devolved settlement.

In broader terms, some of the internal structures in the UK—the joint ministerial committee, for instance—are facing significant challenges. We are still waiting to see what happens with Lord Dunlop's proposal to replace the JMC with a UK intergovernmental council. Again, it will be important for MSPs to have a role in how that is structured—certainly in terms of the oversight of that body through this committee.

On the Scottish Parliament's broader role, I draw your attention to the recommendations in the legacy report of the Finance and Constitution Committee, which thematically outline the various areas that the Parliament should be considering. That is a good start in looking at the areas that were previously an EU competence and the extent to which there is an ability to scrutinise the future relationship with the EU, the keeping pace power that the Scottish Parliament and Government have, the common frameworks and the market access principles. Some of that will come back to information and to the awareness of policy as it is happening.

I refer back to comments that were made about the various institutions that the Scottish Government has in Brussels and how much information will be fed back via those institutions to the Government and Scottish Parliament so that you can make decisions about what is currently happening in EU policy, particularly in relation to the keeping pace power.

As my colleagues will be able to discuss more fully, a significant body of EU law is changing as we speak—I believe that Strasbourg is in session right now, presumably passing more law. Therefore, to a degree, there is a need to know what is happening before decisions of scrutiny can be made about what has or has not been done.

I will hand over at that point.

Professor Murray Pittock (Scottish Arts and Humanities Alliance): It is clearly important for this committee and the Scottish Parliament—for Scottish officials, in general—to engage in all areas in which the UK Government is engaging and to press for representation in all devolved areas.

At the same time, the extent of the overlap of devolved areas with UK Government competences sets up an issue of relevance. Lord Frost is quite happy for relevant participation. However, as the committee will be aware, the United Kingdom Internal Market Act 2020 cuts across a large number of devolved competence areas, so what is or is not relevant will require persistent scrutiny.

This committee's role in scrutinising the alignment of Scottish legislation with EU legislation will also be important. When it comes to the importance of engaging directly with the EU and policy makers on that, Scotland's international hubs—notably, the Brussels office—will obviously have key roles to play.

More broadly, there are areas in education, climate, wellbeing and the cultural and digital

economy in which the Scottish Parliament and Scottish Government can engage directly with the EU, where there are a lot of ready ears and fora in those policy areas.

To take education as an example, there are a large number of federal and confederal Europe-wide bodies involving major Scottish universities. The University of Glasgow is a member of the CIVIS university confederation, which is meeting tomorrow in Brussels. It is moving towards being a 10-strong confederal European university—it is currently nine-strong.

Although some of the recent Scottish Government developments to reinstate mobility for students from the EU are very welcome, we are still a long way from the two-way mobility that will be necessary to support bids for Horizon Europe and other funding. Two-way mobility for students and researchers is critical to the future engagement of Scotland with the EU in policy and academic spheres, more generally, and the links between the two should be a matter of particular attention for the committee.

The Convener: We move to questions from the committee. I remind members to say who their questions are for or to select which member of the panel they would like to answer first.

Donald Cameron (Highlands and Islands) (Con): Good morning, and thank you for joining us. My question is a follow-up to comments that have been made. On Scotland's relationship with the EU, I think that we all accept that, even after Brexit, the EU will be a focus for Scotland's international presence. Last week, we heard from the cabinet secretary that the keeping pace power, for example, has not been used and it is not anticipated that it will be used in the near future. Do the witnesses have any observations about the balance that should be struck between our presence in the EU and more widely?

I would like to go to Dr Kirsty Hughes first, because I noted that you commented that it is necessary for us to spread our wings more widely—I hope that I am not mischaracterising what you said. I think that I am right in saying that the two new international offices that the Scottish Government has proposed will be in Warsaw and Copenhagen, which are obviously in the EU. Have we got the balance right in that respect?

Dr Hughes: I certainly agree that it is important that there is a strong focus on Scotland-EU relations. Your comment about the keeping pace power not being used takes us on to another issue that we might come back to later. As you know, other than that power, there are other ways to stay abreast of EU laws. It is extremely important that that is done in a transparent way and that the Scottish Parliament can scrutinise it.

I have a couple of comments on the heart of your question, which is about Scotland's EU-international balance. A post-Brexit challenge for the UK as well as for Scotland is that politicians and officials are no longer in the room. There are many rooms—if you tried to count how many European Council working groups and European Parliament meetings are held in any one week, you would find that there are dozens in Brussels, Strasbourg and elsewhere. Therefore, it is not just about our not being at big European summits. There is also lots of informal networking and discussion around those meetings. We are now outside the room and looking in, which means that we have to work harder to maintain contacts to get some information—that will not be as much as we had before—and to be influential when that is in our interest.

There are limited resources and the question is how to prioritise them. The impact of Brexit in itself would make a case for there to be greater focus on Europe, which we will come on to if it is in the evidence and the questions. The EU and the European Economic Area remain Scotland's biggest trade partners, if we include all the European Free Trade Association countries—just over 50 per cent of Scotland's trade is with EU and EFTA countries. They are also geographically close and, in many ways, they are sympathetic—if that is the right word—or reasonably closely aligned with Scottish and UK policy interests and priorities, for instance in the area of climate.

09:15

I understand that the planned new hub in Copenhagen is also meant to have a regional focus; it is not meant to focus only on Denmark. That hub makes particular sense, when it comes to trying to increase geographical range in the EU.

However, I am not clear on whether that is the view of the Scottish Government. It has an international relations strategy, but I think that it needs a new assessment. It is not very strategic or coherent, and I am not sure how long it has been in place. Europe probably needs to be at the heart of the Government's international strategy.

However, what is then needed is to put the policy priorities across the geographical priorities, in a sense, and see where that takes us on whether the international offices that are already in place need to be further expanded, or whether those priorities can be adequately serviced from the small number of offices that already exist. Obviously, there is a risk of being too thinly spread.

We see international engagement everywhere—cities, regions and sub-states engage internationally. Certainly, there is a case for

Scotland also to be international, but it makes perfect sense to put Europe at the core of that. The UK Government has not done that, and that potential difference between the Scottish and UK Government approaches might be something to look at. My personal view is that, despite Brexit, the UK Government should put the EU more at the heart of its international and global Britain policies.

Donald Cameron: Do any of the other witnesses want to come in on that?

Professor Pittock: Yes, I would not mind doing so. It is an excellent question, because what lies behind it is a question about strategy.

The budget that is devoted to the overall footprint of the Scottish Government's overseas representation is not particularly large, in comparison with other sub-state actors—Scotland has a relatively modest overseas presence. However, one of the questions that you have raised—it was mentioned in Kirsty Hughes' answer, too—is that of strategic priorities.

For the reasons that Kirsty has outlined, interaction with the EU is a strategic priority. In other strategic areas, such as connections with the diaspora, there is significant overlap with the UK's global Britain agenda. There are trade priority areas, too. What we do not yet see is a strategy that clearly marks the key EU diasporic and trade partners.

There are areas of the EU in which the element of Scottish branding that I alluded to in my first response is critical. An example is in the climate strategies that are linked to Nordic and Arctic policy; for that, the hub in Copenhagen makes particular sense.

The strategy is not particularly heavily funded, in international terms, nor is it perhaps yet completely clear. However, its focal points—what it should focus on—are very clear, and some are extremely well served by the existing and planned hubs.

Dr Marks: Thank you for the question, which is an important one. As the previous answers have alluded to, there is a question of overall strategy to be looked at. It is worth thinking about how the UK and Scottish Governments work together on a wider UK trade strategy, and about how Scotland fits into that. In particular, I am thinking about the UK's move towards things such as the Comprehensive and Progressive Agreement for Trans-Pacific Partnership—it is looking at trade deals with Australia and New Zealand—and how that is going to fit. We must be realistic about what can be achieved with, as has been said, relatively limited resources. I suggest that smaller countries and parts of countries that have been quite successful with their engagement abroad have picked topics and focused on those.

On the keeping pace power, how much it will or will not be used and how much time it will take are interesting questions. However, it is inevitable that working with the EU will remain important. I also emphasise that it is useful to work with some of the EEA countries and Switzerland, since they deal with issues that are similar to those that the UK and Scotland will have to deal with regarding their relations with the EU. In particular, Norway has been very good at working out how to engage in Brussels.

In looking more broadly at the importance of being aware of policy developments, areas such as Bavaria have done very well on informing people in Germany, Bavaria itself and Brussels about what matters to them. Organisations such as Scotland house could seek to emulate such models.

Donald Cameron: Thank you for those answers. I will pick up on something that Dr Marks said in his previous comments about how Scottish Government policy interacts with UK Government policy, which is one of the issues at the heart of the inquiry. As we know, international relations is a reserved matter under the Scotland Act 1998, yet we all accept that it is important that Scotland has an international presence. I think that I am right in saying that most of the international offices are located within UK embassies. What is best practice on that? How does Scottish Government policy best interact with UK Government policy when it comes to international relations? What are the pitfalls? What are the flashpoints?

Dr Marks: I will follow on from what I was saying earlier. Transparency between both sides will be important, and it will be important to identify areas where work can be done together. As Donald Cameron says, although it is important to acknowledge the limitations of what can be done by the Scottish Government under the devolution settlement, it is also important to acknowledge that Scottish ministers will be responsible for the implementation of international agreements, just as they were responsible for the implementation of EU law in the past. The political challenges between the various Governments and devolved legislatures make it a little difficult to see at the moment, but, as we move forward, I hope that more formal structures will come back to the fore. Again, some of that comes down to broader intergovernmental structures, of which foreign and international affairs will inevitably become a part.

The Scottish Government's work outwith those structures should take into account the framework of what the UK is doing. Again, what that work is should be transparent for this committee and the UK Government. The Scottish Government could meet, for example, the European Friends of Scotland group, to try to influence the European

Parliament. Again, the Norwegians have done such things very effectively in trying to influence the European Parliament. That is the sort of good work that should be done. It needs to be done in a way that is co-ordinated with a whole-UK approach, and it is a process that must cut both ways. The UK must take into account the devolution settlement, and the devolved Governments must take into account wider UK Government policy. I will hand over to others now.

Professor Pittock: To answer your question directly, the great advantage is in extending the range of the team, as it were, because the Scottish voice resonates strongly abroad. In many cases, it aids the UK voice. As all the hubs are aware, the flashpoints and pitfalls are policy discussions overseas in reserved areas and, in particular, the discussion of anything explicitly political that might occur in the context of a British embassy.

I have to say that, in my experience, even staff who are in the hubs that are not in British embassies are very diplomatic when it comes to including the British Government. For example, when the Scotland in Europe document was launched at Scotland house in London, care was taken to include Caroline Wilson—at that time, she was the head of European affairs, but she is now the UK ambassador to China—and other UK Government representatives.

The practice by the hubs is often very secure—it is more secure than the way in which that is sometimes discussed. Those who work in the hubs that are inside British embassies have good awareness and there is good integration. I will share an example. Until recently—I am not saying that there has been any decline—John Webster, a UK diplomat who moved to the Scottish hub in Dublin, made relations particularly good there.

An example of current good practice is the work that the Scottish Government and the Department for International Trade are doing on Expo 2020 Dubai. There are five separate Scotland days. The first was Scotland in space, which saw the launch of the Scottish space strategy. The launch was very effective, with good coverage on CNN. A high level of global recognition has come from the launch. DIT and the Scottish Government are working very well together on the expo.

Informally, the flashpoints are well recognised on both sides. The issue is getting a wider formal understanding of that. I am not aware that any Scottish Government hub has any interest in explicit political events or policy discussions that touch on reserved business, or particularly has to warn off people should they think of engaging in that.

Dr Hughes: Yes, international relations and foreign policy are reserved, but there is wider acceptance that Scotland has an external affairs policy and that Holyrood has this committee. Interestingly, if you look bluntly at where the UK and Scottish Governments disagree, you can make that look quite stark—I could do that if I was writing a comment piece or even a research paper on the matter. Obviously, the UK Government was in favour of Brexit and Brexit has happened. The Scottish Government was opposed to Brexit, and it wanted to have a softer Brexit and to stay in the single market as a compromise. That did not happen. I think that the First Minister said the other day that the UK Government should not trigger article 16 in the discussions over the Protocol on Ireland/Northern Ireland. The Scottish Government wants independence, it wants to be in the EU and it wants to keep pace with EU law in devolved areas. Clearly, those are not aims of the UK Government.

It is worth setting out those political differences because, when you ask how that impacts on UK or Scotland's international relations strategy and policy behaviour, we would have to say that it does not impact it that much. Whether it is helpful or unhelpful from a UK Government point of view for the First Minister to say, "Don't trigger article 16", Brussels knows who it is negotiating with on the issue. Furthermore, how much Scotland keeps pace with EU law and whether that clashes with the United Kingdom Internal Market Act 2020 is more a question of internal UK debate and dispute.

In a way, some of the obvious and stark differences are just part of the fact of having devolved structures, Administrations, Parliaments and so forth.

I will provide one more contrast. At the moment, relations between the EU and UK are in a pretty bad place. Trust in the UK Government from the EU side is extremely low. I wrote a paper on that a year ago. I did a lot of off-the-record so-called elite interviews in which I looked at how different EU actors and member states viewed the UK and Scotland. Scotland was viewed much more positively.

It seems to me that, in a period of bad UK-EU relations—we all have our views on what that looks like and why it is there—it is not bad that Scotland, and perhaps other devolved Administrations, has better relations with the EU. That is like having a multitrack paradiplomatic process.

09:30

When we get to the nitty-gritty, which my fellow witnesses have been talking about—climate

change, wanting good overall relations with the EU, wanting good trade relations with the EU, despite the barriers of Brexit, and wanting to do joint research with the EU—or when we get to the big principles around human rights, multilateralism and democracy, we will find similarities.

Interestingly, despite the differences, I do not think that there are necessarily big clashes. As Dr Marks and Professor Pittock have said, we need to sort out the structures for intergovernmental relations and make them better. A lot of what the 2013 memorandum of understanding—the concordat—says on why and how devolved Administrations, including Scotland, can and should engage in international relations through and with the UK Government is very good, but it obviously needs updating. It was drawn up at a time when we were still in the EU.

I will make a final brief comment on the point. I have been to the hubs in Berlin and Paris. The Berlin hub sits directly in the embassy. I talked to people in the hubs and in the embassy and I did not get any sense of friction. As you know, a lot of cultural work goes on, and there is very interesting work around the economy and technology and on things such as hydrogen. Relations build up over time, but it is already clearly demonstrable that there is huge value in having even a small number of people—the hubs are very small—on the ground.

The questions are acute and important. I am not trying to say that there will never be flashpoints, given the differences that I have outlined. Equally, however, when you try to pin things down and ask whether the UK Government wants good or bad relations with the EU, one assumes that it wants good relations. Therefore, at the moment, there is not a problem, because the Scottish Government has those good relations.

Sarah Boyack (Lothian) (Lab): I am very keen to follow up the written comments that we have received from lots of organisations about the Scottish Government's international development strategy. This morning, the witnesses have picked up on the need for the Government to be more coherent and strategic. I am keen to get your views on what the priorities should be.

The EU is important economically and culturally, given our historical relations; it is also important to international trade. How do we prioritise across the range of issues that you have all mentioned, whether that be soft power, culture or our economic interests? There is also the challenge of acting on climate change, following the 26th United Nations climate change conference of the parties—COP26—and in relation to human rights, which Kirsty Hughes has just mentioned.

What more needs to be done by the Scottish Government to focus on the priorities, given the relatively limited resources in the overall budget? I will come to Kirsty Hughes first.

Dr Hughes: That is a good question. It is always an extremely hard one to answer when we are talking about limited resources. However, when we look at the Scottish Government's European strategy, we are not only talking about the hubs and its office in Brussels. There are also groups or units—whatever the correct term is—of officials in the civil service in Scotland who work on co-ordinating European affairs.

My impression is that there is a fairly coherent structure at the moment in terms of fitting the hubs into the wider European strategy bodies and in terms of the overall European strategy that is being co-ordinated jointly out of Edinburgh and Brussels at senior level. That is good.

Although it is easy to say what you need more of, that is never easy to do. One thing that policy experts and academics will always tell you is that there is no clear dividing line between domestic and international policy. That is obvious on issues such as climate change and trade.

The question, therefore, is how you mainstream your international and European strategy across your Cabinet and all your departments and officials. I am not sure how well that is being done. That comes back to my sense that there is a better European strategy at the moment in the Scottish Government than there is an international strategy. As I said in answer to an earlier question, the two need to go together. That is one issue.

You are right—it is easier to come up with a list of 10 or so priorities. However, listening to committee members and my fellow witnesses this morning, some of the most obvious and biggest priorities—climate change, trade, and education and research networks—are coming up again and again.

One thing that has not come up, which we should add in here, is the contributions that EU citizens in Scotland are making, and how they fit in to the importance of good relations with the EU. Obviously, Scotland is a small player in international development; the UK is larger and the EU is extremely large. It comes back to something that Dr Marks said in response to an earlier question. It is about focus. If you focus, can you develop particular expertise and best practice so that, although you are a relatively small actor, you make a contribution?

Again, you have to think about principles and priorities or, if you like, principles and interests. It is not that human rights, or multilateralism, should just be one of your 10 priorities. That should surely be the framework within which your priorities are

climate change, trade, international development, youth, education and other issues.

Your strategy does not have to be identical to other strategies. That is the advantage of hubs. You want a clear strategic guide for the Scottish Government's work as a whole, but there might be specific issues on the ground. If the Berlin hub is talking to German businesses and researchers about hydrogen technology, that does not automatically mean that that would make sense for the Copenhagen and Paris hubs.

In any strategy, you will always mix the specific and the priorities, but that is why, if the strategy is clearly structured across the different components—values, interests and priorities, and specific areas within that—it not only helps the strategy to have more impact but helps co-ordination and reporting back. If there is a clear strategy, it also ought to help accountability and transparency back to the Scottish Parliament.

Sarah Boyack: Professor Pittock made some points about culture and education. How do you see those fitting into the priorities in the Scottish Government's work on international development?

Professor Pittock: What I would call the overall brand—I called it that in my response to the inquiry—is very important. By "brand", I mean things such as the Scottish Government's reputation, and Scotland's reputation, in climate, digital, progressive and humanitarian legislation, and the digital and cultural economy in particular, where I lead the workstream for the Scottish Arts and Humanities Alliance. Although Scotland has a strong brand abroad, the brand is very nostalgic—the perception of Scotland is a couple of hundred years old. There is relatively poor recognition, both in the Anholt-Ipsos nation brands index and British Council data, of Scotland's cutting-edge position in science, as one of the most cited countries in the world, per capita.

One of the things that was really useful in the hubs in recent years was the presentation in Scotland house in London that supported the strength in places funding bid for translational medicine in Scotland. By putting the bid in front of some of the major players in a London context, we promote the Scottish context. Promoting cutting-edge research is a key element of what should be done, because it is part of building a vision of Scotland that is very different from the one of castles, mountains, heather and whisky, praiseworthy though all of that might be. It is really important to think of the brand as a complete entity that includes contemporary research.

Trade, too, is very important, and the matrix of both things—and where the strongest links through which they cross over are—is the EU and the diaspora. Out of that, one can make a very clear overarching set of strategic priorities, but as Kirsty Hughes has rightly said, those priorities will have operational variations in different countries.

Sarah Boyack: Thank you for those very useful comments. How do the four development partner countries fit into that strategy, given that the priority in that respect might be climate support, particularly post-COP26, and support for civic groups, which was an issue that was raised by the groups from Malawi?

Professor Pittock: The research sector fits in with that very well. With Malawi, for example, the University of Strathclyde's engagement goes back more than 20 or 25 years, but other universities have also been engaged in infrastructure development and educational opportunities in that country. Some of the developments with development partner countries could take place across Government and the higher education sector in a more formal way—and, indeed, with more publicity, as a result of their being co-operative efforts.

As I have said, the sector fits in very nicely with one aspect of what I have been discussing. Of course, the more one engages at that level, the more one can develop the soft powers and positive sentiment regarding the relationship.

Sarah Boyack: Dr Marks, do you wish to comment on priorities and how we can have an effective strategic approach? In that respect, I am thinking not just of the European connection but of connection to the rest of the world. How do the four partner countries fit in there?

Dr Marks: I have some thoughts on the broader strategic point. At the moment, we are very much in a state of transition. The formal Brexit process might have ended and, indeed, it might seem as though we have all been talking about Brexit for a long time, but the fact is that, in a wider foreign-affairs sense, we are still having to explain to the rest of the world where we fit in. That is a UK and Scottish project, and trying to explain what the UK's priorities are—and, indeed, where Scotland fits in with the other partner countries—fits with the post-COP26 situation.

In broader terms, I emphasise the rise to prominence of trade policy and attempts to explain where and how such policy fits into the work of almost every committee in the Scottish Parliament and, certainly, almost all the committees in the UK Parliament. Although the issue is sometimes rather technical and difficult to explain, it can also become very high level and high profile. Even before 2016, the transatlantic trade and investment partnership, or TTIP, and the anti-counterfeiting trade agreement, or ACTA, definitely motivated large numbers of people—as, I am sure, elected representatives will remember

from the state of their inboxes at the time. There is an active interest out there that perhaps can be used in a more useful way.

As for the issue of focus, I go back to an earlier question about whether things should be approached on a geographic or thematic basis. I say that, to a degree, it makes more sense to take a thematic approach, because that means that you can pick the topics that you want—climate change, or whatever. You could then work across multiple places on those topics, which is where co-ordination between the UK and Scottish Governments becomes quite important. As Alasdair Allan pointed out, that sort of thing can work quite well.

When it comes to soft power, for example, Burns night suppers are, despite what Murray Pittock has just said, highly effective events. Even with its reputation as a high-tech hub, Bavaria still does Oktoberfest events the world over and would, I am sure, dearly love to host Burns suppers, too. It is all about picking what to focus on and working as effectively as we can across various places.

09:45

Mark Ruskell (Mid Scotland and Fife) (Green): Listening to those comments, I was struck by Dr Hughes's reference to a "multitrack paradiplomatic process" and wondered where sub-state legislatures and governance might fit into that alongside the actions of states. Do you have more examples of that? One that springs to mind for me comes from a discussion that I had with a Canadian mission in Brussels, from which I learned that there had been quite a lot of bilateral discussions between Québec and Wallonia during the talks on the EU-Canada comprehensive economic and trade agreement. Do you have any examples of sub-state actors being involved in wider multilateral discussions that might point to how Scotland could be involved with the UK in that respect?

The Convener: Which of the witnesses do you want to answer first, Mr Ruskell?

Mark Ruskell: Perhaps we can start with Dr Hughes, then others might want to comment.

Dr Hughes: That is another good question. You have given the example of Québec, which has an office in Brussels. Bavaria, too, has been mentioned; most, if not all, of the German regions, or Länder, have offices in Brussels and are very important and powerful. Moreover, Norway, which I know is a state and not a sub-state, has a very big office in Brussels.

We could look at various examples, but I urge you not to look only at the sub-state examples, because you might be able to learn from, say, city networks and from states such as Norway.

There is also a lot to be learned from small states in the EU. I was part of a research project that produced a paper on such states a year and a half ago. They might seem to be quite a long way from Scotland's position as a sub-state that is outside the EU, but what is fascinating is that the smaller EU member states, apart from being in the room and having a seat at all the tables, do an enormous amount of informal networking and lobbying, thereby building long-term alliances and looking for areas of common interest, whether in climate, trade or tech.

When you ask diplomats from such countries about their priorities and tactics, they talk about getting in early on discussions on new and important policy issues, looking for compromises and being very aware of other allies' interests and needs. Ireland, for example, might not be as worried as Poland about the EU's eastern frontier, but there will be a bit of reciprocity and some give and take. Not all the lessons can be brought across, but quite a lot of them can. Many things happen at sub-state level, so it could be interesting to investigate that. Indeed, more research papers have been done on that.

Something else that could be very helpful and which has been mentioned again and again this morning is the range of Scottish civic society networks, participation in which includes universities, business, non-governmental organisations and all sorts of other groups that, by definition, are not governmental bodies. Are the Scottish Government and Scottish Parliament sure that they are looking across all those networks? They are very dense and it is easy to pick out some of the big main ones, but it could be really useful to try to elaborate in greater detail on the full range of those networks.

I am sorry—my response to your question might have been a bit broader than you were looking for. However, the point is that there are many layers and levels that can be engaged with. Again, it all comes back to the question of priorities: you could have 200 ways of engaging, but you have to pick the top four.

Also, are the sub-states that might be most interesting to Scotland inside the EU, even though we are no longer in the EU ourselves, or should we look instead at sub-states in the EFTA countries such as Geneva or North Norway? What can we learn from, say, Québec?

You could also look at Ireland, which is a core EU member state. It uses the euro and is very committed to its European relationships, but it also has, despite being a smaller country, a clear and distinct global foreign policy. Being small, how

does its foreign policy interact with its EU policy and how does it make choices at the international level? We should not be nervous about learning from states as well as from sub-states.

Mark Ruskell: It is a complex landscape; there are many different rooms in Brussels to be in or out of. I ask Dr Marks then Professor Pittock the same question.

Dr Marks: I echo a lot of what Dr Hughes said. The key point is that the work of UK and Scottish Governments can complement each other. It is important to emphasise that Québec, Wallonia, Bavaria and others do their own work and have their own policies, but they very much complement what else is being done. For example, Québec picked the priorities that it was particularly interested in, including the procedure of the trade deal, for obvious reasons, and it was part of the negotiation, through how Canada is set up federally. Beyond that, it has chosen other priorities—for example, it identified artificial intelligence as a priority early on and it has been an observer on various high-level expert groups of the European Commission. Such things could be considered as strategies that would complement what the UK Government does.

For that to work, there needs to be an atmosphere of trust and co-operation, which we have already discussed at some length. Transparency goes some way towards creating that; conversations need to be had in public and through various other bodies so that everyone is aware of what everyone else is doing. That feeds in to the broader point about civil society; if civil society knows what is happening, it, too, can engage, which further broadens the pool of people who are looking to contribute and focus on the objectives. I accept that picking the objectives will be the difficult part of the process.

Professor Pittock: At the annual Canada-UK colloquium this year, there was full representation from the Canadian provinces—not just Québec—in the discussion on policy formulation in Canada. Other states are well aware of that kind of balance; obviously, the Scottish Government was represented as well as the UK Government.

There are a range of issues to consider in the sub-state area, including the extent of Flanders's comprehensive range of domestic institutions. A great deal of discussion about developing or augmenting current Scottish institutions could usefully take place in relation to the Flemish context.

Bavaria, although it is very geared towards and aligned with the overall aspirations of the Federal Republic of Germany, has for more than 50 years put pressure on the Federal Republic—for example on immigration in the 1960s and 1970s, when it felt that alignment was not working in its interests. Alignment is not a one-way street; it is a negotiation.

I mentioned the EU CIVIS confederal network, which is focused on large cities. The EU is aware that large global cities and often the institutions in them—not least, the higher education institutions—are major drivers of economic growth, so we cannot overlook the large-city tier.

In relation to joint working with states, I have not mentioned yet the bilateral review with Ireland, the implementation of which stretches to the next Irish Government review of its international strategy in 2025. The bilateral review clearly showed that there are significant areas of commonality in the diaspora and elsewhere between the Scottish Government and state Governments; that applies in the Arctic, with Iceland, and others.

There are three layers of engagement. There is state engagement that is transparent and is not constitutionally threatening in relation to reserved powers, but is where there are common interests. There is sub-state engagement, which needs greater transparency and understanding in global terms of how sub-state relationships work elsewhere. That came out to some extent at the Canada-UK colloquium, but could also profitably come out in a number of EU sub-state organisations. There is also the global cities issue. Scottish Government representation and policy cannot afford to lose sight of any of those three interlocutors.

Mark Ruskell: I have a follow-up question. The Law Society of Scotland's submission makes the point that formal mechanisms for monitoring our international engagement are needed. Given the potentially complex picture that you have just outlined, what should those mechanisms look like? Dr Marks suggested that there should be a memorandum of understanding between the Scottish Government and the Scottish Parliament. How can we get a grip of what the work looks like? I am not suggesting that there should be a list of every Burns supper that takes place—that might be a bit too much—but what should the formal mechanisms of scrutiny look like?

Dr Marks: It is important to emphasise that, as we have discussed, the mechanisms would have to evolve as time goes on, and would have to respond to needs and policy as they come up. At the bare minimum, there should be a commitment to regular scheduled ministerial evidence sessions, in this and other relevant committees, on ministers' engagement abroad in matters that are relevant to the Scottish Parliament.

There should be a commitment on reporting. I agree that it might not be necessary to report every Burns supper, so the thresholds in relation

to what needs to be reported require careful thought. However, there should be reporting of meetings and of what is being done. Confidentiality would need to be taken into account, for commercial reasons if nothing else. I refer to my previous statement that transparency is the friend of much of the process, but there will always be some limits. As I said, a commitment to keeping the Parliament up to date on EU law as it develops would be useful, particularly to this committee, so that it can assess what is happening.

On a wider point, I presume that the budget process will take care of how the Scottish Government currently pays for costs relating to foreign affairs, but scrutiny of that process is always welcome.

The most difficult part would be to create something that acknowledges how the mechanisms fit with the other intergovernmental structures within the UK. I accept that that would be challenging.

As far as I am concerned, that would be the starting point.

Dr Hughes: I agree with what Dr Marks has said. Scrutiny is important. It is important in and of itself, because we need transparency and accountability, but—as has come up repeatedly this morning—we also need more coherence and clarity in international policy with regard to Scotland and how it relates to UK Government actions. A regular and reasonably detailed reporting agreement would be beneficial. We can smile about whether we want to know how many Burns suppers there are, but to be frank, one assumes that the hubs are reporting back to their European directors in the civil service, so it ought to be perfectly easy to report whether there were five or 55 Burns suppers.

This morning, we have not spent too much time on the keeping pace process. Nonetheless, the Scottish Government's aim is to align, in devolved areas, with EU laws. As I said, that does not have to be done through keeping pace legislation; it could be done through other legislative routes. Given that that is a rather important strategic aim, I would be trying to get agreement with the Scottish Government that there should be proper and full reporting on all aspects of aligning with EU laws—I am trying not to say "keeping pace", because it should encompass other ways of aligning.

Also, where there have, so far, been efforts to align with EU laws, it is not necessarily complete alignment. There might be a new EU law that includes an agreement that, for instance, a specific environment goal is X, but we do not have to achieve it in exactly the same way as the EU, because we are no longer in the EU, and businesses might find it easier to do it in another way.

10:00

That raises interesting questions. Is the aim to stay as aligned as possible, because perhaps at some future point, Scotland and the rest of the UK might rejoin the single market, at least? Are there benefits from being exactly aligned, in order to minimise some of the Brexit regulatory barriers, or is it just a general good intention? We could have multiple reports and evidence sessions on that, but it is a fundamental question that should be asked in consideration of what sort of agreement might be feasible and what the Scottish Government should be making clear to the Scottish Parliament.

Jenni Minto (Argyll and Bute) (SNP): I will explore a bit more the education side and the connections across Europe and the diaspora. Professor Pittock talked about the two-way movement of students and, when I visited the Scottish Association for Marine Science in my constituency about 10 days ago, I was very struck by the impact on its student numbers. The Law Society of Scotland submission talked about broadening the horizons of our students and there is also the research side. I would like to hear further thoughts and reflections on how the Scottish Government can work to improve those links. Perhaps we can start with Dr Marks.

Dr Marks: To some extent, it is difficult to comment too much on where we are going, because the Turing scheme is not yet bedded in, but we welcome the efforts to replace the Erasmus scheme. A large number of lawyers took advantage of it during its existence. We also welcome the Scottish Government's Saltire scheme, which supports people to study in Scotland.

I would also feed your question into some of the general networks that have been alluded to elsewhere, and look at how we co-ordinate with the profession across Europe. For instance, the Law Society of Scotland is maintaining an affiliate membership with the Council of Bars and Law Societies of Europe. That membership was negotiated after the Brexit process and was reached with the rest of the UK delegation, so we have some voting rights on issues that are important to us, but no voting rights on issues that are relevant to EU law. That sort of networking will feed into the wider educational aspects, where lawyers will work and who they will liaise and work with. We now need to work harder than ever to maintain those sorts of networks. As I have said, like much other work, various parts of the networks are bedding in at the moment. It is a very new status for all of us and will require close

attention and work. We might have more idea of how successful much of that work has been in five or 10 years' time.

Jenni Minto: Thank you. It is positive to hear that that work is going ahead. It is very important, not only from a legislation perspective, but in order to understand the legal and human rights aspects. From my previous background as an accountant, I also know the importance of keeping policies consistent across that area.

Dr Hughes, could you comment, please?

Dr Hughes: I have only a little to add. It was extremely disappointing that the UK Government chose not to continue to participate in the Erasmus programme. When we look at the decision to stay associated with the horizon research programme but not with the Erasmus programme, it looks rather ideological, and it clearly restricts opportunities for young people. In a sense, everything that we have said this morning is about how we preserve, protect, develop and create our European and international networks. Scotland is a European country; we do not have to be in the EU to be a European country.

All the things that Dr Marks has just talked about, such as the Saltire scheme, are important. We will see how the Turing scheme works, but it is clearly not the same as the Erasmus scheme. A future UK Government might change its mind on Erasmus but, for the moment, we are where we are. Whatever can be done to mitigate the impacts of Brexit and keep those opportunities open is important.

That might link back to what I was saying earlier about how the better and more detailed the picture we have of the range of civil society, including business participation and networking as well as the city and the sub-state networks across Europe, the more likely we are to come up with new ideas or new ways of building on the basics of the Saltire and Turing schemes.

Jenni Minto: Professor Pittock, do you have anything to add? You have already expanded on your views on education, but you might have something else to say.

Professor Pittock: I have something to add, as the sole representative of the higher education sector here today. Scotland was the number 1 recipient of Erasmus students. There were 2,904 in 2019, and 67 per cent of those students studied arts and humanities. That data is from the 2021 report of the British Academy. A large chunk of people are not being replaced by the Saltire scheme, welcome as it is. Also, the Welsh Government is investing a substantial sum of money—more than £100 million—to replicate a two-way Erasmus scheme with European partners over the period to 2025.

What I would stress is that, although bringing students from the EU to Scotland is welcome—that is an important part of our dialogue—if we do not have a two-way exchange process that involves us sending people out, we are not getting the benefits that the Erasmus scheme introduced when it was set up in 1987. In particular, we are not getting the dialogue with European civic institutions, European research institutions, European universities and the horizon network, if, indeed, the UK fully affiliates with it appropriately. That sort of dialogue can develop research funding, research capacity and the kind of understandings that came through the significant proportion of Erasmus bilateralism that led to internships, work placements and so on.

It is great that we have made some progress, although it is remarkable that significantly more progress has been made in Cardiff than in Edinburgh. However, the lack of bilateralism is a real problem. The Turing scheme is not a bilateral scheme, either. Without bilaterals, we do not get exchanges. We have already seen that the current regulations on European identity cards are keeping more than 80 per cent of school trips from continental Europe out of the UK, and that includes Scotland.

All those issues—from European penpals to friends to students to business, to research exchanges—are being adversely affected in a way that is, of course, entirely retrievable, but those things will tend to decay over time in the absence of appropriate bilateral relationships, and sustained bilateral support for educational movement is a significant part of that.

Jenni Minto: Thank you. I want to move on to a completely different subject. Two weeks ago, Glasgow hosted COP26 and was the centre of the international world. I am interested in hearing our witnesses' reflections on the impact of COP26 on Scottish international development.

Dr Hughes: When you say, "Scottish international development", do you mean Scotland's international relations?

Jenni Minto: Yes, sorry.

Dr Hughes: I think that well-handled, big and vital global events can, obviously, be positive to the host country. From what I saw, Scotland, the Scottish Government and a range of other actors—NGOs, civil society and business—all took great advantage of that.

At the moment, the Scottish Government is viewed more positively than the UK Government, especially in the EU but also, to some extent, internationally. We can all see why that is in light of the way that the Brexit process has unfolded. It is not good that UK and international views of the UK Government are where they are but, however

the UK Government is viewed, it is in Scotland's interest—even if you are an Opposition politician—that its Government has good international relations. It reflects positively on the country as a whole.

There are more serious issues in terms of what COP did and did not achieve in relation to what happens next on the climate emergency. However, that underlines the importance of European relations. Despite some of the weaknesses in the EU's climate positions, it is, relatively speaking, one of the world leaders on the climate. Scotland has its own challenges on climate policy, such as ensuring a just transition from North Sea oil and gas, but also has much to offer in sustainable, renewable energy.

Whether one is thinking about soft power and diplomacy or actual engagement with the crucial issue of the climate emergency, COP reflected well on Scotland.

Jenni Minto: I was building on Professor Pittock's ideas about relationships and the sharing of knowledge. Would the other two witnesses like to comment?

Professor Pittock: I agree with what Kirsty Hughes said. Although it appeared that the UK and Scottish Governments might not work well together in the run-up to COP, they worked well together at the conference. Perhaps even more could have been achieved if there had been less politics earlier on, although I know that politics is inevitable. However, it was a success for co-operation in the end.

Dr Alasdair Allan (Na h-Eileanan an Iar) (SNP): Professor Pittock, you have mentioned a couple of times the role that representing Scotland's culture to the world can play not just as a good in itself but in the exercise of soft power. Will you say a bit more about how "ithers see us"? How has the way that Scotland is seen culturally developed over the past generation? To what ends might that soft power usefully be exercised?

Professor Pittock: Scotland's international brand is well recognised but has remained stuck to some extent. Neither the Anholt Ipsos nation brands index—previously the Anholt-GfK Roper nation brands index—nor the British Council research indicates any real movement in perception. There are some slight areas of improvement or change but, basically, there is a fairly nostalgic view of Scottish culture.

There are opportunities in that view, and Burns suppers have been mentioned a few times already. There are quite a few big Burns suppers in Europe and North America that have significant business and trade presence, which represents opportunities. I am, of course, supportive of them elsewhere, as the author of the relevant report, "Robert Burns and the Scottish Economy.

The inquiry that is currently being undertaken on local food production, for example, has a tourist and international market link in terms of the demand for provenance and story to be attached to food and drink. That is part of the traditional brand.

That said, there is a great deal to be done with the traditional brand. You cannot ignore it and you must utilise it, but it is rather stuck. The extension to research and the cutting-edge nature of work in Scotland—the Scottish space strategy that was launched at the world expo in Dubai is a good example—in industry, in small and medium-sized enterprises and in universities to a wider audience is an important part of soft power.

10:15

The ends of that soft power are not just to change or transform but to alter and extend the way in which Scotland is perceived and to marry up more clearly Scotland's commitment to a modern society, to tackling the climate emergency and to the digital and cultural economy with the way in which the country in general is perceived so as to, as it were, modernise the Scottish brand without losing the essence of its underpinning appeal. That is important because it simply makes Scotland and the Scottish brand more influential in the world. The more influential in the world the Scottish brand is, the more it can contribute—in the sense of having every player on the team—to the UK's position internationally.

Dr Allan: On the role that the hubs play in that and other activities, how cost effective do you feel that they are? There has been some political discussion and debate about whether more hubs can be justified. I feel that they can be justified, but how does their cost-effectiveness and their frugalness or otherwise compare to some other diplomatic actors that perhaps found their entertaining and architectural traditions more on the Congress of Vienna?

Professor Pittock: I think that others could give chapter and verse on that, but Scotland is a very low spender in international sub-state actor terms, certainly in absolute terms and, depending on the state, possibly also per capita, in terms of its representation. We need to ensure greater transparency about what the hubs do, how they do it and their success. I know of some success stories from the hubs that have not yet got into general circulation, and that is part of what we are discussing this morning. Others might have chapter and verse on the numbers, which are certainly available. I just know that Scotland is a relatively low outlier.

Dr Allan: Do you have a view about whether there should be more hubs in the future? You said that the model of co-location is helpful, but is it necessary?

Professor Pittock: That depends on what you want to do. There could be more hubs in the future, and, off the top of my head, I can certainly think of areas where there could be hubs that would fit in with trade and EU priorities. On whether they have to be in the British Embassy, there are sometimes issues when they are not, but we need to tread very carefully there. I talked about large city relationships. If there was a model whereby there was a hub in a major city—I am talking about very large cities that are not state capitals—in which a British embassy was not sited, there would clearly be a case for the Scottish Government's having a separate hub there.

Maurice Golden (North East Scotland) (Con): Dr Marks, in its submission, the Law Society of Scotland emphasised that it would welcome the Scottish Parliament's having oversight of the decision not to align with EU law. Can you expand on that issue and say what parliamentary oversight would be welcome and what form it would take?

Dr Marks: Yes, absolutely. It is a good question and it is also a challenging question. As Kirsty Hughes alluded to, you can use the keeping pace power to follow EU law or not. To give you a sense of the scale of what is happening in EU law, year to year—I have just dug out this information—1,356 legal acts were adopted in 2020 across the EU. Many of those will not be relevant to Scotland in trying to keep pace with EU law, and there are questions about what the objectives are within that.

The initial scoping point must be to ask what the purpose is and what we are looking to do. I would like parliamentarians to be given more information on EU nature policy in particular, and parliamentarians with certain interests may raise questions about why specific decisions have been made. A decision to follow a specific law could be as significant as a decision not to—that is what I was starting to dig at.

With regard to process, that could be part of the memorandum of understanding to which I referred earlier. It may be that it would not be for this committee in particular—if it involves a piece of environmental legislation, for example, it could be relevant to a different committee. That sort of scale and scope of working across the Parliament is the sort of thing that every committee will have to think about in the background of its future work.

Maurice Golden: Would any of the other panel members like to comment?

Dr Hughes: I am happy to add something. As Dr Marks said, if we are going to keep pace, a huge amount of information will need to be gathered. It would obviously be a unilateral decision for the Scottish Government—there is no Scottish Government-EU body to discuss what laws would be appropriate in devolved areas.

However, there is one potential short cut. Under the Northern Ireland protocol—despite all the current controversy around it—Northern Ireland stays in the EU single market for good, so there either already is, or is going to be, a process by which all relevant EU laws that need to be transposed into Northern Ireland laws or regulations are clearly listed. There may be a shortcut there for both the Scottish Parliament and the Scottish Government.

The real issue is around transparency and accountability. As Dr Marks said, what is the keeping pace power for? What choices are being made? There is a huge range of legislation, and some of it will not be feasible for Scotland to implement, given that we are outside the EU. It may not be feasible not only because of the United Kingdom Internal Market Act 2020, but because of regulatory structures and non-participation in various EU bodies that are relevant to overseeing EU law.

There may be specific technical or institutional reasons not to follow a particular law, and a whole series of political, policy and strategic choices may be made regarding which laws to align with and—as I said previously—how closely to align. That should not be done in the background by the Scottish Government and officials; it is important that we have a full and comprehensive view of what is happening. Even if different issues go to different committees, it would be for this committee to get a sense of the overall balance, which is extremely important.

Maurice Golden: I see that Professor Pittock has no additional comments, so I move to a slightly different subject area, which is how Scottish elected representatives engage with the EU. The Committee of the Regions is an EU advisory body that is composed of local and regional elected representatives. Should Scottish elected representatives engage with the Committee of the Regions, and if so, how?

Dr Hughes: To be honest, I am not sure what is feasible. The other witnesses may know better than me, so I will not dwell on the subject. If there are existing examples of non-EU member state sub-states or regions engaging with the Committee of the Regions, that would be welcome, and a good idea. We might look, for instance, at the way that Scotland and the Scottish Government have engaged with the Arctic Council and with Nordic Governments. Scotland is not a

full member of relevant regional bodies, but nonetheless it has managed to engage with meetings, events and so forth.

It is well recognised that that has some impacts, so I disagree, to some extent, with the view that Scotland is viewed only through a traditional prism, but there is obviously a question of balance. There could be some interaction with regional bodies, not just the EU Committee of the Regions. We have mentioned the European friends of Scotland group in the European Parliament. I am not sure about the details, but such interaction is definitely worth exploring.

Dr Marks: I echo Kirsty Hughes's comments. It would be welcome to have any engagement that is possible. As we have discussed at length, there will be elements of prioritisation; to some extent, it will come down to that. The Committee of the Regions is a very useful body in Brussels that covers a diverse body of opinion. Issues can be raised away from the political heat of some of the other institutions, which can be useful, particular if people are looking to raise issues earlier in the processes.

I also echo the comments about the friends of Scotland group. It is important to engage, where possible, with MEPs on issues that are of mutual interest to this committee, the Scottish Government and MEPs. That body will help to fill some of the gaps, so I recommend doing that.

Professor Pittock: I am very much in favour of engaging with informal relevant groups such as the Arctic Council. On a technicality, my understanding is that representation on the Committee of the Regions is limited to EU member states, so surely the most that could happen would be Scotland being given informal observer status, because no non-EU member state is represented on the EU Committee of the Regions.

The Convener: There are a couple of additional questions. We are at the point in the meeting when I have to ask for concise questions and answers, if possible, please.

Donald Cameron: I have two questions, but I will be as concise as possible. First, how do we practically measure success? That is one of the hardest things to do in relation to Scotland's international footprint.

Secondly, are the witnesses satisfied that there is enough co-ordination, particularly on thematic issues, between the various international offices and hubs that exist, including the Scottish Development International offices?

Professor Pittock: On your second question, I think that there is good co-operation, but it is not altogether visible. That is an issue for the committee in relation to transparency. At many of the events that I have been to abroad where SDI and the UK Government or the Scottish Government have been represented, the alignment between SDI and the Scottish Government's representation has not been clear or perfect.

On the first question, quite simply, success always has many parents, but we need some measures—key performance indicators, if you like—of hub activity that has led to successful outcomes in driving forward trade relationships, positive research funding and so on.

Dr Hughes: You have to have multiple indicators of success. It would not be reasonable or realistic to ask two or three people in a hub to have an immediate and obvious impact on trade growth with Germany, for example. That is why the more clarity and detail there is in European and international structures and strategies, the easier it is to evaluate for success. If you know what they are doing there or what they are meant to be doing there, you can see where they are going. Relationship building is a crucial part of all this and that is not for the short term but for the longer term. As Professor Pittock just said, you can monitor that in terms of the range of meetings, whether they are with Government, business, or civil society, what areas they are on, how much those areas match to stated priorities, and so on.

10:30

The issue has not been mentioned much today but perhaps that is telling in itself. One of the two planned hubs is in Poland and, although I can see more reasons for the one on Copenhagen, perhaps that depends on whether your strategy is closely focused on trade, whether it is focused on having a good spread across the EU, or whether it is about some of the diaspora relationships. Which priorities are driving that and how do they fit within the overall strategy?

From what I understand of the current and relatively newly restructured structure, co-ordination across hubs in the EU looks good. I do not know if it is working as well internationally but, in the absence of a clear and well-thought-through international strategy, those offices will, by definition, be struggling to some extent, if I am right about the need for a renewed international strategy.

Finally, Scottish Development International shares office space with the Scottish Government in Brussels, and improvements and changes have been made to that arrangement in the past year or two. I do not know whether that will be seen as a model or as a considerable improvement but, again, if you are getting regular reporting on how those things are working and whether, for

example, the Brussels space is working better than some other examples around the world, is learning being taken from that?

Your question has raised more questions than answers but they might come from those who are running these offices.

Dr Marks: I am struck that, in the previous witnesses' answers to both your questions, transparency has been mentioned more times than anything. I echo the comment that, if we have a clear strategy laid out in detail, it is easier to judge what will be the outcomes and what can be delivered.

As a way of helping to move forward rather than giving questions to questions, I suggest that, in terms of looking at the activities of SCDI and the success of the hubs, reporting back to the committee with measures would be useful. That could be something that you could look at, including in a memorandum of understanding, were you to go that way.

Sarah Boyack: I want to follow up the question that Maurice Golden asked earlier about interparliamentary work and transparency. Dr Marks, you commented on the need for greater transparency and accountability in interparliamentary relations. What should the Scottish Parliament's priorities be in developing those relations? Federal exemplars were mentioned earlier, and soft power comes up all the time, but I am thinking of common interests post-COP and particularly the need for our committee to understand where the EU is going and the Scottish Government's aspirations to keep pace with it. What is your advice about where the committee should start to make recommendations to our parliamentary colleagues?

Dr Marks: I would start with the areas of common interest. That is the way to proceed, particularly when liaising and working with other Parliaments. Finding things that both Parliaments are interested in will usually produce the most amount of dialogue and certainly, at this stage, that is what we are looking for.

The situation with regard to the keeping pace power is slightly different in that there is a need there also to know what the Scottish Government is doing, so there is also a transparency aspect to interparliamentary relations.

There are also wider questions about interparliamentary relations within the UK. They are slightly different and, considering that we are short of time, I will leave them for now.

Sarah Boyack: I was thinking about both those issues. An issue that came up in our scrutiny was the challenge for people to know what is coming next in Europe. We are no longer at the table there. A huge amount of EU legislation is being developed and we need a sense of where the EU is going so that it is not a surprise when issues finally go through the European Parliament. I was just thinking about how we do a bit of looking forward ourselves. Do any of the other witnesses have a comment to make on that?

Professor Pittock: The Brussels hub is pivotal to that.

Dr Hughes: The Brussels hub is very important. It does really good work in Brussels and it has done so throughout the difficult Brexit years by maintaining and building relationships in the same way as the UK mission has to, post Brexit, and finding out what is going on, and sharing intelligence with UK colleagues.

Despite the current fractious discussions, the Northern Ireland protocol can also cut through some of that work and help officials and Governments to see what is coming up. However, because there is so much of that, the Scottish Parliament needs to be clear about how the Scottish Government is sifting it, what the priority areas are, and what the overall balance looks like. One of the messages of this morning is that that must not be simply technically done through the keeping pace legislation. If the Scottish Government aims to align with a rolling amount of EU legislation by whatever means, it should report to you on that with full transparency.

To me, your question also raises a wider point. It is not only about aligning with or keeping pace with EU legislation, it is about asking about the overall strategic direction of the EU. From the Scottish Government's or Parliament's point of view, what are the top five or 10 issues? If we are to have the best possible European strategy, which of those top five or 10 issues can the Scottish Government and the Scottish Parliament deal with best through interparliamentary relations?

There are therefore issues around aligning. There are big issues around general Scotland-Europe and Scottish international relations. Then there is the question of the Scottish Government, the UK Government and interparliamentary relations in the context of this rather brave new post-Brexit world and the trade and co-operation agreement. The message from today is that much more needs to be done and there needs to be new, reformed or revised structures to improve UK-Scotland co-ordination and to ensure that Scotland, whether through the Parliament or Government, has a real voice and appropriate access to different bodies. That is not a small thing.

Sarah Boyack: That is a helpful answer.

The Convener: I thank our panel, Dr Hughes, Dr Marks and Professor Pittock. We have had an informative session. By way of information, we will be taking evidence on 16 December from Scotland House and the Brussels, London and Berlin hubs, to add to our inquiry. The committee has also undertaken to continue committee engagement with the presidency of the EU as it changes, as we did when we were a member state.

That concludes this morning's session on our inquiry into the Scottish Government's international work.

10:39

Meeting continued in private until 11:05.

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