

EUROPEAN COMMITTEE

Tuesday 27 March 2001
(*Afternoon*)

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EUROPEAN COMMITTEE

4th Meeting 2001, Session 1

CONVENER

*Hugh Henry (Paisley South) (Lab)

DEPUTY CONVENER

*Mr John Home Robertson (East Lothian) (Lab)

COMMITTEE MEMBERS

*Colin Campbell (West of Scotland) (SNP)

*Dennis Canavan (Falkirk West)

Helen Eadie (Dunfermline East) (Lab)

*Irene Oldfather (Cunninghame South) (Lab)

*Mr Lloyd Quinan (West of Scotland) (SNP)

*Nora Radcliffe (Gordon) (LD)

*Ben Wallace (North-East Scotland) (Con)

*attended

THE FOLLOWING ALSO ATTENDED:

Dr Winnie Ewing (Highlands and Islands) (SNP)

Richard Lochhead (North-East Scotland) (SNP)

Mr Jamie McGrigor (Highlands and Islands) (Con)

Mr Alex Salmond (Banff and Buchan) (SNP)

WITNESSES

Rhona Brankin (Deputy Minister for Environment and Rural Development)

Derek Feeley (Scottish Executive Rural Affairs Department)

Steffen Smidt (Director General of Fisheries, European Commission)

CLERK TO THE COMMITTEE

Stephen Imrie

ASSISTANT CLERK

David Simpson

LOCATION

The Chamber

Scottish Parliament

European Committee

Tuesday 27 March 2001

(Afternoon)

[THE CONVENER *opened the meeting at 14:06*]

The Convener (Hugh Henry): Good afternoon, ladies and gentlemen, and welcome to the fourth meeting in 2001 of the European Committee.

Do members agree to take items 5 and 6 in private?

Members *indicated agreement.*

Common Fisheries Policy

The Convener: The next item on our agenda is our inquiry into the reform of the common fisheries policy. I am pleased that we have with us Mr Steffen Smidt, director general of fisheries in the European Commission.

Mr Smidt, we appreciate your taking the time to come over. We know that you have just flown in for the meeting and will be going away immediately afterwards. We also appreciate the fact that you rescheduled your visit after we had to change the time of the meeting. Your presence is appreciated.

I will invite Mr Smidt to make a short contribution, after which I will open up the meeting for questions. Similarly, when the Deputy Minister for Environment and Rural Development arrives, we will have a short contribution from her followed by questions.

A number of non-members of the committee have requested that they be allowed to participate. Those members are Jamie McGrigor, Alex Salmond, Winnie Ewing, Margaret Ewing and Richard Lochhead. I am minded to agree to their request. Are members also agreed?

Members *indicated agreement.*

The Convener: I now invite Mr Smidt to make his contribution.

Steffen Smidt (Director General of Fisheries, European Commission): Thank you for your invitation. I consider it both an honour and privilege to appear before you. I am Danish and, in the Danish parliamentary system, officials are not allowed to appear in the elected forum, so I feel especially honoured to be here to talk about what the Commission considers to be a very important topic.

As the committee will know, last week the Commission issued a green paper on the future of the common fisheries policy. We believe that the green paper should lead to a thorough debate throughout the European Union, both locally and in different sectors, so that all stakeholders in all quarters can express a view on the future of our fisheries policy.

The existing rules require that we provide a report for a review of the policy. We found it necessary not only to make a report but to provide a green paper for full debate and for reform of the policy. I hope that what has happened shows that we were correct to give the issue greater ambition than was foreseen in the formal texts in the Community.

Our experiences over the past couple of months,

particularly the difficulties that we have faced with the important demersal species such as cod and hake, have demonstrated to us the fact that we must look seriously into how we run fisheries policy and that we have to take new measures to improve the situation and to create a sustainable policy.

There are four primary objectives in the reform of the fisheries policy. First, we must improve conservation measures and protect the marine ecosystem totally differently from the way we have been able to do it in the past. Secondly, we should increase the involvement in decision making of all the stakeholders. Thirdly, we should secure economic viability and try to obtain a self-sufficient fisheries sector. Finally, we should promote sustainable fisheries beyond Community waters.

The first objective, strengthening conservation policy, will first require a multi-annual framework for establishing total allowable catches and quotas in future so that we no longer depend too largely on yearly decisions. Such decisions do not give us the security that we need for the measures to be effective—especially when fishing opportunities are declining—and do not give fishermen the capacity to plan properly. We consider those two objectives to be important. We must also strengthen the technical measures on which we have increasingly to base ourselves. We must promote the way in which we take the environmental dimension into account in our fisheries policy. Finally, we must develop, as part of that overall objective, a true fleet policy for the future.

On the second objective—the increased involvement of stakeholders—two main concerns are expressed in the green paper. One of them is that we should try to establish on a more permanent basis what we call regional advisory committees, in which we want all stakeholders, including fishermen, local managers and local scientists, to participate. We would like discussion to take place on the ways in which we could decentralise to local and regional authorities some of the specific emergency measures that would have to be taken in different areas. That would be in accordance with the need for those directly involved in their daily life to take their share of the responsibilities for Community matters. Hopefully, in that way, they would better understand the measures that we have to take.

The third objective—economic viability—is a controversial chapter in the green paper. In short, we think that it is necessary to have a debate on how we might in future redirect public aid in the fisheries sector from measures to strengthen the capacity to catch fish to measures that will create a viable and long-term basis on which fishermen can live, if I may express it that way.

On the fourth objective—policy in foreign waters—there are two dimensions in particular. One is our desire to give the Community a larger role and more responsibility in regional and international affairs. We are a large player in international waters, so we should be prepared to take on more responsibility for responsible fishing in those waters.

14:15

We should also look into ways in which our bilateral fisheries agreements should be developed, in particular to integrate our efforts to a larger extent with the developments that are taking place, mostly in developing countries, that want to use the fisheries resources at their disposal. That is a legitimate desire. There is a need for us to integrate in a proper way. The events of yesterday—you may know that our commissioner concluded that on the existing basis it was not possible for us to renew our fisheries agreement with Morocco—illustrate that point.

As I said at the beginning, we are aiming for a thorough debate to take place throughout the Community for a little less than a year so that at the turn of 2001-02 we can provide the necessary Commission proposals for the new legislation. That will make it possible, after the proper negotiations in the Community institutions, for us to put in place a new policy at the end of 2002. As our commissioner said when he introduced the green paper last week, the preferences that are listed in it for a number of different areas are not hammered in stone. The paper is an invitation to debate with the stakeholders throughout the Community. Thank you for inviting me to Scotland to participate in this debate.

The Convener: Thank you Mr Smidt. That was a clear and concise statement on behalf of the Commission. The publication of the green paper on 20 March has been helpful. We are considering medium to long-term plans for reform of the common fisheries policy and we want to set down some guiding principles that should argue the case for reform when the Council of Ministers begins to finalise its ideas later this year or early next year. We have a number of questions on your contribution.

Dennis Canavan (Falkirk West): With regard to the CFP, paragraph 3.4 of the green paper states:

“Stakeholders do not feel sufficiently involved in some important aspects of the policy.”

I was pleased to hear you say in your introductory remarks that there is a need for increased involvement of stakeholders. Can you give us more details on the practical steps the Commission favours to increase the involvement of stakeholders and the changes that are

necessary to accommodate such involvement in the decision-making procedure?

Steffen Smidt: First and foremost, we look upon this as an opportunity to use the experience we gained from regional discussions over the past couple of years when writing the green paper. We saw that stakeholders want to give advice to the Commission before it takes on its responsibility—as it has to in accordance with existing rules and which it definitely will have to do in the future—to provide the draft legislation on the basis of which Community actions will be taken after negotiations in the council and with the involvement of the European Parliament.

The idea of creating regional advisory committees is first and foremost an attempt, as is mentioned in our green paper, to involve all stakeholders at an early stage in the process. The second main idea was, to put it bluntly, to decentralise urgent measures to local and national authorities as necessary.

I will give the committee an illustration that most of us who work in the policy area feel is reasonably appropriate. When we had to take emergency measures for Irish cod last year, we established a process of involving the fishermen and local administrators at an early stage, along with scientists. We repeated that process when we established the emergency measures that we adopted for North sea cod in early February and, in the beginning of March, for the cod off the west of Scotland.

In all those cases, we have tried to use local knowledge to establish the measures that have to be taken. Consider the way the Commission has obtained those decisions through delegation from the council. Existing legislation and article 15 of regulation 3760/92 enable the Commission to take temporary emergency measures that can last six months. The idea is that if we want to take long-term measures after six months, they must be determined in accordance with normal European Community procedure.

In our view, a similar system could be used in cases such as those I have mentioned, to the extent that the problems are primarily regional and local. A way might be found to enable local and national authorities to take emergency measures and for those measures to be ratified by the Community.

We would like to launch that debate with the green paper. We know that certain parts of the Community consider it to be rather controversial, but we believe that an important balance must be struck between local stakeholders' knowledge and responsibility and the fact that some sort of Community monitoring is needed. Such decisions also have a bearing on the interests of other

members of the Community, to the extent that the stocks do not tend to live in one geographical location, but travel.

Those are the main thoughts behind our ideas for greater stakeholder involvement. As I said at the beginning, we should have a debate on how to involve stakeholders more. The Commission believes that it is important that we get the process right in order to strengthen our policy and the effectiveness of the decisions that we take in the future.

Dennis Canavan: At an earlier stage, the Commission did not seem to favour moving towards delegation of legal decisions by the council, but the green paper talks about "certain management responsibilities" being decentralised. Can you give us an indication of what management responsibilities could be decentralised and how? Does that comment indicate a change in the Commission's position?

Steffen Smidt: It is clear that there has been—and on the basis of the green paper there will be—considerable debate about the extent to which one should be in a position to delegate powers that are enshrined in Community measures through the regulation that is the basis of current policy. As I said, we have no doubt that it is possible to find a reasonable balance that includes the interests of those who depend on the sustainability of, or are concerned about, the local fishing industry. They could take decisions about emergency measures first in many cases.

By the way, I do not mind at all if we extend the question of the regions and involve more than one nationality, if I can put it that way. I mentioned the Irish cod example as one where a regional authority could be set up to take primary decisions for emergency measures. A mix of people from different local communities and of different nationalities could be involved—why not?

If you need urgent measures to protect a threatened stock, why not allow such measures to be taken immediately by the local authorities, in the hope that that will have immediate beneficial effects for the stock involved? Later on, you would integrate those measures into Community law in the proper way—in what I call a ratification procedure.

In the current system, the Commission will act only with the heavy involvement of those who are directly concerned. That has been seen in the three cases that I have mentioned—cod in the Irish sea, in the North sea and off the west of Scotland. Measures for hake will be adopted in the middle of April, just before Easter. In all those cases, the primary input has been from those who are directly involved. Subsequently, we have to find ways to integrate the measures into

Community law. At the moment, long-standing measures are adopted by the council on the basis of proposals from the Commission, but the first temporary measures can be taken by the Commission through the powers delegated by the council.

Translating that kind of thinking into a local and regional context would not be revolutionary compared with what we have today. That is why the Commission's thinking has been developing and it is why we have drafted the green paper.

Dennis Canavan: Would zonal management committees have real power, or would they be purely advisory bodies?

Steffen Smidt: I do not want to pre-empt the debate on exactly how this will be hammered out. I would like to see a system in which local and regional authorities are able to introduce measures for the protection of a particular stock that is in difficulty. Such measures should be able to take effect immediately. Later, there would be a system by which you would, as I say, ratify the measures. The Commission would monitor what was happening and then make proposals to the legislative bodies—the council and the European Parliament. The important thing is that the effects of the measures would be immediate. I think that such an arrangement could be a way of translating the ideas in the green paper into reality.

However, I want this only to stimulate debate. I would not like, at such an early stage, to reach too many conclusions and so risk pre-empting the debate.

Mr John Home Robertson (East Lothian) (Lab): It is a pleasure to see Mr Smidt in Scotland again—even if my responsibilities have changed a little since I last saw him in Peterhead.

The green paper lists a number of priorities for the future of the CFP, including conservation, modernisation of production and economic sustainability. Those objectives may not be entirely compatible; in fact, they could well be contradictory. It would be helpful if Mr Smidt could rank the priorities. Which comes first—sustainability or the economic interests?

Steffen Smidt: As you will have read, we recognise in the green paper the extent to which we have been working under a system with conflicting objectives. It is a high ambition but, in future, we would like objectives that are not conflicting.

I hope that members will not mind if I say that what we have seen recently implies that there is no way round not making the conservation of stocks a priority when we define the objectives for the fisheries policy. I have to say that because we must do things properly in future. The green paper

suggests that one way in which we might create a better basis for having non-conflicting objectives is to redirect the structural measures that govern how aid can be given. At the moment, public aid is, unfortunately, used to increase capacity in the fishing sector in many cases. It should be used to help people find more sustainable jobs—even if those jobs are outside the fisheries sector.

This is a controversial matter, of course, not least because all member states have been programming their structural aid for the period 2001 to 2006. We know that the flexibility is not very great, but we are trying to say that fish stocks do not respect such an artificial timing as has been adopted arbitrarily in the European Community. We have to look into how conservation can be done in future and we must take proper responsibility for a policy that we have not had in the past. As you can see from our paper, we insist that capacity will have to be reduced in the future to create a more economically sustainable basis for the way in which fisheries are exercised. Some priorities have to be considered properly in the future. I do not see any way out except by all of us, including fishermen, giving priority to conservation.

14:30

Ben Wallace (North-East Scotland) (Con): You said that the concept of modernising the fleet and suspending the present aid should be used to increase capacity. On page 27 of your green paper you suggest that, in the long term, such aid should be abandoned. Is the reform of the common fisheries policy going to go that far? How specific will the white paper be about fine-tuning state aid towards more social and economic measures, rather than towards capital investment?

Steffen Smidt: We are going to debate that in greater depth in the very near future, when we have presented our long-term emergency measures for the stocks of cod and hake that are under pressure at the moment. We are working on a three-step approach. First, there are the emergency measures that the Commission took for hake, which take effect in the middle of April. The second step will be reinforced and tailor-made technical measures to protect juvenile fish for those species. The third step will be long-term measures, for which the Commission will make proposals at the end of May or the beginning of June, to establish protection measures for those stocks, probably for five years, so that the stocks can gradually be rebuilt in accordance with the precautionary principle.

In taking those measures, I assume that we will also have to address the fleet aspect, simply so that we are able to halt the fishing pressure that exists at the moment. In that context, I would not

exclude the possibility that the Commission might conclude that one would have to suggest to the council and to the European Parliament that further infrastructure investment that is targeted at those specific species would be banned. Would not it be logical to think along those lines? The intention is not to do it across the board; I do not think that that is realistic. We have to accept that, for certain structural aspects of our economic policies, member states want to address problems in different ways. However, I believe that, under certain circumstances, it is fair for us to suggest that, without a collective will, we should not ban any additional aid for creating capacity in areas where vessels are targeted towards specific species. It is a worthwhile thought and we will have to return to it in the coming months.

Ben Wallace: If that is not done within five years, will enlargement make it harder to reform or change it again? Many new countries, especially from the Baltic, are quite keen to invest in their fleet. Do you think that missing this opportunity will make it harder to change in future?

Steffen Smidt: First, I do not believe that enlargement by itself will put enormous pressure on the fleet. That is a different story, which we can pick up later.

During the enlargement negotiations, we will have to ask new countries to become subject, on entry, to the same rules that are in place today—we have always done that. The multi-annual guidance programme establishes a certain number of limits for different segments of the fleet and newcomers will have to respect those limits. I do not think that the enlargement process will bring greater pressure to bear on the fleet.

The problem is that, even before enlargement, the Community's fleet is too big. You will probably know that, a couple of years ago, we calculated that our fleet was approximately 40 per cent too big. That may be an understatement, as we have been unable to establish a scientific measurement since 1988. Since then, technological developments have probably increased the fleet's real capacity, whereas the technical way in which we measure the fleet covers only gross registered tonnes and engine power. The problem lies with us today, with or without enlargement, and we must address the question of the future size of the fleet. In the long run, we cannot allow ourselves to maintain a fleet capacity that is substantially, and increasingly, bigger than what we are able to fish.

Mr Jamie McGrigor (Highlands and Islands) (Con): In the green paper, you talk about promoting animal and public health and safety. On the west coast of Scotland, fishermen—particularly scallop fishermen—have been greatly disadvantaged by amnesic shellfish poisoning toxins.

The Convener: Jamie, is your question on the same point? If not, other members—

Mr McGrigor: It is on the same point.

The Convener: Is it?

Mr McGrigor: It is about ASP toxins.

The Convener: I am sorry, but—

Mr McGrigor: We have yet to discuss that point.

The Convener: We will come back to it later, if we have time. However, we are following a particular thread.

Mr McGrigor: May I ask a question about—

The Convener: I am sorry, but no.

Mr Alex Salmond (Banff and Buchan) (SNP):

The green paper was probably better received than any Commission document on fisheries policy that I can remember. I do not know whether that has been the general view around Europe, but it is my estimation of the reaction in Scotland.

On the point that you just made about why the current circumstances might require a redirection of aid and support, the Commission argues on page 32 of the green paper that events such as the introduction of the stock recovery plans may require

“a substantial relaxation of the limit on aid for temporary laying-up of fishing vessels.”

Can you explain why the Commission made that connection, which is of substantial interest to many members of the Scottish Parliament?

Steffen Smidt: In order to put it in the right context, let me add to what the green paper says. I may get a little technical, for which I apologise.

Our existing rules, funds and policies on fisheries—the financial instrument for fisheries guidance—have a specific role. I refer members to article 16 of regulation 3760/92. FIG established a certain number of measures for granting aid on a temporary basis if fishing, for one reason or another, cannot continue. There is a 4 per cent lid on those measures, which, in many cases, is not very much. The same sort of envelope, so to speak, has been used by Spain and Portugal to finance the “laying-up” of the fleet that had been fishing in Moroccan waters, since the agreement expired in October 1999. Some member states want to introduce similar temporary laying-up schemes as a consequence of the emergency measures.

I am bound to say that when FIG was adopted in autumn 1999, we did not think that we would need to make extended help available for a temporary halt to fishing for whatever reason. That is why we should probably have a substantial rethink of the paragraph of the green paper to

which Mr Salmond refers.

If you will allow me, I will outline an additional argument about that. Mr Salmond touched upon a point that I mentioned a while ago: when we discuss public aid, for whatever reason, we enter areas in which the Community establishes some main rules, which—perhaps apart from demanding a certain discipline—basically offer a toolbox for different member states to use in different ways. No one Community rule is established; the aid can be used in particular ways. That is exactly what happens in conservation.

Therefore, our proposals cover the possibility that member states might react differently. For example, some of them might say that the first measure to take to reduce considerably the fishing effort—because a resource is under threat—could be to introduce a substantial tie-up scheme for either large or small parts of the fleet. Other member states might prefer an immediate decommissioning arrangement. Both are technically possible with that toolbox.

I wanted to underline that point before dealing with the next element of the question. In fisheries policy, it is important to find a balance between the need to create the same conditions on a Community level for some measures and the need for greater flexibility for member states in economic and structural areas. For whatever reason, they might choose one or other of the tools in the box.

Mr Salmond: As you said, there is a permissive aspect to Commission policy, and there is a jukebox—as I think you said—on which member states can play the tunes that they like. Belgium and the Netherlands have recently decided that the tune that they want to play on that jukebox is that of a temporary laying-up scheme. From your emphasis on the relevant points of the green paper, can I take it that, if member states want to go in that direction, the Commission will accept that as part and parcel of the new policy that is developing?

Steffen Smidt: We say explicitly in the green paper that we want to prioritise capacity reductions in future, and I wish to repeat that. However, we cannot impose capacity reductions on member states. We can only establish a certain number of lids—if I can call them that—on the basis of what is agreed. That is the essence of the existing, more general guidance programmes, and gives an illusion of a free policy—if I may take the liberty of saying so.

It has never been the intention that the Community should have the power to specify the size of the fleets in the different member states. We are aiming at a capacity reduction because we think that it is the only sensible way of moving

forward. At the same time, we admit that the current rules—which I do not think many people would like to change fundamentally—allow member states to go down different routes, using different tools from the toolbox.

Mr Home Robertson: Mr Salmond has raised the choice between a lay-up scheme and a decommissioning scheme. You said that there is major overcapacity in certain segments of the fleet, and that the overriding need is to scale that down. Which would you regard as better value for money: a decommissioning scheme, which tackles the root of the problem, or a short-term tie-up scheme?

Steffen Smidt: I should have brought the calculation that we made recently on the basis of the FIFG regulations, as I do not remember it properly. It is amazing how quickly more money is spent on tie-up schemes than would have been spent on decommissioning. That is the honest and best answer that I can give at this stage. I could give you the figures to illustrate that if I had them with me.

Mr Home Robertson: Perhaps you could send them to us. That would be helpful.

The Convener: We move on to enforcement and compliance.

Irene Oldfather (Cunninghame South) (Lab): There is a commonly held view among fishermen's organisations in the United Kingdom that there is not a level playing field of enforcement. I note from the green paper that the Commission also has concerns about monitoring and control of the CFP. How does the Commission propose to improve the situation? Would the proposed joint inspections replace member-state policing or complement it?

14:45

Steffen Smidt: In the green paper, we acknowledge that our control measures in Community and international waters are insufficient. I come back to a point that I made earlier: that is one of the reasons why the basic control measures are taken care of at a national rather than a Community level. We have in the Community only a small inspection team, which is how we control the controllers in member states. We need to go much further towards creating better "harmonisation" of the control measures that are taken by member states. That applies to control of activities not only at sea but in ports. It will, we hope, maintain the commercial viability of the products. In future, the creation of a joint inspection and control structure, as we suggest in the paper, could help to achieve that harmonisation.

We are not, as some have seen it, attempting to

make the Community take further legal responsibility on its shoulders. The idea is that we should pool national and Community resources to a larger extent in a joint structure and use that structure collectively. We could imagine having multinational teams to take care of, for example, inspections at sea. The further we go down the road with different control measures, the closer we come to the more legal aspects of control—in other words, enforcement. Member states will always guard their prerogatives jealously, but the question is how far we can go down the road to creating a collective basis for control, in which member states are able to justify their different enforcement measures. We believe that, by pooling the resources with which we give a joint structure a collective role—at least in the primary stages of the chain of control—we will contribute not only to a more level playing field but to greater effectiveness.

You will see from all the different emergency measures that have been taken recently and the one that we will take in April on hake that—with the agreement of all involved—we have had to insist on additional control measures to ensure that the specific measures that we have suggested in each case will be effectively implemented. All over the Community there is greater understanding of the need to have stronger and more harmonised control measures. That is why we have what is, in my view, a rather strong plea in the green paper to reinforce the Community's capacity in those areas in future.

Nora Radcliffe (Gordon) (LD): I am very encouraged by what you say. First, am I to take it from your remarks that the green paper is welcomed EU-wide and that you are getting a sympathetic response to the idea that there should be better enforcement measures and cross-national enforcement measures? Secondly, is there scope for more use of modern technology? I am thinking of satellite monitoring and so on.

Steffen Smidt: We had a conference in October very much along the lines of your second point. There is greater understanding of the need for the Community to go further down the road to using modern technology. We have already done so with the vessel monitoring system, which we could probably reinforce easily. Only on the day on which we make our specific proposals will we see whether there is sufficient understanding of the need to take additional measures. What we have witnessed recently, especially the problems that we have experienced with the emergency measures that we have had to take for a number of important stocks, will create increased understanding of the need to take effective and stronger control measures in future.

Irene Oldfather: Is there enough emphasis on

penalties in the present system? Do we need to take forward the fact that, in order to enforce penalties, some kind of sanction is required? How can we enforce penalties on those who infringe the regulations?

Steffen Smidt: That is a difficult problem, Members will see that in the green paper we try to say that we need to go further down the road of stronger, similar enforcement measures in the member states. I would not be honest if I did not say that the problem is difficult. Members know as well as I do that the extent to which member states are willing to determine collectively that all cases of infringement of that nature should be penalised in a certain way is not great. Member states guard their prerogatives in that field, and the Commission cannot go further down that road than the common basis of debate between member states allows, although we might be able to go further if we accepted a larger element of transparency.

We do not necessarily have to go all the way to harmonisation, but the creation of a transparent basis for discussion along with an increased use of peer-group pressure could provide a better basis for the way in which member states might—with variable means—impose sanctions for different infringements. We have been working on that idea, and will continue to do so in the future, as it is one way of pushing in the right direction.

The Convener: Thank you. I neglected to call Colin Campbell, who wanted to ask a question about zonal management. I will skip back a bit to bring him into the discussion on that subject.

Colin Campbell (West of Scotland) (SNP): Zonal management is an area in which the principle of subsidiarity could be applied. We look forward to that principle being applied in the fullness of time. At present, which member states support, and which are opposed to, zonal management? I understand that that is a difficult question for someone in Mr Smidt's position to answer, but I am sure that he will manage to do so.

Steffen Smidt: The first part of the question is easy: Anglo-Saxons invented the phenomenon of zonal management—although that is a different story. At the early stages of the zonal management debate, there was some resistance to it among more southerly placed EU countries. However, in more recent Community debates, all the different parties have shown an increased willingness to consider the question of more regional management of the fisheries policy. There is an increased understanding of the need to take on board additional measures for the future. I am not so sure that the division between countries that was implied in Mr Campbell's question exists any more to quite the same extent.

Colin Campbell: Which countries are the leading advocates of zonal management?

Steffen Smidt: That is a difficult question. In recent times, the Commission has not put a proposal on the issue for debate at the Council of Ministers, which is the usual place for such debates. Mr Campbell must not forget that there was widespread debate before the green paper was produced. It is only fair to accept that an enormous development has taken place in the debate since we started the exercise more than two years ago. There will probably be further development between now and the day when the formal decision is taken. Mr Campbell will see that it is not a case of whether or not I will provide an answer, as it is not possible for me to answer his question in kind.

Colin Campbell: I recognise Mr Smidt's discretion and tact.

Mr Home Robertson: Is it fair to say that the Commission has sanctioned something like a zonal management arrangement in the Baltic? Could that pattern be replicated in other Community waters?

Steffen Smidt: Yes. That example involves more than one nationality and people from outside the Community.

The Convener: Richard Lochhead will ask a question on the same issue.

Richard Lochhead (North-East Scotland) (SNP): I want to return to capacity reduction, which was touched on.

The Convener: You must ask a question on the current issue, because we must move on. We are running out of time.

Richard Lochhead: May I just ask for a point of clarification?

The Convener: No, sorry.

Richard Lochhead: I do not have access to your committee's private question paper.

The Convener: Sorry, but I am moving on. Ben Wallace will ask about technical conservation measures.

Richard Lochhead: Will you take a point of order?

The Convener: No, sorry. I have called Ben Wallace.

Mr Salmond: You cannot refuse a point of order.

The Convener: We do not have points of order in committees. I have called Ben Wallace.

Ben Wallace: I feel like I am trapped between a rock and a hard place. I apologise to the director

general for members' behaviour.

For many years, Scotland has led the way on adopting technical measures to try to contribute to conservation and capacity reduction. Could enforcement be stepped up for other countries? We are still waiting for many other member states to adopt such measures. [*Interruption.*] Convener, do you think that some other members, who are talking, would have the decency to shut up when another member is asking a question?

The Convener: I will chair the meeting, thank you Ben.

Steffen Smidt: The question of increased enforcement of technical measures has arisen recently in the context of the emergency measures that we have taken. The issue also suggests the first element of additional technical measures. As I said, the next step that we must take to protect the targeted species—cod and hake—will focus on longer-term tailor-made technical measures, which will be additional to existing measures.

We focused attention on the need to add control measures to ensure that the technical measures are reinforced as they should be. That has created considerable debate among some partners, not only in the Community, but in Norway, which had a different view on how control measures should be taken and did not share our view about placing observers on the boats that can fish species that the protection measures do not target, particularly in the North sea. There is increased understanding and acceptance that measures must be implemented.

We are confronted with factors that will help us in the long run, because immediate needs mean that people understand that there are reasons for taking more serious control measures.

Ben Wallace: At the moment, Scotland is one of the few countries—if not the only one—that is implementing some of the measures. Should the green paper go further on clear time scales for implementing measures?

Steffen Smidt: I will be the first to welcome consideration of such questions when we come to the practical implementation of the green paper. That is exactly the kind of debate that we should conduct. Discussing the ways in which we can learn from one another is one of the main objectives in the debate on the green paper. It is in the context of implementing rather than changing the green paper that we should consider such ideas.

Mr Salmond: Are you in favour, in principle, of every other European fleet that is fishing in the North sea adopting the measures that are compulsory for the Scottish fleet that fishes there? That situation pertains to Norwegian waters,

where all fleets must fish to Norwegian standards. What mesh do you think will be imposed at the end of April, through agreement with Norway, when the area that is currently closed is reopened? When will that be decided?

Steffen Smidt: I do not think that it is appropriate for me to go into what we have in the cooking pot at the moment regarding the specific technical and long-standing measures that we will have to consider for adoption in April. First and foremost, they will be difficult measures to adopt and the college will have to have a serious discussion, which has been pencilled in for 11 April. We will have to make important decisions. Therefore, I am sorry to say that I do not consider it appropriate to comment on mesh sizes for the next round of measures.

I am not sure that I understood the first part of your question, on comparing Community waters with Norwegian waters.

15:00

Mr Salmond: Currently in the North sea, Scottish fishing vessels must fish using a square-mesh panel as a conservation measure. That is compulsory for Scottish boats.

Steffen Smidt: Yes, I know.

Mr Salmond: Do you believe, in principle, that that square-mesh panel should be compulsory for other European boats that are fishing the same waters? It takes two months to get new, changed mesh from any net manufacturer. If we do not decide until 11 April what mesh is to be used in Norwegian waters, how on earth will any Scottish boats be back fishing in Norwegian waters when the closed area opens at the end of April?

Steffen Smidt: As Mr Salmond will know, there is already detailed debate between the fishermen, the administrators, the scientists and the Commission, concerning what meshes should be used in what I called the second phase of our emergency measures. Although I appreciate the fact that specific measures have been taken in Scotland regarding mesh sizes, I do not feel that it would be appropriate for me to say how the rules will be applied at European Community level, nor would it be appropriate—in the midst of the problems with which we are faced—for me to comment on the Norwegian situation.

Mr Salmond: Are you saying that Scottish fishermen will not be fishing in Norwegian waters on 1 May because they will not have the appropriate mesh size as a result of that decision's not being made until 11 April? Do you realise the significance of the implications behind your remarks? Do you understand the importance of the matter?

Steffen Smidt: Of course I understand the importance of the issue. I am not aware that there is any risk of our not reaching agreement with the Norwegians on the measures that will have to be taken. Since the beginning of the debate on emergency measures, we have been trying to ensure that the measures that are taken at Community level and Norwegian level, as general rules, will apply in such a way that they can be translated into practice by both sides of the debate.

Mr McGrigor: In the big picture of conservation of European fishing stocks, industrial fishing is widely condemned as being unsustainable. What is the European Commission doing to reduce that type of fishing, which might be detrimental to all stocks?

Steffen Smidt: Industrial fishing is subject to the same rules as all other kinds of fishing in the Community. If the species that are fished industrially are under threat or if, for other reasons, the Commission has to intervene in the interests of those species, we shall do so. I remind Mr McGrigor that, in the recent debate on the identification of the stocks involved, we came to the conclusion that the species that are being fished industrially are not under threat. Therefore, no specific measures are proposed to reduce the fishing of those species.

Mr McGrigor: I am referring mainly to the Norwegian pout industry. It uses 20mm mesh nets that take a lot of by-catch.

Steffen Smidt: Those who fish for that species and for sand eels are subject to the same rules as everybody else is. There is no difference between the treatment of those stocks and the treatment of other stocks.

The Convener: Thanks, Mr Smidt. We appreciate your taking the time to address the committee. We might not have been able to cover all the areas that we had agreed to in advance of our meeting, but we will write to you on those matters and look forward to a response.

On some issues, your contribution has been informative and helpful. On others, there is clearly some on-going controversy and political decisions need to be made with regard to them.

The session has been useful and we thank you for your time. You are welcome to stay and listen to what the minister has to say.

Steffen Smidt: Thank you. Thanks also for having invited me.

The Convener: I welcome Rhona Brankin, the Deputy Minister for Environment and Rural Development.

I believe that Steffen Smidt was hoping to listen

to your contribution, minister, but I see that Alex Salmond has cornered him outside. I am not sure how much of this session he will hear, but he can read the *Official Report*. I invite you to make a short statement before the committee asks its questions.

The Deputy Minister for Environment and Rural Development (Rhona Brankin): I am quite happy to move straight to the questions.

Dennis Canavan: In what policy areas is there room for greater decentralisation and for a regional approach within the common fisheries policy?

Rhona Brankin: The Executive attaches great importance to strengthening the regional dimension of the CFP by involving fishermen in fisheries management and the decision-making process and by focusing more on local fisheries issues. The Irish sea, North sea and west of Scotland cod recovery programmes represent a significant step forward in bringing together fishermen, managers and scientists from the member states to help develop the programme and review its operation. In addition to that, the UK has been a strong supporter of the pilot regional workshops that have been organised by the European Commission to bring together fishermen, administrators and scientists to discuss issues that relate to particular fisheries.

The European Commission's report on the second series of workshops was issued last year and was positive about the value of those events as a means of improving dialogue on the CFP and of injecting a regional perspective. The European fisheries council agreed that those workshops should be extended and put on a more permanent footing. We are committed to involving fishermen in fisheries management and focusing on regional fisheries issues. On such issues as the cod recovery plan, we have involved the fishermen's organisations every step of the way.

Dennis Canavan: Does the Executive favour zonal management committees having real decision-making powers or merely advisory powers? Is the regulatory framework of the European Union flexible enough to allow for real decentralisation of decision-making power to zonal management committees?

Rhona Brankin: We must have further discussion about the extent to which zonal management is about control or involvement in some way. That debate is still to be had. As I said, it is important that fishermen and fishermen's organisations are involved in local decision-making, but I would not like to speculate on the result of the consultation. We will soon put out a consultation document on the review of the CFP.

Colin Campbell: I will follow that up. I understand why the minister might be reluctant to say how much power zonal management might have, because we are talking about subsidiarity in which we all, to varying degrees, believe. How much power might you envisage a zonal management committee having? What would the composition of the committee be?

Rhona Brankin: As I said, it is not helpful to speculate as we enter consultation on the matter. There are also issues about the period of time that it would take to move to a specific form of zonal management. There is no current view as to what is the right detail on zonal management; we will consult on that.

Colin Campbell: I will ask a question that I asked the director general. In your experience—considerable international experience compared to mine—which countries appear to favour zonal management and which ones appear to resist it?

Rhona Brankin: We have been one of the member states that has been promoting zonal involvement. We think that that is the correct way forward and I am happy to say that we have been promoting it strongly within the Council and with other EU member states.

States such as the Republic of Ireland and Denmark express significant support for zonal management. I cannot give members details about the exact views of member states; I do not know whether Mr Feeley can give more details on that.

Derek Feeley (Scottish Executive Rural Affairs Department): There is a substantial difference in the extent to which member states are familiar with the concept of zonal management. Member states that have been involved in the cod recovery plans, for example, are much more au fait with how we might go about involving industry representatives, scientists and others in taking decisions.

There must be some prospect that the hake recovery plan, which is the first of the initiatives to have involved the southern member states, will help to build that familiarity. As the minister said, we have yet to have a proper debate about what zonal management means and how it should be implemented in detail.

Dr Winnie Ewing (Highlands and Islands) (SNP): Mr Fischler is quoted, in the *Fishing News*, as saying at a recent press briefing that the committees must not be placebos. He stated:

"If you have multi-annual quotas, for example, then we would foresee the Regional Committees dealing with the yearly distribution of the fishing opportunities."

That is a very positive power. That pleases me very much.

To follow on from Colin Campbell's question, at the same press briefing the Spanish said that they could not accept decentralisation—regional management—because they would regard it as renationalisation of the CFP by the backdoor. That might answer Colin Campbell's question. We certainly know where Spain stands on the matter.

Rhona Brankin: I do not want to say anything other than that we in Scotland have shown the way with a joined-up approach to the cod recovery plan. That approach has involved fishermen, the fishing industry, scientists and officials. We are interested in and we support consideration of a much greater regional dimension to the CFP.

15:15

Mr Lloyd Quinan (West of Scotland) (SNP): Mr Smidt said that zonal management is an Anglo-Saxon concept and that it has not been discussed by anyone else. If the introduction of the concept of zonal management is fairly new and comes from a single EU state, what is the likelihood that we can get agreement to it? Dr Ewing has told us that the Spanish are not in the least interested in zonal management, principally because they see it as undermining the Spanish state's power. That view is common currency throughout Europe. The cry in Galicia and the Basque country is that power could be transferred to the devolved Governments of the Spanish state. What is the attitude of the Council of Ministers—rather than the European Commission—to zonal management?

Rhona Brankin: As I said, we are leading the way in our approach to developing the cod recovery plan. The cod recovery plan will be watched with interest because of the model that we have adopted to draw up the plan.

A little mischievous politicking can sometimes happen. We are looking at more local involvement within the framework of a revised CFP. I am comfortable with that and I hope that we will be able to persuade other member states that that is the way forward.

Mr Quinan: What is the Council of Ministers' approach? What is the general approach of the other EU member states to zonal management, as introduced by the UK as a new idea?

Rhona Brankin: The idea of zonal management is in the green paper on the future of the CFP and is up for discussion and debate. It has not, as such, been debated in the Council of Ministers. The green paper is out for consultation and we will consult various interests on zonal management as part of the wider consultation on the paper.

Mr Quinan: When zonal management was introduced into the debate, surely there was

canvassing of other EU states' opinions. What was the general opinion? Was the idea submitted by the UK without reference to any other states?

Rhona Brankin: I am sorry, but I am not sure what you mean. I was saying that the cod recovery plan and the model that we used in which we involved people—

Mr Quinan: I would like to explain.

The Convener: We should establish some rules. People should not speak across each other. The minister is attempting to reply, so Lloyd Quinan should let her finish.

Mr Quinan: The minister said that she did not understand what I said. I am trying to clarify that.

The Convener: Let the minister finish. You will then have the opportunity to ask a question. The committee cannot take in two conversations at once.

Rhona Brankin: We are pleased and very heartened that the idea of zonal management and the basis for perhaps moving towards a more zonal management approach have been incorporated in the green paper. We worked for that and we made it clear to the commission that we favour that. Zonal management fits in well with other EU governance initiatives in respect of how EU member states operate within the wider EU framework.

Mr Quinan: As the Scottish Executive has not canvassed any views, but is happy that zonal management has been put into the green paper, what would be the Scottish Executive's desired composition of the zonal management committees?

Rhona Brankin: They should be representative and wide-ranging. Obviously, the committees would need to have representatives from industry, fisheries scientists and fisheries management.

Mr Quinan: From other countries?

Rhona Brankin: We are relatively open to suggestions about that and will listen to representations as part of the consultation.

I refer Lloyd Quinan to the kind of model that we used to develop the cod recovery plan. There were scientists, representatives from industry and fisheries managers there. We are reasonably open about who should be involved. There will be a range of stakeholders, but the critical thing is that they are involved.

We have advocated more of a regional dimension to the CFP. Lloyd Quinan talked about doing things prior to consultation, but we have been speaking to industry representatives who have been quite articulate and who have articulated on many occasions that they think that

there should be a greater regional dimension. That is not something that has just been plucked out of the air. There has been some thought and discussion about the problem, but it is still at a very early stage as regards the CFP.

Mr Quinan: I have a very simple question on the composition of zonal management committees. What is your preferred structure? When you made a contribution that ended up as part of the European Commission green paper, surely it must have included a suggestion about the structure. What suggestion did the Scottish Executive make about the ideal structure as part of its submission to the green paper, or was that a UK decision?

Rhona Brankin: No. As I said, there is a green paper. We are happy that we have managed to have included in it proposals for a greater regional dimension. I said that there is a possible model for composition of local groups, but we are open to representations and do not have set views at this stage.

Richard Lochhead: My question follows on from the previous questions on zonal management. One of the reasons why people in the Scottish fisheries community are unhappy with the CFP is that they feel alienated from fisheries policy at European level. It is imperative that meaningful zonal management be put in place post-2002 if our fishermen are to have faith in the common fisheries policy after the review. To what extent has the Scottish Executive been promoting the concept of zonal management to other member states of the European Union in order to win their support? What further plans do you have to promote that concept, given its importance to the future of Scotland's fishing industry?

In response to Dennis Canavan's point, you said that you were awaiting submissions to the consultation before reaching a decision on what type of zonal management you want, but surely the Executive must have a view on whether it wants advisory zonal management committees or decision-making zonal management committees. If you have a view, can you tell us what that view is?

Rhona Brankin: No. I have been quite open about this. We want to have a genuine consultation on the matter. I would be criticised, probably by Richard Lochhead, if I set out the Executive's preferred view as the preface to a consultation, and prior to that consultation taking place. I do not think that that is unreasonable. We have been instrumental in ensuring that we have an opportunity in the green paper to look at an enhanced regional dimension, and we are more than happy with that. That is something that we will promote as part of the continuing discussion among EU states. The consultation will continue and we shall look at what that brings up. We are

very much wedded to the concept of an enhanced regional dimension to the CFP

Richard Lochhead: Given how important zonal management is to Scotland, will you be leading for the UK in the negotiations with Europe over the common fisheries policy?

Rhona Brankin: As Richard Lochhead knows, I am part of a team. Because fisheries is devolved to Scotland, the team that represents the UK is made up of the fisheries ministers from the home countries and we work together as a team. I will lead in some matters, as I did at my first fisheries council meeting, when we discussed Rockall haddock. I am glad to say that it looks as if we are getting a satisfactory resolution to that. I repeat that the fisheries ministers form part of the UK team. The position is discussed and agreed beforehand and the choice of who leads on a specific subject might depend on the interests of a country such as Scotland. That is why I led on the subject of Rockall haddock. That is a fairly well-known position.

Richard Lochhead: Are you having your own consultation with the Scottish industry about the CFP review, and is Elliot Morley having a separate consultation with his industry?

Rhona Brankin: There will be consultations going on at various levels. Of course I shall consult the Scottish industry and of course I shall talk to Elliot Morley about the kind of feedback that he has received. Together, we will reach an agreed position and I do not see what the problem is with that. That has been explained countless times in Parliament.

Ben Wallace: I am relieved that the United Kingdom is working well together in Europe for the best fisheries policy, rather than what some other people might want. I am aware that you do not want to commit yourself to talking about the detailed composition of zonal management committees, but there is a lot of concern about monitoring and enforcement of fisheries throughout Europe, which creates a lack of trust between member states and between fishing communities. Would you object in principle to other member states or members of the Commission being on the zonal management committees, in relation to enforcement and monitoring?

Rhona Brankin: What underpins the whole system is that those bodies must be representative and wide-ranging. At this stage, I do not want to rule anything out or in.

Ben Wallace: You do not object to the idea.

Rhona Brankin: It is not something that I have looked at in any great detail. If it comes up as an issue, we shall consider it.

Mr McGrigor: You talked about the cod recovery programme. Can you tell us how far the west coast cod recovery programme has progressed?

Rhona Brankin: As you know, the closed areas include the spawning grounds in the west coast. At the moment, discussions are still going on about additional technical measures. Derek Feeley is involved in discussions about the next phase of the cod recovery plan and I shall ask him to say one or two things about it.

Derek Feeley: We are at the same stage with the west of Scotland cod recovery plan as we are with the recovery plan for the North sea. We have the stage 1 measures in place under the Commission's emergency powers. We are in discussions within the Community about whether there should be stage 2 measures and what they should be. We will move from there to considerations of a longer-term recovery plan.

Mr Salmond: Mr Smidt told us, rather dramatically in my view, that agreement on the technical measures required for the cod recovery plan when the areas reopen could be reached by 11 April at the earliest. I spoke this morning to Mr Peter Noble of Caley Fisheries, one of the biggest net providers in Scotland. He told me that a minimum of two months would be required to re-equip the fleet with nets of different mesh sizes, if that is the agreement that is reached. Does that mean that there is a possibility—perhaps even a probability—that the Scottish fleet will not have access to the areas off Norway that are currently closed, not just until 1 May, which is what we had expected, but perhaps until the middle of June? Is that a real danger, given what Mr Smidt said?

Rhona Brankin: It is difficult to know, but if there is a possibility that a problem could be caused, we will be happy to take the matter up with the Commission.

Mr Salmond: Do you understand the crucial nature of this, minister?

Rhona Brankin: Absolutely.

Mr Salmond: The European director general of fisheries has said that 11 April will be the earliest date. I am certain that a two-month period is the minimum required to provide the fleet with additional mesh to meet the terms of a new regulation. That would mean that, unless very urgent action is taken, the fleet would effectively be excluded for another six weeks from natural fishing grounds. If that were the case, what would you suggest that the Scottish white fish fleet do over that period of time?

Rhona Brankin: I recognise that there is a potential difficulty. As I said, we will be speaking to the Commission about that at an early stage.

Mr Quinan: Section 5.7.1 on page 32 of the green paper suggests:

"The reconsideration of current FIFG aid should take place at three levels".

The green paper suggests that events such as

"the introduction of the stock recovery plans recently decided by the Council or the greater-than-foreseen reduction of fishing opportunities in third country waters ... may require, for example, a substantial relaxation of the limit on aid for temporary laying-up of vessels".

Given that we may have a fleet that is incapable of fishing in third-country waters because we cannot apply the technical measures required, will you be considering a temporary lay-up scheme for those fishing vessels that have been denied access to the fishing grounds?

The Convener: I will let the minister answer that quickly, but I remind the committee that we are still dealing with the question of zonal management.

Mr Quinan: My question is specifically about zonal management, convener.

Mr Salmond: It is a hugely important matter.

The Convener: Minister, I ask you to answer the question briefly before we exhaust the issue of zonal management.

15:30

Rhona Brankin: As you said, Mr Quinan, the green paper mentions a range of measures—including lay-up schemes and decommissioning schemes—that are part of what Mr Smidt described as the toolbox that member states can use. Because of the North sea cod recovery plan, we have taken the view that there is a need to reduce capacity. We have decided that the best way to do that is by introducing a decommissioning scheme as soon as possible to reduce the capacity of the white fish sector by approximately 20 per cent. As I have said many times in the chamber, we do not believe that a lay-up scheme is the best way to make a difference. We believe that the most appropriate tool in this case is decommissioning.

Mr McGrigor: On the question of tie-ups, minister—

The Convener: Sorry, Mr McGrigor, but we are on the question of zonal management.

Mr McGrigor: Sorry. Minister, on the question of zonal management, given that it is two years since the scallop fishermen were promised conservation measures, why are they still awaiting the draft standard instrument that would help conserve stocks?

The Convener: I am sorry, Mr McGrigor. That issue has nothing to do with the green paper on

the future of the CFP. If you need that specific information, you can request that from the minister separately.

Mr McGrigor: There is absolutely no point in my asking questions in that case.

The Convener: Absolutely not, if the questions are not germane to this discussion.

Irene Oldfather: The European Commission has stated in the green paper that it should not bear the full costs of zonal management committees. Does the Executive have a view on how the committees should be financed? Would you be prepared to part-fund them, or do you think that the fishing industry should pay for the committees?

Rhona Brankin: That has to be discussed. Member states might well have a responsibility to make some sort of contribution. That issue will have to be resolved as the new set-up will be quite a different way of doing things and will have wide-ranging cost implications. That issue will be discussed. It is incumbent on those of us who are pushing for more of a regional dimension to be able to offer helpful suggestions on how the approach could be financed if it is adopted.

Irene Oldfather: Can we have an assurance that the Scottish Executive will consider financing the committees? The fishing industry would be concerned if the costs for the committees fell upon the industry.

Rhona Brankin: We need to consider the issue. We do not have a fixed view on the matter at the moment.

The Convener: We will move on to deal with the matter of conservation, quotas and limits.

Nora Radcliffe: Minister, you will be aware of the criticisms of the quota and TAC system. What improvements or changes would the Scottish Executive want in relation to that kind of conservation measure? There has been a move to multi-annual quotas. Would it be sensible to eliminate altogether the annual single-species TACs? Would you propose to replace the TAC system with other conservation measures?

Rhona Brankin: There have been many criticisms of quotas and TACs. Some people take the view that they are largely responsible for the problem with discards and are difficult to monitor. I do not agree that they are responsible for the discard problem as discarding and overfishing existed before the advent of TACs. However, we try to reduce discarding wherever possible.

I imagine that TACs will remain the key method of fisheries management and I would not want them to be removed before we had a great deal of evidence that any replacement would be a

significant improvement. I believe, however, that the TAC system can be improved. As mentioned earlier, the European Commission is working towards the drawing up of multi-annual TACs, which will help in the adoption of a more strategic approach.

There is merit in considering alternatives such as multi-species TACs. If the setting of the TACs is to remain annual, there are arguments for them being set at a different time of the year—away from December and towards the spring. We are more than happy to consider a variety of ways in which to improve conservation. As you know, the Scottish industry is leading the way on technical conservation. We need to have a range of measures and we must examine the TAC system closely to determine whether it can be improved enough to deliver the kind of outcomes that we are looking for.

Irene Oldfather: I do not know whether other members want to pursue this matter further before I ask about enforcement.

The Convener: We will tease out this matter a little more. I will bring you back in later to ask about enforcement, Irene.

Dr Winnie Ewing: It seems that Franz Fischler is in favour of multi-annual quotas, as are most of us. The annual disturbance and uncertainty has caused a lot of the problems over many years. However, although the green paper says that the plan is to leave relative stability alone, Mr Fischler said at a recent press conference in Brussels that relative stability will be a problem. He said that the static share-out did not fit in with the European Commission's vision of a more dynamic and responsive system. While we are told that relative stability is not to be touched, Mr Fischler sets a warning light flashing that relative stability will probably not stay with us. Do you have a view on the matter, minister?

Rhona Brankin: As you know, the Scottish Executive is committed to the concept of relative stability and welcomes the reference to relative stability in the green paper.

Mr Salmond: Minister, you have accepted that there is a risk that it may be June before the Scottish fleet can equip itself with the technical conservation measures that are required to fish the waters off Norway. That is quite different from your current argument, which is that technical measures are the short-term solution. If technical measures are not available to the fleet because—and you must accept this—it will take two months to get the fleet re-equipped with a new size of mesh, would you be prepared to consider a temporary lay-up scheme as the only policy option? You cannot seriously be suggesting that 150 or so boats should be decommissioned over a

six-week period.

Rhona Brankin: The closure of cod fishing grounds will end on 30 April, at which time we expect fishermen to have access to those grounds. Everything possible will be done to ensure that that is the outcome of the current negotiations.

Mr Salmond: Bearing in mind the fact that the director general of fisheries said that an agreement on whatever new mesh might be required will not be reached until 11 April, you must accept that there may be a problem in equipping the fleet with that new mesh. If those circumstances arise—and you have accepted that that is a real danger—will you consider a temporary lay-up scheme as the only policy option remaining to you? The Scottish fleet may not get access to those grounds not only on 1 May, but until the middle of June.

Rhona Brankin: We must agree a suitable lead-in time for the measures, and we will consider the issue carefully. We will ensure that everything possible is done to minimise that possibility.

Mr Salmond: But you would not leave the Scottish fleet in the lurch over that period if, against your wishes, that situation arose, would you?

Rhona Brankin: I do not want to speculate. You might enjoy that kind of speculation—

Mr Salmond: No, I do not enjoy it, minister—

The Convener: Excuse me. I am convening the meeting. We have had the question and the answer, and I do not think that this debate is going much further. I invite Nora Radcliffe—

Mr Salmond: What was the answer?

Rhona Brankin: I did not get a chance to answer, because you interrupted. Sorry, convener.

The Convener: Would you like to reply before I invite Nora Radcliffe to speak?

Rhona Brankin: No. Sorry. I did not realise that you had moved on.

Mr Salmond: What was your answer to the question, minister?

The Convener: Do you wish to answer, minister?

Rhona Brankin: No, I have given my answer. I do not see any point in returning to the matter.

Nora Radcliffe: I am tempted to ask whether all the fleets that are involved would share the same disadvantage, but I shall let the matter lie at the moment.

Let us move on to the 12-mile coastal zone regime. It seems likely that that is going to be

retained. Can we have confirmation of that, and is it likely to be made a permanent feature?

Rhona Brankin: We have pushed hard for the retention of six to 12-mile limits, and I hope that they will remain. That measure is contained in the green paper, and I am heartened by that.

Nora Radcliffe: Similarly, would you lobby for the retention of the Shetland box and a separate regime for inshore fishing?

Rhona Brankin: We have commissioned a socioeconomic report on the importance of the Shetland box, given the dependency of the community on fishing. We will push hard for its retention.

The Convener: Let us move on to the issue of long-term support. Ben, did you want to say anything on that?

Ben Wallace: The issue has been addressed over the past few weeks.

The Convener: Irene Oldfather has a question on quota hopping and payments to licence owners.

Irene Oldfather: Will any decommissioning programme contain measures to prevent quota hopping, which has plagued the industry for years, and to ensure that payments are made not only to the licence owners and boat owners, but to the crews and the wider industry?

Rhona Brankin: We are drawing up the decommissioning scheme and the details of it are being worked out. Decommissioning is intended to remove licences from decommissioned boats from the system—that is central to the scheme. As you probably know, broader measures are in place—so-called economic link requirements—to ensure that benefits flow from UK quotas to fishing-dependent communities in the UK. The number of quota hoppers has declined significantly over the past two or three years, but the level of landings that they make in the UK has increased because of the economic link requirement.

The decommissioning payments compensate for the removal of the vessel and its licence, and it is for the recipients of the money to decide how they share out that grant. Importantly, the licence is removed and the grant is made available only to boats that can demonstrate an economic link requirement.

We can design the decommissioning scheme in any way that we like, within certain legal parameters. We could consider designing the decommissioning scheme and making it available to boats that are registered in Scotland: that idea is under consideration at the moment.

15:45

Richard Lochhead: First, can the minister confirm whether her aim is to reduce the capacity of the white fish sector alone by 20 per cent or whether the current decommissioning package will apply to other sectors? Secondly, can she tell us what benefit the crews of the boats that are to be decommissioned will receive?

Rhona Brankin: As you know, there is a problem in the white fish sector, and we are concerned that there is overcapacity in that sector. We are therefore aiming the decommissioning scheme primarily at the white fish sector, but we have not finalised the details of that scheme. The white fish sector is experiencing difficulties, and the intent of the decommissioning scheme is to ensure that that sector returns to viability. The fishing capacity must be matched to the white fish stocks. The scheme has not been finalised—we are still working on the details—but it will be targeted largely at the white fish sector.

Richard Lochhead: Is it the minister's intention that the crews should benefit from any decommissioning scheme? If so, how will that work?

Rhona Brankin: The decommissioning scheme is a form of compensation for the skippers and owners of the boats. It will be up to them to decide what to do with the money. I hope that they will involve their crews in discussions about that, but that would be a voluntary process. We examined an economic study of a previous decommissioning programme that was set up in Scotland some years ago, and we found that only 6 per cent of crews experienced short-term difficulties in finding new employment.

Many skippers tell us that they experience difficulties in recruiting crew members. Some skippers claim that, because of the shortage of crews, there are times when they are concerned about putting to sea. I envisage that quite a few of the crewmen who lose their jobs as a result of decommissioning will be able to remain in the industry. That is what happened after the previous programme. The purpose of decommissioning in the white fish sector is to return the fleet to economic viability. The crews in the white fish sector should be able to find employment and should benefit from the return to viability of the fleet.

The Convener: Alex Salmond has a final question.

Mr Salmond: I am puzzled by your reply, minister. During the recent controversy, one of your arguments against lay-up schemes was that the crews would not be guaranteed any money. The tie-up scheme in Belgium contains payments for crews, and there seems no reason why that

model could not have been adopted here. Now you seem to be saying that decommissioning will not guarantee that the crews will receive any money. Given your answer, is it the case that there is no guarantee for crews that they will secure funding from a decommissioning scheme? Why is that argument not used against decommissioning, if it was used previously against a tie-up scheme?

Rhona Brankin: On many occasions, I have said—mainly to you, Mr Salmond—that the argument against tie-up schemes, which I repeated today, is that they do not do what we are seeking to do in relation to matching the number and capacity of boats to the available stock in the longer term. Also, they do not represent good value for money. I do not know what sums you have done on the cost of a lay-up scheme, but we are talking about £150,000 a day for laying up 150 boats from the white fish fleet. The fishing industry gave us those calculations, which, I understand, may not include money for crews. I reiterate that we want to return the white fish sector to financial viability, which will mean good news for skippers, owners and crews in the longer term.

The Convener: Thank you, minister, for attending. We look forward to considering the Executive's responses to both the green paper and the committee's report. It is clear that the reform of the CFP is of significance to Scotland. It is a contentious issue that will have major implications for many communities, and it is right that the European Committee and other MSPs will consider it in great detail.

Convener's Report

The Convener: Item 3 on the agenda is the convener's report.

Do members agree to note the response of the Scottish Executive to the committee's report on football transfer fees?

Members indicated agreement.

The Convener: I ask members to agree that the clerk should analyse the Executive's detailed response to our report on infectious salmon anaemia and come back to us with recommendations, should follow-up be required. Are we agreed?

Members indicated agreement.

The Convener: I propose that a delegation from the committee visit St Timothy's Primary School in Glasgow, which has invested significantly in encouraging a European perspective among its pupils. The school has raised awareness and uses European issues as educational themes. Some of the initiatives developed at St Timothy's might help us to make Europe more relevant to young people, by allowing us to consider how European and international issues can be integrated into the curriculum. I ask members to agree my proposal in principle. Thereafter, the clerk should establish which members are interested in joining the delegation and identify suitable dates. Is that agreed?

Members indicated agreement.

Mr Quinan: Did the school submit the proposal or has the committee been trawling for schools with an interest in European matters?

The Convener: The school approached the committee. However, following some of the committee's decisions, I asked the clerk to consider ways in which the committee might engage with young people and other sectors of the community. Indeed, the clerk is working on a series of proposals that we considered to bring together the various players who are involved in European issues. It is important that the committee tries to engage with young people. There might be something to be gained from a visit to St Timothy's that we would be able to apply elsewhere or to make recommendations about.

Ben Wallace: When the committee first began its work, I remember that we discussed holding a conference. Is that conference still in the pipeline?

The Convener: Yes, we are still considering it. You may recall that, way back at the beginning, this committee was the first one to consider such an initiative, but funds were not available at the time. As we would have had to consider other

ways of financing a conference, we decided against that initiative. Now that funds are available, the clerks are working up a series of proposals, which I hope they will bring back to the committee fairly soon.

All members of the committee are concerned about the way in which the LEADER + programme has developed. We received the programme's report late in the day and have not had an opportunity to comment on it. To be frank, it would have been a waste of time if we had tried to absorb and comment on it. We must find out from the Minister for Finance and Local Government what happened and why. Once I have received his response, which we are waiting for, I will bring the matter back to the committee so that we can decide what to do next. Is that course of action agreed?

Members indicated agreement.

The Convener: I ask members to note the developments in relation to the Executive's plans for the transposition of the European water framework directive. I am trying to keep up to date with progress and I am sure that the Transport and the Environment Committee will consider the directive when it conducts its inquiry. I will ask the clerks to liaise with that committee to identify areas of interest to this committee. Is that course of action agreed?

Members indicated agreement.

The Convener: Do members agree to note the developments in relation to the landfill directive? The clerks will keep us informed of progress.

Members indicated agreement.

The Convener: Like other committee members, I thought that the committee's visit to Brussels was worth while and productive. A number of individuals and organisations gave us a considerable amount of time during our visit, which led to contacts that we are keen to develop. For example, Jim Currie, who is from the environment directorate-general, indicated that he would be happy to visit Edinburgh, the Parliament and the European Committee; I am sure that other committees would also be interested to meet him. We had useful discussions on issues such as football transfer fees and it was clear that the Commission had considered our report in detail. I thought that the trip was successful, and I invite members to make relevant comments.

Colin Campbell: I put on record our thanks to the staff, who did a marvellous job of shepherding us around, finding us and getting us to the right place.

Mr Home Robertson: Did not the clerks lose Ben?

Colin Campbell: He was not lost—he knew where he was.

The trip was interesting, from the point of view of the contacts that we made. On protocol, when next we approach somewhere that might produce two saluting gendarmes, we should go in a bunch, rather than in a straggle.

The Convener: Yes—visiting the Flemish Parliament was a cultural shock.

Although we met only a limited number of people at the Flemish Parliament, I spoke to one of the Flemish ministers on Saturday, who made it clear that our visit had an impact and generated an interest that the Flemish are keen to follow up.

Colin Campbell: The reception and catering at the Flemish Parliament was of a standard that would be well worth imitating at the Scottish Parliament for visiting delegations and dignitaries.

Mr Quinan: You can write the press release, Colin.

Mr Home Robertson: Would Colin like to report his views to the Holyrood progress group?

Ben Wallace: Elizabeth Holt from the European Commission office in Edinburgh was extremely helpful, as was Dermot Scott. Without their help, we would not have made such good contacts.

The Convener: Elizabeth Holt has left the room, but Dermot Scott is still here. Once again, they were very helpful and spent a lot of time liaising with the clerk and his staff. We do not see the efforts that are put into making the arrangements behind the scenes. Our staff did a great job, but we should also thank both Dermot and Liz for their contribution to making the trip such a great success.

Dennis Canavan: I want to make a small point. While, in general, all the people whom we met made us very welcome indeed, the European Parliament could learn some lessons about openness from the Flemish Parliament.

The Convener: I do not think that Dennis has quite got over waiting outside in the cold to gain access to the European Parliament.

I ask John Home Robertson to report back on the meeting of the UK chairs of European committees.

Mr Home Robertson: I went to Belfast on 16 March with David Simpson. The meeting was chaired by Ewin Poots, who chairs the Northern Ireland Assembly's Committee of the Centre—I would not call it the centre, as both he and his deputy chairman are from Ian Paisley's Democratic Unionist Party—which looks after European affairs.

Jimmy Hood from the House of Commons European Scrutiny Committee, Lord Tordoff of Knutsford from the House of Lords European Communities Committee and Val Feld from the Welsh European Affairs Committee also attended the group meeting. The discussions were useful, and those attending agreed to future co-operation on a wide range of issues so as to avoid duplicating inquiries. Our clerks are developing good liaison with the other committee clerks, which should be helpful.

It was suggested that we identify areas where one of the Parliaments' committees could take the lead on a UK basis. We have just been talking about fisheries: that is an obvious area where the Scottish Parliament's European Committee would be likely to take the lead, as we have the predominant interest. There will be other areas where that will also be the case.

16:00

We also discussed our experiences of structural funds and of the Committee of the Regions. I had better not say too much about the latter, as I am flanked by two of its members. In particular, we discussed the importance of sharing with group colleagues intelligence that we glean in Brussels and elsewhere. The Queen's University of Belfast institute of European studies gave us a presentation that was pretty academic.

The next group meeting, to be hosted by our Welsh colleagues, is scheduled for some time in the late summer; it may be held in Brussels. That would allow the convener to combine the meeting with other visits, including a briefing from the UK permanent representation to the EU—something that we could all do with.

The Convener: I thank John Home Robertson for his report.

Moving on, I recommend that we agree in principle to seek to take on an adviser to support our work on the inquiry into governance. If that is agreed, I suggest that we ask the clerk to put in process the necessary recommendations, including the creation of a shortlist of names. Is that agreed?

Members indicated agreement.

The Convener: We have set a trend of inviting a representative from the country that is to take on the presidency of the European Council to make a presentation. The Belgian ambassador has therefore been asked to make a presentation and has informed us that the only suitable time is 29 June. If we can confirm that date, do members agree that we should arrange a wider programme of activities on that day? That could establish a model for future incoming presidency

representatives. We could perhaps consider mounting something in the Parliament with a theme—in this case, the focus would be on Belgium. We could invite members of other committees to participate. Is that course of action agreed?

Members indicated agreement.

The Convener: It seems that the telecommunications council will make a decision on the proposed reforms to the postal service directive (97/67/EC) by 27 to 29 June. Do members agree to put our concerns to the presidency of the European Council and to make representations to key MEPs, so as to keep plugging away at the issue?

Members indicated agreement.

Scrutiny

The Convener: We come to the scrutiny of documents. On page 1 of the scrutiny note, members will see that there are no documents for priority scrutiny and, on page 2, that there are no documents for referral to other committees. Do members agree with those recommendations?

Members indicated agreement.

The Convener: Pages 3 to 6 of the recommendation note concern documents on which we await some information. The recommendation is that consideration of the following documents be deferred:

SP 1912 (EC Ref No 5268/01 COPEN 2 COMIX 30)

SP 1985 (EC Ref No 6248/01 COM(2001) 79 final VOL I)

SP 1986 (EC Ref No 6248/0 ADD1 COM(2001) 79 final VOL II)

SP 2018 (EC Ref No 6060/01 COPEN 4)

SP 1919 (EC Ref No 5657/01 COM(2000) 839 final)

SP 1942 (EC Ref No 5489/01 COM(2000) 894 final)

SP 1995 (EC Ref No 6005/01 COM(2001) 33 final)

SP 2001 (EC Ref No 5884/01 COM(2001) 62 final)

SP 2002 (EC Ref No 5876/01 COM(2001) 28 final)

SP 2003 (EC Ref No 5851/01 COM(2001) 37 final)

SP 2005 (EC Ref No 5771/01 COM(2001) 31 final)

SP 2006 (EC Ref No 5688/01 COM(2001) 59 final)

SP 2008 (EC Ref No 6182/01 COM(2001) 67 final)

SP 2010 (EC Ref No 6247/01 COM(2001) 46 final)

SP 2011 (EC Ref No 5778/01 COM(2000) 4397 final)

SP 2035 (EC Ref No 6143/01 COM(2001) 68 final)

SP 2045 (EC Ref No 6419/01 COM(2001) 83 final 2001/0046 (COD))

SP 2056 (EC Ref No 5980/01 EDUC 23)

SP 2064 (EC Ref No 6671/01 COM(2001) 88 final)

SP 1711 (EC Ref No 13464/00 CRIMORG 154)

SP 1811 (EC Ref No 14373/00 DROIPEN 60)

SP 1727 (EC Ref No COM(2000) 786 final)

SP 1760 (EC Ref No 14440/00 COM(2000) 77 final 2000/0068 (COD))

SP 1829 (EC Ref No 5134/01 EUROPOL 1)

SP 1702 (EC Ref No 13635/00 COM(2000) 694 final)

SP 1707 (EC Ref No Brussels 8/11/2000 COM(2000) 716 final)

SP 1828 (EC Ref No 14908/00 COM(2000) 861 final COD 1999/0259)

SP 1842 (EC Ref No 14795/00 COM(2000) 841 final)

SP 1856 (EC Ref No 13289/00 ADD 1 JAI 135)

SP 1866 (EC Ref No 14880/00 DROIPEN 63)

SP 1886 (EC Ref No 5217/01 COM(2000) 860 final)

Is that recommendation agreed?

Members indicated agreement.

The Convener: The recommendation on page 7 of the scrutiny note is that no further action be taken on the following documents, but that they be copied to the committees listed, for their interest only:

SP 1897 (EC Ref No 5555/01 EUROPOL 5)

SP 1925 (EC Ref No 5619/01 COM(2000) 769 final)

SP 1960 (EC Ref No 5773/01 COM(2000) 816 final 2000/0323 (COD))

SP 2004 (EC Ref No 5809/01 COM(2001) 48 final)

SP 2042 (EC Ref No 6452/01 COM(2001) 104 final)

SP 1915 (EC Ref No 10968/2/00 REV 2 ANNEX)

SP 1736 (EC Ref No 14174/00 COM(2000) 716 final COD 2000/0286)

SP 1711 (EC Ref No 13464/00 CRIMORG 154)

Is that recommendation agreed?

Members indicated agreement.

The Convener: It is recommended that no further action be taken on the following documents, which are listed on pages 8 to 20 of the recommendation note:

SP 1895 (EC Ref No Brussels 21/12/2000 SEC(2000) 2336)

SP 1916 (EC Ref No 13059/2/00 REV 2)

SP 1978 (EC Ref No 6164/01 SIS 11 COMIX 114)

SP 1983 (EC Ref No 1423-25)

SP 1984 (EC Ref No 6554/01 ECOFIN 46)

SP 2024 (EC Ref No 6430/01 ADD1 COM(2001) 90 final Volume II)

SP 2030 (EC Ref No 6222/01 COM(2001) 75 final)

SP 2038 (EC Ref No Europol Management B)

SP 2039 (EC Ref No Europol 2641-22)

SP 2040 (EC Ref No Europol 2641-23)

SP 2041 (EC Ref No Europol 2641-24)

SP 2057 (EC Ref No 6611/01 FRONT 10)

SP 2061 (EC Ref No 6562/01 COM(2001) 102 final ACC 2001/0051)

SP 1891 (EC Ref No 5187/01 COM(2000)868 final)

SP 1892 (EC Ref No 5147/01 COM(2000) 867 final)

SP 1893 (EC Ref No 14944/00 COM(2000) 780 final)

SP 1894 (EC Ref No 14735/00 COM(2000) 387 final)

SP 1896 (EC Ref No 13729/00 FISC 202)

SP 1898 (EC Ref No Brussels 21/12/2000 COM(2000) 856 final)

SP 1899 (EC Ref No 5213/01 COM(2000) 855 final CNS 2000/0358)

SP 1900 (EC Ref No 5148/01 COM(2000) 869 final)

SP 1901 (EC Ref No 5149/01 COM(2000) 871 final)

SP 1902 (EC Ref No 5150/01 COM(2000) 872)

SP 1903 (EC Ref No 5151/01 COM(2000) 874 final)

SP 1904 (EC Ref No 5152/01 COM(2000) 876 final)

SP 1905 (EC Ref No 5153/01 COM(2000) 878 final)

SP 1906 (EC Ref No 5194/01 COM(2000) 866 final)

SP 1907 (EC Ref No 5195/01 COM(2000) 870 final)

SP 1908 (EC Ref No 5196/01 COM(2000) 877 final)

SP 1909 (EC Ref No 5230/01 COM(2000) 847 final)

SP 1910 (EC Ref No 5248/01 COM(2000) 862 final)

SP 1911 (EC Ref No 14009/00 STUP 26)

SP 1913 (EC Ref No 14751/00 COM(2000) 885 final)

SP 1914 (EC Ref No 14096/00 COM(2000) 818 final)

SP 1917 (EC Ref No 5666/01 INF 15)

SP 1918 (EC Ref No 14534/00 COM(2000) 752 final)

SP 1920 (EC Ref No 14539/00 COM(2000) 829 final)

SP 1921 (EC Ref No 5063/01 COM(2000) 13 final)

SP 1922 (EC Ref No 5119/01 COM(2000) 22 final)

SP 1923 (EC Ref No 5249/01 COM(2000) 891 final)

SP 1924 (EC Ref No 5421/01 COM(2000) 822 final)

SP 1926 (EC Ref No 5647/01 COM(2001) 23 final ACC 2001/0020)

SP 1927 (EC Ref No 5614/01 COM(2001) 17 final 2000/0035 (COD))

SP 1928 (EC Ref No 5556/01 COM(2000) 892 final)

SP 1929 (EC Ref No 5547/01 COM(2000) 832 final)

SP 1930 (EC Ref No 5526/01 COM(2001) 15 final)

SP 1931 (EC Ref No 5525/01 COM(2001) 14 final)

SP 1932 (EC Ref No 5524/01 COM(2001) 10 final)

SP 1933 (EC Ref No 5523/01 COM(2001) 8 final)

SP 1934 (EC Ref No 5522/01 COM(2001) 7 final)

SP 1935 (EC Ref No 5521/01 COM(2001) 6 final)

SP 1936 (EC Ref No 5520/01 COM(2001) 5 final)

SP 1937 (EC Ref No 5519/01 COM(2001) 4 final)

SP 1938 (EC Ref No 5518/01 COM(2001) 3 final)

SP 1939 (EC Ref No 5517/01 COM(2001) 2 final)

SP 1940 (EC Ref No 5500/01 COM(2001) 29 final 1999/0244 COD)

SP 1943 (EC Ref No 5410/01 COM(2000) 831 final COD 2000/0338)

SP 1944 (EC Ref No 5409/01 COM(2000) 880 final 2000/0062/A (COD) 2000/0062/B)

SP 1945 (EC Ref No 5368/01 COM(2000) 873 final)

SP 1946 (EC Ref No 5367/01 COM(2000) 879 final)

SP 1947 (EC Ref No 5366/01 COM(2000) 875 final)
 SP 1948 (EC Ref No 5330/01 FIN 5)
 SP 1949 (EC Ref No 5303/01 COM(2000) 897 final)
 SP 1950 (EC Ref No 5301/01 COM(2000) 881 final)
 SP 1951 (EC Ref No 5300/01 SEC(2000) 2340 final)
 SP 1952 (EC Ref No 5299/01 COM(2000) 895)
 SP 1953 (EC Ref No 5269/01 COM(2000) 896 final)
 SP 1954 (EC Ref No 5211/01 COM(2000) 837 final)
 SP 1955 (EC Ref No 5199/01 COM(2000) 856 final)
 SP 1956 (EC Ref No 14624/00 COM(2000) 812 final)
 SP 1957 (EC Ref No 14221/00 COM(2000) 813 final)
 SP 1958 (EC Ref No 5616/01 COM(2001) 12 final)
 SP 1959 (EC Ref No 5816/01 COM(2001) 36 final)
 SP 1961 (EC Ref No 5772/01 SEC(2001) 130 final 2000/0021 (COD))
 SP 1962 (EC Ref No 5730/01 COM(2000) 826 final)
 SP 1963 (EC Ref No 5729/01 COM(2001) 38 final)
 SP 1964 (EC Ref No 5689/01 COM(2001) 26 final)
 SP 1965 (EC Ref No 5684/01 COM(2001) 43 final)
 SP 1966 (EC Ref No 5665/01 COM(2001) 47 final COD 1996/0085)
 SP 1967 (EC Ref No 5653/01 FIN 14 AGRIFIN 6)
 SP 1968 (EC Ref No 5580/01 COM(2001) 19 final)
 SP 1969 (EC Ref No 5557/01 COM(2000) 899 final)
 SP 1970 (EC Ref No 5364/01 COM(2001) 42 final)
 SP 1971 (EC Ref No 5363/01 COM(2001) 27 final)
 SP 1972 (EC Ref No 14226/00 COM(2000) 795 final)
 SP 1973 (EC Ref No 14225/00 COM(2000) 800 final)
 SP 1974 (EC Ref No 14222/00 COM(2000) 775 final)
 SP 1975 (EC Ref No 14732/00 SOC 503)
 SP 1976 (EC Ref No 14085/00 EUROPOL 40)
 SP 1977 (EC Ref No 14084/1/00 REV 1)
 SP 1979 (EC Ref No 14788/00 COMER 205)
 SP 1980 (EC Ref No Brussels 14/07/2000 AGR/13108/EN)
 SP 1981 (EC Ref No 6457/01 SOC 83)
 SP 1982 (EC Ref No 5564/01 COM(2000) 39 final)
 SP 1987 (EC Ref No 6359/01 COM(2001) 84 final)
 SP 1988 (EC Ref No 12397/00 COM(2000) 645 final)
 SP 1989 (EC Ref No 6214/01 COM(2001) 63 final COD 2000/0073)
 SP 1990 (EC Ref No 6177/01 COM(2001) 64 final)
 SP 1991 (EC Ref No 6080/01 COM(2001) 32 final)
 SP 1992 (EC Ref No 6072/01 COM(2001) 58 final)
 SP 1993 (EC Ref No 6021/01 COM(2001) 56 final)
 SP 1994 (EC Ref No 6012/01 COM(2001) 60 final)
 SP 1996 (EC Ref No 5963/01 ADD 1 COM(2001) 61 final

Volume II)

SP 1997 (EC Ref No 5963/01 COM(2001) 61 final Volume I)
 SP 1998 (EC Ref No 5960/01 COM(2001) 45 final)
 SP 1999 (EC Ref No 5947/01 COM(2001) 54 final)
 SP 2000 (EC Ref No 5894/01 COM(2000) 890 final)
 SP 2007 (EC Ref No 14376/00 COM(2000) 833 final)
 SP 2009 (EC Ref No 6237/01 COM(2001) 51 final)
 SP 2012 (EC Ref No 5784/01 COM(2001) 55 final 2001/0031 (CNS))
 SP 2013 (EC Ref No 5878/01 COM(2001) 50 final)
 SP 2014 (EC Ref No 6013/01 COM(2001) 24 final)
 SP 2015 (EC Ref No 5206/01 COR 1 COM(2000) 854 final)
 SP 2016 (EC Ref No 5541/01 COM(2001) 16 final 2)
 SP 2017 (EC Ref No 5955/01 SEC(2001) 148 final)
 SP 2019 (EC Ref No 6073/01 Budget 2)
 SP 2021 (EC Ref No ECOFIN Council Report)
 SP 2022 (EC Ref No 5736/01 FRONT 3)
 SP 2023 (EC Ref No 6430/01 COM(2001) 90 final Volume I)
 SP 2025 (EC Ref No 6270/01 COM(2000) 898 final)
 SP 2026 (EC Ref No 6263/01 COM(2001) 1 final 2001/0005 (COD))
 SP 2027 (EC Ref No 6261/01 COM(2001) 76 final)
 SP 2028 (EC Ref No 6238/01 COM(2001) 44 final ACC 2001/0034)
 SP 2029 (EC Ref No 6230/01 COM(2001) 25 final)
 SP 2031 (EC Ref No 6212/01 COM(2001) 52 final)
 SP 2032 (EC Ref No 6203/01 COM(2001) 73 final)
 SP 2033 (EC Ref No 6202/01 COM(2001) 72 final)
 SP 2034 (EC Ref No 6193/01 COM(2001) 92 final)
 SP 2037 (EC Ref No 6141/01 COM(2001) 99 final)
 SP 2043 (EC Ref No 6624/01 COM(2001) 69 final)
 SP 2044 (EC Ref No 6431/01 COM(2001) 86 final)
 SP 2046 (EC Ref No 6365/01 COM(2001) 80 final 2001/0044 (COD))
 SP 2047 (EC Ref No 6573/01 COM(2001) 93 final)
 SP 2048 (EC Ref No 14228/00 COM(2000) 787 final)
 SP 2049 (EC Ref No 6604/01 COM(2001) 118 final)
 SP 2050 (EC Ref No 6548/01 COM(2001) 70 final)
 SP 2051 (EC Ref No 6314/01 COM(2001) 53 final)
 SP 2052 (EC Ref No 6428/01 COM(2001) 82 final)
 SP 2053 (EC Ref No 6390/01 SEC(2001) 234)
 SP 2054 (EC Ref No 6389/01 COM(2001) 11 final)
 SP 2055 (EC Ref No 6375/01 COM(2001) 35 final)
 SP 2058 (EC Ref No 6729/01 COM(2001) 111 final)
 SP 2059 (EC Ref No 6639/01 COM(2001) 66 final)

SP 2060 (EC Ref No 6638/01 COM(2001) 100 final)
SP 2062 (EC Ref No 6543/01 COM(2000) 893 final)
SP 2063 (EC Ref No 6439/01 COM(2000) 536 final)
SP 2065 (EC Ref No 6664/01 COM(2001) 103 final)
SP 2066 (EC Ref No 6661/01 COM(2001) 78 final)
SP 2067 (EC Ref No 6650/01 COM(2001) 107 final)
SP 2068 (EC Ref No 6629/01 FIN 65)
SP 2069 (EC Ref No 6586/01 COM(2001) 101 final)
SP 2070 (EC Ref No 6565/01 COM(2001) 97 final)
SP 2071 (EC Ref No 6367/01 COM(2001) 77 final
1995/0341(COD))
SP 2072 (EC Ref No 5955/01 COR 1 SEC(2001) 148
final/2)
SP 1941 (EC Ref No 5493/01 COM(2001) 20 final)

Is that recommendation agreed?

Members *indicated agreement.*

The Convener: We have received a response from the outgoing Minister for Environment, Sport and Culture in relation to our concerns about the waste electric and electronic equipment directive. We have not had time to look at his response or to see whether follow-up is required. I suggest that the clerks do that as a matter of urgency.

The Justice 1 Committee has not been able to look at document SP 1606 in any detail. I suggest that we instruct the clerks to seek information on the ways in which the Scottish Executive justice department will implement the new instrument. The clerks should also consider whether any change required will be introduced by primary or secondary legislation, as that issue falls within our remit.

We have agreed to take items 5 and 6 in private session.

16:04

Meeting continued in private until 16:20.

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