

# **EUROPEAN COMMITTEE**

Tuesday 24 April 2001  
(*Afternoon*)

Session 1

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## EUROPEAN COMMITTEE

### 5<sup>th</sup> 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

#### CLERK TO THE COMMITTEE

Stephen Imrie

#### ASSISTANT CLERK

David Simpson

#### LOCATION

Committee Room 3



## Scottish Parliament

### European Committee

*Tuesday 24 April 2001*

*(Afternoon)*

[THE CONVENER *opened the meeting at 14:01*]

**The Convener (Hugh Henry):** I welcome everyone to the fifth meeting in 2001 of the European Committee.

The first item on the agenda is on an item in private. Does the committee agree to take item 4, which is a discussion on our draft report on reform of the common fisheries policy, in private?

*Members indicated agreement.*

### Convener's Report

**The Convener:** A paper outlining the convener's recommendations has been circulated to members.

The first recommendation is on the Scottish Executive's response to our report on the new objective 3 and Highlands and Islands structural fund programmes. Most of our main concerns have been picked up—the Executive has positively engaged with the committee and I am pleased that the committee has had some influence. I suggest that we note the contents. We agreed that we would have an annual review of the plans and priorities. That process will need to start fairly soon, so we should start the preparation work before the summer recess and ensure that the clerks make the appropriate arrangements. Is that recommendation agreed to?

*Members indicated agreement.*

**The Convener:** The second recommendation concerns the Executive's response to our report on the European charter of fundamental rights. The issue is not over and done with—there will be further discussions over the next couple of years, specifically on the legal status of the charter. I suggest that we note the response and agree to keep a watching brief.

**Dennis Canavan (Falkirk West):** The response is thin and refers to only two of our recommendations. I received the response shortly before the start of this meeting and, as the rapporteur on the issue, I would like the opportunity at least to have another look at the entire list of recommendations, to see whether there are others for which the Executive has some responsibility. I would come back to you if I

thought that there were.

**The Convener:** We can certainly continue with the issue. Do members agree to the recommendations?

*Members indicated agreement.*

**The Convener:** Since our previous meeting, we have been able to make a more detailed analysis of the Executive's response to the report on infectious salmon anaemia and viral haemorrhagic septicaemia. The convener's report makes some suggestions for follow-up and clarification. I suggest that we take those forward and, for the moment, bring our interest in the matter to a close. Do members agree to that?

*Members indicated agreement.*

**The Convener:** The Minister for Finance and Local Government has given a response on the development of the LEADER + programme. I am a bit disappointed at the response, as it does not explain why the committee received the draft single programming document so late. Our view was that we could not give a considered response because that document—which, as members will recall, was huge—had arrived so late. That was unfortunate. As a number of members have said, the programme is significant and, if the committee is to have a purpose in scrutinising the work of the Executive, it needs to get the information well in advance.

I am also disappointed that suggestions were made through the usual, anonymous channels that the committee was blocking the submission of the draft document to the European Commission. That is just not true—we did not have the document. I suggest that we ask the minister for clarification on the process and timetable and for assurances that what has happened in this case will not happen with other programmes in future.

**Mr Lloyd Quinan (West of Scotland) (SNP):** The final two sentences of the minister's letter say:

"Our aim is to have the final version ready for submission to the Commission around the end of May. A draft should be ready around the end of next month and I intend making this available to you for comment".

The letter is dated 10 April. Does the minister mean the end of April rather than May? Was the document to be available at the end of April or was it to be made available to us at the same time as it was sent to the Commission?

**The Convener:** I have not seen anything, but I will bring Stephen Imrie in on that point.

**Stephen Imrie (Clerk):** To the best of my knowledge, the draft is not yet available—I have not received the document.

**Mr Quinan:** Can we seek clarification on whether the minister was offering us a draft of the

document at the end of April or the final version of the document at the end of May, which is when the Executive intended to present it to the Commission?

**The Convener:** We can make those points. The principle is that we need information with sufficient time to do our job properly.

**Helen Eadie (Dunfermline East) (Lab):** Does that not raise the more general point about the need to have a programme of work from the Executive that sets out all the draft documents that we are likely to receive over the coming year? I know that we have had such a plan from the European Commission, so I would have thought that the Executive could also have given us a programme of work.

**The Convener:** You are right—that should be the procedure, as it has been in the past. However, for whatever reason, that procedure has not been followed in this case and we need to know why. Do members agree to the recommendations?

*Members indicated agreement.*

**The Convener:** Finally, we come to the selection of an adviser into the forthcoming inquiry into governance. We have to follow the procedures governing the appointment of advisers. I invite Stephen Imrie to outline those procedures.

**Stephen Imrie:** The procedure for appointing advisers has been agreed by the Parliament. I remind members that, at our previous meeting, the committee agreed in principle to the appointment of an adviser. The second step is to agree the terms of reference and remit for the adviser. The committee must then ask the Parliamentary Bureau for its agreement in principle that the committee should have an adviser. After that, the committee must agree to a shortlist and subsequently to a name from that shortlist. The parliamentary procurement services will then take up the recommendation. At this stage, the committee must agree to the terms of reference and remit, which are outlined in the private paper that has been circulated to members.

**Mr John Home Robertson (East Lothian) (Lab):** Am I right in saying that the list of names in the private paper is not exhaustive?

**Stephen Imrie:** That is correct. It can be added to.

**Irene Oldfather (Cunninghame South) (Lab):** Was it our intention to circulate a notice saying that we were looking for an adviser or were we going to approach people? I am not quite sure how we arrived at the names that are on the list.

**Stephen Imrie:** The names on the list are

suggestions of people who we know have a background in the subject. The list is not exhaustive and we are at the committee's disposal in relation to any means or measures by which members want to change the list.

**Dennis Canavan:** The paper mentions Dr Amanda Sloat—

**The Convener:** Dennis, at this stage we are not discussing any of the names.

**Dennis Canavan:** It is just that there is a misprint on the paper, which refers to

“Dr Amanda Sloat, formally of University of Edinburgh”.

Surely that should read “formerly of University of Edinburgh”.

**The Convener:** You should take up any references to individuals privately with Stephen Imrie. At the moment, we are just agreeing to the remit—the names are confidential.

**Dennis Canavan:** I see. My apologies. We should be taking this part of the meeting in private.

**Mr Quinan:** I know five of the people on the list. I would like to see the curriculum vitae of the sixth. We cannot make a decision unless we know who the people are.

**The Convener:** We are not deciding on the adviser today. The list is not final; it just gives some names that have been suggested and are kicking about. If members have identified others, they should by all means let the officials know. Today we are agreeing only the remit.

**Irene Oldfather:** At the end of last year, I think, we had an initial discussion about governance—Stephen Imrie has listed in the private paper some of the issues that we touched on. We had a kind of brainstorming session about the issues that the inquiry could cover. The paper shows that the issues are wide-ranging—it could take us a long time to examine them. For example, one issue is

“the integration and strategic dimension of Union policies across the continent.”

We need to focus more clearly on what we want to tackle and decide on the exact purpose of the inquiry. Further committee discussion on that would be welcome.

**The Convener:** At the meeting on 8 May, we will have another look at the guidelines and the criteria that we want to follow. We will ask the officials to bring forward proposals. If anyone has specific suggestions, they should let the clerk to the committee know. Irene Oldfather is right—we will have another discussion. Do members agree to the recommendations?

*Members indicated agreement.*

## Scrutiny

**The Convener:** The next item on the agenda is scrutiny of documents.

Page 1 of the sift note shows the recommendations for priority scrutiny. We should add to that list document SP 1842, "Proposal for a Council Regulation amending Regulation (EC) No 1259/1999 establishing common rules for direct support schemes under the common agricultural policy". We may wish to ask the Executive to clarify a number of issues highlighted in the Ministry of Agriculture, Fisheries and Food explanatory memorandum, particularly the impact of the proposals in Scotland and whether payments under the scheme would be subject to modulation. It may also be helpful to have clarification on the margin of discretion left to the Commission. In light of the reservations expressed in the memorandum, we should also ask whether the scheme will reduce administrative burdens for the Administration and/or farmers. Does the committee agree to give priority scrutiny to that document?

**Members indicated agreement.**

**Mr Home Robertson:** Who are we getting the extra information from? Is it the Executive?

**The Convener:** Yes.

**Mr Home Robertson:** The Executive has done its own thing for Scotland, which is controversial in some areas.

**The Convener:** Do members have any other comments on the list for priority scrutiny? We should note the reference to document SP 2001.

**Dennis Canavan:** I was wondering about workers' rights.

**The Convener:** Absolutely. Dennis Canavan has raised the issue with me. We put out a press release saying that it would be helpful to have a look at some of the issues relating to workers' rights. The closure of the Motorola plant at Bathgate has thrown into stark relief the issue of workers' rights in this country in comparison with workers' rights in the rest of Europe. We are suggesting that we look at the draft European directive establishing a general framework for informing and consulting employees in the European Community. With the committee's agreement, I will put that issue on the agenda for a future meeting.

14:15

**Dennis Canavan:** It is important that we put the issue on the agenda for a meeting as soon as possible, as the directives are relevant to the situation at Motorola and to employment rights in

general. Although employment legislation is a matter reserved to Westminster, the European Committee has a responsibility to monitor and scrutinise EU legislation as it applies to Scotland. As you rightly say, convener, workers in other parts of the EU seem to have more rights in relation to consultation than workers do in Scotland, as has been highlighted by the problems at Motorola.

**Ben Wallace (North-East Scotland) (Con):** Before Elizabeth Holt came to the Commission office in Edinburgh, she worked in the directorate with responsibility for social policy and employment policy. She has detailed knowledge of the issue, I believe, so it might be worth approaching her.

**The Convener:** Thank you. That is helpful.

The recommendation is, then, that the following documents be given priority scrutiny:

SP 1842 (EC Ref No 1475/00 COM(2000) 841 final)

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

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

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

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

SP 2100 (EC Ref No 7253/01 COM(2001) 130 final)

Is that recommendation agreed to?

**Members indicated agreement.**

**The Convener:** There are no documents to be formally referred to other committees.

Page 3 of the scrutiny note lists the documents on which we await information. The recommendation is that consideration of the following documents be deferred:

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

SP 2088 (EC Ref No Brussels 13/3/2001 COM(2001) 139 final)

SP 2098 (EC Ref No 6921/01 COM(2001) 94 final)

SP 2099 (EC Ref No 6781/01 COM(2001) 98 final)

SP 2121 (EC Ref No 6906/01 SEC(2000) 382)

SP 2122 (EC Ref No 6905/01 COM(2001) 119 final)

SP 2123 (EC Ref No 6921/01 COR1)

Is that recommendation agreed to?

**Members indicated agreement.**

**The Convener:** Pages 4 and 5 list the documents on which the recommendation is that we take no further action but copy them to other committees for their interest only. Those documents are:

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

SP 1986 (EC Ref No 6248/01 ADD1 COM(2001) 79 final Vol II)

SP 2018 (EC Ref No 6060/01 COPEN 4)  
 SP 2002 (EC Ref No 5876/01 COM(2001) 28 final)  
 SP 2005 (EC Ref No 5771/01 COM(2001) 31 final)  
 SP 2064 (EC Ref No 6671/01 COM(2001) 88 final)  
 SP 2080 (EC Ref No 6997/01 ECOFIN 73)  
 SP 2082 (EC Ref No 7001/01 ECOFIN 77)  
 SP 2085 (EC Ref No ECOFIN/176/04-EN Brussels 7/3/01)  
 SP 2089 (EC Ref No 6316/01 REV 1)

Is that recommendation agreed to?

**Members indicated agreement.**

**The Convener:** Pages 6 to 12 list the documents on which the recommendation is for no further action. Those documents are:

SP 1985 (EC Ref No 6248/01 COM(2001) 79 final Vol I)  
 SP 2073 (EC Ref No 6164/1/01 REV 1)  
 SP 2075 (EC Ref No 2623-21 EUROPOL)  
 SP 2076 (EC Ref No 2626-01 EUROPOL)  
 SP 2077 (EC Ref No 2626-02 EUROPOL)  
 SP 2078 (EC Ref No 3710-31)  
 SP 2079 (EC Ref No 13165/1/00)  
 SP 2090 (EC Ref No 13165/1/00 REV 1 COR1)  
 SP 2114 (EC Ref No 7073/01 COM(2001) 128 final (Volume II))  
 SP 2117 (EC Ref No 6958/01 COM(2001) 71 final)  
 SP 1995 (EC Ref No 6005/01 COM(2001) 33 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 2045 (EC Ref No 6419/01 COM(2001) 83 final 2001/0046 (COD))  
 SP 2056 (EC Ref No 5980/01 EDUC 23)  
 SP 2081 (EC Ref No 6998/01 ECOFIN 74)  
 SP 2083 (EC Ref No 6789/01)  
 SP 2084 (EC Ref No 6470/01)  
 SP 2086 (EC Ref No 6999/01 ECOFIN 75)  
 SP 2087 (EC Ref No 6029/01 COM(2001) 91 final)  
 SP 2091 (EC Ref No 6559/01 COM(2000) 798 final)  
 SP 2092 (EC Ref No 6651/01 COM(2001) 108 final)  
 SP 2093 (EC Ref No 6802/01 COM(2001) 96 final)  
 SP 2095 (EC Ref No 6558/01 COM(2001) 57 final)  
 SP 2096 (EC Ref No 6561/01 COM(2001) 105 final)  
 SP 2097 (EC Ref No 6846/01 COM(2001) 115 final)  
 SP 2101 (EC Ref No COM(2001) 140 final)  
 SP 2102 (EC Ref No 7182/01 COM(2001) 110 final)  
 SP 2103 (EC Ref No 7138/01 SEC(2001) 246 final)

SP 2104 (EC Ref No 7125/01 COM(2001) 122 final)

SP 2105 (EC Ref No 7124/01 COM(2001) 121 final)

SP 2106 (EC Ref No 7081/01 COM(2001) 128 final (Volume X))

SP 2107 (EC Ref No 7080/01 COM(2001) 128 final (Volume IX))

SP 2108 (EC Ref No 7079/01 COM(2001) 128 final (Volume VIII))

SP 2109 (EC Ref No 7078/01 COM(2001) 128 final (Volume VII))

SP 2110 (EC Ref No 7077/01 COM(2001) 128 final (Volume VI))

SP 2111 (EC Ref No 7076/01 COM(2001) 128 final (Volume V))

SP 2112 (EC Ref No 7075/01 COM(2001) 128 final (Volume IV))

SP 2113 (EC Ref No 7074/01 COM(2001) 128 final (Volume III))

SP 2115 (EC Ref No 7072/01 COM(2001) 128 final (Volume I))

SP 2116 (EC Ref No 6974/01 COM(2001) 113 final)

SP 2118 (EC Ref No 6739/01 SEC(2001) 73 final)

SP 2119 (EC Ref No 6738/01 SEC(2000) 2143 final (Volume I))

SP 2120 (EC Ref No 13104/00 ADD1 COM(2000) 558 final (Volume II))

SP 2124 (EC Ref No SEC(2001) 150)

SP 2125 (EC Ref No L56 Volume 44)

SP 2074 (EC Ref No 2623-20 EUROPOL)

SP 2094 (EC Ref No 5872/01 CRIMORG 12)

Is that recommendation agreed to?

**Members indicated agreement.**

**The Convener:** The outgoing Minister for Environment, Sport and Culture responded to our concerns on the proposed waste electric and electronic equipment directive. His letter is useful, but I think that we should dig a bit deeper on some issues. Given the state of play of recycling legislation in Scotland, we need reassurance that any new obligations for recycling waste can be met. On the costs and benefits, both financial and environmental, of recycling, we need to determine whether legislation can be devised to cope with such a varied range of products. I suggest that we ask for further information on the matter and note that the issue will be part of the European Parliament mini-plenary in Brussels on 15 May—any exchange of letters with the Executive should be sent to Scottish members of the European Parliament. Unless members have any comments on that, I ask for the committee's agreement to those recommendations.

**Members indicated agreement.**



**The Convener:** The next item on the agenda is our draft report on the common fisheries policy, which we will take in private session. I thank the audience for attending.

14:19

*Meeting continued in private until 14:35.*



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