

EUROPEAN COMMITTEE

Tuesday 8 October 2002
(*Afternoon*)

Session 1

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EUROPEAN COMMITTEE

12th Meeting 2002, Session 1

CONVENER

*Irene Oldfather (Cunninghame South) (Lab)

DEPUTY CONVENER

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

COMMITTEE MEMBERS

*Sarah Boyack (Edinburgh Central) (Lab)

*Colin Campbell (West of Scotland) (SNP)

*Dennis Canavan (Falkirk West)

*Helen Eadie (Dunfermline East) (Lab)

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

*Nora Radcliffe (Gordon) (LD)

Ben Wallace (North-East Scotland) (Con)

COMMITTEE SUBSTITUTES

Dr Winnie Ewing (Highlands and Islands) (SNP)

Tavish Scott (Shetland) (LD)

*attended

WITNESSES

Jane Aitken (Scottish Executive European Union Office)

George Calder (Scottish Executive European Union Office)

Kathy Cameron (Convention of Scottish Local Authorities)

Ross Finnie (Minister for Environment and Rural Development)

Councillor Corrie McChord (Convention of Scottish Local Authorities)

Dr Alex Wright (University of Dundee)

CLERK TO THE COMMITTEE

Stephen Imrie

ASSISTANT CLERK

David Simpson

LOCATION

Committee Room 2

Scottish Parliament

European Committee

Tuesday 8 October 2002

(Afternoon)

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

Common Fisheries Policy (Reform)

The Convener (Irene Oldfather): I welcome members to the 12th meeting this year of the European Committee. I have received apologies from Ben Wallace, who is at the Conservative party conference, and I understand that John Home Robertson will be a little late.

I am pleased to welcome Ross Finnie, who is the Minister for Environment and Rural Development. It is the first time that the committee has used its new procedures to invite a minister to attend a European Committee meeting in advance of a meeting of the Council of Ministers. I am sure that members will welcome that development. I understand that the agriculture and fisheries council will meet next week and that some items of great importance to the committee and to the Scottish Parliament will be on the agenda. The minister's presence today will allow us to follow up on the questioning that the Rural Development Committee undertook.

Before we begin, I will remind everyone who is present of the committee's previous comments on the general principles of the common fisheries policy and of our report on the CFP. I hope that the minister will regard our work on the CFP as an endorsement and that he will do his utmost to ensure that the outcome of the debate on the CFP addresses the principles that the European Committee and the Rural Development Committee have agreed.

I invite the minister to make a short statement on the state of play as we approach the agriculture and fisheries council meeting. We will then move to formal questioning.

The Minister for Environment and Rural Development (Ross Finnie): The review of the CFP is more than welcome. Although there are disagreements about some of the initial proposals that have been published, there is no doubt that member states have given a general welcome to the review. The majority of member states agree that change is needed.

It is self-evident to the European Committee that

the review does not represent a blind foray into an obscure part of the world that is called Europe. We are already in Europe. Fisheries management is mainstream activity and we are recognised players on that stage. My officials attend the weekly Council working group meetings in Brussels and Executive officials attend ad hoc European Union meetings on such issues as discards and multi-annual management. We are a part of everything that is going on in the CFP review process.

Without a shadow of a doubt, Scottish views form an integral part of the UK line that my colleagues and I develop. Scottish ministers have attended a substantial number of Council meetings since devolution. I have been at 13 of them—lucky for some, one might say. The Executive is involved at all stages of the negotiation process, including those at the ministerial level. I will continue to be centrally involved in protecting and promoting Scottish interests.

Achieving sustainable fish stocks is one of the most important elements of our present negotiating stance. That view is shared by leaders in the industry. We cannot allow the decline to continue; if we do, we will have no fish and therefore no industry. Some member states have a tendency to bury their heads in the sand and find it difficult to face up to grave realities and to rethink old priorities. To provide the tools to solve the problems that we face, we need a revised CFP with a framework within which sustainability must be promoted.

Difficult decisions will have to be made if we are to stabilise our stocks. We must consider fishing effort and find realistic ways in which to adjust our fleet's capacity. The CFP proposals contain some suggestions on that. We must also be alive to technological gain, by which I mean the increase in fishing efficiency that comes with new vessels and improved technology. That gain is difficult to measure and can be variable. However, it has an undeniably significant effect on the fleet and needs to be considered when we talk about the sustainability of fish stocks.

There is no option of the CFP standing still. The status quo would result in an inevitable drift towards increased fishing pressure. The key point is how to address effectively the imbalances while taking into account fishermen's needs. Therefore, in addition to addressing the fundamental issue of relative stability and looking for CFP reform that addresses the broader picture of sustainability, we will continue to press on what are the major items from a Scottish perspective. Those include linking relative stability with our existing rights under the Hague preference, prosecuting our interests in maintaining the Shetland box and preserving the 6-mile and 12-mile limits.

We are clear about our priorities in the negotiations and we will continue to prosecute them vigorously at every opportunity, in the Council and through my officials' regular attendance at Council working group meetings in Europe.

I will be happy to answer any questions.

The Convener: I do not think that the committee would disagree with anything in your introductory remarks. You will be aware of our report on the common fisheries policy. Do you take issue with anything in that report or do you feel able to argue vociferously on the basis of the committee's recommendations?

Ross Finnie: I have been encouraged by the fact that the European Committee's report and the Rural Development Committee's recommendations by and large articulate the same principles to which the committees believe Scottish ministers should direct their attention as part of the CFP reform discussions.

There are minor matters of detail, but on the essential principles, such as the need for management committees to be an effective instrument, there are no major differences between us. The devil is always in the detail. The real differences are not between the committees of the Parliament and the Executive. The potential differences will emerge in reaching the final written regulation and in how closely that represents the real interests of Scotland and Scotland's fishermen.

Dennis Canavan (Falkirk West): As the minister knows, our committee supports delegated powers for regional advisory councils.

I was pleased that your party's fisheries spokesperson, Mr Andrew George MP, recently said that

"reforms must take power away from landlocked Brussels and give it to fishermen and scientists in the fishing regions."

However, Mr George's view seems to contrast with that of the Commission's John Farnell, who seemed to indicate that he would like the regional committees or councils to be purely advisory or consultative. What is your position? Do you want those committees to have real decision-making powers, or do you envisage that they will be purely advisory or consultative?

Ross Finnie: The way in which the committees are described in the draft regulations is unsatisfactory and I do not think that they have anything like sufficient powers. You and I know that the committees might have regard to this issue or that, but, equally, they might not. I am fully signed up to the principle, but I am not at all happy that the committees will have sufficient

power or status to deliver what we want. The matter is slightly complicated by the fact that, at the outset of the consultative process on the review of the CFP, member states ruled out a complete revision of the treaty. That restricts the extent to which powers can be transferred to those regional committees and is a disappointment to me.

Let me take off my minister's hat for a minute and advise members that, politically, Andrew George and I are as one. The first document on advisory committees that was circulated was produced before I started to attend Council meetings, although I was well aware of it. However, the Council voted against making a treaty revision, which means that, although we can beef up those committees and give them a more important role than is currently envisaged for them, I am not sure that we will get as far as some people might wish.

Dennis Canavan: What about the view of the UK Government? I note in a recent report by the House of Commons European Scrutiny Select Committee, that the UK fisheries minister referred to the proposed regional advisory councils as

"a positive step towards greater stakeholder involvement".

In particular, he referred to

"the 'significant' power that they would have to inform Commission decisions and comment on regulations."

That is a bit ambiguous, to say the least, because the power to inform and comment is not the same as the power to decide.

Ross Finnie: I recall that comment, although I do not recall the context. I will not get into an argument about that.

I am not aware of any substantive difference between Elliot Morley's approach and understanding and mine. The proposals as drafted are insufficient and need to be beefed up—the regional advisory committees must become the serious instruments of change management that they should be. We have often been critical of fishermen's principles and how they have acted. However, if we take power away from them and try to dictate from the centre, we will not get the right answer. In my view, the right answer is to give responsibility to those who have to manage the stocks. Fishing is their livelihood, and if they get it wrong, the consequences will be severe.

Dennis Canavan: What about the views of other Governments or devolved Administrations in the EU? Do any of them support the devolution of real power to the regional advisory committees? What efforts are you making to try to persuade them of your point of view?

Ross Finnie: Our difficulties are slightly more fundamental than that at present. You ask about

an important aspect of the debate but, to be honest, in the two Council meetings that have taken place since the proposals were published, there has been a dramatic divergence of opinion between the northern and southern states. That divergence revolves around the Commission's proposals to restrict the granting of funding for new vessels.

The Commission has put a huge amount of effort towards finding ways of bridging what at first sight appeared to be an enormous gap in views. There appeared to be some movement from the so-called friends of fishing at the meeting that I attended four weeks ago. They began to realise that their position was untenable, given the lack of any sustainable approach to addressing the matter.

The point is that although we will come to a more substantial discussion about the regional advisory councils, we are not there yet. That matter may become clear after next week. I hope so, because it is a very important element in our proposals.

14:15

The Convener: You mentioned the difficulties of treaty revision. We might consider that the whole future of Europe debate is about decentralising power and making Europe more open and more transparent. As that debate develops in the European convention over the next year or so, might that present opportunities for treaty revision, which could open up the way to making regional advisory councils more relevant to local stakeholders in the future?

Ross Finnie: It might do in theory. I would welcome that—although I am not an expert in the precise details of the European legislation concerned. The disappointment in this case was that it was about giving more power not just to a regional Government, but to a specific interest group with a clear and demonstrable interest in the management of its own future. I will not disagree with what you suggest, as it is self-evident. If the debate opens up the opportunities that you mention, that would be enormously helpful. That would be two or three years down the line, however. Some time in the next three to five months, we must bring together a common fisheries policy. Otherwise, we will get into one or two quite serious regulatory problems.

Mr Lloyd Quinan (West of Scotland) (SNP): There is a current proposal for the Commission to become responsible for managing the multi-annual management plans, once they are agreed by the Council of Ministers. In effect, that would consist of a transfer of power away from the Council of Ministers to the Commission. You stated in evidence to the Rural Development Committee:

"I do not believe that there is a case for the Council's devolving its powers elsewhere. We would lose essential accountability through that. The aim of introducing more predictability and stability to the management plans is laudable, but I am not sure that the way of doing that is to give the Commission more powers. It seems to me that that would be an inappropriate devolution or delegation of power and I am not comfortable with that proposal."—*[Official Report, Rural Development Committee, 17 September 2002; c 3448.]*

Will that be the UK's negotiating line on that aspect of the proposals? Will the UK oppose such a change in decision making?

Ross Finnie: Yes. The UK has already indicated severe reservations and caution over those proposals. There are two aspects to that. The first is a point that I have already made, about which there is no disagreement. It is terribly important that there should be some democratic accountability for such important decisions. The second element that needs to be fleshed out is the basis on which all the decisions are to be made. The Commission has progressively moved towards basing its decision on scientific evidence, but we all know that there have been exceptions to that. I think that I, and everyone else, would feel much more comfortable if we were absolutely clear as to the criteria to be applied. We do not have that certainty, however, and some democratic accountability would seem to be necessary when we are making such important decisions on multi-annual management rules.

Mr Quinan: The opposite stream of thought is that, when management plans are planned, and the Council agrees to them, giving control over them to the Commission actually removes political interference. I fully appreciate and understand your commitment to accountability, but when the accountability issue is considered in real terms—with regard to the UK Government and other major Governments—it is in fact a smokescreen for the retention of power. In reality, the creation of management structures to be administered by the Commission, as agreed by the Council, would represent no loss of accountability. Further to that, what level of support is there for the UK's position among other member states?

Ross Finnie: Unless we were absolutely able to demonstrate that the Commission would be driven solely by scientific advice—I do not want to impugn the integrity of the commissioners, but the notion that the Commission is not subject to political pressure does not bear close examination—it would be difficult to see how the control over the multi-annual management plans might be delegated, particularly in the intervening period, when a stock might either dramatically recover or collapse and require major decisions rather than minor tinkering around the edges. That said, there is no question but that, if we had multi-annual management plans, it would be hugely

beneficial. Therefore, I will be interested in what other member states have to say in the coming negotiations.

Listening to the round-table talks at the previous two fisheries council meetings, I became aware that a large number of people, particularly in the northern states, were interested in multi-annual management plans but have also expressed reservations about the mechanism and whether it would be possible simply to delegate that to the European Commission. That will be a matter for negotiation.

Mr Quinan: We have discussed the issues of accountability and the opposite view. I accept that political pressure can be applied on the Commission, but the key point is that you are saying that you would support the position if there were clarity in the mechanism.

Ross Finnie: I would have to see the situation. My limited experience has caused me to have difficulty reposing total confidence in the Commission because of its actions over the past 14 or 15 months. That might be unfair, but I have to work in the real world and protect the interests of Scottish fishermen. I am not about to agree to a delegation process unless there are a lot of other elements. The matter rests not only on the basis of science but on other elements that will protect our fishermen in the event of a manifestly obtuse decision being made as a result of that consideration. I need to think that through. While I am, obviously, attracted to multi-annual agreements, it is not clear that the Commission is prepared to give us the comfort that we seek.

Mr Quinan: What if there were a change in the European Commission and a proper definition of the mechanisms and structures?

Ross Finnie: That would be helpful, especially if it were accompanied by transparency about how the decision would be arrived at.

Mr Quinan: Thank you. My second question—

The Convener: Can you be brief, Lloyd? We have a number of questions still to ask.

Mr Quinan: If you do not want the question asked, that is fine.

The Convener: John Home Robertson, did you want to ask a question?

Mr John Home Robertson (East Lothian) (Lab): Yes. From my hazy recollection of the way in which the fisheries council works, I would be reluctant to describe it as being terribly democratically accountable. I take the point that the Commission is not necessarily any better, as the minister has said, but what would be the best way in which we could achieve scientifically sustainable management of fisheries without sacrificing important political interests?

Ross Finnie: I believe that Lloyd Quinan's follow-up question got us closer to where we want to be. Earlier, Dennis Canavan talked about John Farnell making *ex cathedra* remarks that seemed to be at odds with what the Commission had said and were also slightly provocative on the issue of the ultimate powers. That is profoundly unhelpful. If that is how the Commission conducts its business, it makes it difficult to repose confidence in it as a body that has set a set of rules that we can see.

Transparency is certainly not a feature of the Commission—one reason why John Home Robertson may have a hazy recollection is that it is not always possible to see how the fisheries council or the Commission works. It is desirable to have a structure within the Commission that is demonstrably more transparent. Every aspect of the process should lead to the evidence that has been received; it should indicate how the evidence has been adjudged and how the conclusion has been arrived at that results in the mid-year adjustment as part of the two-year settlement. If we got closer to that, most member states would be more attracted to such a structure. That is not currently on the table. We will have to push in that direction.

The Convener: Thanks for that clarification. We will now move on to decommissioning.

Nora Radcliffe (Gordon) (LD): I will bring us back to the impact of decommissioning within Scotland. In our committee report, we stated that we thought that it was likely that there would be large-scale fleet decommissioning as part of the reform of the CFP. We recognised that that would have an impact on communities in Scotland. We recommended that the Executive should form a task force to develop alternative industries and training opportunities in advance of any adverse impact that decommissioning might have. Has anything been done along the lines of setting up such a task force?

Ross Finnie: A number of complications exist. First, the report from the Commission—both the route map and the draft proposals—is extremely ambiguous. It refers to levels of effort that might be consistent with a more sustainable fishery. Many people read the report and drew the conclusion that that was therefore pointing each member state to an inevitable and probably mandatory reduction in effort, by decommissioning or through other effort management. That having been the case for about 48 hours, the commissioner opined that the tables contained towards the back of the proposals were merely included for illustrative purposes and that the Commission had no intention of setting effort targets for each member state. That threw the proposal into confusion.

Running parallel to the current discussions on the reform of the CFP and germane to the Scottish fleet are the discussions on the cod and hake recovery plans, which are of particular importance to us because our white fish fleet operates a mixed fishery and the question of haddock is therefore drawn in. Again, there has been much discussion about the possible need for effort limitation and control.

Against that rather confused background, my position is that one of the key questions is what will be proposed for those fishing areas. Is it the North sea or the north North sea? All of us must recognise that under the common fisheries policy all member states have an obligation to address the scientific evidence that may emerge. None of us can duck that. Therefore, not having seen all the scientific evidence even for this year, I cannot rule out the need for further effort control or any one of the proposed measures.

However, I will make two points about that. First, I am absolutely clear that if any such proposals emerge, the steps that have already been taken by the Scottish fishing fleet must be taken into account in any calculation. We cannot draw a date today and ignore the facts that we have decommissioned 18 per cent of our white fish fleet and that we have operated technical measures such as square-mesh panels.

Secondly, although I have not established a commission, I have asked economists in my department and elsewhere in the Executive—unfortunately, they are not the two officials who are accompanying me—to start considering the matter seriously. If such proposals emerge, we may have a slightly better handle on the social and economic impact of any further reduction in effort and its consequences for fishing communities and fish processors. The economic multiplier of such action would affect a range of people.

I am not complacent about that, but one CFP issue is that all the member states that face stocks that are not sustainable at their present level should be able to come together and take collective action for the common good.

14:30

Nora Radcliffe: In effect, you have taken preliminary action to be ready in case of need.

Ross Finnie: I have.

The Convener: We welcome your comments, but in practical terms, what are the job opportunities for fishermen who must decommission? How will we provide alternative employment for them?

Ross Finnie: If—I stress the word “if”—a further phase of decommissioning took place, it would

present a different problem. The first phase coincided with an emerging shortage of fishermen. I understand that a substantial number of people who sought employment in the fishing fleet were accommodated by people who had a shortage. A further phase would produce difficulty on a different scale. That is why I have asked economists to consider the matter.

Fishing accounts for only about 0.3 per cent of gross domestic product in the whole Scottish economy, but it accounts for 13, 14 or 15 per cent in the communities where it takes place, so it is an extraordinarily important activity. I have asked my department to examine not only the impact on fishing communities but the mechanisms that will be required to retrain or reskill people and enable them to seek alternative employment opportunities. The exercise will not only be theoretical. It is at a preliminary stage. I do not wish to expect a disaster, but I will not be complacent about the prospect that is on the horizon.

The Convener: I call Sarah Boyack.

Sarah Boyack (Edinburgh Central) (Lab): I am not due to ask the next question.

The Convener: I am sorry. We will move to Colin Campbell.

Ross Finnie: That question was disappointing, Sarah.

Colin Campbell (West of Scotland) (SNP): You wanted a question from Sarah Boyack, but you can have mine.

Ross Finnie: I felt her poised like a coiled spring.

Colin Campbell: Here is a slightly less coiled spring. You are obviously committed to relative stability, but on 28 May, the Commission published a road map that outlines its intent. Section 3.8 of the road map—COM(2002) 181—refers to

“the elimination of such barriers to normal economic activity as ... the principle of relative stability.”

That seems to be the kiss of death for relative stability. Section 3.8 also says:

“If the Community takes action to address”

several problems,

“on the basis of the proposals now put forward, it will gradually create a climate that will be more favourable to the introduction of more normal economic conditions and the elimination of such barriers to normal economic activity as national allocations of fishing possibilities and the principle of relative stability.”

On 10 June, Franz Fischler told UK fisheries associations:

“we propose to keep relative stability”.

That shows a slight contradiction. I know the Executive's position. You have a war on your hands. Where are your friends? Where are your enemies? How does the Council of Ministers look?

Ross Finnie: You could have mentioned the hapless John Farnell, who also entered the debate in an unhelpful way.

At the Council meeting before last, France supported the friends of fishing and surprised us by adopting an ambivalent stance on the question of relative stability. However, when pressed at the most recent meeting, France declared very publicly its solid support for the principle of relative stability. That was extraordinarily helpful. The French made it clear that they would support northern member states on the issue of relative stability, but that they would support southern member states on all other matters. The declaration was important because it enabled us to assemble a qualified majority in favour of relative stability.

As part of the United Kingdom, Scotland is seeking—and has had—bilateral talks with some of the nordic states. I understand that at least one of those states is with us. Germany is also in favour of relative stability. We are never relaxed, because this is a big issue, but at the moment we are content that we have the pieces of the jigsaw that will allow us to construct a majority in support of relative stability. I am talking about a majority that supports relative stability defined in terms that Colin Campbell and I would understand—rather than in the ambiguous and contradictory terms in which it is defined in section 3.8 of the road map.

The Convener: I understand that you had about 30 minutes to speak to us, but I ask you to indulge us by taking a final question from John Home Robertson.

Mr Home Robertson: Perhaps even two.

My first question follows on from Colin Campbell's question about relative stability, which is a crucial baseline. What about the Hague preference, which is of particular interest and importance to Scottish fishermen and others in coastal areas?

Ross Finnie: We want to link the Hague preference to the debate on relative stability, as that is where it belongs. I would prefer the Hague preference to be enshrined in the final settlement on relative stability. There is no doubt that there is considerable opposition to the Hague preference as currently constructed. If, after we have undertaken a methodical, patient and at times tortuous negotiation of annual allowable catches, the UK and Ireland invoke the Hague preference, the whole calculation is revisited and someone finds that their negotiating position has been altered materially, that would do nothing for international relations.

I will not give up fighting for the Hague preference, but the trick is to have a formula for it enshrined in the settlement on relative stability and to do away with the second trigger. That would do a lot for our relations with those member states with which we are generally on good terms as regards the North sea fisheries.

Mr Home Robertson: That is a very helpful answer.

My second question takes us into deeper waters. It concerns the need for better protection of deepwater species outside European Union waters. Has progress been made either within the European Union or with other countries on achieving better conservation measures for fish stocks in the north-east Atlantic?

Ross Finnie: At the moment the politest thing that I can say is that discussions on that issue are stalled, because of the serious disagreement that the United Kingdom had about the other element of the North sea deepwater fisheries. We continue to argue that one cannot take a pick-and-mix approach to total allowable catches and control. That does not work with deep-sea species. If we want to ensure sustainability of deepwater stocks, we must develop a different approach. The disagreement about the previous settlement in which the United Kingdom is still embroiled has diverted attention from the issue that John Home Robertson raises. I am not unhappy about that, but we are not making progress on the issue.

Mr Home Robertson: That is a worry.

The Convener: I thank the minister for his attendance. We have had a constructive discussion. I know that we all wish the minister well in Brussels next week. We look forward to receiving a post-Council report, in line with our agreement with the Scottish Executive.

Ross Finnie: Thank you very much.

The Convener: I understand that the witnesses from the Convention of Scottish Local Authorities have not yet arrived. We will take a five-minute break to allow a change of witnesses and to give people the chance to have a cup of tea or coffee.

14:40

Meeting suspended.

14:46

On resuming—

Representation in the European Union

The Convener: It was my intention to take our next three witnesses together, but Corrie McChord, from the Convention of Scottish Local Authorities, is in another committee at the moment. I invite Alex Wright, from the University of Dundee, to join us.

Thank you for your written submission. We were interested in the points that you raised. I invite you to make a short, introductory statement, after which we will ask questions.

Dr Alex Wright (University of Dundee): I have been researching Scotland in the EU for about 10 years, but only yesterday managed to complete a review of all the records that are available in the Scottish Executive on Scotland's relations with the EU going back to 1961. Those are the files that are open. I have also undertaken extensive interviews with interest groups throughout Scotland. Much of that work predates devolution, although I have just completed a fellowship at the University of Edinburgh and have caught up with some people for interviews. I will be extremely brief, as members have my written evidence in front of them.

One of the most important things for Scottish interest groups, if they want to influence policy, is good, sound intelligence. It is easy to say that, but it is incredibly hard to get such intelligence, partly because the European Union is so multifaceted. A really professional interest group such as the Scottish Fishermen's Federation, for example, would be looking to influence the Commission at the earliest stages of policy making—the soft pencil stage, as one lobbyist put it to me—and to get intelligence from members of the European Parliament. It would certainly be reliant on the Scottish Executive, which could fill it in on the positions of other member states' Governments and so on. Successful interest groups interact with different forms and levels of government all through the policy process and come back to the Executive at the implementation stage, when the Executive is quite powerful.

The second area that I considered was the need for adequate resources. That can be quite tricky. One of the things that struck me when I was interviewing interest groups was that some of them did not have a lot of finance. An example of that was the Scottish crofters. Resources are an issue for smaller, less well-resourced groups,

because people sometimes need to go to Brussels and lobby. There is a problem, in that some interest groups have the resources to fly out regularly and others do not, although the crofters got round that to some extent. We should be thinking along the lines of having a more level playing field, which would mean less well-resourced interest groups getting a modicum of financial support from the European Union so that they could travel to Brussels. On the continent, it is relatively easy for members of interest groups to jump on the train or get in their car and reach Brussels within an hour.

I would like to spend a minute on the potentially contentious issue of Scottish officials and their London colleagues, because I think that it is quite important. In the past year, the Scottish Executive and the civil service in general have become the target of a lot of criticism. I refer not to criticism from MSPs, because that is quite proper, but from all sorts of other quarters. I feel quite strongly about that. From the word go, Scotland's civil servants have shown an enormous interest in defending Scotland's turf in relation to Europe. The first of the files to which I referred dates from 1961. In 1967, civil servants were debating how best they could influence the EU and we were yet to join.

Civil servants have had a formidable task in interfacing with the UK Government and with the EU and that can put an enormous strain on the Executive's resources. My research has found that, by and large, they have done extremely well.

For its part, the EU is highly mobile. Delors described it as a grand experiment. That is an enormous challenge for any bureaucracy, because nobody quite knows where it is going. It is hell for civil servants.

Having been sweet and wonderful about civil servants, I now introduce a caveat. When I was interviewing interest groups, some of them were concerned that they were not able to deal directly with the London ministries. That was not a common occurrence, but some groups felt that before devolution, there were Scottish interests that they felt mattered a great deal, which the then Scottish Office did not relay to London as it should have done. Some groups want to deal directly with London departments and have been told by them, "No. You have to go back to the Executive."

I can understand why they were told that that was how the system had to work under what was then administrative devolution, but the interest groups to whom it happened felt that they were disadvantaged. There is a danger in having the kind of decentralised Government that we have in relation to the EU, where people have to leapfrog the Executive to get to Brussels.

Another issue is the interdepartmental mechanism. Again, that issue is potentially contentious and I have to be very careful that I do not over-exaggerate. As a researcher, I have been faced with two perceptions. On a number of occasions, chief executives of interest groups and large companies said that they felt that Scottish officials were outgunned in interdepartmental meetings in London, which they felt was not so good. Again and again, I have put that to Scottish officials, and did so again only two weeks ago. They do not see it as an issue at all. Somewhere there is a problem of perception. I say that wearing my researcher's hat; I do not have an axe to grind.

Certainly, that may have been a problem, because the issue was raised in evidence that was given to the Royal Commission on the Constitution in the 1960s by the then Scottish permanent secretary, who said that our officials being outranked was a potential problem, because the Scottish Office was quite a small department, which sometimes had to face quite big departments, and it could not always have people of a certain rank for various sectoral policies. I have said enough on that; time is ticking away.

The EU encourages transnational networks. *Europêche* and the Committee of Agricultural Organisations in the European Union—COPA—are examples of that. To an extent, transnational networks are useful vehicles for interest groups that wish to undertake lobbying, but they seem to work on the principle of the lowest common denominator. An example of that is the Iberian fishermen wanting access to the North sea and the Scottish fishermen saying "No, you don't." It is not possible for a transnational network to resolve that kind of issue. In such cases, interest groups tend to set up ad-hoc networks. In that case, the fishing communities around the North sea got together and issued declarations saying, "We don't want the Iberians in our waters."

I am aware that some committee members have served on the Committee of the Regions. I say what I am going to say with respect. I remember going along to the first COR meeting in Brussels with a great sense of optimism. It took five phone calls and calling in a favour before I even got my foot in the door. In the end, all that I saw was a television screen—I was not allowed into the room.

From that point on, the COR has been a disappointment. It is a purely consultative body; one that has not yet penetrated Scottish society. In interviews with interest groups, I asked whether anyone from the COR had been in touch with any of the groups. The answer was no, which is a problem. In a sense, I feel that the COR should be wound up, although I appreciate that those with experience of it might take a different view.

I may be in danger of sounding sycophantic, but having interviewed people in Edinburgh over the past few weeks, all I can say is that people feel that the Scottish Parliament European Committee is making a big difference. One interest group, whose name I cannot mention because of confidentiality, mentioned that it had received assistance because reference was made to a Scottish Parliament European Committee report in the European Parliament. That shows that, in a subtle way, what goes on in the Scottish Parliament European Committee can make a difference to people out there.

The Convener: Thank you. We welcome your kind comments about the European Committee. I am not so sure about your comments about the Committee of the Regions.

Five members want to ask questions in this section and we will try to get them all in. Members may have questions for each of the witnesses, so I am aware that we may run over. I ask members to be brief.

Helen Eadie (Dunfermline East) (Lab): Dr Wright has endeared himself to the convener this afternoon, although some people—I am thinking of Colin Campbell—might say that he was winding her up. I want to ask about team Scotland, which is the principle most often stated by the Executive and its officials in Brussels. They are worried about conflicting messages coming from Scotland and adherence to the UK's overall line in any negotiations. By and large, it is felt that, for lobbying to be most effective, all bodies that represent Scotland in the EU should try to have a common, co-ordinated message.

In evidence to the committee, Glasgow City Council and the West of Scotland European Consortium pointed out the possible limitations of the team Scotland approach. They said that future arrangements should support and facilitate representative voices rather than present a homogenised, and perhaps ultimately compromised, compound policy position on many issues.

What is your view on the strengths and limitations of the team Scotland principle? Can anything be done to utilise the strengths of such an approach without incurring too many of the weaknesses?

Dr Wright: That is a very good question. It might not be possible to take that approach as a matter of course, but I have had experience of it. The example that comes to mind immediately is the widening of Highlands and Islands objective 1 funding to include the areas covered by the enterprise company's remit. In that instance, everyone—including the council and the enterprise company—sang from the same hymn sheet and

the civil servants and people in Brussels were pushing the case. That was a good example of the team Europe approach.

It is difficult to envisage a team Scotland approach—the diversity of interests within Scotland is so great. If we take agriculture as an example, we have crofters, landowners and farmers, all of whom take a separate view of issues. The team Scotland principle is an ideal. I have not seen it happen often, which is why I remember instances when it does happen.

Nora Radcliffe: You mentioned the importance of intelligence and information. The Scottish Council for Development and Industry's submission focused on the need for more inclusive and transparent sharing of information and intelligence in Scotland. That might include regular meetings between interested groups and perhaps a facilitated extranet to develop more open policy and representation to Brussels. What merit do you see in those ideas? How would they work? How could the civil service be more open and sharing? What tensions would there be between sharing information and the need for confidentiality?

15:00

Dr Wright: That was a lot of questions, thank you.

The Convener: These are the brief questions, by the way.

Dr Wright: From the civil service's point of view, there is a problem when third countries are involved, because there has to be a degree of confidentiality about the Scottish Executive's negotiating position. Its case might be weakened if the position were published. Getting involved in consultative arrangements is another issue for the Executive, because its resources are quite limited. I did not mention that earlier, but I should have. The Executive is already under strain so it might not be best equipped to get involved.

There was talk back in the late 1990s about Scotland Europa fulfilling the role that Nora Radcliffe outlined. There was a feeling that it was over there but not over here. When I interviewed somebody at Scotland Europa a few years ago, they said that they had set up forums and workshops so that people could have intelligence-sharing sessions, albeit that they were for its members. I agree with where you are coming from, but I am not sure whether the Executive would be capable of fulfilling such a role, given its work load. Scotland Europa might be better equipped to fulfil the role.

Nora Radcliffe: It is interesting that there is an embryo network that could be developed.

Dr Wright: There is a host of networks throughout Scotland—I am involved in one or two of them. You are quite right that there would be an advantage in pooling the networks. The committee might recommend that in its final report.

Sarah Boyack: This question follows on from the fundamental debate about whether we should have a Scottish Parliament office or officer in Brussels. I say Brussels rather than Luxembourg, which one of the other submissions that we have received mentioned. Let us assume that we are talking about Brussels. One of the questions is where we would locate such an officer. Would the officer work with Scotland Europa and the Executive as part of team Scotland, sitting in Scotland House? Alternatively, do we need to think about locating a Scottish Parliament office in the European Parliament? I want your reflections on where the gap is and how we can best fill it. Should we rely on what we have at the moment and tap into it or are we missing out on something by not being more directly tuned into the European Parliament?

Dr Wright: On reflection, I think that it would be more appropriate to have an office in the European Parliament. I did suggest that the office be located in Scotland House, which is perhaps a rather naive suggestion given the role of the Parliament and the need for distance between it and the officials in Scotland House. I certainly think that there would be advantages in our having somebody stationed in Brussels, because, quite apart from anything else, they could network and get information way before it reaches us here.

Sarah Boyack: I have a follow-up question about what you think is missing at the moment that our having an office or officer in Brussels would provide. What additional benefit would that bring that none of the organisations that are out there at the moment supplies?

Dr Wright: The Parliament as it stands is extremely adept at securing information about the European Union—the Scottish Parliament information centre is extremely adept. I am not suggesting for a moment that SPICe is not up to scratch, because it is jolly good, but we cannot beat having somebody on the ground. Brussels is an informal society; it is extremely open and people can talk to almost anyone over dinner. It is possible to find out what is happening long before the Commission produces policy. Although there is a very good research facility here, it is geographically and politically some distance away from the charnel house of Brussels. Somebody there would be better informed.

When the Scottish Office reviewed in 1991 how it could improve Scottish representation in the EU, it told officials to stay an extra couple of days and network. It recognised that human contacts

counted for a great deal. Although the Parliament has an efficient research network, it would be beneficial to have someone on the ground, because they would be able to pick up information that was hot off the press in an informal way.

The Convener: Nora Radcliffe will ask a quick supplementary, then Dennis Canavan will ask about the Committee of the Regions.

Nora Radcliffe: We received a submission from someone recently who asked, "What about Luxembourg?" They pointed out that the European Investment Bank and other institutions are there. We concentrate all our efforts in Brussels. Should we have an egg or two in different baskets?

Dr Wright: I must be careful, because I am not a professional lobbyist—I am a humble academic. I will squeeze out of the question by saying that most people who want to influence policy and to learn about what is going on are situated in Brussels rather than Luxembourg. If one were to say, "Let us have some people in Luxembourg as well," one would run the risk of following the MEPs and having a permanent road-train. I have nothing against Luxembourg—it is a lovely place—but Brussels is where the action is.

Colin Campbell: I will return to your suggestion about the relationship between civil servants here and civil servants in the UK. You said that Scottish officials are sometimes "outgunned". What effect does that have on the creation of a distinctive Executive policy on European matters and what could be done to resolve that situation? If the civil service in Scotland is bound by hierarchical limitations, is there a way round that?

Dr Wright: I must answer that question with care. When I asked what would happen if they did not succeed in getting their argument across in a meeting in London, every civil servant whom I interviewed replied that they would take the matter to their minister. The minister would get in touch with his colleague behind the Speaker's chair and, if necessary, the matter would go to the secretary of state. These days, we have the First Minister.

I do not think that there is an effect on the policy. I felt that there was cause for concern simply on the ground of what interest groups had said. There is an issue to do with having a united UK civil service. Perhaps there are grounds for arguing that the civil service should be split, so that Scotland has its own civil service. Some might say that that would be a terribly bad thing—indeed, the officials might say that it was an awful suggestion, because so much intelligence and cross-fertilisation of ideas come from London. The fact that there is a concern about the civil service in Scotland being too deeply engaged with the UK civil service perhaps means that there are grounds for detaching the two. I am sure that civil servants

down in Victoria Quay will be laughing at me for saying that—it is just a thought.

Dennis Canavan: In your introductory comments and in your paper, you were scathing about the Committee of the Regions. I tend to agree with some of your remarks. Is there a case for reform rather than outright abolition? Is there an alternative structure that would give the regions of Europe an effective voice?

Dr Wright: Although I was optimistic about the Committee of the Regions, I was concerned when I interviewed people such as the Local Government International Bureau in London. Initially, the bureau was encouraged by the Committee of the Regions, because it thought that, at long last, local government had been brought formally into the policy process in the EU, which represented a substantive step. However, there was a dilemma about for whom the Committee of the Regions was speaking. I put that to a former president of the UK's Committee of the Regions team. I asked whether there could be a Scottish voice. He said that there was only a pan-UK view.

People who have been involved in the Committee of the Regions are welcome to correct me, but my understanding is that the Committee of the Regions must articulate collectively the views of the regions. As we cannot have just one narrow national view, we are back in a manner of speaking to the lowest common denominator.

With municipalities on the one hand and Länder on the other, the diversity of the committee is also a problem. The question is, what does the committee itself represent?

I will try to be brief, because I know that time is rolling on. We now have the group of constitutional regions, the Flanders and Liege declarations and so on. Although some might claim that such declarations are simply tokenism, others might say that, if nothing else, it is good to have such declarations of principle. Maybe such groups should have some sort of representative organ because, after all, they represent the interests of assemblies that have legislative powers. We should remember that the Committee of the Regions is an organ of the EU.

My only worry is the EU's tendency to throw a bauble such as the COR at regions and stateless nations. I would not want Scotland to get foxed again by something that appears to have an awful lot of influence but in fact has none.

Dennis Canavan: The Convention of Scottish Local Authorities delegation has arrived. Would it be appropriate to follow up that point with its members, who will no doubt have a different point of view on the matter?

The Convener: Absolutely. I look forward to hearing it.

Now that the COSLA witnesses have arrived, I want finally to ask Dr Wright whether his arguments make a case for reforming the COR by beefing up its powers.

Dr Wright: I agree entirely with the suggestion that, instead of having a consultative role, the COR should have more decision-making powers on policies that relate to substate matters, such as structural funding. I do not think that that will happen, but the argument is perfectly reasonable.

The Convener: On behalf of the committee, I thank you for your written submission and your comments this afternoon, which we have all found stimulating and interesting. We appreciate your positive comments about our committee and will certainly take your contribution to our inquiry into account.

I now welcome the COSLA representatives to the meeting. I understand that Councillor McChord has already had a busy afternoon in the Parliament. We appreciate your making it to the meeting.

Councillor Corrie McChord (Convention of Scottish Local Authorities): Thank you, convener. I trust that you will be much more gentle with me than the Social Justice Committee was. I am joking, of course.

The committee obviously recognises that local government's position on Europe has changed over the years. Some committee members will remember that, before reorganisation in 1996, our relations with Europe were based mostly on the regional councils. After the Scottish Parliament was created in 1999, the arrangements for interaction with Europe changed again. I hope that, since that time, we have moved away from seeking transitional funds to attempting to influence policy in Europe. Although that has been difficult in the early days of the Parliament, it has been no less so than was trying to influence the UK Government from a local authority perspective before 1999. The current conditions in Scotland will make it much easier and more appropriate for us to influence policy in Europe than it might have been in the past with the UK Government.

Kathy Cameron will make an opening statement about how COSLA sees its relationships in Europe, after which we will answer some questions.

Kathy Cameron (Convention of Scottish Local Authorities): COSLA has had an office in Brussels since 1993. Although it was located initially in the Scotland Europa centre, it moved to Scotland House in July 1999. The office has been an important feature of COSLA's European work.

It provides the association and its member councils with information and intelligence on key European policy developments; promotes greater contact between European institutions and Scottish local government; and allows COSLA to work more closely with other national, local and regional authority associations. There are more than 160 regional offices in Brussels. The facility that we have in Brussels promotes a useful dialogue between local and regional government in the European Union.

The reorganisation of local government in 1996 and the establishment of the Scottish Parliament in 1999 had a major effect on the way in which local government is represented in Brussels. All the Scottish representative offices are now based with Scotland Europa in Scotland House. COSLA, the West of Scotland European Consortium, the East of Scotland European Consortium and the Highlands and Islands Partnership Programme have office space in Scotland House.

15:15

The COSLA Brussels office is now branded as the Scottish local government Brussels office, which aims to carry out the broad representative functions of a national local government association and cater for the needs of individual councils or groups of councils. It is obvious that there are similar interests in Brussels between COSLA and individual councils and that their work is complementary. The construction of a representative office allows COSLA and its member councils to create effective synergies and economies of scale. The aim is to build on the success of the COSLA office, which had and continues to have a high reputation with the EU institutions and with the offices of EU local and regional government that are located in Brussels.

The key aims of the Brussels office are broadly deemed to be as follows. First, it provides a reference point of the institutions of the European Union so that the views and objectives of Scottish local government, regional consortia and individual councils are represented in EU policy developments. Secondly, it aims to advocate the views of COSLA, the regional consortia and individual member councils on major EU policy issues to the EU institutions and to promote the work and interests of Scottish local government in Brussels. Thirdly, it aims to develop closer links with other local and regional government representations to facilitate the development of networks that respond to EU policy developments, the promotion of best practice in local and regional democracy and the identification of partners for transnational projects. Finally, it aims to support Scottish local government politicians—including Scottish local government members on the

Committee of the Regions—while they are in Brussels and other centres of EU activity.

The institutions of the European Union are important partners for COSLA and Scottish local government. Many of the competencies of Scottish local government are shared with the EU and the Scottish Parliament. All spheres of government—local, regional, national and European—have a role to play in the major policy issues, such as employment and social inclusion. COSLA believes that a close relationship is needed between those spheres of government so that effective action can be taken. We continue to believe in the value of Brussels-based representation as a means to develop and maintain such a relationship.

The Convener: Helen Eadie is one of our reporters on the inquiry, so I invite her to pose the first question.

Helen Eadie: It is particularly nice to see Corrie McChord. We have done some work together and I know that he has achieved a lot through his work in Europe. He is held in high regard throughout Scotland for his commitment to the work that he does in Europe.

My question is about the team Scotland approach. The Scottish Executive and people in Brussels are worried about conflicting messages coming from Scotland. The phrase “team Scotland” is commonly used. All the bodies that represent Scotland in the EU should try to have a common and co-ordinated message, to be most effective in any lobbying. However, Glasgow City Council and the West of Scotland European Consortium point out the possible limitations of that approach and have stated that a future arrangement ought to support and facilitate representative voices rather than present a homogenised—and ultimately compromised—view from Scotland on many issues.

What are your views on the strengths and limitations of the team Scotland principle? Can anything be done to utilise the strengths of that principle without incurring too many of the weaknesses?

Councillor McChord: Yes. The last part of your question is very appropriate. A homogenised approach is not necessarily bad as long as it gets the individual messages through properly. My experience of the Scotland facility—right back to when it was in Square de Meûs, before it moved to the Schuman area of Brussels—was that I had little contact with any arm of the organisation apart from the local government arm, although they run nice functions, for example.

There is an endemic problem with policy making and policy influence in the United Kingdom: we are always reactive. Rather than get involved in the first instance and try to influence the policy, when

directives come through, we try to change the rules. That is a real problem.

We are not effective. It has got better since 1999 and people know each other more than they did. Obviously, the Scottish Executive was not involved before 1999. The local enterprise company network was involved, as was local government in a number of manifestations—ESEC and WOSSEC, as well as COSLA. The situation has improved, but I would like a facility for integrated working in Brussels. That has not been visible in the times that I have been there since 1988.

Helen Eadie: In some respects, local government led the way and pioneered the making of contacts in Europe, although it met with a lot of resistance. I recall that the perception was that councillors were junketing, whereas people such as Corrie McChord, Irene Oldfather and others were trying to do a genuine job of ensuring influence and getting intelligence. Corrie McChord has met many people, particularly in the North Sea Commission area. It is pleasing that he laid down those good contacts.

The Convener: Nora Radcliffe has a question on liaison with external groups.

Nora Radcliffe: My question is based on the SCDI submission, which focused on the need in Scotland for more inclusive and transparent sharing of information on European matters. The SCDI suggested regular meetings between interested groups and possibly a facilitated extranet to develop better, more open policy and representation in Brussels. What are the merits of that idea? Could the civil service be more open and sharing? How should we deal with the tension between openness and transparency and the need for confidentiality?

Kathy Cameron: Over the years, COSLA has been involved in a range of groupings to discuss European issues, the majority of which have been officer based. The groupings have taken various forms and have sometimes included the civil service. In many cases, representatives of the civil service chaired the meetings. Discussion and dialogue among the various organisations that have an interest in EU policy making are valuable. We have attempted to establish such groups in the past, but with varying degrees of success. It would be safe to say that the degree of success was down to the resources that were available and that there is no lack of will to develop a dialogue.

Councillor McChord: The European members information liaison exchange—EMILE—network has the potential to do what Nora Radcliffe suggests, given the appropriate resources. Such a scheme should not be restricted to members who are active in Europe, whether they are councillors, MEPs, MSPs or MPs. There might be seats at the

table for organisations that have an active interest in Europe. There is a potential for building on EMILE.

The Convener: COSLA has had a full-time officer in Brussels, but even with that officer I am sure that there were difficulties in sharing resources. Do you have access to sufficient information and intelligence?

Kathy Cameron: It would not be appropriate for me to comment on that, as I have not been the Brussels officer. Members will know that the officer recently left COSLA. During the next six months, we will review the work of the Brussels office and appoint a secondee from one of the councils or from outside to take on the post on an interim basis. That will allow us to evaluate exactly what the post should involve. We will also evaluate our networks in Brussels and beyond and try to find ways of strengthening them or, if necessary, establishing new ones. We also aim to tie up the links between the COSLA offices in Brussels and Edinburgh.

Councillor McChord: You will have your own view, convener, but I feel that the Local Government International Bureau has been pretty fair in its support for COSLA. In 1996, COSLA took the decision—I know because I chaired the committee—to come out of the LGIB to save £150,000. Since then, the LGIB has been fair to us and supplies a service, but we need our own service in Brussels.

The Convener: We will return to that issue in a moment. Dennis Canavan has a further question about the Committee of the Regions.

Dennis Canavan: I am sorry that you were not here earlier to hear what Dr Alex Wright had to say about the Committee of the Regions. He was none too complimentary. I will read out an extract from his paper. He states that the Committee of the Regions

"lacks decision making powers in relation to EU policies and it appears far too wrapped up in its own affairs. For the most part it is an irrelevant entity as far as Scotland is concerned and in so doing it raises the question as to whether this body should remain in situ as presently constituted."

Would you like to respond to that? In the new mandate, Scotland is represented by ministers and MSPs, as well as by councillors. How can we make our membership of the Committee of the Regions more effective and beneficial to the people of Scotland?

Councillor McChord: It is unfair to say that the committee lacks decision-making powers—it was not set up as a decision-making body. However, we should make the committee more effective. Towards the end of the previous mandate, the COR started to recognise some of its internal shortcomings. It is now trying to address those.

We have as much influence as we are prepared to exercise. Currently I am the rapporteur on the thematic strategy for soil protection, which is part of the sixth environmental action programme. The issue is very important to Scotland because, in the past, soil has not been protected in its own right—unlike air and water. It has been protected only indirectly. I have received great support in my work. I have been able to speak to the European Parliament rapporteur and the European Commission desk officers on the issue. The only resistance that I have encountered has come from Scottish Executive civil servants.

That is a problem. If ministers, parliamentarians and local government members are all in the same boat and are trying to influence policy in Europe, they should receive broadly equal support from Scotland. There should be an understanding that we are signed up to the same policy decision making. We should not argue about policy in the European arena. We should get our act together before we go to Europe.

Dennis Canavan: What can be done to raise the profile of the Committee of the Regions and to make the people of Scotland more aware of its activities? If you were to ask the average person in the street in Denny, Bainsford or Raploch what they thought about the Committee of the Regions, they would not know what you were talking about. What can we do to make the committee appear more meaningful to ordinary people?

Councillor McChord: That is not a problem. The issue is not raising the profile of the Committee of the Regions, but raising the profile of a citizens' Europe. It is important that people should understand that there are channels that will allow them to influence European policy. People recognise the Committee of the Regions as much as they recognise what the European Parliament, the Commission and the Council of Ministers do. We must raise the profile of citizens' involvement in Europe. The Scottish Civic Forum is the organisation that should be resourced to do that. The forum has done good work in the past. If it had more resources and greater clout, it could help to increase understanding of Europe among the citizens of Scotland.

The Convener: In my work on the Committee of the Regions, I receive tremendous support from the Local Government International Bureau. However, I do not pay the bureau for that. There is an anomaly in the system. I would like Scottish members to be resourced better to meet the demands of servicing the Committee of the Regions. Do you agree?

Councillor McChord: Yes. The LGIB is more than fair to us in the services that it provides. It sees the UK delegation as a single delegation. Sometimes we have to depart from that view in

order to highlight Scottish interests, but, for the most part, we sign up to the UK's interests as a whole. The Local Government International Bureau is very fair, but we need our own resource, wherever the money may come from.

The Convener: That concludes our questions for COSLA. Thank you for your attendance and for your written submission. I assure you that your evidence will be taken into account when we write our report.

I welcome the Scottish Executive witnesses, George Calder and Jane Aitken, who are from Scotland House, and ask them to come to the table. Thank you for your written submission. Does George Calder wish to make a few introductory remarks?

15:30

George Calder (Scottish Executive European Union Office): Thank you, convener. I am the head of the Scottish Executive EU office and Jane Aitken is my deputy. We are an integral part of the Scottish Executive's finance and central services department and are accountable to Scottish Executive ministers. We work as a team with our colleagues in the departments in Scotland and with ministers. Departments and ministers are responsible for policy on particular EU proposals and for the implementation of those proposals once they have been agreed.

In Scotland House, we work closely with Scotland Europa and its residents. In the paper that we submitted, we set out our comments on our Executive office, for which we are responsible. The paper also set out the views that we share with Scotland Europa—that is, joint views held by Donald MacInnes and me—about how Scotland House works and how it should work. We also work closely with, although we are not accountable to, the UK permanent representation to the EU.

The office has four main functions. We provide operational support to the Scottish Executive, ranging from advice, training and support for visitors to the provision of hotdesk facilities. We also undertake information gathering for the Executive and seek to influence EU policy and decision making. Finally, we promote Scotland.

The third anniversary of the formal opening of Scotland House takes place at the end of this week—some of you were present on that occasion. It has been an exciting three years for Scotland House—there has been a period of rapid innovation and change. In Brussels, there is enormous interest in Scotland, devolution and what we do in Scotland House. Hardly a day goes by without a visit from officials or politicians from another region or country who want to find out

what we do and to consider possible areas of co-operation.

We set out in the paper our view that Scotland House is a good model for representing Scotland. It allows a plurality of approach: the organisations that are located in Scotland House have the freedom to work independently but the opportunity to work together.

All of us in Scotland House have evolved rapidly, but we are still learning new ways of doing things, experimenting with different ways of innovating and seeing what works and what does not. We must build on what has been achieved so far and continue to seek new ways to improve the services we offer.

The Convener: Thank you, George. Nora Radcliffe will ask the first question.

Nora Radcliffe: You may have heard me ask previous witnesses about the SCDI's view that information sharing in Scotland should be more inclusive and transparent. I presume that you heard the question earlier and that I do not need to repeat it. What is your view of that idea, given your perspective of being on the outside looking in?

George Calder: As far as the Executive office itself is concerned, our main clients are Scottish Executive departments and ministers; we are set up to provide information to them. One of Scotland Europa's key functions is to allow other organisations in Scotland to tap into its information services and to have a resident in Scotland House if they want direct access to institutions and so on. We share information with Scotland Europa and others, including the committee and the EMILE group. The forward look that we described in our submission is very much at the heart of that. We share that with our main partners and sit down with them in Scotland House to consider the particular areas in which we have shared interests and on which we want to co-operate and exchange information.

As we mentioned in our submission, there are some constraints on what information we can provide. One is the simple resource consequences of preparing information. Another is the confidentiality constraints that we have mentioned. I should say that many of the confidential details of negotiations are not always what Scottish interest groups want to know, but if many people would like to tap in more to the information that we hold, we can examine the possibilities.

Nora Radcliffe: What the Scottish Council for Development and Industry was getting at was that you have quite a good model worked out in Brussels and it was looking for better information sharing within Scotland—among people on this side of the Channel, if you like. We could perhaps learn lessons from your experience if we are trying

to have better and more transparent information sharing within Scotland.

George Calder: That is an interesting reflection. Various networks exist, including the European relays. Perhaps more could and should be done. In my experience, people are not so much looking for information, but an enormous amount of information is available on the web, there are tonnes of papers and people want to be warned about what is coming up. They want analyses of the implications for their organisations of what is coming up, but that is often difficult to provide until we see drafts. In order to get to that second stage, we have often to involve the organisations themselves or their representatives in analysing impacts. It is not a matter only of accessing information, which is on the web in enormous quantities; it is also about the analytical process, which is more difficult.

The Convener: You have spoken about liaison with other groups and about having meetings in Scotland House. Is your job to provide information to the Executive or is it wider than that?

George Calder: Our job is wider than that, although our primary responsibilities are to the Executive, of which we are part and which we have been set up to represent. Like the Executive, we have wider responsibilities. We like to make ourselves available to anybody from Scottish society who is in Brussels and who wants to see us and to ask us questions. We represent Scotland in a general sense. We have a wider role in both those senses in addition to representing the Executive.

Mr Home Robertson: Does it say that in the job description that Andy Kerr has given you?

George Calder: I would have to check what my job description says.

Mr Home Robertson: It would be splendid if it says that.

George Calder: We certainly operate that way; I always have to stress that we do so within the resources that we are allocated.

Mr Home Robertson: Is it clearly part of your remit to provide information to wider Scotland as well as to the Executive?

Jane Aitken (Scottish Executive European Union Office): We are part of a department in the Executive and we provide a horizontal service for departments in the Executive. That is our main target for information but, as George Calder said, we spend a lot of time talking to other bodies in Brussels and back here. We do both.

George Calder: I should have added that mainly we feed back information to Executive departments, which in turn draw on our

information and other sources of information and interact with people in Scotland.

The Convener: Do you recognise anything of what Councillor McChord said about the co-operation that he has had from the European Parliament and other bodies, and his opinion that he does not feel that he has had such co-operation from the Scottish Executive?

George Calder: I would like separately to ask Councillor McChord what happened. Normally, we work closely with local authorities—there are many examples of that. A review is being undertaken of the briefing system for Committee of the Regions members, because of the new membership. Perhaps we have not got that right yet. At present, we do not have a COSLA representative at Scotland House. The matter has not been raised with me and I do not know about the case that was mentioned.

The Convener: Do you consider that it is your office's role to provide members with information that could allow them to try to amend other opinions in the COR? Has that been done?

George Calder: We need to discuss the arrangements to see how we can how best service members. I do not see why we should not—within our resources—help COR members to represent Scotland.

Helen Eadie: The Scottish Executive's European Union office only recently appointed one full-time parliamentary officer whose job it is to monitor and report on European Parliament proceedings on Scottish-interest dossiers. That information is shared with the UK permanent representation to the EU, but not with the Scottish Parliament.

The development is welcome, but it might be seen as too little, too late given that the office has been up and running for nearly four years. Since the Treaty of Amsterdam, the European Parliament's codecision-making powers have grown markedly and, in addition, at least one full-time European Parliament official has told us that he has had no professional contact with the Executive's EU office, which might call into question the office's focus on that EU institution.

Do you accept the importance of the European Parliament in the decision-making process? Why does the office appear to have taken so long to appoint a specialised parliamentary officer? What grade is that officer? Do you need to increase markedly the number of staff who have that critical function? What does European Parliament monitoring consist of? Does it give rise to a brief? If so, to whom does that go? Will intelligence be shared only with ministers or will it be made more widely available, for example, by coming before the committee? I can repeat some of those

questions if they are too much to take in at one fell swoop.

George Calder: You certainly asked one or two questions. The Executive office takes the Parliament extremely seriously. One of my functions is to draw to colleagues' attention the Parliament's importance. All of us who deal with policy work closely with MEPs, depending on the committees of which they are members and the subjects in which they are interested.

The European Parliament has the central co-decision-making function in legislation and people ignore that at their peril. Much interchange takes place, such as discussing negotiations or talking about a Scottish issue and how to handle it. We have done that from the outset and had regular meetings with MEPs. One of my functions as office head is to talk periodically to MEPs; all my staff do that.

We started with six staff and we now have nine. Quite a long time ago—after about a year of operation—we decided that, instead of sending our policy officers all the time to listen to committee proceedings, we should employ a member of staff whose main role was to listen to and report on European Parliament committee proceedings.

That is not the only thing that we do about the European Parliament. Influencing and consideration of the legislative function are shared among all those in the office who deal with policy. I have put that function in context.

Helen Eadie: You did not answer my questions about the information that you receive from monitoring the European Parliament. Does that give rise to a brief? If so, to whom does it go? The most important question is that intelligence be shared only with ministers or made more widely available, for example, to the European Committee.

George Calder: That intelligence leads to a report, rather than a brief. That report is shared within Scotland House and among departments. If the Parliament would be interested in seeing those reports, I can certainly put that to ministers to ascertain whether they feel that that would be appropriate.

The Convener: If those reports follow the activities of the European Parliament, they are—I presume—a matter of public record, so it would be a matter of drawing the information together. I am pleased to note that you would be willing to share the information with us, which would be helpful.

15:45

Sarah Boyack: Let me ask about the next stage. You have been in your role for three years

under the current set-up, and you have been expanding. Now that there is a Parliament in Edinburgh, your focus has changed. How do you see the office developing over the next few years? What will be the next challenges as you consolidate your position? Will you become involved in more proactive representation and lobbying, and in less intelligence collection? How do you see that balance resolving itself?

George Calder: The balance between intelligence gathering and lobbying and influencing will remain broadly the same—both are important, given the pivotal role of departments in Scotland in acquiring information on the basis of which either they, we or whoever can carry out lobbying activity.

I feel that we have learned an awful lot, that we are still learning, and that we have a lot more to learn yet. I expect and hope that we will become that much more proficient in using our influence. I am sure that we will aim to continue to improve in that area. We gather a lot of information and the trick for us is to give the right information to the right people; it is not just about sending back great reams of information. We will explore how we can get smarter in how we use and share information.

Links with other regions is an area of our work that has expanded considerably since we started. There are about 170 regional offices in Brussels, so the city is something of a marriage bureau for the different regions. There is a lot of camaraderie between the regions, so links and joint projects with other regions, and sometimes agreements, are often initially brokered in Brussels.

We are now also involved in a lot of regional networks, including the Congress of Local and Regional Authorities of Europe, or CLRAE, which comes under the auspices of the Council of Europe; the Committee of the Regions; and the Conference of Peripheral Maritime Regions of Europe—the CPMR. The departments in the Executive are examining increasingly the experience of other regions so that we can share best practice in policy development and set benchmarks against that. We often play a role in facilitating such contacts.

If we have a similar discussion in three years' time, I do not think that we will be reporting to the committee a steady state in which nothing has changed. Things are evolving fast and I expect them to continue to evolve fast, although it is not possible to predict exactly how things will go.

Sarah Boyack: Enlargement is the next big issue.

George Calder: Yes. Enlargement will—of course—have a big impact. There will also be the outcome of the future of Europe debate.

Jane Aitken: The question of how we will develop over the next few years will depend very much on the direction of policy development in Europe; for example on what happens in the forthcoming structural funds debate. It will also depend on our priorities and on how the policy debates in Brussels develop.

The Convener: Do you have a time scale for any specific proposals for change? Are you just thinking that things will emerge over the next year or so?

George Calder: There is not as yet a specific date for a review. We will be very interested to hear what the committee has to say, because this is quite a good moment to be looking at things again. After the Scottish parliamentary elections will no doubt be a good time to take stock and to consider how we will move forward. We are innovating all the time and that is one of the reasons why the work is exciting. We are constantly trying and discovering different ways of doing things.

Colin Campbell: Paragraph 32 of your written submission states:

"Staff in the EU Office regularly represent the Executive as part of the UK delegation at Council Working Groups (and sometimes Councils themselves)".

Which three Council working groups have your staff attended most recently? Do they speak at and actively participate in those meetings or do they just observe? Do they attend in addition to or instead of, in any circumstances, the United Kingdom permanent representation to the European Union and Whitehall civil servants?

A final question has occurred to me; perhaps I should know the answer to it. Does the First Minister have an external relations adviser and, if so, who is that person?

George Calder: I will turn to Jane Aitken in a moment because she might be able to talk about some of the recent Council working groups that either our staff or Executive staff have attended.

The question of whether people speak at the working groups is agreed within the UK delegation. Sometimes they do and sometimes they do not and whether they do depends upon circumstances. The important things are that they are there, that they are contributing to the UK line and they are involved in the discussions.

On whether staff ever attend such meetings in place of people from Whitehall departments, it happens sometimes, although it is fairly rare.

There is an external relations division in the Scottish Executive and the First Minister has perhaps two special advisers who take particular interest in international and external affairs issues.

Jane Aitken: I can talk only about the working groups that I have recently attended. In the past two weeks, I have been working quite intensely on the reform of the common agricultural policy and have been to three working groups on that. I do not have at my fingertips the details of all such meetings that our other desk officers have attended.

Colin Campbell: Could we obtain those details?

Mr Home Robertson: We could try.

Colin Campbell: I know how to do that.

Jane Aitken: We could try.

Colin Campbell: Thank you.

The Convener: That concludes today's questions. We hope that this will be the first of many visits to the committee and we thank you for coming along.

Scottish Executive (Scrutiny)

The Convener: The next item on the agenda is pre-Council and post-Council scrutiny. Colleagues will note that we have made a slight amendment to the report this time. We have put a table on the front of the document that makes it a little easier to understand.

Mr Home Robertson: Or less difficult.

The Convener: We move to consider pre-Council agendas. On the general affairs and external council, the recommendation is to note the information. I have one comment to make and colleagues may have others. On page 8, there is mention of a common position on comitology. Since the committee has expressed a view on that in its governance inquiry, it would be appropriate for the committee to write to the minister asking that the committee's view on comitology be taken into account at the council meeting. Are we agreed that that is appropriate and that the information should be noted?

Members indicated agreement.

The Convener: On the economic and financial affairs council, the recommendation is to note the information. Is that agreed?

Members indicated agreement.

The Convener: We have had a wide-ranging discussion on agriculture and fisheries at today's meeting. I suggest therefore that we note and welcome the post-Council report on that.

Members indicated agreement.

The Convener: On the justice and home affairs council, the recommendation is to note the information and copy the agenda to the justice committees for their information.

Dennis Canavan: I would like to question some matters in the report. Page 15 mentions a proposal that there be a Council directive laying down minimum standards for reception of asylum seekers in member states. There is also reference to integration of third-country nationals. In both cases, the report says that they are reserved matters in which there is no Scottish Executive interest, which I find difficult to understand, because there are a considerable number of asylum seekers in Glasgow and mention has been made of the possibility of a reception centre in Scotland.

Although immigration and asylum seeking are reserved matters, it is the responsibility of the Scottish Executive and the Parliament to provide asylum seekers with many support services, housing, health and education. People such as David Blunkett have recently suggested that

asylum seekers' children should be educated separately in reception centres because they are, apparently, undermining other children's educational opportunities. However, that is completely contrary to the experience in Glasgow, where head teachers, education officials, many parents and those who are employed in schools say that the children have been a great asset. Perhaps we need to question whether the Scottish Executive is correct in declaring that it has no interest in those matters. I would have thought that, despite the fact that asylum seeking and immigration are reserved matters, we have a considerable interest in them.

The Convener: You have outlined aspects of the implementation of asylum policy that would be matters for the Scottish Parliament. However, the recommendation is to copy the paper to the Justice 1 Committee. We could also ask for its comments. Are members agreed?

Members indicated agreement.

The Convener: As far as post-Council meetings are concerned, the only report we have received is from a meeting of the agriculture and fisheries council. The recommendation is to note the information and copy it to the Rural Development Committee for its interest. Are members agreed?

Members indicated agreement.

Mr Home Robertson: The report touches in particular on transport of live animals. We have already discussed ferry transport of animals, which is an issue in the Highlands and Islands. Because there is a special Scottish interest in the matter, we should continue to keep an eye on it. It is good to see that the issue has been taken up by the UK delegation, which indicates that the system is working so far. Let us hope that the delegation can deliver.

Sarah Boyack: The report also mentions genetically modified food and an action plan for organic food and farming, which the Transport and the Environment Committee would be interested in.

The Convener: That is a good point. We could copy the report to the Transport and the Environment Committee as well. Are members agreed?

Members indicated agreement.

Convener's Report

The Convener: As members will see, the convener's report contains a recommendation to encourage members who can attend the EMILE working group to do so. However, the clerks advise me that the meeting has been postponed and that no date has been set for a future meeting. The reason for postponement is that very few committee members could attend. We said from the outset that it would be difficult to meet the date, which had been changed from 19 September. I am pleased that the minister has accepted our suggestion that the meeting should be postponed and we will inform members of the new date when we receive it.

Secondly, I ask the committee to note the planned dates for our meeting with the Greek ambassador to hear his country's priorities for the presidency of the European Council. The likely dates are 5 December or 19 December, and the meeting will probably take place in Edinburgh. Colleagues should note that information provisionally in their diaries; we will get back to you as soon as we know more.

Members should also note that a meeting with the chairs of the European committees of Catalonia and Flanders will take place on 7 November.

Dennis Canavan: At what time is the meeting?

The Convener: I do not know. We have not yet finalised the programme, but I think that it will happen some time in the morning. Am I correct?

Stephen Imrie (Clerk): We are hoping that the meeting will take place around 10 o'clock in the morning and that it will last perhaps until midday. It would be nice if the visiting representatives were able to observe some parliamentary proceedings such as question time and First Minister's question time. My colleague Nick Hawthorne is putting together a draft programme, which we hope to send to members in the next day or so and which will give the timings of various activities.

The Convener: Colleagues will agree that this is an interesting development in the committee's work. I certainly look forward to welcoming to Scotland representatives from Catalonia and Flanders.

Next, I am happy to inform the committee that Jon Jordan has agreed to work with us as adviser on the inquiry into European employment strategy.

Mr Home Robertson: Hallelujah! We have an adviser. Do we get a prize?

The Convener: Members are obviously pleased about that. I look forward to seeing Jon Jordan at the next meeting. We can task the clerk with

working with the adviser and to begin activities on the inquiry.

Finally, I ask members to note the useful information on external affairs from the Parliament's clerk and the external liaison unit.

Sift

16:00

The Convener: As usual, the documents have been classified according to the appropriate committees. Do members agree to forward the documents to those committees?

Members *indicated agreement.*

EC/EU Legislation (Implementation)

The Convener: The final agenda item is on the implementation of EC/EU law in Scotland. We have received from the Executive, in a revised format, information on the state of implementation of EC law in Scotland. Members will recall that we receive such information every two months. Our main focus is to consider the reasons for recourse to section 57(1) of the Scotland Act 1998 and also to consider whether the Executive adheres to the timetables and deadlines for transposition and implementation. The clerk has compiled a report with a list of comments. If there are no comments, I ask members to agree to the clerk's suggestions for further action. Are those suggestions agreed to?

Members *indicated agreement.*

The Convener: Apparently, I missed out the part of agenda item 3 on the paper on the delivery of Council agendas to the committee. Members will recall that we discussed previously when we should receive agendas and information from the Executive. We have appended to the paper a timetable, which is a significant step. We can now work with the Executive and ensure that we receive the agendas by the dates in the timetable. We all have something to work with, which is an improvement.

Sarah Boyack: I welcome the paper, which is a huge improvement, because we can look through the list and start to prioritise. We can ask questions of the Executive at a point at which we might have some influence. I suppose that the challenge is now to follow up on the timetable.

Mr Home Robertson: Now we will have to read the papers.

The Convener: I am glad that we have the timetable, which is a major step forward. We have been receiving the agendas for months, but it is good to have a timetable in black and white. I thank the clerks for working that out.

That brings us to the end of the meeting. I thank committee members and members of the public for attending.

Meeting closed at 16:02.

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