

# **EUROPEAN COMMITTEE**

Tuesday 5 November 2002  
(*Afternoon*)

Session 1

£5.00

© Parliamentary copyright. Scottish Parliamentary Corporate Body 2002.

Applications for reproduction should be made in writing to the Copyright Unit,  
Her Majesty's Stationery Office, St Clements House, 2-16 Colegate, Norwich NR3 1BQ  
Fax 01603 723000, which is administering the copyright on behalf of the Scottish Parliamentary Corporate  
Body.

Produced and published in Scotland on behalf of the Scottish Parliamentary Corporate Body by The  
Stationery Office Ltd.

Her Majesty's Stationery Office is independent of and separate from the company now  
trading as The Stationery Office Ltd, which is responsible for printing and publishing  
Scottish Parliamentary Corporate Body publications.

---

# CONTENTS

Tuesday 5 November 2002

	Col.
ITEMS IN PRIVATE.....	1715
SCOTTISH EXECUTIVE (SCRUTINY) .....	1716
CONVENER'S REPORT .....	1722
SIFT .....	1724

---

## EUROPEAN COMMITTEE

### 13<sup>th</sup> 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

#### CLERK TO THE COMMITTEE

Stephen Imrie

#### ASSISTANT CLERK

David Simpson

#### LOCATION

The Chamber



## Scottish Parliament

### European Committee

*Tuesday 5 November 2002*

*(Afternoon)*

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

**The Convener (Irene Oldfather):** Good afternoon, colleagues. Welcome to the 13<sup>th</sup> meeting of the European Committee in 2002. I have received apologies from Nora Radcliffe. We have three more meetings before Christmas and there is a great deal to get through between now and then. We will just push ahead.

### Items in Private

**The Convener:** Do members agree to take items 5 and 6 in private? The items concern forthcoming reports.

**Ben Wallace (North-East Scotland) (Con):** I agree that we should take in private the draft report that Helen Eadie and I have prepared. However, bearing in mind the complaints that we hear about committees taking items in private, I wonder whether item 5 needs to be held in private.

**The Convener:** One of the reasons is that we will try to agree a list of witnesses. Given that the lines of questioning that we could take in the inquiry are quite wide, I do not want to disappoint people by discussing them and then not inviting them to give evidence. If we hear the item in private, it also gives the adviser the opportunity to speak frankly to the committee. As it will be the first time that he has done so, it would be helpful for us to hear the item in private.

**Ben Wallace:** Okay.

**The Convener:** In that case, are we agreed?

**Members indicated agreement.**

## Scottish Executive (Scrutiny)

**The Convener:** We move on to our scrutiny of pre and post-European Council meetings. The clerk has prepared a list of recommendations. I understand that we have received the reports of the agriculture and fisheries council meeting and the transport, telecommunications and energy council meeting late—indeed, I saw the latter report only this morning.

The education, youth and culture council pre-council report includes the recommendation that we ask the Executive for a further commentary on the agenda at a later stage. Is that agreed?

**Members indicated agreement.**

**Mr John Home Robertson (East Lothian) (Lab):** The agriculture and fisheries council report is of immense significance. We may need to return to it in some form.

**Ben Wallace:** We are on the pre-council reports.

**The Convener:** We will come back to it. Is that all right, John?

**Mr Home Robertson:** Yes.

**The Convener:** With respect to the competitiveness (internal market, industry, research and tourism) council report, the recommendation is that we note the meeting and ask to be kept informed of the debate on corporate governance? Are we agreed?

**Members indicated agreement.**

**The Convener:** Do we agree to note the report on the general affairs and external relations council?

**Members indicated agreement.**

**The Convener:** That brings us to the post-council briefings and the reports to the committee on the relevant council meetings.

Do we agree to note the post-council report on the general affairs and external relations council?

**Members indicated agreement.**

**The Convener:** Do we agree to note the report on the competitiveness council?

**Members indicated agreement.**

**The Convener:** The next recommendation is to note the report on the transport, telecommunications and energy council. We have only just received that; it arrived a little bit late. I am happy to note the report, unless anyone wishes to raise any matters. Are we agreed?

**Members indicated agreement.**

**The Convener:** Do we agree to note the report on the employment, social policy, health and consumer affairs council?

**Members** *indicated agreement.*

**The Convener:** Do we agree to note the report on the economic and financial affairs—ECOFIN—council?

**Members** *indicated agreement.*

**The Convener:** I believe that John Home Robertson has a comment to make on the report on the agriculture and fisheries council.

**Mr Home Robertson:** The report that we have received from the Executive on the agriculture and fisheries council does not say much, although what it covers obviously has massive implications. Further agriculture and fisheries councils might have a disastrous effect on the Scottish fishing industry. We will need to keep a careful eye on the situation.

**The Convener:** The committee has a continuing interest in the matter, and John Home Robertson is right that it is important for us to continue to be briefed on it.

**Ben Wallace:** According to page 3 of our briefing paper, we have not had a report for the agriculture and fisheries council of 14 to 16 October. Is that correct?

**Mr Home Robertson:** It has now been tabled.

**The Convener:** It arrived late. I got a copy by e-mail yesterday.

**Mr Home Robertson:** I draw members' attention to the bottom paragraph of the front page of that report, which just says:

"There was also a policy debate on the Commission's proposals for a Cod and Hake Recovery Plan. The Commission underlined the need for early and urgent action".

As we know, that would have cataclysmic implications for the whole Scottish fishing industry.

**Ben Wallace:** After our Brussels meeting with the United Kingdom permanent representation to the European Union—UKRep—it emerged that at each council's meeting member states' opening position and final position on a particular debate are heard in public session. As I mentioned to the committee clerk at the time, given that that is now done openly—I think that there is an internet or television link—we might be able to cross-check or expand the Executive's post-council briefings, if that is not too weighty a task.

To pick up on John Home Robertson's point, I believe that the next agriculture and fisheries council will be on 21 or 26 November—I cannot remember the date off the top of my head. Given that we have two weeks before our next meeting,

we will have just a few days in which to tease things out. Perhaps we could be informed of the Minister for Environment and Rural Development's options, should the Commission's proposals—which could have an awful effect for Scottish fishing, as John Home Robertson said—be put to the council.

When we are trying to decide whether a minister has fulfilled his or her potential, it is important to know what options were available to them. I am not referring to points of argument. Will the decision on the Commission's proposals be made on a Community basis? Will a decision made in the council require to be unanimous? If, for instance, the minister returns and says that the UK could not block the measure taken, we will know whether or not that is true. We know that the outcome will hinge on a decision to be taken sometime in December.

**The Convener:** That is right. I note that the second paragraph of the report says:

"the November Council will take the form of Ministerial bilaterals, and further discussion will take place at the Council from 16-19 December"

on the common fisheries policy. That probably refers to the full Council, however.

**Mr Home Robertson:** The review of the CFP is a separate issue. The immediate problem as far as the Scottish fishing fleet is concerned is the short-term proposal to close the white fishery in the North sea. There is a case for that, but it is important that we try to find a solution that could enable the fleet to go on working.

**The Convener:** I am just trying to ascertain which would be the best council meeting to tie into. Would it be the November council? I am trying to work that out from the report in front of us.

**Ben Wallace:** We will not be here for the December one, will we? I mean that the committee will not have a meeting after the December council meeting. When is the big one?

**The Convener:** It is on 16 to 19 December.

**Mr Home Robertson:** The December council will be the one when the total allowable catches—TACs—are set.

**Ben Wallace:** It will take the recommendation of the International Council for the Exploration of the Sea, which has now been published.

**Mr Home Robertson:** Ross Finnie set out the Executive's position in a debate and statement in the chamber last week. There was a unanimous vote at the end of the day in support of that position. The European Committee should look for opportunities to reinforce Ross Finnie's position. That could be done at our next meeting or the one after that.

**The Convener:** Our next meeting is on 19 November, and I understand that we have meetings on 3 December and 17 December. I am happy to hear from committee members how they feel that we should link in with the fisheries council in November and December.

**Mr Home Robertson:** It might be best for you to liaise with the convener of the Rural Development Committee. That committee will obviously take the lead, but the matter is one on which—to refer to the team Scotland approach to which we will come later—everybody should bring all possible pressure to bear.

**The Convener:** I will be in Brussels at the end of November. When I am there, I would be willing to do anything that I can on the committee's behalf to assist and promote the team Scotland position, perhaps by requesting a meeting with the European Commission. However, John Home Robertson is right that it would also be important to liaise with the convener of the Rural Development Committee.

**Mr Home Robertson:** It would probably also be important to liaise with the minister.

**The Convener:** It would be important to do that to see how we could best assist. We will write to the minister and the convener of the Rural Development Committee, state that we are willing to assist in any way possible and ask how we can get involved in promoting a team Scotland approach to the issue and how we can ensure that all possible pressure is put on the Commission.

**Colin Campbell (West of Scotland) (SNP):** Will you put in writing your suggestion that, when you are in Brussels, you should do what you can and see who of influence you can meet?

**The Convener:** The convener of the Rural Development Committee might wish to come, too. We could jointly seek a meeting with the Commission with a view to expressing the Parliament's concern.

**Colin Campbell:** It would be good for the Parliament to express its collective concern.

**Ben Wallace:** Would any other countries round the North sea be adversely affected by such a ban on fishing for cod?

**The Convener:** The Conference of Peripheral Maritime Regions of Europe has a new president, Claudio Martini. I have worked quite closely with him in the past. I could perhaps also seek a meeting with Mr Martini to express our concerns on the Commission's proposals on white fish.

**Ben Wallace:** Can we have the clarification that I talked about earlier of what the minister—or the United Kingdom—can and cannot do vis-à-vis such issues?

**The Convener:** We can certainly write and ask for that. It would be helpful to us in any discussions that we have when we are in Brussels.

Do we agree to write to the minister and to the convener of the Rural Development Committee to see how we can realise an integrated approach to representing our views to the Commission? I will contact the convener of the Rural Development Committee separately to discuss how to use my visit to Brussels.

#### **Members indicated agreement.**

**The Convener:** Do we agree to note the report of the justice and home affairs council meeting of 14 and 15 October?

**Sarah Boyack (Edinburgh Central) (Lab):** I notice that that council considered a draft council framework decision on combating the sexual exploitation of children and child pornography. I was at a European Commission conference yesterday on women and enlargement and women in Europe. One of the issues that came up was the impact of the new candidate member countries and the expansion of the sex trade, particularly the issue of young or under-age women coming to existing member states. I know that the issue has been raised in relation to the sex industry in Glasgow and whether it involves bonded women, who have been brought to the UK and whose passports are held by those who own the clubs in the sex industry.

Perhaps we should draw the draft council framework decision to the attention of the Justice 1 Committee and Justice 2 Committee. The Criminal Justice (Scotland) Bill is going through Parliament. The report says:

"Scottish Ministers do not at present consider a full-scale review of Scottish sexual offences is necessary".

However, it might be worth passing across the information that the issue is being discussed at a European level in case the justice committees have not picked that up.

It strikes me that reading the reports is much more useful than reading through the list of directives. The reports give us a real sense of what stage the debate is at and what the content of the debate is. That has struck me as we have gone through the process today.

I wondered about the draft council framework decision on combating the sexual exploitation of children and child pornography because of the debate at the conference yesterday in Glasgow.

**Colin Campbell:** Some months ago, I met the assistant chief constable of Strathclyde police. The topic of that meeting was drugs, but the assistant chief constable had been to an international police

conference in western Europe, at which it was said that the three priority crimes that worry the police for the foreseeable future are, in order of priority: the trafficking of children; the trafficking of women; and drugs. That was an ominous warning.

**The Convener:** That is a good point. Do we agree to refer the report to the Justice 1 Committee and Justice 2 Committee for information?

**Members indicated agreement.**

**The Convener:** Do we agree to note the report of the environment council meeting of 17 October?

**Members indicated agreement.**

**The Convener:** Do we agree to note the report of the general affairs and external relations council meeting of 21 and 22 October?

**Members indicated agreement.**

## Convener's Report

**The Convener:** The next item on the agenda is the convener's report. I am pleased to be able to report to the committee that, at the most recent meeting of the Committee of the Regions, a resolution was passed on the solidarity fund.

Colleagues will recall from our report on structural funds that the committee is interested in progressing such a fund in relation to floods and disasters. It is good news that the Committee of the Regions has endorsed fully the fund. A copy of the resolution is in the committee papers. The European Parliament also supports the initiative. I had a meeting with Commissioner Schreyer, the budget commissioner, who was also happy to support it. My understanding is that, subject to approval at the Council of Ministers meeting this month, the initiative will go ahead. That is welcome news for the committee. We put the matter in our report and copied the report to the Commission and the European Parliament. The Committee of the Regions took up the matter on our behalf. I am pleased to report that to the committee.

On the Executive's response to our letter on structural funds, the recommendation is that we note the fact that the Executive is confident that the in-house research team has adequate data and statistics to inquire into alternatives to ward-based approaches for future objective 2 programmes. Through the European structural funds forum, we will try to keep abreast of developments in the Executive's policy on structural funds and continue to promote the ideas and recommendations of our report. Do members agree to the recommendation?

**Members indicated agreement.**

14:15

**The Convener:** The next item is the letter from the Scottish Executive on the EC proposals on animal welfare during transportation. We have a helpful letter from Ross Finnie on the state of play of the EC proposals. I suggest that we welcome the letter and continue to work in partnership with the Executive and Scotland's members of the European Parliament. The last time that I was in Brussels, I discussed the matter with MEPs from my own party. Do members agree to my suggestion?

**Members indicated agreement.**

**The Convener:** I ask members to note tomorrow's and Thursday's planned meetings with our counterparts in Flanders and Catalonia. I hope that all committee members will attend. We have



copies of the programme. Perhaps at the end of the meeting the clerks will run through the details of the arrangements.

I also ask members to note that we have received an invitation to a conference on corporate social responsibility that is to be hosted by the Danish presidency. The conference is by invitation only, so it is important to acknowledge that a committee member has been invited to attend. In keeping with our aim of sharing events among committee members, and given the fact that Dennis Canavan wrote a report on employment for the committee, it is fitting to invite Dennis to represent the committee at the conference. He has indicated that he is willing to do so. Do members agree to that representation on the committee's behalf?

**Members** *indicated agreement.*

**Dennis Canavan (Falkirk West):** Thank you, convener.

**Ben Wallace:** I want to raise one point about Peter Peacock's letter on his meeting with Commissioner Barnier and structural funds. We are now approaching the n+2 time, which means that if we do not spend money within two years, instead of the money going back to the Treasury, it will go back to the European Union. Could we seek from the Executive a situation report on how much of its funding is in danger of being returned?

**The Convener:** I am happy to do that. A date has been agreed for some time in November for the structural funds forum. We can raise the issue then if we have not received the report from the Executive.

## Sift

**The Convener:** The next item on the agenda is the sift of EC and EU documents. Do members agree simply to note the paper?

**Members** *indicated agreement.*

**The Convener:** That brings the public part of the meeting to a close. I thank members of the public for attending.

14:19

*Meeting continued in private until 16:20.*



Members who would like a printed copy of the *Official Report* to be forwarded to them should give notice at the Document Supply Centre.

No proofs of the *Official Report* can be supplied. Members who want to suggest corrections for the archive edition should mark them clearly in the daily edition, and send it to the Official Report, 375 High Street, Edinburgh EH99 1SP. Suggested corrections in any other form cannot be accepted.

The deadline for corrections to this edition is:

**Tuesday 19 November 2002**

Members who want reprints of their speeches (within one month of the date of publication) may obtain request forms and further details from the Central Distribution Office, the Document Supply Centre or the Official Report.

#### PRICES AND SUBSCRIPTION RATES

##### DAILY EDITIONS

*Single copies: £5*

*Meetings of the Parliament annual subscriptions: £350.00*

The archive edition of the *Official Report* of meetings of the Parliament, written answers and public meetings of committees will be published on CD-ROM.

WHAT'S HAPPENING IN THE SCOTTISH PARLIAMENT, compiled by the Scottish Parliament Information Centre, contains details of past and forthcoming business and of the work of committees and gives general information on legislation and other parliamentary activity.

*Single copies: £3.75*

*Special issue price: £5*

*Annual subscriptions: £150.00*

WRITTEN ANSWERS TO PARLIAMENTARY QUESTIONS weekly compilation

*Single copies: £3.75*

*Annual subscriptions: £150.00*

Standing orders will be accepted at the Document Supply Centre.

Published in Edinburgh by The Stationery Office Limited and available from:

**The Stationery Office Bookshop**  
71 Lothian Road  
Edinburgh EH3 9AZ  
0131 228 4181 Fax 0131 622 7017

**The Stationery Office Bookshops at:**  
123 Kingsway, London WC2B 6PQ  
Tel 020 7242 6393 Fax 020 7242 6394  
68-69 Bull Street, Birmingham B4 6AD  
Tel 0121 236 9696 Fax 0121 236 9699  
33 Wine Street, Bristol BS1 2BQ  
Tel 01179 264306 Fax 01179 294515  
9-21 Princess Street, Manchester M60 8AS  
Tel 0161 834 7201 Fax 0161 833 0634  
16 Arthur Street, Belfast BT1 4GD  
Tel 028 9023 8451 Fax 028 9023 5401  
The Stationery Office Oriel Bookshop,  
18-19 High Street, Cardiff CF1 2BZ  
Tel 029 2039 5548 Fax 029 2038 4347

**The Stationery Office Scottish Parliament Documentation**  
Helpline may be able to assist with additional information  
on publications of or about the Scottish Parliament,  
their availability and cost:

**Telephone orders and inquiries**  
**0870 606 5566**

**Fax orders**  
**0870 606 5588**

**The Scottish Parliament Shop**  
George IV Bridge  
EH99 1SP  
Telephone orders 0131 348 5412

[sp.info@scottish.parliament.uk](mailto:sp.info@scottish.parliament.uk)

[www.scottish.parliament.uk](http://www.scottish.parliament.uk)

**Accredited Agents**  
(see Yellow Pages)

and through good booksellers