The Committee will meet at 2.00 pm in Committee Room 3.

1. **Inquiry into the Decision of the European Commission in the case of Ryanair and Charleroi Airport**: The Committee will consider a paper from its Reporter, Phil Gallie MSP, outlining his proposed approach.

2. **Convener's Report**: The Convener will update the Committee on the—
   
   Letter from the Scottish Executive on the locating of EU agencies to Scotland
   
   Update on the visit by the delegation from the Czech Parliament, 26-29 April 2004

3. **Pre- and post-EU Council scrutiny**: The Committee will discuss the agendas and information received from the Scottish Executive on the following meetings of the Council of the EU—

   Previous Councils

   Education, Youth and Culture Council, 26 February 2004
   Environment Council, 2 March 2004
   Employment, Social Policy, Health and Consumer Affairs Council, 4 March 2004

4. **Sift of EC/EU documents and draft legislation**: The Committee will consider the latest list of EC/EU documents and draft legislative proposals received for this meeting
5. Repatriation of European regional development funds and the UK Government's proposals - an Inquiry into the impact in Scotland (in private): The Committee will discuss its draft Report.

Stephen Imrie
Clerk to the Committee
Tel: 0131 348 5234
Email: europe@scottish.parliament.uk

The following papers are attached for this meeting:

**Agenda Item 1**

BRIEFING PAPER: “Inquiry into the Decision of the European Commission in the case of Ryanair and Charleroi Airport – draft terms of reference” EU/S2/04/8/1

**Agenda Item 2**

Convener’s Report, including:
- Letter from the Executive on EU Agencies (to follow) EU/S2/04/8/2

**Agenda Item 3**

BRIEFING PAPER: “Pre- and post-Council of the EU analysis and scrutiny” EU/S2/04/8/3

BRIEFING PAPER: “Correspondence received from Scottish Executive on pre- and post-Council scrutiny” EU/S2/04/8/4

**Agenda Item 4**

Sift of EC/EU legislation received for this meeting EU/S2/04/8/5

**Agenda Item 5**

PRIVATE PAPER: Draft Inquiry Report into Regional Development Funds (to follow) EU/S2/04/8/6
EUROPEAN AND EXTERNAL RELATIONS
COMMITTEE

BRIEFING PAPER

“Inquiry into the Decision of the European Commission in the case of Ryanair and Charleroi Airport – draft terms of reference”

Introduction

1 At its meeting of 24 February 2004, the Committee agreed that Mr Phil Gallie MSP would act as its Reporter into the Decision of the European Commission in the case of Ryanair and Charleroi Airport.

2 This paper sets out the proposed approach that our Reporter plans to take (Annex A).

Recommendation

3 That Members consider and agree to the proposal outlined in Annex A and task Mr Gallie as our Reporter with carrying out the work proposed and with liaising with the Convener and Clerk during the course of his work.

Richard Lochhead MSP
Convener
Tel: 0131 348 5234
Email: europe@scottish.parliament.uk
PROPOSED TERMS OF REFERENCE FOR REPORTER’S INQUIRY

Overall objective

To determine the effect of existing and developing EU regulations on the extension of the highly successful low-cost carrier trade to/from Scotland.

Phase 1

I would propose that the timescale, from the date of approval to presentation of findings of this first phase to the Committee would be about 2 months.

Role of the Clerks/SPICe during Phase 1

- To help the Reporter gather information on Low Cost Carriers (LCC) and confirm ownership.
- To list current LCC destination airports within Europe and their ownership.
- To list current scheduled airlines operating from Scotland and the UK and their ownership status; private or state owned.
- To provide information on the rules and regulations with reference to the operation of new route support schemes operating in Scotland and advise how this fits in with EU rules etc.

Role of the Reporter during Phase 1

- To make contact with senior Ryanair management representatives to establish:
  
  What effect the Charleroi Decision has had on that service and what potential effect it may have on other routes currently flown from Scottish airports?

  What other restrictive regulation has been put in place that may add to customer costs when using Ryanair?

  What factors exist in determining which Scottish airports are attractive to them for scheduled flights?

  What blocks there are in setting up further flights from Scotland?

  What plans they have, that are not commercially sensitive, for further expansion of flight destinations from Scottish airports?
• Make contact with senior management at Prestwick airport to determine:

  What concerns they have arising from Charleroi Decision and what effect the judgement has had?

  What effect other regulations recently implemented or intended may have with their relationship with LCC?

  What potential is there for increased LCC business, which is not commercially sensitive, for Prestwick airport?

Dependent on the responses to the questions raised, the Reporter plans to contact senior management at Charleroi to assess the impact of recent Decisions on Charleroi. This will be done through written communication only at this stage.

The Reporter will then report back to the Committee on his findings and ask for approval to proceed further with investigation if deemed desirable.

Phase 2

The findings of this second phase will be presented once conclusions drawn from the above activities have been considered by the Committee. Possible activities in this phase could include:

  Assess existing and proposed EU regulations with respect to Competition and Transport.

  Find out what other parliamentary inquiries may be in hand of a similar nature within EU.

  Make contact other low-cost carriers to assess their views.

  Establish the potential for use of new destination airports in the new Member States.

  Make contact with selected airports to assess views.

  Ask for the views of other elected representatives, such as MPs and MEPs, who may have an interest in this area.

  Hold discussions with Scottish Enterprise and Tourist Boards.

Phil Gallie MSP
CONVENER’S REPORT

1. Letter from the Scottish Executive on the locating of EU agencies to Scotland. At a recent meeting of the Committee, it was agreed to write to the Executive asking about its plans and priorities for attracting EU agencies to Scotland (see Annex A for a copy of the Committee’s letter). A response is to be received from the Executive by this meeting. The Convener now recommends that:

   Members consider the response when received.

2. Update on the visit by the delegation from the Czech Parliament, 26-29 April 2004. Members will recall they have agreed to host a visit by a delegation from the Czech Parliament during 26-29 April 2004. (see Annex B for the latest itinerary). The Convener now recommends that:

   Members note the latest information on the proposed visit.

Richard Lochhead MSP
Convener
22 March 2004
LETTER TO THE SCOTTISH EXECUTIVE ON THE LOCATION OF EU AGENCIES

Committee’s Letter

Dear Andy,

Re. Location of EU agencies

At our meeting of 24 February, we discussed the issue of the inward location of the proposed “Europass” agency and the wider issue of Executive policy on EU agencies per se.

It was agreed that I write to ask whether a decision has been taken to establish the Europass national agencies and whether there have been any discussions with the UK Government on locations in Scotland for such an agency, particularly with the Cabinet Office.

It was also agreed that we would ask the Executive for a written briefing on the status/location of those EU agencies that have been allocated, details on those agencies (including prospective agencies) that are still in the pipeline and which we could bid for a location in Scotland, and information on the Executive’s strategy, priorities and activities in this area.

I would be grateful if this information could be provided for Monday 29 March as this would enable us to consider it at our meeting the following day. I look forward to your reply.

Executive’s Response

Awaiting response
ANNEX B

PROPOSED ITINERARY FOR THE VISIT BY THE DELEGATION FROM THE CZECH PARLIAMENT

Monday 26 April – Thursday 29 April

Delegation
Mr. Pavel Svoboda, MP, Chairman of the Committee
Mr. Jaroslav Zverina, MP, Deputy Chairman of the Committee
Mr. Oldrich Nemec, MP, Member of the Committee
Mr. Josef Senfeld, MP, Member of the Committee
Ms. Olga Adamcova, Secretary to the Committee
Ms. Irena Koutska, Interpreter.

Sunday 25 (or 26) April

13h55 Arrive in Edinburgh from Prague
Met by the Consul General (to be arranged)
Check in at hotel

p.m. Free

evening Free

Monday 26 April

a.m. Meeting with Clerks to the European and External Relations Committee & SPICe, The Scottish Parliament (to be arranged)
  - Introduction to the Scottish Parliament and the work/competences of the European and External Relations Committee

a.m. Visit to the Holyrood Visitors Centre, The Tun, Holyrood Road – the new Parliament Building (to be arranged)

p.m. Meeting with officials from the Scottish Executive’s External Relations Department, Victoria Quay (to be arranged)
  - Introduction to the European and External Relations work of the Scottish Executive

p.m. Meeting with officials from the Scottish Executive’s European Funds Division, Victoria Quay (to be arranged)
  - Regional development issues

evening Free
Tuesday 27 April

a.m. Private meeting with a cross-section of Members of the Scottish Parliament, Parliament Headquarters (to be arranged)
- The new constitutional treaty and the role of small and medium sized countries
- The opportunities and challenges of EU enlargement, including attraction of new population to Scotland
- EU financial perspectives, Lisbon process

p.m. Attend and participate in the Meeting of the European and External Relations Committee, Committee Chambers, The Scottish Parliament
- Impressions of the delegation on the efforts to promote Scotland worldwide
- Activities and strategies of the Czech Republic to promote itself worldwide

evening Reception, The Scottish Parliament, (to be arranged)
- A Celebration of Enlargement
  - Participants: cross section of MSPs, other members of the EU & Accession state consular corps, external invitees. Guests of honour – the Czech Delegation
  - Hosted by Scottish Council for Development and Industry, Chester Street, Edinburgh (to be confirmed)

Wednesday 28 April

a.m. Meeting with Mr Andy Kerr MSP, Minister for Finance and Public Services (with responsibility for European matters), The Scottish Executive, Parliament Headquarters/VQ, (to be arranged)

2.30 p.m. Observe Meeting of The Scottish Parliament, Assembly Hall, VIP Gallery
  - Welcome by MSPs

3.30 p.m. Meeting with the Presiding Officer of The Scottish Parliament, Assembly Hall (to be arranged)

evening Travel to Inverness

Thursday 29 April

a.m/p.m. Meetings with Highlands & Islands Enterprise and Highlands and Islands European Partnership
Meet with Highland Council, including the Leader of the Council
Visit to EU funded project (Cairngorm Railway) (all to be arranged)
evening Cultural activity

Friday 30 April

Return to Edinburgh

14h40 Depart Edinburgh for Prague
Introduction

1 One of the core scrutiny tasks that the European and External Relations Committee conducts is the analysis of information received from the Scottish Executive on meetings of the various Council of the EU formations (formerly known as the Council of Ministers).

2 Two types of information are shared with the Committee under the agreement between the previous Committee and the Executive. First, a few weeks in advance of a Council meeting, the Committee is provided with an annotated agenda of the Council. This sets out the nature of the agenda and the Executive’s views on the items in question where it has a competence. The Executive’s views tend to be italicised so as to stand out for the reader. Members should be aware that often the agenda is a ‘best guess’ and second, the views provided are designed not to prejudice the UK’s negotiating position whilst still providing sufficient information for Members to have an understanding of the subject.

3 Second, following the meeting of the Council, within a few weeks, the Executive provides the Committee with a post-Council report, detailing attendance and the discussions that took place.

4 These two types of information give rise to the shorthand terminology of ‘pre- and post-Council scrutiny’ for this particular task of the Committee. In scrutinising the material, the Committee has a range of options:

- note the material having placed it into the public domain for others to use
- ask for more written information from the Executive
- invite the relevant minister to attend the next committee meeting for further discussions

5 The nature of the scrutiny to be undertaken by Members should be focusing on two distinct areas. As a first priority, the Committee should aim to focus on the Council agenda items that make reference to early,
formative discussions (e.g. on Green Papers, White Papers, Commission Communications, orientation debates etc.) in the Council. This is an indication that the decision-making process for these agenda items in the Council is at an early stage. It is here that the Committee might best influence the minister’s thinking early on.

6 As a second priority, to be used perhaps only occasionally, the Committee may choose to focus upon agenda items nearing final decisions.

7 In a new development for session two of the Parliament, the relevant sectoral information is being sent directly by the relevant minister to other subject committees. This means, for example, that in addition to this Committee receiving fisheries information, the Environment and Rural Development Committee is simultaneously in receipt of the same information.

8 What this means for this Committee is that any further dialogue with the Executive is best done in co-ordination and co-operation with the dialogue that another committee may choose to undertake. Members should note that such as system does not preclude the European and External Relations Committee from engaging with all the material and information received. On occasions, it may be that an issue is pressing, but a subject committee has no time in which to deal with it and therefore this Committee may tackle the issue. This system requires good communication between conveners and between clerks, and close co-operation between the clerks and officials in the Executive.

This paper

9 Based on experience from session one of the Parliament, these papers are best sub-divided into two sections. Annex A contains a summary table, with the Convener’s recommendation(s) for each Council agenda/report. Annex B contains the full information provided by the Executive for each of the Councils being considered at today’s meeting.

Action requested

10 Members are requested to consider the recommendations set out in the table in Annex A in light of the information provided by the Executive, set out in Annex B.

Richard Lochhead MSP
Convener
Tel: 0131 348 5234
Email: europe@scottish.parliament.uk
## ANNEX A

### SUMMARY TABLE OF CONVENER'S RECOMMENDATIONS

<table>
<thead>
<tr>
<th>Council</th>
<th>Did Executive meet deadline for sending information?</th>
<th>Notes and recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Pre-Council scrutiny</strong></td>
<td></td>
<td></td>
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<tr>
<td>There are no agendas for this</td>
<td>n.a.</td>
<td>n.a.</td>
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<tr>
<td>meeting of the Committee</td>
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<tr>
<td><strong>Post-Council scrutiny</strong></td>
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<td></td>
</tr>
<tr>
<td>Education, Youth and Culture</td>
<td>Yes</td>
<td>To thank the Executive for the provision of this useful and comprehensive report, which continues to be of high-standard, and to ask the Executive whether it plans to send a representative to the event planned in December 2004 by the Dutch Presidency on education through sport.</td>
</tr>
<tr>
<td>Council, 26 February 2004</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Environment Council, 2 March</td>
<td>Yes</td>
<td>To thank the Executive for the provision of this useful and comprehensive report.</td>
</tr>
<tr>
<td>2004</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employment Council, 4 March</td>
<td>Yes, delivered early</td>
<td>To thank the Executive for the provision of this useful and comprehensive report, which continues to be of high-standard</td>
</tr>
<tr>
<td>2004</td>
<td></td>
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1. **Objectives Report Process**
   - Joint interim report on the implementation of the work programme on the follow-up of the objectives of education and training systems in Europe
     = Exchange of views
     = Adoption

The Commissioner and Council interim progress report on the open method of co-ordination for education (‘Lisbon Objectives Process’) was adopted for transmission to the Spring Council. The Presidency thanked delegations and the Commission for their intensive work and underlined the importance of using the messages in the report to make European education and training a world wide quality reference by 2010. The next report will go to the 2006 Spring Council. The Commission emphasised a need for a greater investment in education, but insisted that urgent policy reforms were still needed in Member States. She emphasised the importance of involving social partners in making these reforms work.

   - Exchange of views

Ministers discussed the proposal for a decision to establish a single transparency tool for qualifications. The Presidency explained that they would try for common position by the May Education Council. The proposal was warmly welcomed by all delegations as an important step in improving mobility within Europe. Many delegations called for better promotion of the Europass brand name. The UK suggested that universities and the EURES network had an important role in promoting Europass. Several delegations warned the Commission that bureaucracy must be avoided for national agencies (which would implement the decision) and for the end user. There was general concern that implementing the new measures would take some time. Many delegations also underlined the need to protect against fraud and warned of the challenges of data protection.

3. **Commission's report on mobility of students, trainees, volunteers and teachers**
   - Commission Presentation

The Commission presented its report on the follow-up to the Council mobility Recommendation. The Commissioner explained that the report outlined the many steps that had been taken at EU level to encourage and support mobility, but criticised member states for not taking the mobility agenda seriously. The Commissioner lamented the fact that many legal and administrative obstacles still existed within member states to block mobility. She commented that the mutual recognition of qualifications continued to be a real problem.

4. **Next generation of education spending programmes (Socrates, Leonardo and Tempus)**
   - Commission Presentation

The Commission announced that they would be adopting a Communication on the future of the education spending programmes next month. This Communication would set out the
Commission's ideas for the next phase of Socrates, Leonardo and Tempus from 2007 to 2013. The Communication will explain that the Commission will publish in the summer proposals for an integrated Socrates and Leonardo programme which would seek to achieve much greater numbers of student, trainee, pupil, teacher and trainer exchanges. It would also propose significant resources to match its impressive ambition. The Communication will also announce that a Tempus Plus mobility programme (involving Europe's neighbouring countries) will be published by the Commission in the summer. The programme, which currently only involves higher education, will be broadened to involve schools, vocational training and adult learning. The Commission clarified that the Communication would be as detailed as possible to enable informed debate prior to formal proposals in the summer.

5. **European Year Education through Sport**

--- **Exchange of views**

Over lunch Ministers discussed the legacy of European Year Education through Sport. The Commissioner said that her services had so far agreed to support 74 projects worth EUR4.4 million from some 600 applicants. They have a further EUR 2.1 million to give to such projects. The themes for the projects included combating doping, combating early school leavers, teaching history through the history of sport and teaching maths through sports scores. The Commissioner explained that studies are also being financed to look into issues such as getting younger sportsmen and women into employment, multicultural dialogue in sport and sport and health. Mme Reding also invited member states that have ideas for other issues to be researched to get in touch with the Commission. She also highlighted the Commission scheme to train volunteers to help major sporting events. The Netherlands (next Presidency of EU) explained that they would hold a closing event in December and invited representatives from all member states. They said the challenge would be to how to leave a lasting legacy of the year. The Ministers then talked about the European Year of Education through Sport projects in their own countries. Sport to improve health and trying to get those who are not naturally sporty to take exercise were common themes.

UK was represented on this occasion by the Secretary of State for Environment, Food and Rural Affairs and the Minister for Environment and Agri-environment.

The Council agreed by consensus a set of Conclusions as the contribution by Environment ministers to the Spring European Council. They were pleased with the priorities reflected in the Conclusions. They included rapid implementation of the Environmental Technologies Action Plan, a proposal that the Commission should report annually to Spring council on the implementation of the Kyoto Protocol, and called on the Community and Member States to consider mid and long-term emissions reduction strategies, including targets, in preparation for the 11th Conference of the Parties to the UN Convention on Climate Change in November 2005. Council called on the Commission, in preparing its review of the EU Sustainable Development Strategy by the end of 2004, to incorporate the external dimension of sustainable development so as to contribute to the achievement of the Millennium Development Goals and other international commitments.

There was a short policy debate on the proposal for a Regulation on shipments of waste. UK indicated that any measures aimed to prevent ‘eco-dumping’ should work through establishing community-wide standards and preserve the internal market; that in handling mixed ‘green waste’, the UK would support a proportionate, risk-based approach, aligned to the OECD Decision on the Control of Transboundary Movements of Wastes Destined for Recovery Operations; and that the ‘take-back’ requirements of the Regulation should not be applied to ‘green waste’.

The Commission gave a progress report on the proposal for a Regulation on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH). Further work is being done on assessing the impact of the proposals. There are to be policy debates in both the Competitiveness and Environment Councils, in May and June respectively.

Council was also updated on the progress of negotiations on the proposal for a Directive to amend the EU emissions trading scheme in respect of the Kyoto Protocol’s project mechanisms. Although work remains to be done, the Presidency remained hopeful that an agreement could be reached which would also receive the early support of the European Parliament.

There was a brief report back from the 7th Conference of the Parties to the Convention on Biological Diversity/1st Meeting of the Parties to the Cartagena Protocol on Biosafety, noting the good progress made there on protected areas and the conservation of high seas biodiversity, and also the very good EU co-ordination.

Other items included a statement by the French delegation on the need to continue to press forward on maritime safety issues; a statement by the Belgian delegation on the protection of the marine environment, and in particular the problems of species spreading through ballast water and of by-catches of small mammals; written briefing from the Commission concerning its action plan on establishing a Global Monitoring for Environment and Security system; briefing from the Presidency on its plans to progress the proposal for a Regulation extending the Financial Instrument for the Environment (LIFE); and briefing from the Commission on its action plan on environment and health.

Over lunch Council discussed the preparations for the 8th special session of the Governing Council/Global Ministerial Environment Forum (UNEP) to be held in Jeju at the end of March, and the 12th session of the Commission on Sustainable Development to be held in New York in April.

Summary

Council adopts Key Issues paper on employment and social policy for the Spring Council along with Joint Reports on Employment and Social Inclusion. Accession states see difficulty meeting Lisbon employment targets without free movement of labour in the enlarged EU. Good support for the UK position on Working Time, especially SiMAP/Jaeger.

Preparation of the Spring European Council - Public debate

Council agreed its package for the Spring Council 2004. It adopted a set of key messages covering for the first time, the whole employment, social policy and gender equality field. The key messages highlight in particular the efforts still needed towards meeting the strategic goal set at Lisbon in March 2000, and reinforced at Barcelona in March 2002, of making the EU the most competitive and dynamic knowledge-based economy in the world by 2010. The Council considers that reforms in national labour markets and social and health protection systems must keep their momentum. The importance of interaction between economic, employment and social protection policies was emphasised. Regarding employment policies, it considers that success depends on:

- increasing the adaptability of workers and companies,
- attracting more people to the labour market,
- investing more, and more effectively, in human capital,
- ensuring effective implementation of reforms through better governance,

It further considers that these efforts must be completed by the streamlining of the various strands of social protection, through:

- strengthening the drive for social inclusion,
- making work pay,
- ensuring that pension systems support longer working lives,
- ensuring accessibility, sustainability and quality of health and long-term care for the elderly.

Finally, the Council emphasised the relevance of ensuring effective gender equality in employment, social inclusion, health and pension policies.

- Commission Synthesis Report

Council noted presentation by Commission of its synthesis report on implementation of Lisbon strategy.

- Joint Employment Report

Council adopted 2003/04 Joint Council and Commission Employment Report (JER). This will be one of the elements contributing to the Spring European Council conclusions on which the 2004 Employment Guidelines will be based. The JER reflects a series of recommendations formulated by the Employment Task Force.
- **Joint Social Inclusion Report**
Council adopted the report which is to be presented to the Spring European Council. The report acknowledges the continuing challenge of making a high degree of social inclusion a reality across the Union and re-iterates that modernisation of the economy should go hand-in-hand with efforts to reduce poverty and counter inclusion.

- **Social Protection Committee Report on Pension Systems**
Council endorsed the report on progress studies regarding the quality and viability of pension systems. The Social Protection Committee is currently implementing its work programme on pension issues, aimed at promoting the exchange of information and best practice between the Member States.

- **Social Protection Committee opinion on “Making Work Pay”**
A Commission communication identifies the main challenges and policy responses that Member States have implemented with the aim of making social protection systems more employment-friendly. On the basis of this communication the Social Protection Committee has drawn up an opinion which was submitted to the Council, supporting the main messages of the Communication and suggesting further work on this theme.

- **Gender Equality**
Council took note of Commission presentation of its report on gender equality, describing progress achieved and suggesting further measures to be taken with a view to meeting the Lisbon development strategy targets.

**Working Time**

*Summary*
Commission promise legislative proposals before the summer on ‘on-call working’ and compensatory rest and individual consultations with Member States on the ‘opt out’.

The UK argued for the retention of the ‘individual opt out’ and the need for an urgent change to the Working Time Directive to tackle both ‘on-call hours’ and compensatory rest and called for a reference to this effect in the annex to the Spring Council conclusions. UK also supported an extension of the reference period over which working time is averaged to 12 months and argued that national measures should address work-life balance issues.

A substantial number of States supported the UK position on both the opt out and SiMAP/Jaeger (S/J).

The Commission acknowledged the difficulties the S/J judgements had created and indicated that it would propose a legislative solution before the summer, should the Social Partners not negotiate.
EUROPEAN AND EXTERNAL RELATIONS COMMITTEE

BRIEFING PAPER

“Correspondence received from Scottish Executive on pre- and post-Council scrutiny”

Introduction

1 At various meetings held previously, the Committee asked for further information on a variety of subjects following its analysis of material on pre-Council of the EU annotated agendas. On behalf of the Committee, the Convener sent letters to various ministers in the Scottish Executive seeking more information. Copies of these letters for which replies were outstanding are attached as Annex A. Where replies have now been received, these are set out next to the appropriate letter from the Committee.

Action requested

2 Members are requested to consider the letters and the responses set out in Annex A.

Richard Lochhead MSP
Convener
Tel: 0131 348 5234
Email: europe@scottish.parliament.uk
LETTER SENT TO THE SCOTTISH EXECUTIVE BY THE CONVENOR (DATED 5 NOVEMBER)

TO ROSS FINNIE MSP, MINISTER FOR ENVIRONMENT AND RURAL DEVELOPMENT

Following the recent meeting of the Committee, it was agreed that further information be sought on various items relating to the information you kindly provided on the Council of the EU agendas.

Agriculture and Fisheries Council

1. To ask the Scottish Executive why no annotated notes were provided on the Fisheries aspects on this agenda, setting out the Executive’s initial view of the Council agenda item. This prevented the Committee from understanding the nature of the agenda items and the Executive’s view.

2. To ask the Scottish Executive for a statement on its position vis-à-vis the establishment of Regional Advisory Councils and whether these will, as agreed by a previous Committee, have now or in the fullness of time delegated decision-making powers and be inclusive of all stakeholders.

3. To ask the Scottish Executive for a view on whether it is possible and whether it will seek a financial contribution to the new build within the Scottish fishery protection fleet under the proposed scheme amending the financial contribution by the Community to Member States’ expenditure incurred in implementing the control, inspection and surveillance systems applicable to the CFP. Additionally, could such a contribution be sought to assist with the contribution made by the Scottish fishery protection fleet in the North East Atlantic?

4. To note developments relating to the discussions on animal welfare during transportation and to ask that the post-Council report sets out the discussions on this agenda item in full, including the views put forward by the UK delegation at the Council and any decisions taken.

As these information requests are to do with the scrutiny of EC/EU legislation, it is my view that they are not covered by the usual timescales set out in the relevant concordat. In this respect, if possible, may we have a reply in time for the next meeting of the Committee. To this extent, a response by Monday 1 December would be greatly appreciated.

EXECUTIVE’S RESPONSE

Awaiting response from the Executive
LETTER SENT TO THE SCOTTISH EXECUTIVE BY THE CONVENOR (DATED 20 NOVEMBER)

TO JIM WALLACE MSP, DEPUTY FIRST MINISTER AND MINISTER FOR ENTERPRISE AND LIFELONG LEARNING

Re. Economic and Finance Council (ECOFIN), 24-25 November

Following the recent meeting of the Committee, it was agreed that I write to you to ask for more information in relation to the Investment Services Directive (ISD). I agree with you that the ISD is of significant importance to Scotland given that it aims to revise and update the 1995 directive, which established the legal framework governing firms and markets conducting specific types of investment business within the EU, and ensured their ability to operate across borders.

In your report to the Committee, you note that political agreement on the Directive was achieved at the last ECOFIN, but unfortunately the UK’s blocking minority on mandatory quote disclosure rules fell apart here. May I ask you to provide some further information that explains how this occurred, what implications this may have for the Scottish financial industry and what options are open to the Executive and the UK Government to ensure the best possible outcome to Scotland during the conclusion of any outstanding negotiations. I would be grateful if this information could be supplied by 12 December.

I shall endeavour to copy this letter and your response to Alasdair Morgan MSP, Convener of the Enterprise and Culture Committee, for his interest.

EXECUTIVE’S RESPONSE

Awaiting response from the Executive
LETTER SENT TO THE SCOTTISH EXECUTIVE BY THE CONVENOR (DATED 6 FEBRUARY)

TO ALLAN WILSON MSP, ACTING MINISTER FOR ENVIRONMENT AND RURAL DEVELOPMENT

At our meeting of 3 February, the Committee agreed to write to you to seek further information in relation to the implementation of the End of Life Vehicles Directive (2000/53/EC).

We would be grateful if you confirm the definition being used in relation to motor manufacturers and distributors and confirm that no organisations currently based in Scotland are likely to be adversely affected by the Regulations. Second, can you explain how this implementation model will be achieved in Scotland, given the mention of a figure of an average of 10 miles between last owner and handover or delivery points for end of life vehicles? How will this work in the more remote parts of Scotland and what distances are likely to be the norm? We are concerned that the implementation of this Directive does not result in a situation similar to that of fridges and that the Regulations prove effective and remove or reduce the illegal dumping of cars at the end of their lives.

I would be grateful if a reply to this letter could be provided by 11 March as this would enable the Committee to consider the matter at its meeting of the 16 March. I am copying this letter to Sarah Boyack MSP for her interest. I shall endeavour to copy your reply to her too, in case the subject committee chooses to look into the matter further after that.

EXECUTIVE’S RESPONSE

Awaiting response from the Executive
Sift of EC/EU legislative proposals and other documents  EU/S2/04/8/5

Background
This document contains the list of EC/EU documents received by the European and External Relations Committee for this meeting, classified according to which committee(s) the particular document is most relevant too. The document is sent by the European and External Relations Committee to each of the Scottish Parliament’s committees for their attention.

Table of Contents

Note
As a new feature, this list of recent legislative proposals and developments in the EU contains a preface to the Committee Relevancy lists. This preface highlights certain documents considered of ‘Special Importance’ by the European and External Relations Committee, along with a short explanatory note of why they have been highlighted as such.

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<tr>
<th>Committee</th>
<th>Page Number</th>
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<td>Communities</td>
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## Documents of Special Importance

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<tr>
<td>Enterprise and Culture</td>
<td>917</td>
<td>COM (2004) 29</td>
<td>Report from the Commission to the Spring European Council: Delivering Lisbon – reforms for the enlarged Union.</td>
<td>May be of interest to these Committees and worth noting. This is a new version of COM (2004) 29 detailing the progress made to date on the Lisbon Strategy. It is particularly relevant as it examines the situation as enlargement approaches, and outlines the priorities for 2004 which are i) Improving investments in Knowledge and growth, ii) Strengthening the competitiveness of European enterprises and iii) Promoting active aging. The document also examines the environmental concerns reflected in the Lisbon Strategy. Explanatory Memorandum available on request.</td>
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<tr>
<td>Environment and Rural Development</td>
<td>938</td>
<td>COM (2004) 166</td>
<td>Proposal for a Council regulation fixing the maximum annual fishing effort for certain fishing areas and fisheries.</td>
<td>May be of interest to this Committee and worth noting. Following consultation with the Member States, the Commission presents this proposal for a regulation fixing the maximum annual fishing effort for each Member State and for each area and fishery. Explanatory Memorandum available on request.</td>
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<td>COM (2004) 91</td>
<td>Proposals for a Decision of the European parliament and of the Council on establishing a multiannual Community programme on promoting safer use of the Internet and new online technologies.</td>
<td>May be of interest to this Committee and worth noting, in light of Margaret Mitchell MSP’s proposed Bill “Sexual Grooming of Children (Scotland)”. The paper outlines proposals for the safer use of the Internet and on restricted and monitoring harmful content. Explanatory Memorandum available on request.</td>
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### Sift of EC/EU legislative proposals and other documents

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<tr>
<td>Communities</td>
<td>937</td>
<td>COM(2004) 154</td>
<td>Communication from the Commission: Making citizenship work; fostering European culture and diversity through programmes for Youth, Culture, Audiovisual and Civic Participation</td>
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# Committee Relevancy: Next Meeting

**30-Mar-2004**

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| Education (to include young people) |        |          | **920** COM(2004) 152  
Interim report on the implementation of the second phase of the Leonardo da Vinci Programme (2000-2006)                                      |
|          |        |          | **921** COM(2004) 153  
Interim evaluation report on the results achieved and on the qualitative and quantitative aspects of the implementation of the second phase of the Community action programme in the field of education "Socrates" |
|          |        |          | **922** COM(2004) 157  
Report from the Commission to the Council on the interim evaluation of the third phase of the Tempus programme                                      |
|          |        |          | **923** COM(2004) 158  
Report from the Commission entitled "Interim evaluation of the Youth Programme 2000-2006 (covering the period 2000-2003)"                           |
|          |        |          | **930** com(2004) 156  
Communication from the Commission: The new generation of Community education and training programmes after 2006                                |
|          |        |          | **932** COM(2004) 175  
|          |        |          | **933** COM(2004) 176  
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<td>Enterprise and Culture (to include Lifelong Learning, Tourism)</td>
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<td>COM(2004) 152</td>
<td>Interim report on the implementation of the second phase of the Leonardo da Vinci Programme (2000-2006)</td>
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<td>921</td>
<td>COM(2004) 153</td>
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<td></td>
<td>939</td>
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<td>Amended proposal for a Regulation of the European parliament and of the Council on Shipments of Waste</td>
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<td>COM(2004) 150</td>
<td>Commission communication to the Council and the European parliament - Translating the Monterrey Consensus into practice: the contribution by the European Union</td>
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<td>Finance</td>
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<td>Preliminary draft amending budget No 4 to the budget for 2004</td>
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<td>Justice</td>
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<td>Council Decision concerning the appointment of the Head of Mission/Police Commissioner of the European Union Police Mission (EUPM)</td>
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<td>COM(2003) 595</td>
<td>Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the interpretation of Council Regulation (EEC) No 3577/92 applying on the principle of freedom to provide services to maritime transport within Member States (maritime cabotage)</td>
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