EUROPEAN AND EXTERNAL RELATIONS COMMITTEE

AGENDA

4th Meeting, 2003 (Session 2)

Tuesday 23 September 2003

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

1. Renationalising regional development funding: The Committee will discuss further its proposals for an ongoing review of the debate on the development of a new framework for regional development and the future of European structural funds.

2. The impact of the draft EU constitutional treaty on Scotland: The Committee will discuss proposals for civic participation events across Scotland and a short inquiry.

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—

   Forthcoming Councils

   Competitiveness (22-23 September)
   General Affairs and External Relations (29-30 September)
   Agriculture and Fisheries (29-30 September)
   Justice and Home Affairs (2-3 October)
   Economic and Financial Affairs (7 October)
   Transport, Telecommunications and Energy (9-10 October)
   General Affairs and External Relations (13-14 October)

4. Convener’s Report: The Convener will update the Committee on the—

   Initial proposals suggested as the priorities of the Irish Presidency of the EU (January to June 2004)
   Monthly report from the Clerk/Chief Executive and External Liaison Unit on the external relation activities of the Parliament.
   Developing relations between The Scottish Executive and the Nordic Council of Ministers
5. **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.

The following papers are attached for this meeting:

**Agenda Item 1**

BRIEFING PAPER: “Revised proposals for an ongoing review of the debate on the development of a new framework for regional development and the future of European structural funds” EU/S2/03/4/1

**Agenda Item 2**

BRIEFING PAPER: “The impact of the draft EU constitutional treaty on Scotland: proposals for civic engagement and a short inquiry” EU/S2/03/4/2

**Agenda Item 3**

BRIEFING PAPER: “Pre- and post-Council of the EU analysis and scrutiny” EU/S2/03/4/3

**Agenda Item 4**

Convener’s Report EU/S2/03/4/4

**Agenda Item 5**

Sift of EC/EU documents and draft legislative proposals EU/S2/03/4/5
Introduction

1 At its meeting of the 9 September 2003, the Committee considered a paper on the proposals for an ongoing review of the debate on the ‘renationalisation’ of regional development funding (see Annex A for an extract of the paper). It was agreed that more information should be sought on the matter before a decision should be made on how to approach the subject.

2 The specific information sought related to whether or not relevant departmental select committees in the House of Commons are, or were, set to undertake an inquiry into similar issues and, specifically, into the question of ‘renationalisation’ and the impact on regional development in Scotland and other parts of the UK.

3 The Clerk contacted his counterparts in the following select committees: Treasury, Trade and Industry and the Office of the Deputy Prime Minister. The information received is as follows:

   • The Trade and Industry Committee were not intending to look into this matter, although were looking into support to businesses through the Regional Development Agencies.

   • The Committee of the Office of the Deputy Prime Minister was also not looking specifically at this issue, but was just completing a look at regional disparities in England and Wales.

   • Finally, likewise, the Treasury Select Committee had no plans to look into this issue in detail, but was set to look more widely at regional spending’ although the exact terms of reference were yet to be decided.

4 In addition to the above information, on the 17 September, the UK Secretary of State for Trade and Industry made a statement in the House of Commons
on the proposed new framework for regional development. A copy of this is set out in Annex B.

5 This statement confirms that the subject matter is most definitely a live issue as far as the UK Government is concerned. It has agreed to look further into the subject matter and publish more information that the Committee could usefully take into account in any deliberations it chooses to have.

6 What this confirms is that the subject is an important one, that it is a continuing and live issue for the UK Government and the devolved governments, that no committee in the House of Commons is as yet looking into the subject area as part of an inquiry and that as yet, the other relevant Scottish Parliamentary committees are not proposing any activities at this stage.

Action requested

7 Members of the Committee are requested to consider the information received from the House of Commons (paragraph 3) and the DTI’s statement (Annex B) and to reconsider the revised proposals and options, with a view to their adoption at today’s meeting.

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ANNEX A

PROPOSALS AND OPTIONS

Background

On 5 March 2003, the UK Government published a consultation entitled, “A Modern Regional Policy for the United Kingdom”\(^1\). This paper sets out proposals for far-reaching changes to the current regime in Scotland covering the use of European structural funds and state aids. Such funds and aids are designed to tackle regional disparities, boost economic growth, reduce unemployment and address anomalies in the labour market (such as gender inequality). Over the period 2000-2006, Scotland is set to receive just over £1bn in structural funds, around 11% of all such funding across the UK.

The UK Government’s consultation paper comes as a timely contribution to the wider debate in the EU on how to tackle regional disparities, especially with the introduction of new, lagging economies in Central and Eastern Europe after enlargement. This enlargement is certain to lead to pressures to spend the broadly capped sums available for regional development elsewhere within the EU amongst the new poorer Member States and not in the relatively richer regions of the Union that used to benefit.

The final negotiations on the future EU policy on structural funds and state aids will not end until 2005 and so the debate has a very long way to run before the final decisions - which have to be by unanimity of the current and new Member States - are made.

The previous Committee launched a limited and rapid consultation exercise, primarily with Scottish local authorities (as some of the main beneficiaries of, and co-contributors to, structural fund expenditure). This took place in the last weeks of the previous parliamentary session.

Amongst the many issues raised, the central question of ‘renationalisation’ or ‘repatriation’ of funds is the most critical and the most controversial. In simple terms, the UK Government’s proposals, if adopted by the EU, would see Member States agree common principles for a new funding regime after 2006, but the delivery of regional policy would be substantially devolved and decentralised, and offer greater flexibility to Member States and regions. EU support, both financial and institutional, would be refocused on those poorest Member States that will benefit most from direct EU involvement (i.e. mostly Central, Eastern and Southern Europe).

For other Member States (including the UK), regional policy would be resourced domestically with greater freedom to deliver according to domestic priorities than under the current regime.

\(^1\) Published by the Department for Trade and Industry, HM Treasury and the Office of the Deputy Prime Minister.
The critical paragraph in the UK Government’s consultation document regarding this domestic resource allocation reads as follows, “If the [UK’s] Framework were agreed, we [the UK Government] would guarantee that, by increasing UK Government spending on regional policy, UK nations and regions receive a level of resources which ensures they do not lose out from the UK’s proposals on Structural Funds reform, for example from the transitional funding they would have automatically received from the application of the eligibility criteria to EU25 instead of EU15. We would commit to ensuring that nations and regions have sufficient resources to continue to be able to promote regional productivity and employment from increased domestic spending on regional policy, targeted on those areas of high unemployment and low GDP.”

The Scottish Executive has not yet produced a definitive public statement on the merits of this proposal as a contribution to the merits of this approach. However, the umbrella Scottish European Structural Funds Forum which it chairs did produce a statement that was sent to the UK Government. The key paragraph reads, “The Forum supports a central role for the EU in regional policy although would not be able to support the UK’s proposed EU Framework without further detailed discussion with UK Government officials on the precise implications of it. We endorse the recognition of the importance of subsidiarity in setting priority objectives for regional policy. Sufficient funding would need to be allocated to regional policy through appropriate financial instruments over the long term to ensure that the Framework objectives could be successfully implemented.”

In recent days, the UK DTI has published a statement on its position as a result of the consultation responses it received. This can be found at:

http://www.dti.gov.uk/europe/whatsnew.html

This mentions that the DTI hopes to have an initial policy response by early September 2003.

**Key questions**

The central questions, revised since the meeting of 9 September, are therefore:

1. What kinds of sums might be expected to be allocated to Scotland from 2007 onwards under the options for various types of new funding regimes for regional development?
2. What can these funds be spent on and what could a new funding and management regime look like?
3. How will the UK Government’s proposals for renationalisation of the funds ensure long-term funding (i.e. over 7 years) and how they would ensure their proposal meets the needs of the objectives set out in the Lisbon and Gothenburg agendas?
4. How can the UK Government ensure local flexibility in relation to Lisbon agenda, for example? How will this affect linking regional policy to other EU policy areas, such as rural development, fishing, competition etc?
What firm ‘guarantees’ would be available to protect the levels of funding, the funding objectives and the management regime in Scotland under either the kinds of options proposed by the UK Government in the DTI paper or, alternatively, the other regimes being discussed elsewhere in the EU and in the European Commission? Will monies be ring-fenced, i.e. what will the actual ‘bottom line’ be in terms of receipts from the various mechanisms proposed in the DTI paper?

What are the views of other Member States and the European Commission on the reform of the structural funds and on the type of framework being proposed by the UK Government?

Options for future work

The previous and current Committee has received extensive evidence and information from external bodies and individuals, most recently from local authorities and others.

The majority of the evidence received either expressed a fairly sceptical view of the UK Government’s proposals or a more openly hostile view. However, it is also recognised that the overall debate in the UK and in the EU is still ongoing and that many questions need answered in order to understand the UK Government’s position better. It is also unclear where the Scottish Executive itself stands on the central issue.

In a response to the UK Government’s consultation paper, this Committee has sent a letter to the UK Secretary of State for Trade and Industry expressing the following view:

“At this stage, we in the Committee do not necessarily reject nor endorse the mechanisms you outline in your paper. We consider that the UK Government’s consultation paper perhaps raises questions that need to be answered in terms of the detail of how the proposed framework would work, what levels of finance will be provided and for how long can this be guaranteed, what levels of finance could be provided using other methods of funding regional development etc.”

The Committee also asked that the DTI and HM Treasury to contribute to any ongoing work that the Members choose to undertake. In a response from the Rt. Hon Patricia Hewitt MP (14 July 2003), the DTI agreed that officials from this department and from HM Treasury would contribute to any future inquiry. The Secretary of State also stated she would welcome any further comments the Committee wished to make.

Given the level of commitments that the Committee has entered into (in principle), the fluid nature of the general debate and the extent of previous work and consultations in this subject, it is suggested that the Committee may wish not to launch a new, extensive parliamentary Inquiry but to consider other options. These would consist of:

- **Option 1:** a new, full parliamentary inquiry
• **Option 2**: appointing a reporter(s) to conduct inquiries on behalf of the Committee

• **Option 3**: launching a new, focused call for views limited to the central questions listed above. This would seek evidence from bodies beyond the local authority sector. These could be summarised by the Clerk and SPICe and a further discussion paper brought back to the Committee.

**It is recommended by the Convener that option 3 be chosen.** This would enable the Committee to seek the views of other bodies and individuals in Scotland, the UK and elsewhere in the EU, on the central questions raised above. A summation of this material would be brought back to the Committee for discussion. The Committee would then hold a **limited series** of evidence-taking sessions with the key decision-makers (e.g. Scottish Executive ministers, UK Government representatives (preferably ministers rather than officials only), leading academics, councils and European Commission representatives). The Committee would then publish its conclusions, report to Parliament and send these to the Executive, UK Government, European Commission and other interested parties.

This preferred option ensures the Committee continues to have a focused engagement with the subject matter as the debate pans out through 2003 and 2004, whilst freeing time for the Committee’s other proposed formal inquiries into external relations policy and its ongoing scrutiny tasks. It time it is suggested that the detailed scrutiny of structural funds becomes a matter for other committees of the Parliament, notably the Enterprise and Culture Committee, whose minister (Jim Wallace MSP) has this responsibility in his portfolio.

**Timetable**

It is suggested that if option 3 were agreed to, as recommended, then the Clerk would issue the call for views on behalf of the Committee on or around the beginning of October. A summation of views would then be produced probably by the end of the year. An evidence-taking session would be set up at a suitable committee meeting and a draft report produced shortly thereafter for discussion by the Committee.
ANNEX B

UK GOVERNMENT POSITION ON THE FUTURE OF EU REGIONAL POLICY – STATEMENT TO PARLIAMENT, 17 SEPTEMBER 2003

Introduction

The Government’s long-term economic goal is to achieve high and stable levels of growth and employment. Regional policy is at the heart of our efforts to achieve this goal - ensuring that every UK nation and region fulfils its economic potential, that all parts of the country share in rising prosperity, and that economic disparities between our nations and regions are identified and addressed.

In March, we put forward for consultation a proposal to reform the EU Structural and Cohesion Funds through the establishment of an EU Framework for Devolved Regional Policy. We argued that this offered the best way to reform EU regional policy so that it supported the domestic regional agenda and responded to the challenge of EU enlargement in a fair and sustainable way.

Since then, we have received almost three hundred written responses, and I would like to thank everyone who has taken the time to engage in the consultation, either in writing or through the consultation events that we have held throughout the UK. Our overall conclusion, in the light of the responses received, is that the Government’s proposed EU Framework for Devolved Regional Policy provides the best context in which to develop future arrangements for EU and UK regional policy, that it can be built on to address the key points raised during the consultation exercise, and therefore that it should form the basis of our negotiating position in Europe.

I am making this short statement today because I wanted to take an early opportunity to explain how the Government proposes to move forward in the light of the consultation. Further work, in consultation with key stakeholders, will now be set in hand to flesh out the details of our proposal and to respond to questions and concerns raised in the consultation. This will be the subject of a more detailed statement on the EU Framework and how we see it operating after the recess.

The outcome of the consultation

The proposals we put forward in the consultation were based on the following key objectives:

- We want an EU regional policy that fully supports, and adds value to, the ambitious devolution, decentralisation and regional development agenda already being pursued domestically.

- We want significantly simpler and more flexible implementation and monitoring arrangements, which are proportionate to the amount of funding available and which allow integration with other policies.
• We want EU regional policy actively to support the EU’s agenda set at Lisbon and elsewhere for higher productivity and employment and for developing human resources.

• While being in no doubt about the continued need for strong regional policy in all Member States, we believe that it is both fair, and the most effective use of funds, to concentrate the EU’s limited financial and administrative resources on the poorest Member States, where they will add most value.

• And we must also ensure that expenditure on EU regional policy, as with other elements of the EU budget, achieves a fair budgetary deal for the UK taxpayer.

The responses to the consultation are being published on the DTI website today. The vast majority of those who commented on the overall aims for reform of EU regional and cohesion policy supported these key objectives. On issues such as the need for increased flexibility, state aid reform, and reduced bureaucracy, the majority of respondents also agreed that these should be priorities for reform. Many also supported our view that, in the context of enlargement, current arrangements are unsustainable, and a number of respondents recognised that the UK cannot expect its current level of EU Structural Fund receipts to be maintained after 2006.

On our proposed EU Framework for Devolved Regional Policy, a small number of respondents expressed wholehearted support for the approach. Some others were firmly against it, and favoured an alternative approach in which Structural Funds would be retained in all Member States including the UK. But the great majority emphasised a desire for more information about the proposal and how it would operate in practice. The further work we are now setting in hand will respond to this.

More specifically, in consultation with others, we shall be working to provide further information on:

- the structure and content of the EU Framework and how it would operate at Member State and European levels;

- the ways in which the Framework would complement our domestic regional policy agenda;

- how the Government’s guarantee to increased domestic funding for regional policy would be met, in the event that the EU Framework approach is adopted, with more information on the scale and duration of the guarantee;

- possible delivery mechanisms for increased domestic funding, designed to ensure that the best aspects of Structural Funds are retained in a simpler and more streamlined system;

- the ways in which different domestic policy agendas, for example urban and rural regeneration and the need to continue to support activities in the National Action Plan for Employment, including priorities such as
employability, skills and social inclusion, would be incorporated in the new approach;

- the relationship of the EU Framework approach to developments in other European policy areas such as reform of the State Aid Regime, the Common Agricultural Policy and the European Employment Strategy.

In addition to this work, officials will need to consider separately what the proposed approach should be to future PEACE funding in Northern Ireland.

Conclusion

The Government remains fully signed up to the objectives for European regional policy we set out in March. We welcome the support we have received for these objectives, and continue to believe that the EU Framework approach provides the best way forward to address them. We have concluded that the responses to the consultation exercise provide a basis for building on the approach set out so far, on which further work will now be taken forward. In the meantime the approach will now form the basis of the Government’s position in forthcoming discussions and negotiations with our EU partners.

By responding to the challenge of enlargement, by focussing EU resources on the poorest Member States, by agreeing EU-wide objectives and giving European regions greater flexibility within that framework, I believe we can achieve an outcome that is best for the new Member States, for Europe, and for the nations and regions of the United Kingdom.
EUROPEAN AND EXTERNAL RELATIONS
COMMITTEE

BRIEFING PAPER

“The impact of the draft EU constitutional treaty on Scotland: proposals for civic engagement and a short inquiry”

Introduction

1 At its 2nd meeting 2003, the Committee considered the idea of engaging directly with a cross-section of the people of Scotland on the draft EU constitutional treaty.

2 The Clerk was asked to consider how such an engagement could take place and what the possible objectives might be. Some proposals are set out in this paper (see Annex A).

3 If Members are keen to take forward some of these ideas, it is important to recognise that time is limited. Any bids for civic participation funds require a few weeks to complete. Second, if the bids are successful, the organisation of the civic events will take some time to arrange. If the Committee is keen to undertake these events over the course of the intergovernmental conference (IGC), then it is important to note that the IGC commences in early October and may be completed by the end of the year. It may, however, continue to run into the early part of 2004, depending on the discussions that take place.

Action requested

4 Members of the Committee are requested to consider the proposed options set out in Annex A and, in light of the information above on IGC timetables, consider agreeing to the proposals at today’s meeting. The Convener recommends option 3 is chosen.

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PROPOSALS AND OPTIONS – ENGAGING WITH THE SCOTTISH PEOPLE ON THE DRAFT EU CONSTITUTIONAL TREATY

Background

Following the successful completion of the European Convention, a draft constitutional treaty for reform of the European Union (EU) has now been published. Depending on your view, this contains quite radical ideas for reform and/or is a substantial ‘tidying-up’ exercise, which revises the workings of the EU for years to come. The main provisions are:

- **legal personality** for the European Union, allowing it to sign international treaties in its own right;
- a **full time President** of the European Council;
- a **European Union Minister for Foreign Affairs**, who would chair the Foreign Affairs Council but also serve as a Vice President of the Commission;
- a separate **Legislative and General Affairs Council**;
- Presidencies of other **sectoral Councils** to last for periods of at least a year and rotate among all Member States equally;
- extension of **qualified majority voting** (QMV), except for a few politically sensitive areas such as taxation, social security and foreign policy;
- from 2009, the introduction of **double majority** voting, requiring assent from at least half of Member States representing at least 60% of the Union’s total population;
- membership of the **Commission** limited to 15, rotating among Member States equally, with further non-voting Commissioners;
- incorporation of the **Charter of Fundamental Rights** into the Constitutional Treaty;
- bringing provisions on **freedom, security and justice** into a common general legal framework according to the Community model, thus including for the first time police and judicial co-operation on criminal matters;
- provisions on **subsidiarity** which recognise the role of regional government;
- a fuller role for **national parliaments** through enhanced consultation;
- a new provision under which a minimum of **1 million EU citizens** could demand that the Commission bring forward a proposal on a specified issue.

On 9 September, the UK Government published a White Paper¹ setting out its views on the proposed constitutional treaty. On the same day, the Scottish Minister for Finance and Public Services, Andy Kerr MSP, appearing before the Committee gave Members his perspective on the treaty. During this meeting, the minister indicated his support for a ‘national debate’ in Scotland on the draft treaty.

The Committee has a long track record in considering the implications of the work of the Convention and the treaty on interests in Scotland. Since 2001, two major

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¹
inquiries have been undertaken, culminating in two well-received parliamentary reports.

For the second of these, a major civic event – the Scottish Parliamentary Convention on the Future of Europe – was held on the 16 September 2002, in order to gauge the mood and views of a cross-section of the populace on the prevailing debate at the time. This proved a very successful event.

Since then, the European Convention has reported and an intergovernmental conference (IGC) is set to start to consider the Convention’s draft treaty from October 2003. It is expected that the IGC will conclude before the end of the year or early next year.

Objectives of civic engagement and the short inquiry

The objectives of organising a series of activities/events with a cross-section of the Scottish people and the short inquiry are three-fold:

1. To enable the general public to attend a Scottish Parliament sponsored event in their area and to give their views on the provisions within the draft EU constitutional treaty.

2. To enable the Committee to organise a limited number of evidence-taking sessions with ministers (Scottish and UK) to hear their views on the impact of the draft treaty on Scotland.

3. To enable the Committee to reflect upon these views and to then produce a short inquiry report that can be sent to Scottish ministers, the UK Government and other interested parties.

These objectives are fully consistent with the Parliament’s principles of openness, transparency and the sharing of power. They are also fully consistent with previous Committee activities where it has been recognised by many that the Parliament very much set the pace within Scotland on the debate on the future reform of the EU. They are also consistent with the willingness of UK Ministers to inform this Committee on developments with the new treaty.

Initiatives in other Member States

Many other member states and regions are conducting similar activities. For example:

- The Finnish Parliament’s Grand Committee on the EU are organising daily public hearings on the EU

- In Belgium, the Confédération Européenne des Syndicats Indépendants (CESI) (trades union) is organising public meetings to discuss the draft Treaty.

- In Italy, the Regione Campania is organising a public forum.
• In Denmark, the Danish Parliament’s European Affairs Committee has been holding a number of public hearings to focus public debate on the reform of the EU.

• In Sweden, the Advisory Committee on EU Affairs in the Swedish Parliament has just organised a public hearing on the EU Convention’s work.

• In Poland, Ministers, politicians and the public will debate EU reform, enlargement and the treaty at a conference in September in Lodz.

• In Austria, a major conference on the constitution is planned for September.

• In Germany, MEPs, national politicians and academics will debate the outcome of the Convention at a conference in late September.

• In Ireland, the National Forum on Europe (consisting of members of the Oireachtas and those nominated by parties represented in the Oireachtas) is hosting a series of events to discuss the treaty and the IGC.

Options for civic engagement and a short inquiry

There are three options that Members may wish to consider:

Option 1: issue an open call for views and invite people to write in with what they think of the draft treaty, but do not arrange any events or evidence-taking sessions.

Option 2: organise in-house a series of (1-2hr) public meetings/hearings across Scotland on the draft treaty. Previous proposals suggested between three and five meetings/hearings.

Option 3: to undertake a similar initiative as option 2, but to contract a third-party such as the Scottish Civic Forum or others to arrange the public meetings/hearings and ensure a good turnout of the general public. Also, to issue an open call for evidence as per option 1. Furthermore, to take up the offer made by the Rt. Hon Peter Hain MP to the previous committee for UK Ministers to give evidence again to the Committee if it would prove helpful (Official Report, European Committee, Session 1, 5 November 2001, Col. 1290) and to hear too from Scottish Ministers at a limited number of evidence-taking sessions. This and the views expressed during the public hearings/meetings will inform the Committee’s inquiry report.

Recommendation

The Convener recommends that option 3 be chosen. If the Committee agrees, a bid for civic participation funds will be made and discussions with the Scottish Civic Forum concluded. The Civic Forum has agreed in principle its willingness to arrange these meetings/hearings.

The Clerk will then work with the contract organisation to arrange up to five public meetings/hearings across Scotland. The intention is that these will be quite formulaic and informal. Member(s) of the Committee would be asked to ‘host’ with
staff/volunteers of the contracted organisation organising the venue, invites and facilitating the event.

It is proposed that the locations of the public meetings/hearings might be: Edinburgh or Glasgow, North East, Ayrshire, Inverness and Stirling.

The intention would be to organise the public meetings/hearings throughout October and November. Each meeting would lead to a short note of the discussions and views. Towards the end of the series of public meetings/hearings and evidence-taking sessions, the Committee would consider the findings and produce a short committee report for agreement and distribution to interested parties.

The Clerk would also issue an open call for evidence on the basis of the main provisions of the draft treaty identified above. The Clerk would also make arrangements to invite Scottish and UK ministers to appear before the Committee to give evidence on the impact of the draft constitutional treaty.
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. The December Fisheries Council is a good example of this. It is here that the Committee may wish to have a final engagement with a minister prior to critical decisions being taken. It must be recognised that with QMV, it is not always a simply case of the UK delegation objecting to a final proposal that can prevent decisions being taken.

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.

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## SUMMARY TABLE OF CONVENER’S RECOMMENDATIONS

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<th>Council</th>
<th>Did Executive meet deadline for sending information?</th>
<th>Notes and recommendation</th>
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<tr>
<td><strong>Pre-Council scrutiny</strong></td>
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<tr>
<td>Competitiveness (22-23 September)</td>
<td>Yes</td>
<td>Ask the Executive to keep under review developments on the internal market strategy and its implications for the Scottish water industry.</td>
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<td>Ask the Executive if the G10 Medicines/Pharmaceuticals agenda item contains any provisions governing the use of generic medicines and, if so what implications this has for NHS bills but also for the ability of firms to conduct research.</td>
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<td>General Affairs and External Relations (29-30 September)</td>
<td>Yes</td>
<td>Note information</td>
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<td>Agriculture and Fisheries (29-30 September)</td>
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<td>Justice and Home Affairs (2-3 October)</td>
<td>Yes</td>
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<td>Economic and Financial Affairs (7 October)</td>
<td>Yes</td>
<td>Note information</td>
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<td>Transport, Telecommunications and Energy (9-10 October)</td>
<td>Yes</td>
<td>Congratulate the department on the excellent and informative information provided.</td>
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<td>Ask the Scottish Executive to share with parliamentary committees the material collated on the EU experience of the roll out of 3G telecommunications systems and the siting of masts.</td>
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<td>As the Executive to keep parliamentary committees informed on the progress of the minimum safety standards for HGVs in tunnels which may have implications for the Clyde Tunnel.</td>
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<td>General Affairs and External Relations (13-14 October)</td>
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<td><strong>Post-Council scrutiny</strong></td>
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<tr>
<td>There are no post-Council reports to cover this meeting</td>
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ARTICLED AGENDAS/REPORTS

Competitiveness (22-23 September)

HORIZONTAL ISSUES

1. Internal Market Strategy 2003-2006
   - Council Conclusions
The Internal Market Strategy represents a comprehensive package of actions designed to improve the performance of the Internal Market in an enlarged Europe. An informal Ministerial meeting in July 2003 allowed for an open exchange of views on key policy issues related to Internal Market. Ministers agreed that the Internal Market Strategy 2003-2006 provides a good basis for action and they underlined the following priorities:
   • to remove remaining barriers to the proper functioning of the Internal Market;
   • to speed up the adoption and implementation of Internal Market measures which are critical to improving Europe’s competitiveness;
   • to adopt and implement the legislative package on public procurement as soon as possible and ensure that rules are effectively applied;
   • to achieve a true Internal Market for services;
   • to endure the early adoption of the proposal on recognition of professional qualifications;
     to achieve fully integrated financial markets through rapid implementation of the Financial Services Action Plan, including for takeover bids;
   • and to strengthen the protection of intellectual property rights, inter alia through the creation of a Community Patent, the adoption of the proposal on computer-implemented inventions and effective fight against counterfeiting and piracy.

INDIVIDUAL POLICY FILES

2. (poss.) Directive on takeover bids
   - General approach/Political agreement
This is a reserved issue.

Aiming for the adoption of the proposal for a directive on takeover bids for companies quoted on the regulated markets with the aim of creating a single legislative framework at community level for cross border takeover bids.

3. (poss.) Community patent
   - Regulation on Community patent
     - Political agreement
   - Decision on jurisdictional aspects
     - General approach/Political agreement

The Community are attempting to reach agreement on a harmonised Community patent to be recognised in all member states. The current position makes it difficult for individuals to take out patents to protect their intellectual property in all member states due to the cumbersome bureaucracy and cost of ensuring compliance with the demands of the different states. The main problems relate to the demands of certain states on translation into different languages
and the jurisdiction of the Community over the standards demanded by individual states. The Community is gradually advancing towards agreement but it has been a long and tortuous process and there is no guarantee of when a consensus might be reached. Regulation of intellectual property and particularly patents is a reserved matter and the UK position is led by the Patent Office. Scottish Executive officials are kept in touch with developments.

4. Rights of citizens of the Union and their family members to move and reside freely within the territory of the Member States

   – (poss.) Political agreement

This is a reserved matter.

At present, the right of Union citizens to enter and reside in Member States is governed by two regulations and nine directives. With this proposal, the Commission seeks to merge all the legislation into a single instrument so as to make it easier for people to exercise their rights. The Commission also sets out to reduce to the bare minimum the formalities which Union citizens and their families must complete in order to exercise their right of residence. This proposal is designed to regulate; the conditions in which Union citizens and their families exercise their right to move and reside freely within the Member States; the right of permanent residence; restrictions on the aforementioned rights on grounds of public policy, public security or public health.

The provisions of this Directive shall not affect any laws, regulations or administrative provisions laid down by a Member State which would be more favourable to the persons covered by this Directive.

5. (poss.) Directive on the patentability of computer implemented inventions

   – Political agreement

See 3 above, this is a reserved matter.

6. Communication on European contract law

   – Adoption of a Council resolution

This Communication is about creating a more coherent European Contract Law. Staff in the Executive’s Justice Department keep an eye on proceedings to try and ensure that the principles of Scots Law are not interfered with.


   – (poss.) Adoption

This proposal, which has been under discussion for nearly two years and is nearing completion of its second reading in the European Parliament, would:

- Make it compulsory to list certain specified allergens whenever they are used in foods, including alcoholic drinks;
- Remove the “25% rule” ingredient listing exemption; and
- Introduce certain derogations aimed at making sure these changes can be implemented in a practical manner.

There is no specific Scottish interest on this issue as the amendment will impact equally across the whole of the UK.

This proposal for a 5th amendment to Directive 95/2/EC has had its first Reading in the European Parliament and a text was agreed. The text will be referred to Council in September as an ‘A’ point. The proposal will:

- Update Directive 95/2/EC to take account of recent technological developments in additive use and decisions by the Scientific Committee on Food;
- Amend the existing “stabilisers” food additive category to include binding agents; and
- Harmonise controls on the use of additives required for the storage and use of flavourings.

There is no specific Scottish interest on this issue as the amendment will impact equally across the whole of the UK.

9. Modification of the specific Research and Development programme "Integrating and Strengthening the European Research Area" (Bioethics and stem cell research – establishment of detailed implementation provisions)

As part of the European Sixth Framework Programme on Research and Development, “Integrating and Strengthening the European Research Area” is seen as a key element in developing a knowledge-based economy in Europe. The Executive, in conjunction with Scottish Enterprise and the Innovation Relay Centre network, has been promoting the 6th Framework Programme to Scotland’s science base and companies, particularly SME’s. The Scottish Proposal Assistance Fund helps companies and universities to buy in the expertise to be able to submit well-written proposals which stand an increased chance of winning approval for funding from the Programme. Biotechnology is one of the key thematic priorities in the Programme and Scotland is well placed to benefit due to our internationally recognised strengths in the area. The proposal on bioethics and stem cell research – the establishment of detailed implementation provisions - emerged on the 10 July. This is of particular significance to Scotland. Under the plan, stem cells used in EU research projects must come from spare embryos created for in vitro fertilisation (IVF) purposes before the adoption of the Sixth Framework Programme. The EU will not fund this type of research in Member States such as Germany where it is illegal. By the end of 2003, we expect the Council to reach Common Position on the principles to be followed in the financing of projects. Scotland has a strong presence in this field.

10. Action Plan on 3% objective "more research for Europe"

As part of the agenda from the Lisbon conference, the Community committed itself to reaching a target for all member states of R & D being 3% of GDP by 2010 The latest available figure for the UK is 1.88% for 2001. The Smart, Successful Scotland strategy has emphasised the crucial importance of R&D in helping create a knowledge-based economy in Scotland. The Executive is committed to increasing our contribution to promoting research and development. Over £80M of additional funding has been committed since 1999 through a variety of initiatives to support commercialisation of research, including:
- **SEn Proof of Concept Fund** (£33M made available over 6 years)
- **SHEFC Knowledge Transfer Grant** (£6M p.a. from 2001)
- **Scottish Co-investment Fund** (£20M over 3 years from 2002)
- **Scottish Institute for Enterprise** (£6M - one-off funding through DTI competition)

The HE-BI survey 2003 of UK University commercialisation reported that two-thirds of Scottish HEIs regard tech transfer as a key contributor to economic development, twice as high as UK as a whole; Scottish HEIs contributed 14% of UK spin-outs; 11% of new University patents; 15% of licences granted; and most Scottish universities have commercialisation offices.

Business Expenditure on R & D (BERD) is lower in Scotland than in the UK which is in turn lower than our OECD counterparts. The Executive is currently carrying out a study into how business decides to invest in R & D as a contribution to developing policy in this area. Scottish Enterprise’s initiative in establishing 3 Intermediary Technology Institutes (ITI’s) is committing £450 million over 10 years to improve the number of high-growth, technology-based companies in Scotland and to licence new technology to existing, Scottish-based companies.

11. **ESA/EC framework agreement**
   - Exchange of views
   - (poss.) Conclusions

12. **ITER**
   - Progress report
   - (poss.) Council conclusions

International Thermonuclear Experimental Reactor (Nuclear fusion energy research project). There will be discussion of views on the European candidate site for ITER and possible adoption of Council conclusions which will in particular nominate the European candidate site.

13. **G10 Medicines/Pharmaceuticals**
   - Presentation of Communication
   - Exchange of views
   - Council Conclusions

This Communication was produced by the European Commission in response to the Report of the High Level group on Innovation and Provision of Medicines (G10). The Report contained 14 recommendations covering a wide range of competitiveness and health issues relating to the pharmaceutical sector. At its meeting in April 2003 the Group agreed to continue to operate until 2004 to monitor progress on the implementation of their recommendations. The Communication will be discussed at an informal meeting of the European Health Ministers in Milan early in September to prepare the ground for conclusions of the Competitiveness and Health Councils.

The Chief Pharmaceutical Officer in the Scottish Executive is taking a close interest in the G10 initiatives and is in touch with Department of Health officials who are involved in this work.
14. (poss.) Biotechnology: State of play of implementation of Strategy and Roadmap

− Exchange of views
− Council conclusions

The Commission (supported by the UK and others) lobbied for the report to be discussed at Council. It is important that the momentum built up over the last year is maintained. Implementation of the Strategy and Action Plan is not seen as a priority in all Member States. To avoid controversial debate on bioethics and GMOs. The Strategy is concerned with the competitiveness of the biotech industry – not social issues. The UK has welcomed the Commission’s report as a step towards implementation of the Strategy for Life Sciences and Biotechnology. It is important that areas of common interest on how to move ahead with priorities are clearly identified and the momentum built up over the last year is not lost.

Europe has to be competitive on a global scale as a market for biotech products and investment. There is a need for the sector to consolidate and move from scattering funds to creating a knowledge-based industry.

The UK believes that it is essential that this global industry has a stable regulatory environment that will encourage innovation and investment. It is also important that biotechnology has broad public support to enable the sector to flourish.

15. Proposal for Chemical products package

− Presentation by the Commission of the results of the public consultation
− Exchange of views on the Commission proposal

This will be an opportunity for the Commission to analyse key themes from the 7000 responses it has received to its consultation on a draft proposal for a New EC Chemicals Strategy. The Executive has been taking a close interest in development of these proposals, due to the significant manufacturing presence of the chemicals industry in Scotland. The Executive drew the attention of key Scottish stakeholders to the consultation, and contributed to a UK response to the Commission, which stressed the need for a streamlined, efficient and workable system that both protects the environment and avoids stifling innovation and competitiveness. The Council can be expected to debate whether the consultation responses indicate that the Commission has struck the right balance between these objectives and what changes might be desirable to address points raised by consultees. The Commission is expected to table formal proposals in the Autumn.

16. Proposal for a Directive on pedestrian protection

− General approach/Political agreement

This proposal aims to reduce the number of deaths and injuries that occur in accidents involving pedestrians and cyclists, through changes to the front of passenger cars and light vans of less than 2.5 tonnes.

In order to comply with the proposed limit values, motor vehicles (cars and light vans) will have to pass a number of tests:

• from 1 October 2005 new types of vehicles must comply with two tests (protection of the head and legs);
from 1 September 2010 four stricter tests will be required for new types of vehicles;
within the five following years, all new vehicles will have to comply with these test requirements.

17. **Communication on the new approach**

   – **Council conclusions**

This is about New Approach to Technical Harmonisation and Standards. The Communication is the first across the board review on important horizontal aspects since the New Approach was launched in 1985 and put into practice in 1990.

It is a wholly reserved area.
General Affairs and External Relations (29-30 September)

Session on General Affairs

1. Progress of work in other Council configurations
   *This is a standard item to discuss in general terms other business in other Councils.*

2. Intergovernmental Conference: decision pursuant to Article 48 of the Treaty
   *Article 48 is the legal base for the convening of the Inter Governmental Conference.*

3. Preparation of European Council (16/17 October)
   – *Annotated Draft Agenda*
   *This will discuss in broad terms the October European Council meeting in Brussels.*

4. Statute of members of the European Parliament

5. (poss.) Statute and financing of European political parties

Session on External Relations

1. Western Balkans

2. Iraq

3. Middle East

4. EU–Canada relations

5. (poss.) Preparation of the EU–Ukraine Summit (2 October)

6. ESDP

7. Non proliferation of weapons of mass destruction

8. (poss.) Sanctions: general debate

9. (poss.) Relations with Switzerland

*These items will involve general discussions on:*
- *The relations between the EU and various countries, and;*
- *General EU foreign or defence policy.*
• Possible "A" items
  – CME 04: exercise specifications
  – Council Decision implementing the Joint Action on the continuation of an EU cooperation programme for non-proliferation and disarmament in the Russian Federation
  – Preparation of the 5th EU–Azerbaijan Cooperation Council: adoption of the EU position
  – Preparation of the 5th EU–Armenia Cooperation Council: adoption of the EU position
  – Preparation of the 5th EU–Georgia Cooperation Council: adoption of the EU position
  – (poss.) Council Decision on the conclusion of the EU–Pakistan Cooperation Agreement
  – (poss.) Commission communication on EU policy towards China: Council conclusions

The GAERC often will be asked to endorse decisions made in other Council formations. These are known as A points.

**In the margins of the Council**

– Cooperation Council with Azerbaijan
– Cooperation Council with Armenia
– Cooperation Council with Georgia
Agriculture and Fisheries (29-30 September)

**Fisheries**

No Fisheries items are expected on the agenda for this meeting.

**Agriculture**

**Common Agricultural Policy Reform Package**

Discussion and possible agreement on some of the detailed legislative texts required to implement the CAP reform package which was agreed in June 2003. Texts are currently being developed through the Special Committee for Agriculture.

*The CAP reform package agreed by EU Agriculture Ministers in June 2003 has been generally welcomed by Scottish Ministers and by the farming industry as providing a much better deal than had initially looked likely. Discussions on the detailed rules for implementation of the CAP package are likely to occupy much of this Council’s work over the next few months at least.*

**Animal Health and Welfare**

Expected formal adoption of the EU Foot and Mouth Disease Directive. This has already been fully addressed by the Council and is compatible with the Executive’s own Foot and Mouth Contingency Plan.

**World Trade Organisation talks in Cancun**

Possible report on outcome of WTO negotiations on agricultural trade due to take place in Cancun between 10-14 September. No decisions expected until later in the WTO process.
Justice and Home Affairs (2-3 October)

Follow up to Thessaloniki:
- On the development of a common policy on legal and illegal immigration, smuggling and trafficking of human beings, external border and the return of illegal residents

Reserved to UK Government.


Reserved to UK Government. Only direct SE interest in this directive is in the provision of legal aid to asylum seekers.

Proposal for a Council Directive on the short-term residence permit issued to victims of action to facilitate illegal immigration or trafficking in human beings who cooperate with the competent authorities

Proposal for a Council Directive on assistance in cases of transit for the purposes of removal by land


Proposal for a Council Directive on the qualification and status of third-country nationals and stateless persons as refugees or as a person who otherwise need international protection

Proposal for a Council Regulation on the creation of an Immigration Liaison Officers (ILO) network


Recommendation on a Code of Conduct on Joint Investigation Teams

There are no distinctly Scottish aspects to this Recommendation which is a reserved matter. The proposal was introduced by the Italian Presidency. Its main aim is to produce an operational manual for the Counter-Terrorist Joint Investigation Teams (CT JITS). The operational manual will set out legal provisions relevant to the work of CT JITS in each Member State and Accession country. The UK Government has been broadly supportive of this proposal, but has emphasised the need for any procedures governing the work of CT JITS (including and MoU) to be flexible and at the discretion of the countries participating in the Teams.
Proposal for a Council Resolution on the exchange of personal data in the framework of re-establishment of internal border control on the occasion of European Councils or similar events.

*It is unclear whether this item will be on the final agenda.*

Proposal for a Council Decision on the exchange of lists of hooligans and adoption of common rules to prohibit the admittance to sport installations to persons who have been responsible for violent acts

*It is unlikely that this item will be on the final agenda. Co-operation on this dossier is at an advanced stage and a number of Member States already have binding instruments for identifying and dealing with violent offenders.*

Proposal for a Council Resolution on drug related undercover operations and controlled deliveries

*It is unlikely that this will be on the final agenda.*

Proposal for a Council Decision or Conclusions on Europol participation to the start and development of national inquiries

Proposal for a Council Decision or Conclusions on the exchange of information between Europol and Member States

*It is unlikely that these items will be on the final agenda. Europol is the EU’s response to the threat of organised crime, and is designed to facilitate the rapid and secure exchange of intelligence on organised crime between all Member States. Europol initiatives have been the subject of successive Presidencies. Through these initiatives, the Italian Presidency is keen to see Europol meet its full potential and take on a central driving role in EU action against organised crime. This is very much in line with the UK’s ambitions for the development of Europol. Positive impact for Scotland – and the rest of the UK- through improved law enforcement co-operation and support from Europol.*

Proposal for a Council Regulation on Parental Responsibility

*This item has been under discussion since July 2000. Agreement has been reached on the issue of children wrongfully removed or retained by a family member. The objectives of both Scotland and the UK have been achieved, in that the regulation will complement rather than replace the existing Hague Convention on International Parental Child Abduction. Negotiations are now proceeding on the aspects of these proposals relating to jurisdiction and co-operation. At the time of drafting this report Working Group discussions were under way in Brussels.*

Decision authorising the European Community to sign the Protocol on civil liability and compensation for damage caused by the transboundary effects of industrial accidents in transboundary water

*It is unlikely that this will be on the final agenda. The proposal emerged from DG Environment in June 2003.*
Initiative for a Council Framework Decision on the execution of confiscation orders: political agreement

First tabled by the Danish Presidency on 14 June 2002, and is part of the programme of measures to implement the principle of mutual recognition of decisions within the EU in Criminal matters. The central principle is to facilitate the confiscation of crime from convicted offenders. If implemented, mutual recognition of confiscation orders would be a devolved matter. The UK, including Scotland, already has well-developed procedures with regard to the confiscation of the proceeds of crime, as provided by the Proceeds of Crime Act 2002.

Agreement between Eurojust and Europol: approval

Unlikely to be on the final agenda.

Millennium strategy on organised crime: periodical report

The Millennium Strategy on Organised Crime concerns measures and steps taken with regard to the implementation of the recommendations of the European Union Strategy for the Beginning of the New Millennium on Prevention and Control of Organised Crime. The Strategy includes guidelines and detailed recommendations, each attributed as appropriate to the Member States, the Council, the Commission, Europol and the European Judicial Network. The UK attaches priority to adherence to the strategy, which has its aim to combat organised crime and uphold the provisions of the Treaty of Amsterdam on an area of freedom, security and justice in the Tampere conclusions.

Proposal for a Common Position relating to the notification to the Council of Europe of implementation of European Arrest Warrant by Member States

A reserved issue. The Presidency objective is to seek agreement on a Spanish proposal that by January 2004 Member States will notify the Secretary General of the fact that they will no longer be operating the European Convention on Extradition as between themselves. This will be as a consequence of implementation of the European Arrest Warrant.
Economic and Financial Affairs (7 October)

1. Financial Services: Although Financial Services are generally a reserved matter, the EU has been pursuing its Financial Services Action Plan with vigour since 2000 (29 of 42 actions have been enacted).

2. Investment Services Directive
   Political Agreement (Common Position)

   Political agreement at this stage would be helpful for the UK, the proposal will then have another EP reading and could be adopted by Spring 2004, before EP elections. The Scottish financial services sector should be as aware of the implications of most of these actions as much as the rest of the UK. The UK is generally in favour of the ISD's provisions, which include setting out conduct of business rules with professional investors, agreement on the definition of a profession investor, and rules for cross-border investments.

3. EIB external mandate and Guarantee Fund
   Presentation of the Commission proposal and orientation debate.

   Discussion of proposed changes to the way the EIB operates its Guarantee Fund. Of some interest to Scotland as EIB has been active in providing loans to certain sectors.

3. Taxation:
   VAT:
   – Reduced rates
   Political Agreement –

   This is the Commission's ad hoc report to the Council reviewing the field of application of the reduced rates of VAT and, if appropriate, suggesting modifications. The UK will resist proposals to reduce the VAT rate on restaurant services.

   - Travel Agencies

   Orientation debate
   Communication on VAT strategy

   Presentation by the Commission - The Commission has proposed a new strategy to bring about a pragmatic improvement in the VAT system. Its aim is to simplify and modernise the present VAT arrangements, standardise implementing rules in the Member States and ensure closer administrative cooperation between them to combat fraud. If this proposes any cross-EU harmonisation the UK will strongly resist it.

4. Action for Growth and Trans-European Networks
   Interim Report

   This will be an analysis of the economic impacts of Trans-European Network funding in areas like energy and transport
Transport, Telecommunications and Energy (9-10 October)

TELECOMMUNICATIONS

1. Situation of the electronic communications sector
   − Exchange of views (3G mobile, broadband, Commission report on the implementation of the telecom-package)

Regulation of telecommunications is reserved to DTI and OFTEL. However, matters such as planning and economic development, which affect the rollout of technologies such as 3G, are devolved to the Executive. For example, the rollout of 3G in Scotland has been hampered in some areas due to local authority moratoria on the siting of masts on their land. The Executive would be keen to know how coverage is progressing across Europe and whether there are any public sector interventions planned.

On broadband, the Executive has developed its own strategy, based on demand stimulation measures, that aim to increase coverage from 63% to 70% or over of the population by March 2004. The Executive was advised earlier this year that a direct supply-side intervention might breach state aids regulations but are currently considering whether the outcome of the recent Altmark decision has shed more light on this position.

   − Political agreement/Common position

This is DTI and Home Office led. The Executive will follow the UK line.

3. World Radiocommunications Conference 2003 and spectrum frequency commerce
   − Exchange of views on the Report/Communication of the Commission

This is DTI/Radiocommunications Agency led.

4. Communication on Digital Switchover
   − Council conclusions

This is DTI and DCMS led. The Executive are currently considering whether there are implications for Scotland.

5. Communication on open platforms
   − Council conclusions

INFORMATION SOCIETY

6. e-Government
   − Council conclusions

The 21st Century Government Unit has lead responsibility for promotion of e-government in the Scottish public sector. The Minister will wish to note:
The Executive, its Agencies and NDPBs have identified over 500 public services for which we are responsible. Of these 83% were available online to some degree as at March 2003.

At the same time, Local Authorities reported that 79% of their services were online to some degree.

Both are measured using the eEurope 4-stage classification (information available online, 1-way interaction, 2-way interaction, full transaction).

The Executive, through its Modernising Government Fund, is supporting the public sector to modernise its services. Projects include the Citizen’s Account and smartcard, eCare and National Land & Property project.

The 21st Century Government Unit is also funding a short pilot study, expected to go live later this year, to assess the value of interactive Digital TV as a medium for delivering public services. This will run in partnership with West Lothian and Dumfries & Galloway Councils, NHS Health Scotland, YoungScot and StartHere.

   – Political agreement

   – Adoption

9. World Summit on Information Society (WSIS)
   – Exchange of views

10. Information society and European Structural Funds
    – Exchange of views
    • All five European Structural Fund Programmes across Scotland have ‘Information Society’ as one of their ‘horizontal themes’ which means it is a consideration across all activity in the Programmes.
    • In practice this means that all project applications must state what they plan to do in relation to information society and the applications are scored against this. Projects are also evaluated against this theme too.

11. (poss.) e-Content Plus of Safer Use of Internet II Programmes
    – Exchange of views
TRANSPORT

HORIZONTAL ISSUES

1. (poss.) Trans European Mediterranean Networks (TEMNs) in Transport
   – Council conclusions

2. GALILEO – Proposal concerning the surveillance structures of GALILEO System Undertaking
   – Progress report/(poss.) Political agreement

This is a reserved matter.

SHIPPING

   – General approach/Political agreement

The Regulation is the first stage of the Commission’s strategy for maritime security. Its primary purpose is to ensure consistent and timely implementation across the EU of the new maritime and port facility security regime agreed for international ships and port facilities last December in the International Maritime Organisation (IMO). The intention is that the Regulation be adopted quickly so as not to prejudice implementation by the IMO deadline of 1 July 2004.

4. Proposal for a Directive on ship-source pollution and on the introduction of sanctions, including criminal sanctions, for pollution offences (LA)
   – General approach/Political agreement

Following the sinking of the oil tanker ‘Prestige’ off the north-west coast of Spain in November 2002, the Council of Ministers indicated that it welcomed the Commission’s intention of producing a proposal which would apply sanctions to those responsible, through grossly negligent behaviour, for causing or contributing to pollution of the environment by shipping. The Directive seeks to apply the requirements of the main international convention dealing with prevention of marine pollution from ships (commonly known as the MARPOL Convention) in a harmonised way.

5. (poss.) Proposal for a Directive on intermodal loading units
   – General approach/Political agreement

The Commission issued on 9 April 2003 a proposal for a Directive on Intermodal Loading Units. The proposal has been presented as part of the Community’s efforts to propose sustainable solutions to transport problems in order to reduce congestion and, in particular, road congestion.

As the different intermodal operators still focus almost exclusively on their own part of the transport chain the Intermodal Loading Units (ILU) used suffer from a lack of harmonisation. Thus with a view to making the use of new ILUs more efficient and safer the proposed Directive aims to harmonise loading units within certain standards, establishing
procedures for conformity assessment and periodic inspection and creating a European Intermodal Loading Unit (EILU). The use of the EILU will not be compulsory.

In previous discussions a number of countries’ delegations have welcomed the proposal, in particular, as an initiative aimed at promotion of short sea shipping as a significant contribution to stimulating modal shift. However, some other countries’ representatives expressed doubts as to the advisability of the proposal given the international character of the shipping sector and consequently that specific European standards for containers, which may not be compatible with international standards, could be questioned. Neither was it clear whether this proposal and in particular the creation of a new type of loading unit, corresponded to a demand by the industry and how the acceptance by the market could be ensured.

The proposed Directive is therefore still being debated but the Commission believe that a political signal is needed to promote modal shift as the industry has until now only followed a voluntary approach. The Commission have explained that the objective of the Directive would be to bring the characteristics of the various types of loading units into line with international standards. It considered that a modification to an existing Directive was the wrong way of achieving this alignment.

**AVIATION**

6. **External relations in the aviation sector**
   – Proposal for a Regulation of the European Parliament and of the Council on the negotiation and implementation of air service agreements between Member States and third countries
     – Political agreement/Adoptio

Reserved. Agreement reached at the June Transport Council on the proposed Regulation on negotiation and implementation of air service agreements with 3rd countries. Further stages to be completed on the Regulation. Adoption expected at the October Transport Council.

7. **(poss.) Proposal for a Regulation of the European Parliament and of the Council on insurance requirements for air carriers and aircraft operators**
   – Political agreement

Reserved. A progress report was given at the June Transport Council. Proposal modified in July. The UK is keen to agree levels of insurance that are broadly in line with existing UK statutory requirements and to avoid imposing an unnecessary burden on aircraft operators. Expected to be completed under the Italian Presidency.

   – Adoption

Reserved. **THIS ITEM HAS NOW BEEN DROPPED FROM THE AGENDA.** It related to a technical amendment connected with the “use-it-or-lose-it” rules, and not a fundamental proposal with impact on regional services.
On the Slots Regulation itself, the Executive is keeping in close contact with DfT on the proposed changes to the Regulation. The current dialogue between the Executive and DfT on the forthcoming UK White Paper is more pressing than the revision to the Slots Regulation as the White Paper will be issued in December this year and DfT’s approach to the Regulation will largely be governed by the position adopted in the White Paper.

9. (poss.) Proposal for a Regulation of the European Parliament and of the Council concerning protection against subsidisation and unfair pricing practices in the supply of airline services from countries not members of the European Community
   – Political agreement

Reserved. The proposed Regulation would allow duties – including restrictions on take-off or landing rights – to be imposed on products offered by non-EU airlines found to be involved in unfair pricing practices based on government subsidies or other market distorting mechanisms detrimental to EU carriers operating on the same routes, including state-controlled third-country airlines enjoying subsidies in kind. The UK is not opposed but believes that the Regulation would be difficult to apply in practice. Likely to be completed under the Italian Presidency. Political agreement planned for the October Transport Council.

LAND TRANSPORT

10. Proposal for a Directive on minimum safety requirements for tunnels in the Trans-European Road Network
    – Political agreement

The Council considers the Directive in October. UK Ministers have not yet referred this to the Westminster Scrutiny Committee. As a result the UK will not have a Parliamentary remit and will therefore be constrained from voting at the Council. The European Commission is seeking political agreement of this Directive, and although generally supportive, the UK is keen to remove 2 safety requirements, namely for emptying supplementary fuel tanks in HGVs before entering tunnels and imposing distance controls between vehicles. The UK has negotiated removal of the first, and alternative proposals to cover the second have been submitted. There are 7 tunnels in the UK which fall within the scope of the Directive but these are in England and Wales. Pressure might be brought to apply the same standards to tunnels not on the TERN, which would affect the Clyde Tunnel. This would have cost implications for City of Glasgow Council as the responsible authority.

11. (poss.) Proposal for a Directive on the charging of the use of road infrastructure
    – Policy debate

Member States are increasingly introducing systems of infrastructure charging which passes on to users the costs associated with road use. The Commission believes that isolated national initiatives could compromise the smooth functioning of the single market. In July, the Commission thus proposed improvements to the framework for national road use fees based on common principles. (This is an amendment to the so-called Eurovignette Directive, which covers vehicles of 12 tonnes, and above). The proposed system covers all lorries exceeding 3.5 tonnes used for goods transport. It covers the trans-European road network
(TERN) and any other road to which traffic might be diverted from the TERN. Member States would be free to apply tolls to roads not covered by the proposal. The objectives are to: pass on costs more accurately; improve the quality of service; and to allow the cross financing of infrastructure construction in sensitive areas. The proposal is not about the level or introduction of charges, but rather the structure of charges and the manner in which they are applied. The proposal is compatible with the UK scheme to introduce lorry road user charging in 2006. Scotland has routes in the TERN.

   – General approach/Political agreement

The Community proposes to introduce a Directive to require interoperability of electronic tolling systems on a Community wide basis. These systems would cover road, tunnel and bridge tolls as well as local congestion charging schemes. In the UK, Department for Transport (DfT) is examining this and has the lead for technology matters. Scottish Executive officials have had initial discussions with DfT and toll operators in Scotland on the issues raised. Toll operators, including Forth Estuary Transport Authority (for Forth Road Bridge) and Tay Road Bridge Joint Board, are jointly looking to introduce interoperability in their own systems across Britain, and possibly Republic of Ireland. DfT is currently consulting on this proposed Directive, and the SE will be responding.

13. (poss.) Proposal for a Directive on a transparent system of harmonised rules for restrictions on heavy goods vehicles involved in international transport on designated roads
   – Policy debate/General approach

There is at present no Community legislation on driving restrictions for heavy goods vehicles involved in international transport. Given the proliferation of restrictions and the possibility that Member States could introduce additional restrictions at any time, several countries have asked the Commission to present a proposal which limits as far as possible the negative effects of driving restrictions for international transport operations whilst respecting the competence of the Member States to manage national and local traffic as effectively as possible.

It was on this basis that in 1998 the Commission adopted a proposal for a Directive on a transparent system of harmonised rules for restrictions on heavy goods vehicles involved in international transport on designated roads. The proposal for a Directive would involve establishing a transparent system of harmonised rules and information concerning driving restrictions to be applied during certain periods to heavy goods vehicles undertaking international transport on the TENS network. Basically Member States would be allowed to impose driving restrictions for all HGVs at certain periods during the day and night.

In July last year the European Parliament approved the main elements of the Commission’s proposal subject to a number of amendments. However, in the Council, the proposal has been considered only once in the course of a general debate. As the Minister will be aware, the licensing and regulation of HGVs is a reserved matter.
General Affairs and External Relations (13-14 October)

Session on General Affairs

1. Progress of work in other Council configuration

This is a standard item to discuss in general terms other business in other Councils.

2. Preparation of the European Council in Brussels (16/17 October)
   – Annotated Draft Agenda

Article 48 is the legal base for the convening of the Inter Governmental Conference.

3. (poss.) Enlargement: preparation of the next Accession Conferences with Bulgaria and Romania

4. (poss.) Intergovernmental Conference

The GAERC will have general discussions on these issues.

Session on External Relations

1. Western Balkans

2. Iraq

3. Middle East

4. Northern Dimension

The Northern Dimension is a group that was set up by Finland to represent the interests of Northern European countries.

5. Preparation of the EU–Russia Summit (6 November)

6. Preparation of the EU-China Summit (27 October)

7. European Security Strategy

8. ESDP
   – (poss.) Evaluation of ongoing or possible new operations
   – Launching of negotiations with the UN on cooperation in crisis management

9. (poss.) Follow-up of the Fifth WTO Ministerial Conference (Cancun, Mexico)

These items will involve general discussions on:
- The relations between the EU and various countries, and;
- General EU foreign or defence policy.
Possible "A" items

- Preparation of the 4th EU–Tunisia Association Council: adoption of the EU position
- Preparation of the 20th EEA Council: adoption of the EU position
- Rwanda: review of the Common Position
- ESDP: civilian crisis management (stock–taking and mandate for next steps)
- ESDP: cooperation with the OSCE and the Council of Europe in crisis management (poss.)

The GAERC often will be asked to endorse decisions made in other Council formations. These are known as A points.

In the margins of the Council

- Association Council with Tunisia
- EEA Council
CONVENER’S REPORT

1. Initial proposals suggested as the priorities of the Irish Presidency of the EU (January to June 2004). Information has been received by the Clerk providing an early insight into the priorities of the Irish Presidency of the EU. This is set out in Annex A. The Convener now recommends that:

   Members consider the material received and indicate whether they require further information or briefing from the Clerk and/or SPICE on the proposed priorities of the Irish Government.

2. Monthly report from the Clerk/Chief Executive and the Parliament’s External Liaison Unit on inward/outward visits to the Scottish Parliament. Every month the Clerk/Chief Executive and the Parliament’s External Liaison Unit sends the Committee a report for interest detailing the inward/outward visits to the Scottish Parliament and other aspects relating to external relations (see Annex B). The Convener now recommends that:

   Members thank the Clerk/Chief Executive for the continued provision of such information and note the contents of the report.

3. Developing relations between the Scottish Executive and the Nordic Council of Ministers. In a recent written answer (S2W-2070) the Scottish Executive stated, “The Scottish Executive believes that closer co-operation between the Scottish Executive and the Nordic Council of Ministers will deliver benefits for Scotland. It is not necessary to become a member of the Nordic Council to enjoy these benefits and the Executive is not seeking to do so”. The Convener now recommends that:

   Members agree to ask why the Executive has decided not to join the Nordic Council of Ministers and to ask whether there are alternative arrangements, such as asking for observer status or further developing the government-to-government ties that can be put in place to develop this closer co-operation between the Scottish Executive and the Nordic Council of Ministers that the Executive has identified. Furthermore, to ask the Executive to clarify its intentions towards links with the Nordic states.

Richard Lochhead MSP
Convener
12 September 2003
INITIAL INFORMATION ON THE PRIORITIES OF THE IRISH PRESIDENCY OF THE EU

Joint Oireachtas Committee on European Affairs

Presentation by the Minister for Foreign Affairs, Mr Brian Cowen T.D., on Ireland’s EU Presidency Preparations and Programme

9 September 2003

It gives me very great pleasure to be here today, with Minister of State Dick Roche, to speak to you about Ireland’s forthcoming EU Presidency. It will be our most challenging Presidency to date and one of the biggest tasks ever faced by an Irish administration. Ireland’s sixth Presidency of the European Union comes at a particularly complex and important time in the history of the Union.

Firstly, we will have the immense privilege of presiding over the formal accession of the ten new Member States on 1 May 2004. This will clearly be an historic moment for the continent of Europe and indeed an event that has a wider significance globally. It will also, of course, present a major challenge in organizational terms. How we handle the practicalities of enlargement, in terms of managing Council agendas, chairing meetings effectively and, generally, keeping the normal day to day functioning of the Council running smoothly, will be crucial to meeting our objective of running an effective and impartial Presidency.

The second important event affecting our Presidency will be the European Parliament elections in June 2004 which mean that effective business in the Parliament will be concluded by April. This will impact on our Presidency work programme, with all legislative work in the Parliament being telescoped into the first three or four months of 2004.

Thirdly, 2004 will be the last year of the current Commission’s term. The new Commission President will be nominated during our Presidency at the European Council in June 2004 and the new Commission will take office in November 2004.

With less than four months to go we are now well into the “count down” for our Presidency. Preparations began some two years ago and are increasing in intensity as the Presidency approaches. Contacts have been stepped up at all levels, both political and official, with other Member States, the Accession countries, the EU institutions and with key partners on the international stage. In December, the Taoiseach, Minister of State Roche and I will receive the Conference of Presidents of the European Parliament in Dublin and in January 2004 we will host the Government/Commission meeting in Dublin, the traditional launch event of the Presidency.

Over the coming months we will be developing and refining the Programme for our Presidency which will be finalised after the European Council in December. The Programme will be influenced by the on-going EU agenda, the decisions made at previous European Councils and the progress achieved in the current Italian Presidency. While it is too early to be conclusive about our Presidency priorities, certain headline issues can already been
identified. These include enlargement, the Lisbon Agenda of social, economic and environmental reform, the Treaty and European Council commitments in relation to the area of Freedom, Justice and Security and of course the Union’s external agenda. It also remains to be seen whether political agreement on a new Constitutional Treaty will be successfully concluded in the Intergovernmental Conference being convened for that purpose, by the end of this year.

**Enlargement**

Ireland, as I said, will hold the Presidency of the European Union at an historic moment for Europe. We will be the first Presidency to preside over a European Union of 25 Member States when, on 1 May 2004, the ten accession countries will become full members. The Heads of State or Government of the 25 Member States have been invited to Dublin to attend a ceremonial event to mark this occasion.

The enlargement facing the European Union in 2004 poses unique challenges as well as opportunities since it is without precedent in terms of scope and diversity. The ten new states will increase the area of the Union by 34%, its population by 105 million and add a wealth of different histories and cultures. Ensuring that this enlargement is a successful one for the Union and its citizens will be a major task for our Presidency.

It is important to recall that the enlargement process does not end on 1 May 2004. The Irish Presidency will pursue accession negotiations with Bulgaria and Romania based on the same principles that have guided the accession negotiations to date, with a view to a target date of 2007 for their accession. In addition, the Irish Presidency will monitor closely developments with Turkey, in advance of the key decision on opening negotiations to be taken in December 2004.

**IGC**

It remains unclear whether and, if so, to what extent the Intergovernmental Conference to agree a new Constitutional Treaty will run into our Presidency. The European Council at Thessaloniki in June agreed that the IGC should be completed “as soon as possible and in time for it to become known to European citizens before the June 2004 elections for the European Parliament.” It is to begin in Rome on 4 October with a special meeting of Heads of State and Government. Foreign Ministers will play a central role in the negotiations and several additional meetings at Foreign Minister level have been scheduled for the coming months. The Italian Presidency has made clear its determination to do all it can to reach agreement in the IGC by the end of the year - this is a central element of their Presidency priorities. I am strongly supportive of the Presidency’s efforts to manage the IGC efficiently and agree that the great bulk of the Convention’s outcome should not be re-opened.

There are obviously many issues and details to be discussed and worked on at the IGC. At last weekend’s informal meeting of Foreign Ministers, it was clear that there is a balance to be struck between the specific concerns of individual Member States and the need to agree an overall consensus which is in Europe’s interests. None of us wants to see a lengthy and sterile wrangle, but equally most Member States want a proper debate on aspects of the Convention draft. But it should be clear that there is overwhelming support for the overall architecture of the draft Constitutional Treaty and for the great bulk of its substance.

We look forward to the conclusion of the negotiations by the end of the year if final agreement can be reached in that time. In that case, it would fall to us during our Presidency
to finalise the technical work on the new Constitutional Treaty before signature can take place, which cannot in any event be before the enlargement of the Union on 1 May.

If, however, final agreement is not possible under the Italian Presidency, and Ireland is then asked to take forward the IGC, we will of course do so. We would work to ensure that the timetable set out at Thessaloniki - completion of the negotiations before the European Parliament elections - is respected.

**Lisbon Agenda and the Spring European Council**

One of our key tasks as Presidency will be to advance the Lisbon agenda of social, economic and environmental renewal. At the Lisbon Summit in 2000, the Union set itself the objective of becoming the most competitive and dynamic knowledge-based economy in the world by 2010, capable of sustained economic growth with more and better jobs. Much has been achieved thus far, such as creating employment opportunities, opening up energy markets, modernising competition policy, putting in place an integrated Europe-wide financial market and agreeing a Community patent.

Our Presidency comes at a critical time for the Lisbon strategy as it nears its half-way point. This provides us with an opportunity, at the 2004 Spring European Council, to review the measurable differences that have come about as a result of this wide-ranging strategy. It is evident that we will face a number of challenges in seeking to maintain the momentum of the Lisbon agenda. The ambitious Lisbon goal was agreed at a time of rapid economic growth throughout Europe. I am convinced that we will need to intensify the pace of reform if we are to ensure that we can still implement demanding targets in a more difficult economic climate. Similarly, we will need to put supports in place to ensure that the pace of reform is maintained in an enlarged Europe.

The most effective way to achieve clear progress with regard to Lisbon is to prepare a focused agenda for our Presidency that identifies key priorities and aims to secure agreement on concrete deliverables. Our aim is that our Presidency should reinforce the relevance of Lisbon to citizens and business. We also consider it critical to manage the Spring European Council effectively so that Heads of State and Government can have a focused and strategic discussion that can give direction to essential economic and social reform and that can secure the commitment of all Member States to achieving progress on core issues.

We are currently in the process of identifying priorities for our Presidency in this area. Areas that are being considered for possible prioritisation include:

- Competitiveness, where our focus will be on boosting investment in research and development and advancing the internal market;
- Infrastructural investment;
- Employment where our key concern will be to boost job creation and promote increased investment in training and upskilling;
- Social protection and inclusion, where our themes are likely to include the issues of employment incentives, pensions and the related demographic challenge, healthcare and care of the elderly;
• Sustainable development, focusing particularly on the promotion of innovation and investment in clean technologies.

During our Presidency, our approach will be driven by our experience of social partnership and the creation of social dialogue across all sectors. We believe that this approach enriches policy-making, increases productivity and enhances the prospects of managing change successfully. The co-operation of social partners nationally has demonstrated the contribution of social partnership to economic growth and expansion. The annual tripartite social summit with the European social partners, to be held before the Spring European Council next year, will provide an opportunity to deepen the engagement of the social partners with the Lisbon strategy.

**Justice and Home Affairs**

As this Committee will be well aware, Justice and Home Affairs issues form an increasingly significant proportion of the Union’s day-to-day agenda and will be a very important aspect of our Presidency. The Treaty of Amsterdam which entered into force on 1 May 1999 makes May 2004 the deadline for the adoption of a range of measures directed to providing citizens with a high level of safety within an area of freedom, justice and security. The requirements set out in the Treaties were further elaborated by the Tampere, Seville and Thessalonica European Councils.

A key focus for our Presidency in this area will therefore be on delivering

- The requirements of the Treaty of Amsterdam
- The broader Tampere Programme as updated by subsequent European Councils
- Continuing operational co-operation in areas of identified need.

Key issues facing the EU are the separate but closely related issues of asylum and migration. This is one of the most rapidly expanding areas of policy and legislative development in the EU. The Tampere European Council called for the development of a common EU migration policy and the establishment of a common European Asylum system. The Treaty of Amsterdam also requires a number of measures directed to specific issues for this purpose to be adopted by May 2004.

The recent Thessalonica European Council further elaborated on priorities in relation to immigration, frontiers and asylum with a particular emphasis on improving operational co-operation, a number of aspects of which will require follow-on action during our Presidency.

Tampere and subsequent European Councils also established the framework for the development of cooperation under the Treaties in areas such as police cooperation in criminal matters, including organised crime and terrorism, and judicial cooperation in both civil and criminal matters. During the Irish Presidency we will also be required to take forward work programmes in these sectors in keeping with the Tampere European Council conclusions. Ireland regards improving police and customs arrangements as essential to successful law enforcement in the European Union. The emphasis on the fight against terrorism, following on from measures agreed in the wake of the events of September 11 2001, will also be maintained.

Ireland’s Presidency will coincide with the need to initiate a final evaluation of the EU Action Plan on Drugs 2000-2004 and to look forward to the need to develop a new EU
Strategy and Action Plan for the period beyond 2004. This will therefore be an area of particular focus.

Justice and Home Affairs issues also increasingly feature in the area of EU relations with third countries. This will require the preparation and implementation of a detailed JHA work programme in the area of external relations which will take account of the priorities being established in particular by reference to the EU’s relations with other regions and third countries.

External Relations

Moving to international relations, as the EU Presidency, Ireland will take the lead in managing the EU’s external relations and its engagement with the rest of the world. The General Affairs and External Council, which I will chair, plays a central role in that regard. Throughout our conduct of the Presidency, we have to remain conscious of our responsibility to represent EU agreed policy. The ongoing engagement and support of this Committee, and indeed of the Oireachtas as a whole, will be important throughout the lead up to and during the Presidency.

The EU’s External agenda that we will manage is extensive, and includes EU relations across the globe and with all of the major International Organisations. In the time available, it is not possible to touch on all of the issues on the agenda but I will mention some of the more important.

The enlarged EU of 25 will have an enhanced voice and weight in the United Nations, and we will use the Presidency to strengthen the EU-UN relationship. The aim is to commit the EU’s weight and influence to contributing to “effective multilateralism” through a reinvigorated UN.

Conflict prevention is at the heart of EU-UN relations. It will feature predominantly in our work in the European Security and Defence Policy (ESDP). Through the ESDP, the EU continues to develop and improve its capacity to contribute effectively to international efforts to prevent and manage crises. Our involvement in the European Security and Defence Policy is fully consistent with our support for the UN and with our policy of military neutrality. The UN greatly values the EU’s work, through the ESDP, to improve capabilities for conflict prevention and crisis management, and we will continue to develop the relationship in this area during our Presidency. Effective conduct of ongoing ESDP operations will be a central priority, as will planning for any future missions which may arise.

The Middle East Peace Process will inevitably be at the top of the agenda throughout our Presidency. I issued a statement yesterday on the current situation, in which I underlined that the Quartet Roadmap still offers the best hope of a peaceful settlement to this long – running conflict. The parties must act in accordance with their commitments under it and work to give effect to its provisions. The highest priority must be given to a renewal of the ceasefire. I have asked that a copy of my statement be distributed to members of the committee.

Post-Saddam Iraq is likely also to be a continuing issue. In this regard, I very much welcome the move by the United States to initiate discussion in the UN Security Council on a more central role for the UN in Iraq. Over the weekend, at the Informal Meeting of EU Foreign Ministers, there was broad agreement on the need for the Security Council to reach consensus on a new resolution that sets out in clear terms the enhanced UN role.
The promotion of EU-US relations, which are so important to a stable and prosperous international climate, will feature prominently on our agenda. Efforts are being made on both sides of the Atlantic to rebuild relations following the Iraq war, and for our part we will work strenuously to improve them. The Taoiseach will lead the European side for the EU-US Summit.

The Taoiseach will also lead the EU at four other Summits:

- The EU Latin America and Caribbean Summit, which will take place in Mexico at the end of May, and which will be co-chaired by the Taoiseach and President Fox of Mexico;

- The EU-Russia Summit, which will take place in Moscow on dates to be agreed;

- The EU-Canada Summit, which is likely to be in Dublin, and which will be the first with the new Canadian Prime Minister (yet to be chosen);

- The EU-Japan Summit in Tokyo, for which dates are under discussion with the Japanese.

In addition, there will be separate EU Ministerial meetings here in Ireland with Mediterranean Foreign Ministers and with Asian Foreign Ministers. The regular Informal Meeting of EU Foreign Ministers will take place here in Ireland on 16/17 April.

Another issue that will also feature prominently during our Presidency will be the EU’s role in ensuring stability and peace in the Western Balkans.

Africa is also an issue to which we will devote considerable attention. The ongoing conflicts situations in Liberia and the Great Lakes, the situation in Zimbabwe, and of course the overall crisis on the continent require a sustained international effort. We will work to move Africa higher up the EU agenda.

Human rights will be a major concern across the whole agenda. Our focus will be on the annual session of the Commission on Human Rights in Geneva in the spring.

Disarmament and non-proliferation issues are also high on our foreign policy agenda. The Council will focus in 2004 on the further elaboration and implementation of the EU Strategy and Action Plan on Non-Proliferation of Weapons of Mass Destruction. We will also lead the EU at the 2004 Non-Proliferation Treaty Review Conference in New York. Non-proliferation concerns which arise in relation to specific regions or countries such as North Korea and Iran are also issues that may require increased attention during our Presidency.

The Accession of ten new partners on 1 May creates new neighbours for the EU and underlines once more the importance of EU-Russia relations. We will work to enhance EU-Russia relations during our Presidency and to take forward the New Neighbour initiative with the aim of extending the zone of stability and prosperity beyond the new borders of the EU to the east and south.
The most difficult part of any Presidency is not the agenda that can be predicted and planned for, but the unexpected or unforeseen crisis. I am confident that the level of our preparations for the Presidency is such that we will be ready to deal with any eventualities in a competent and professional.

**Development Cooperation**

I should like to express a word of appreciation for the very valuable work undertaken by the Members of the Advisory Group established by the Joint Committee on European Affairs on 31 July 2002, whose terms of reference were “to examine the role of the European Union in its relations with developing countries, especially given the HIV/AIDS crisis in some of these countries, their debt burden, food shortages and international trade arrangements.” I should like to assure the Committee that every effort will be made during Ireland’s forthcoming EU Presidency to add value to the international development efforts of the EU by the implementation of the practical initiatives put forward by the Advisory Group in their Report, in so far as this is possible.

The Committee can be assured that Ireland will seek to give development issues a high profile during our Presidency. We are planning an in-depth discussion of these issues by Development Cooperation Ministers at the April meeting of the General Affairs and External Relations Council. It is also the intention of Minister Kitt to convene a meeting at Dublin Castle, on 1 June 2004, of the 25 Ministers with responsibility for development cooperation, following the accession of the 10 new Member States on 1 May 2004.

The HIV/AIDS epidemic is a key development issue which we will highlight during our Presidency. At the United Nations and at the country level, Ireland has been pressing for a stronger and more coherent response to a crisis which is undermining development in sub-Saharan Africa. We are nationally now contributing over € 40 million annually to the global fight against HIV/AIDS. Development Cooperation Ireland and the Department of Health and Children are exploring with a number of relevant UN Agencies the possibility of holding a major conference in Dublin during the Presidency. The conference, at Ministerial level, would focus on the issue of HIV/AIDS across the European Continent and Central Asia.

Ireland, like a number of other like-minded EU Member States, is conscious of the need to ensure that EU development objectives and development spending remain focused on poverty reduction and that any additional funding should be concentrated on poverty eradication. We intend to promote this approach both during the Irish Presidency and at the forthcoming Inter-Governmental Conference.

I should add that Minister Kitt who is representing Ireland at the 5th WTO ministerial Meeting in Cancun, Mexico would have wished to be here today and I know that he will be happy to meet with the Committee at an early date to present in more detail Ireland’s approach to development issues during our Presidency, and to reply to any questions which you may have.

**Meetings in Ireland**

Over one hundred Presidency related meetings will be held throughout the country during the six month period. These will include the summit level meetings already mentioned, Ministerial meetings hosted by various Government Ministers and Ministers of State and meetings of officials. We have tried to spread these meetings as widely as possible
throughout the country, and I am pleased to say that counties hosting events so far include Dublin, Kerry, Waterford, Cork, Wicklow, Kildare, Offaly, Galway, Donegal and Clare.

I am making arrangements to have deposited in the Dáil library the current list of Presidency-related meetings to be held in Ireland and this will be updated on a regular basis from now on.

The logistical preparations for all of these meetings, including the setting up of meeting infrastructures, security, interpretation, transportation, accommodation and catering is ongoing, with my Department working very closely with the other Departments, the Office of Public Works, the Gardaí and local authorities.

Sponsorship
The Government sees the Presidency as an ideal opportunity to highlight what is best about Ireland particularly in relation to our economic success in recent years. The Government also believes that the Presidency offers an invaluable opportunity to promote trade and tourism. In keeping with its Partnership approach and to encourage wider ownership and participation in the Presidency, my Department is currently exploring the question of engaging the business community by inviting sponsorship of goods or services. This will increase the profile of Irish business while minimising the cost of the Presidency to the Exchequer.

Cultural Programme
In this context also we intend, like other Presidencies, to use this opportunity to promote Irish culture and heritage. The Department of Arts, Sports and Tourism is developing a Cultural Programme for the Presidency which will include an exhibition in Brussels, cultural activities in EU capitals and a series of cultural events to mark the accession of 10 new member states on 1 May, 2004.

Logo
Following a selection process involving the country’s school children, a logo for the Presidency was chosen. The logo was launched officially by the Taoiseach on 27th July in St Stephens Green.

Website
Work is currently underway on developing our Presidency website which will be a key source of information for the media, officials from other member states and members of the general public on Presidency-related activities. It will contain information relating to meetings, press statements, speeches and Council conclusions. We will also seek like other Presidencies to use the website to promote Ireland and our Presidency.

Concluding Remarks
The 2004 Presidency presents a major challenge for Ireland, for the Government and for the administration as a whole. It is a challenge which I look forward to and one which I have no doubt we can meet.

One key element in making the Presidency a success is careful preparation, and I am happy that preparations have been carried forward effectively in my own and in other key Departments and that appropriate coordination arrangements have been in place for some time. Moreover, the necessary networking has been undertaken over the last number of years
at all levels, both Ministerial and official, with key interlocutors in EU institutions and in other current and future Member States.

While I know that much still remains to be done, I am happy that the work done so far, both at home and abroad, including in the Permanent Representation in Brussels, constitutes a solid basis for confidence that Ireland can, as in the past, fully meet the challenge of conducting an effective, efficient and strong Presidency, and one in which our people can take pride.

The Minister of State and I will, of course, be happy to answer any questions which you may have.
MONTHLY ELU REPORT ON INWARD/OUTWARD VISITS

Visits/events that have taken place in July and August 2003

July 2003

**Tuesday 8 July** – Labour member Ms Lin Thorp MP of Tasmanian Legislative Council visited the Scottish Parliament to further her understanding of the committee system and electronic communication.

**Thursday 10 July** – Hon Neil Andrew, Speaker of the Australian parliament visited the Scottish Parliament to familiarise himself with devolution, the parliaments outreach programme and security measures.

**Thursday 17 July** – Hon Firoz Cachalia, Speaker of the Gauteng Legislature, South Africa and delegation visited the Scottish Parliament.

**Thursday 31 July** – Philip Hamilton, Member of the Virginia House of Delegates visited the Scottish Parliament for a tour of the Holyrood site and a meeting with Paul Grice.

August 2003

**Friday 1 August** – McConnell Scholars, Students from the University of Louisville visited the Scottish Parliament for an introduction into devolution and a tour of the Parliament.

**Monday 4 August** – Mr Maukesh Basdeo, Parliament Research Assistant, Republic of Trinidad and Tobago visited the Scottish Parliament to acquire an in depth knowledge of the Scottish Parliament’s committee system.

**Wednesday 6 - Thursday 14 August** -- Cross party delegation of Members of CPA (Scotland Branch) visited the Legislative Assemblies of Prince Edward Island and New Brunswick

**Sat 16 – Sat 23 August** – Representing the CPA Scotland Branch, Dennis Canavan MSP attended the 15th CPA Parliamentary Seminar in the Cook Islands.

**Forthcoming Major Visits:**

**Wednesday 10 September to Friday 12 September** - Visit to the Scottish Parliament by a delegation from the Flemish Community Council as part of the continuous dialogue between the Scottish Parliament and Flanders.

**Wednesday 17 to Saturday 20 September** – The Presiding Officer will visit the Catalan Parliament as part of a The Scotland in Catalonia programme to Barcelona.
with representatives from the Scottish Executive, VisitScotland and the Scottish Parliament with the focus of the visit on tourism and architecture.

**Tuesday 7 to Thursday 9 October** – Visit by a delegation from the Palestinian Legislative Council (PLC) at the request of the British Council in Jerusalem. *(postponed)*

N. B: Information about the work of the External Liaison Unit and full ELU-organised visits programme and reports of outward delegations are available on

SPEIR at [http://intranet/speir/services/elu/elu.html](http://intranet/speir/services/elu/elu.html)

Visit reports and background notes are available on

SCAN at [http://intranet/speir/services/scan/sub-in.htm#cm](http://intranet/speir/services/scan/sub-in.htm#cm)
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.

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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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## Committee Relevancy: Meeting

<table>
<thead>
<tr>
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