



OFFICIAL REPORT
AITHISG OIFIGEIL

Constitution, Europe, External Affairs and Culture Committee

Thursday 9 December 2021

Session 6



The Scottish Parliament
Pàrlamaid na h-Alba

© Parliamentary copyright. Scottish Parliamentary Corporate Body

Information on the Scottish Parliament's copyright policy can be found on the website - www.parliament.scot or by contacting Public Information on 0131 348 5000

Thursday 9 December 2021

CONTENTS

Col.

SCOTTISH GOVERNMENT'S INTERNATIONAL WORK 1

**CONSTITUTION, EUROPE, EXTERNAL AFFAIRS AND CULTURE COMMITTEE
13th Meeting 2021, Session 6**

CONVENER

*Clare Adamson (Motherwell and Wishaw) (SNP)

DEPUTY CONVENER

Donald Cameron (Highlands and Islands) (Con)

COMMITTEE MEMBERS

*Dr Alasdair Allan (Na h-Eileanan an Iar) (SNP)

*Sarah Boyack (Lothian) (Lab)

*Maurice Golden (North East Scotland) (Con)

*Jenni Minto (Argyll and Bute) (SNP)

*Mark Ruskell (Mid Scotland and Fife) (Green)

*attended

THE FOLLOWING ALSO PARTICIPATED:

David McAllister MEP (European Parliament)

Anthony Salamone (European Merchants)

Dr Fabian Zuleeg (European Policy Centre)

CLERK TO THE COMMITTEE

James Johnston

LOCATION

The Robert Burns Room (CR1)

Scottish Parliament

Constitution, Europe, External Affairs and Culture Committee

Thursday 9 December 2021

[The Convener opened the meeting at 09:00]

Scottish Government's International Work

The Convener (Clare Adamson): Good morning and a warm welcome to the 13th meeting in 2021 of the Constitution, Europe, External Affairs and Culture Committee. We have received apologies from Donald Cameron.

Our first agenda item is the continuation of our inquiry into the Scottish Government's international work. Today, we will hear from our second panel on the topic. We are joined by Anthony Salamone, managing director of European Merchants, and Dr Fabian Zuleeg, chief executive and chief economist at the European Policy Centre. I welcome you both to the meeting and thank Mr Salamone for his submission.

We will move straight to questions. I have a couple of opening questions. Dr Zuleeg, in your briefing for the previous session's Culture, Tourism, Europe and External Affairs Committee's legacy report, you stated:

"the representation of Scottish interests in the EU will be crucial for businesses but also at a policy level. Paradoxically, leaving the European Union will require a higher degree of investment into these relationships, as Scotland has lost the automatic right to be at the table, which it previously enjoyed via the UK as a member state."

I would be interested to hear your views on how open the European Union will be to engaging directly with the Scottish Government. What do you think will be the main challenges in representing Scottish interests in the EU?

Dr Fabian Zuleeg (European Policy Centre): Thank you very much for inviting me.

Yes, I think that there is a challenge. It is more difficult for a third country—a country outside the European Union—to engage with European policy processes. That is probably even more difficult as a part of a third country. Consideration also has to be given to what is in it for the member states and the institutions with which Scotland wants to engage.

I think that, in general terms, the doors are open. Over the years, we have seen that institutions, member states and regions are very happy to engage with other third countries and

with other actors in the system, but it requires additional engagement and additional investment. In my view, it also requires a focus in terms of what Scotland might want to be engaged in, because given the breadth of topics, it is very difficult to be engaged in everything.

The Convener: Thank you. Mr Salamone, in your submission, you state:

"Scotland currently lacks a sufficient policy culture on European and international relations".

Could you expand on that and suggest how we might develop that policy and deliver it?

Anthony Salamone (European Merchants): Yes, of course. Good morning, convener.

I would mention two main aspects of the Scottish Government developing a—[Inaudible.]—what Fabian Zuleeg has just said, that you want to engage with the EU and to have a degree of taking account of the challenges that Scotland faces in engaging as part of a third country and not being a state. The fact that the Scottish Government has a difficult relationship with the UK Government is a factor, too. You need to have a well-developed strategy that outlines a post-Brexit vision for what the Scottish Government aims to achieve from engagement with the EU and how it intends to go about doing that, considering the new challenges that need to be faced.

With regard to a policy culture, I think that it would be useful to have a greater degree of what I would describe as Europeanisation of Scottish governance. It is not a question of engagement, as engagement already exists, but Scottish politics collectively—the Scottish Government and Scottish institutions generally—needs to deepen its degree of interconnection with what is happening in Brussels and in member state capitals and elsewhere. We do not see Scottish politics as having as much of a connection in that regard, which that makes it a bit more difficult for the Scottish Government to have a strategic approach.

If we look at existing Scottish Government documentation, there is a degree of optimism, which is normal for a Government, but I think that there is sometimes overoptimism with regard to how much influence and success the Scottish Government will be able to have in the years ahead.

The Convener: Thank you. We move to questions from Mr Ruskell.

Mark Ruskell (Mid Scotland and Fife) (Green): Good morning. Where are we at the moment in the EU institutional cycle? How are third countries, but also countries that are sub-states that are part of third countries, engaging with that institutional cycle process at the

moment? What are the strategic areas? How are such countries engaging with those? I would like to start with Mr Salamone.

Anthony Salamone: It is always useful to ensure that your engagement with the EU matches with what the EU is talking about. Of course, the EU is not a monolithic entity; we are speaking of Brussels and the EU institutions. It is essential to interconnect with the priorities of the EU institutions. The Scottish Government did that, in a fashion, with its strategic agenda document that was published on the day of Brexit. I think that that is crucial but, at the same time, I still think that the more important point is that the Scottish Government has its own priorities; the question is how to connect those priorities with those of the EU.

You do not want to be chasing the EU agenda constantly as it changes, or chasing each presidency as it changes and saying, “What are the priorities of this presidency and how do we connect with them?”. You need to have your own core strategic priorities for the three, four or five main things that you want to do, and you need to link those with what you want to see in terms of EU engagement: the kinds of successes that you want to achieve and, where possible—although the scope for this is limited—how you can shape EU policy in a particular way.

It is useful to shadow what is happening in the EU and to engage with it, but to do so on the basis of your own clearly articulated priorities.

Mark Ruskell: Are there any examples of third countries or sub-states that have been particularly successful in aligning their strategic priorities with the institutional cycle?

Anthony Salamone: As you may know, I wrote a report for the committee’s predecessor, in which I looked at how certain regions and countries engage with the EU. There are a number of good examples. The Basque Country comes to mind as a region that is involved as part of an EU member state. It is well known in Brussels for its successes in industry 4.0, in vocational training and in advanced manufacturing through its smart specialisation strategy. People in the EU institutions may often listen to what the Basque Country has to say on those issues. It is an area where the Basques have developed, if not niche expertise, certainly a profile for themselves in Brussels and they focus on that. I would say that they are successful—[*Inaudible.*]

Mark Ruskell: Can I bring in Dr Zuleeg, please?

Dr Zuleeg: I am very happy to go into that. I emphasise that the EU is changing rather rapidly and that it is hard to keep up with the situation even within the Union. Sometimes the pace of change takes even member states and sub-

national entities within those member states by surprise. That is to do with the big challenges that not only Europe faces. The discussions that we are having around climate change, the technology transition, health and the Covid pandemic and the impact that that has had on economies and societies, inequalities, geopolitics and the future of Europe are all on the agenda at the moment.

I go back to the comment that I made earlier. It is very much a question of focus. As an example of a country that has been rather successful in the area of engagement that it has chosen, I would mention Norway. We have seen that, when it comes to single market issues, Norway has engaged very effectively with the European system. When I refer to Norway, I do not mean just the Norwegian Government; such work has been done at regional and city levels. Before Covid, I was always half joking that I saw more regions from Norway than I saw from any other country. That shows the engagement that was there.

There are other examples, but I think that the Norwegian example also shows that it is necessary to be selective, because, even with a selective approach, an enormous effort is required. The Norwegian representation in Brussels is very sizeable. It is much more sizeable than that of some of the smaller member states, because Norway has real investment in the EU. For example, Norway engages a great deal on energy, because the Norwegians have a clear interest there.

What such specific examples—there are others that we could mention—all have in common is that they have a specific focus. They decide what area they need to be engaged in most, and they make the significant investment that is needed.

Mark Ruskell: Thank you—that was very useful. Does that focus carry through to the concordats that are established between those sub-state regions and countries and the EU? What are the most successful features of those concordats? Perhaps we could go back to Mr Salamone.

Anthony Salamone: It is useful to remember that, as you will know, each state has its own constitutional arrangements for how sub-state entities engage. I would say that most of those are more codified than the approach that is taken in the United Kingdom. What works best is when central Government and the sub-state Government can work well together. Fabian Zuleeg mentioned Norway and the extent to which the Norwegian mission to the EU and the Norwegian regions and the EU collaborate. They work together in a way that multiplies the effect that they have. That goes further than co-operation. Such genuine collaboration—indeed, it

might be described as partnership—is useful and oftentimes can be more useful than the formal structures.

On top of that, the challenges of the formalities have to be dealt with. For instance, the different autonomous regions of Spain rotate, so one relates more and attends council meetings on behalf of all the regions. On the one hand, that is useful, in that it gives them all a role. On the other hand, it is a challenge because they cycle through that leadership role every six months or so, so each region has to get back into the business of doing that and sharing it, which involves representing every region while trying to articulate its own interests.

There are different mechanisms that countries inside and outside the EU have developed, but the core point is that, regardless of whatever legal structures exist, there is a positive spirit of collaboration between the central state and the sub-state.

Mark Ruskell: Does that ethos of collaboration extend to Parliaments and civic society? Is that also codified in the concordats? Is there an expectation that citizens will be involved in discussions around trade agreements or any other policies that are pursued by regions or states?

Anthony Salamone: An example of where that degree of civil society engagement is legally codified, when there is a legal document between the central state and the sub-state as to how they will engage with the EU, does not immediately come to my mind.

Of course, there is certainly a growing desire to involve citizens in policy making, and I think that that is very appropriate. If you want to sustain public support—whether for EU membership, or in our case, I suppose, for a closer or more positive relationship with the EU—that involves engaging with citizens. I think that there is recognition of that; perhaps that might be a feature of intergovernmental relations in future. However, at the moment, I would say that if central states want to engage their citizens, or if regions want to engage their citizens, they mostly just do that on their own.

09:15

Dr Zuleeg: Anthony Salamone has mentioned a number of features. There is a difference between formal and informal arrangements. There is often discussion that involves not so much citizens directly but certainly representative groups that are engaged in particular areas. When it comes to certain areas of co-operation, such as environmental co-operation, non-governmental organisations will often be involved in those arrangements.

I think that the EU is also a political body. The components parts of the EU are political and the challenge for third countries or sub-state actors in third countries is, to put it bluntly, what it is that they bring to the party. Why should the other side be interested in such co-operation or in investing in that relationship? If you are talking about member states, or even sub-state actors in member states, the logic of why you are engaging is much clearer, because those are the actors that you will have to co-operate with on an on-going basis. The demand from the third country is always, “What is it that you can bring to this? How do you contribute to the objectives of the EU?” On that basis, you can have a fruitful exchange.

Mark Ruskell: Thank you.

Jenni Minto (Argyll and Bute) (SNP): I thank the witnesses for joining us. I want to follow on from Dr Zuleeg’s points about what third countries can bring to the table. What are your thoughts on how Scotland is perceived in Europe and the EU? Maybe Mr Salamone could start.

Anthony Salamone: The Scottish Government and actors more widely in Scotland have been successful in articulating that many people in Scotland did not wish to see Brexit happen or the manner in which it happened. That is clear—that message has been got across. Anyone who wants to know about it knows that Scotland did not vote for Brexit, and that the majority of people in Scotland were perhaps unhappy with the relationship that has been arrived at between the EU and the UK. That is clear. The question now is: what are the Scottish Government and those wider actors in Scotland going to pursue in terms of—*[Inaudible.]*—engagement?

We have talked about strategic priorities. There are two approaches to the form of that engagement. The first is practical co-operation with actors on areas of mutual interest. Fabian Zuleeg talked about the importance of mutuality. It is not just about things that are important to Scotland; it is about what is important to EU actors and finding common ground that opens up possibilities for substantive engagement.

The second approach is strategic contributions to debates on the future of Europe. As far as I am aware, the Scottish Government has not sought to participate or contribute, even externally, to the conference on the future of Europe. The Government could have tried to do that. I appreciate that there are challenges as a result of our not being part of the EU, but we are still part of Europe. I imagine that there can be a positive perception of Scotland and, of course, that pro-EU element can enhance that. However, that sentimentality goes only so far if it is not activated and connected—as Fabian Zuleeg mentioned—

with what matters to EU actors and why it is useful for them.

Jenni Minto: I think that there is some Scottish participation in the conference on the future of Europe. I am interested in your thoughts on GlobalScot and the European friends of Scotland group. Are there specific things that Scotland can bring to the European table as part of a third country?

Anthony Salamone: I know that people in Scotland are going to engage in the conference on the future of Europe, which is wonderful. It is important to say that, regardless of constitutional matters or relationships formally with the EU, there are important issues at stake in Europe and everyone in different parts of Europe has a view.

The friends of Scotland group in the European Parliament is a very important—[*Inaudible.*]—established. It brings together parliamentarians from different political parties who have an affinity with Scotland. That is a private forum. I suppose that that is obvious, but I find the way in which the Scottish Government publicly promotes that group a little unusual. It is mentioned on the Scottish Government website as an example of engagement, but it is a private thing that needs to be private. Obviously, you could mention that it exists but, the more you shine a light on it, the less likely you are to have the kind of substantive engagement that you might want from it.

GlobalScot engages with people who are part of our global diaspora. That includes anyone who has an affinity with Scotland. The Scottish Government could probably do more, including through its representative offices, to engage with the local communities of Scots and people who have an affinity with Scotland. More could be done to integrate that in a coherent way of engaging.

Jenni Minto: I put the same questions to Dr Zuleeg.

Dr Zuleeg: I fully agree that Scotland is generally perceived positively. On a European level, there is the perception that Scotland shares some of the values. COP26—the 26th United Nations climate change conference of the parties—in Glasgow has reinforced that. Particularly on issues of mutual interest—climate change is one of the key areas—there is a positive perception.

I would put a bit of a reality check on that, however, in that Scotland is no longer part of the EU. The relationship between Scotland and the EU will not exclusively go through the trade and co-operation agreement, but the overall relationship of the UK with the EU will have a significant, if not decisive, impact on the relationship that Scotland can have with the EU.

Much of the formal or official engagement will be done within the framework of the TCA and the bodies that have been set up under it. That is a limitation, especially since, at the moment, the overall relationship is not going well. That has an impact on co-operation across a wide range of areas where there is potential to work together more. At the moment, that does not seem to be the wish of the British Government, which is limiting the opportunity for that.

On your question about GlobalScot and other mechanisms, my general response would be the more the better. Such ways of engaging with the outside world have a positive long-run return. They tend to give very high value for money, even though it is difficult to measure. It is very valuable to have good will, to be connected and to be able to draw on people's expertise and information. To refer back to the previous question, the countries, regions and actors that are successful are the ones that have recognised that and who are willing to invest in that approach, because they can see the long-term benefit for them.

Jenni Minto: In earlier evidence sessions, we have taken evidence from third-sector organisations that have talked about the benefit of being integrated and feeding off information from counterparts in Europe. They hope to be able to continue that. Thank you for those answers.

Maurice Golden (North East Scotland) (Con): I want to follow up on Jenni Minto's points and ask about engagement and the Scottish Government approach. Mr Salamone, your written submission states:

"Strategy should minimise Scottish constitutional affairs and promote purposeful separation of European and international relations from the independence debate."

In your opinion, what strategy is the Scottish Government pursuing?

Anthony Salamone: It would be useful for the Scottish Government to articulate a post-Brexit strategy. Of course, we have an international framework, which is about two pages long, and there is a promise of a global affairs framework, which I hope will articulate that kind of vision. However, from Scottish Government documentation at the political level, it is clear that internal Scottish constitutional debates feature in engagement. I am not talking about the technical level; I am talking mostly about the political level.

The Scottish Government has a position on independence, and it talks about that in its European and international engagement. That is not the core aim of that engagement, but independence features from time to time, which I do not think is useful. Anyone who wants to know, knows that there is a constitutional debate in

Scotland and that there is a question of independence.

In my view, that is best left to civil society in engaging with European and international actors. If you talk about those constitutional issues, the risk is that you reduce the scope for substantive co-operation with EU and international partners because, obviously, they do not want to be involved in Scotland's or the UK's internal affairs. Talking about such issues should be minimised as much as possible, and the Scottish Government should focus on areas of practical co-operation. The Scottish Government does that, but it perhaps could do it more.

Maurice Golden: What should be the Scottish Parliament's role in scrutinising the Scottish Government's engagement priorities?

Anthony Salamone: The Parliament has a crucial role. It is important to recognise that the Scottish Government, as stated in the programme for government, intends to increase its engagement in the European and international plane. To me, it would make perfect sense for the Scottish Parliament to increase its scrutiny of what the Scottish Government is doing in the area. That scrutiny could focus on what the substantive content of the global affairs framework will be—what priorities, areas of focus and strategic objectives the Scottish Government will articulate—and how it is going about that.

More generally, there has been a lot of emphasis in the Scottish Parliament on Brexit and the formal arrangements under the trade and co-operation agreement between the EU and the UK. That is natural, given that the agreement is so consequential to our engagement or relationship with the EU. It is worth while to continue the scrutiny, and perhaps to develop it more, of the substance of what the Scottish Government is doing in its engagement with the EU.

Maurice Golden: Dr Zuleeg, reflecting on Mr Salamone's comments, will you comment on the Scottish Government's general engagement approach and the role of the Scottish Parliament in that?

Dr Zuleeg: I will try to answer that a bit more generally rather than look specifically at the Scottish situation. I emphasise that, where such engagement is successful, it very much involves a team approach of acting together, as Anthony Salamone has alluded to. In this particular case, I would say that there is an important role for the Scottish Government, but it should also take a team Scotland approach by bringing together all the actors that have a role in that relationship. I certainly see the Parliament as having a role, not only in scrutiny, which is important, but in direct engagement and being involved in the processes.

09:30

One very common feature of my work in Brussels is that I often receive delegations from Parliaments at the member-state and third-country level. For example, I recently talked to a House of Commons committee. Those kinds of exchanges are important and they should go beyond just simply the Government. More broadly, where possible, that should be extended to co-operation with London and the UK level, and co-operation with other actors within the UK. For example, it makes sense for the devolved Administrations to work together on some of the issues. It is a multifaceted approach, and Parliament should certainly play a role in that.

Maurice Golden: Thank you.

Sarah Boyack (Lothian) (Lab): I have found it interesting to listen to your answers to my colleagues' questions. I will ask about the priorities for how we make the connections, in terms of both our scrutiny of the Scottish Government and our parliamentary work.

Mr Salamone, I want to follow up in detail a couple of recommendations that you make in your report. First, you make a suggestion that the Scottish Government could

"better delineate the operation of Scottish offices within ... UK diplomatic missions."

Can you tell us a bit more about what that would look like in practice?

Associated with that, you have also talked about the range of offices that the Scottish Government has. How could they be better used, and what do you think the priorities should be for their expansion in the EU? I think that you said that the existing offices were logical, but you also said something about needing more of a rationale for the best options for expansion in the EU. Could you focus on those two issues?

Anthony Salamone: Thank you, Ms Boyack. On the Scottish Government's representative offices, most of which are situated in UK diplomatic missions or embassies, my suggestion was that there could be a new concordat on international relations. There was an EU concordat, which is now obsolete since the UK's withdrawal from the EU. We have an international relations concordat that dates back to 2013, and the proposal is to leave that as it is. There could be merit in seeing whether it would be possible to renew that concordat and, as part of such a renewal, to reflect a bit more how things work at the moment. In other words, the Scottish Government offices could pursue their own agenda even though they were based in UK missions. That would be perfectly logical. They talk to one another, which is good. However, I have seen examples of the Scottish Government

aiming to hold an event in a UK embassy but then discovering that the topic might be one that the UK Government did not like so the event was moved to another location. To me, such situations could, perhaps, be avoided if there was a renewed—*[Inaudible.]*—to the concordat.

The offices themselves do plenty of good work, so it is not necessarily a question of their performance. To me, my suggestion would mean that they would work as a coherent network. Of course, that is a process of development, because some of the offices are new and will take time to develop in their own right, and there is already a degree of connectivity that links back to Edinburgh. Ideally, everything involves Edinburgh, the home headquarters. The individual offices have the necessary flexibility to adjust to their local circumstances and do different things—in Brussels, that is EU policy making, whereas in Berlin, it is more about German politics, trade, investment and so on. However, there should be sufficient interconnection between them and they should all be working collectively in the service of a clearly articulated Scottish Government strategy for engagement.

In respect of the expansion of offices, it is reasonable for that network to grow in relation to Scotland's constitutional position. However, it is worth having a suitable rationale and justification for those offices, why the Scottish Government feels that it needs new offices, why it has chosen the particular locations that it has chosen and why those offices will be in the service of whatever strategic objectives that the Scottish Government outlines. A clearly articulated strategy is needed. Making that information available for the public to scrutinise, as well as for the Parliament to scrutinise and perhaps even take a decision on, seems to be the logical approach to me.

I have heard that the Scottish Government could have offices in almost every EU member state. I do not believe that that is feasible, given the Scottish Government's resources and Scotland's constitutional position. However, there should be purposeful expansion that happens in a way that is clearly evidenced to demonstrate the value of why the Scottish Government needs its own representation as opposed to representation through Scottish Development International or UK diplomatic missions, for example.

Sarah Boyack: Your points about the need for an evidence-based approach are well made. You have answered my colleagues' questions about the Scottish diaspora networks and the crucial issues of trade, culture and the climate crisis. There are clearly both parliamentary and governmental priorities on those issues, and it is a matter of seeing how those are played out across the EU.

The Northern Ireland protocol has taken up a lot of energy in other parts of the UK, but our committee has been looking at the trade issue and the alignment project. To what extent would those offices, and that Government connection, help with transparency on those issues?

Anthony Salamone: That links back to the purpose of the individual offices. On trade relations with the EU and the Scottish Parliament's scrutiny, of course the Brussels office is the logical point of reference, in the sense that it monitors what happens in the EU institutions and in Brussels more widely. That office is a core part of the Scottish Government's monitoring of and engagement with what is happening in Brussels. That information and monitoring may be useful to the Parliament in some way, possibly, and I think that that is the focal point of that office's work.

It is fairly clear that, while bilateral political relations are a focus of the other offices, their main focus is on the domestic context in their regions. The Paris office, the Berlin office and the Dublin office are mainly focused on the bilateral relationships between Scotland and France, Germany and Ireland, and, where appropriate, nearby countries—for instance, Austria, in the case of the Berlin office. They are less focused on substantive engagement on European or EU issues, or the specific relationship between the EU and the UK. That area could be developed but it is not the main focus. I imagine that it could be useful for the Parliament to understand what happens in the Brussels office and to know about the information that it gathers.

Sarah Boyack: That is useful for our thinking about our scrutiny of the Government.

Finally, I want to ask about parliamentary connections, such as through the parliamentary partnership assembly and the Conference on the Future of Europe, whose work I understand is not finished yet. Have we missed the boat on that or is there a chance to come in officially towards the end of its work?

Anthony Salamone: I am sure that there could well be an option for the Scottish Parliament or wider actors in Scotland to contribute to the Conference on the Future of Europe. I would not say that the boat has been missed but I imagine it would be something to—*[Inaudible.]*

There are clear areas of interest between Scotland and the EU, be they on climate change or the other areas that you mentioned. There are also views here in Scotland on what happens throughout Europe—this is not just about the EU, although, of course, the Conference on the Future of Europe is an EU conference. It is worth articulating that there are shared issues and priorities, and that, despite the reduction in formal

access that the Scottish and UK Governments now have as a consequence of Brexit, there are other forums in which to articulate views. That is not to say that those views will become integral parts of EU policy, but articulating them is part of sustaining an important conversation as well as the linkages between Scotland and the EU.

Sarah Boyack: Thank you very much.

I have a question for Dr Zuleeg. I would like to focus on two topics that are clearly of major importance to Scotland. Following the United Nations 26th climate change conference of the parties—COP26—in Glasgow, are there opportunities for the Scottish Government and the EU to link, in a practical way, activity on the climate crisis and on economic development? Would such a link be fruitful in putting priorities in for the Scottish Government over the next few months?

Dr Zuleeg: Certainly, from an EU perspective, those topics are still top of the agenda and continue to be major areas of discussion on how we move forward. Of course, policy frameworks have already been put in place to realise some of the goals. The green deal is clearly influencing a lot of learned discussion. The recovery and resilience funds are the main mechanisms for funding at the European level—we are starting to see the disbursement of the first of that funding. There continues to be the possibility of engagement.

There are other functions in these relations, but, when it comes to policy, it is always important to see this as a two-way street. It is about putting the Scottish position into the Brussels debate and engaging with the debate wherever possible, within the limitations that we have already mentioned. However, it could also be very important for Scotland to be aware of where the debate in Brussels is going and what future policy priorities might be emerging.

One of the challenges is that these debates are no longer separate. You cannot easily say, “This is the debate on climate change.” For example, we will have a major debate on the role that climate change plays in international trade, and on the kind of carbon border adjustment mechanism that might be necessary and how that will influence the openness of the EU to international trade. We will have debates around industrial policy, strategic autonomy and how far the EU has to re-shore some activities and protect its supply lines. Those topics will all join into the discussion around climate change.

That is the major challenge, because engaging with that discussion means being engaged in that rather broad way of looking at how policy is made. In addition, a change in recent years is that the

national dimension is more and more important in European debates. What happens in Brussels matters, but what happens in Berlin and the new Government there, and the priorities that are emerging in the presidential election in France, also matter.

There is a complexity to this, but it is definitely an area where the EU is very willing to engage and on which there is still a wish by the EU and member states to build an international alliance. In that sense, having others on board who share the same values and the same direction is of political value to the EU.

Sarah Boyack: That is a very helpful answer.

Following on from the questions that I asked Mr Salamone, where should we spend our energies as a Parliament? I would welcome your thoughts on the priorities for us in holding our Government to account and engaging in cross-parliamentary liaison, for example, in the context of the climate crisis and economic opportunities. Further to your previous answer, what advice would you give us as a Parliament working within the UK with the other devolved Parliaments and as a Parliament building links with Europe? Should we do that through the network of representative offices, or should there be direct parliamentary liaison? What would be your recommendations for us as a committee?

09:45

Dr Zuleeg: From my perspective, the multiplicity of different linkages is always helpful, as is being able to use different mechanisms. Certainly, that is part of an internal question for the UK—it has nothing to do with the EU. It is partly about how far the different actors within the UK are involved in the formal mechanisms, including the parliamentary assembly, for example. It is helpful to use the offices that are there, which in the end are there to serve the breadth of Scottish organisations, including the Parliament.

It is also useful to make direct connections with Parliaments. Of course, the challenge is capacity. Doing everything is very challenging, so you probably cannot have direct parliamentary links with every member state and every sub-national actor. It comes back again to the question of what the priority areas are and where there might then be an opportunity to work together. For example, on the energy question, there is certainly natural co-operation in the North Sea area with other countries that also have an interest in energy and climate change in that area. It is very much about looking at the issue and then deciding what is the best way of engaging with it, bearing in mind the limitations and the resource issue.

Sarah Boyack: Thank you. That is helpful. I am conscious that we are at the start of our parliamentary session, so these may be issues for us to reflect on. My thanks to both the witnesses.

Dr Alasdair Allan (Na h-Eileanan an Iar) (SNP): Mr Salamone, I think that you referred to Norway and the success that Norway as a non-EU actor has in engaging—“engaging” is a great and flexible word—with European institutions. What is Norway doing to be so successful? The obvious answer, I suppose, is that it is a long time since Norway had someone else represent it by sending its diplomatic budget via Stockholm. Is the implication for Scotland that we need to scale up our activities?

Anthony Salamone: There are number of elements to Norway’s approach and, in some cases, success. One that you mentioned is the budget. The Ministry of Foreign Affairs is well funded and, of course, Norway is a state and it has an embassy in almost every EU member state. Most of the EU policy engagement is in Brussels but, as you said, engaging in the politics of the individual member states is crucial.

Norway has been able to do that through what I call bilateral triangulation. That means that, if you want to engage with, for instance, German actors, you do that in Oslo but also in Berlin and Brussels, and you triangulate between them. Norway has the resources and the mission.

The other element is that Norway has a clear strategy. There is a Norwegian multiannual strategy for engagement with the EU and—if I remember correctly—annual action plans, which help to focus priorities. You would want to connect with what is going on in Brussels and the EU, and Norway will also want to shape that, but you would also have your own objectives: your priorities for what you want to do. In Norway’s case, that could be engaging on shaping the single market or, as been mentioned, engaging on energy or the Arctic, and so on. It has that clear choice of objectives.

Another element is that Norway works quite closely, in a unique way, with the Nordic EU member states. The extent to which Norwegian colleagues are able to engage in Brussels with Swedish, Danish and Finnish colleagues, including on the sharing of EU information, which is useful to Norway, is very helpful.

Norway also spends a lot of time observing what happens in the EU institutions. Through the Norwegian mission, officials can pick up on things that the Nordic EU member states cannot. It is not just that Sweden is telling Norway things that are happening in the EU; the Norwegians are also telling the Swedes about things that are happening that are useful to them. That degree of Nordic interlinkage, which is quite unique, helps a lot.

Another element is that the Norwegians are proactive and are willing to engage. If an opportunity comes up for some sort of meeting in Brussels that will be useful and they can attend, they will. They will fly people in from Oslo to augment the personnel that they have in Brussels, and they see that as an integral part of what is foreign policy for them, given that they are not in the EU. In short, the answer is resources, co-ordination, engagement—all of that. Having those things would not necessarily mean that you would influence EU policy the that way you want to, but if you want to have a hope of doing so—[*Inaudible.*]

Dr Allan: Thank you. I will ask a question of Dr Zuleeg. Scotland’s predicament, of course, involves being both non-independent and non-EU. Given some of what has been discussed today about the complicated relationships between the Scottish and UK Governments and between the UK Government and Europe, what are the opportunities for multilateral direct engagement between the Scottish Government and EU states or sub-states? Do you feel that—how can I put this?—we should not wait for the UK to come up with a helpful position before we do that engagement?

Dr Zuleeg: There is certainly a lot of scope for engagement, although I would still make the distinction between the formal and the informal. When it comes to formal engagement, the existing mechanisms—the TCA and all the governance attached to that—will be the formal way that the European Union interacts with the UK, including sub-state actors. There is not going to be a discussion on, for example, trade between the European Union and the UK that is separate from those mechanisms, but there are many other areas where there can be engagement.

I will add a little bit to what Anthony Salamone was saying about Norway. Norway is very much aware of its limitations. It knows how far it can go in terms of influencing, it knows that it has to compromise in many areas, and it knows that to be really effective, it needs alliances and it needs to build something inside the European Union. On top of that—at least in the past, as there are some issues now domestically—there was a very strong domestic recognition of the need for Norway to do those things.

In the Scottish debate, there needs to be a recognition of why doing those things is important and what kind of influence it has. Certainly, the Scottish Government’s goal to align as much as possible with the European Union provides a direct link, so there is a lot of scope for engagement and, in my view, there is a need for that engagement. Much will depend on how Scotland—not just the Scottish Government, but

Scotland in the wider sense—will approach the issue.

Dr Allan: As you are very aware, Scotland's position is one of a state of flux to some extent. It is interesting that you mentioned alignment, and I think that Mr Salamone used the word "Europeanisation" to describe what is happening to our political culture. I suppose that this is a question for both of you. Are those two sides of the same coin? Are we talking about roughly the same thing, or different things?

Dr Zuleeg: From my perspective, the two things are certainly connected; alignment is a practical expression of Europeanisation. I would have this question for the Scottish political system: what does alignment mean and to what extent does alignment mean making difficult choices that might lead to divergence from the rest of the UK on certain issues? Of course, that will always depend on the constitutional settlement and on what kinds of choices the Scottish Government can make.

Alignment is a very ambitious commitment. I am not saying that it is not something that you should do, but to be truly aligned with what is happening in the European Union is an enormous task for both member states and sub-national actors within member states, especially when they have legislative powers that are touched by European policy. If that is really the direction in which Scotland wants to go, it will require quite a lot of focus and investment to make sure that the alignment is meaningful.

That also means having a two-way discussion with the European Union. Often, alignment is not just about having the text of a law that is then transmitted into the national system, but about how that is interpreted and then realised and implemented. Alignment is a very far-reaching goal. If you do it well, it means that there is a certain Europeanisation of the debate, but Europeanisation goes further than that. Alignment is a major task.

Dr Allan: I put the same question to Mr Salamone. How do Europeanisation and alignment connect?

Anthony Salamone: I agree with what Fabian Zuleeg said. It would be rather unusual—perhaps unique—to choose to align more closely with the EU as part of a third country than the UK as a whole would wish to do. That is something that could be new.

The alignment aspect is only one part of Europeanisation. It is worth noting the democratic challenges associated with alignment. Any entity that is not a part of the EU can choose to be aligned with EU laws, policies or standards. Obviously, you would have no say in them, but you can still make that democratic choice. There

may be some challenges there, in the sense that you would not be shaping those policies that you are choosing to be part of or the laws that you are choosing to follow.

Europeanisation, for me, goes much wider. It relates to some of the things that Fabian Zuleeg said about—*[Inaudible.]*—Scottish politics and Scottish society, collectively. It is not about any one institution. There needs to be a great awareness among all of us of what is happening in Brussels, what is happening in core EU member states, how that impacts on the EU and us, the general major debates in the EU, the extent to which Scottish actors understand and acquire European languages and use them, and the extent to which practical co-operations are formed between the Scottish Government, the Scottish Parliament, civil society—all of Scotland, as a collective team—and the various actors in the EU. That needs to include the Scottish media, which gives almost no substantive coverage of European affairs beyond Brexit and independence. All of that would come together in a way that meant that Scotland would be much more a part of what is actually happening in the rest of Europe. To a large extent, we are disconnected from the substance of what goes on in the EU.

The Convener: I guess that today's theme is:

O, wad some Power the giftie gie us
To see oursels as others see us!

I quote Burns specifically because there is cultural diplomacy around all this. No matter how we feel about the shortbread view Scotland, this is about much more than that.

10:00

I see challenges ahead in our role in scrutinising the issues. The PPA is coming as a result of the agreement between the EU and Westminster, but the Scottish Parliament will have no formal role in that body. We are empowered under the Scotland Act 1998 to scrutinise our own Government's involvement, but the Scottish Government will say that it has no formal involvement in the TCA at this stage. That presents a scrutiny challenge for us because we have no power to scrutinise the UK Government.

The common frameworks are still under development. The uncertainty around those, and around Executive power, is, to my mind, one of the challenges that we face currently. How should we do that engagement if the Executive power is used in an area in which a power has come back to the UK from Europe but is part of the devolved settlement? We might see the UK taking a different turn. I would be interested in your comments on those areas.

Unsurprisingly, I would consider us to be staunchly European in our outlook. Having served in this Parliament for 10 years, I would say that we have engaged with Europe. However, given what we are hearing today, much more could be done.

I know that the Scottish Government has committed to Erasmus, but are our institutions seen as key partners in Europe? Are our universities still involved in horizon Europe research? If I look at the Scottish Government's priorities for the economy, for space technology and for life sciences, is it recognised that we are able to contribute to those areas? Another area is fintech, in which there is a lot of investment in Edinburgh. Is there any recognition by the EU of developments in the key strategic areas for Scotland?

That is probably enough to ask at the moment, so I will go to Mr Salamone first and then to Fabian Zuleeg.

Anthony Salamone: I very much appreciate the scrutiny dilemma that you have outlined for your committee and the Scottish Parliament. Yes, it is a challenge. As I outlined in my written evidence, I think that it is important, even though it might be unfortunate, to be realistic that the scope that exists for Scottish institutions to influence the EU outwith the UK or the UK itself—that is, the bilateral institutions under the TCA—could well be limited.

The best option and the most promising avenue for scrutiny is through the Scottish Government, but if the Scottish Government is not involved, what do you scrutinise? I suppose that that is part of the evolution of our adjusting to the new relationship with the EU. There is also, as Fabian Zuleeg mentioned earlier, the animosity that exists between the UK Government and the EU, which I suppose we all hope will have a positive resolution. I am afraid that I do not have any particular answers, other than to say that, whatever engagement the Scottish Government does, I hope that the Scottish Parliament can influence that.

On EU relations more broadly, I think that it is important, at least in my own remarks, to be clear that the Scottish Government does a lot of good work in its engagement with EU actors. It is not a question of nothing happening or nothing good happening; it is not that. It is that we are in a post-Brexit reality, and in that context it is very important to have a strategic vision for the years ahead, as I have set out in my written evidence, whether that be for five years or longer. That needs to set out what our priorities are, what we will focus on, how our offices will work together as a network and how we will achieve the goals that we have set, in full recognition of the challenges that we face—and they are substantial challenges.

On issues such as Erasmus+ and the horizon programme, even if the UK had agreed to be part of those, there would still be uncertainty. Norway is part of those initiatives. It still opts in to every multi-annual financial framework, so it has certainty in some sense but that is not a perpetual thing necessarily.

On the Scottish Government trying to secure unique access to Erasmus+ instead of the UK, I do not see that as something that is likely to be successful, to be frank. I appreciate that that will be a disappointment for people, but I imagine that that is the reality of the situation. If the EU is looking for a UK response on Erasmus and the UK Government says that it does not wish to participate, there is little scope for action in between that, unfortunately.

Broadly speaking, I would say yes—this is the core element that I want to get across—the Scottish Government needs to have a clear long-term strategy.

Dr Zuleeg: I agree with that. The difficulty that I would see from an EU perspective is that—this applies within the EU but even more so when you are talking about relations with third countries—the Government of a country is the conduit of that relationship. You do not have formal relations with individual parts of it. It is entirely up to that country to decide how to involve, for example, sub-state actors in those relations. In many federal countries, for example, we see that the federal regions are very much involved, but it is up to the Government of those countries to decide in which way that is done. That is often based on internal constitutional arrangements.

In a formal sense, that will, unfortunately, mean that there are limitations to what Scotland can achieve because of the relationship that the UK has with the EU at the moment. At times, there have been attempts by the UK Government to actively shut down some of the other voices because they have not been seen as being helpful to the negotiation tactic that it has pursued. We have to be realistic about what—

The Convener: Oh, dear. We lost you for a moment there, Dr Zuleeg. Have you concluded your comments?

Dr Zuleeg: Yes. My final point was just to say that I would go back to the distinction between the formal and the informal. The formal side is very much dominated by what the UK Government wants to do but, on the informal side, there is a lot of scope for co-operation and co-ordination.

The Convener: I thank you both for your attendance at committee. Your contributions have been really helpful. We will suspend briefly to allow us swap over panels.

10:08

Meeting suspended.

10:10

On resuming—

The Convener: Welcome back. The second item on our agenda is a continuation of our inquiry into the Scottish Government's international work. We welcome to the committee David McAllister MEP, chair of the European Parliament's Committee on Foreign Affairs. I invite Mr McAllister to make a brief opening statement.

David McAllister MEP (European Parliament): Thank you, honourable convener and honourable members, for inviting me to the meeting. Kind regards from Brussels and the European Parliament. I am once again honoured to be a guest of the committee.

The last time that I spoke to the honourable members of your predecessor committee—the Culture, Tourism, Europe and External Affairs Committee—was on 25 February this year, which was just weeks before the final ratification of the EU-UK trade and co-operation agreement. We are now seven months into the implementation of that treaty, and we certainly face our challenges, but it remains a solid base for EU-UK relations.

The withdrawal agreement and the TCA cover a wide array of sectors, and the governance framework of those agreements provides tools that ensure a comprehensive and consistent approach vis-à-vis the United Kingdom. All actions in the European Union need to be seen together, and they should be coherent and focused.

In the future, we need to seek ways to broaden and deepen our EU-UK partnership. I believe that that would be in the interests of both sides in order to maintain close and lasting co-operation, given our shared values and interests, especially in an increasingly unstable world.

From my point of view, there is the potential for foreign and security policy co-operation with the United Kingdom in several areas, such as co-ordination in multilateral organisations, sanctions, crisis management, capability development, intelligence and development. I hope that we can exploit that potential in the near future and benefit from the TCA's broad governance structure and the living character of the agreement, which allows us to build on a solid base if there is political will on both sides.

We as parliamentarians have two key roles when it comes to the implementation of the TCA. We need to ensure close scrutiny of the proper implementation of the withdrawal agreement and the trade and co-operation agreement, and we need to play a full running role in driving forward

the debate on future areas of co-operation between the European Union and the United Kingdom.

I will leave it there. Thank you once again for inviting me to the meeting, which is a great honour, and thank you for your attention.

The Convener: Thank you very much. I would like to open with—*[Interruption.]* Are you okay?

David McAllister: Yes. I am just asking my assistant to close the shutter because of the sun.

The Convener: As long as you hear us, that is the main thing.

We as a devolved Parliament have had a very good relationship with Europe and, as you mentioned, there has been a lot of co-operation between our predecessor committees and Europe in the past. The situation was simpler when we were aligned with and part of the European Union. As a committee that scrutinises the Government, we are, obviously, concerned about the level of scrutiny that there is and how we might be able to work with the European Union to ensure transparency around the TCA decisions. Do you have any light to shine on how we might be able to work with the Committee on Foreign Affairs in order to do that scrutiny?

10:15

David McAllister: The general question is: how can the Scottish Government and the Scottish Parliament engage with the European Union, and what should they seek to achieve from that engagement? As I am of Scottish descent, I am always among the first to welcome close engagement with Scotland and Scottish institutions. The way in which Scotland engages with the EU after Brexit will inevitably change with the change in the relationship between the European Union and the UK. We all know that the fundamental difference is simply that the UK is now no longer a member of the EU, and it does not enjoy the same privileges and representation in European institutions. That, of course, also affects the representation of Scottish interests in Brussels and the way that Scotland engages with the EU.

I believe that, on the one hand, Scotland should pursue its engagement with the EU by pursuing its interests with the UK Government. Bearing in mind Scotland's current constitutional situation, that formal channel remains important. On the other hand, Scotland can pursue a different and more informal engagement with the EU within the limits of its constitutional position. That includes exchanges such as that which we are having this morning as well as informal exchanges on topics of mutual interest, which will be particularly

important. Scotland house in Brussels is doing an excellent job. It is, of course, a useful channel for any kind of engagement with the EU, as well as the representations that you have now established in some of the member states.

We in the European Parliament—I can say this on behalf of colleagues from all the different political groups—are keen to hear representatives of civil society and various stakeholders and, of course, politically democratically elected representatives. We are happy to have those informal contacts, but we can also reach out at formal events such as this morning's meeting.

The most important thing is that the Scottish voice is heard in the EU. My advice would therefore be to use the formal channels that you have within the framework of the UK and the other channels that you have, including the informal ones in Brussels, to get your message across. Colleagues are very well aware of the fact that the people in your part of the United Kingdom—in Scotland—voted in large numbers to remain in the European Union. That is not forgotten, and we will always try to find flexible and pragmatic solutions to get Scotland as close as possible to the European Union.

The Convener: Thank you very much. Other committee members will now ask questions.

Mark Ruskell: Good morning, Mr McAllister. It is nice that you are in front of the committee.

I want to ask you about transparency, particularly in relation to the parliamentary partnership assembly. What expectations do MEPs have about how open and transparent the workings of that assembly will be? I am thinking in particular about the long-established rights that we have as European citizens to be part of open policy making and in relation to the business of policy making and scrutiny being open and democratic. What demands will MEPs make on how accessible the workings of that assembly will be? What will be the implications for European citizens?

David McAllister: I have already said that we parliamentarians play a crucial role in scrutinising the implementation of the two agreements and in fostering the debate on how we can move forward. Sessions such as the evidence session today and the good track record of similar sessions with your predecessor committee show the importance and benefit of our exchanges. I have attended similar events with the Welsh Parliament's committee, and there is huge interest in the European Parliament in reaching out to the Northern Ireland Assembly because, for many reasons at the moment, the political debate in Brussels is very much focused on the protocol on Ireland and Northern Ireland.

On the parliamentary partnership assembly, I can inform members that, just this morning at 10 o'clock, we had the constitutive meeting of the European Parliament's delegation for relations with the United Kingdom. We have just voted as our president Nathalie Loiseau from the renew Europe group in France, and, as vice-chairs, Seán Kelly, who is an Irish colleague from the European People's Party, and a Social Democrat colleague from Bulgaria. The 35 members of the European Parliament delegation will be the European part of the joint EU-UK parliamentary partnership assembly, which will, I hope, soon start its work.

The parliamentary partnership assembly is mentioned in the EU-UK trade and co-operation agreement, and we are now keen to organise its first meeting. The new delegation that we have in the European Parliament will closely co-operate with the UK contact group, which gathers representatives from all political groups, to scrutinise EU-UK relations and co-ordinate our position as the European Parliament on the matter. Perhaps it can be said that the difference between the UK contact group and the UK delegation to the European Parliament is that the UK contact group is the first point of contact for Vice-President Šefčovič before important meetings with Lord Frost and that it debriefs and briefs members, whereas the parliamentary delegation is more responsible for the contact with the UK Parliament.

We received a lot of recommendations on the composition of the parliamentary partnership assembly. Of course, we cannot influence in any way how the UK side is composed. In the end, a decision was taken that the representatives would be from the House of Commons and the House of Lords, so there will be no members from the Parliaments of the devolved nations. We respect that British decision, of course, but, as I said, I would always welcome your using the different channels of informal co-operation, including the European friends of Scotland, which is an informal network of MEPs that represent different political groups. I know that Angus Robertson is also keeping in close contact with those members.

On scrutiny, we in the European Parliament are very happy with the work of Maroš Šefčovič. From our point of view, he is doing a very good job, and he is very transparent in his work. We in the UK contact group are regularly informed. We will have our next meeting on 20 December, and we have managed to find such good co-operation that Vice-President Šefčovič can share confidential relevant documents without them being in the newspapers the next day. We have tested that. I have a group of colleagues around me who are very interested in getting things done and not so much in informing the media in an informal way.

That is what I can tell members about implementation and scrutiny in the European Parliament.

Mark Ruskell: Thank you for sharing that news with us. Obviously, it is in its very early days. As institutions, civil society organisations or European citizens that scrutinise the process, how can we engage with it practically? Will there be full access to papers that are being brought up to the PPA for scrutiny? Will there be full disclosure and full transparency, and what might that look like? What mechanisms are you used to implementing in your foreign affairs committee? What kind of culture of openness and transparency might we expect for the PPA? What might that look like when it comes to sharing the information that is presented to the elected representatives on both sides but that perhaps is not available to citizens or those who scrutinise the process from afar, as we in Holyrood do?

David McAllister: We are just at the beginning of setting up the parliamentary partnership assembly. Nobody can really tell at the moment how it will work in practice. It took a long time to establish the PPA and to agree on size and who would be represented. It is all now being formally set up, although we still do not have a date for our first meeting. It always takes two to tango, but I am sure that there will now be progress in London to move forward. That is one point.

The second point is that, on the Brussels side, we might be able to set the standard for how we inform parliamentarians in Europe. At the moment, we, as the European Parliament, currently receive all trade and co-operation agreement documents from all committees. The European Commission is transparent and we cannot complain about not being informed; on the contrary, the way in which team Šefčovič does that is impressive. Of course, we do not know what the UK side will do, but if our UK counterparts and colleagues get to know what information we receive, they might want to remind the UK Government that they would like to receive the relevant documents, too.

Jenni Minto: Thank you for joining us, Mr McAllister. In the previous evidence session, we talked, as you have, about the formal and informal relationships and contacts that we can have. Clearly, there is a formal relationship with Northern Ireland and, as you have pointed out, the PPA currently has no representation from the devolved Parliaments. What can we learn from relationships that the EU and the European Commission have with other nations? We heard a bit about Norway, which has a different relationship from the one that Scotland would have, and the Basque countries and Québec. Do you have any thoughts as to how the Scottish Parliament and the Scottish Government can engage and build on the

perception that Scotland voted to remain in the EU, as you said?

David McAllister: As I mentioned, the EU has close relations with many third countries in the world, and we have good parliamentary co-operation. I was the rapporteur for Serbia and, from 2014 to 2019, I was a member of the EU-Serbia parliamentary delegation. We met on a regular basis and we had exchanges of views. When Serbian ministers came to Brussels, MEPs would be invited for lunch or dinner events. There are many ways to engage.

The difference between a third country and Scotland is that we, as a European Parliament, cannot establish formal relations with a regional Parliament because we have to respect the constitutional order of the third country that we are dealing with. Formal co-operation is not possible, but there are many possibilities for informal co-operation. I have already mentioned that Scotland house does a very good job; it is very active and present. There is the European friends of Scotland, which is an informal grouping in the European Parliament. There are colleagues, including me, with close contacts to Scotland—my door is always open to representatives from the Scottish Government and the Scottish Parliament. I am looking forward to meeting Angus Robertson as soon as Covid conditions allow his travel to Brussels.

10:30

I also encourage you, as members of the Scottish Parliament, to get on a plane or a train when we can get back to normal travelling. Please come to Brussels; I am sure that, throughout the political landscape of this Parliament, members will find European colleagues who are interested in talking to you and listening to your concerns.

Encourage your Government to come to Brussels regularly. I was the Minister-President of the German Bundesland of Niedersachsen, in Hanover, from 2010 to 2013. A German Minister-President is something like the First Minister. I travelled to Brussels at least twice a year because we knew in Hanover that there are so many things going on in Brussels that have a direct impact on Niedersachsen. Just as you have Scotland house, Niedersachsen has representation in Brussels, which usually organises a good programme.

Please come to Brussels—you are very welcome—and try to invite European officials to Scotland. I was just in Northern Ireland for two days with the chairman of the Committee on International Trade—the two of us co-ordinate the UK contact group. We spoke to representatives of civic society, the business community, political parties, the speaker of the assembly and members

of the Executive. It was so important for us to be on the ground in Belfast and to listen to people who are dealing with the issues every day. We went back and said that we wanted to find the most pragmatic and flexible solutions within the framework of the protocol to facilitate everyday life in Northern Ireland. I am not in any kind of position to give advice to the UK Government. However, on Northern Ireland, I would ask Lord Frost and his team to always listen carefully to what people and businesses in Northern Ireland are saying, because they—not politicians in London—have to live with the consequences of the protocol.

Jenni Minto: Thank you for that. We also use our contacts with the consuls who are based in Edinburgh and elsewhere in Scotland, so there is also that two-way conversation.

The Convener: We move to questions from Maurice Golden.

Maurice Golden: Thank you for that welcome, Mr McAllister. I will speak to the convener in due course about a possible committee visit to Brussels when restrictions allow. I am sure that we would all love to meet you in person.

We heard the earlier panel of witnesses' thoughts about the Scottish Government's EU engagement and two main areas of focus—one being practical co-operation on areas of mutual interest and the other being participation in debates on the future of Europe. What are your thoughts on the Scottish Government's approach in those areas? Would you like to add anything?

David McAllister: Thank you for your question. I cannot really add much to what I have just said. The Scottish Government is very present and Scotland house does a great job.

Unfortunately, we were not able to find a solution to Scottish participation in the Erasmus+ programme, simply because we cannot allow parts of third countries to join the programme. I have been informed that the Scottish Government has now established a node programme to encourage young EU citizens to study in Scotland. These are the ways and means that we have.

In the end, it will be a political decision in Edinburgh as to whether you want to present the Scottish position through the formal communication channels that you have in the constitutional framework of the UK or whether you want to use the informal communication channels that exist. That is a political decision that must be taken in Scotland. I guess that a good mixture of both would probably make sense—that is what I can tell you.

There are areas in which we would like to have closer co-operation with the UK, including, as I already mentioned, foreign policy, security and

defence. That is totally lacking in the trade and co-operation agreement and, in the European Parliament, we regret that no agreement has been concluded on those areas. There are other things that have not yet been finalised in our relations. For example, we need to move forward in the wide area of financial services, for which we have a memorandum of understanding that is not legally binding. From 2026 onwards, we need a sustainable solution for fisheries; until then, we have the 25 per cent decrease in total allowable catches. I consider the TCA to be a living agreement that will need to be adapted to certain realities in the next couple of years.

I am receiving a lot of letters at the moment about why things are not moving forward on certain topics, including the horizon programme. There is a simple point to consider here. As long as we have not found a sustainable solution for all the issues around the protocol for Ireland and Northern Ireland, there is not much appetite in Brussels to move forward on other things. Everything is interlinked. My understanding is that, in the past two to three weeks, team Šefčovič and team Lord Frost are sitting down and trying to work on practical solutions, which I welcome. We have not set a deadline. We do not want to have drama just before Christmas, but we all know that we cannot go on and on with the Northern Ireland-related issues. Let us try to find a solution for Northern Ireland before the election campaign in Northern Ireland starts, because we do not want this to be politicised. The EU certainly does not want to be dragged into domestic politics in Northern Ireland.

We will have a meeting with Maroš Šefčovič and the UK contact group on 20 December, when we will get the next update on where we are. Once the Northern Ireland-related issues are solved, we can move forward on other important political questions, including all the questions around the horizon programme, which is of huge importance to Scottish universities.

Maurice Golden: Thank you, Mr McAllister. Given your experience of devolved Assemblies, I wonder about two fronts. What role could the Scottish Parliament have in scrutinising the Scottish Government's engagement with Europe and what role could parliamentarians and local councillors potentially have in direct engagement with the EU and other representatives from across Europe? For example, even though Scotland and the UK are no longer part of the European Union, we are still invited to observe the Committee of the Regions. What are your thoughts on how further integration could be aided in that respect?

David McAllister: How you scrutinise the work of the Scottish Government is, of course, up to Parliament. I cannot judge that and cannot give

you any advice on it. On the few times when I have been to the Scottish Parliament it has always been extremely interesting to follow the plenary debates and the committees' work. That is your job; parliamentary democracy in Scotland is functioning.

I have experienced both sides in my political career. I was an Opposition member of Parliament in Niedersachsen, then we won the elections, so I was the majority party leader then Minister President. I finished my career in Niedersachsen being back in the Opposition. I can tell you that it is wonderful to be in the Opposition, but it is even nicer to be in the Government, so I wish you all great success.

The nice thing about democracy is that Governments actually change. I am saying this as a German citizen. You probably saw on television in Scotland yesterday that we have a new Chancellor now. My political family—the Christian Democratic Union of Germany—will, after 16 years in power in Berlin, have to learn what it means to be the Opposition and to thoroughly scrutinise the work of the German Government.

I will go back to what the Scottish Parliament can do. Events like today's meeting make sense. You should regularly invite representatives from different EU institutions to speak at your committee; you should reach out in informal ways to your European counterparts.

On engagement by UK representatives in European institutions, one consequence of Brexit is that we no longer have British representation on the European Parliament, the Council and the other institutions. It is very unfortunate that the British voice is no longer heard in so many institutions here in Brussels and in Strasbourg. We are now going to build a bridge between the European Parliament and the UK Parliament through the parliamentary partnership assembly. I cannot say whether other EU institutions—the Committee of the Regions and others—will establish similar formal or informal contacts. We in the European Parliament have done our job; we have established the EU-UK parliamentary partnership assembly.

Maurice Golden: Thank you, Mr McAllister.

The Convener: You mentioned the parliamentary work that is happening. We have been working with our devolved Assembly counterparts in the devolved legislatures and have asked for observer status in the PPA arrangements at Westminster. That is supported by the relevant House of Lords committee. Do you have a view on that? Would you support that approach?

David McAllister: As I mentioned, we have to respect the constitutional order of the UK; it is up

to the UK side to decide whether representatives of the devolved Parliaments can sit at the table. Let me be diplomatic. I have raised the issue with some of my UK counterparts and I always receive the answer that the matter will be decided in the UK. I will just leave it there.

The Convener: Thank you.

Sarah Boyack (Lothian) (Lab): It is good to have you at the meeting. Your comments on democracy were well made. We have spent quite a few weeks getting evidence about how we scrutinise the keeping pace legislation, so the parliamentary connection is really important for us. Your observations about subnational state governments are important for us because European countries are still our nearest neighbours and we want effective links plus accountability.

10:45

For us, the priorities are that we maintain relationships; interparliamentary liaison work is important for us within the UK but, of course, it is important that we liaise across Europe, as well. What are the opportunities for us? We think about the top priorities post the 26th United Nations climate change conference of the parties—the shared climate agenda challenges and the climate challenge that people in Germany and Belgium experienced this summer with the climate crisis—and we think about the relationships that we need to foster and how they link to our trade relations. What would be our best approach in keeping pace with colleagues in Europe, both at European Parliament level and at the level of the devolved states and the regional government agenda, which is very important for us?

David McAllister: If you are interested in finding out what we are doing at EU level, I suggest that you reach out to representatives of the Commission. The European green deal is probably the biggest project for the Commission that is led by President von der Leyen. The Commission has presented the fit for 55 legislative package. That is a huge legislative proposal that the European Parliament and the Council must now agree. I believe that the debates will at least take one and a half years, and perhaps two. You might be interested, as soon as travel conditions allow it, in coming to Brussels to speak to people in the European Commission for a presentation on the European green deal and what especially the fit for 55 legislative package is.

Climate change is a huge task for all of us all over the world and Europe. I can say this only from the German point of view. The German Bundesländer in many ways have similar competencies to the Scottish Parliament. You

have a good partnership with Baden-Württemberg in Germany. You might be interested in, for instance, reaching out to Baden-Württemberg on what active climate change policy means for a regional Government and Parliament in Germany. You could perhaps learn a lot; we in Germany can, of course, learn what you are doing in Scotland. I know that it is one of the top priorities of the Scottish Government in this session. That is what I would do.

I want to say, as a European citizen, congratulations to Glasgow for being such a good host for COP26. Various representatives I spoke to who were in Glasgow were amazed at how friendly the Glaswegians were, despite their city having been invaded by thousands of international guests. I hope that all participants behaved. When it comes to the EU-UK relations that we are talking about, I want to underline that in the trade and co-operation agreement and in the political declaration, in particular, there are level playing field provisions. They refer to six fields that cover competition, subsidy control, state aid, state-owned enterprises and designated monopolies, taxation, labour, social standards and the environment and climate. Climate also plays an important role in implementation of the trade and co-operation agreement and in parliamentary scrutiny.

Sarah Boyack: That is useful feedback for our Net Zero, Energy and Transport Committee and our Economy and Fair Work Committee. Our challenge is in scrutinising overall relations between Scotland and the EU following Brexit. Your comments about interparliamentary liaison, particularly your diplomatic answer in response to the convener, were very useful. We will want to keep pursuing that issue.

There is also a challenge for us in relation to the keeping pace agenda on trade. To what extent can we make better use of our Scottish offices in Brussels and other parts of the EU with regard to keeping in touch with developments that take place in the EU? The Conference on the Future of Europe was mentioned earlier. Are there useful lessons that we can learn from that project that would allow us to anticipate what happens next in the EU? Such bilateral relationships would at least allow us to see what was coming and to think about the areas in which it would suit Scotland and the rest of the UK to align.

David McAllister: I guess that Scotland house will be closely following what we are doing and what the European Commission, the European Council and the European Parliament are discussing, and that it will be providing the Scottish Government with all the relevant information. I am always very impressed with the work of Scotland house. It is a small but very

effective team—it is very visible and present, and it reaches out. I understand that Scotland house is working on a network of people, including myself, who have relations with Scotland and who are dedicated to bringing Scotland and the whole United Kingdom as close as possible to the European Union.

I am not a member of the Conference on the Future of Europe. I understand that the meetings are made public—the web stream can be followed. It is too early to tell what the conference will bring. The conference is gathering input, so it would be premature to say what conclusions it will make.

We certainly need to steer the European Union in a more geopolitical direction. You might have heard that President Ursula von der Leyen has announced that she will lead a geopolitical commission. One of the main questions that is already being debated in the Conference on the Future of Europe is how we can strengthen the EU's position at a global level. When it comes to trade, we are a superpower and are at eye level with any other power in the world, including the United States and China. However, when it comes to foreign affairs, especially on defence and security, the European Union is not a global player—as I sometimes say, we are the global payer but we are not a global player. We definitely need to better co-ordinate our common foreign and security policy in Brussels and to become more effective, not only strategically but in our decision-making processes.

We have probably made more progress on security and defence in the past five years than we have done in the previous 55 years. Unfortunately, that also has to do with Brexit. While our British friends were sitting around the table, we could not make any progress at all on security and defence co-operation. During the final years that the UK was in the EU following 2016, the UK was not happy about such debates but said that it would no longer use its veto when we tried to move forward.

I always underline to our British friends that, when we discuss closer European co-operation on security and defence—that will be a priority of the French presidency of the European Council in the first half of 2022—it is not about doing anything in competition with or against NATO, or about duplicating NATO's capabilities. It is about strengthening the European pillar within the established framework of NATO. We, of course, know that the UK remains a very important and loyal NATO ally. If, over the next few months, people are following the debates in Brussels and Paris about closer co-operation on security and defence, they should remember that.

I am not sure whether there is already an English translation of the German Government's

new coalition agreement. For the first time, we have a three-party coalition in Germany. Germans love very detailed coalition agreements. I know that a lot of British counterparts have been observing the situation with great interest, so it might be worth reading the coalition treaty from page 130 onwards, where the new SPD-Liberal-Green Government describes the German approach to Europe. For instance, the new Government in Berlin expects that the Conference on the Future of Europe will lead to a Verfassungskonvent, as we Germans call it, which would be a new convention on how to reform the existing treaties of the European Union. I am not sure that all 27 member states are discussing the matter from the same angle at the moment, but I guess that the approach in Berlin will be echoed in Paris, Luxembourg, Belgium and a few other countries. That is what I can tell you.

Sarah Boyack: Thank you for that answer. I am certainly following the recent agreement in Germany with great interest.

Dr Allan: Welcome, Mr McAllister. It is always nice to have a friendly and very diplomatic face to deal with in our relationship with the European Parliament. You are diplomatic, and you have rightly said a number of times that you have to respect the constitutional order in the UK. Of course, I do not have to do that, so I will ask a question as diplomatically as I can.

You have said that we can use channels through the UK to communicate with the EU, and you have alluded gently to the fact that the relationship between the UK and the EU has not been simple over the past few years. The Scottish Government and many actors in Scotland have a sense of frustration that, for reasons that are not your fault, we cannot exercise any formal channels of parliamentary communication and we have to rely on the informal ones. Has that frustration been conveyed or is it widely appreciated?

David McAllister: Life is too short to be dragged into domestic British politics. Because I deal so much with European politics at the EU level and national politics in Germany, I am simply an interested observer of British politics. I know many politicians from all the political parties in the UK, so I try to remain as diplomatic and neutral as possible. How you organise things in the UK is up to you. I can only give you advice to use the formal channels, but you are also welcome to use all the informal channels.

I want to tell all members of this great committee that, whenever you are in Brussels, regardless of your political affiliation, you are always welcome to come to my office. I have a fantastic view here on the 15th floor of the Spinelli building and my team serves one of the best coffees that you can get in Brussels. I am always happy to listen to your

points and issues. I am probably one of the few German politicians who follows Scottish politics closely—I sometimes even listen to “Good Morning Scotland” on the internet in the morning.

That is all I can tell you. I think that I have been clear that there are many informal channels that you can use. There are people from across the political parties here in Brussels who well know that public opinion in Scotland in 2016 was slightly different from that in other parts of the UK.

11:00

By the way, we also miss the six Scottish MEPs, as we miss most of our British colleagues. It is just so sad that the British voice is no longer heard in these institutions. That is why we need to invite people from the UK as a third country to our institutions so that you can get your messages across.

Dr Allan: That is a very diplomatic and kind answer. We will take you up on your invitation individually and, I hope, collectively, when that is possible at some stage.

My next question is perhaps more diplomatic and is about the German point of view: it is about the Länder and your experience in Lower Saxony. What role do the Länder have in representing themselves in Brussels, and does that vary from Land to Land?

David McAllister: All 16 German Bundesländer have representations here in Brussels. Of course, the bigger Länder have more staff than the smaller ones. The German Länder are very different in size. North Rhine-Westphalia has nearly 20 million people and is the economic powerhouse of Germany, and on the other hand you have the tiny little Bundesland of the city of Bremen and the city of Bremerhaven. Together, they have about 600,000 people.

All 16 Länder have representations. North Rhine-Westphalia, Baden-Württemberg, Hessen and Niedersachsen are very active. You might at some stage want to have a look at, let us say, Baden-Württemberg, which is probably the Bundesland with which you have the closest contact. Go to see the Baden-Württemberg, Niedersachsen or Hessen representation. What do they do? How are they staffed? What kind of events do they organise? How do they report back to their regional capitals?

The most active and visible German representation from the Länder is, of course, Bavaria, which has this fantastic location directly next to the European Parliament at the castle. People often ask me, “Is that the house where the Commission President lives?” and I say, “No, it’s a representation.” They say, “Is it the German

representation?” and I say, “Oh no, it’s the Bavarian one.” As with many things in Germany, Bavaria is the gold standard. Of course, Bavaria is an extremely wealthy German Bundesland and it can afford more things than other Bundesländer.

When I was a Minister-President from 2010 to 2013, I usually went to Brussels twice a year. It differs for the 16 Bundesländer but, usually, it makes absolute sense for a German Minister-President to come at least once or twice a year to Brussels. Some Bundesländer have even organised Cabinet meetings in Brussels. I remember two or three years ago, the Bavarians were here with the whole Government. Then, on a regular basis, we also have committees coming from the Länder Parliaments to Brussels. I am only aware of when the Niedersachsen committees come but, in a five-year term of the Niedersachsen Parliament, every committee of the Parliament will come to Brussels at least once.

So many things that are of huge importance in Brussels are also important for us in Niedersachsen, such as Volkswagen, climate change, agriculture, education and research. I always encourage my colleagues from our regional Parliament in Hanover to come to Brussels. I have never met anyone who said that they were less informed when they went back to Hanover. Brussels sometimes appears to be very complicated, and the procedures are sometimes different from those in our own countries. I can only encourage you as MSPs to come to Brussels. You will be received well by the people in the Council, the Parliament and, I guess, the Commission.

Dr Allan: Thank you for that invitation.

The Convener: Mr McAllister, thank you very much for your attendance. Your points about visits and personal contact are well made. You might be interested to know that, in the previous session of the Parliament, as convener of the Education and Skills Committee, I visited Hanover to see the science, technology, engineering and mathematics expo that is put on every two years for pupils from everywhere in Lower Saxony. That was an incredible experience, and your colleagues in Hanover made me very welcome.

We will take from what you have said some possibilities going forward. I am sure that you will see more of us in the coming months and years. Thank you for your attendance this morning.

David McAllister: Thank you, convener and colleagues. Good luck in your political work for the fantastic country of Scotland.

Meeting closed at 11:06.

This is the final edition of the *Official Report* of this meeting. It is part of the Scottish Parliament *Official Report* archive and has been sent for legal deposit.

Published in Edinburgh by the Scottish Parliamentary Corporate Body, the Scottish Parliament, Edinburgh, EH99 1SP

All documents are available on
the Scottish Parliament website at:

www.parliament.scot

Information on non-endorsed print suppliers
is available here:

www.parliament.scot/documents

For information on the Scottish Parliament contact
Public Information on:

Telephone: 0131 348 5000

Textphone: 0800 092 7100

Email: sp.info@parliament.scot



The Scottish Parliament
Pàrlamaid na h-Alba