



The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

EUROPEAN AND EXTERNAL RELATIONS COMMITTEE

Thursday 19 November 2015

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EUROPEAN AND EXTERNAL RELATIONS COMMITTEE
17th Meeting 2015, Session 4

CONVENER

*Christina McKelvie (Hamilton, Larkhall and Stonehouse) (SNP)

DEPUTY CONVENER

*Hanzala Malik (Glasgow) (Lab)

COMMITTEE MEMBERS

*Roderick Campbell (North East Fife) (SNP)

*Willie Coffey (Kilmarnock and Irvine Valley) (SNP)

*Adam Ingram (Carrick, Cumnock and Doon Valley) (SNP)

*Jamie McGrigor (Highlands and Islands) (Con)

*Anne McTaggart (Glasgow) (Lab)

*attended

THE FOLLOWING ALSO PARTICIPATED:

David Coburn MEP

Ian Duncan MEP

Ian Hudghton MEP

Catherine Stihler MEP

CLERK TO THE COMMITTEE

Katy Orr

LOCATION

The Robert Burns Room (CR1)

Scottish Parliament

European and External Relations Committee

Thursday 19 November 2015

[The Convener opened the meeting at 09:31]

European Union Update

The Convener (Christina McKelvie): Good morning and welcome to the European and External Relations Committee's 17th meeting in 2015. I make the usual request that mobile phones be switched off or set to flight mode as they can otherwise interfere with the sound system.

Under agenda item 1, we are having a European Union update from our members of the European Parliament. In the committee room with us are David Coburn MEP, Ian Hudghton MEP and Catherine Stihler MEP. Joining us via videolink is Ian Duncan MEP. Good morning and welcome to the committee, everyone.

The focus of today's evidence is EU reform in the context of the committee's work, the transatlantic trade and investment partnership and other issues that are coming up in the next few months. I will go straight to questions because we have only an hour for the meeting—time is very tight. We will start with my colleague Jamie McGrigor.

Jamie McGrigor (Highlands and Islands) (Con): In my region, most of the concerns that I have heard about TTIP are agricultural. I understand that Ian Duncan recently chaired a conference on agriculture from that point of view. There seem to be positive views expressed about the dairy side but more problems with the suckler side. Could you say what those issues are?

What is the US opinion? I know that you recently crossed the pond to hear views over there, so would you like to expand on those and say whether TTIP is a good thing from the agricultural point of view?

The Convener: That is a direct question to Ian Duncan.

Jamie McGrigor: It is to Ian Duncan and the rest of the panel.

The Convener: We will let Ian Duncan speak first.

Ian Duncan MEP: Madam convener, it is a pleasure to contribute. I am sorry that I am not with you in person, but I am certainly with you in spirit. It is good to see the clerks in the

background, too. I know that they will have done a lot of the heavy lifting for today, so well done there.

I have serious concerns about the issue that Jamie McGrigor raised. TTIP will pass or fail on the wider question of agriculture and our edible goods. I have serious concerns about the way in which America uses what I will call sub-therapeutic dosing of livestock with antibiotics. That is a serious danger and I do not believe that we can accept it. It would be bad for us and many aspects of the biome or the human body's good bacteria.

As for what is happening in the US right now, my colleague Jim Nicholson, who is a farmer in Northern Ireland and an MEP, shares my concerns. His view is that TTIP is not likely to make any serious progress at all until some time later in 2017, so we will not be facing any imminent adjustments. The US election will get in the way.

Jamie McGrigor is right that the wider question of the quality of our goods and how they are recognised and enjoyed across the pond will be important. We have much to offer and, if we can get the rules and regulations on imports right, we can make progress. However, if we cannot do that, I would have serious reservations about TTIP as a whole.

Jamie McGrigor: When you were in America, did you get any inkling about the timing and whether TTIP could go through under the current presidency?

Ian Duncan: TTIP will not go through under the current presidency. I think that there have been 12 rounds of bilaterals between the US and the EU, the last of which took place in Miami just the other month. Progress is slow. To be frank, I do not think that the Americans are in any way happy with developments in the EU. You can make of that what you will. I think that we are many years away from a conclusion to the process and many rounds of negotiations away from satisfactorily convincing ourselves that all is well on both sides.

The level of support for TTIP is probably much higher in the EU than it is in the US. Members will be aware that the US is much more focused at present on the Pacific trade agreement, which has made far more significant progress and is, to be truthful, more popular than TTIP is in the US. There is no imminent progress and there will be nothing under the current presidency. We are probably two or three years away from any sense of a conclusion to the process—if it is concluded at all.

The Convener: Ian Hudghton is nodding away. Does he want to come in?

Ian Hudghton MEP: I think that we all share concerns about Scotland's good reputation for food production and supply and about the standards that we have, which are partly due to the high standard of EU regulation on food safety, for example. In Scottish agriculture and food production, we certainly have our geography in our favour in marketing our produce as good quality, and we do not want to trade that away for anything.

However, it is important to note Ian Duncan's last few words. Nobody really knows for sure if or when TTIP will be finalised. It is not impossible that the whole thing could collapse. The committee will be well aware of the saying in EU decision making that nothing is agreed until everything is agreed. That means that, at the moment, there is nothing in TTIP. Certain chapters have been negotiated in the various rounds of talks in which progress has been made. As usual, people start with the easy things in such negotiations, but many issues could lead to fairly serious difficulties in trying to get a final agreement—not least persuading 28 member state Governments, plus a majority in the European Parliament, to support the outcome.

We have had a preliminary opinion on the matter, which set down views that were different from what was thought to be the general drift at the time. That was back in July. Following that, the European Commission brought forward what it called a modified process to replace the investor-state dispute settlement mechanism, for example, which is one of the big controversies. In my view, that is still not necessary, and it will still be one of the controversial areas. We do not need to set up something separate between two parties that already have well-developed legal systems that could surely cope with anything that arises from a trade agreement.

There is a massive amount in TTIP. I expect all Scotland's members of the European Parliament to unite behind and seek assurances about the key things that are important to Scotland, such as the issue that has been raised.

David Coburn MEP: I agree with a lot of what Ian Duncan and my good friend Mr Ian Hudghton said. Basically, TTIP is a corporatist scam that is designed to favour big multinational corporates against the interests of smaller businesses. It is dangerous.

On the investor-state dispute settlement mechanism, it is worrying that Government organisations in this country could be sued for impeding in any way some American corporation's desire to make a lot of money out of our health service, for example.

The agriculture situation is extremely important and frightening. I am sorry to say this, gentlemen and ladies, but it indicates why Great Britain should remove itself from the European Union. We should organise our own free trade agreement that suits us better. As we have had long-term arrangements with the United States, I am sure that we could come to a much better conclusion. Iceland and China can organise things without being in such a situation.

The European Union is an impediment to us all. It is interested only in the views of the 27 other states. A one-size-fits-all approach simply does not work. The only way that we can get out of the situation that we are in is to leave the European Union—there we are.

The Convener: We will come to EU reform, but I want to give Ms Stihler a chance to come in. We have heard from everyone else.

Catherine Stihler MEP: We all have concerns about TTIP—we have our mailbags, as do committee members. Red lines concern issues such as ensuring that countries can take public services back into public ownership if they want to, and secret courts, which we do not want.

We all have concerns but, as Ian Hudghton said, nothing is decided until it is decided. At the moment, we have nothing to look at that we can discuss, apart from the negotiating documents that are online. I agree with Ian Duncan that TTIP is a long way off. As others have said, there are presidential elections next year.

David Coburn suggested that it would be better if we were outwith the EU. I firmly disagree with that. It is better to be part of something. Even if there are things that we disagree with, it is better to be involved in the EU, disagreeing and reforming, than to be outwith the EU and having things imposed on us.

Jamie McGrigor: Mr Coburn, it is obvious from your evidence that you and your party are against TTIP. Do you agree that it is estimated that TTIP will be worth £10 billion to the United Kingdom? From the figures, it seems that the EU side will do better than the US side out of the deal. Is it not worth examining it closely before dismissing it, as you have done?

David Coburn: Certainly not, because the problem is the entire EU and the entire principle. We should be dictating our own TTIP; we could come to a much better arrangement than the EU could. We are told that it will take a decade to get a 0.5 per cent improvement in gross domestic product out of the agreements, and the gains are too small to be measured accurately.

The whole thing is a mess. The agreement is being negotiated in secret and nobody knows what

is going on. I think that the whole thing is wrong. We would be much better negotiating a treaty from our own standpoint. I am sure that farmers and everyone else in the country would agree that we should negotiate our own treaty with the United States. We are perfectly capable of doing it, and I see no advantage in having such a treaty changed and chopped up to suit the Spanish, the French, the Germans or somebody else. If we organised our own trade treaty, we would do a lot better out of it.

The European Union is intrinsically socialist, so it is not in our interests. We are a go-getting capitalist country—let's go get 'em. Let us be capitalists. Why should we be shackled to the dying European Union? It is not a good trading organisation and it is falling to bits. It is something out of the 1950s and we really do not need it. We have free trade worldwide, so let us get on with that. We should do our own trade and organise our own trade treaty.

Willie Coffey (Kilmarnock and Irvine Valley) (SNP): I would like to talk about recent opinion polls on the UK and Scotland's membership of the European Union. A poll yesterday showed that, when the don't knows are excluded, 74 per cent of the Scottish people favour remaining in the EU. However, as recently as September, another poll showed that, when the don't knows were excluded, 52 per cent of people across the UK favoured leaving the European Union.

What are your parties' views? As representatives of Scotland, do you think that, if Scotland votes to stay in but the UK votes to leave, Scotland should be pulled out of the EU on the back of UK votes?

David Coburn: I would dispute those—

The Convener: Excuse me, but I want to ensure that everyone is given a fair opportunity to speak. We will start with Catherine Stihler.

09:45

Catherine Stihler: Yesterday's poll, which showed that 65 per cent of Scottish people intend to vote yes, was encouraging. However, as we know, the only poll that counts will be the one on the day of the referendum.

At the moment, we do not know when the referendum will be. The Prime Minister has come forward with the four asks, which I think will go to the December European Council. The sooner we know the referendum date, the better it will be for us all. We just have to wait.

Those of us who are pro remaining in the European Union must work together to ensure that we remain in the EU. The EU is of great benefit to Scottish businesses and consumers, but the

referendum brings uncertainty about what will happen to our EU membership, whether that is on agricultural policy or payments or on structural funds—topics that I know that the committee has been looking at. We have a big job ahead of us, but I will be fighting the campaign on a different side from Mr Coburn and stating the benefits of our remaining part of the European Union.

David Coburn: I dispute the figures entirely. Other recent polls have pointed out that views in Scotland and England about the European Union are very much the same, with people in Scotland slightly more in favour of the EU than those in England. I have knocked on doors in both countries and, to be frank, the views are the same.

It is not in Scotland's interest to discuss the matter in terms of the break-up of the UK. We have decided that issue—that is what we had the referendum for, when whether we are in or out was decided once and for all. Therefore, we are in or out of Europe as the UK's nations together.

When we went into the European Union, we went in together, so the deal will be that we would have to leave together. If it was any other way and the UK left the EU, Scotland would have to reapply. It would probably have to wait five years and come in after Turkey. That is not even credible. I got that information from Mr Juncker and his response was televised.

It is not in Scotland's best interests to differ from England on the issue. We do more business with England than we do with anyone else. Would we want an international border at Gretna Green? I do not think so. That would not be in Scotland's business interests.

We should stop talking about this rubbish, because it is harming Scottish business. I am a businessman of many years' standing and I talk to businessmen all the time. Businessmen in Scotland do not want to be apart from England but part of the European Union. That is nonsense.

Ian Hudghton: I think that Willie Coffey was referring to a scientific opinion poll that was publicised yesterday and which produced the results that he described. At this stage, the poll is encouraging—I say that as someone who is from a party that is positive about Scotland's opportunities through EU membership and the benefits that we receive.

I look forward to a positive referendum campaign whenever it comes. It is reasonable to have significant differences in opinion between the partners. However, we must remember that we are equal and respected—apparently—partners in this UK union. If there are different views among the nations that currently make up the UK union, those should be respected. It would not be reasonable for Scotland to be taken out of the

European Union in a referendum if there was a significant difference and a vote in Scotland in favour of remaining in the EU.

The committee has papers for its meeting that itemise the many positives that arise from EU membership. Fisheries policy is often referred to as one of the negatives but, even in that sphere, the EU market is important, because it accounts for 75 per cent of the value of Scotland's seafood exports, according to the committee's research documents. There are massive practical benefits that we would do well to consider as we work towards the referendum.

Ian Duncan: I am surprised that Ian Hudghton used the words "scientific opinion poll", given that the suite of opinion polls before the previous UK election led us to recognise that the science is a little shaky—perhaps an artistic opinion poll might be a better description. The polling is interesting. If people talk about in/out as a simple yes or no question, we get certain results, but when we look at the polling with the phrase "reformed EU", we begin to get a different result.

My feeling is that north and south of the border—and on both sides of the Channel—people want serious reform. I am conscious that that is what we should be talking about today. I do not believe that one single person who is before the committee believes that the EU is doing it exactly right. We want it to be done better—more efficiently and more effectively. When we go round the doors, we want to be able to say that the EU is a good thing if it works well. The challenge that we face is how to deliver on that reform.

On Mr Coffey's specific points, I do not see that happening. I see Scotland as a principal beneficiary of being in the EU when it works well, but I have seen too many examples where the EU seems distant, remote and out of touch—as I am sure have all of you. When we consider the discussions on TTIP, only three countries' MEPs—those from the United Kingdom, France and Greece—voted against it in the European Parliament. Every single other country voted in support of TTIP, even with the variations—the ISDS and so on—that some committee members have said are anathema and are wrong.

I do not wish to give Mr Coburn too much credit, but the reality remains that even if every single MEP from the United Kingdom voted against TTIP, our ability to be outside it would be heavily restricted by our membership of the European Union. You can make of that what you will. I argue that we need to push for serious reform of TTIP, but we should be under no illusions. There is a great appetite across eastern, central and southern Europe for TTIP to go forward. Although France and Great Britain are against that, our

ability to influence the situation will be restricted by our membership of the EU.

I like TTIP and I think that it will work and will deliver for Scotland. It will grow jobs and the economy. That is one of the great potential achievements of the European Union. When I speak to people on the doorstep, I say that if we can increase trade and make trade better, we can grow jobs.

The EU has been too sclerotic in its approach. We should also be looking at trade agreements with countries such as India. India is the single largest drinker of whisky, but it does not drink Scotch. We cannot export there because the tariffs are 150 per cent. Imagine if we could get a trade agreement that eliminated the tariffs. What would that mean for the glens of Scotland? Distilleries would suddenly spring up to feed what would be a bountiful market.

The EU should be focusing on those aspects, rather than indulging—as it often does—in intrinsic navel gazing. It is harder to sell the EU when the EU is not always its own best friend.

The Convener: I want to bring in Rod Campbell, because he wants to expand on the TTIP question and now would be the time to do it. I will bring Willie Coffey back in after that.

Roderick Campbell (North East Fife) (SNP): I just want to recap a bit on TTIP and to talk about the trans-Pacific partnership. Does the panel agree that that could be considered as the big brother of TTIP? There seems to be increasing political opposition to it in both the Senate and the House of Representatives, and more particularly from a key presidential candidate, Hillary Clinton, who says that she would not support TPP if she were elected president. Does the panel agree that if TPP fails, there is no prospect of TTIP being agreed with the USA?

Ian Hudghton: There is something in that, if indeed that turns out to be the case. If the US, having prioritised that partnership along with other Pacific countries, subsequently did not support it, it would put TTIP in a different light as far as the US side of the negotiations is concerned.

I want to return to some of the points that Ian Duncan was making. In the broad debate about EU membership, no one is saying that the EU is perfect and is not in need of reform. A lot of the problems that the UK as the member state has had have been caused by the attitude of UK Governments and how they operate within the EU. That goes right back to—

Ian Duncan: That is not true.

Ian Hudghton: It is true. It goes back to the fact that a UK Government took us into the common fisheries policy, which was a total disaster, against

the interests of the UK's and Scotland's fishing communities, and deliberately negotiated those interests away, whereas—[*Interruption.*]

The Convener: I will let Ian Duncan come back in, but it is really difficult to manage the discussion if people shout over one another. If you are patient, I will let you back in.

Ian Hudghton can continue.

Ian Hudghton: On the other hand, member states that act positively within the framework of EU negotiation in pursuing their own interests have, by and large, a different result—and there is a different attitude and perception on the part of their people as to how useful EU membership has been to them.

Today, instead of working within the frameworks that are available to reform or change things or to defend its own interests, the current UK Government takes a grumpy, standoffish attitude and demands that its four changes be made—in some strangely unspecified way—to avoid the risk of losing the UK. That is not exactly a skilful negotiating tactic if what the UK Government wants is to achieve those changes and to generally improve how the EU works. It would be far better to work constructively from within, as the other member states are doing.

The Convener: Does Ian Duncan want to come back in? I will then go to David Coburn, followed by Catherine Stihler.

Ian Duncan: Yes, I do. That is a mistaken analysis. The UK has a solid reputation and is very constructive. If you listen to much of the mood music just now, the greater concern in the EU is that the UK might leave and thereby change the balance that exists within the EU.

I am struck again by how constructive the Conservative Government can be. Last week, for example, there was an attempt in the European Parliament to have an emergency debate on the steel question. Right now, that is a big issue that the Scottish Parliament is pushing very strongly. Of the Scottish National Party MEPs, one did not attend and one voted against the emergency debate.

Frankly, if you want an example of constructive engagement, that was a live and important issue that I know that Ms Stihler and, indeed, Mr Coburn and Mr Hudghton are passionate about. We almost succeeded in having a debate and it did not happen. Sometimes, you have to be constructive both at home and abroad.

David Coburn: Let us be honest about it—the EU is totally unreformable. Mr Cameron has put forward some pathetic fig leaves to try to cover his enormous embarrassment. He is not getting

anywhere and he will not get any of what he wants.

One of the biggest problems is free movement of labour throughout the EU. That is a disaster, and what has been happening recently has made it even more of a live topic.

As regards fishing, I do not understand the SNP claim to be a nationalist party for Scotland. It is in Scotland's best interests to get out of the EU and get our fishing back. Let us get 200-mile limits back. Let us use our own seas, rebuild our fishing fleets and have canning factories and processing works for seafood. Seafood is a major industry in the world and the Spanish are making a mint out of it. We are not getting anything out of it—they are raiding our seas. How the SNP can claim to be a nationalist party when it is quite happy to give away our fishing to the Spanish seems insane to me. I believe that the SNP is not a nationalist party. It is an international socialist party—

The Convener: Could we stick to the topic please, Mr Coburn.

David Coburn: I am sticking to the topic. The SNP is purely interested in the EU: it is a pro-Europe party. If you want to get out of the EU, the only party to vote for in the election is the UK Independence Party, because the leader of the Conservatives, Ruth Davidson, says that she will sign up to anything that David Cameron brings back from Europe.

The Convener: Okay.

David Coburn: The EU is unreformable. It is utter nonsense to say that it can be reformed; it cannot be. There are 27 other countries and they have said quite frankly that they are not going to change anything, and Madame Merkel has said the same thing.

The Convener: It is clear that my definition of nationalist is very different from yours, Mr Coburn.

David Coburn: Yes, it probably is.

10:00

Catherine Stihler: To get back to Mr Campbell's question about TPP, the issue is a bit more complex than that. There is politics at play in the States at the moment with the presidential election coming up. One of Mr Sanders's comments about being anti-TPP led to another candidate's comments about being anti-TPP. There is a long way to go in drawing parallels between what is happening with TPP and what might happen with TTIP. The trade debate is interesting, but I think that we will have to wait and see what happens with the on-going TTIP debate. The last round of TTIP negotiations was in Miami

in October, and we have to keep monitoring those negotiations.

As for the broader reform debate, we are going to be faced with a choice, because there will be a referendum on EU membership. We do not know when it will be. Some people speculate that it might be in April, while others think that it might be in June, but we just do not know. What we do know is that there will be a referendum before the end of 2017 and that people will have a choice to make.

I think that the choice for the British people is very clear, because I think that it is best to remain in the EU and to reform it. I disagree totally with David Coburn's analysis that we cannot reform things in the EU; I think that we can, and we have seen that quite clearly in the better regulation agenda that is going on at the moment, in what we are trying to do about the digital single market and in what we are trying to do to make the single market work more efficiently and effectively, which helps businesses, consumers and individuals, as well as jobs and growth.

There is so much there that we have to consider. Those are questions that we will have to debate and discuss. However, there will be a choice to make and I think that those of us who want Britain to remain a part of the European Union must put our arguments across very vociferously.

Roderick Campbell: Can I just have a second question on TTIP? Then I will shut up about it.

The Convener: Very quickly.

Roderick Campbell: An article on TTIP in *The Economist*—that radical magazine—last month said that the

“deal's fuzzy nature makes credible economic forecasts hard. Opposition has been fiercest in Germany and Austria, two countries with strong social systems and low rates of unemployment: lots to lose and not so much to gain, critics would say. So now TTIP's supporters are emphasising two related strategic arguments. First, TTIP will cement the alliance between the world's great democratic powers at an unstable time; some speak of an 'economic NATO'. Second, establishing common, or mutually recognised, standards in the world's two largest consumer markets will oblige the rest of the world to follow suit, even on such matters as labour and human rights.”

Do you have any comments?

Catherine Stihler: One of the first debates that we had in the Committee on the Internal Market and Consumer Protection was on standards—this was maybe two years ago—when a presentation was given and there was a great feeling that perhaps TTIP could create a single market across the Atlantic, a single set of standards and so on. However, very quickly—six months later—we were given a presentation that said that there was not

going to be as much co-operation on standards at that moment, and there was disappointment about that.

With regard to the article that Mr Campbell quoted, my red lines for those negotiations are about public services, and I think that many of us share concerns about that issue. To be fair to the European Commission and the chief negotiator, they say that public services are protected, but we will not be able to tell whether that is the case until we see the final text. As we have said, there is a long way to go.

The article from *The Economist* is interesting. However, I think that what the committee should be looking at is the comprehensive economic and trade agreement—CETA—which we will be voting on. A yes/no vote on that is coming up—again, we do not know the exact date—but the committee might want to reflect on what is in that agreement.

As for TPP, I do not serve on the Committee on International Trade, but I think that those debates are important. We know from our constituent mailbags that people are very concerned about that, and rightly so.

The Convener: A CETA issue that we recognised very quickly—it is one of the wee furrows that Jamie McGrigor has been ploughing for a long time—was about famous brand names here being ignored by CETA. I hope that lessons are learned in that respect.

Ian Hudghton: The article in *The Economist* is a speculative one that outlines some of the potential big benefits of a sensible TTIP. However, because we do not know what is eventually going to be in it, we cannot say exactly how it will turn out, for all kinds of reasons. On Catherine Stihler's reference to red lines, the vote that we had in the European Parliament in July, which has been referred to a couple of times, was not for or against TTIP particularly, although amendments were set down suggesting that the negotiations should be suspended. I voted for those on the grounds that it would be better to suspend the negotiations, sort out how the process is going—make it more public and so on—and then resume.

However, on red lines such as the protection of health services, particularly the public administration of those, we are told by both the UK Government and the commissioner responsible that there is no threat to the health service—well, just write that in, then, and we will not have a problem.

We really need to see what is in the text before we can say whether it is good or bad. In principle, we can speculate about trading advantages but, on the other hand, if the negotiations are carried out in such a secretive way and have only gradually been dragged a little more into the open,

we cannot help understanding why people are suspicious of what is going on.

The Convener: Ian Duncan, do you have anything to say on *The Economist* article?

Ian Duncan: It is good in parts. That is probably the best description of it, but it is worth flagging up a couple of things. Catherine Stihler is right that the vote on CETA will be when we see whether the plates are shifting, and CETA already has the ISDS clause in it.

The work that the Commission has done to reform that has been fairly substantial, which is important, but it does not go far enough; it could go further. That is where we in the European Parliament can apply pressure, but it should be recognised that we apply pressure in the oddest of ways. We are not a negotiator on the treaty; we are the final sanction. We will vote for it or against it. We have to use whatever clout we have to encourage the Commission, when appropriate, to think again.

The convener raised the protection of brands and quality produce from Scotland. I know that the UK and Scottish Governments have been working hand in hand on that, because I have spoken to both of them about it. That is important, because we must recognise that we are not being diminished or losing as a result of what is going to take place.

The vote on TTIP was a frustrating occasion. In many respects, the debate was more informed by misinformation than information. I have no doubt that all the MEPs and many MSPs will have mailbags full of information. I had to spend quite a bit of time on my response, which you can go on to my website and see. It took us about 10 pages to explain every single aspect, especially when errors were made. ISDS needs to be reformed, but I am also aware that it is being reformed and that is a useful thing to say.

I have a simple point on the bigger question of harmonisation. Right now, life-saving drugs that are created in the US cannot be marketed here until they have gone through exactly the same procedures to test their safety in the European Union. Would it not be great if those life-saving drugs in the US could be used here the moment they have passed the procedures over there? Would it not be great if the same thing could happen in reverse, so that life-saving drugs that are created in the EU can be used in the US? Surely that should not be beyond the ken of clever men and women. We should be able to get to that stage. Perhaps this is an area in which we could be pushing; why not? We are fully aware that the pharmaceutical industry in the US is significant. When there are breakthroughs, let us make sure

that we all benefit on both sides of the Atlantic. That seems to be sensible.

The Convener: Thank you. Mr Coburn, have you a response to the article?

David Coburn: As I have said, we do not know exactly what is in TTIP. It is all being done in secret, which is a bit of a problem. I go back to what I said before: Britain itself would make a better trade deal with the US than we could ever get out of Europe, which is not very good at this sort of thing and is biased towards France and Germany. TTIP gives an unfair advantage to large corporations and is a lobbyists' dream. We would be better doing it ourselves.

Catherine Stihler: David, have you actually read the documents that we now have access to? I know that it is not the biggest start, but it is a start to be able to look at the documents when we were denied that before. I certainly have, but I do not know whether you have.

David Coburn: My colleagues have.

Catherine Stihler: I urge you to do it as an individual.

David Coburn: It is so difficult to do; they make it so impossible.

The Convener: Mr Coburn, can we get back to the point of our committee inquiry today? Willie Coffey wants to pick up where he left off.

Willie Coffey: Thank you, convener—it seems so long ago. I asked the witnesses what their views would be if Scotland votes to stay in the EU and the UK votes no. Mr Hudghton and Mr Coburn made their views clear, so I do not need a response from them to help the committee.

I was not so clear on Ms Stihler's and Mr Duncan's responses. Should Scotland vote to stay in and the UK vote to come out, what should happen?

Catherine Stihler: Different scenarios can be predicted. We are part of the United Kingdom and we are making a decision as part of the UK. Before we can speculate on the result, we have to join forces to ensure that we remain in the European Union.

We talked about agriculture and structural funding, but it is also absolutely pivotal that we remain in for the sake of research funding to Scottish universities. Whatever happens here or in other parts of the UK, we have to work together to remain in the EU.

Willie Coffey: Does that mean that Scotland should leave if it votes to stay in the EU and the UK votes no?

Catherine Stihler: You are making an assumption.

Willie Coffey: I am asking a question.

Catherine Stihler: I will give you a straight answer.

Willie Coffey: It is a fair question.

Catherine Stihler: Instead of speculating about what one part of the UK will or will not do, we have to work together to ensure that, when the poll happens, we remain part of the European Union because it is in Scotland's best interest to do so.

Ian Duncan: I am happy to answer the question. Mr Coffey is being a little bit devilish, I imagine. We are all fully aware that the issue was widely covered during the referendum—I am under no illusion, because I spoke on it many times. The Scottish voters were fully aware of it and the one thing that we can all rejoice in is the fact that Scotland is a remarkably informed body politic. In truth, the Scottish voters answered that question clearly in the referendum.

It is easy to talk about what happens if England votes to leave and Scotland votes to stay. Why not change it around: what if Northern Ireland votes to leave and Scotland, England and Wales vote to stay? There are complexities in the matter if we wish to make such points but, as Catherine Stihler says, we are the United Kingdom and the one part of the UK that has been asked whether it wishes to remain part of the United Kingdom is Scotland, which answered that it does. That point was well aired during the referendum.

Willie Coffey: I am still none the wiser.

Hanzala Malik (Glasgow) (Lab): Catherine Stihler and Ian Duncan have already answered several of my questions, for which I thank them.

I say to David Coburn that he might talk about businessmen, but we also have businesswomen in Scotland. I know that he spends a lot of time in Brussels, where there might not be as many businesswomen, but I can assure him—

David Coburn: Can I answer that?

The Convener: Let Hanzala Malik finish his point first and then he will let you in.

David Coburn: Businessmen—

Hanzala Malik: Allow me to finish, please—I allowed you to do so. It is unreasonable not to say that there are businesswomen in Scotland. They are very successful and I welcome the fact that they are joining more and more businesses.

I have a question for all the witnesses. A problem for Scotland, particularly in its rural areas, is that broadband is not being made available. Will TTIP help with that at all? Will that be in the

frame? Have any discussions taken place to determine whether we will benefit from that at all? I have to say that I have not seen anything yet.

The Convener: Digital, digital—who knows about digital?

Catherine Stihler: In Scotland, we have the commitment to 85 per cent coverage, but what about the other 15 per cent? That is the big challenge.

As the digital single market strategy has made clear, everything is digital; the single market is the digital single market. In your report, you talked about the new proposal to upgrade the single market, but the fact is that everything is interlinked. If we can get the digital single market to work effectively, we will be looking at €250 billion-worth of growth, which will prepare us not only for the future but for the third industrial revolution that we are experiencing.

As part of the digital single market strategy, we have just approved the telecommunications package. We will reconsider telecoms, which is where the broadband infrastructure is. To be fair, Hanzala, I should point out that infrastructure is debated in the Committee on Industry, Research and Energy rather than the Committee on Internal Market and Consumer Protection, but everything is interrelated.

The digital single market falls into three areas: accessibility, skills and mindset. Accessibility is about not only affordability but ensuring that people have access to the market. There are some fantastic models in Scotland. For example, I urge you to go to Shetland and look at what they have done about superfast broadband.

The issue, however, is not just that some people have access; obviously some people still do not have access to superfast but, even for those who do, one of the biggest challenges is geography. For someone who, for example, wants to purchase online something from an artist somewhere in the north of Shetland, the problem lies not with the online purchase but with getting the product delivered safely to the individual, wherever they are. There are, therefore, other challenges, which we are considering, too.

10:15

The Parliament is concerned about the issue of skills, but I point out that one in 10 schools in Scotland still has no computer science teacher. We need to take a serious look at digital skills. I am really pleased that the Scottish Government has put money into coderdojo programmes and into trying to ensure that coding is accessible. This coming Saturday, there is a coderdojo at Glasgow

science centre, and I am taking my son to it. It is a fantastic initiative.

As for the mindset issue, this is all about seeing things through the digital prism. We must ensure that our small businesses have all the parts of that, whether they are accessing superfast broadband or ensuring that they have the skills to deliver in the digital world that we all exist in.

Ian Hudghton: Let us not wait for TTIP before we resolve the broadband problems. In fact, to be frank, I think that we would do better to concentrate on resolving the broadband problems. I suspect that, if we did so, those problems would be resolved long before a TTIP came into effect.

The Convener: Does Ian Duncan want to come back in on the digital question?

Ian Duncan: If I may, convener.

Mr Malik has again put his finger on one of the bigger issues affecting Scotland. I have just commissioned from a gentleman who might be familiar to you—Donald MacInnes, who is a former chief executive of Scotland Europa—a report into what I am calling taking the single market to the edge, which will look at the barriers to ensuring that the 15 per cent who are in the shadows get the full benefit of the single market. Frankly, someone should be able to access the single market as easily from Stornoway as they can from downtown Silesia. Everybody in the EU needs to benefit from being in the EU; otherwise, it is just not fair.

There is European money out there, and I know that the Scottish Parliament is taking an active interest in getting that money to those areas to ensure that we are well connected. To my mind—and I have said this many times to colleagues in Brussels—I would rather be doing my job sitting in Lerwick than sitting in Brussels, and I feel on many occasions that there is no reason why that could not happen. If we could get the information technology to work, I would rather be looking out at beautiful landscapes, not concrete jungles. I think that more people would rather be in those parts of Scotland than in many of the greyer parts of Europe.

The Convener: Before Ian Duncan takes himself off to Stornoway, we will hear from Mr Coburn.

David Coburn: As someone who set up an internet company that has been quite successful, I am very keen on the internet going to all places. I agree with my friend Ian Hudghton that we should not wait for the TTIP for that to happen; it should have happened a long time ago, and I regret the fact that we are not pursuing it. The Chinese are going to put somebody on Mars and we cannot even get our broadband sorted out.

With regard to Mr Malik being mischievous about businessmen and businesswomen, as far as I am concerned, mankind—we do not discuss womankind—is a genus and woman is a special sort of a man. As far as I am concerned—

The Convener: We are more likely to say “humankind” on this committee, out of respect.

David Coburn: I was taught English at Glasgow high school and, frankly, I do not do political correctness. I have many women business friends—

Catherine Stihler: I was taught English at Coltness high school, and we were also taught politeness.

David Coburn: Well, I am sorry. It is political correctness, what you have told me.

The Convener: Okay. We have more questions—

David Coburn: I should say that I have many businesswomen friends. I have met Michelle Mone, who is one of Ian Duncan’s new peers, many times, and she is a perfectly fabulous example of a Scottish businessperson or whatever you would like to call it. I think that all this pathetic, childish, schoolboy nonsense is a bit below you—rise above it.

The Convener: Okay. I think that you have made your views perfectly clear.

David Coburn: Thank you, madam chairman.

Adam Ingram (Carrick, Cumnock and Doon Valley) (SNP): I have three related questions. What are the prospects of the Prime Minister’s proposals being successfully negotiated? Is there a formal role in those negotiations for Scotland or the devolved Administrations in the UK?

Over the past few months, we have seen major shocks to the EU and European solidarity, with the crisis involving refugees from Syria and last weekend’s outrage in Paris, which has created a threat to security—or, at least, the widespread perception of a threat to security—in this country and throughout Europe. What impact will that have on the European Union’s fundamental principles such as people’s freedom of movement, and what might be the knock-on effect of that on the referendum? After all, the referendum in the UK cannot be held in isolation from international affairs.

I am sorry—those are three quite big questions, but I think that they are fairly fundamental with regard to where Europe is going to go.

The Convener: Given that the first question is about the Prime Minister’s negotiations, we will go to the Prime Minister’s man in the EU—Ian Duncan, who is not yet in Stornoway.

Ian Duncan: I can assure you that that will be only a matter of time if I answer the question wrongly.

It will not surprise you to hear that I think that, right now, the negotiations will be successful. It is very much assumed that everything must be done very publicly and that we need to see it out there, when, in fact, UK Governments of all persuasions have for the past 20 years been very successful at something that is often not spoken about—soft power. Given their success in working behind the scenes, I have to say in answer to the first question that yes, I believe that the negotiations will be successful.

Should there be a formal role for Scotland? Yes, I believe that there should be. The four asks that are now in written form are important not just to Scotland, to England or to Wales but to everybody, so to be frank I think that there should be a formal and informal component. I hope—and I believe—that the Scottish Government is in dialogue with the UK Government over a number of those issues.

As for the wider security issues, I know that Mr Ingram was not implying this but it certainly came across that there was a linkage between the refugee crisis and the atrocities in Paris. I am always loth to see that linkage being made so strongly. The people who are fleeing from the terror in Syria are fleeing from those self-same people—and I make that point very strongly. I am not trying to make anything out of this; I am sure that you agree with me, and I think that we are all on the same page when it comes to those who have been through the horrors that are unfolding in Syria and elsewhere.

I have concerns about the direction of travel in the EU just now, mostly because of the unilateral actions of a number of member states that I think have undermined that solidarity. For example, the behaviour of the German Government has caused a number of tensions; first of all, it made very clear policy statements but then changed them and, in the bygoing, created significant problems for member states lying between Germany and the Aegean Sea. It was unfortunate that the Dublin convention was suspended in all but name, particularly when, shortly thereafter, Germany reinstated it; after encouraging so many people to come to Germany, Germany then began to say, “Actually, we’ve reached the point where we want to not encourage people to come.”

Despite the setting of the quota system to move people around Europe, we have discovered that, although tens of thousands of people should have been moved, less than 300 have. The EU has not been awash with common sense or solidarity, which is a real shame, given that this is a humanitarian issue and we are falling short. We

should all be doing more to address these issues and again, by putting so much money into the area around Syria, the UK Government is doing good work. It is important to note that.

I know that all of our parties stand in support of those who are fleeing terror. I know that we stand in solidarity with Paris and, indeed, with Beirut and so on; we stand with those who are experiencing that terror so close to home. Right now, the EU has to do better but again, the challenge lies not in people’s desire to do better but in their ability to understand how to make things better or resolve the problem. The fact that there has been no simple solution probably tells us that there is no simple solution.

The Convener: Mr Duncan, I do not think that Mr Ingram was making a connection between the refugee crisis and some of the serious events that we have seen over the weekend. Instead, he was suggesting that both things have had a serious knock-on effect on the EU’s ability to do its job, and he was simply wondering whether that would then have an impact on a subsequent in/out referendum.

Ian Duncan: I am sorry—you are absolutely right. I did not want to put words into Mr Ingram’s mouth; I just wanted to make things clear.

The sad fact is that the events that are unfolding in Europe just now are having an impact across not just the UK but the whole of the EU, with support for EU institutions falling both at home and abroad. Trust in European institutions and indeed in the member states’ leaderships is deteriorating, due, I think, to the seeming inability to find a solution that works and lasts. It is very true that conducting a referendum against such a backdrop is not ideal.

However, to be frank—and perhaps to give more information than I had expected to give—I think that the UK Government thought that, by now, the serious discussions on Europe would be on the UK’s role in the EU and how reform can take place. With the financial crises and the Greek situation that have unfolded in the past year—and now with the migration question—the top issue on the agenda is not that serious question. Many other serious tensions now require serious solutions, and the EU is just a bit bedraggled. It has not got enough capacity or time to solve all the problems, which is a serious worry, particularly as we begin to conduct a referendum campaign.

The Convener: Mr Ingram, does that answer your question?

Adam Ingram: I would like to hear from the others.

The Convener: I just wanted to check. Mr Coburn, do you want to come in on that question?

David Coburn: To answer the first question, Mr Cameron has asked for nothing. Bernard Jenkin MP—I think it was him; it was certainly one of the senior back benchers—said, “Is that it? Is that all you want?” Mr Cameron does not want very much and he cannot get very much. Merkel has already told him that he is not getting anything, and Hollande said the same thing.

What David Cameron has asked for is nothing—it is just will-o-the-wisp nonsense. It is a joke; he will not get any changes. He is doing it to cover his embarrassment. He is a Europhile and he is leading a party of people who are anti-EU, so he has a problem. He is trying to persuade them by saying, “Oh look, we’ve made these changes” but it is nonsense—he cannot get anything.

On Scotland’s involvement, I believe that Scotland should put in its tuppenceworth. The Parliament is here, and wise people here should be saying what they want to say, but I do not think they will have any more luck with changing the European way of doing things than Mr Cameron will have. I believe that the United Kingdom is more of a federal system, and the question is probably for Westminster to handle, but I am sure that Nicola Sturgeon will not be shy about sticking in her tuppenceworth. I am sure that she will say what she thinks.

Immigration is a serious problem. There is an exodus—that is the best way to describe it—of people to Europe. It is sad and appalling, and I am sure that there are some refugees from Syria among those people, but the vast majority are economic migrants. I do not blame them: if I were living in one of those awful countries, I would be getting my family together and coming over. The problem is that it is not possible for us to have unlimited numbers of people coming over. There is a housing shortage and unemployment in Scotland and in Great Britain, and we cannot have mass migration.

The Germans are already having problems. Madam Merkel made a very stupid remark—which I think she now regrets—saying, “Let’s have everybody in.” It is nonsense. I have said repeatedly in the European Parliament—you can look at all the clips on YouTube if you like—that we should set up good, properly run camps on the Turkish-Syrian border. The British Government is giving more money than any other Government. I would like the European Union to give a bit more of its own money, although not by itself—I would rather that the nation states did so individually. Once the money ends up in the sticky fingers of the European Union, it will disappear into an oubliette and never be seen again.

I would also like the Kuwaitis and the Saudis to get their fingers out of their pockets and produce some money. They have pots of it, and they are

not doing anything for their co-religionists. That is a disgrace. There is no reason why we cannot have good camps over there. Once the situation in Syria has been resolved, those people can go back home again.

I wonder whether there is a tendency for people to want to cause more trouble by bringing in more refugees. We have security problems, and we are all aware of what can happen. I spoke to the First Minister about that when she met the members of the European Parliament in Brussels. I said, “You are responsible for the people of Scotland in the same way that the Prime Minister is responsible for the security of Great Britain.”

We must ensure that we keep our good race relations in this country. We have good race relations in Scotland because there are a number of people who work and whom we have integrated into the country. If we have mass immigration without integration, we will have terrible problems. The situation in the banlieues de Paris—the Paris suburbs—is appalling. There are ghettos that are utterly terrifying. I have been to those places, and I would not like to go there at night or even during the day. Europe has a massive social problem because those people are being imported here and they are not getting jobs. If a lot of young men are running around with no jobs, they will get into trouble. They feel rejected by society, and they go and join jihad or whatever.

10:30

We have to be sensible. There are only so many people we can keep in the country. We have to maintain our social security and hospitals, and we need to ensure that tax is at a reasonable rate. At the moment, a lot of soldiers are not being housed. That is a disgrace that we should be handling. Until we solve the problems of social housing and unemployment—I do not see anybody around the table who has a miracle cure for that—it is best not to have mass immigration in Scotland.

We should try to get people housed preferably in the first country that they come to. It seems strange. If I were a migrant, I would be happy to go to Turkey, as I would be safe there. I would not necessarily want to plough all the way across Europe or jump into a leaky boat to get somewhere else unless, obviously, that would be to improve the lot of my family. I do not blame those people, but it is not right that we should take such an approach. We have to think of our own people, too.

Catherine Stihler: I will take Adam Ingram’s last question first.

Tomorrow, there will be a meeting, which I think is an emergency meeting, of justice ministers.

There are five issues on the agenda, the first of which is the temporary suspension of Schengen for 10 to 20 days, which can be done under terrorism measures. The second issue is the spread of weapons across the European Union, and the third is the extension of passenger name records. Currently, the debate is about airlines; tomorrow's agenda will include passenger name records for people who travel by rail, which has implications for Eurostar and TGV.

The fourth issue is intelligence sharing. We saw that the Belgian authorities had suspects but never shared the intelligence with the French authorities, which is tragic. Member states' intelligence sharing really has to be much more on the agenda. The fifth issue is external borders. Those things are on the council agenda tomorrow, and we should watch what happens there.

When I walked into the Scottish Parliament today, I was really touched to see the book of condolence and both flags. In the European Parliament on Tuesday, we had a minute's silence in the chamber. Staff and MEPs gathered together, and we sang "La Marseillaise", heard from the President of the European Parliament, and had a minute's silence. That finished with a lady playing a very moving "Ode to Joy" on solo violin.

What happened touched us all, and we do not know what will happen next, but we know that those issues will be discussed tomorrow.

The Convener: I know that your time is very tight, Catherine. Are you able to stay for another few minutes?

Catherine Stihler: Yes.

Ian Hudghton: I go back to the questions in order.

We do not have time to fully go into such a wide range of deep and difficult topics, but on Mr Cameron's prospects of success I would not be surprised if he came back in some months with a document that he claimed to be a successful answer to the slightly vague set of demands that have been made up to now.

That is not because of anything other than what I referred to earlier: if a member state goes into a discussion with partner member states in a reasonably constructive fashion, there is usually a willingness to compromise and to meet individual member states' concerns. That is the way that it works. I do not think that we had to do things in the way we have and have a referendum on the alleged outcome. We could have made significant improvements over decades if successive UK Governments had a more constructive attitude over those decades.

I was glad to hear Ian Duncan say that he thinks that Scotland should have a formal role in that process. It is a pity that Scotland and the other devolved Administrations were not consulted about the terms of the so-called demands. If that changes now that we know what those are, I will welcome that, but as far as I am aware Scotland has not been formally involved by the UK Government or anyone else up until now. Given our particular interests, I certainly hope that that will change.

The catastrophic events in Paris over the weekend and their aftermath will lead to a significant number of issues necessarily being discussed among Governments at the European level. Catherine Stihler made a good point about there being an intergovernmental role to play here, because the EU does not have a unified police force; rather, it has sharing arrangements among the separate forces, which would seem not to have worked as well as they might have in recent times. The events are certainly a wake-up call that requires the member states to get together and to look at how better to share intelligence and to track the movements of people who have come to the attention of the intelligence services.

Will there be an impact on free movement? The terrorists want to disrupt the freedoms and the way of life that is part of being in the European Union and each of its member states. We have to take precautions to ensure that we do not have many more such attacks, but I would hope that we do not end up with a knee-jerk reaction driven by people such as Mr Coburn and those with similar viewpoints who attack the fundamental freedoms that we enjoy. However, I understand completely that we must back up the freedoms with security, intelligence and the cover that perhaps may have broken down in the run-up to the Paris attacks.

David Coburn: Could I say just one thing?

The Convener: We are really tight for time. Anne McTaggart has the final question.

Anne McTaggart (Glasgow) (Lab): Good morning, panel—yes, it is still morning. I will follow-on Adam Ingram's points. My question is about the impact on other member states. How will the Prime Minister's negotiations affect the other states, or will they only affect the UK's membership terms?

The Convener: Mr Coburn, do you want to come in?

David Coburn: I am not quite sure what Anne McTaggart is driving at. Could she more specific?

Anne McTaggart: The negotiations and what has been requested—

David Coburn: By Cameron?

Anne McTaggart: Yes. Will those negotiations affect any other member state?

David Coburn: The entire European Union will be affected if the United Kingdom leaves it. There will be lots of problems for it, because it will not have British money to squander. It may have to do some reformation. It would take something catastrophic such as that before it would even consider any reform.

I do not think that other members will be particularly affected. Cameron—or so he claims—is trying to get changes made, but none of them is meaningful. For example, he wants to get rid of the treaty reference to “ever closer union”. That is just a load of words. It does not mean anything; it is just blather.

Cameron is not trying to make any serious reform, except for saying that he does not want the UK to be affected by the euro and all that lark. Quite frankly, if we vote to stay in the European Union, whether we like it or not we are going to get the euro anyway. That is a fact. The minute that we vote yes to the European Union, all the Europhiles will go bonkers—they will be going gangbusters to get the whole lot of us into the euro. Anyone who believes otherwise is being disingenuous or daft—it is one or the other. That is what will happen.

The Convener: Mr Duncan, do you want to come in at this point?

Ian Duncan: I would note that Mr Coburn probably is the expert on blather in one regard.

The big issue here is whether it should be exceptionalism—should the UK be the principal beneficiary? We are pushing for reform, but we are not alone. That is the first point. If you look at the recent elections across the European Union, you will see that a number of parties belonging to my political group, which has the word “reform” in its title, have been successful. The recent Polish election was won by a member of the European Conservatives and Reformists Group. You will find the same situation in Finland, where a right-wing party is in government. The Finnish Foreign Secretary spoke yesterday at a conference that I attended. It is the same in Belgium, with the NVA party. The word “reform” is not just about UK reform, and it cannot just be about the UK. We cannot have such exceptionalism.

The second issue is what reform should there be and what impact that would have. If we look at the eurozone versus the non-eurozone question, we see that we are not the only ones not in the eurozone—many other member states are, too. For example, Denmark has the same clauses to remove it from the euro. In addition, a number of other member states have not joined the eurozone. Do those states want to join? At

present, the way that the treaties are drafted means that they must join the eurozone—that is a commitment that they make. The question is: is it a commitment that they should have to make? Further, should the rules within the eurozone dictate the rules of the EU, since the boundaries of each are not coterminous? There are clear distinctions.

It is true that the idea of an ever closer union is just a form of words, but that is what treaties are—they are forms of words. The problem with ever closer union is that it is often invoked by the European courts as a determining aspect of legislation. Should it be? Need it be? No, I do not think so. We recognise that there are many benefits to the EU, but driving forward integration and harmonisation at all levels is not required. I am sure that many of you around the table today think that we should be doing something comparable to the rest of the EU or certain member states but that nothing should be dictated by them if it runs counter to our traditions, sense of democracy or anything else. To my mind, that is not exceptionalism.

On the thorniest issue—of restriction to benefits and so on—my view is that the free movement of people is a core strength of the EU. I believe that people should be able to travel here for work. That does not cause me any issues. Frankly, some of those people are keeping many of Scotland’s rural areas alive. They are bringing vibrancy to those areas and they are needed. However, they are here to work, so the benefits issue is separate from that issue.

We are not trying to be on the edge and be different from everyone else; we are trying to form alliances with other member state Governments and groups in the Parliament to find ways of making the EU better. Apart from Mr Coburn, who has a scalpel-like approach to the subject, everyone—whether it be Mr Hudghton or Ms Stihler—believes that reform is needed. This is an opportunity for that reform to take place. Reform is happening, but a lot of it is driven by Britain determining that the EU should do less, but better.

As MEPs, we are seeing an 80 per cent reduction in laws going through the Parliament. That is a good sign. We now have the regulatory fitness and performance programme—REFIT—which examines whether the laws are fit for purpose, questions whether they should be churned out or be tailored to need, and asks whether dormant laws should be allowed to stay on the statute books, causing trouble. All of that is beginning to happen as a result of the pressures from the UK.

I believe that the EU will benefit from this push for reform. It already has.

Ian Hudghton: I think that Ian Duncan just made a point that I have made several times. The EU is constantly evolving. It has to do that in order to meet circumstances, and constructive engagement between member states is happening all the time. There has been massive change in the time that I have been involved as an MEP, without having this alleged crisis.

I think that the question referred to a need to reform our terms of membership. This is not about terms of membership in the strict application of that term. The terms are set out in the treaties, and no one—not even David Cameron—is asking for treaty reform with regard to the terms of membership. The EU can do only what the treaties specify. If it wanted to do something additional that was not already specified in the treaties, it would have to change the treaties by unanimity, which means that no member state can be forced to do something new by this alleged entity that is the EU, which some people think can take over and do things—

David Coburn: It is not entirely true that you need unanimity—

Ian Hudghton: It is true that, to add competences to the EU's range, you need unanimity.

The Convener: Can you stick to answering the questions, please?

Ian Hudghton: That is the position that we are in.

Do the four demands affect other member states? They might, to some extent. It depends on exactly what the outcome is. It is not clear either in David Cameron's letter or in the four summarised aims exactly what he is looking for. The outcome might be some sort of compromise that the other member states are prepared to sign up to, but it might simply involve the other member states saying, "Aye, you can do that if you want."

The Convener: Ms Stihler, you are going to get to make the final comments, because we are really running over our time.

Catherine Stihler: I will be brief. The answer to the question of how other member states will be impacted is that it will depend on the negotiations. We will have to see how they go.

We know the four asks now. We have seen the letter and we will see the other member states' responses to that letter. As we go forward, we will have the December Council. If a deal is done in that Council, we might be closer to being clear about a date for the referendum. There is a lot to play for.

The Convener: We have run over our time this morning, but we could explore lots and lots more

areas. I thank everyone for their time. I thank Ian Duncan for buzzing in from London. It was good to talk to you, Ian. We will have to get you in front of the committee again—perhaps next time.

We will continue to work on all of these areas, and will keep in close contact with all of you. I thank you all and wish you well in your endeavours in Europe in the coming months.

“Brussels Bulletin”

10:45

The Convener: Agenda item 2 concerns the “Brussels Bulletin”. Are there any questions, comments or requests for further clarity?

Roderick Campbell: I am grateful that the document outlines the United Kingdom Government’s proposals for reform. Perhaps the Scottish Parliament information centre or someone else could provide us with a bit more information about the rules that apply across the European Union with regard to migrants claiming benefits when they begin working. That would enhance our understanding of the debate.

The Convener: We could definitely ask for a table of comparison.

Roderick Campbell: Any information would be better than none.

The Convener: Anything else on the bulletin?

Roderick Campbell: I read with interest the comments on the review of the birds and habitats directive. I understand that the UK Government has been rather silent on the matter. We could have asked Mr Duncan about that, but we had other matters to discuss. I would be grateful for further information on the UK Government’s position on that directive, if any is available.

Anne McTaggart: I do not have a question; I just want to highlight the fact that the employment, skills and education section states that there were 150 successful applications from Scotland to the Erasmus+ scheme. Wow—that is super.

The Convener: The National Union of Students Scotland did a lot of work in its Scotland goes global campaign to get as many young people as possible to sign up, because traditionally the numbers were low. It is a good step forward—well noted.

Do we agree to share the bulletin with specific committees, including the Welfare Reform Committee, with regard to the point that Rod Campbell raised; the Rural Affairs, Climate Change and Environment Committee on the point about rural habitats; and the Education and Culture Committee on the point that Anne McTaggart raised?

Members *indicated agreement.*

The Convener: We will move to item 3, which is in private.

10:48

Meeting continued in private until 11:17.

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