



**Cynulliad Cenedlaethol Cymru
The National Assembly for Wales**

**Y Pwyllgor Materion Ewropeaidd ac Allanol
The Committee on European and External Affairs**

**Dydd Iau, 15 Mai 2008
Thursday, 15 May 2008**

Cynnwys
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Cofnodir y trafodion hyn yn yr iaith y llefarwyd hwy ynddi yn y pwyllgor. Yn ogystal,
cynhwysir cyfieithiad Saesneg o gyfraniadau yn y Gymraeg.

These proceedings are reported in the language in which they were spoken in the committee.
In addition, an English translation of Welsh speeches is included.

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

Nick Bourne	Ceidwadwyr Cymreig Welsh Conservatives
Nerys Evans	Plaid Cymru The Party of Wales
William Graham	Ceidwadwyr Cymreig Welsh Conservatives
Gareth Jones	Plaid Cymru The Party of Wales
Val Lloyd	Llafur Labour
Sandy Mewies	Llafur (Cadeirydd y Pwyllgor) Labour (Committee Chair)

Eraill yn bresennol
Others in attendance

Andrew Duff	Aelod Senedd Ewropeaidd, Arweinydd, Plaid y Democratiaid Rhyddfrydol yn Senedd Ewrop a Llefarydd Materion Cyfansoddiadol Cynghrair Rhyddfrydwyr a Democratiaid Ewrop Member of the European Parliament, Leader of the Liberal Democrat European Parliament Party, and Constitutional Affairs Spokesman for the Alliance of Liberals and Democrats for Europe
Andy Klom	Pennaeth, Swyddfa Comisiwn Ewrop yng Nghymru Head, European Commission Office in Wales

Swyddogion Gwasanaeth Seneddol y Cynulliad yn bresennol
Assembly Parliamentary Service officials in attendance

Dan Collier	Clerc Clerk
Dr Kathryn Jenkins	Dirprwy Glerc Deputy Clerk

Dechreuodd y cyfarfod am 9.15 a.m.
The meeting began at 9.15 a.m.

Cyflwyniad, Ymddiheuriadau a Dirprwyon
Introduction, Apologies and Substitutions

[1] **Sandy Mewies:** Good morning, everyone. I welcome Members and our guests, and those in the public gallery—although I see that there is no-one there as yet. Headsets are available for translation and for sound amplification; translation is on channel 1, and amplification is on channel 0. I ask everyone to ensure that they have switched off their mobile phones and BlackBerrys and so on, because they interfere with the sound equipment. There is no test scheduled for today, so please take note of any alarm.

[2] I have received apologies from Members of the European Parliament, and from Assembly Members, who seem to be scattered across the length and breadth of Europe at the moment. Christine Chapman is attending an event in Turin as part of her duties on the Committee of the Regions; Jeff Cuthbert is in Gibraltar attending a Commonwealth

Parliamentary Association conference; and Mike German has also sent his apologies. I know that Nick is leaving at 11 a.m..

[3] **William Graham:** Do not ask me. [*Laughter.*]

[4] **Sandy Mewies:** We all hope to do so. I understand that we have not received apologies from Nick. I have not been notified of any substitutions.

[5] You will note that we are sitting slightly differently around the table today; this is because we will be holding a videoconference, and the layout will make it easier for us all to look at the screen. You will also note that Dan is making his debut as clerk. I am told that he is the one who will say, 'Lights, camera, action' when we start the videoconference today.

[6] **William Graham:** As the videoconferencing has improved, can it now be done in Welsh?

[7] **Sandy Mewies:** I am not sure, but I do not think that it can.

[8] **William Graham:** Could you draw that to the attention of whoever needs to be made aware of it? It is obviously a fault in the specification. For nine years, we have tried to be bilingual; it is appalling that we are unable to do that bilingually.

[9] **Sandy Mewies:** Yes, okay.

[10] **Mr Collier:** I understand that it is being worked on.

[11] **Sandy Mewies:** That was also my understanding. I do not know when it will happen, but we can make inquiries and let you know.

9.17 a.m.

Yr Wybodaeth Ddiweddaraf ar Lafar am Gomisiwn Ewrop Oral Update on the European Commission

[12] **Sandy Mewies:** I welcome Andy to the meeting. This is an opportunity for the head of the European Commission office in Wales to provide an oral update on relevant recent activity by the European Commission. I expect that you will be talking about Europe Day activities and the Europe Direct centres. Please do that, and I will then ask Members for their questions and comments.

[13] **Mr Klom:** Good morning, and thank you, Madam Chair, for this opportunity to present the recent and future activities of the European Commission in Wales. It is a very busy time for us. As you know, I have a tendency to speak a lot. I will try to limit myself as far as I can in order to allow more time for discussion.

[14] We have just survived a week of Europe Day activities in Wales. It started on 6 May with a reception for VIPs, AMs, and people from all levels and sectors of society in Cardiff bay. It was well attended, and we were fortunate enough to have speeches by the First Minister and one of the Welsh members of the European Economic and Social Committee, which will celebrate its fiftieth anniversary next Monday, I believe, 19 May. For the first time, in order to reach out to north Wales, we staged a second reception the following day, 7 May, in Llandudno, at Venue Cymru. We invited all of the north Wales stakeholders, partners, and constituents who have an interest in EU affairs. We wanted to respond to the often-heard complaint that we tend to forget the north. We wanted to celebrate with them the Europe Day events, understanding that going down to Cardiff for just a reception is a very big

effort for them; we wanted to bring it to them. That was well received. Stimulated by that, we hope to come back next year to other parts of Wales, beyond south Wales, to celebrate Europe Day twice.

9.20 a.m.

[15] However, it did not stay with that, because, after the receptions in Cardiff and Llandudno, I also participated in a Europe Day seminar at Llandrillo College, up in the north, the day after, on 8 May. About 50 or 60 students attended from different vocational areas—pursuing tourism, construction and a whole range of topics—to engage in a seminar, debate or workshop on the EU. It was not just about Europe Day; it went beyond that, to what Europe means for them and their careers—their working futures and employment—and the opportunities that Europe has for them.

[16] At the same time, our Europe Direct centres in different parts of Wales have been developing Europe Day events, from the low end to the top end. The South Wales Europe Direct Information Centre in Cardiff held an EU quiz; it was not just for university students—it reached out to a number of community organisations and invited them in. Wrexham did pretty much the same on 9 May: it held a pub quiz on the EU with 18 different teams participating. It was a Europe-wide quiz and I think that about 300 teams participated across the whole of the EU, 18 of which came from Wrexham.

[17] The Europe Direct centre in Carmarthen organised a major Europe Day event for primary schools at the National Botanic Garden of Wales on 9 May. There were 24 schools—four from Ceredigion and 20 from Carmarthenshire. They came to the botanic gardens, all of them having prepared a stand about a particular European country, with flags and food and all the things that primary school kids like. Some of them dressed up in national costumes, including the Welsh one of course. They went through a whole range of activities, from face painting, to drumming, to story telling, all of which were pitched appropriately at their level of interest. It was very festive. I was there for the opening and there was a very positive party-like atmosphere, which is totally what Europe Day is about, of course. It is to mark the occasion of nearly 60 years of Europe as a project of peace, prosperity and democracy. It is something to celebrate in a light-hearted way.

[18] We have just come through a whole week of Europe Day activities, and we hope to expand on that even more next year with our Europe Direct centres and our own activities. Once again, we want to reach out to all corners of Wales and, if possible, draw in more partners as well. For instance, the Llangollen Europe Direct centre, on Europe Day itself, engaged with six secondary schools by means of an ambassador. EU staff from the department that runs development aid came over from Brussels and went to speak to six different secondary schools, to answer questions about what Europe is doing in the field of development aid, for example. There are many organisations that could potentially be drawn into Europe Day activities and benefit from them. Those are the most recent events that we have been organising.

[19] Looking a bit further into the past, at the end of April, we had a visit from the European Commissioner for Agriculture and Rural Development, Mrs Fischer Boel, who came over at the invitation of the Women's Food and Farming Union, which was holding its annual conference in Bridgend on 28 April. She gave the keynote speech, but also met briefly with the Welsh Minister for Rural Affairs and with representatives of the Farmers Union of Wales and the National Farmers Union. She even made a farm visit in the afternoon with the FUW people, to a local farm not far from Ewenny, south of Bridgend.

[20] That was preceded, in mid April, by an EU council meeting—a role play—that we organised at the commission's office, with Cardiff University's school of European studies. It

involved 15 students, after 18 hours of course work, preparing the position for a proper negotiation in the Council of Ministers from the point of view of a particular country. We had four countries—Spain, Poland, Britain and France—and a team doing the role of the European Commission. They suffered two hours of full negotiations about the renewables targets for Britain and the other countries, which were to be determined in the framework of our climate change efforts in Europe to push up renewables targets for energy, and to contribute that to the 2009 UN negotiations in Copenhagen. They suffered, but they also enjoyed it very much. It is something that we hope to replicate in future.

[21] Just before that, there was an event that actually did not take place in Wales. The commission has an initiative called Back to School, which was set up by the commission's office in Germany in 2006, during its presidency. It involves inviting EU officials to go back to their old high schools or secondary schools to talk, briefly, to current students about what it is to work for the EU and what happens in the EU.

[22] During the Portuguese presidency in 2007, that happened again in Portugal with great success and much enthusiasm. I have just participated in such a Back to School effort in Holland. On 14 April, I went back to my old grammar school and spoke at various times to students who had a strong interest in Wales and everything related to Wales and Europe. They also showed a strong interest in the Welsh language. We hope to continue that trend of Back to School efforts. I am not sure whether it is feasible in Wales or Britain as a whole, but it is something that we want to consider because the reception and reactions were so positive. I am still getting follow-up e-mails from students who want to know more about the EU and how it works, and even about working for the EU.

[23] Before that, in March, there was the launch of the Design Management Europe Award in the Senedd. That award is set up by DG Enterprise and Industry of the European Commission. In October 2008, the University of Wales Institute Cardiff will host that award. This was the launch of the process to select the winner of the award, which will take place this summer. Before that, the European Parliament UK office held a media lunch for Welsh media in Cardiff.

[24] Separate from that, in the past two months, I participated in several project launches and project openings, most of which were still based on old Objective 1 funding, which has come to an end. Those projects included two railway stations in Cwmbran and Llanharan, a visitor centre on the mountain bike trail in Cwmcarn, and the beautiful Royal Society for the Protection of Birds visitor centre in the wetlands, south of Newport. Those were preceded by a visit to a project with the RSPB at Lake Vyrnwy to view its bog conservation project, which is not being financed through Objective 1, but through European environmental funds. Many other types of funding are available beyond Objective 1, and RSPB Cymru is drawing on the environmental funding programmes. To my surprise, I discovered that the charity has been using European funding for the past 20 years, which is encouraging because bog preservation, among other schemes, can contribute to the climate change issue. Finding that in north Wales was positive.

[25] It was a busy two-month period. I was especially surprised by some of the project openings. These benefit local communities—particularly the railway stations. However, sometimes the low visibility of the EU there or the lack of EU awareness was, to me, quite a surprise. I hope to work on that with the Welsh authorities to enhance and raise awareness, so that beneficiaries and local authorities are clearly aware that European taxpayers are contributing that type of funding in full solidarity with the communities in Wales for their benefit.

[26] Looking forward, I am afraid that we have another busy two months ahead of us. There is one topic that I would like to highlight, namely the Europe Direct initiative and the Europe

Direct centres. As mentioned in previous meetings, the current contracts for the Europe Direct centres in Wales and Europe-wide—and there are 475 centres today—will come to an end at the end of this year. Probably before this summer, the European Commission will launch a call for proposals to invite organisations, whether existing centres or organisations that are potentially interested in establishing a centre, to submit a proposal for selection. Such a selection could take place during autumn 2008 in order to start new contracts Europe-wide from the beginning of 2009 onwards.

[27] We hope that all six existing centres in Wales will re-apply because they are spread out in different parts of the country, servicing different regions. However, we also hope that new organisations will apply to cover those parts of Wales that we feel are not well covered. In order to aid that process, we have made many awareness visits—I do not want to call them lobbying visits—to bring the Europe Direct opportunity to the attention of local organisations and authorities. In that respect, in March, I visited the City and County of Swansea at civil servant and executive levels. Next week, I will visit Swansea University to bring it to its attention. I returned from a visit to Aberystwyth University on Tuesday where I brought the opportunity to its attention. That visit was followed by a meeting with the chief executive of Ceredigion County Council to bring it to her attention.

9.30 a.m.

[28] Therefore, at all levels, we are trying to stimulate a collaboration between different authorities and major organisations in the area, hoping that one or the other will want to take leadership of the initiative and put forward a proposal. Finally, at the end of the month, I am meeting representatives including the vice chancellor of the University of Glamorgan, to interest them in establishing a Europe Direct centre. The University of Glamorgan now has several campuses, spread out between Pontypridd, Merthyr Tydfil, and Cardiff. Having a Europe Direct centre up in the Valleys, which could service the different campuses, would also provide a lot of coverage for the different communities and authorities there.

[29] Therefore, we are hoping for three extra centres, but the key issue is that proposals are proposals—they need to be selected and short-listed, and based on quality and on what host organisations can provide. In that respect, it will be an interesting autumn, when we will see whether all the Welsh proposals will be selected and what sort of competition will come in from other parts of the UK. In total, we can finance 35 centres throughout the UK, without having any sort of national allocation per country.

[30] That is one particular issue coming up in future, and one that we are devoting a great deal of effort to in order to get better European coverage in Wales. However, there is a range of events that we are organising in the next two or three months. This afternoon, the European Union of Women, a charity that, I understand, is associated with the United Nations, is staging its annual conference here in Cardiff bay at the commission's office, talking about the future of Europe, and in particular Europe's role in the wider world. I have the honour of being one of the speakers at the conference, together with Nick Bourne.

[31] Tonight, in Wrexham, the Llangollen Europe Direct centre, together with the North East Wales Institute of Higher Education, is holding one of our town hall public debate meetings, on the topic of the European year of intercultural dialogue. Every year, the European Union designates a theme for the year ahead; last year it was the fiftieth anniversary of the EU, and this year it is intercultural dialogue. We are trying to project that theme to different communities and events in Wales. Tonight's debate will include John Macdonald, the spokesperson of Commissioner Figel', speaking on behalf of the commission, together with a panel of speakers from the local community. They will be trying to stimulate a debate about a better understanding of different cultures and nationalities, not just between our European countries, but within them.

[32] That theme will also be taken up by us at the Llangollen International Musical Eisteddfod in July; the European Commission will be there again. Together with several Europe Direct centres, we hope to pursue that theme in Llangollen, with quizzes and fun activities, especially for the younger people attending the eisteddfod. Similarly, at the Royal Welsh Show, two weeks later, we will be hosting a stand with the Assembly Government at its pavilion at the show. Again, we will be trying to provide information, not just about agriculture in the EU, but about that intercultural theme that we believe is so important. Two weeks after that, at the National Eisteddfod of Wales, which is being celebrated here in Cardiff, we will again be present with a stand. Again, it will be the same approach—quizzes and fun activities aimed at the intercultural dialogue theme.

[33] That is a range of public events and activities that we are organising, very much for the benefit of the general public. At the same time, next week, the European Commission in Brussels is presenting its proposals on the common agricultural policy health check. As you will be aware, there has been a long consultation, set up last November, on the CAP health check, and submissions were presented to the commission from Wales. At long last, based on all those submissions and consultations, the commission is putting forward its proposals on 20 May. In that respect, especially for stakeholders and the press, our representation in London will receive several representatives, who are experts on agriculture, of the European Commission. Through a video link to our office here in Cardiff bay, we hope to link up Wales-based stakeholders and representatives. There is an invitation to Assembly Members who would be interested in attending that video conference on Tuesday.

[34] Several project openings are also coming up—

[35] **Sandy Mewies:** I am going to have to bring Members in shortly for questions, Andy.

[36] **Mr Klom:** Fine, I will be brief.

[37] One of the openings coming up in June is for a project that we are very proud of at St David's Cathedral in Pembrokeshire. After several years of construction, they have completed the cloisters using European funding, which I understand will be open in June. It is not the regular type of project that you would expect to find in Wales—it is not a technology project or a Lisbon agenda project; it is part of the old Objective 1 programme. In terms of the history of Wales, there has often been deconstruction of and detraction from the cathedral in the past, and for the first time in many decades, if not centuries, the cathedral is being reconstructed and added to with European funding. I think that Europe is very proud to be associated with that.

[38] In September, the Assembly Government, in association with the commission's office, is organising a major mock EU council meeting, which will be much larger than that which we recently organised. The registration was opened two weeks ago through our joint websites, and it is already complete and 28 secondary schools have registered. I understand that they come from different parts of Wales, and they will each be representing one particular country of the EU, with one representing the commission. It will be staged in Siambr Hywel at the Assembly, and I understand that the First Minister will chair the meeting.

[39] **Sandy Mewies:** It will be me, I think.

[40] **Mr Klom:** Right, okay. In October, there will be another town hall meeting, probably in Aberystwyth, on the European year of intercultural dialogue. That is organised through the Europe Direct centre in Newtown. We will be involved in the important opening of the new visitor centre on Snowdon, which has mainly been financed through European funding, in September—it is a bit delayed due to the bad weather earlier this year and the fact that further

construction had not been completed.

[41] That gives a detailed overview of what we have been doing and where we are heading in the next few months.

[42] **Sandy Mewies:** Thank you, Andy; that was very informative. I will now call in Members. I ask you to be brief, because we have to set up the videoconferencing system and get it ready on time.

[43] **Val Lloyd:** I am pleased about the possibility that Swansea will apply to be the location for one of the Europe Direct centres. I think that it has been a great omission that it has not done that so far. Thank you for taking that forward.

[44] My question relates to the Back to School initiative that you told us about. I gather that you had a very satisfactory experience in your old school. In my experience, those sorts of experiences stimulate students hugely to take an interest in the subject. They hear first hand about it and can relate to the person speaking to them. It is hugely rewarding and potentially helpful for students. You mentioned that you did not think that such visits were feasible in Wales. Could you elaborate on why that is the case?

[45] **Mr Klom:** On Swansea, following our visit, we understand that, on the political and civil service levels, Swansea is preparing a proposal. We also understand that the university would be willing to support that proposal in a secondary position. So, it seems that we can expect something to come from Swansea.

[46] On the Back to School project, I do not know whether the visits are feasible here, because so many of my colleagues and other EU colleagues in the European Parliament and the Council of Ministers who are Welsh do not come back to Wales, and, if they do, they tend not to disclose the fact that they work for the EU, because of all the negative connotations that that can bring about. In that respect, this would need to be a joint effort, not just in terms of the European Commission offering that type of initiative, but in terms of local authorities here. In the case of Portugal, the Portuguese Government, together with the commission, invited speakers, and in the case of the Netherlands, it was the Dutch Ministry of Foreign Affairs, together with the EC, that set up the initiative there. In terms of the UK and Wales, it would require a joint effort to make it clear to my colleagues that they are most welcome to come back and would be celebrated if they came to speak at their old schools. In terms of my current practice and the impression that I get in trying to attract colleagues back to Wales, I find that they often do not come or come while keeping a very low profile in order not to be too obviously associated with the EU.

9.40 a.m.

[47] That is a pity, of course. We recently had ambassadors from the EU's development aid section going to Llangollen. They were not from Wales; they were from other countries or other parts of the UK and had fewer problems with associating themselves publicly with the EU. That is, of course, part and parcel of that effort, to go back to school to show to your own local community that it is worthwhile to be part of the EU, worthwhile to pursue a career in that respect, and to demonstrate all the benefits that the EU is delivering for your community and the people that you came from maybe 10, 20, or 30 years ago. The fact that—

[48] **Sandy Mewies:** Unless you are adding something new, I will have to bring Nerys in. Others wish to contribute, too, and we are in danger of running out of time for questions.

[49] **Nick Bourne:** May I just follow that up?

[50] **Sandy Mewies:** I think that I know what you are going to say, Nick—the same thing is going through my mind.

[51] **Nick Bourne:** First of all, if something is worth doing, then it is worth pursuing the matter harder. Is this a negative aspect in relation to Wales that does not exist in relation to England? I would find it strange if that were the case. Is it perhaps a UK negative? Why Wales?

[52] **Mr Klom:** It is a UK negative, but in other parts of the UK, such as Scotland, we find a less negative reception. In Wales, I would say that there is some scepticism. For example, I had funding available for a while to attract a Welsh translator for the office here in Cardiff based on the staff that we have in the translation service in Brussels. I advertised the post twice, and twice I received only applications from non-Welsh people who were willing to come here. None of the Welsh colleagues in the translation service were willing to come back home for a two to three-year period. It is something that can be improved, of course.

[53] **Nick Bourne:** There may be other reasons for that example—it is a slightly different issue, as the way of life in Brussels may be much more comfortable. I do not understand the hostility to coming as ambassadors from the people who are working for the EU. It sounds absolutely extraordinary.

[54] **Mr Klom:** I suggested that a joint effort with the authorities here in Wales would greatly improve the possible reception for these people.

[55] **Sandy Mewies:** Would it be helpful were I to write to the Minister for Children, Education, Lifelong Learning and Skills about this particular issue? I thought that you were going to say that it was because of the political overtones of school visits. I cannot see any such political overtones. Would it be helpful for me to get the clerk to draft a letter and circulate that to Members and to Andy? We can tell our Minister for education that this is going on, and the matter needs to be brought to the First Minister's attention as well, and we shall see if they can do anything to ensure that our young people get the benefit of this, because it is a benefit. Is that helpful?

[56] **Mr Klom:** We would welcome that very much. I have to emphasise that, in other countries where this is taking place, the visits are never seen from a political perspective.

[57] **Nerys Evans:** Mae gennyf ddau gwestiwn byr. Sut bydd datblygu canolfannau Ewropeaidd ychwanegol yn effeithio ar y canolfannau sydd gennym eisoes? Yr wyf yn meddwl yn benodol am yr un yng ngorllewin Cymru. A fyddai mwy o ddyletswyddau yn cwmpo ar y swyddfa honno, neu a fyddai modd ffocysu'r gwaith ar ardaloedd penodol?

Nerys Evans: I have two short questions. How will the development of additional European centres affect the centres that we already have? I am thinking specifically of the one that we have in west Wales. Would more duties fall to that office, or would it be possible for work to be focused in specific areas?

[58] O ran y cynllun gyda Phrifysgol Caerdydd i gynnal ffug gyfarfod o Gyngor y Gweinidogion, a oes cynlluniau i wneud hynny ar lefel mwy lleol? Pan oeddwn yn yr ysgol, cawsom gyfle i gymryd rhan mewn ffug gyfarfod o'r Cenhedloedd Unedig gyda CEWC-Cymru ar lefel sirol. Er bod 28 ysgol yn cymryd rhan ym mis Medi—mae hynny'n ffantastig ac i'w groesawu—mae'n amlwg bod llawer o ysgolion yn colli cyfle. A oes

With regard to the scheme with Cardiff University to hold a mock meeting of the Council of Ministers, are there any plans to replicate that at a more local level? When I was at school, we took part in a mock meeting of the United Nations with CEWC-Cymru at a county level. Despite the fact that 28 schools are involved—which is fantastic and to be welcomed—it is clear that many schools are losing out. Are there any plans to

cynlluniau i ddatblygu'r ffug gyfarfodydd ar lefel sirol? develop these mock meetings at a county level?

[59] **Mr Klom:** With regard to the Europe Direct centres, there is no specific territorial demarcation. In Wrexham and Llangollen, we have two centres very close to each other, and they work in close collaboration, servicing different types of organisations in each other's areas. So, there can be close collaboration, even though we might have several centres closer together, should we succeed in getting something in Aberystwyth and in Carmarthen.

[60] All the proposals will be selected and screened based on their quality. Existing centres get extra credits for having experience over a number of years as Europe Direct centres, compared with those that will be totally new proposals. So, yes, new centres will stand a chance of being lower on the list in terms of evaluation. Also, certain centres have been graded as being much higher quality than others. In the previous selection round of three years ago, in the top 5 for the UK there were two centres from Wales. So, there is a very good chance that we will be able to retain the six existing centres, and we hope to expand upon that as well.

[61] As for the mock EU council, the one that we staged with the Cardiff School of European Studies could be copied or replicated anywhere. There is a bit of investment involved, in terms of learning—it was not just about holding the event, but first understanding what the EU is, how it functions, what it does in foreign policy, and then drilling down to a particular foreign policy issue, and preparing that in detail. However, all the material developed by our office is available. I am not sure whether it is appropriate for secondary schools, although it could be for sixth-form, or Welsh baccalaureate students. We could provide that easily, together with some guidance. I know that CEWC-Cymru continues to organise its mock UN councils and mock EU councils, but certain schools will always lose out there, because of its limited coverage. There is a mock EU council being organised by the Assembly Government in September as well. So, we would be most glad to provide a package and guidance for those schools that feel that they want to participate, but were just too late in applying for one of the opportunities.

[62] **Sandy Mewies:** Are there any other questions? I see that there are not. I am particularly pleased to hear that this huge effort is being made to involve young people, to educate them about Europe and involve them with the EU. We have talked before about the negative publicity that Europe gets, but do you get a lot of publicity for these events? Do they get good coverage?

[63] **Mr Klom:** I am afraid to say that, to my knowledge, we did not get any national coverage at all, and in particular, the primary school event at the National Botanic Gardens of Wales could have provided perfect footage of happy children doing fun things with flags on the occasion of Europe Day. The only publicity that I have been able to generate myself was a couple of radio interviews. One was with *Good Morning Wales* on Friday, which took on a bit of a negative tone, because people were interviewed about whether they felt European, and of course the answer was negative in that respect. However, the other was with Radio Cardiff, a much more community-based local station here in the bay, and that was a good interview with lots of positive interest. However, for the rest, to my knowledge, there has not been any national coverage of Europe Day from either the BBC or other media outlets.

[64] **Sandy Mewies:** If you would like to add anything, please be brief, as we are about to stop for the break.

[65] **Mr Klom:** I apologise—I have forgotten to tell you about the main element of our recent work. As you know, we are very sensitive to the Welsh language, but as it is not an official EU language, our resources and possibilities are limited. Just this week we received

the first copies of our second EU publication in Welsh, which is a book for primary schoolchildren about EU development aid in Africa, and is called *Mathias ac Amadou*. It is available in 23 official languages, and now a twenty-fourth as well. I just wanted to bring it along to show you, because this is the first of five different publications this year, and we hope to expand that in coming years as a small library of EU products in Welsh.

[66] **Sandy Mewies:** Thank you very much indeed. If you would like to join us for the next session, we will have a short break while the equipment is set up for our video conference. We will come back at 10 a.m..

*Gohiriwyd y cyfarfod rhwng 9.48 a.m. a 10.01 a.m.
The meeting adjourned between 9.48 a.m. and 10.01 a.m.*

Cynigion Comisiwn Ewrop ar Subsidiaredd European Commission Proposals on Subsidiarity

[67] **Sandy Mewies:** We now move to our videoconference with Andrew Duff MEP in the European Parliament, Brussels. Good morning—or should I say *bonjour*? I am Sandy Mewies and I am the Chair of the Committee on European and External Affairs at the National Assembly for Wales, and I am here with my assembled colleagues.

[68] Today, we want to talk about subsidiarity, which is one of the committee's current key areas of interest, and we are undertaking a scrutiny inquiry of this area. Indeed, this session could be considered to be a scoping session for that work. Andrew Duff MEP is a recognised authority on the European constitution, and, as I have been struggling with subsidiarity and proportionality for years, I hope that I will get the very simple version.

[69] Thank you for your willingness to come along and talk to the committee about our work on the Treaty of Lisbon and subsidiarity. We are glad again to be taking part in a videoconference with the European Parliament, and we will be doing so again next month and many times in the future. These links are vital to us, so that we can hear the expertise of people like you. Therefore, I ask you to give a presentation for about 10 minutes, and then I will ask Members for their questions and comments. Is that okay?

[70] **Mr Duff:** Yes, absolutely. Thank you for asking me to appear before you. It is a great pleasure. As you probably know, I spoke to the Scottish Parliament on the same subject and we had a very stimulating exchange of opinions. For those of you who are not clear about my *acquis*, as it were, in these matters, I can tell you that I served for the Liberal Democrat group on the conventions that drafted, first, the charter of fundamental rights and, subsequently, the 2004 constitutional treaty. Following the period of reflection, the parliament appointed me as one of its three representatives at the intergovernmental conference. We are now engaged in the sensitive task of preparing to implement the treaty quietly, efficiently and, I hope, quickly. We are not pre-empting the decision of the 27 states that still have to complete their ratification process, but it is clear that, if we are to be successful at bringing the treaty into force as scheduled on 1 January 2009, we have to do an awful lot of preparation during the autumn.

[71] That work, from the European Parliament's perspective, includes an awful lot of internal *cuisine*, as it were, improving our structures and changing the culture of the parliament to shoulder increased responsibilities and powers. However, it also involves us in negotiation with the commission and council and national parliaments to ensure that the new balance between the institutions is properly understood and applied in practice.

[72] As I am sure you would agree, the Treaty of Lisbon is an extremely complicated treaty

that requires and deserves critical analysis and explanation so that we all understand its importance. It will not surprise you to learn that I think that the treaty is of very great importance. I depart from the general political appreciation of the treaty that one finds at Westminster, which seems to imply that it is not a very important treaty. I think that it is of great historical importance. I would compare it with the Treaty of Maastricht, which brought in a common foreign and security policy and established the single currency. If we can bring it into force effectively, it will transform the system of Government of the EU, improve our capacity to act effectively abroad and at home, and it will certainly enable us to improve the quality of public policy that flows from Brussels and Strasbourg. In all of this, the role of national and regional parliaments is of great importance.

[73] I know that you would like me to talk primarily about subsidiarity, and I am happy to discuss that, but we ought not to be obsessed by that issue. It is a well known federalist principle that assists political systems to establish where decisions would best be taken. It can be abused and, in certain discourse, it is abused. It is often applied, especially by people of a Eurosceptical tendency, to block or to stop things from taking place at the European level, but its true purpose is to establish where the most efficient and effective decision can be taken.

10.10 a.m.

[74] The Treaty of Lisbon will do far more than strengthen the application of subsidiarity. As I said to the Scottish Parliament, we in Brussels are extremely interested in the opinions of regional parliaments, not only about subsidiarity—and not even primarily about subsidiarity—but about the quality or direction of the draft legislative proposals, the Green Papers and White Papers, that come from the commission and the programming of the EU, namely the agreed formal legislative work programmes that are agreed between us, the council and the commission.

[75] It is an extraordinary feature of our lives as legislators here that we are besieged by the non-governmental organisations, by representatives of the corporate sector, and by diplomacies of member states and third countries. We are a great forum for pressure-group activity, but the people who we do not hear from sufficiently about the quality or direction of our legislative discussions are national and regional parliaments. I hope and believe that the Treaty of Lisbon will facilitate and encourage national and regional parliaments to be more assertive, to express themselves more fully and regularly on all sorts of European questions. We cannot expect to improve the quality of our work in Brussels if we are not equipped with a clearer appreciation of the impact of our law-making within the member states. As the National Assembly for Wales is an agent of the EU, in implementing policy and law to a considerable extent, it would assist us both if the interaction and interface between Cardiff and Brussels were to become more direct, straightforward, and, in many ways, more critical—friendly but critical.

[76] I will close now, because I do not wish to go on for too long, and I would far prefer to answer your questions. The key to making a success of the National Assembly's function is for you to get a grip of the scrutiny procedures at Westminster. The treaty instructs national parliaments and the commission to consult and to hear the opinions of regional parliaments. In practice, I feel that, too often, certainly in Scotland, the regional parliamentary view is not sought, and, if it is sought, it is not really respected in practice. I proposed to the Edinburgh Parliament that it should seek to establish a memorandum of agreement between it and the Westminster scrutiny committees of the Commons and the Lords that would establish procedures and schedules—timetables—for the formal consultative process that ought to take place once the treaty comes into force.

[77] Perhaps I could stop there. I am now in your hands.

[78] **Sandy Mewies:** Thank you very much indeed for that. William Graham, you indicated first.

[79] **William Graham:** Thank you, Chair. I am sorry that I appear somewhat disembodied, Mr Duff, but I think that you can now see me. Can you hear all right?

[80] **Mr Duff:** Yes, I can.

[81] **William Graham:** Good. We have been given an excellent paper by our research service. I would like to refer you to remarks that you made in answer to Iain Smith MSP some time ago. I am concerned with the principles of what happens if the UK Government does not consult with us and what sanctions there are. I note that your answer was a complaint to the European Court of Justice; is there perhaps a simpler or more effective way of making sure that a national Government listens to its regional parliaments?

[82] **Mr Duff:** It is not only Government that must be informed and sympathetic to hearing the opinions of the regional governments, but more specifically, under the Treaty of Lisbon, parliaments. The onus is on the House of Commons and the House of Lords to include you in their scrutiny procedures. The timetable for that is very brief. It is an eight-week period from the publication of all draft law in all of the languages of the EU. I would be primarily concerned that the inter-parliamentary relation was improved and consolidated.

[83] Concerning the Welsh Executive's position in Whitehall, I am not as close to the workings of the interministerial machinery as you are, but I am told that, in practice, the committee that has been established for consulting Wales and Scotland on European questions seldom meets—certainly in a formal way. I would push for a more formal approach to being consulted.

10.20 a.m.

[84] Should your constitutional positions be abused or neglected, your means of redress are not simply an appeal to the European Court of Justice, which would be rather extreme and a measure of last resort, and expensive. As we know, it would be a protracted procedure. The legislative process would probably have been concluded by the time the court found itself able to opine upon the processes. There is the Committee of the Regions, which also enjoys increased powers to be consulted if the Treaty of Lisbon is brought into force. The Committee of the Regions has a more direct approach to the EU itself, of course, to the legislature of the EU—that is, to the Council of Ministers and European Parliament. There is also COSAC—the Conference of European Affairs Committees of Parliaments of the European Union. It includes the 27 states and the European Parliament and one of my duties is to represent the European Parliament at COSAC. We have just returned from Bled in Slovenia, from the biannual meeting of COSAC, which started to look at the procedures for putting into effect the mechanisms of the subsidiarity protocol. I think that it would be appropriate for the Assembly to seek to implant at least an observer inside the British COSAC delegation. From Germany, we have representatives of the Bundesrat alongside the Bundestag, who come to COSAC and play an important part.

[85] **Nick Bourne:** I thank Andrew Duff for that very interesting presentation. I have a question, or rather a series of linked questions. To what extent is there a willingness on the part of Her Majesty's Government to negotiate the protocols that will be needed with the Scottish Parliament, the National Assembly for Wales and, presumably, with Northern Ireland as well? If that willingness exists, has work begun on that?

[86] Maybe I should not be asking you this particular point, but do you know whether there is co-operation between the different national parliaments and assemblies in Wales, Scotland

and Northern Ireland? We already have protocols with Government departments, and some operate more effectively than others. I think that the Home Office one, for example, does not operate effectively at all, but one or two of the others operate quite well. To what extent, once this protocol is negotiated, is that the ultimate basis for a claim? Accepting that it is a weapon of last resort, if we were to find ourselves in the European Court of Justice, or even short of that, would it be the basis of a claim for someone to say, 'This is what the protocol says and you have not followed it', or is the protocol merely a convenient way of trying to iron out possible difficulties and therefore the source of the rights that we would be seeking to enforce ultimately at the court would come from elsewhere?

[87] There are a series of issues there and it was not until I read this paper that I realised the significance of this and that we should probably already be doing something about it. I rather doubt that anything is happening at our end of the M4 on this, and I have my doubts as to whether anything is happening at the other end of the M4, but perhaps I am wrong.

[88] **Mr Duff:** I cannot actually answer that question, because I do not know if there is a lot of preparation going on in Whitehall for this. I rather suspect not, because a decision has been taken in Whitehall not to do anything that could upset the smooth passage of the Lisbon Bill through the Westminster Parliament. So, there has been a suspension of the work to bring it into practical effect. I would have thought that you should push, with your Northern Irish and Scottish colleagues, to institute a discussion with Ministers and with the Houses of Parliament's scrutiny committees to prepare the ground for bringing the treaty into force.

[89] Furthermore, I would have thought that your collaboration with Scotland and Northern Ireland ought not to stop there. I think that there are several regional parliaments that have legislative power in the EU. I think that there are around 24 or 26—I cannot quite recall the number. However, they are all confronting the same problem. The Catalan Parliament is confronting the same question vis-à-vis the Cortes Generales in Madrid as you are with Westminster. I would have thought that you should be exploiting your network of regional parliaments to the utmost possible extent at this extremely important and formative stage of the next steps to integration.

[90] We have not discussed policy sectors, but, as a prompt, I will say that there is a big expansion of the powers of the EU to legislate in the field of justice and interior affairs, including police and judicial co-operation. All these issues that are very sensitive and close to the citizen are essentially of great interest to regional parliaments, and their voice should be listened to and articulated clearly and we in Brussels should be able to hear it. If nothing else, the growth of the legislative powers of the European Parliament and the fact that qualified majority voting will take place in the council on all these issues should be a trigger for a more assertive attitude from you and your counterparts in several member states.

[91] **Sandy Mewies:** Before I bring in the next speaker, I should say that I am meeting with the EC forum of chairs in Edinburgh on 16 June. We have already discussed what is going on, particularly with Scotland, and it will be high on the agenda again because we have already talked about some concerns. You will get a full report on what happens there. I am also quite happy to raise any of your concerns there.

[92] **Nick Bourne:** There is one point that I raised that Andrew did not address, namely the importance of the content of the protocol.

10.30 a.m.

[93] **Mr Duff:** Sorry, the protocol is explicit and has full legal mandatory force, insofar as it states—and we are speaking here of the protocol on subsidiarity—in article 2 that the commission has to consult regional authorities with respect to its legislative preparations.

Article 5 states that the regional dimension has to be taken into account in the impact assessments of our legislative work. Article 6 states that the Westminster Parliament is obliged to consult you. Article 8 concerns the redress to the courts through the Committee of the Regions.

[94] I would also draw attention to article 3 of the Treaty on the European Union, which expressly states that the domestic constitutional structures of member states should be fully respected by the EU, including regional self-government. Therefore, you have all the checks and balances that you require in the treaty.

[95] **Gareth Jones:** Thank you, Andrew, for your presentation and your responses. On the protocol on the application of subsidiarity, with reference to article 2—which you have just mentioned as being quite explicit—to what extent are you happy with the clause in that there is a requirement to consult widely, except in cases of ‘exceptional urgency’? That term could be interpreted in different ways, according to the wishes of whoever is interpreting it. Are you reasonably satisfied with the phrase, as it stands in the protocol?

[96] On article 6, again you referred to the fact that national parliaments will be responsible for consulting regional parliaments on compliance; that is sensible, democratically, but there will be cost implications. I assume that the quality of the consultation may well rely on the amount of resources that the national parliament—Westminster in our case—will invest in that. I would be interested to hear your views on those two aspects.

[97] **Mr Duff:** At the intergovernmental conference, we had a great discussion about what the term ‘exceptional urgency’ meant. As always in these drafting questions, there is a certain degree of camouflage here. However, we were thinking especially of measures in the field of justice and interior affairs, as well as security questions and the anti-terrorism legislation, which, frankly, we have quite often adopted too fast here, without sufficient parliamentary scrutiny. However, I also believe that we are drawing lessons from that and that we will be more concerned in future to assure the quality of lawmaking, even if that means that it is not passed so quickly.

[98] In focusing on the protocol on subsidiarity, we are looking, as I said before, at only part of the complexity of the equation of lawmaking in a federal system. We would still be interested in hearing from the National Assembly for Wales, further on in the legislative processes, about your opinions on such matters as the reform of structural funding and the common agricultural policy, which are obviously of great importance in Wales. I would urge you, with respect, not to restrict yourselves exclusively to the exercise of the subsidiarity warning mechanisms set out in this protocol. That implies that you have a great deal more time than you might think to form an opinion and hear from witnesses in Wales about the potential impact of a piece of draft EU law upon affairs here and to tell us, either formally or in an informal way through party political connections or whatever.

[99] On your second point, there is a resource problem. The Westminster scrutiny procedure is groaning under the quantity of paper that is now being sent to it directly by the commission, and we are speaking in a rather quiet period. The present period is a quiet legislative time, because of the treaty being brought into force and also because of the impending European parliamentary elections next spring. As soon as the new parliament and commission are in place, towards the end of 2009, and the treaty is in force properly, we can expect the pace of integration to quicken, possibly very dramatically, particularly in the field of justice and interior affairs.

[100] So, there is a problem at Westminster, of which Michael Connarty, the chair of the Commons European Scrutiny Committee and Lord Grenfell, his counterpart in the Lords, are extremely conscious, and they are both now examining how their committees are organised in

a fairly radical reappraisal of their function and efficiency. I am assisting them with that reappraisal exercise. They know that they must be discriminating; they cannot seek to do everything and scrutinise each and every piece of paper that comes out of Brussels, because that would be absurd. They must prioritise, and the sifting procedure, before there is political scrutiny, is also an important part of the exercise. I also expect clerks from the National Assembly for Wales to be involved in the technical sifting at the first stage, to ensure that Welsh concerns will always be addressed, despite the fact that something might not appear to be of importance to the British Parliament.

10.40 p.m.

[101] **Gareth Jones:** So, you are saying that, certainly in relation to the second point, there will be implications for us within the structure of the Assembly as well, as far as resources and sifting and scrutiny are concerned?

[102] **Mr Duff:** Yes, probably, but I am not sufficiently close to your affairs to express an opinion on that. At Westminster, the Government has been promising a big reform of the scrutiny procedure, and indeed the relation between the MP and MEP for some years, but, because of political turbulence at Westminster, nothing has actually been put forward as yet. We are always promised something important and substantive; perhaps, in the end, it will come.

[103] **Sandy Mewies:** It may be helpful, Gareth, to mention that I set up a network of clerks of the EC forum during the second Assembly, because I felt that it was useful for them to work together constantly on the sifting process and so on. It has been going for a little while now, and I hope that what is in place will be strengthened.

[104] **Nerys Evans:** Thank you for your presentation and for your answers. In answer to a question from William Graham, you mentioned the Committee of the Regions. With protocols between regional governments being developed, how do you see the future role of the Committee of the Regions developing?

[105] **Mr Duff:** That is also a rather telling question. The convention that drafted the constitutional treaty discussed a big reform of that committee—it would have split it up, in fact, between representatives of local authorities on the one hand and regional authorities on the other. That was not agreed inside the Committee of the Regions, so we felt that we were not able to impose this separation of functions upon it. I think that that ought to have happened, and, in the end, I think that it will happen, particularly as we see a trend towards the creation of more regional authorities with legislative autonomy in the larger member states. You will know that there is an ongoing debate in Spain, Italy, Poland and, I hope, the United Kingdom—although I am not so certain of that.

[106] At present, the committee is being more political and more professional. Its great advantage is that it brings people together in networks. It creates networks extremely effectively. However, just like the European Economic and Social Committee, the Committee of the Regions spends an awful lot of its time worrying about its own importance or its place in the scheme of things, which is not a good sign for an organ of the EU. I still appreciate its activity, particularly if it is discriminating in the things that it chooses to look at.

[107] It has been quite an important part of discussions on the common energy package, for example, where municipal authorities, and indeed regional authorities, will be important in putting into effect the new common energy policies, both on the supply and the demand side of the energy market. I hope that it succeeds. I think that it has to persevere, and become more party political, because through informal connections between party groups in the European Parliament, and party groups in the committee of the regions, there can be something of a

serious dialogue. However, I have to say that my own personal, genuinely fairly optimistic and friendly sentiments concerning the committee are not shared across the house.

[108] **Val Lloyd:** Thank you for your presentation, Mr Duff. It is always useful to be informed, and to look at what has worked, or not worked, for other institutions. Based on that, I wonder if you could point us in the direction of good practice elsewhere in Europe, particularly where regional and national parliaments have co-operated on subsidiarity.

[109] **Mr Duff:** At the Conference of European Affairs Committees of Parliaments of the European Union, or COSAC, we exchange our examples of good and bad practice, and it is interesting to do so. However, one has to be careful, because things that might look terribly good on paper are not always effective in practice. The Bundestag, for example, has just negotiated a protocol with the Berlin federal government to improve its own scrutiny procedures—an interestingly complex document to draft, because of the federal structure of the German republic, and the interests of the Länder, which are very strong in several of the EU's complementary competences, including schools and social policy.

[110] The negotiation of this new protocol with Berlin was very successful, and looks on paper to be an extremely comprehensive blueprint for things that parliaments should be doing in the EU dimension. However, the Bundestag has found that if it tried to put it into practice faithfully, it would not have any time to do anything else. The whole parliamentary machinery would grind to a halt, because everyone would be absorbed with the EU dimension. It is similar with the House of Lords. It is an extremely effective and credible scrutineer of the EU dimension, but the scrutiny of Europe is the overriding question that it faces on its agendas.

10.50 a.m.

[111] So, one has to get the balance right between scrutiny, being informed, being sufficiently close to the affairs of Brussels to be able to promote an informed debate about the future of the European Union, and to act as a conduit between the EU authorities and the press and public inside the member states. One must balance the importance of that with the fact that national and regional parliaments also have other things that they should be doing, and also that they are not a formal part of the EU legislature—the lawmakers of the EU are the council and us here in the European Parliament. We need to be assisted, supported and, indeed, criticised by parliaments elsewhere, but the actual job of passing and amending law belongs exclusively to us.

[112] There are broadly two types of scrutiny procedures in national parliaments; the type that the House of Commons has, where the house pores over documents, and there is the type that is used more in Scandinavia, where they tend to grill Ministers and civil servants and, to some extent, even provide a mandate before meetings of the Council of Ministers, and insist on a debrief following meetings of the council. Each approach has its advantages and disadvantages. Each parliament has to create its own relationship between the scrutiny committee and the sectoral select or standing committees. There is no single pattern that seems to work across the board. It must also be said that, in several national parliaments, effective scrutiny of the EU does not happen at all. So, you are correct in the implication of your question that there could and should be effective sharing of good practice, but we still have some distance to travel before we can be certain that that is actually happening.

[113] **Sandy Mewies:** Thank you. Are there any more questions before I draw this particular session to an end? I see not. I thank Andrew Duff for a very focused presentation. I take your point entirely that we should not forget that there are many other things to look at apart from subsidiarity; for example, we scrutinised the working time directive, took evidence from various people and presented that evidence. One of the problems for us was the most

appropriate place in which to present the evidence, but it went to our European parliamentarians as well as to the Welsh Assembly Government. That was a very interesting session and, if you are willing, Mr Duff, we may well talk to you again in the not-too-distant future. Thank you.

[114] **Mr Duff:** It is a great pleasure to assist you, and you are welcome to approach me in the future as we take this interparliamentary collaboration forward, which is in the interests of broader European democracy. Thank you.

[115] **Sandy Mewies:** Thank you.

[116] Before we go, does anyone have any comments to make on that? As I say, I have a meeting on 16 June, which is just before our meeting, and it may be useful for the clerks to draw up a paper that I can discuss on your behalf. I have already spoken to Michael Connarty and Lord Grenfell about this. This is an ongoing matter. One of the problems that we have with this committee is that it is not a full committee in many ways. There are some very important issues that we have to focus on with every agenda. I will perhaps ask the clerks to circulate a paper and then you can make observations on it. We will try to get something to you immediately before that committee, because it will include scrutiny of the First Minister.

[117] **Nick Bourne:** It would be interesting to know what has happened at that level between the different First Ministers, if anything.

[118] **Sandy Mewies:** It may be useful to make that request beforehand anyway, so that we have as much information as possible to present to you for that committee. It is serendipitous in some ways that it falls in that week—or it is serendipitous for me, because I only have to ask the clerks to do it.

[119] We will be videoconferencing again on that day with the Environment Directorate-General, so it should be an interesting morning. I thank Andy and everyone else for raising very interesting questions today. Interesting issues have been raised. They are issues that are exercising the minds of our Scottish colleagues and, I am sure, those of our colleagues in Northern Ireland too. I am sure that it is happening everywhere.

*Daeth y cyfarfod i ben am 10.57 a.m.
The meeting ended at 10.57 a.m.*