



OFFICIAL REPORT
AITHISG OIFIGEIL

Constitution, Europe, External Affairs and Culture Committee

Thursday 26 June 2025

Session 6



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CONSTITUTION, EUROPE, EXTERNAL AFFAIRS AND CULTURE COMMITTEE
20th Meeting 2025, Session 6

CONVENER

*Clare Adamson (Motherwell and Wishaw) (SNP)

DEPUTY CONVENER

*Alexander Stewart (Mid Scotland and Fife) (Con)

COMMITTEE MEMBERS

*George Adam (Paisley) (SNP)

*Neil Bibby (West Scotland) (Lab)

*Keith Brown (Clackmannanshire and Dunblane) (SNP)

*Patrick Harvie (Glasgow) (Green)

*Stephen Kerr (Central Scotland) (Con)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Lucy Carmichael (Scottish Government)

Joanna Keating (Scottish Government)

Richard Lochhead (Minister for Business and Employment)

Angus Robertson (Cabinet Secretary for Constitution, External Affairs and Culture)

CLERK TO THE COMMITTEE

James Johnston

LOCATION

The Robert Burns Room (CR1)

Scottish Parliament

Constitution, Europe, External Affairs and Culture Committee

Thursday 26 June 2025

[The Convener opened the meeting at 09:15]

Gaza

The Convener (Clare Adamson): Good morning, and a warm welcome to the 20th meeting in 2025 of the Constitution, Europe, External Affairs and Culture Committee. Our first agenda item is to take evidence from the Cabinet Secretary for Constitution, External Affairs and Culture on the Scottish Government's humanitarian response to Gaza. We are joined in the room by the cabinet secretary, Angus Robertson, along with Joanna Keating, head of international development; Alice Guinan, humanitarian and conflict lead; and Stuart Adam, head of Asia team, international relations, from the Scottish Government. We welcome you all to the committee. Cabinet secretary, would you like to make an opening statement?

The Cabinet Secretary for Constitution, External Affairs and Culture (Angus Robertson): Good morning, convener and members of the committee. Thank you very much for the opportunity to open our discussion on the Gaza humanitarian situation with some reflections on behalf of the Scottish Government.

As of now, the people of Gaza are being bombed, they are being shot and they are being starved on a massive scale. More than 56,000 people have been killed, and half a million people are now facing starvation, with children under five years old being particularly affected. Eighty-two per cent of Gaza is now within the Israeli militarised zone or under evacuation orders. Gazans simply have nowhere safe to go.

Due to the unimaginable suffering in Gaza, the Scottish Government has committed £1.3 million to supporting those in need, with £550,000 through the Disasters Emergency Committee appeal since 2024 and £750,000 in 2023 to the United Nations Relief and Works Agency for Palestine Refugees in the Near East, which has a direct mandate from the United Nations to provide humanitarian aid and essential services across Gaza and the West Bank.

Both DEC members and UNRWA are currently not able to bring supplies into the Gaza strip, and have not been able to do so for three months. Later today, I will meet with UNRWA's Marc

Lassouaoui to hear from him first hand about the latest situation. I understand that committee members have been briefed by him already.

Israel must allow humanitarian agencies to conduct their life-saving work in Gaza unimpeded and at scale. The trickle of aid being delivered by private contractors is inadequate, inhumane, and very dangerous. The Scottish Government condemns in the strongest terms the killings in Gaza of civilians, more than 400 of whom have been killed while queuing for food and trying to get aid for their families from contractors. Israel must let legitimate humanitarian actors have access to Gaza and supply the much-needed humanitarian assistance that is waiting on its borders.

The Scottish Government has been consistent and forthright in calling for an immediate and sustained ceasefire. We have also been clear that Israel has a right to protect itself and its citizens from terror. The Scottish Government has repeatedly and unreservedly condemned the brutality of Hamas on 7 October 2023 and demanded the immediate and unconditional release of Israeli and other hostages.

However, it is the Scottish Government's view that the Israeli Government has gone far beyond a proportionate response. Israel must abide by international humanitarian law, comply with international court rulings and ensure humanitarian access.

Other Governments must also play their part. We have repeatedly asked the United Kingdom Government to end licensed arms exports to Israel. We have also called on it to ensure accountability for anyone who has committed war crimes or crimes against humanity.

Following last week's debate, I wrote to the UK Government on the issue of exports to Israel of arms and other goods manufactured in Scotland, in order that I can, in turn, update members of the Scottish Parliament as they have requested.

The Scottish Government has continued to play its part in ameliorating the devastating humanitarian situation in Gaza. Ultimately, only a two-state solution, in which Palestinians and Israelis can live side by side in peace and security, will bring lasting peace. That remains the Scottish Government's steadfast position. In that regard, I was disappointed that last week's United Nations conference on a two-state solution, which was to be co-chaired by France and Saudi Arabia, was postponed due to the conflict between Iran and Israel.

I look forward to discussing the humanitarian situation in Gaza with the committee.

The Convener: Thank you very much, cabinet secretary. You mentioned the funding that the

Scottish Government already provides through DEC and directly to UNRWA. Given the financial situation facing the aid organisations, is there any scope for further funding? Have you made any representations to the UK Government about it increasing its funding?

Angus Robertson: As I understand the current situation, the challenge in relation to humanitarian aid in Gaza is not funding but access. We have heard, and the committee might have heard, that international aid organisations including the United Nations aid organisation that operates in Gaza—UNRWA—have months' worth of stockpiled supplies that they cannot get into Gaza. That being said, the situation in Gaza is so extreme—I have every confidence that committee members know how harrowing it is—that, even if all aid could get in, there would still be very significant suffering there.

We have to hope that there will be a ceasefire and, this morning, there are reports that President Trump has said that he believes that there is the prospect of one shortly. Should that come about—we certainly hope that it will—not only will there be a call on all kinds of donors and aid organisations to deal with the immediate suffering but a significant rebuilding programme will be required because of the level of destruction in Gaza.

I have not held discussions about that yet because that is not where things are at. We have provided aid through our trusted partners in consort with the UK Government. That aid has been made available, but there are still access issues, of which the committee is well aware.

Stephen Kerr (Central Scotland) (Con): Do you know how much of the nearly £1.5 million that the Scottish Government has given to trusted partners such as DEC and UNRWA, has been spent and what it has been spent on? Do they come back to you and give you a breakdown? Can you avail us of the information that you have?

Angus Robertson: Mr Kerr had the good fortune yesterday to sit next to his colleague Jamie Halcro Johnston, who asked a question at portfolio question time that enabled me to outline some of the controls that are in place, the grant letters that are issued and the processes that are involved. There is also a transparent reporting mechanism for those international partners. Mr Kerr mentioned the Disasters Emergency Committee and UNRWA. They provide reports about the funds that have been raised after different appeals have been made. I think that I am right in saying that the UNRWA report is on its website, so Mr Kerr and the committee can avail themselves of that.

We are confident, as is the UK Government, that the reporting mechanisms are robust and that

the aid that has been provided has been used for the purposes for which it was raised.

Stephen Kerr: I know that £1.5 million is nothing in the scale of the sums of money that are involved. As you said, funding is probably not the biggest issue. The UK Government has given more than £160 million in the period that we have given £1.5 million from Scotland. Do you know whether all of that money has been used? I am trying to be quite granular about the matter. Do you know whether it has all been used or whether it is stuck somewhere because of lack of access—a point that we appreciate?

Angus Robertson: I would be happy if my colleague Joanna Keating wanted to come in at this stage.

I think that I am right in saying that the most recent pooled aid package towards which we contributed was from April of this year, so not long ago. Ms Keating might have better information than I do, but I imagine that, because of the restrictions on Gaza, parts of that aid package might well not yet have been distributed.

Joanna Keating (Scottish Government): We gave our funding in two tranches. One was at the end of last year and then there was a more recent one in April. The DEC gave evidence to the committee a few weeks ago about that. The first tranche of funding would have been moving up until the blockade started round about February.

The money is always part of a larger fund. It is not that we get a report specifically on what our £1.3 million was used for. The DEC undertakes a large-scale appeal—you see the big telethons that it does—so it brings in a large-scale fund of millions of pounds and splits that between all its members. The members are organisations such as Oxfam, Save the Children and other large-scale non-governmental organisations. The money is allocated to them depending on which of them is working in the region and is able to get access at the time.

It is almost like there are two waves: there was the point up until the blockade and then, since the blockade, there have been issues. There have been two phases, really.

Stephen Kerr: Is it, therefore, fair to say that the audit trail ends at the point that we give the funding to a trusted partner?

Joanna Keating: It goes to a trusted partner. The DEC has been operating for many years. It gets reports from each of the organisations to which it gives funding and then one overarching report is given. That is the way that reporting is done with all the large-scale appeals. It considers the overall spend, the modalities of spend and which organisations the funding was given to. We

do not get an exact report on any of our funding. We do pooled funding and put money into that large-scale fund. The reporting is about the operation of the fund and the members of the fund to whom it is transferred.

Angus Robertson: I know that Mr Kerr takes seriously his responsibilities of ensuring that taxpayers' money that goes to causes is well spent, whatever those causes are. I agree with him that it is important to understand that. One cannot, in the entire aid area, be 100 per cent sure about 100 per cent of spending going down to the smallest amount. However, because of the countries and organisations that are involved in the processes and the reporting that is involved in them, as a minister who has to sign off on the funding, I have a very high level of assurance in dealing with trusted partners.

Take, for example, our humanitarian emergency fund panel. It comprises the British Red Cross, Christian Aid, Oxfam, Islamic Relief Worldwide, Mercy Corps, Save the Children, the Scottish Catholic International Aid Fund and Tearfund. Those are very well-established and trusted partners. The international donor community—which includes the likes of the United Kingdom, the United States, Switzerland, Sweden, Norway, Germany, Finland and Canada—operates in the same way when it comes to such questions.

I do not want to deter Stephen Kerr from wanting to ensure that transparency, accountability and systems are in place. That is entirely fair. However, I want to give him confidence—which, indeed, his party colleagues in the UK Government had when they operated the same system—that donors, Governments and humanitarian and aid organisations are all in it together trying to address the Gaza humanitarian situation in the most extreme circumstances of a war that is being conducted in a small geographical area from which the population cannot leave. It is a very extreme situation. I give Stephen Kerr those assurances.

If it would be helpful, I would be happy for us to provide the committee, through the convener, with access to information on where those reports are aggregated so that Mr Kerr, or any other colleagues who wish to learn more about that, can have access.

09:30

Stephen Kerr: I thank the cabinet secretary for that thorough and honest reply. It is the case that we do not know where Scottish taxpayers' money goes, but we do have to put some trust in the reputable organisations, such as those that you listed.

Angus Robertson: I am not sure whether Stephen Kerr wanted to create an impression when he said that we do not know where the money goes. The money is going towards intervention, as intended.

Stephen Kerr: I accept the cabinet secretary's point that we do not know how every single penny is going to be spent, and that we have to have trust that the organisations are running their affairs—

Angus Robertson: We have no reason to think that those organisations are not doing their jobs and doing them properly.

The member is right to point out the amount of money that is provided by the Scottish Government compared with independent countries, but Scotland is devolved, and we if we were independent we would want to do much more. However, with the limited means that we have, we are not cutting our aid budget, unlike others, including the United Kingdom and the United States. Our partners are very keen for us to be supportive, because there is a lot of need out there. Gaza is but one part of that, but it is an extreme example of where humanitarian support is required.

Stephen Kerr: We are going a very long way round the houses. I am grateful for the frankness in the cabinet secretary's reply.

I am sorry, but I have one more question.

The Convener: Very quickly, please.

Stephen Kerr: I know that this is not a devolved matter in the slightest, but I am interested in the cabinet secretary's views on the actions of the Government of Egypt. It is quite right that focus is on the Government of Israel's approach to the crisis, but what on earth is going on in Egypt that means that it does not allow trucks to pass through the Rafah crossing?

Angus Robertson: I do not know the answer to that question, Mr Kerr. I would hope that any Government that is in a position to ameliorate the suffering of people in Gaza could and should play its part in making that possible. However, I will defer and seek some advice on the situation in relation to the Egyptian Government and the Rafah crossing, and I am happy to update you on that.

Oh, a magical piece of paper has just arrived in front of me. I am told that the Israeli Defence Force is stopping the trucks, and not Egypt.

Stephen Kerr: That is not correct; Egypt controls the Rafah crossing.

The Convener: Mr Kerr, I think they would have to go over the Israeli army going up to the Rafah crossing in numbers and closing the gap. Again,

we got a quite definite answer from UNRWA that nothing gets in without the Israeli Government—

Stephen Kerr: Yes, but I am disputing that. The Egyptians control the Rafah crossing.

Angus Robertson: As the convener knows—and this is not an exam question—there are two sides of a border, and in this case, one side is being controlled by those who do not let people out. At present Gaza is an occupied territory, and the occupying power is Israel. That is a statement of fact.

Alexander Stewart (Mid Scotland and Fife) (Con): The situation on the ground in Gaza is harrowing and the suffering is appalling. We have touched on access to aid and how that is progressing. The aid that we have given will be going on food distribution, education and health support in some shape, way or form, which I appreciate.

You have listed some organisations—we have had some discussions with UNRWA this morning, and you will speak to it later. I still have concerns that such organisations are being infiltrated, as suggested by commentary that we have seen and heard. The concern is that organisations that are doing legitimate work might be infiltrated by Hamas in some shape, way or form, and that they will have difficulty managing the process.

The Scottish Government has already set its parameters on what it wants to achieve with the funding that it has given. It is difficult to assess exactly how it will be managed. You have given clear guidance on what you expect and hope is taking place, but it is difficult on the ground because people are continually removed, reassessed and relocated, making it appear that everything is in complete flux all the time.

There must be real issues when it comes to ensuring that there is command, co-operation and assistance. Even when situations do occur in which individuals lose their lives while trying to queue for food, the Scottish Government has an obligation, and you have made your views and what you want to achieve clear. How can we achieve our aims if we do not have full control and are not quite sure what is happening on the ground or where we can take things in future?

My second question is, what is our plan for the future? Going forward, do we have a strategic objective for what we should be doing, given the circumstances and situations that we see every day in the media?

Angus Robertson: Convener, this is the last committee appearance by Mr Stewart, who has been a tremendous deputy convener of the committee. I am saying all that after he has asked his question, so I cannot be accused of buttering

him up before he asks it. I wish him well on the next committee that he takes part in.

First, I will talk about assurance issues. In relation to UNRWA, Mr Stewart will know that an extensive report was compiled by Ambassador Colonna, whom he might have met, because she was the French ambassador to the United Kingdom before she became the foreign minister of France. She pulled together a report that has given the international community the confidence to reinstate its primary support for Gaza through the United Nations Relief and Works Agency for Palestine Refugees in the Near East.

That is really good because, where there have been issues—and it is a matter of record that there have been issues—as far as it is possible to ascertain through trusted investigations, such as the Colonna report, we are talking about a very small minority of individuals and a very small number of cases. It is really important that we do not allow such cases to distract us from the scale of the tragedy that is taking place in Gaza and the need for us to work with trusted colleagues. The committee has had evidence on that—Mr Stewart was perhaps not at the session, but if he were, he will have heard Salah Saeed, the Disasters Emergency Committee member, saying the following:

“We have well-established processes to screen, identify and triangulate who we are working with on the ground, and the member charities on the ground have years and decades of expertise. There are international lists that people can cross-reference and, generally speaking, DEC organisations are dealing with international organisations that are helping to import and deliver food. In this kind of crisis it is the UN organisations that deliver food and fill the warehouses, which are then passed on to the international NGOs and local organisations.”—[*Official Report, Constitution, Europe, External Affairs and Culture Committee*, 22 May 2025; c 12.]

It is part and parcel of the work of donor countries and aid organisations to ensure that the aid funding that has been provided goes to the intended recipients.

The challenge in Gaza is not unique, but it is an extreme example of a civilian population, in effect, being held prisoner, with people unable to leave, by an occupying power that is conducting very heavy military operations that have, frankly, flattened a significant part of the territory, killed tens of thousands of people and left the civilian population unable to feed itself. In those circumstances, we must support organisations that have experience of providing support. At present, there is a privatised and militarised operation that is not neutral—it is operated by the Israelis and the Americans—which is why the United Nations is not working with them. That operation has killed hundreds of people who were queuing for food. That is intolerable.

We have to help in so far as we are able to, and we are doing that through the humanitarian aid that we have provided. We understand our limits, but we are using our voice to say that what is happening is not acceptable. We have to hope that a ceasefire will come about and that humanitarian aid will be allowed back into Gaza.

Frankly, there is a bigger picture than is posed by Mr Stewart's question, but I want to give him as much assurance as I can on aid and on the safeguards that are in place in relation to who is involved in the operations of proceedings. I acknowledge that Gaza's civil infrastructure is being operated by a terrorist organisation, which is what Hamas is. However, that does not detract from the suffering of the civilian population or the targeting of the civilian population and civilian areas, including hospitals. None of that is acceptable. The international community has called that out repeatedly, and it must stop as soon as possible.

The Convener: I have a supplementary question on the nature of the private contractors that are distributing aid. This morning, we heard that women, children and the elderly are unable to access aid because of what is happening, so it is mainly men who are queuing for food. Is that a further example of the most vulnerable people—women and children—being put at further risk of famine because of the way that the situation has developed?

Angus Robertson: That is undoubtedly the case. One of the big differences in relation to aid and humanitarian supplies getting into Gaza is that, previously, the United Nations operated more than 400 distribution points, whereas the current non-neutral militarised system of Israeli-permitted food distribution takes place in very dangerous areas. Israel does not let journalists into Gaza, so pictures are not getting out and one is not able to judge for oneself, but the reports, which are pretty well verified, show that what appears to be happening is that, because of the extreme nature of the situation, people who are desperate for food are having to walk for hours overnight to arrive in places where supplies are being handed out. That leads to a large number of people congregating, and it has been put to me that private military contractors—they would previously have been described as mercenaries—are opening fire on large groups of people out of fear that they are about to storm the aid distribution point.

I have not been able to see verifiable pictures of that, but, as far as I am aware, food distribution did not happen in the same way previously, when the United Nations was responsible for it. At what point will the Israeli Government or the American Government, which are the two that are the most involved in the process, realise that they are

operating a system that involves the deaths of hundreds of people?

09:45

I do not know how many of the committee members share my habit of listening to the BBC World Service in the middle of the night. Overnight, there was an extended interview with a humanitarian aid worker in Gaza. She was describing that very circumstance: people having to leave to get aid and not knowing whether they are going to come back. It is intolerable that people are having to live in a war zone and that the level of civilian casualties is so high. People are not even able to get food and water, and that is a man-made problem. It is the choice of the occupying power to allow that to continue. It has a responsibility under international law. That has been challenging for a lot of us, because there is a general view that it is not upholding international law.

Patrick Harvie (Glasgow) (Green): Good morning. Cabinet secretary, you talked about how the Scottish Government is using money through the provision of aid and how it is using its voice. I think that both are important, but I want to focus on the second, because your earlier comment is quite right; the issue here with regard to aid is not funding but access. That is consistent with what experts on the ground have been saying very publicly for quite some time. I would like to ask how the Scottish Government is using its voice. The Scottish Government has very clearly stated its opposition to the occupation and to the atrocities that are being committed, but how much further is it willing to go?

A couple of years ago, the Government opposed legislative consent for the Economic Activity of Public Bodies (Overseas Matters) Bill, that is, the so-called anti-boycott bill. In that case, the legislative consent mechanism was never really tested, because the bill never became law. However, the bill's intention was to give special protection to Israel against boycotts. Cabinet secretary, you and I are about the same age. When we were growing up, a brutal, violent white supremacist regime in South Africa was subject to international boycotts, divestments and sanctions, and that was an important movement in helping to bring that brutal regime down. Does the Scottish Government support boycotts, divestments and sanctions against the state of Israel and against those who are profiting from illegal settlements?

Angus Robertson: First, Mr Harvie will have to forgive me, but I believe that the case he mentioned happened before my time in the Scottish Parliament. I will have to go away and have a look at that specific case.

Patrick Harvie: It was two years ago.

Angus Robertson: No, I am talking about when you talked about legislative consent.

Patrick Harvie: Yes, that was two years ago.

Angus Robertson: I will have to look at the details, Mr Harvie. I do not have them at the forefront of my mind. I will not talk about something that I am not as familiar with as you are.

On the wider question of how we interact with Israel, there are a number of different levels to that. I think that Mr Harvie knows that there are some areas where the Scottish Parliament has an ability to influence the UK Government on its areas of responsibility. That is something that I talked about in my opening statement, and I continue to pursue it. It relates to the export licences to Israel.

Mr Harvie will know that the UK rescinded a number of those licences last year. I have not yet received any details about what those licences were for or which licences remain in place. It troubles me that equipment is still being provided to Israel, which will be used as part of the military system that is engaged in Gaza and, yes, the West Bank, too—we should not forget that, although I know that, this morning, we are talking just about the humanitarian situation in Gaza. We do not have transparency about that position, which is why I have written to the UK Government to seek clarification.

There is a series of other attendant and related issues. If we agree that we are not dealing with a state in the established way of doing things, we should be asking ourselves about the other interactions that we have with that state. Mr Harvie will know that the last time that the Scottish Government met with the state of Israel, to tell it how unhappy the Scottish Government was about what is going on, we told it that that would be the last time that we would meet it until it stopped what it was doing. Mr Harvie will know that; it received quite a lot of publicity at the time. Therefore, we are no longer dealing directly with Israel on these questions.

With regard to trade, I think that I am right to say that the United Kingdom Government has suspended its free trade agreement negotiations with the state of Israel, and I think that that action is correct. On whether there is a wider range of trade-related issues that could and should be looked at, Mr Harvie might draw my attention to the fact that the Government of Ireland is introducing legislation in relation to trade from illegal settlements in the occupied territories. If he were to ask me about that, I would say to him that I have been looking at that but that my best understanding is that that is a reserved issue

because it relates to direct trade matters. However, I assure Mr Harvie that I remain open to looking at further ways in which Scotland can use its limited powers but also its voice in calling out Israel for what it is doing. I am perfectly content to look at a range of ways in which the Scottish Government and the Scottish Parliament could make our voices heard and make our moral outrage about what is happening clear.

Patrick Harvie: I appreciate that very long answer about what the cabinet secretary called the wider issues. My question was narrow, though, and I would appreciate an answer to the narrow question. There is no doubt that there will be some legal constraints with regard to reserved powers and what can be done in practice, but I am asking about the principle: does the Scottish Government support boycotts, divestment and sanctions—to whatever extent possible within the law—against Israel?

Angus Robertson: I am sorry that I am going to have to do this to Mr Harvie. I have to answer the question the other way round, which is to say that the Scottish Government needs to operate within the law. It is really important that we do that, so it must be the other way round. I appreciate that Mr Harvie has the luxury, sitting where he is, of asking the question the other way round. We have to operate within the framework of the law, and, as I have said to him, I am content to look, subject to the constraints in law, at doing everything that we can both in our decision making but also in using our voices—

Patrick Harvie: I am afraid I—

Angus Robertson: I am sorry, but I want to finish with a bit of supplementary information. I am advised that we cannot lawfully impose a blanket ban on support for companies based solely on the fact that they are listed on the United Nations database of companies that are involved in the occupied territories. That is but one example of the fact that there are lawful and legal requirements on the Government—

Patrick Harvie: Cabinet secretary, I—

Angus Robertson: —and I am sure that he would wish that I ensure that the Scottish Government operates within the law.

Patrick Harvie: Cabinet secretary, I have said, and I appreciate, that the Government must operate within the law, but I am asking about how the Scottish Government uses its voice politically. The Scottish Government is never shy about saying that it opposes nuclear weapons, but it does not have the legal power to remove nuclear weapons from Scotland. It does not shy from opposing cuts to social security by the UK Government, but it does not have the power to change those policies. Therefore, I am asking the

Scottish Government to make a clear, principled statement about what it supports, which will be separate to what it can necessarily do in practice. Is the Scottish Government able to say what its policy is? Does it in principle support boycotts of, divestment from and sanctions against Israel?

Angus Robertson: Principally—

Patrick Harvie: If the answer is no, just say no.

Angus Robertson: Well, the Government is open to looking at all measures that are legally possible in relation to these questions, which is why I am open to understanding ways in which we can apply—and, if need be, increase—pressure on Israel. I know that others are doing that—I gave the Irish example earlier. I am just saying to Mr Harvie that he needs to understand that, in Government, we have to operate within a legal environment. That is the best that I can do on the subject.

Patrick Harvie: Thank you, convener.

The Convener: I call Neil Bibby.

Neil Bibby (West Scotland) (Lab): Good morning, cabinet secretary. I support and welcome the aid that the Scottish Government has committed to giving to Gaza. Obviously, I recognise the real challenges that there are in getting it to the people who really need it.

On the wider point about humanitarian emergency funding, I understand that the Scottish Government has been, or is, reviewing its approach to such funding generally. Is that correct?

Angus Robertson: We keep such things under permanent review. Because our budget is limited in terms of scope, one of the challenges that we have is that, when these kinds of significant appeals arise—for example, for emergencies in one part of the world or a situation such as Gaza—they are not something that the Scottish Government has any influence over. The requirements arise at different points, and that is one of the areas where we have to work quite hard in order to understand the relative priorities with regard to the different calls on the humanitarian aid that we have in place.

It is true to say that we are having a look at humanitarian aid. I do not know whether Mr Bibby has any specific points to make on whether more should be done, less should be done or things should be done differently. However, as I am sure that he would expect us to do, we are keeping those things under review.

Neil Bibby: I am just keen to understand the review that is being carried out. My understanding from the Scottish Government website is that the fund is going to be independently reviewed in

2025, but there was a review in 2020. I appreciate what you have said about the matter being kept under constant review, but I wonder why you seem to be having a review now, when you had a review in 2020. How does the review this year differ from the review carried out in 2020?

Angus Robertson: I will ask Ms Keating to give you some information about that.

Joanna Keating: Yes, we had a review of the operation of the humanitarian emergency fund a number of years ago, but the fact is that the global scenario and picture have changed so much since then, and there was the large-scale humanitarian aid that the Scottish Government provided for Ukraine, for example, and more recently for Gaza. In those cases, we have been providing additional humanitarian aid outwith the normal structure of our humanitarian emergency fund.

Since 2017, we have had a humanitarian emergency fund of £1 million per annum. We have a standing humanitarian emergency panel, which the cabinet secretary has referred to and which includes organisations such as Oxfam, SCIAF, Tearfund et cetera, and normally it will activate access to the humanitarian fund four times a year. That funding is also provided for DEC appeals; if there is a DEC appeal in any financial year, funding will go from the HEF to that.

We are looking at the fact that we have had much wider and on-going crises such as Ukraine, Gaza and South Sudan, for which we have provided some additional humanitarian funding. Essentially, we are spending more than that £1 million per annum. In our “Contribution to International Development” report, which we published last June, we detailed, in particular, funding that had been provided during Covid times. The pattern of funding was slightly more unusual than it is normally, because we were providing more funding for Covid during those years, and then more humanitarian funding.

We went out to competition for an independent consultant in January, as you saw on our website. The review has been under way over the past four months, led by that consultant. It has taken evidence and discussed the matter with the HEF panel members, wider humanitarian stakeholders and the Scottish Government. The report is in the process of being drafted and finalised and then we will take forward its recommendations.

We will keep people updated on that through our website and can provide the committee with a note through the cabinet secretary. I am sure that we will want to update you once the review is complete.

10:00

Neil Bibby: Thank you for that thorough answer. When do you expect the report to be published?

Joanna Keating: Within the next couple of months, I would say. We are just waiting for the final version to be completed and the internal processes to be gone through, then it will be published.

Keith Brown (Clackmannanshire and Dunblane) (SNP): I look to clarify a couple of things.

The convener rightly said that, given the choking of supplies into Gaza and how they are now being funnelled through ineffectively, women and children have been the biggest losers. That is pretty much always the case in such circumstances. However, we do not want to malign the men who are often taking their lives into their hands to get food for their families. We heard from UNRWA that it was mainly men in their 20s, 30s and 40s because the bags that they have to carry cannot be carried by older people. Therefore, it is not necessarily that a bunch of men are out to get supplies for themselves; it is that they do not want to put others in horrendous danger. It is incredible that they should be put in danger for that. Is that your understanding?

Angus Robertson: It is. Another, perhaps less obvious, observation was brought to my attention about the difference in how the aid is being distributed and how it impacts a society. Previously, when the United Nations distributed food aid and humanitarian supplies through 400 different points, there was not the same rush on a limited number of geographical locations with great danger.

The way that aid and humanitarian supplies were provided also previously involved in the local economy. Bread supplied to Gazans as part of humanitarian aid was often baked in Gaza, so the humanitarian aid was part and parcel of the Gazan economy and wider society. Now, that is not the way that things are happening. Short of some of the funding mechanisms, which are the international norm, whereby people are provided with the ability to buy things in markets—even that is limited—the Israeli-American process involves supplies being brought in from elsewhere. There is not the same kind of benefit that there was under the previous system.

Mr Brown is right that younger men tend to go for the aid because of the weight of the bags and the distance that people have to walk. Last night, there was talk of a three-hour walk there and a three-hour walk back. If one is picking up supplies for a family, they weigh a lot and the circumstances in Gaza are such that people now

have to walk as opposed to there being public transport because the infrastructure has been destroyed.

Keith Brown: That raises the question why the Israeli-American regime wants to have young, fighting-age males—as it would call them—trailing around Gaza and being put into particular locations. Leaving that to one side, I want to clarify another point.

I am a little bit confused, as people who are watching the meeting might be, about the issue with the Rafah border. As I understand it, the Egyptian Government is clear that Israel will not allow goods to go through there. UNRWA was absolutely clear with us that Israel will not permit it. The one person who seems to think that that is not the case is Mr Kerr.

I wonder whether you have any other information that confirms that that is the situation—that it is Israel that is preventing access through the Rafah border—or even whether it is the case that Israel has closed the border on its side at Israel's request. It would be useful to have that, if it is possible to provide that information to the committee. I understand that Israel has made statements to that effect.

Angus Robertson: I think that we also know that through the family of the former First Minister, who is a member of this Parliament. He has relations who could not get out through the Rafah crossing because the Israelis were limiting who was able to leave. This is the point that I was trying to make about the fact that borders are controlled on both sides. On the Gazan side of the border, it is controlled by Israel.

Keith Brown: Before Mr Kerr interrupts, I wish to say that he regularly gets to ask more questions than anybody else on the committee, so it would be good if I could ask my questions without any interruption from him. The point that I was making, cabinet secretary, was that it would be useful to get any information that you have that evidences that situation in writing, because a member of the committee is saying that that is not the case.

Angus Robertson: Would Mr Brown be content if I were to get clarification on the question from the United Kingdom Foreign, Commonwealth and Development Office, so that it can confirm its understanding of how that situation operates?

Keith Brown: That is up to the convener.

The Convener: That would be very helpful, cabinet secretary.

Stephen Kerr: Can I clarify what I have said?

Keith Brown: Can I ask my last question before Mr Kerr comes back in once again?

On Mr Bibby's point about the review of the aid that is currently provided, the committee heard from UNRWA that funding actually is an issue. It was not entirely clear, but I think that it was saying that certain countries have undermined UNRWA by withdrawing funding. Funding is an issue, even for it, despite the fact that it has hundreds of trucks of goods ready to go. What the Scottish Government provides is a pretty small proportion of that. However, if that funding is being reviewed, will the review consider and react to the UK Government's decision to slash its international aid, or will the Scottish Government's funding just be done on its own terms, as it was before?

Angus Robertson: We have had discussions with officials, and, as the cabinet secretary with responsibility in this area, I am certainly keen to be advised on what impact the UK Government's cuts to its aid budget will have on our operations. Countries such as Malawi are classified as less of a priority for the UK Government than tier 1. One can understand why Gaza, Ukraine or Sudan are in tier 1. However, if that leads to other countries not being a priority and to aid being cut, where we have a particular locus, as we do with our partner countries, that will have consequences for us. I need advice on whether that is part of the review or consideration. I am very well advised by colleagues who, more often than not, have a background in the Foreign Office and the previous Department for International Development. We have very talented people in the Scottish Government who advise on these matters, but we are going to have to consider this.

The issue affects not only countries such as ours but countries, such as Ireland, that also have a presence in certain countries. When I met my opposite number in the Irish Government, Neale Richmond TD, he raised this issue, too, because there is a concern on the part of some countries that are not deprioritising humanitarian aid that the UK and the United States are suddenly cutting their international aid significantly. That will have an impact in countries where we are trying to make a difference, so we will have to work out what the impact will be and how we can ameliorate the cut in aid.

However, to go back to the initial part of Mr Brown's question about funding for Gaza, I have been advised that, in the immediate circumstances, the drop off in aid that a number of countries, including the United Kingdom, have announced is not yet impacting the volume of aid that could be taken into Gaza. That could well change as the cuts come in—that is entirely possible—and we should be aware of that.

Another facet of aid cuts is that we should not lose sight of the impact that they have on our aid partners, some of which are international

organisations. People might not be aware that the European headquarters of Mercy Corps is in Edinburgh. Therefore, the impact, including on humanitarian organisations, is being felt here as well as in the countries that should be getting the aid, which, sadly, is being cut by the UK.

Keith Brown: I take the point that supplies might not be getting affected because there is such a backlog, but UNRWA is involved in far more activities than simply providing supplies, and those activities are being undermined by funding cuts.

Stephen Kerr: For clarification, the cabinet secretary was handed a piece of paper that informed him that Israel was controlling the other side of the Rafah crossing, but, as of the end of January, under the ceasefire arrangements that were agreed with Hamas, the IDF withdrew from the Rafah crossing. The current situation is that the IDF does not control the crossing at Rafah—

George Adam (Paisley) (SNP): That is nonsense.

Stephen Kerr: It is not nonsense. You know better, George. I am telling you what the current situation is.

The Convener: We are seeking clarification—

Stephen Kerr: That is why I interrupted. Members are free to check any news sources that they wish. There are multiple sources.

The Convener: We are going to get clarification. The cabinet secretary has agreed—

Stephen Kerr: You can check. You can check by looking at a reputable news source.

The Convener: Mr Kerr, the cabinet secretary has agreed to clarify the situation by writing to the committee once he has consulted his counterparts in the UK Government.

As there are no further questions from members, cabinet secretary, I again thank you and your officials for attending the committee. We will have a brief suspension to allow the witness panels to change over.

10:11

Meeting suspended.

10:16

On resuming—

UEFA European Championship (Scotland) Bill

The Convener: I warmly welcome everyone back to the meeting. Our next agenda item is to take evidence on the UEFA European Championship (Scotland) Bill. We are joined in the room by Richard Lochhead, Minister for Business and Employment, and by Lucy Carmichael, head of events strategy and delivery, and Ninian Christie, lawyer, both of whom are from the Scottish Government.

I invite Mr Lochhead to make a few short opening remarks.

The Minister for Business and Employment (Richard Lochhead): Thank you, convener, and good morning to the committee.

I, too, appreciate this opportunity to speak to you all about the UEFA European Championship (Scotland) Bill. It is a vital step in enabling Scotland to play its part in hosting Euro 2028, which is, as you will all know, one of the most prestigious sporting events in the whole world; it ensures that we meet the requirements of the Union of European Football Associations, particularly around commercial rights and enforcement; and it allows us to deliver a world-class tournament in Glasgow.

Hosting Euro 2028 also presents a unique opportunity to build on Scotland's strong track record of delivering major events. From the Commonwealth games to the 26th United Nations climate change conference of the parties—COP26—we have always shown that Scotland can host with distinction, combining professionalism with a very warm welcome. The tournament will allow us to further enhance our reputation as a trusted international partner and as a destination that delivers not only for fans and athletes but for communities and businesses, too.

Euro 2028 is more than a football tournament; it is a platform for showcasing our country on the international stage as somewhere dynamic, welcoming and ambitious. The projected economic impact across the United Kingdom and Ireland is significant—up to £2.6 billion—and Glasgow stands to benefit from increased tourism, investment and global visibility.

However, the benefits go beyond numbers. The Euro 2028 legacy vision is aimed at growing a more diverse and inclusive game, and a key priority for the Scottish Government is to widen those benefits and spread the impact throughout

Scotland, furthering a number of national outcomes.

The bill also seeks to create opportunities for communities, businesses and fans and ensures that Scotland's role in this historic event is protected from exploitation, whether it be ticket touting, unauthorised trading or ambush marketing. Indeed, it introduces targeted measures to safeguard the tournament's integrity and the rights of those who have invested in it.

We have worked closely with partners across these islands and Ireland and with key stakeholders here in Scotland to ensure that our approach is proportionate, effective and informed by experience, including lessons from hosting Euro 2020. I look forward to working with the committee as the bill progresses, and we will, of course, do our best to answer your questions.

The Convener: Thank you very much, minister.

I want to open with a question about the potential risks associated with the expansion of enforcement powers to council officers. What steps will the Scottish Government take to ensure that those who enforce the offences created in the bill will exercise their duties in a manner that is compatible with human rights?

Richard Lochhead: I hope that the committee has noticed from the policy memorandum that various human rights impact assessments have been carried out. Clearly, the powers are time limited to the duration of the event both in the event zone around Hampden park and a fan zone that has still to be identified and decided on by Glasgow City Council. Whether it be George Square, Glasgow Green or wherever, that decision has still to be taken. Again, these are time-limited powers, for the weeks around the event.

We have done our best to strike a balance. The powers are relatively similar to those in the UEFA European Championship (Scotland) Act 2020, but there are requirements that we have to meet as a host nation for Euro 2028, and that is the purpose of the bill.

I can expand on that in answering any further questions that you have in that respect.

The Convener: I had expected that answer, minister. We saw no such concerns raised at the last tournament, so I thought that that would be the objective in making sure that these provisions were part of this bill.

I move to questions from members, and I call Patrick Harvie.

Patrick Harvie: Good morning, minister and colleagues. I want to ask first about the general overall approach, and then I have a couple of

specific questions about the human rights arguments that have been raised.

Ambush marketing has been raised as something that the bill is intended to create barriers to. Is it the Government's general intention that the bill should capture actions that are commercial in nature, but that it should not capture, prevent or inhibit actions such as protests? Are you saying that it is legitimate to have activities that are intended to criticise the track record, ethically or environmentally, of a company, including a sponsor company, but it is not legitimate to simply opportunistically try to make money through ambush marketing?

Richard Lochhead: That is a fair reflection of the Government's approach to this. As part of our conditions as a host nation, we have to ensure that sponsors and those who have invested in Euro 2028—UEFA will be in charge of all of that—are protected, and that others do not have any ambush marketing in the zones. We are talking about people wanting to exploit commercial opportunities, which has to be safeguarded against.

Patrick Harvie: So, sponsors will be protected from commercial marketing, but not from political protests.

Richard Lochhead: Yes. I was about to say that there are exemptions for the likes of protests. Clearly, those are protected and subject to normal legislation—they are not covered by the bill. There is a particular exemption in the bill with regard to protests.

Patrick Harvie: Some changes were made to the previous legislation during its passage in 2019 to ensure that enforcement officers would not have the same powers as police officers in relation to things such as stop and search and physical intervention. My reading of the bill seems to suggest that those changes have been incorporated and that the intention is to do what was done as a result of the amendments to the earlier legislation. Is that correct?

Richard Lochhead: There are powers for enforcement officers deployed by Glasgow City Council and, indeed, the police to enforce the various restrictions in the zones for the duration of Euro 2028. Those powers largely reflect other bits of Government legislation, for instance, with regard to entering premises.

Our general approach is that, if you have to enter premises to stop an infringement, you will need a warrant. However, there are circumstances in which, if the delay in securing that warrant defeats the whole purpose of stopping the infringement in the first place, you will be able to enter without one. However, that does not apply to

homes and dwelling places—it applies simply to premises.

Patrick Harvie: But, in basic terms, is it correct that enforcement officers will not have the same powers as police officers in the absence of the latter?

Richard Lochhead: My understanding is that enforcement officers will have similar powers—although I am not too sure to which specific powers you are referring. I will bring in Lucy Carmichael.

Lucy Carmichael (Scottish Government): I think that we touched on that issue at the previous evidence session, Mr Harvie. I wonder whether what you are referring to is the

“power to enter and search”

in section 22 of the bill. Section 22(2) provides that

“Subsection (1) does not authorise an enforcement officer to—

(a) search an individual, or

(b) access data stored electronically.”

If that is helpful—if that is one of the areas that you were thinking about—that is a proportionate safeguard in the bill.

Patrick Harvie: Thank you.

The Scottish Human Rights Commission has suggested that there should be

“a requirement for Glasgow City Council to monitor and report on ... human rights impacts”.

Is the SHRC right that that requirement is not currently in the bill? Is the Government open to considering it?

Richard Lochhead: Again, we have carried out all the assessments—sorry, just to clarify, are you talking about post-event?

Patrick Harvie: Yes—I mean the requirement to monitor the events as they happen and to report.

Richard Lochhead: I do not know whether Lucy wants to come in on that aspect.

Lucy Carmichael: I am happy to. Obviously, we are grateful to the Scottish Human Rights Commission for its helpful written evidence. I think that the minister was alluding to the fact that we considered human rights impacts when developing the bill.

On the specific point about Glasgow City Council's reporting, we would want to engage with it and see what might be possible. You are correct that that requirement is not explicitly set out in the bill at present.

Patrick Harvie: Can you assure us that that engagement will take place and that you will have a position before we get to stage 2?

Lucy Carmichael: I am happy to say that we will speak to Glasgow City Council about that specific point from the evidence.

Patrick Harvie: Thank you.

Stephen Kerr: I will continue the line of questioning that Patrick Harvie has taken. The enforcement officers can enter and search vehicles, premises or stalls, but they cannot search individuals—that is what you think the balancing issue is. They can seize, conceal or destroy property deemed in breach of trading or advertising restrictions and, in certain circumstances, they can do all that with no warrant. That is what the bill says.

Let us go back to what the Scottish Human Rights Commission has said. It made the very good point that

“the bill does not set out limitations on how enforcement officers should ... determine ... suspicion”.

What is your interpretation of that? On what basis would an enforcement officer enter and search vehicles, premises and so on without a warrant?

Richard Lochhead: As I indicated previously, our take on that is that there could be circumstances in which waiting for a warrant defeats the purpose of having to stop the infringement. Therefore, under those specific scenarios, enforcement officers would be able to enter premises.

Stephen Kerr: Right.

Lucy Carmichael: I might have misunderstood your question, Mr Kerr. You were talking about enforcement officers' powers to enter and search without a warrant—

Stephen Kerr: Correct.

Lucy Carmichael: A police officer must be present if force is being used to enter a premises.

Stephen Kerr: But they still would not have a warrant.

Lucy Carmichael: Yes. However, in those circumstances, a police officer would be present with the enforcement officer.

Stephen Kerr: But even a police officer must have a warrant. A police officer cannot just force—

Lucy Carmichael: The bill provides for certain circumstances where a police officer can enter without a warrant to end the commission of an offence. We wrote to the committee to provide examples of similar measures following the evidence session—

Stephen Kerr: Yes, I got that letter—

Lucy Carmichael: So, Police Scotland has powers to do that more generally.

Stephen Kerr: I am in the same place as the Scottish Human Rights Commission in that I am not sure that I really understand on what basis and how you would gauge the level of suspicion required in order to use those powers. What would the circumstances and the measurement be?

Lucy Carmichael: I think that Police Scotland is used to exercising those operational judgments under other pieces of legislation.

Stephen Kerr: The normal circumstances in which a police officer would enter a premises without a warrant are if they thought that there was a threat to life.

Lucy Carmichael: Ninian Christie might wish to come in on that point, but I think that we provided some examples in which police officers currently have powers to enter a premises without a warrant when there is no threat to life. I should say that a safeguard exists whereby a police officer could not enter a dwelling without a warrant.

10:30

Stephen Kerr: Right, okay. I have a general question. The letter from Rachael McKechnie, which you referred to, makes the point that the

“Welsh Government has no plans to introduce its own primary legislation but will ... work ... with the UK Government ... to ensure that UEFA's requirements are met.”

The next paragraph says that

“The Northern Ireland Executive has indicated it is not currently considering bringing forward specific legislation”.

Why are we doing it, then? Why do we not just work with the UK Government? With the forbearance of the convener, I will apply that to the issue of touting, which I will move on to shortly. That is best dealt with at a UK level, is it not? Why have we introduced a bill when Northern Ireland and Wales have decided not to?

Richard Lochhead: First, Northern Ireland is not a host nation now—

Stephen Kerr: No, but I am just quoting from the letter.

Richard Lochhead: Yes, but Northern Ireland has taken a decision in the context that it is not hosting any matches. We are hosting matches, and the issues are clearly devolved.

The constitutional arrangements for Wales are slightly different, so how the Welsh Government wants to engage with the UK Government is up to it. Whether it works with the UK Government on aspects that are different to the ones that we are

working on in Scotland is a choice for it to make. We did our own bills for Euro 2020—which was held in 2021—and for the Commonwealth games in 2014 without any controversy; we are simply following that pattern.

Stephen Kerr: The anti-touting measures in the Scottish Government bill are quite limited, are they not? For example, someone could just cross the border and do a bit of touting, because the bill does not extend to the rest of the United Kingdom, obviously.

Richard Lochhead: Yes, but that applies to many laws in the country. In this context, the UK Government will presumably introduce its own legislation in response to UEFA's demands so that it can host the games in England.

Stephen Kerr: Do you understand the point that I am making? When it comes to touting, the territorial aspect is irrelevant, because much of it will be done online—

Richard Lochhead: Yes.

Stephen Kerr: Therefore, would it not have been better to have taken a United Kingdom-wide view on touting so that a single standard law would have been applied to all parts of the United Kingdom?

Richard Lochhead: You could make the argument that that could apply to many laws. We have our own demands from UEFA to put in place legislation to ensure that we can be one of the host nations.

Stephen Kerr: Do you confirm, however, that we could have had a United Kingdom measure? We could have co-operated and come up with a single measure.

Richard Lochhead: We are co-operating, and there will be discussions with the UK Government. However, you are taking us into the realm of whether we would want the UK Government to legislate on all devolved issues, and that—

Stephen Kerr: No, I am not suggesting that at all. I am suggesting that, when it comes to ticket touting, our having a single law that applies to all the territory of the United Kingdom would probably be much more efficient than our doing the legislation separately. I think that you would admit—and have admitted—that the touting provisions are quite limited.

I will move on—

Richard Lochhead: Touting is multifaceted. Clearly, we need to co-operate with other countries and the rest of the UK in relation to some aspects. However, other aspects relate to what happens outside Hampden park for example, and it is obviously appropriate that we legislate for that, as required by UEFA.

Stephen Kerr: I still do not understand why UEFA officials and employees are exempt from the ticket touting laws.

Richard Lochhead: That provision was put in because UEFA sells tickets and must make a profit on the tickets that it sells.

Stephen Kerr: Is that touting?

Richard Lochhead: No, it is not touting—that is the point. That is why they are exempt.

Stephen Kerr: Why are they specifically exempt from the touting provisions of the bill? That is simply them reselling their tickets, which is their property; a ticket to a match is their licence, as it were. That is how they trade. Why does the bill specifically say that officials and employees of UEFA—a huge multinational enterprise—are exempt from the ticket touting laws?

Richard Lochhead: Because we are speaking about UEFA tickets. Therefore, the lawyers and the bill team looked at who needed to be exempted to ensure that we covered all bases. That is why the provision is included.

Stephen Kerr: Touting is not the same as selling. I do not understand—

Richard Lochhead: Touting is selling a ticket for a profit. There is one organisation that will definitely be selling tickets for a profit for this event, and that is UEFA. Therefore, for clarity and for legal purposes, it is important to make sure that UEFA is exempt.

Stephen Kerr: There are many questions in a similar vein, but other members will probably want to come in.

The Convener: I will bring in Mr Stewart.

Alexander Stewart: We have touched on certain obligations that are placed on a host nation, such as those that relate to the management of street trading; ambush advertising; ticket touting, which Mr Kerr has just spoken about; and the sale of counterfeit goods.

Minister, you have indicated that those aspects will be managed or authorised by either the police or Glasgow City Council. They will have to take reasonable measures to prohibit, restrict and prevent some of those things from taking place. Indeed, the crux of the matter is ensuring that certain things do not take place, whether that is across the piece or in the zoned areas. How will you ensure that we have in place robust processes during the Euros and in the protected zones to deal with those aspects?

Richard Lochhead: One of the advantages of passing the legislation at this stage—I do not know the exact timescale for its passage through the Parliament—when the event is not until 2028 is

that it will give Glasgow City Council and Glasgow Life, which will be doing a lot of the work for the event, plenty of warning and an opportunity to prepare. I hope that that long run-in will help. The Scottish Government will also be closely co-ordinating with Glasgow City Council and Glasgow Life, so there will be a lot of joint working between now and the event in 2028.

Glasgow City Council and its trading standards officers have a big role to play in the licensing and enforcement of street trading. If any issues arise, we will have the opportunity to hear about those from the council.

Alexander Stewart: Okay. Thank you.

Keith Brown: I go back to the questions that Stephen Kerr raised on ticket touting. Our original concern was about internet ticket sales and whether people from Scotland would be—rightly—prohibited from touting or exploiting ticket sales elsewhere in the UK. In my view, that concern should be dealt with reciprocally, with the UK Government taking measures to ensure that people elsewhere cannot exploit the Scottish market. We are still waiting on the response from the police as to how that is to be done.

I should say that I have no problem at all with Scotland legislating for itself; we have our own legal system and our own police force, which is not the case in Wales and Northern Ireland.

However, the issue concerns me. I do not mind what the solution is as long as we ensure that the measures are applied equally. For example, we would not want to be in position in which the UK Government could say that you cannot access the ticket market outwith England and Wales but that those in England and Wales can get into the Scottish market, if you follow what I mean. What is your understanding of the police's position on that?

Richard Lochhead: There will be a lot of joint working on common issues among the partners in Scotland, across the UK and Ireland—Ireland is a co-host as well; it is not just the UK—and there is an organisation that brings all the partners together. There is a lot of work to be done between now and the event itself.

Technology is constantly advancing, and UEFA is very conscious of that. There are two key areas in which that must be addressed. The first is the issue of legality and enforcement at the local level and within jurisdictions. The second is the terms and conditions that UEFA has for its own tickets. In one of its submissions to the committee, it referred to the “distress” that is caused when people turn up with tickets and cannot get into tournaments because they have purchased them in the wrong place or whatever and they are not valid. UEFA has its own ways of enforcing its

terms and conditions for its tickets at stadiums. I hope that we can get right those two prongs so that ordinary fans have access to tickets.

Keith Brown: It would have been really useful if we had had the police's response by now.

There is another issue that the committee has been concerned about previously, which was raised in part by Alexander Stewart earlier. I know that the minister, like me, is very keen on Scotland's involvement in European football competitions at all levels. I have read through the papers and I am aware of the background noise about UEFA and FIFA. It seems to me that those organisations have lost a great of credibility when it comes to how they decide where those competitions take place. I know that it is a take-it-or-leave-it situation, but when I look at the strictures around commercial activities, it also seems that we are obliged to get our legal system, our police and others in position to protect the commercial interests of UEFA.

Our previous discussion was about why street traders, who—as you will know from recent experience—would normally be on the streets surrounding Hampden park, should not be there. I suppose that you have to ask yourself whether you would be upset if that happened, say, in Italy, and people were undermining the profits that UEFA was making, which are then distributed to everyone else. I can understand the point, but I would not be upset about that happening.

You can call the work counterfeit or you can just call it commercial activity. I am sure that you will not go down this direction, minister, but is it not getting to the point at which UEFA and FIFA can dictate a great deal more than they should be able to in deciding who will be selected to host those competitions? Surely, they should not be able to dictate all those things in relation to commercial activity. I understand the case for them doing so with tickets, but not for the rest of it.

Richard Lochhead: That is a huge question. The tournaments—I think that the Euros are the third biggest sporting spectacle in the world—are a hugely commercial exercise. I absolutely understand where you are coming from. However, that is why there are a lot of issues around ticket touting, and the measures are to ensure that there is fair access to tickets for ordinary fans. I think that 97 per cent of the revenue that UEFA gets from those tournaments goes back into football at all levels. That helps the sport globally, including here in Scotland.

I do not have a ready answer as to what the alternative is to what you might be getting at, but these are clearly issues for public debate, and I pay close attention to them.

Keith Brown: I suppose that the alternative would be for UEFA and FIFA to relax a bit and allow local traders to do what they always do. I have no quibbles with the approach to tickets; I understand that point. You made a point about the scenes that can develop if people are turning up and their tickets cannot be used. We saw that and the public disorder that can arise from it outside the Parc de Princes on a recent occasion. However, my question was more to do with whether it would hurt UEFA if Joe Bloggs from Partick went along to Hampden with his stall selling some scarves. I just think that the approach is getting a bit too heavy-handed.

Richard Lochhead: Those are certainly issues to raise with the Scottish Football Association—it probably has more influence than us on some of those issues.

Keith Brown: I do not think that it has that influence. That is the point that I am making, minister. We have to take it or leave it. I understand that having the competitions here is a very attractive proposition, but it seems—to me, anyway—that there is an undue use of their influence.

The Convener: Thank you, Mr Brown. Mr Stewart, do you want to add anything?

Alexander Stewart: No, thank you.

The Convener: As nobody else wants to come in, that concludes our questions for you this morning, minister. Thank you for your attendance.

Decision on Taking Business in Private

10:43

The Convener: Before we move into private session, are members content to consider our stage 1 report on the bill in private at a future meeting? We might want to wait for the police response before finalising the report. Are we agreed?

Members indicated agreement.

The Convener: I am sure that all members of the committee will join me in extending thanks to Alexander Stewart for his service as our deputy convener and for his contributions during his time with us. I wish him all the best in his new parliamentary roles.

Alexander Stewart: Thank you, convener.

The Convener: On that note, we will move into private.

10:44

Meeting continued in private until 11:08.

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