

Hearing of Foreign Secretary Jack Straw before the House of Commons on the forthcoming IGC (10 September 2003)

Caption: On 10 September 2003, Jack Straw answers the questions of the House of Commons Select Committee on European Scrutiny. The Secretary of State for Foreign and Commonwealth Affairs is heard on the subject of preparations for the IGC, the specific issues involved in the negotiations and the United Kingdom's room for manoeuvre.

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Wednesday 10 September 2003 – Rt Hon Jack Straw, Mr Kim Darroch and Mr Tom Drew

Q1 Chairman: Foreign Secretary, welcome to the European Scrutiny Committee. I understand that you were thinking this was your first appearance in front of our Committee and, indeed, it is. It is the first time we have had the Foreign Secretary in front of our Committee. I am sure we are both looking forward to it. This particular meeting is to discuss the very important issue of the pending IGC on the Convention proposals. Could I kick off by asking the question, how much room for manoeuvre will there be at the IGC to make changes in the draft Treaty, given the pressure from many quarters to keep the text largely as it is?

Mr Straw: I think there will be significant potential for manoeuvre. Of course I am aware of some comments that have been made by some representatives of Member States, but the key text was what was agreed at the Thessaloniki Summit at the end of June which said that the Convention proposals were a good basis for starting the IGC. That is our rubric, it is a very satisfactory form of wording, and I was involved in the wording. It is a good basis for starting and it remains to be seen where we finish. The second point is that there was an informal but important meeting of European foreign ministers at the weekend in northern Italy and we spent a significant part of the Friday and Saturday discussing our opening positions on the IGC and the arrangements for negotiation within it. It was very apparent from listening to all the contributions around the room that almost every Member State had issues which they regarded as important to them which were different from that proposed in the Convention text. What we now have to do, obviously, is to try and ensure that these different positions are brought together in a manner which is satisfactory to the British negotiating position. Will there be a proper negotiation of the IGC? Yes.

Q2 Mr Cash: Foreign Secretary, the borderline for governments between misunderstanding, misrepresentation and straightforward lying is often a pretty thin one in important matters. I am very concerned about some of the points that have emerged in the last 48 hours or so in this White Paper. The White Paper says: "The Constitution will cover the way we govern ourselves" and it also further goes on to say—

Mr Straw: Which paragraph is this?

Q3 Mr Cash: This is at the beginning. I am quoting exactly: "The Constitution will cover the way we govern ourselves." It also goes on to say, which I think contradicts that: "The Treaty will not change the fundamental relationship between the EU and the Member States". Today at Prime Minister's Questions, the Prime Minister said that there will be no change in the fundamental nature of our constitution but Mr Hain, the Leader of the House, presumably on good authority, said that the Prime Minister believes the new Constitution is absolutely fundamental, more important than Iraq. In Warsaw, in May this year, the Prime Minister said that the euro was of such economic and constitutional significance that a referendum would be sensible and right. The degree of contradiction in all of this is pretty severe. What I would like to ask you is this: if British entry to the euro, according to the Prime Minister at Warsaw, is constitutionally significant, how is it that the European Constitution, which includes the euro, is not constitutionally significant? How, therefore, is it possible for the Government to escape the logic of the situation to give the British people a referendum, which is what they obviously want, and how can you justify not giving it to them?

Mr Straw: First of all, I wholly refute your opening statement, let me make that clear. I think that political debate on all sides is debased if we start from the position that we are acting in a dishonourable way or not seeking to tell the truth. I am not going into the reason why this has come, I suspect that responsibility for this lies with more than one party. Let us work on the basis that we

have democratic government and the currency of political debate, which is words and figures, means something to us and to the people that we are talking to. What I have sought to do in this White Paper is to spell out what the effect of this Constitutional Treaty would be, where our red lines are, where our points of disagreement are which are not red lines, but also to put it in the context of why we judge on balance that a Constitutional Treaty of this kind is a good thing, and the reason for that is because of enlargement. I have not got the exact words before me that you were quoting, you were not able to give me the exact reference, but of course it is true that European law has primacy over British law, as it does over the law of any other Member State. That, as I was explaining through Mr Speaker to you yesterday, Mr Cash, has been a *sine qua non* of our membership of the European Union since its inception. Just so we can clear this one up, it is not only a matter of what is in our own national legislation, Article 2.2 of the 1972 European Communities Act, but in two key European Court of Justice cases, one in 1964 called *Costa v Enel* and another key one in 1978 called the *Simmenthal* case—

Q4 Mr Cash: 1964, I think, *Costa*.

Mr Straw: Yes. I thought probably that your legal expertise would come before your politics.

Q5 Mr Cash: I am trying to weave them together.

Mr Straw: And that is a compliment, as it is, I hope, in respect of all of us who are lawyers. Both cases, one building on the other, held very clearly that EU law has primacy over national law, so of course what is in this Constitutional Treaty affects the constitutional arrangements for this country as long as we remain members of the European Union. One of the things which I did not talk about yesterday, which relates to this Treaty, is that there is a provision, extensive provision, in this Treaty for a Member State to withdraw from the European Union. I suspect that your party is moving towards that and one of the many benefits in this Treaty is that we are making arrangements by which you could effect that without having to do it outside of the Treaty. On the issue of the referendum, again we have been round the houses on this, but as we say in the White Paper and I said in the House yesterday, we have had referendums in this country where there is a decision to be made about whether we join a new institution or withdraw from an existing institution. The only national referendum we have ever had was the one in 1975 as to whether or not we withdrew from the European Union. It does not seem to me that there is any argument that whatever side of the argument people take over the merits of the euro, exchanging our national currency for a European currency is a matter of very great institutional significance, it is something which is plainly new and, therefore, referendum is appropriate.

Q6 Mr Cash: It is about how we govern ourselves, which is what your White Paper says.

Mr Straw: If we come to this Treaty, we do not believe, and I am happy to explain why and I have yet to hear the arguments the other way, that this involves fundamental change in the nature of the relationship between Member States and the European Union except, interestingly, in the judgment of a Committee of the House of Lords that it shifts the balance of power back from the Commission to Member States, and that is certainly not a case for having a referendum. As I said in the House in one of the last debates in July, if it did involve such a fundamental change so we were essentially joining what amounts to a new institution then that would be a case for a referendum, which it does not. On the reporting of the remarks of Mr Hain, this is using the adjective "fundamental" in a very different context. The outcome of the Convention, and then of the IGC, which is what he was talking about, yes, is something which would be fundamental but we happen to think that although the outcome is fundamental it is nonetheless beneficial overall to this country and does not involve any fundamental change in the nature of the relationship between Member States and the European Union.

Q7 Chairman: Foreign Secretary, I understand that there is an Italian proposal which would limit discussion at the IGC to certain key issues. Does the Government accept the idea of a closed list of outstanding issues for the IGC to discuss?

Mr Straw: No. The list that was prepared by the Italian Presidency was prepared after consultation with Member States, including direct consultation with myself—I went to Rome two weeks ago for a full day's discussion with the Italian Presidency—and it actually covers all the key areas of our concern. In addition to that, it was made very clear around the room that Member States would be free to raise any other issue and alongside the top line issues there is work going on on every single draft Article, not only to check it for its legal drafting but also for its technical implications, in some cases particular implications for one Member State which will not affect any other and so on.

Q8 Mr Steen: Mr Straw, the implication of your statement was that the only reason that we had a Convention in the first place was because of enlargement and but for enlargement we would have merrily gone along as we were. Could you just explain what it was and what this Convention does which allows those extra countries to come in which they could not have done, conveniently, if we had carried along as we were going?

Mr Straw: The answer to that is those extra countries have come in under Nice and not under this Convention. As I said in the House yesterday, Mr Steen, if there is not an agreed Constitutional Treaty as a result of this Convention, life will go on. Let us be clear about that. I never, ever suggested, because it is not true, that having this draft Treaty implemented, ratified and enforced is a precondition for the accession of these countries; that is plainly not the case. However, I was not at Nice as it happens, I think Mr Darroch had that pleasure, but everybody who was at Nice, everybody who observed Nice, recognises that the process was unsatisfactory and that a lot of issues which should have been resolved in anticipation of enlargement were not. It sorted out issues of European parliamentary representation post-enlargement in relation to the Commission and to the weighting of votes, the so-called triple lock on QMV. It did not sort out some of the other institutional problems. I was at Laeken and at Laeken that led to the Laeken Declaration and the establishment of the Convention. You asked me would the Convention have happened without enlargement, I doubt it very much. People may have said "We need a Convention to bring the existing treaties together" but I do not think there would have been that impetus for it. Take one example, the issue of rotating Presidencies, it made every sense at six when people had a rotating presidency once every three years, was okay at nine, when we joined, not bad at 12, difficult at 15 when it is once every seven and a half years, but once every twelve and a half years beyond a whole generation of ministers and politicians. What you have, and it is a point I make to my colleagues in the smaller countries, if you stick to the rotating Presidencies then imperceptibly power will gradually shift more to the Commission and away from Member States because it is the Commission which will increasingly have the expertise and Member States not. We can run a Presidency at 25 but smaller Member States, and some of them not so small, without naming them, really struggle. Against what is a very professional and committed Commission I do not believe that Member States, big or small, are well served by rotating Presidencies and I think they would be far better served by having a permanent Chair of the European Council with all the authority he or she would bring, able to co-ordinate the work of the Council, the European Council and the Council of Ministers, working alongside the Commission but sometimes against the Commission and reminding the Commission that this is a union of Member States.

Q9 Mr Steen: If I can just come back on that one point and say that our party, as you know, takes the view that this is a major change and that a referendum is required and you have explained to Mr Cash why that is not the case. On the other hand, some people say it is a tidying up exercise. I am not clear, and I think the public outside is not clear, is it just to cope with the extra members or is there some devious plot underneath it all which is actually going to make Europe a different animal and Britain subservient to it?

Mr Straw: It is no devious plot. If there was a plot here, the plotters would have chosen a different route than to have done it in technicolour and in public for 18 months. What one sees is what is in here, it has been a very public process. I may say that this is a far more open, transparent and public process and one which in practice has far better involved national parliaments than the previous arrangements where there was a bit of work done before the IGC, then people got into conclave and

deals ended up being struck without any reference back to national parliaments or governments at three, four, five o'clock in the morning after everybody was completely exhausted. That has been part of the problem with Nice. I am not saying that there will not be an end game like that but this has been a much more serious exercise. "Tidying up" is not a phrase that I have used, and I do not use. There are two things happening here. One is that this is about consolidating the existing treaties which, as colleagues here know, are to be found in a number of documents and some of them are very confusing. When I first got involved in this when I was at the Home Office I started looking at the Treaty relating to the European Community and then the Treaty relating to the European Union. I kept being told that JHA matters were Second Pillar and, being a lawyer, I went to the documents to see where this Second Pillar was described but it was not described anywhere, it turned out to be a term of art. I eventually got the wet towel around my head and found it. One of the things that has been happening is that this is being brought together and, where possible, simplified. I do not make the claim it is simple, it is just intellectually in a much more coherent form. The other thing this is doing is reforming the institutions in certain respects and in some respects extending QMV, which I am sure you will want to come on to, Chairman, and doing other things which are well laid out in the White Paper. It is a matter of judgment as to what people feel about the whole. As I say, I have yet to hear clear arguments as to how this involves a fundamental shift in the balance of the relationship between ourselves and the EU.

Q10 Chairman: You mentioned "technicolour" and the Government has introduced colour in the debate itself with talk about red lines, and the Prime Minister mentioned red lines today during Prime Minister's Questions. Would it be realistic for the UK not to accept the Treaty because one of its red lines was crossed, or is it the case that the red line is already there and they will not cross the red line?

Mr Straw: It would be completely realistic, not only realistic but imperative, that we did not accept the draft, or the final version, if it crossed our key red lines. That is spelt out in paragraph 66 of the White Paper. To take an area where we have already established one qualification I am happy to go into, unanimity on defence and Common Foreign and Security Policy, I would not ever be party to a communitisation of foreign policy or defence policy; neither would the Prime Minister; neither would the party I represent, full stop. I am in favour very powerfully of the European Union being a union of nation states. The ultimate expression of a nation state is its ability to control its own armed forces and its armed forces are not there in abstract, they are both for defending a country's territory and also as an instrument of its foreign policy. I am very happy, however, to work co-operatively with our European Union colleagues and I believe that the development, where we agree it, of the Common Foreign and Security Policy, defence co-operation, is very greatly to our advantage.

Q11 Mr Bacon: Foreign Secretary, you mentioned there paragraph 66 of the White Paper which includes the phrase "key areas of criminal procedural law".

Mr Straw: Yes.

Q12 Mr Bacon: Does that mean that a European Public Prosecutor is an absolute no-no, or does it mean that there could be a European Public Prosecutor as long as he or she had no power or if it was watered down sufficiently?

Mr Straw: We do not happen to think there is a need for a European Public Prosecutor. I appreciate the arguments that others make.

Q13 Mr Bacon: I am simply asking is it a red line?

Mr Straw: If there were QMV for European Public Prosecutor, yes. Already in the draft Treaty we have a unanimity lock on it, a veto over a European Public Prosecutor. We look at other ways in which we can improve that Article but as a minimum we have what we need because we have that lock, it is there.

Q14 Angus Robertson: Foreign Secretary, we are talking about policies which are acceptable and unacceptable and a moment ago you said that there were great improvements because of the role of national parliaments being taken on board. You will be aware that this Committee took a unanimous view that: "We, the Committee, are concerned about the prospect of exclusive EU competence in the conservation of marine biological resources under the Common Fisheries Policy and how this might affect the management of marine resources at all levels." If the Government takes the role of national parliament seriously why was this concern not addressed in your statement yesterday and why does it not even figure in the Government's White Paper?

Mr Straw: Mr Robertson, you and I have discussed this. Of course we take what Select Committees say seriously, so do I, but that cannot mean that there is always going to be agreement on every issue. As it happens, there is not agreement on the issue of fact here. The point that you make, and we have had discussions about this and I have corresponded with you, is that you resist the idea that the conservation of marine biological resources is currently an exclusive competence. Now, I have tried to explain to you how it is an exclusive competence, and it is an exclusive competence. Aggregate fisheries, other than the conservation of marine biological resources, is a shared competence. What this draft Constitution does is to set out in much clearer language for the first time what are the exclusive competences and what are the shared competences. That is what is done in Articles 12 and 13. Because it is a fact—not what I think, because it is a fact—this does not change the status quo, and it is one which successive governments have followed, we do not think there is a case for seeking to change this in this way.

Q15 Angus Robertson: Foreign Secretary, at a time especially when fishing communities are going through a crisis, people in those communities cannot understand why it is that the Common Fisheries Policy is being treated differently from the Common Agricultural Policy. Could you explain to them why it is that the CAP and its exclusive competences are described as being a shared competence in the draft Constitution but the CFP is an exclusive competence?

Mr Straw: No, with great respect, the CFP is not an exclusive competence, this is very clear in Article 13.2. What is an exclusive competence is the conservation of marine biological resources under the Common Fisheries Policy, it has long been so. Then it goes on to say under Article 13.2: "Shared competences apply to the following principal areas: agriculture and fisheries, excluding the conservation of marine biological resources." Chairman, it may be helpful to you if I send to the Committee a supplementary memorandum spelling this out. There is not a difference of opinion here, there is a difference of what we judge as fact here.

Q16 Angus Robertson: Foreign Secretary, moving on to institutional reform: is the Government broadly content with the Convention's compromise proposals on reform of the EU's institutions? In particular, does the Government agree with the 15 smaller European countries who recently called for changes to the draft Treaty, including the return to the principle of one Commissioner per Member State? The third part of the question: is it in the UK's interest to prevent each Member State from having its own Commissioner?

Mr Straw: We accept the broad institutional framework proposed by the Convention, not least the establishment of a Chair of the European Council and what goes with that. The issue of the number of Commissioners is a very sensitive one for all Member States but particularly for the smaller Member States. So far as that is concerned, we remain open to argument really. Have I signed up to the statement by the 15 smaller states? No. Are we open to argument on the issue? Yes.

Q17 Miss McIntosh: Foreign Secretary, welcome. First of all, how many members of the Cabinet are there at the moment?

Mr Straw: Sorry, how many members of the Cabinet? You mean what is the total size of the Cabinet? Twenty-three, I think.

Q18 Miss McIntosh: Would it be so very different having a Commission from 2005-06 of 25 when it would bend over backwards to accommodate smaller states? I have to say I am half Danish,

I studied in Denmark and I know it is very dear to the Danes and other Baltic countries to be able to include in their manifesto come election time that they will have their own Commissioner. That is my first question. The second question is that under the draft Constitutional Treaty there will for the first time be the status of voting Commissioners and non-voting Commissioners, how do you think that this will be sold in countries with non-voting Commissioners?

Mr Straw: On your first point, I understand the argument which is made by the smaller countries. On your second point, it is controversial so it is something we have got to examine.

Q19 Miss McIntosh: If you understand my argument on the first point, does the Government support that argument?

Mr Straw: As far as this is concerned, it is an issue of direct concern more to the smaller states than to us. We will be discussing this issue, as I have already started to do both with members of the Foreign Ministers Council and informally with members of the Commission.

Q20 Miss McIntosh: Does that also apply for voting and non-voting Commissioners, has the Government taken a view on that? I can ask another question.

Mr Straw: I was just about to say that the point about voting and non-voting Commissioners is that the text also says that they should be in equal rotation.

Q21 Miss McIntosh: Do you support the smaller countries' concerns in this regard?

Mr Straw: There is an issue here about how you get an effective Commission and you asked me about the size of the cabinet. An awful lot of the work of the Cabinet is done in smaller Cabinet committees.

Q22 Miss McIntosh: Of one.

Mr Straw: No, no, more than one. It is an issue of balance here but am I reasonably open-minded on this, yes.

Q23 Mr Bacon: Foreign Secretary, representing a part of England once overrun by the Danes to whom we had to pay Danegeld I have to say I am not reassured that the prospect of the sales pitch, "Do not worry, you will not always have a non-voting Commissioner" will go down very well. My own experience is that you would be wise not to mess with them, and I speak with my colleague sitting next to me. Can I ask you about the rotating Presidencies that you referred to earlier when you said that it would strengthen the Member States *vis a vis* the Commission.

Mr Straw: Yes.

Q24 Mr Bacon: What institutional support will this permanent Chairman or President of the Council of Ministers have?

Mr Straw: I am going to ask Mr Darroch to answer that in some detail, but as far as I am concerned one of the advantages of having a permanent Chair of the Presidency is that they would have institutional support provided by the Council Secretariat of a higher grade and the focus of councils would be in Brussels or Luxembourg. I just make this clear: I have been fortunate all the time I have been in Government, both as Home Secretary and as Foreign Secretary, that there have been good Presidencies. It just happens to be a fact that it is more difficult to organise, for example, European Council meetings, Heads of Government meetings, within the host country than it is in Brussels and you can actually feel the difference in terms of the way they operate. Mr Darroch?

Mr Darroch: There is not much to add to that, Foreign Secretary. The detail of this has not yet been worked out but the intention is that the existing Council Secretariat should support the new President of the European Council. It may need a bit of strengthening, a few extra staff, but there is no intention out there to create a big new bureaucracy.

Q25 Mr Bacon: It is correct, is it not, that there is no proposal to abandon the principle of rotation for any of the other Councils of Ministers?

Mr Straw: Yes, that is correct.

Q26 Mr Bacon: Is it also true that there will no longer be a *cabinet* for this President of the Council?

Mr Darroch: That is an open question. We talk about some strengthening of the Council secretariat to support this individual. There is the option there of his having a small *cabinet*.

Q27 Mr Bacon: Did not the Praesidium tone down the proposals in certain respects for this partly because of the objection of smaller countries, including the removal of a *cabinet*? What I am interested in is how this President is going to go into bat on behalf of the Member States against, as you said, a very well-organised Commission when he has not even got a secretariat? Is he not just going to be a figurehead?

Mr Straw: The person accepting this job will not be a figurehead and whether or not there is provision for a *cabinet* in this Treaty he will end up with a *cabinet*. There are already very serious people in the Council Secretariat in terms of the Secretary General, Solana, the Deputy, de-Boissieu, the Council Legal Adviser, Piris, and so on. These are really serious people. I am quite clear that whoever was the candidate for this job, assuming it goes through, will insist upon having a *cabinet*.

Q28 Mr Bacon: When this Committee met with the Italian Deputy Prime Minister, Gianfranco Fini, in Rome in June he said that while it might not be in this Treaty here and now he could see no possible objection in the longer term to the merger of the Council President with the Commission President. What do you think?

Mr Straw: I disagree with him fundamentally. What they are arguing for is that there is somehow an identity of interest between the Commission and the Council. I think he misunderstands the nature of balancing relationships in a representative governmental structure of which the EU is one. I am fundamentally opposed to that.

Q29 Mr Bacon: Jumping ahead can I take it that means that you are completely against the passerelle clause?

Mr Straw: The passerelle clause is not directly related to that—

Q30 Mr Bacon: It is about balancing power between governmental institutions.

Mr Straw: We aim to get the passerelle clause changed.

Q31 Jim Dobbin: Foreign Secretary, the issue of the Legislative Council and its retention and inclusion in the draft Constitution caused a bit of a controversy. Indeed, the British Government opposed that and Peter Hain described that as a possible "Trojan Horse". Will the Government seek to remove the provision in the draft Treaty for the Legislative Council. If indeed it remains in the Treaty how is a combined Legislative Council and the General Affairs Council supposed to operate?

Mr Straw: To pick up your last point, this proposal, which did not have our support, has gradually been watered down and watered down as its proponents have had to face the reality of how it would operate. Now you have got the General Affairs Council and the Legislative Council spatchcocked together. If it were to remain then how would the GAC operate? I think the Legislative Council would turn out to be a formality because I do not think there is a functional minister in any Member State who wishes to see effective legislative decisions on agriculture, the environment or transport made by ministers who do not understand the dossier and who are not completely responsible for the dossier in their home countries. What was pretty striking on Friday and Saturday is that the only time the Legislative Council was mentioned around the room was for people to say, "This is not going to work, this is going to be dropped." It is not a red line in my opinion. In my view, it would collapse under its own contradictions even if it were in the Treaty, but we are aiming to get it knocked out.

Q32 Mr Connarty: I have resisted the temptation to jump in a number of times because I have been waiting to take on the question of what they call the Passerelle clause in some detail. I

understand it means "the gangway", I just wondered if it was not more like "walking the plank". Given that it says in Article I-24.4 on two occasions the European Council is able to adopt, on its own initiative QMV after a period of consideration, in one case of six months. A decision will allow the adoption of European laws or frameworks according to ordinary legislative procedures for Qualified Majority Voting, thereby passing from what was a unanimous discipline to Qualified Majority Voting. I know the analysis in the Government's response, which does not take on this clause specifically, praises QMV, it has been to our advantage on many occasions. I agree with that, but it does seem to go further than I would have thought the people of the UK would want, that the EU could pass by a procedure—by the Council of Ministers—from what was a unanimous decision to one that was Qualified Majority Voting. In one case it says in sub-section 4 : "One shall act after consulting the European Parliament" and it only says "informing the national parliaments". In the other section it says "it shall be sent to the national parliaments no less than four months before a decision is taken on it." Again, there is absolutely no right given to national parliaments to prevent that process taking place. That is the first thing I would like to ask for your comment on. This seems to be like a secret society that the Council of Ministers can use to change the procedures for making law in Europe.

Mr Straw: It is not acceptable as it is drafted for the reasons which you have spelt out and we do refer to it.

Q33 Mr Connarty: I must have missed that, I did not see it.

Mr Straw: In paragraph 62, where we say that we will oppose anything which would undermine the role of national parliaments in treaty change, which is what this would do. You may think we should have made it clearer that we had in mind the passerelle clause.

Q34 Mr Connarty: Would you mind making it clear now?

Mr Straw: I am making it clear. The objection to the passerelle clause is that it is non-specific and that it bypasses national parliaments. Sometimes we have all judged that it is appropriate within a particular Article to say that the relevant Council of Ministers can decide by unanimity to move in respect of this power or that within a particular subject area from unanimity to QMV, which is how the arguments relating to common standards for asylum were drafted. This is unacceptable and it is unacceptable to quite a number of Member States, and we are aiming to get it changed.

Q35 Mr Connarty: What will we as a Government be looking for at the IGC to replace this?

Mr Straw: What we are looking for is for a clear role for national parliaments in this, if it is to remain.

Q36 Mr Connarty: Can I move on to a comment in the document on page 33 where it says: "The Government remain content with the Nice system of voting."

Mr Straw: This one?

Q37 Mr Connarty: I have got the less glossy one. I do not like things that have been polished up because I believe they are spin rather than substance.

Mr Straw: I took out all the pictures in this document, Mr Connarty. I may also say that having a map on the front was pretty uncontroversial. My overall view is that White Papers should be very prosaic because then people read the words rather than looking at the gloss but there was a series of stars on the original draft cover that I was given. Because I thought they were tendentious and argumentative I had them removed, so it has a map.

Q38 Mr Connarty: It is an excellent photograph of yourself in the one I have. Back to the subject in hand. Originally QMV was to be at least 169 votes out of 237, which would have been 71%, or when the EU had 27 members it would have been 258 out of 345, that would have been 74.7%. It now says in fact that the new QMV would be a simple majority of Member States representing at least three-fifths of the EU population so the hurdle over which they have to jump to get Qualified

Majority Voting has been lowered within the proposal in the draft Treaty. What position will the Government be taking on that?

Mr Straw: It needs to be borne in mind, as Mrs Thatcher on this occasion quite correctly decided, Mr Connarty, back in 1985 and 1986—

Q39 Mr Connarty: I have to object to you submitting that anything Mrs Thatcher did was correct!

Mr Straw: I will repeat, if I may, Mr Chairman—

Q40 Chairman: You should not tease them, Foreign Secretary.

Mr Straw: Mrs Thatcher quite correctly decided in 1985 and 1986 in the negotiations on the Single European Act that Qualified Majority Voting would often be to the advantage of this country. The establishment of the single market, which is what that Act did, has been very significantly to the advantage of this country and we could not have done it without QMV. On the question of votes, you quote percentages in terms of weights. Those weights, as you will be aware Mr Connarty, give disproportionate value to smaller countries so they have not necessarily advantaged us. That is obvious because if you look at the QMV weights at the moment then—Thank you very much, what is this table here? I will look at it later, thank you very much, Tom. I will make my own point. If you look at Belgium, to take one example, Belgium has 12 votes under the Nice arrangement, Germany has 29 and Belgium has 40% of Germany's population. Spain has 27 votes, the United Kingdom has 29 and we have a 60 million population and Spain has 30 and then when you get much smaller countries the weighting is even more disproportionate. So in terms of our own national interest I do not think we are disadvantaged by this arrangement. The difference between the Convention and Nice, except there is a two percentage point drop in the population from 62 to 60 (in both cases a majority of Member States) is this is not an issue on which we feel particularly strongly because we judge that our national interest is largely unaffected either way. However, we recognise that other Member States feel very concerned about it and that is why we have said in this block on page 33 that we remain content with the Nice proposal on voting, but we will see.

Chairman: Thank you for clearing up that confusion for Mr Connarty. I want to move on to CFSP now and Mr Cash.

Q41 Mr Cash: Foreign Secretary, just to clear up a point you raised earlier, it is paragraph 104 of the White Paper which says that "the IGC will cover issues which touch on many aspects of our lives and the way we govern ourselves." It is in there which is the important thing. I certainly was not inventing it, it is there. One of the aspects of governing ourselves of course does relate to the question of foreign policy and one of the concerns that I have is this: in the current draft Article I-15 says that "Member States shall actively and unreservedly support the Union's common foreign and security policy in a spirit of loyalty and mutual solidarity, and shall refrain from action contrary to the Union's interests." The problem which I have here—and you said yourself this afternoon that you would never be a party to the communitisation of common foreign and security policy, is surely this: that if you have agreed that you will only operate on the basis of mutual solidarity, to give one example, and you shall refrain from action contrary to the Union's interests, you have effectively abdicated the responsibility to govern yourselves in relation to common foreign and security policy. You cannot have it both ways.

Mr Straw: Mr Cash, this is one of these issues where again you think there is something new about this but in fact it has been there under Articles which I think were agreed by a Government of which you were an important supporter?

Q42 Mr Cash: I have been opposing this for a long time. It is just that this is now a Constitution.

Mr Straw: The Constitution has no different effect from previous and existing Treaties. I will read you out what is in Article 11 of what I think was Maastricht.

Mr Cash: Do you think it would make any difference to me which Treaty it came out of?

Q43 Mr Marshall: I think he is trying to tell you what the situation is.

Mr Straw: It is an importance difference because, Mr Cash, what I do not want you to do (because I am anxious that you should argue your point from the basis of fact) is to go around the country saying to people, "Shock, horror, this new Constitution here, if you sign up to it then it lays down that Member States "shall actively and unreservedly support the Union's common foreign and security policy in a spirit of mutual solidarity ... "etcetera, whereas what you need to be saying is, "Hang on a second, back in Maastricht Mr Major and people like Mr Ancram and all these other people agreed to the following: "The Member States shall support the Union's external security policy actively and unreservedly in a spirit of loyalty and mutual solidarity. The Member States shall work together to enhance and develop their mutual political solidarity. They shall refrain from any action which is contrary to the interests of the Union or is likely to impair its effectiveness as a cohesive force in international relations"." If you can tell me what the difference is between what is in here already and what you say is in here, then a small prize will be yours.

Q44 Mr Cash: Can I offer you the opportunity, under Article IV-2 under General and Final Provisions it refers specifically to the repeal of earlier treaties. The whole basis of the treaties is being completely changed. This is a new Treaty *de novo* and therefore we are entitled to look at the implications of what the words say as it stands now in the new constitutional context.

Mr Straw: That is fine, but what you are not entitled to do, Mr Cash, is to insinuate that in this Constitution there is a new statement of principles which is communitising common foreign and security policy when it has been there for at least a dozen years and is not communitised.

Q45 Mr Cash: Which I have opposed vigorously throughout.

Mr Straw: That is a different matter but you cannot say that this involves a fundamental change in the nature of the relationship between Member States and the European Union when it simply does not. Your point—and I am very glad that you have drawn attention to this because, as I have repeatedly made clear, Maastricht involved more significant changes than are actually contained within this document.

Mr Cash: I do not agree with that.

Q46 Mr Tynan: Foreign Secretary, in the White Paper it does say in paragraph 86: "The Convention also proposes that the roles presently performed by the EU High Representative Solana and the Commissioner for External Affairs Patten should be merged into a single job." It then goes on to say the reasons why that would be a good idea, but in the last sentence of paragraph 87 it says that you will of course want to ensure that this representative is properly accountable to Member States and the Council. How will that be possible?

Mr Straw: We think it is a good idea to have these two merged but the primary responsibility of this person has to be to the Council and not to the Commission. At the moment the Articles make this person responsible to both, and we do not believe that that is satisfactory. It is sensible for the person to be a member of the Commission because the Commission has functions which relate to countries beyond the European Union, and Chris Patten is involved in aid and a lot of aspects that spill over into the implementation of foreign policy, but in our view that person, since it is one person, needs to be responsible to the Council and not to the Commission, so we are looking at wording which better reflects that and I think this will be one of the discussions (of many) inside the IGC. Some people say if you cannot ride two horses at once you should not be in the circus, but just to develop that analogy if you are tied to two horses which are pulling you in two different directions then you do not become very effective, and that is the Government's concern.

Q47 Mr Tynan: How will the Government seek to ensure that the new so-called "Foreign Minister" will remain strictly under the control of national governments?

Mr Straw: By proposing amendments. Excuse me while I refresh my memory. In Article 27.3 (at the moment) it says: "The Union Minister for Foreign Affairs shall be the Vice President of the

Commission. He or she shall then be responsible for handling external relations and co-ordinating other aspects of the Union's external action. In exercising these responsibilities within the Commission, and only for these responsibilities, the Union Minister for Foreign Affairs shall be bound by Commission procedures." What we will be arguing, and we will be putting forward amendments to this, is to make it clear that they are Commission members but the overriding responsibility for them both within the Commission and within the Council for their Council functions is to the Council. I can let you have more details of how we intend to do it. I think, although I cannot be certain about this, that we will get support from others for that.

Q48 Mr Tynan: So it is a dual role they will have. The Leader of the House when he was here in July expressed what he called potential schizophrenia in accountability. Obviously what you are saying is different from the White Paper. The White Paper seems to say that the Government believes the merger would make the European Union more effective in areas where we have common foreign policy. At the same time you are saying that the dual role will create a problem as regards accountability to national parliaments and on that basis you seek amendments.

Mr Straw: I am certain there is no difference between our position in July and our position now. Yes, we accept that it makes sense in principle to have these two functions being in a single person, so-called double hatting, but what we do not accept is that it is going to be possible for this person to be responsible both to the Council and to the Commission through Commission collegiality at one and the same time in respect of the same functions because they may decide that they have got different approaches to things and then they have to choose. So we want the primacy of the Council to be made clear and we are working on how that is done.

Q49 Mr Tynan: A final question is: is that possible?

Mr Straw: It is certainly possible in terms of the language that exists to remove Commission collegiality from this person in respect of key foreign policy functions. Whether it turns out to be possible remains to be seen but we are on the case.

Q50 Jim Dobbin: Could we seek some clarification from the Foreign Secretary on one of the red line issues, referring to European security and defence policy, in particular structured co-operation which is governed under Article III-213 and the concern really that we could be in danger of setting up a small elite group of countries who can handle the high capabilities that might be necessary to the exclusion of others. Would the Government lift its objection to structured co-operation if the group of Member States concerned were to be made more accountable to the Council and subject to its direction in some way?

Mr Straw: We do not regard the existing clause on closer co-operation, as acceptable for the reasons that lie behind your question, Mr Dobbin, so what we are looking at is ways in which you could have closer co-operation, and if it were under the hat of the EU it had to be under the authority of the Council and all members of the Council and others had to be permitted to join as well without the Member States involved in the structure of co-operation, as it were, having a veto over that, so that is what we are looking at. Day-by-day, week-by-week the level of co-operation between one Member States and another in defence varies. In some cases you might say there is structured co-operation between two or three Member States informally, well, that is one thing—but if it is to come with the authority of the European Union then we believe that amendments along the line you suggest should be brought in.

Q51 Mr Marshall: Could I, first of all, apologise to the Foreign Secretary for not being here when you opened the meeting. On this question of European security and defence policy a number of European countries, particularly France and Germany, are keen to develop a collective security aspect to the European Union. Both of those countries would like something similar to the Article 5 of NATO Treaty or Article 5 of the modified Brussels Treaty, either overtly or covertly, in the new Constitution. How do you intend to prevent that from happening?

Mr Straw: Our starting point on this is the arrangements which were originally discussed at St

Malo and endorsed at Nice and which then have been expanded by the so-called Berlin Plus arrangements since then on co-operation between NATO and the European Union. The current text makes clear reference, as it happens, to NATO (this is Article I-40.7) "in the execution of closer co-operation on mutual affairs the participating Member States shall work in close co-operation with the North Atlantic Treaty Organisation." We have got to look at that wording to make it clear that NATO is for NATO members inside the EU, the key defence alliance. I do not have a problem about one Member State staying outside the Treaty if it is going to come to NATO if it is attacked. The idea that one Member State in the European Union could be attacked is pretty limited and in practice, whether or not there is a defence guarantee within these treaties, people would come to their defence even if NATO decided, for whatever reason, not to. What I am more concerned about is to get right the practical co-operation between Member States' defence forces and how that links in with NATO. That is why we think that the Nice arrangements as they have been developed are the right way forward where, to use some of the jargon, if NATO does not want to be involved, NATO's facilities remain a "toolbox" from which the EU can draw down. The point I make back to my colleagues is what is it that you are seeking that is not already covered by the existing arrangements? Yes, have existing arrangements but reflected in the texts; why do you need to go beyond that?

Q52 Mr Davis: Foreign Secretary, is not the point that the existing arrangements under the Western European Union and the Brussels Treaty have been taken over by the European Union? Does not this Article 40 simply express that?

Mr Straw: As I was indicating to you Mr Davis, I think the Article 40 wording could be improved. I do not regard Article 40 itself as an overriding problem provided we are clear that NATO is the prime alliance for defence. So, as I say, what we have got to look at is these proposals for structured co-operation/enhanced, their practice, and whether they would lead to the development of defence alliances which became exclusive and where other Member States were unable to join except with the permission of those who had joined the core in the first place. I think that that would be unfortunate. What I do not want to see is a situation where, as it were, over time the European Union seemed to be in some kind of contradistinction with NATO. If it is working collaboratively with NATO, that is fine, if it is complementing what NATO are doing, that is fine. For example, what the French have been doing in the DRC and elsewhere in what they are seeking to do in taking over some NATO operations in the Balkans. If it is setting itself up in contradistinction to NATO, it is not fine.

Q53 Mr Davis: But is it not the case that some experts argue that the commitment to mutual defence in the event of an attack is greater under the Brussels Treaty than it is under NATO and that commitment does not cover all members of the European Union because there are some members who have refused to join the Western European Union?

Mr Straw: Some members have refused to join the WEU and some members have refused to join NATO, although significantly those who are not members of NATO have said that if they were under threat they would seek support from NATO, interestingly, because NATO of course does not just include European Union countries, it includes countries in Europe which are not members of the EU and two North American countries. Is there anything you wanted to add?

Mr Darroch: I think the WEU security guarantee preceded the NATO guarantee and although it is not explicit for that reason in it, it has been generally accepted ever since that it is a NATO security guarantee that any WEU guarantee works through, ie that NATO is the operative security organisation in Europe. The difference with this is that at the moment it does not in this paragraph explicitly refer across to the NATO security guarantee, and that is the sort of thing which the Foreign Secretary was talking about.

Q54 Mr Davis: Connected with this can I clarify how our Government sees the relationship with the national parliaments. It is the Government's policy, is it not, that defence will continue to be a matter for the national parliaments but what would happen to the arrangements which have existed

for more than 50 years for liaison and consultation with national parliaments through the WEU Assembly?

Mr Straw: I do not have the answer to that, Mr Davis, I will get it for you.

Mr Davis: Thank you.

Q55 Mr Hendrick: In connection with this could you tell me why you feel that France and Germany are so keen to include this in the Treaty?

Mr Straw: Mr Hendrick, I am not being facetious but you would need to ask them specifically as to why they are so keen on this. They will say that they think that enhancing co-operation on the defence field between Member States is sensible. We agree and the Prime Minister has led the way with the proposals for St Malo and as they were refined at Nice for that kind of enhanced co-operation in a way that complements NATO and they do not trip over each other. We do not have a problem with much of what France and Germany are saying. We do have reservations, however, about suggestions that there should be separate inner core established for those operations because, frankly, we do not think it is necessary.

Chairman: Now moving on to criminal justice, Mr Cash?

Q56 Mr Cash: Given the report as you know that we produced on the criminal justice issue (which caused a great deal of concern to the Government) what changes will the Committee be seeking in Article III-171, as it is called, which relate to the minimum rules for criminal procedure and what are the so-called "light minimum standards" to which the White Paper refers?

Mr Straw: We spelt some of this out in the White Paper, Mr Cash, but we want to see unanimity for implementation here, or our common law system otherwise protected. It is a specific problem for Ireland and ourselves because of our very different jurisprudential traditions from that on the Continent, so that is what we are seeking.

Q57 Mr Cash: You will accept, I am sure, as the Committee pointed out in its, if I may say, excellent report a few months ago that at the bottom line criminal justice is at the centre of the whole question of how a country is governed and the fairness and the procedures that go with it, and therefore any shift in that under this Constitution would be regarded as an extremely dangerous step, so why is it that you cannot be a bit more explicit in condemning the arrangements which have currently been before this Convention?

Mr Straw: I thought I had been explicit. I accept entirely what you say that criminal law and how a country/a nation deals with people who transgress its law is an important characteristic of a nation state, and so we are not going to accept, for example, what is a late entry into the convention text a situation where rules for police interrogation will be laid down by Europe without our say so, without our veto. To summarise overall, Mr Cash, what we are seeking is full protection for the fact that our system of justice is different in certain key characteristics than that which applies to most other Member States other than Ireland, that is to say, a common law, and in any case this should be a matter for national governments and not for the EU. At the same time we are pleased that the Articles establish that mutual recognition rather than harmonisation is the basis for co-operation between the different systems. You asked me about light minimum standards. They would apply to the provision of legal advice, the provision of information to individuals about their rights in criminal procedure, access to interpretation and translation facilities, and access to diplomatic or consular authorities, and in any event having those operate on the basis of unanimity.

Q58 Mr Davis: Foreign Secretary, can I turn to the Charter of Fundamental Rights? There are two connected questions here, the easy question is, are you satisfied that there is no potential conflict between the Charter of Fundamental Rights and the European Convention on Human Rights? The more difficult question, but equally important, is, are you satisfied that there is no possibility of any conflict between judgments in the European Court of Justice and the European Court of Human Rights?

Mr Straw: No, I am not satisfied on either. Funnily enough I was discussing exactly this issue before we started this briefing, I was taking a very close interest in the European Convention on Human Rights in the Court in Strasbourg. That is as yet an unresolved issue, which is whether we incorporate the European Convention on Human Rights into European law, on which I remain to be persuaded, not least for the reasons of competing jurisdiction. Chairman, as I think the Committee knows the consolidated existing treaties already make reference and, as it were, show respect to the European Convention on Human Rights, although its adjudication is something for the Strasbourg Court. That is one issue we have to look at very closely. I am satisfied to this extent, by the so-called horizontal articles, which are in title 7 on page 40 of this text, the field of application of the Charter is limited by Article II-51.2: "The Charter does not extend the field of application in Union law beyond the powers of the Union or establish any new power or task for the Union or modify powers and tasks defined in other parts of the constitution". The Charter is there as an interpretation tool for Union law. There are areas of complication and even before the Charter we have run into one of them. We were taken to court by citizens in Gibraltar in respect of their voting rights. We had assumed that the so-called qualifying Commonwealth citizens ¹ did not have voting rights in European parliamentary elections. The European Court in Strasbourg decided, as they quite properly could, that they did under the Matthews judgment. We are now seeking to put that into force and we are currently the subject of challenge under Article 227 by the Spanish Government, so these problems are there any way.

Q59 Mr Davis: In the course of your briefing did you ask why the White Paper omitted all reference to accession by the European Union to the European Convention on Human Rights?

Mr Straw: We omitted reference to it because it remains an unresolved issue.

Q60 Mr Davis: What I am really implying is that you should make this one of your red lines.

Mr Straw: I think it is more complicated than that.

Mr Davis: Chairman, I will not pursue that argument now but I am sure it is something which many colleagues in the House will want to pursue on a future occasion.

Q61 Chairman: I wonder if I can ask you if one of your red lines is the issue of opt-outs? Can you assure us there is no threat to the United Kingdom's opt-outs? What is your confidence based on if you are sure of that?

Mr Straw: We make that clear in the text. We also make clear that these opt-outs will have to be re-adopted for a revised constitution, they have not been open for discussion.

Q62 Mr Cash: Can I come in on that? Foreign Secretary, you may know I have taken a bit of an interest in the question of the euro.

Mr Straw: I know, Mr Cash.

Q63 Mr Cash: The answer you have just given is not, if I may say, terribly convincing. If the euro is of constitutional significance, as the Prime Minister says, and if the opt-out, however it may be overtaken by the decision to go ahead eventually, is not in itself a red line then how on earth could you possibly go through the whole process of this Convention with high-powered ministers like yourself and Mr Hain taking such an active part and not insisting that the opt-out for the euro should be retained in the Convention text? It seems to me simply unconvincing and disingenuous to say, "oh well, we will put it in later". How do you know that anyone will let you?

Mr Straw: Mr Drew on my right has also drawn my attention to Article 29(4), with which you will be familiar, Mr Cash, which talks about the ECB and its role. It says, "In accordance with these same provisions those Member States which have not adopted the euro and their central banks shall retain their powers in monetary matters".

Q64 Mr Cash: That is a bit vague.

Mr Straw: Mr Cash, I know you are opposed to the euro, I have worked that one out.

Q65 Mr Cash: Brilliant.

Mr Straw: What I promise you is that were the Government to recommend that we join the euro there will be a referendum. There is no appetite whatever, even amongst the most federalist of European fanatics to be found in one or two countries elsewhere in Europe that by some subterfuge in this Treaty we should wipe out Britain's opt-out of the euro and then one dark night in Brussels just before we go home they said, "right lads, by QMV Britain is going to join the euro". That is not going to happen, I can reassure you about that.

Q66 Mr Cash: That is most encouraging, Foreign Secretary.

Mr Straw: You should have confidence that you will be able to argue this in a referendum. I wrote paragraph 75 in the White Paper because of your questions about this, and that says, "The draft Treaty does not alter the terms of the UK's Economic and Monetary Union protocol . . ." It goes on to say, "This will need to be formally re-adopted on the conclusion of the IGC". That remains the position.

Q67 Chairman: You mentioned Gibraltar in an earlier question, I wonder if you could elaborate on the discussion containing the status on Gibraltar? I am sure you know that today is Gibraltar's national day. Can you tell us about the status of Gibraltar, including their inclusion into the European parliamentary election constituency?

Mr Straw: We are implementing the Matthew's judgment, as colleagues here know, and that is entirely right. The Government in Spain have submitted an objection to that and we are resisting that very strongly. So far as the overall implications of the Convention are concerned the current wording in the draft Treaty merits these existing provisions, so no change is envisaged for Gibraltar's EU status, for example exemption from the VAT and single market goods. We would be happy to discuss with the Government of Gibraltar whether greater EU integration might be in the territory's long-term interest but we would not force such a change on Gibraltar. There is one area of Convention work which could affect Gibraltar, this is the merger of the pillars, which would bring Gibraltar inside all of the JHA measures, including police and judicial cooperation. There are discussions taking place, I am not sure whether they have taken place, they are to take place, and I have agreed the implications with the Government of Gibraltar.

Q68 Mr Connarty: Foreign Secretary, it has been most enjoyable to have you here.

Mr Straw: Mr Connarty, I am glad to know how you get your enjoyment!

Q69 Mr Connarty: We asked for a piece of legal advice to be given to the Committee that was given to Council regarding the Tobacco Advertising Directive and it was refused to us.

Mr Straw: Yes.

Q70 Mr Connarty: It was said by the Minister for Europe that legislation says that disclosure is not necessary unless there is an overriding public interest for disclosure. I cannot think of a more public interest than a properly elected parliamentary select committee where we do speak, we hope, on behalf of the people and this Parliament and yet we were still refused that information. We regret that decision. What assurances can you give us that the provision of regulation number 10.49 of 2001 on access to documents will not be used to inhibit effective scrutiny by Parliament of legal advice given to the Council?

Mr Straw: I cannot give you any assurances on that. I remember this issue coming up. There is generally in all arrangements for the provision of disclosure of information protection for legal advice, professional privilege. It is very important that that should be there and that ministers or an institution should be able to take legal advice without having to disclose that publicly. That is fundamental to the operation of all legal institutions and to the provision of legal advice. I do not mind looking at a very specific issue again. I do remember this coming up. I do not remember all of

the details. I went through it with some care. My starting point, and I think my record shows this, is when there is a request by Parliament for documents whether or not we could use something in the Freedom of Information Code. On this particular case I was clear that refusal was justified. I know it is irritating to everybody here but I would also say that surely the job of parliamentary committees is to scrutinise what ministers do, not necessarily the legal advice which they receive.

Q71 Mr Connarty: That is very intriguing. You raise a second concern, we understood that the procedure was that the Council which was given the advice, which ever Council it was, would be asked to look at our request. It appears that what you are saying is a decision was not taken by the Council, can we have an assurance that if we ask for such documents in future you will refer the request to the Council which was given that advice?

Mr Straw: I remember seeing these papers, I am pretty sure I did, but I cannot remember all of the details but I do remember the issues, unless I am very much mistaken. The undertaking I can give is that I will look at this again. I will also look at whether it is appropriate for us to ask counsel, the Legal Service in this case. Until I have gone into it in more detail I cannot give any more undertakings.

Q72 Chairman: Can I just say on that, Foreign Secretary, as we all know in this place we do not need to incite conspiracy theories but on an issue like this conspiracy theories may come to the conclusion that the refusal was to protect a minister of a department, not necessarily counsel, and it is that sort of thing that we are trying to ensure does not happen.

Mr Straw: Sorry?

Q73 Chairman: The reason we raise that is that we hope we can prove that is not the case and that these sort of things do not happen in future. If we have to ask for this sort of information again we would hope that you are able to pass our request on to the Council and then if it comes back to us that it is not available to us then it will be Council saying that, not an individual of a department.

Mr Straw: Allow me to look at that again?

Q74 Chairman: Foreign Secretary, I am delighted to have had you here today. I was a bit worried about an hour and a half but we got through our business very, very well within that hour and a half, it has impressed me, I hope it has impressed others. I am sure your contribution today will help us as we set out on our scrutiny process to look at what is happening between now and the finalisation of the Treaty in the IGC. We really appreciate that. As you are here can I take advantage of the occasion and put a marker down, you are the first Foreign Secretary to appear before this Committee and we have had excellent cooperation previously in briefing sessions with representatives from the Foreign Office, which we very much appreciate, but in future it would be nice if maybe once a Parliament we had the Foreign Secretary to come along and meet the Committee on a formal occasion so we can pull everything together and have a good evidence session. Maybe that is something that you would like to think about?

Mr Straw: In the specific circumstances of the IGC if you feel that you wish to talk to me between now and the end of the IGC then subject only to the issue of dates I am of course available. Frankly I was not aware I was the first Foreign Secretary to appear. Thank you very much.

Chairman: Thank you very much. Thank you for your offer, I am sure it will be taken up.

<http://www.publications.parliament.uk/pa/cm200203/cmselect/cmeuleg/1078/3091001.htm>