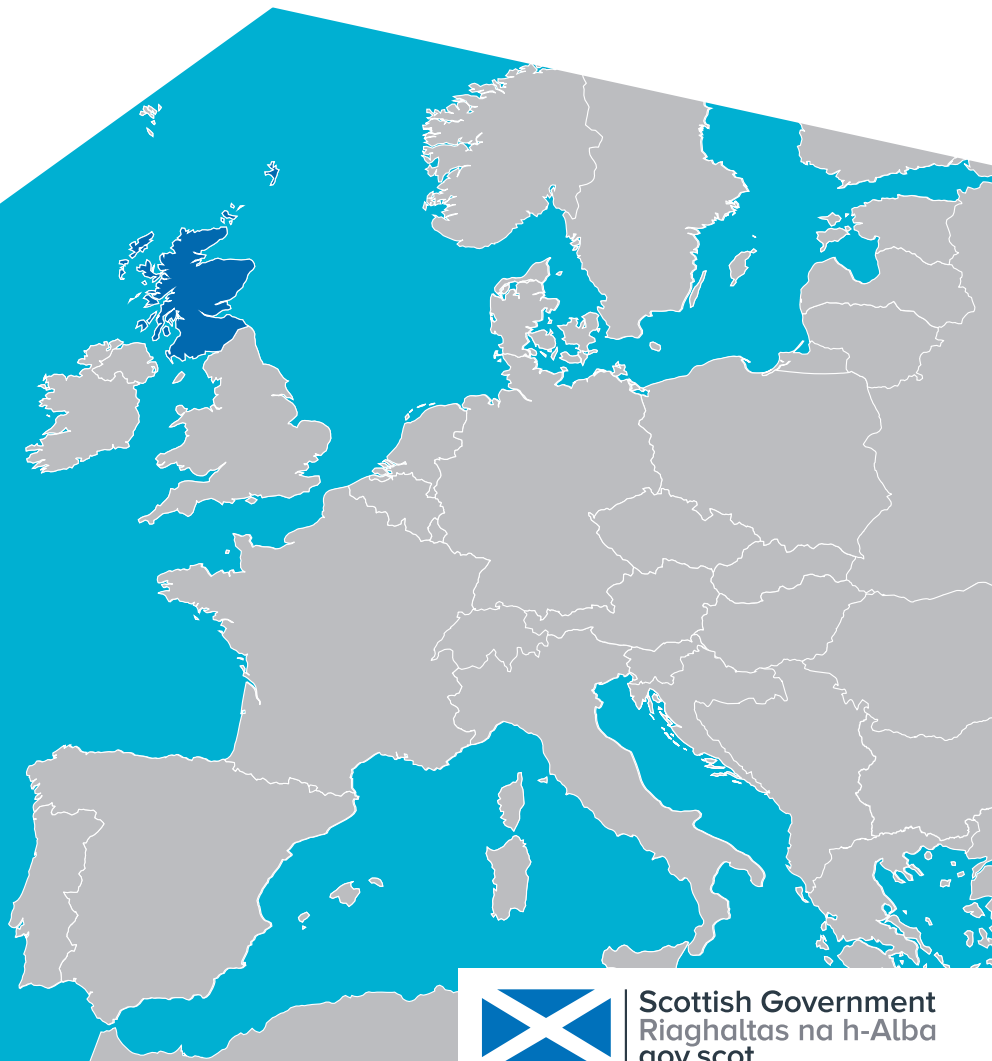


Scotland: A European Nation



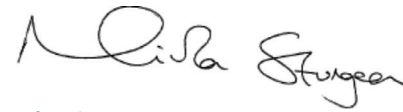
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1 Foreword

As a nation, Scotland has been an active and committed member of the European Union and supporter of the European project for the last 40 years. This has benefited both Scotland and the EU. The advantages of EU membership have been felt all across Scotland. Individuals, businesses and communities have gained from the ability to live, study, work, trade and travel across 28 Member States. In return, the EU has benefited from Scotland as a constructive partner, offering expertise and leadership in areas ranging from research to marine energy, and from climate change to progressive social policies.

That partnership is now in peril following the UK's EU Referendum. The result of the referendum in Scotland was clear: 62% of those who voted – and every single council area across the country – chose Remain. In other words, at a time when there is fierce debate over Europe, Scotland voted resoundingly to continue to contribute positively to the future of Europe and the Single Market. Despite such a massive vote of confidence, there is a real risk of Scotland being taken out of the EU and the Single Market against our will. This is not only democratically unacceptable, I firmly believe that maintaining Scotland's place in Europe has been, and will continue to be, beneficial for Scotland and for the rest of Europe.

This publication explains the historical, political and legal background to Scotland's voice in this debate. Scotland has a clear constitutional and political right to have its voice heard. Moreover, we will use that voice to promote a progressive, outward-looking and confident Europe, better equipped to face the many challenges which lie ahead.



Nicola Sturgeon
First Minister of Scotland

I firmly believe that maintaining Scotland's place in Europe has been, and will continue to be, beneficial for Scotland and for the rest of Europe.



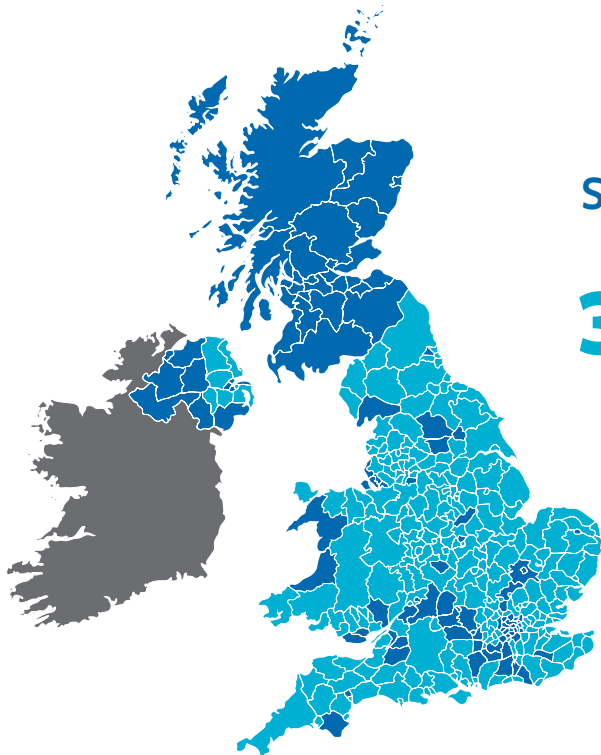
2 Scotland's unique offer: what is Scotland saying?

Scotland has a constitutional right for its voice to be heard in Brexit and other European negotiations. We will continue to use this voice to clearly articulate Scotland's interests as set out by the First Minister.



Democracy

The fact that a strong majority in Scotland voted to remain in the EU must be respected.



SCOTLAND'S VOTE
LEAVE | **REMAIN**
38% | **62%**



The economy

The almost £12bn of Scottish exports to EU member states, the 300,000 jobs in Scotland supported by EU membership and, crucially, the vital contribution EU nationals make to many sectors of our economy must be protected.



Social protection

The hard-fought rights enjoyed by workers, consumers and many others which are safeguarded and promoted by EU law must be maintained.

NOT TO BE DISCRIMINATED AGAINST
on the basis of **GENDER RELIGION**

DISABILITY AGE or
SEXUAL ORIENTATION
or on the basis of **RACE OR ETHNICITY**

20 **DAYS**
PAID LEAVE
EACH YEAR

14 WEEKS
MATERNITY
LEAVE

WORK NO MORE THAN
48 **HOURS**
A WEEK



Solidarity

We must safeguard the ability through the EU to work collectively and constructively with other nations to address pressing global challenges such as climate change and international security in all its forms.

REDUCTION IN GREEN-HOUSE-GAS EMISSIONS 1990-2014:



Scotland is ranked second - behind Sweden - in terms of emissions reductions across the EU-15 states between 1990 and 2014.



Influence

The ability of Scotland to play its full part at an international level, whether by positively influencing decision making or by contributing our unique expertise and skills, must be retained.

These interests will impact on many current and future agendas relating to European business. It is impossible to predict them all, but Scotland will certainly have contributions to make on dossiers such as:

Environment: pushing for greater ambition toward climate change targets.

Economic ties: the EU is the top destination for Scottish international exports, receiving 42% in 2014.

Financial services: Scotland has a distinguished history in financial services that dates back over 300 years. It is one of Europe's leading financial centres and the most important financial hub in the UK outside of London.

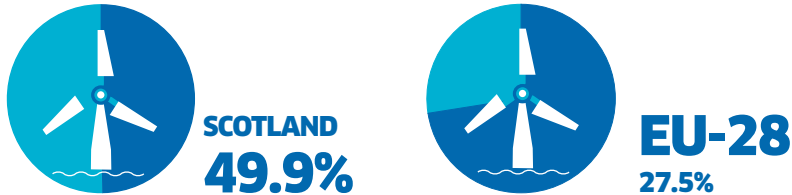
Research collaboration: Scotland is a leading research nation and active in many EU partnerships.

Fisheries: Scotland has the fourth largest sea area in core EU waters and has world-class fisheries management expertise.

New and developing markets: from life sciences to the exciting opportunities emerging through the digital single market.

Energy: Scotland is at the forefront of emerging technologies for harnessing renewable energies.

RENEWABLE ELECTRICITY AS A PROPORTION OF GROSS CONSUMPTION IN 2014:



Farming and food: Scotland has a strong rural tradition and stunning landscapes which nurture a fast-growing, high-quality, food and drink sector.

Social policies: our ambitious fair work agenda encompasses job security, fair reward and opportunities for personal and workplace development.

Justice and law enforcement: Scotland and the rest of the EU benefit from close collaboration on justice and law enforcement issues.

Innovation and technology: Scotland is a modern, forward-looking country which has collaborated with partners across the European Union to create world-leading innovation and technology such as marine energy.

Crucially, Scotland and the EU have mutual interests. In each of these areas we bring, and will continue to bring, expertise and resources in the cause of a progressive, outward-looking future for Europe as a whole.

3 Scotland's heritage: a nation embedded in Europe

Scotland has always had strong ties with Europe both as an independent nation until 1707 and as part of the United Kingdom thereafter. We want to build on our historical relationship with Europe, not throw it away.

While Scotland may be a nation on the geographical periphery of Europe, we are a people who very much define ourselves as European citizens.

Like many European countries, Scotland's population has been shaped by centuries of migration from across the continent.

Scotland's early history is defined by exchanges with our European neighbours. The missionary work of the Irish-born Saint Columba in the 6th century has been credited with the conversion of much of Scotland to the Christian faith.

In the Middle Ages, Scotland traded across Europe and at one time enjoyed dual citizenship with France. This was the start of what is called the "Auld Alliance".

Scottish merchants and intellectuals travelled to the booming Dutch universities; to the trading communities in Lithuania and Poland; to the Scots colleges in Rome, Paris, Valladolid and Madrid; and to the military encampments of the Thirty Years' War. Scotland in turn received a continual flow of Europeans who brought ideas as much as trade to Scotland.



During the **Scottish Enlightenment** in the 18th century, Scotland was an intellectual powerhouse. Scientists such as James Hutton, credited as the founder of modern geology, corresponded with European scholars to establish new disciplines and the works of Scottish intellectuals informed debate across Europe. David Hume wrote *A Treatise of Human Nature* while living in France and Adam Smith's iconic *Wealth of Nations* was first translated into French just two years after it was published.

The 19th-century flourishing of Scottish literature had a major European impact. Sir Walter Scott's writing contributed to the development of the modern historical novel; James MacPherson's "Ossian" poems awoke Europe-wide interest in the Celtic identity, and Robert Louis Stevenson drew inspiration from his time in the Cevennes to pioneer modern travel writing.

Our present

As the referendum results show, this outward-looking, European heritage continues to this day in our cultural, economic, intellectual and political engagements.

Scotland's higher education system is amongst the best in the world, with five universities ranked within the world's top 200. Thousands of EU citizens study at Scottish universities for free or benefit from our institutions through the Erasmus + programme. We enjoy a strong reputation as reliable constructive partners for innovative research and we collaborate on world-leading technology; we remain a country of inventors.

The Edinburgh International Festival has become the largest arts festival in the world and is a model for international cooperation through culture and the arts. Founded in 1947, it was rooted in the idea that culture could be a positive force for reconstructing a shattered post-War Europe.

European markets dominate our trade, with almost half our international exports going to EU countries.

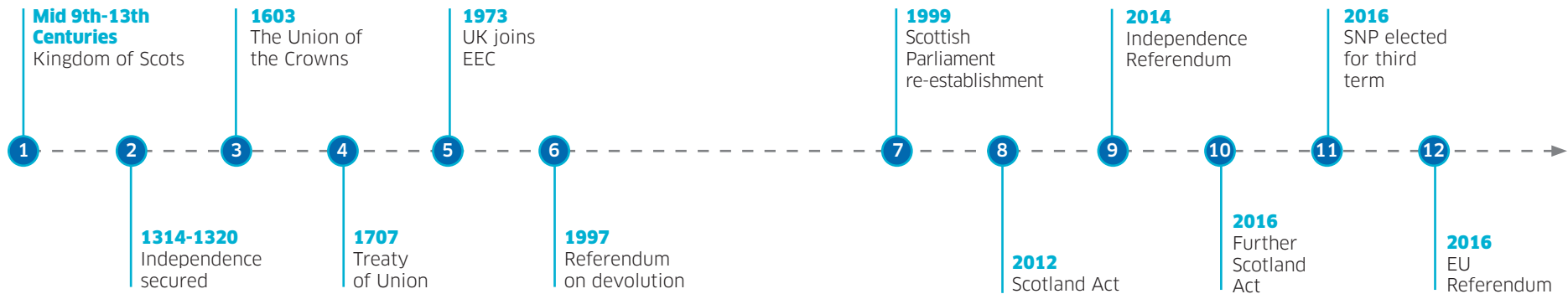
European connections underpin our unique legal system, which is based on Roman law and has much more in common with European legal traditions than with those in England and Wales.

We actively welcome EU nationals to live and work in Scotland and value the 181,000 who already call Scotland their home. As our First Minister, Nicola Sturgeon, said to EU nationals hours after the EU referendum result: **"Scotland is your home, you are welcome here, and the contribution that you make to our economy, our society and our culture is valued."**



4

Scotland's constitution: more than 1,000 years as a proud nation



- 1** Independent Kingdom of the Scots.
- 2** Robert the Bruce secures independence and Scotland's claim to nationhood is accepted by the Pope in Rome, after being affirmed in the Declaration of Arbroath.
- 3** The Union of the Crowns - the King of Scotland assumed the thrones of England and Ireland.
- 4** Treaty of Union - a union which, by mutual consent, joins the Kingdoms and Parliaments of Scotland and England but preserves the Scottish legal system, the Scottish education system and the distinctive Scottish Presbyterian Church.
- 5** The UK joins the European Economic Community (EEC).
- 6** Referendum on devolution, 74% of voters supported the re-establishment of a Scottish Parliament with legislative and tax-varying powers.
- 7** Scottish Parliament re-established with devolved powers over many domestic matters such as justice, education, the environment, agriculture, fisheries, and health. Other matters, such as the economy, foreign affairs and defence, remain the reserved responsibility of Westminster.
- 8** Scotland Act extends powers of the Scottish Parliament to include greater tax responsibilities.
- 9** Independence Referendum: Yes: 45%; No: 55%. EU nationals resident in Scotland were given a vote. Post-referendum, the UK Government started a process of devolving more powers to Scotland leading to greater powers over income tax and social security.
- 10** 2016 Further Scotland Act extends the Scottish Parliament's devolved powers over income tax and, for the first time, aspects of social security.
- 11** The Scottish National Party is elected for a third consecutive term as the Government of Scotland. Its manifesto includes a commitment to considering a further referendum on independence if "there is a significant and material change in the circumstances that prevailed in 2014, such as Scotland being taken out of the EU against our will."
- 12** EU Referendum - Scotland voted 62% to remain, with every local authority area returning a positive result. All parties in the Scottish Parliament supported a Remain vote.

The Scottish Parliament and Government can enact policies and legislation in major areas of domestic policy known as ‘devolved’ matters. Other areas, known as ‘reserved’ matters, remain the responsibility of Westminster and the UK Government. Many of Scotland’s devolved powers are also affected by EU law, as outlined in the list below.

Powers devolved to the Scottish Parliament



- Agriculture, forestry and fisheries
- Aspects of consumer advocacy and advice
- Crown estate
- Culture and creative industries
- Economic development
- Education and training
- Energy: onshore oil and gas licensing; energy efficiency; the promotion of renewable energy generation; and fuel poverty schemes
- Environment and planning
- Fire services
- Health and social services
- Housing
- Justice (including policing, courts and tribunals)
- Local government
- Tourism and sport
- Taxation: income tax rates and thresholds; taxes on air travel; property transactions
- Welfare: certain social security benefits; power to create new benefits, top up and vary UK benefits



- Aspects of EU competence

Powers reserved to Westminster



- Broadcasting
- The Crown
- Defence and security
- Economic and monetary policy, including the currency and interest rates
- Employment
- Other aspects of energy
- Most aspects of equal opportunities
- Foreign policy
- Immigration
- Social security
- Telecommunications
- Trade and industry (including competition and consumer protection)
- Transport (aviation, shipping, road traffic law, vehicle and driver licensing)



- Aspects of EU competence

Implications of Brexit on devolved powers

Scottish devolution is underpinned by EU law, which plays an important part in shaping the powers and policies of the Scottish Parliament and Government, and directly provides rights and freedoms for the people of Scotland.

Leaving the EU would impact immediately on how Scotland is governed within the UK as the devolved structures are based firmly on the assumption of continuing EU membership.

Many of the areas currently covered by EU law, such as agriculture and environment, are the sole responsibility of the Scottish Government and Scottish Parliament, which will develop and implement policy for Scotland following the UK's exit from the EU.

However, in areas which remain the responsibility of the UK Government, such as employment and immigration, the Scottish Parliament may need to actively protect the rights currently enjoyed by Scottish citizens, which will no longer be guaranteed by EU law.

Constitutionally and politically, it is therefore imperative that Scotland's interests are heard and acted on.

The UK Prime Minister said in July that she wanted the Scottish Government to be fully engaged in the discussion and that she will not trigger Article 50 until there is a UK approach and objectives for negotiations. Constitutionally, such an approach is entirely proper, given the status of Scotland within the UK and the central role of the EU in the current constitutional arrangements.

The Scottish Government expects the UK Government to stand by that commitment and has cooperated with the UK Government on establishing a formal mechanism for engagement.

The Scottish Government regards the consent of the Scottish Parliament as essential when a UK negotiating position is finally put forward by the UK Government and reserves the right to dissent from that position if Scotland's interests are not properly and fully represented within it.

The Scottish Government will continue to engage with EU institutions and member states as well as EU nationals living in Scotland to ensure that Scotland's key interests and relationship with Europe are shared and understood.



5 Conclusion

Scotland has maintained its distinct nationhood and identity within the voluntary union of the United Kingdom for the last 300 years. Within the last quarter century, the people of Scotland have exercised their sovereign right to choose the form of their government by re-establishing the Scottish Parliament in 1999 and conducting a referendum on independence in 2014. The rest of the United Kingdom acknowledged and respected the right of the people of Scotland, within the Union, to make these decisions themselves.

Scotland has never lost sight of its strong European heritage which persists to this day. That has now been shown by another Scottish exercise of democracy - the strong vote to remain in the EU. Scotland is a European nation grounded in the desire for peace and justice, firm in its cultural, environmental, social and economic ambition, and inspired by a generous vision of our obligations to fellow human beings and to the world.

Since 1999, the Scottish Parliament has gained wide-ranging, and growing, powers of self-government to represent the interests, choices and priorities of people living in Scotland. EU law stands at the centre of these arrangements, shaping the powers of the Scottish Parliament, and providing rights to the citizens of Scotland.

Brexit poses a fundamental threat to these rights and interests, not only in areas that are within the competence of the Scottish Parliament but also in areas where power in Scotland is still claimed by Westminster, such as employment law and migration rights. In these areas Scottish citizens enjoy protections under EU law that could be changed or withdrawn by the actions of the Westminster Government.

Whilst we accept that the formal EU negotiating role belongs constitutionally to the UK, it is also clear that Scotland's political history and current constitutional framework make it imperative that our distinctive voice and view are heard loud and clear in London and throughout Europe.

That is not only in our interest, it is also in the interest of the UK and the EU and of all those who want to see a progressive future for Europe.












Mike Russell
Minister for UK
Negotiations on Scotland's
Place in Europe



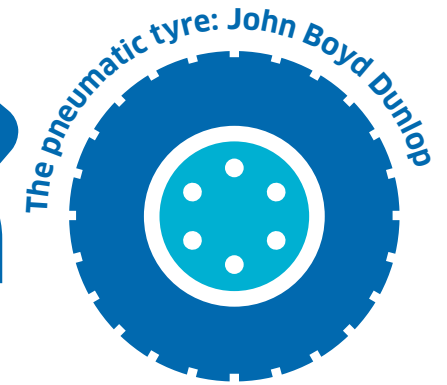
Fiona Hyslop
Cabinet Secretary for
Culture, Tourism and
External Affairs

DID YOU KNOW...?

-  Scotland was the first country to introduce compulsory schooling.
-  Scotland was an independent country until 1707 but, from 1603, Scotland, Ireland and England shared a monarch (from Scotland) as three separate countries.
-  The Bank of Scotland, was the first bank in Europe to print its own banknotes, a function it still performs today.
-  The post office at Sanquhar, established in 1712, claims to be the oldest working post office in the world.
-  The world's first infant school was opened by philosopher and pedagogue, Robert Owen, in New Lanark in 1816.
-  Scots have won Nobel Prizes in every category except for Literature.
-  Dolly the sheep was the first mammal to be cloned from an adult cell in 1997.
-  Edinburgh University and Nobel Prize winning Physicist, Peter Higgs, predicted the Higgs Boson particle 50 years before it was discovered in Cern in 2012.
-  Based on percentage of votes, the winning margin for a vote-to-Remain in Scotland was six times that for Brexit in the UK as a whole.



The telephone:
Alexander Graham Bell



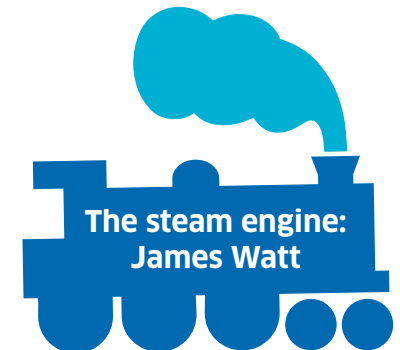
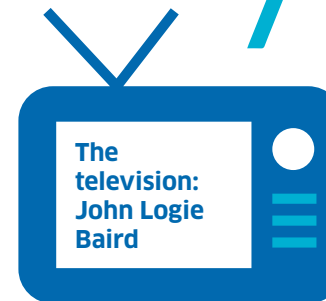
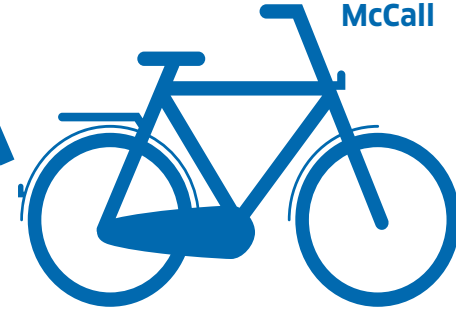
WHERE WOULD THE WORLD BE WITHOUT THESE SCOTTISH INVENTIONS AND DISCOVERIES...?



Penicillin:
Alexander Fleming



The bicycle:
Thomas McCall



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Errata

An errata was incorporated into this publication on 22/11/2016 affecting pages 4 & 8 of the PDF, changing the colour of the map of the UK and changing the 'Renewables Uptake in 2012' figures from 'Scotland 42% and EU 23.5%' to 'Scotland 49.9% and EU 27.5%'. In addition there have been a number of stylistic and grammatical text changes throughout.

The PDF and HTML have both been updated to reflect these changes.



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ISBN: 978-1-78652-615-1

Published by The Scottish Government, November 2016

Produced for The Scottish Government by APS Group Scotland, 21 Tennant Street, Edinburgh EH6 5NA
PPDAS83745 (11/16)