

International Agreements

Agreements considered on 6 June
2022

June 2022



1. Background

1. The Legislation, Justice and Constitution Committee is responsible for the scrutiny of non-trade international agreements in the Sixth Senedd.
2. International agreements signed by the UK Government can cover matters within devolved competence or matters which have important policy implications for Wales.
3. The Committee will consider the impact on Wales of international agreements laid in the UK Parliament under the process established by the Constitutional Reform and Governance Act 2010 (CRaG Act 2010). It provides an initial 21 day scrutiny period.
4. Our consideration of an international agreement takes into account:
 - whether it engages the Senedd's competence; and/or
 - whether there are potential policy implications for Wales.
5. On 6 June 2022 we considered two international agreements that have recently been laid in the UK Parliament.¹
6. The agreements we considered were:
 - Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence; and
 - UK/France Agreement on Cooperation in Matters relating to Maritime and Port Security, and specifically, in relation to Passenger Vessels in the Channel.
7. We agreed to take further action on one of the agreements and to note the second for information only. Further details on each of the agreements are set out below.

¹ Legislation, Justice and Constitution Committee, 6 June 2022

2. Agreement requiring further action

Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence

8. This international agreement, also known as the Istanbul Convention (the Convention), was laid in the UK Parliament on 17 May 2022. Its scrutiny deadline, as required by the CRaG Act 2010, is 29 June 2022.

9. The purpose of the agreement is to protect women against all forms of violence, and to prevent, prosecute and eliminate violence against women and girls (VAWG) through the creation of a wide-ranging legal framework. The Convention defines ‘violence against women’ and ‘domestic violence’ and places obligations on parties to take a coordinated and coherent approach to tackling these crimes.

10. The Explanatory Memorandum states that the Convention covers devolved and reserved matters. It lists the 14 articles that relate to devolved matters and which place obligations on the Welsh Government. The Explanatory Memorandum also explains how the UK Government works with the devolved governments to prepare progress reports on the Convention’s ratification. It also confirms that the devolved governments are supportive of the UK Government’s decision to ratify the Convention.

11. We noted the agreement and agreed to write to the Welsh Government to request the following information:

- its involvement in the decision to ratify the Convention and whether this is accurately described in the Explanatory Memorandum;
- how the Welsh Government is carrying out its duties under the Convention, for each of its articles relating to devolved areas, as set out in the Explanatory Memorandum; and
- whether further actions are needed to ensure the Welsh Government is fully compliant with the Convention.

12. We also agreed to draw the Convention’s ratification to the attention of the Equality and Social Justice Committee in light of its inquiry into violence against women, domestic abuse and sexual violence.

3. Agreement noted for information

UK/France Agreement on Cooperation in Matters relating to Maritime and Port Security, and specifically, in relation to Passenger Vessels in the Channel

13. This international agreement was laid in the UK Parliament on 11 May 2022. Its scrutiny deadline, as required by the CRaG Act 2010, is 23 June 2022.

14. The purpose of the agreement is to replace existing memoranda of understanding and to fulfil a 2018 commitment between both states to build on their joint maritime security strategy with a bilateral treaty.

15. The Explanatory Memorandum explains that the devolved governments were consulted by the Home Office's Homeland Security Group during the negotiations. The Memorandum also describes close working between operational partners in the devolved nations on maritime security and progress updates via the UK Government's Maritime CT Working Group. The Memorandum confirms the devolved governments were "fully supportive and raised no objections" to the agreement.

16. We noted the agreement for information only.

4. Correspondence relating to agreements previously considered

17. Following our meeting on 14 March 2022² we agreed to write to the Welsh Government to seek further information regarding the consultation process for the Convention on the International Organization for Marine Aids to Navigation (IOMAN).³

18. The Explanatory Memorandum for this agreement stated that the UK Government “consulted the Devolved Administrations on the drafting of the Convention and they are also content with the position.” However, in its response⁴ to our letter, the Welsh Government stated it “was not consulted by the UK Government in the drafting of the convention” and it is “disappointed that a UK-wide decision such as the establishment of this new intergovernmental organisation has been made without engagement with the Welsh Government.” While the response welcomes the strengthening of international cooperation in enhancing the safety of global marine navigation, it makes clear that the convention “affects all parts of the UK and Welsh interests need to be part of the decision-making process.”

19. We considered this response at our meeting on 16 May 2022⁵ and agreed to write to the House of Lords International Agreements Committee⁶ to bring this disparity regarding the consultation process to its attention. We considered the International Agreements Committee’s response⁷ at our meeting on 6 June 2022.⁸

² [Legislation, Justice and Constitution Committee, 14 March 2022](#)

³ [Letter to the First Minister, 23 March 2022](#)

⁴ [Letter from the Deputy Minister for Climate Change, 11 May 2022](#)

⁵ [Legislation, Justice and Constitution Committee, 16 May 2022](#)

⁶ [Letter to the House of Lords International Agreements Committee, 20 May 2022](#)

⁷ [Letter from the House of Lords International Agreements Committee, 27 May 2022](#)

⁸ [Legislation, Justice and Constitution Committee, 6 June 2022](#)
