

Welsh Parliament

**Culture, Communications, Welsh Language, Sport, and
International Relations Committee**

House of Lords' European Affairs Committee

Inquiry response

October 2022



1. About us

- 1.** The Culture, Communications, Welsh Language, Sport, and International Relations Committee of the Welsh Parliament has been set up by the Senedd to look at policy and legislation, and to hold the Welsh Government to account in specific areas. These areas include the Welsh Language, culture; the arts; creative industries; historic environment; communications, broadcasting; the media, sport, and international relations.
- 2.** The Committee has six Members who come from the different parties represented in the Senedd, and is chaired by Delyth Jewell MS.
- 3.** The Committee is responsible for the scrutiny of the Welsh Government's international relations, including its international strategy.

2. Introduction

- 4.** Alongside other Senedd committees, we have experienced the challenge of navigating the post-Brexit UK-EU relationship.
- 5.** We were established as a Committee in June 2021. Due to the breadth of our remit, this aspect of our work has not yet been explored in detail. However, our scrutiny of UK-EU relations to date has allowed us to reach some early conclusions, set out in this response. The basis of our conclusions are necessarily limited to the information provided to the Committee throughout its first year of operation.
- 6.** We also acknowledge that, while some aspects of the Welsh Government's relationship with Europe, the EU and the UK Government on these matters has undoubtedly evolved over the last 15 months, the approach has not yet fully evolved. We are of the view that more work is needed by the Welsh and UK governments to fully adapt to the circumstances of the new UK-EU relationship.

3. Changes to Ministerial responsibilities

- 7.** We note that since the 2021 Senedd elections, every Welsh Government Minister has responsibilities to deliver UK-EU arrangements under the Withdrawal Agreement (WA) and Trade and Cooperation Agreement (TCA), albeit some more so than others. The infographic

9. It is not yet clear how departmental-level engagement occurs between individual Welsh and UK government departments and Ministers on UK-EU issues outside formal intergovernmental meetings, which are attended by those leading on either EU or Trade and Cooperation Agreement matters.

Conclusion 1. We would welcome clarification of UK-EU Ministerial responsibilities at a UK level to allow for greater transparency on inter-ministerial responsibilities and portfolios.

Conclusion 2. We would welcome greater clarity on how engagement across governments is coordinated at all levels, including in relation to formal committees and forums.

4. Strategic approach to UK-EU relations

10. Although the First Minister and the Minister for Economy have both described the EU as Wales' "most important trading partner", the Welsh Government does not have a dedicated EU strategy.

11. Its approach to international relations, including with individual EU Member States, is set out in the Welsh Government's five year international strategy, published prior to the UK's withdrawal in January 2020. The strategy's accompanying action plans were published in November 2020, during the Brexit transition period and before agreement was reached on the Trade and Cooperation Agreement (TCA).

12. Following the publication of the TCA, the Welsh Government published separate documents examining its implications for Wales.

13. In November 2021, the First Minister told the Committee that until the UK-EU relationship was "stable", any Welsh Government strategic approach would "be lacking a key foundation". However, he would "continue to consider what Wales wishes to achieve through its European engagement." He pointed to his January 2021 letter to European Commission President Ursula Von der Leyen, describing his vision for Wales as a constructive partner in post-Brexit UK-EU relations.

14. In February 2022, the Minister for Economy told the Senedd that the UK-EU relationship had moved to "a new normal" and that:

The EU will continue to be the UK's closest and most important trading partner, and the influence of the EU on policy making and the regulatory framework in Wales will remain significant for the foreseeable future.

15. He also explained that the Welsh Government's new Representative on Europe, former MEP, Derek Vaughan, who was appointed in January 2022, is supported by the Welsh Government's Brussels office and "will make connections, gather relevant information and work across the Welsh Government and with stakeholders to support developing policy priorities." He added that the role "works to priorities set by the Welsh Government on behalf of the people of Wales".

16. The First Minister and others frequently respond to UK-EU developments and maintain relations with EU Member States.

17. However, the First Minister confirmed to us in June 2022 that no plans exist to review the international strategy, and that he is satisfied that it adequately covers the Welsh Government's approach to Wales-EU relations.

Stakeholder views

18. During evidence to the Committee, stakeholders spoke of the importance of the UK-EU relationship and their European networks, including participation in EU programmes such as Horizon and Interreg, and the Welsh Government's successor programme to Erasmus+, Taith.

19. Stakeholders told us they support a review of the international strategy to ensure that it is fit for purpose and takes into account international developments, such as Brexit, climate change, the coronavirus pandemic and social justice movements. They also described how a strategic approach to EU relations could be mutually beneficial.

Conclusion 3. It is clear that the UK-EU relationship remains an important priority for the Welsh Government and for stakeholders in Wales. However, the absence of dedicated strategies to UK-EU relations at a UK- and Wales- level presents challenges when navigating, and providing effective scrutiny of, the post-Brexit UK-EU relationship. This is compounded by the breadth of Ministerial responsibilities at Welsh Government in delivering the new arrangements (described in the Ministerial Responsibilities section above).

Conclusion 4. We believe the four nations should be engaged and represented in future UK-EU relations. We would welcome more detail from the UK Government on how this will be achieved.

Conclusion 5. We support the view of the Senedd's Legislation, Justice and Constitution Committee, that observer status for devolved representatives at the UK-EU Parliamentary Partnership Assembly, is unsatisfactory. We echo its call for their full participation, as outlined in its response to your inquiry.

5. Representation

20. The Welsh Government has continued its direct relations with EU representatives. In June 2022, the First Minister told us that:

[W]e're very lucky that, on the whole, people in the European Union are willing to distinguish Wales from the poor state of relations with the United Kingdom, but we can't just escape from it either.

I've had a series of meetings over the years with some very senior people in the European Union, and they do recognise that our relations with them has been different, our intentions are different, but the overall state of relations does have an impact on us as well.

21. Committee members, and the Senedd more broadly, also continue to engage directly with EU representatives and bodies, including the EU Ambassador to the UK.

Stakeholder views

22. Stakeholders have told us that the Welsh Government promotes a large variety of Welsh interests overseas, including in discussions with the UK Government but that “that those connections aren't always being made at the UK level”.

23. Stakeholders have advised of regular engagement with individual UK Government departments but questioned the extent to which previous UK Government capacity is redirected to ensuring UK-wide representation in UK-EU relations, including in replacement European networks.

24. We also received evidence from Wales Governance Centre that opportunities to engage in UK-EU policy dialogue are disseminated at a late stage, reducing the opportunity for meaningful participation. They also described pre- and post-Brexit opportunities to promote Wales-specific interests:

[W]hen we were members of the EU we had access to a whole different channel of opportunity structures to promote the well-being goals, because the EU tends to engage far from perfectly, but it engaged with stakeholders on establishing what trade meant, so we had those opportunities to talk about equality, human rights, about the environment and arts and culture.

Now, this has been pulled back to the UK, and we'd hope that, having it closer to home, we'd be able to engage more closely on that, but we've actually seen the opposite happen, and a lot of discussions are taking place in trade advisory groups that are locked behind non-disclosure agreements, and civil society really don't have any seats at the table.

25. They also observed how Wales and Scotland are:

[I]n very similar and very challenging positions. There's a lot of tensions emerging between devolved policy interests and central UK Government interests, and I'm not entirely clear on how those are being reflected in inter-governmental discussions at the moment.

Conclusion 6. We continue to believe in the importance of direct contact between devolved governments and legislatures with EU institutions.

Conclusion 7. We are dismayed by evidence received that opportunities for engagement in UK-EU relations may have reduced. We would welcome clarification of roles for devolved nations across UK-EU relations, rather than for specific areas only, such as at intergovernmental meetings and TCA governance structures.

Conclusion 8. We are also concerned that the post-Brexit challenges faced by stakeholders to engage in UK-EU relations has led to reduced representation of Welsh interests, which could reduce further in future. The Committee would welcome clarification of the role of stakeholders across UK-EU relations, including identification of stakeholders from Wales.

6. Reporting

26. The Welsh Government does not publish regular progress reports on its delivery of the international strategy or its achievement of key actions detailed in its accompanying action plans. The Committee would welcome clearly defined future targets and objectives at a Wales- and UK-level for the future UK-EU relationship.

27. Furthermore, Senedd Members are often reliant on information published by the European Commission, exchanges with individual Ministers and written statements for information on the UK-EU relationship.

28. The Committee has raised concerns with the First Minister that its activities fall outside of the Welsh Government's current reporting commitments to the Senedd. While we welcome **the First Minister's recent commitments** to regularly provide more information to the Committee,

the frequency of concerns raised UK-wide by **parliamentary committees, experts** and **stakeholders** about the lack of transparency on post-Brexit UK-EU relations is troubling. We share those concerns.

Conclusion 9. We call on all governments to improve reporting and transparency on UK-EU relations for parliamentarians, stakeholders and citizens.