

**TCA17 Wales for Europe**

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Senedd Cymru | Welsh Parliament

Adolygiad o weithrediad y Cytundeb Masnach a Chydweithredu rhwng y DU a'r UE | UK-EU implementation review of the Trade and Cooperation Agreement

Ymateb gan: Cymru dros Ewrop | Evidence from: Wales for Europe

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# **Submission by Wales for Europe on the UK-EU implementation review of the Trade and Cooperation Agreement**

**to the Senedd Committee on**

**Culture, Communications, Welsh Language, Sport,**

**Climate Change, Environment, and Infrastructure Committee**

**Legislation, Environment, and Constitution Committee**

## **CHAPTER 1**

### **Rationale:**

Wales for Europe wishes to submit the following in 2022 to the Senedd Committee on the effects of Brexit and the new EU-UK relationship on individuals and professional life in Wales.

*This is a revised and updated version of a submission made in 2022 to the Senedd Committee on Culture, Communications, Welsh Language, Sport, and International Relations. At that time, the Senedd was interested in reacting to both COVID and Brexit. The combined effects of COVID and Brexit made it sometimes difficult to distinguish between the two. Now, the adverse effects of Brexit are more clearly visible for two reasons. The immediate devastating effect of COVID has receded, and the time since we left the EU has been long enough to gauge its direct effects.*

### **Who are we?**

Wales for Europe is an independent, cross-party, and non-party, collaborative grassroots organisation.

We believe that Wales and the UK are inextricably European by virtue of geography, shared history, culture, trade, and values.

We believe that continued close cooperation with the European Union, its member states, and other European organisations is in the best interests of the continued prosperity of the whole continent.

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Website: [www.walesforeurope.org](http://www.walesforeurope.org), which contains articles and details of our current campaigns.

Many of the contributions below are abridged versions of articles written to mark the fifth anniversary of the Brexit referendum. The fuller versions and also an article by our former Chairman, Geraint Talfan Davies, on where we are today can be seen on our website. Executive summary: <https://www.walesforeurope.org/articles/22-06-2021/>

## Chapter 2

### **The changes Wales for Europe would like to see in the UK-EU relationship.**

Wales for Europe welcomes the new Labour UK government's avowed aim to improve relationships with the EU. We welcome the Welsh government's "ambassador to Europe" and the statement made by the then First Minister, "Wales will always be a European nation". We are pleased that Wales has concluded agreements with various "motor regions" within the EU. Furthermore, we are pleased that the Welsh government has initiated the "Taith" programme for young people. Wales, however, is subject to the restrictions and legislation of the UK government.

We would like to see the UK government make the following changes :

- a) Restoration of the single market and customs union for our goods and services.
- b) Restoration of the mutual recognition of qualifications between the EU and the UK.
- c) Restoration of freedom of movement, initially in certain defined areas, e.g. performers and musicians, vets, medically qualified personnel (essential to help restore the NHS), care workers, specialist agricultural workers.
- d) Full restoration of UK membership of the Comenius+ and similar youth, educational, and training exchange.
- e) Full restoration to the Horizon scheme.

f) Increased mutual cooperation with EU agencies in the fields of defence, crime, justice, etc.

g) Negotiated improved arrangements for UK citizens to travel to Europe.

*We agree with the Senedd's culture committee recommendations (reported in Nation.Cymru and the Western Mail on 6<sup>th</sup> November 2024) ( cf our own recommendation c above) and urge the Welsh Government to implement its recommendations and agrees to:-*

- set out what guidance and support it provides to creative workers on cross-border working post-Brexit*
- provide its assessment of Brexit's impact on the culture sector in Wales*
- set out what steps it has taken to mitigate the financial impact of Brexit on the sector in light of the loss of EU funding*

All the above is possible without formally rejoining the European Union— which would be a matter for the British people and government to decide at some date in the future. Wales for Europe (and the European Movement UK) do, however, support rejoining the European Union when the time is ripe.

### **Chapter 3**

**Executive Summary of Wales for Europe's experiences of the TCA since its entry into force.**

**a) The TCA has had an adverse effect on the lives of EU citizens living in Wales and the UK. (Chapter 4A)**

**b) The loss of the freedom of movement of UK citizens has adversely affected the lives of UK citizens who wish to travel to and/ or work in EU countries. (Chapter 4B)**

**c) The TCA has adversely affected the creative industries and its workers in Wales. (Chapter 4C)**

**d) The TCA has restricted employment opportunities. (Chapter 4D)**

e) The loss of previously available cooperation agreements such as Horizon and Comenius+ has limited cross-border working and projects with EU countries. (Chapter 4E)

f) Restrictions on the movement of goods have caused supply problems, restricted trade, and adversely affected charity donations. (Chapter 5)

g) Restrictions on the movement of goods have led to unforeseen consequences. (Chapter 6)

## CHAPTER 4

**The effect of Brexit on EU and British citizens' lives and rights - including loss of freedom of movement.**

**A) The effect on EU citizens living in Wales.**

i) *[An individual] wrote:*

“Brexit made EU citizens in the UK ‘immigrants’ – but Wales is still my home. The outcome of the 2016 referendum was a crude awakening for EU citizens in the UK, in particular those settled here for decades. The sudden realisation of how much we had taken for granted came as a shock. If that wasn’t enough, language used subsequently by leading politicians to describe EU citizens in the UK, including by the PM (‘queue jumpers’, ‘citizens of nowhere’), and the abandonment of the promise to automatically ringfence the rights of EU citizens resident here, was a further blow.

We had presumed to be fully part of UK society, unalienable, and that the country we had chosen to be our home would not renege on international treaties and alliances. We were reminded again that we were immigrants, whose rights could be revoked if this was politically expedient.

The UK had previously been a strong promoter of the free market, which brought along free movement of labour. As labour is enacted by people, this meant free

movement of people and we were foremost citizens of one EU nation with a home in another, not immigrants.

Our homes were paid for by jobs and housed families. Jobs meant paying taxes, NI contributions and rates. We were net contributors in other words. All we lacked was voting rights for Westminster elections and UK-wide referendums, including the EU membership referendum, but in any other aspect we could have been UK citizens as well.”

ii) *[A husband and wife who are German citizens who have lived in Wales for many years]. [Wife's name] writes:*

“We obviously had to apply for settled status, which made us aware that, to some extent, we are second-class citizens now. The application, which we carried out via the EU exit app, went without problems. I received confirmation of my settled status within two days; [Husband's name] had to wait for a fortnight, even though he had spent much longer here than I did. We expected to be asked for our status for NHS treatment, but they obviously have a database they can refer to. The public body in Wales for whom I do contracted work has not asked for proof of my settled status either.”

***Wales for Europe notes: We are concerned that there is no paper document to prove settled status, and online confirmation might fail.***

iii) *[An individual] writes.*

“I contemplated applying for a British passport in 2015. By June 23rd, 2016, I was not so sure. Almost every truism about Britain turned on its head. A campaign of outlandish claims about foreigners (some of whom were not even EU nationals to begin with), a willingness to blame the EU and Europeans for poor public health conditions, stretched public resources, and crime. Being Irish, I was spared any abuse. [REDACTED]

[REDACTED] Discovering that the opposition could not make up its mind, that the trade union movement was divided on whether to defend this right-wing stunt or wave it through, did not help. The whole experience is deeply unsettling and leaves me wondering what sort of a society I am living in.”

iv) *[An individual] writes:*

“We used to organise and deliver Europe-funded training courses under the Comenius programme (now Erasmus +) for staff in education. Our participants came from Germany, Spain, Finland, France, Latvia, Lithuania, Denmark, and Poland. The language of instruction was English - one of their motives for coming was to improve their English skills. We can no longer deliver our training because of Brexit.

My Settled Status application took three weeks to decide - although I have been living here for 30 years now and have had a National Insurance number from the start. I have now been granted British Citizenship - but that application took almost 7 months.”

***Wales for Europe notes: There is a particular problem for British citizens living in the EU and who have an EU wife or partner (and vice versa). They and their partner had to return to the UK (or EU country if currently in the UK) before the end of March 2022, or their partner's settled status application in that country was (2022) not be guaranteed.***

## **B) The effect on British citizens' rights**

i) *[An individual] writes*

“I was an active member of Swansea for Europe, but last year (2021), in the wake of the last general election and final exit from the EU, I made the difficult decision to move to France in order to retain my EU involvement and rights. I am now registered in France under the Withdrawal Agreement Transition arrangements and will eventually seek French citizenship in order to regain my EU citizenship that was taken away from me. I feel so sad for those who cannot do this.

I appreciate all that the Welsh Government is trying to do to retain good links with the EU, including Erasmus-style study arrangements. The ability to spend 6 months to a year in various EU countries learning languages, etc., was a significant reason for my exit from the UK.

*ii) [An individual] writes:*

“The main feeling that I have is of a total disconnect, a sense of being cut off, and of being sucked into the dominant landmass of England. The Internal Market Act clearly signals this. The explanatory paper on the impacts of Brexit did not even mention Holyhead Port, which has been adversely affected by Brexit, and the proposed Freeport will not make up for this.

One other thing. In support of our small nation, I buy as much local or Welsh produce as possible. I would dearly love to see a "Made in Wales" logo to reinforce our food sector, to English visitors, for exporters, and for residents of Wales too.”

[Redacted]

[Redacted]

[Redacted]

**C) Loss of Freedom of Movement and its effect on the creative industries.**

*i) [An individual], a well-known writer and film director who lives in Wales, notes:*

“Brexit has negatively impacted my work in the creative industries, with added costs and bureaucracy to make collaboration with/travel to EU countries no longer cost-effective.

I have become increasingly convinced that an independent Wales joining the EU is the only way to put us all back in the same footing as the rest of Europe and in effect to restore what we lost after the 2016 referendum.”

*ii) [An individual] writes:*

“[Our organisation is] based in Swansea but tour nationally and internationally. Brexit immediately prevents us from collaborating with European arts organisations or taking our work to Europe if any fees or remuneration are involved. It also prevents us from engaging practitioners or associate artists based in Europe and working with them in Wales.

The directors of [the organisation] work on a freelance basis as tour directors in the European travel market. Brexit has terminated our right to work in Europe, including with educational travel groups, so cutting off a large section of our yearly income, with which we partially fund our arts business.

We are currently (2022) considering a partial relocation to Ireland as the only future for our industry, which could be a big loss to ourselves, and we think, to our loyal audiences in Wales.

#### **d) Restriction on employment opportunities because of loss of freedom of movement**

*i) [An individual] writes:*

“I personally feel the effects of Brexit on a daily basis.

Brexit has stripped away my European citizenship. My identity is European, and I do not feel part of, or welcome, in this new nationalism pushed by the Conservative Party and fuelled by ongoing conflict with the EU. Conflict created by dishonesty

about the Withdrawal Agreement and its consequences. Conflict caused by the arrogance of ministers who refuse to honour agreements they signed up to.

I would ask the Senedd to recognise the depth of division and disengagement that is being caused by this.

I am a fairly recently qualified teacher of English as a second language. As an EU citizen, I could apply for work in any member country with the minimum of red tape and paperwork and no limitations on further employment beyond the current contract.

Now it is necessary to pay for and apply for visas, complete time-consuming paperwork, and be subject to limitations as to the work you accept and the time you can remain in the country. This has created insecurity and instability and made it extremely difficult to arrange work compared to EU membership.

I ask the Senedd to consider the barriers to exchange and employment between Wales and the EU created by Brexit. I would like the Senedd to work with the EU to reduce the barriers to a minimum and create an environment in which security of employment, stable residency, and opportunity for exchange can flourish. This could be through reciprocal employment/work visa agreements and recognition and promotion of the value of cultural and language exchange.

***Wales for Europe notes: Recent advertisements from agencies who employ teachers of English as a second or foreign language abroad now specify that applicants must have EU citizenship.***

**Teaching of English as a second language is an important industry. EU countries now tend to appoint Irish Nationals as English language tutors as they are free to work without restriction or extra cost within the EU.**

**E) Problems arising from the end of Comenius+ and similar schemes' arrangements with the EU.**

Senedd members will be aware of the restrictions in employment opportunities caused by the loss of European projects and Comenius programmes. [Individuals] have written about the benefits of European projects and exchanges in articles in the series “Five years on - Voices from Wales”.

*i) [An individual] writes:*

“Travel and work restrictions caused by Brexit are already limiting the period that Modern Languages students can spend abroad. The traditional “Year abroad” (in reality 8-9 months plus an opportunity to travel) is no longer possible because of the 90-day rule and visa requirements for working permits (particularly slow for Spain at the moment).

[REDACTED] The Assistant scheme [in France] allowed participants to work for 12 hours a week for a small salary for about 8 months. It became much less popular when central government financial support for the scheme was withdrawn with “Local Management of Schools”, and many schools could not find the £6000-£8000 needed.

Reviving, funding, and arranging the necessary permissions would be a useful adjunct to any Comenius+ substitute scheme in Wales. “ We praise the Welsh government for its “Taith” scheme, but this is still within the overall restrictions on travel and study abroad imposed by the UK government.

NB It is still possible to study abroad within the EU, but regulatory requirements for students from the UK vary from EU country to EU country. One Welsh student [REDACTED] is beginning to study (October 2024) or an MA in European Studies in Germany. He is concerned not only that the administrative process was complicated, despite support from his home university in Wales, but also that he had to guarantee £23000 in capital (a sum which he had to borrow from his parents).

(2022)

## **Chapter 5**

### **Supply Chain problems / Restrictions on the movement of Goods**

We now concentrate on problems that arise from the UK no longer being in “the single market” - problems which are currently called “supply chain problems” in the media.

*i) [An individual] notes:*

“Not only big chains are having problems. Our artisan pizza parlour in Llandrindod Wells has the following notice in the window (2021) “Due to ongoing supply chain issues and the unavailability of produce from our Italian supplier required to make our fresh pizza, we are currently forced to close our restaurant until early October 2021”. This poster does not explicitly blame Brexit as a factor in the closure, but it is implied.”

*ii) [An individual] is more explicit and advises her customers that supply chain difficulties are due to Brexit. Her website and notices state:*

“Like many retailers, we have been hit by Brexit-related supply chain issues. We are currently out of stock of ....and are expecting them to arrive by the end of September.”

*For the series “Five years on - Voices from Wales” she wrote:*

“Thanks to Brexit, it is now much more difficult – and more expensive – for UK businesses, large and small, to trade with the biggest market on the planet. I sell stationery and local school uniforms. A large part of my range is imported from Europe – Romania, France, Germany, Italy and, of course, I buy plenty of products from UK businesses. Customers will inevitably have to pay more in the shops. It is just being disguised at the moment by the Covid pandemic.

Now the UK has finally left the EU, businesses are facing another wave of unwelcome cost and complexity. The inevitable – and utterly predictable – consequence of the UK choosing to leave the Single Market and Customs Union is that we now have to deal with customs charges and a mountain of red tape. It is

now so expensive and complicated to sell to or buy from Europe that many UK businesses have decided not to bother anymore.”

*iii) [An individual] writes:*

“As one of the directors of [REDACTED] an auto repair and MOT garage here on [REDACTED] we have had significant problems following leaving the EU. These are especially noticeable in the logistics, supply chain, and increased costs for spare parts in the motor industry. As a business dealing with many older vehicles due to the low GDP in our area and the acidic nature of this island surrounded by seas and high winds, we are constantly having long delays in getting parts from Europe and America. With these delays, we have vehicles stripped down and immobile waiting for these replacements. Our typical lead time on parts has been between 2 to 10 days, and this means a significant reduction in the efficiency of the business.”

*iv) [An individual] writes:*

“I used to sell worldwide but now restrict most sales to the UK only. This is now due to the extra hassle and red tape exporting to the EU and the new EU VAT regulations. A tracked package to Germany took 2 weeks to leave the UK and 3 weeks to get to my customer. Some post office staff don't seem to understand the new requirements.

As for imports from the EU, a supplier in the Netherlands will no longer ship to the UK.

A German supplier advised us in January that they had stopped shipping to the UK due to the extra paperwork. They have just changed that policy, but shipping charges are now much higher. Generally, shipping costs for imports from Germany have doubled. Customs charges have complicated the issue.

The mass of red tape now required to return damaged goods means this is no longer practical.

Some goods are now prohibited (such as spray paints), others require safety certificates / data sheets, whereas there was no problem importing these before 1/1/21.”

v) *[An individual] writes:*

“We are a horticultural enterprise that diversified out of agriculture over 30 years ago. This has been very successful in fulfilling the then governmental advice of aiming businesses at e-commerce and export.

While the benefits of our business may not have been entirely reflected by our own balance sheets, it has been to the beneficial trade brought into our area. We were able to attract a sizeable quantity of high-spending foreign visitors to stay in the area both to purchase our unique collection of plants, as well as visiting our gardens and to observe how to grow the new introductions we were bringing into cultivation. That, as well as utilising local transport to export our produce.

We have also lost the ability to promote our produce in the EU, as we were regularly invited to events in many of the EU countries and hosted at their expense. This alone would have dented our profitability had we had to pay for such prestigious promotions.

Since the Brexit legislation on export has come into place, we have not been able to trade with the EU at all, not even a blade of grass has been able to be exported. This despite us working closely with the Animal and Plant Health Agency (APHA). No realistic/practical suggestions on how to proceed with exports have been suggested, that do not add 100-200% additional costs to a typical order to the EU.

As regards to what support we require:- We require the British Government to get on and sort out the import/export strategy that is workable between ourselves and the EU, without delay.”

*vi) Neil Alcock, director of Seiont nurseries nr Caernarfon publicly criticised the two main UK political parties just before the 2024 general election.*

He is quoted in the following article in nation.cymru as stating that both the Conservative and Labour parties are blind to the impact of Brexit on businesses. He thanked one of his local MPs for “speaking on behalf of businesses”. He added that the Tories’ decision to pull out of the single market had made exports to Ireland almost impossible.

The former MP for Arfon, Mr Hywel Williams, in the last parliament also drew attention in debates in the House of Commons to local Gwynedd businesses who

were finding it difficult, if not impossible, to trade with Ireland— which is so close to this part of North Wales.

<https://nation.cymru/news/plaid-cymru-renews-call-to-rejoin-european-single-market-and-customs-union/>

*vii) [An individual] writes:*

“The pound has yet to recover against the dollar or the Euro. Britain’s currency is still weaker 5 years on. Britain’s currency is still weaker 5 years on. The trade deals being proposed (Australia, TTPP, etc.) won’t make up for the barriers we have created with our European neighbours.

The full impact of import barriers is yet to show as it is still easy to import, but that will change at the end of this year. The labour market has tightened hugely. Real unemployment is expected to grow significantly and be proven in February 2022 when the last quarter results come in.

Shortages in supply are being blamed on Covid, but many are caused by Brexit. Pigeons coming home to roost. The problem of N Ireland and EU ‘seamless border’ is growing daily. 2016 stopped most serious long-term investment by business, and it has yet to restart. The dividends of Brexit? Hard to see any so far. Maybe ‘taking control’ of small trade deals is good for a few.

At a micro level, there are things happening in North Wales that some ascribe to the Covid effect but actually are linked to Brexit. I have experience of three of our own staff returning to the EU, and no one replacing them. I see a shortage of delivery drivers, a summer shortage of staff, and huge challenges exporting to the EU. The impact is yet to be felt to the full by agriculture, which still gets subsidy for a year or two.

*He concludes:*

"I think we should question our Westminster leaders' determination to continue the PR story that Brexit is going well. They should change course at the next election and admit that the project has gone horribly wrong and reapply to the EU. Now! Admittedly, that is as likely as turkeys voting for Christmas!"

*In his column printed in the Daily Post on Thursday, 26 August 2021, he draws attention to problems encountered by [REDACTED] a business based in Bangor:*

"In my previous column, I have asked for the success stories as a result of Brexit to be sent to me. I have put my email address, [REDACTED] at the end. No one has contacted me.

I want to write a balanced column because a majority of voters in Wales and Anglesey voted to leave the EU. I think, as an entrepreneur and logical person, I should listen to everyone.

This month, I want to highlight an award-winning business, [REDACTED] [REDACTED] [REDACTED]. [An individual's] story (and I have spoken to her yesterday) is heart-breaking.

She is in Paris and has been for a while, as she tries to set up a business that can service her European customers and maintain jobs in North Wales. She has had to set up an import/ export company in France, get VAT numbers for each country they import into, and now look at assembly of kits elsewhere in Europe, not Wales. The paperwork trail to do that is horrendous, let alone the cost and time away from focusing on the business.

Today's Brexit-inspired challenge is an email from [REDACTED], who are one of the biggest transport companies. This says they are suspending all deliveries from the UK to France because of the problems. Those bubbles developed in Wales need to reach Europe. Emails like this question whether any small business has a future exporting. And whether those who voted to leave realised what they were causing to happen. We can't blame the EU!

vii) *Problems with sending charitable donations abroad.* [An individual] outlines problems with sending charitable donations abroad, highlighted by [REDACTED] from [REDACTED]:

[An individual] was telling me how she worked with the charity [REDACTED] to organise aid packs and boxes going to refugee camps in France, Greece, and elsewhere. These brought joy to people in crisis as parcels could contain clothes and toys. But all that has had to end because the British Government didn't negotiate an exemption for aid. This means that every item in every box needs a Certificate of Origin. This is beyond impossible in practice, so the aid has stopped. The rush to exit Europe meant this was overlooked.

In short, Brexit has caused significant problems for businesses (often small businesses) who either export to or import from the EU (as well as charities). This has an effect on them and their viability, but also affects consumer choice and availability and discriminates against those receiving charitable aid.”

## **Chapter 6**

### **Unintended consequences of restrictions on the movement of goods**

We see from the above examples that the restrictions on movement of goods have and still do have unintended consequences, especially in Wales.

a) Firms have stopped trading with European business partners and customers because the restrictions on trade are too onerous both financially and too costly in time because large firms have the financial means to overcome these difficulties, and the volume of their sales can justify overcoming the red tape involved. They cannot export to their traditional markets, even those that are geographically close, such as Ireland.

b) Small firms that depend on exports from EU countries have found that deliveries of sometimes vital parts and goods have been delayed. Some foreign firms indeed refuse to export to the UK or insist on a very large amount of trade.

c) Difficulties in exporting and importing have led to a reduction in the volume of traffic across the Irish sea eg 20% in Holyhead . Again, it is the large volume Irish transporting firms e.g. Hannon , Carna, that can afford the extra expense involved.

Although flowers are still exported via Holyhead to the Irish Republic, the volume (by casual observation) seems to have reduced because perishable goods are most likely to be affected by transport delays and hold-ups. Facilities have also been built in our ports for processing exports and imports, but these have not been fully used as the UK does not check incoming food imports.

e) Although food imported from EU countries is likely to meet EU standards and reciprocal UK standards, there is no check to see if food of a lower quality is being imported.

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