CULTURE, TOURISM, EUROPE AND EXTERNAL AFFAIRS COMMITTEE

EXTERNAL AFFAIRS INQUIRY

SUBMISSION FROM DR RACHEL MINTO AND PROF. KEVIN MORGAN

1. Wales in the European Union (EU) [1]

1.1. This evidence document provides information about Wales' three-strand approach to engagement in Europe pre-Brexit; and how each of these strands must evolve to ensure Wales can continue to benefit from the opportunities available in Europe post-Brexit.

1.2. Wales has a distinctive relationship with the EU, which plays out along economic, financial, political and cultural lines. This relationship has been shaped by the devolution settlement (as certain policy areas are both devolved and Europeanised), Wales' socioeconomic make-up, its key industries and its policy priorities. [2]

1.3. Wales uses both internal and external opportunity structures to promote Welsh priorities in Europe. Internally, the Welsh Government uses the UK's inter-governmental machinery (predominantly the Joint Ministerial Committees [JMC]). Externally, Wales uses the opportunities available to Regions of EU Member States. In this internal and external activity, Wales acts in the spirit of a 'Good Unionist' and a 'Good European'. [3] As a Region of an EU Member State, Wales must work harder that its UK-level counterparts to access and secure benefits from the European political system. Therefore, Wales already has already developed a distinctive presence and strong alliances in Europe that (by necessity) reach beyond the formal institutional structures of the EU.

1.4. There are three strands to Wales' profile and presence in Europe: 1) its Brussels office, Wales House; 2) European networks; and 3) bilateral partnerships. Through these strands, the Welsh Government and other Welsh stakeholders engage in intelligence gathering, policy influence, profile raising and partnership building activities.

1.5. In becoming a Region of a non-EU Member State, Wales will not enjoy the same levels of access in Europe. As such, each of these three strands of its European activity will need to be revised and refreshed for the post-Brexit context. [4]

2. Post-Brexit context

2.1. Wales' post-Brexit relationship with the EU will be shaped at least in part by the final relationship agreed between the UK and the EU. The Welsh Government has consistently promoted a close post-Brexit relationship with the EU, including continued membership in the Customs Union, participation in the Single Market, and participation in key EU programmes: Erasmus+, Creative Europe and Horizon Europe. [5]

2.2. Whatever the final relationship between the UK and the EU, the Welsh Government has been clear that it will seek to maintain close ties and working relationships in Europe. However, as a Region of a non-EU Member State, Wales will have to work harder to benefit from the partnership and funding opportunities provided by Europe; and to influence projects, programmes and policies which continue to take effect in Wales. [6] Furthermore, Wales will be operating under severe post-Brexit resource constraints that will demand new ways of working to mobilise, engage with and capitalise from multiple stakeholders.

2.3. In December 2018, First Minister Mark Drakeford established a new post of Minister for International Relations and the Welsh Language. The first such minister in post, Eluned Morgan AM, is responsible for developing Wales' post-Brexit international strategy, of which Wales' European strategy is part. This work is ongoing.

3. Wales House: Pre and post-Brexit

3.1. The Welsh Government office is the largest of the organisations in Wales House, with around ten officials. These Brussels-based Welsh Government officials enjoy official accreditation through the UK's Permanent Representation to the European Union (UKREP). This affords them some privileged access, and facilitates Brussels-based inter-governmental working. Notwithstanding this accreditation, Welsh Government officials already must work harder than their UK-level counterparts to access the European political system. However, post-Brexit access will be even more constrained.

3.2. Wales Higher Education Brussels also has an office in Wales House as does the National Assembly for Wales (although, since the EU Referendum, it has increasingly been used as a pied à terre). The Welsh Local Government Association closed its Brussels office in Wales House in March 2018, as it decided to bring its European function back to Cardiff.

3.3. Wales' representation in Brussels predates devolution, with the opening of the Wales European Centre (WEC) in 1992. The WEC embodied a more co-operative, partnership approach to promoting Wales and Welsh interests in Europe. Its activity supported and was supported by sponsoring organisations, including the Welsh Development Agency and Welsh Local Government as leading sponsors and, beyond this, Training and Enterprise Councils, Welsh Universities, the Wales Council for Voluntary Action and others.

3.4. Post-Brexit, Wales House – as Wales' 'front door' in Brussels – will increase in significance as Wales will need to redouble efforts to secure continued access and influence. The current model does not espouse the type of co-operative, networked, partnership approach that will be an essential feature of post-Brexit working for Wales. Whilst the role of the Welsh Government will remain central, a return to partnership working would have the two-fold benefit of helping to overcome post-Brexit capacity challenges and signalling the relevance of Wales' external activity to Welsh actors beyond Government.

4. Wales' participation in European networks: Pre and post-Brexit

4.1. European networks are an important part of the European political landscape, providing opportunities for governments, civil society and industry to 'plug in' to Europe. Notably, many European networks are open to – and indeed some are designed specifically for – Regional actors. [7]

4.2. The Welsh Government already participates within a range of European networks as an important 'gateway to Europe' to exchange information, build partnerships and to seek policy influence. These range from smaller networks focused on specific objectives, such as the Vanguard Initiative for innovation and smart specialisation in industry, which Wales has recently joined; to larger networks which reach beyond the borders of the EU and which are broader in material scope, such as the Conference of Peripheral and Maritime Regions (CPMR), which reaches into North Africa and works across a range of policy areas.

4.3. European networks are not the sole preserve of the Welsh Government. For example, the National Assembly for Wales participates in the Conference of European Regional Legislative Assemblies (CALRE), the WLGA is a member of the Council of European Municipalities and Regions (CEMR) and Cardiff is a member of EUROCITIES. Welsh civil society organisations and industries (for example agriculture, higher education and the creative sector) are also networked into Europe. These networks provide opportunities for Regional actors to assert themselves as distinctive actors, and to gain resource which they can draw down to advance their own domestic agendas.

4.4. Post-Brexit, the opportunities provided by these European networks will increase in relative significance as a route into Europe. At the same time, as a Region of a non-EU Member State, Wales may not enjoy the same level of access and rights of participation given that some networks have developed specifically in function of EU membership. Some European networks may themselves evolve to secure the continued participation of UK-based actors. For example, this is the case for the European Women's Lobby, which has recently amended its internal rules such that the UK's coordination can continue to enjoy full membership post-Brexit. [8] The Welsh civil society organisation, Women's Equality Network Wales (WEN Wales), participates in the EWL through the UK Joint Committee on Women (UKJCW). Through its participation it gains capacity (through, for example, policy learning) to advance its domestic agenda in Wales.

4.5. Post-Brexit, UK-based civil society organisations will not have the same level of access to EU funds to support participation in meetings or projects. Domestic funds will be required to support their continued participation.

4.6. In the context of restricted capacity, decisions to invest (and perhaps disinvest) in European networks must be carefully aligned with domestic priorities. Given the challenges around measuring the value of these networks, these decisions must be reached in consultation with users of these networks.

5. Wales' bilateral relationships with other European Regions: Pre and post-Brexit

5.1. As the final strand of its European activity, the Welsh Government has forged strong bilateral relationships with a number of European Regions. Some of these relationships have been formalised, whilst others are more informal.

5.2. There has been renewed interest in these bilateral alliances in the context of Brexit, focusing specifically on European Regions with which Wales feels a strong common identity and mutual interest. Today, these bilateral alliances cover Brittany, the Basque Country, Flanders and Nord Holland. These relationships have an important symbolic value; however, beyond this, any strategic alliance must align with domestic priorities and, in turn, involve Welsh actors beyond Government.

5.3. The alliance with Brittany is probably the most mature of these alliances because the cooperation agreement was originally signed in 2004 and refreshed in 2018. [9] Looking at the Memorandum of Understanding signed with Brittany on 11 January 2018, it committed the two parties to cooperate in the following ways: to strengthen economic cooperation, including identifying opportunities for business-to-business exchanges; to develop cooperation in the field of education and training (within the bounds of competence), including youth exchanges; to create relationships for exchange between cultural networks; to share and promote best practice regarding language planning; and to develop exchanges of experiences and information in all fields of mutual interest, including cybersecurity, sustainable development, renewable energy, tourism (particularly water sports and sailing activities), and the development of trade in the agrifood area.

5.4. The substantiation of this bilateral relationship with respect to the priority areas identified will require a significant programme of work that will necessarily draw upon a range of actors beyond Government. Given the commitment of resource required to support such programmes of activity (specifically expertise and financial resource), there are questions about the ability of the Welsh Government to generate tangible benefits from these alliances in the context of severe capacity constraints.

6. References

[1] This evidence largely draws from our ongoing research into Wales' future in Europe post-Brexit. Please see, R Minto and K Morgan (forthcoming in 2019) 'The Future of Wales in Europe', Public Law Analysis, *Edinburgh Law Review*.

[2] R Minto, J Hunt, M Keating and L McGowan "A changing UK in a changing Europe: The UK state between the European Union and Devolution" (2016) Political Quarterly vol 87(2) 174-178, available here: https://onlinelibrary.wiley.com/doi/abs/10.1111/1467-923X.12260; J Hunt, R Minto and J Woolford "Winners and Losers: The EU Referendum Vote and its Consequences for Wales" (2016) Journal of Contemporary European Research vol 12(4) 824-34, available here: http://www.jcer.net/index.php/jcer/article/view/812/598.

[3] Hunt, J. and Minto, R. (2017) 'Between intergovernmental relations and paradiplomacy: Wales and the Brexit of the regions', *British Journal of Politics and International Relations* 19(4), pp. 647-66, available here: http://orca.cf.ac.uk/104227/.

[4] R Minto and K Morgan (forthcoming in 2019), as above.

[5] Welsh Government and Plaid Cymru "Securing Wales' Future: Transition from the European Union to a new relationship with Europe", (2017) White Paper (24 January 2017).

[6] K Morgan "Wales in a Post-Brexit World" (2018), Article, Click on Wales, Institute of Welsh Affairs (4 September 2018), available at: https://www.iwa.wales/click/2018/09/wales-in-a-post-brexit-world/

[7] P Copeland and R Minto "Accessing European opportunity structures in the shadow of Brexit" (2019) Paper presented at Jean Monnet Centre Seminar, University of Manchester, November 2018.

[8] R Minto "Re-wiring European networks? Continuity and change for feminist civil society post-Brexit" (2019), Paper to be presented at the European Conference on Politics and Gender, Amsterdam, July 2019.

[9] Welsh Government "FM Visit To Brittany 10-12 January 2018" (2018) written statement (18 January 2018), available at: https://gov.wales/written-statement-fm-visit-brittany-10-12-january-2018