

International agreements

Agreements considered on
6 January 2025

January 2025



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 considers 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 January 2025,¹ we considered 12 international agreements that had recently been laid in the UK Parliament:
 - Protocol to the Interbus Agreement;
 - Amendments to the Agreement Establishing the African Development Fund;
 - UK-Mauritius Agreement concerning the Chagos Archipelago;
 - UK/Czech Republic: Agreement on Termination of the Agreement between the UK and the Czech and Slovak Federal Republic for the Promotion and Protection of Investments;
 - UK/Lithuania: Agreement on Termination of the Agreement for the Promotion and Protection of Investments;
 - UK/Slovenia: Agreement on the Termination of the Agreement for the Promotion and Protection of Investments;

¹ Legislation, Justice and Constitution Committee, 6 January 2025

- [UK/Croatia: Agreement on Termination of the Agreement for the Promotion and Protection of Investments;](#)
- [UK-Thailand Air Services Agreement;](#)
- [UK-Brazil Air Services Agreement;](#)
- [UK-Mongolia Air Services Agreement;](#)
- [UK-Moldova Air Services Agreement;](#)
- [UK-Tajikistan Air Services Agreement.](#)

6. We agreed to take further action in relation to two of these agreements. Details on each of the agreements, and our respective actions, are set out below.

7. We also considered and noted correspondence regarding an international agreement that we considered previously.

2. Agreements requiring further action

Protocol to the Interbus Agreement concerning the international carriage of passengers by coach and bus

- 8.** This agreement was laid in the UK Parliament on 24 October 2024. Its scrutiny deadline, as required by the CRaG Act 2010, was 3 December 2024.
- 9.** The Interbus Agreement is a multilateral treaty allowing for liberalised occasional coach travel between eleven parties, including the UK and the EU. Occasional services are typically private hire trips or one-off holiday tours.
- 10.** The purpose of this Protocol is to extend the Interbus Agreement from covering international 'occasional services' to also include market access provisions for international 'regular and special regular' ("RSR") services by bus and coach.
- 11.** Regular services pick up and set down passengers at fixed stopping places on specified routes (e.g. services between Leeds and Amsterdam with stops along the way). Special regular services are regular services which carry specified categories of passengers (e.g. pupils to and/or from school).
- 12.** The current international market access arrangements for RSR services, specifically between the UK and EU, are covered by temporary provisions within the UK-EU Trade and Cooperation Agreement (TCA). These temporary provisions were included on the basis that the UK would ratify the Protocol after EU exit, and so the ratification of the Protocol will fulfil this international commitment.
- 13.** For the UK, this agreement will also replace temporary provisions within the TCA that currently permit RSR services to operate between the UK and EU until the Protocol comes into effect.
- 14.** The Explanatory Memorandum states that new legislation would be required to implement the agreement², and the Road Transport (International Passenger Services) (Amendment) Regulations 2024³ were consequently approved by the UK Parliament in December 2024⁴. The Regulations will come

² [UK Government, Explanatory Memorandum: Protocol to Interbus Agreement with Agreement and Decision](#), October 2024, paragraph 5

³ Available at: www.legislation.gov.uk/uksi/2024/1370/contents/made

⁴ UK Parliament, [Road Transport \(International Passenger Services\) \(Amendment\) Regulations 2024](#)

into force on 1 April 2025, the same day as the Protocol's expected entry into force.⁵

15. The Explanatory Memorandum states that although the agreement does not relate to a devolved matter for Wales, as it is an international commitment which may impact upon bus/coach operators based in Wales wishing to undertake RSR services internationally, the UK Government consulted the Welsh Government on the UK's plans to ratify the Protocol and regarding implementing legislation. According to the Explanatory Memorandum, no concerns were raised.⁶

16. As the UK Government's ratification of this agreement is an international obligation under the TCA, and the agreement may impact on bus/coach operators in Wales, we agreed to notify the Climate Change, Environment and Infrastructure Committee of the agreement and its implementing legislation, particularly in light of its participation in the cross-committee consultation⁷ on the TCA implementation review.

Amendments to the Agreement establishing the African Development Fund

17. This agreement was laid in the UK Parliament on 4 November 2024. Its scrutiny deadline, as required by the CRaG Act 2010, was 10 December 2024.

18. The purpose of the agreement is to enable the African Development Fund (the 'Fund') to unlock greater volumes of financing in financial markets through the implementation of a 'Market Borrowing Option'.

19. The Fund is one of the main arms of the African Development Bank Group (the 'Bank'), which is the largest development finance institution that is focused solely on Africa. It supports African countries to respond to the growing challenges of the region, such as climate change, fragility, instability and high debt levels.

20. The Fund provides highly concessional loans and grants to the 37 poorest countries in Africa that are not sufficiently creditworthy to borrow from the main Bank.

⁵ UK Government, Explanatory Memorandum: Protocol to Interbus Agreement with Agreement and Decision, October 2024, paragraph 5

⁶ UK Government, Explanatory Memorandum: Protocol to Interbus Agreement with Agreement and Decision, October 2024, paragraph 10

⁷ Senedd Cymru, [Consultation: UK-EU implementation review of the Trade and Cooperation Agreement](#), August 2024

- 21.** The amendments proposed by the agreement will allow the Fund to access international capital markets and raise non-concessional financing for the 37 poorest countries in Africa by leveraging its existing equity.
- 22.** The Explanatory Memorandum confirms that no new legislation is required to implement the agreement.⁸
- 23.** The Explanatory Memorandum notes that as the agreement relates fully to a reserved matter, with no implications for the devolved governments, the UK Government did not consult them on the drafting of the agreement.⁹
- 24.** Although the agreement relates to reserved matters, including international relations and financial services and markets, we agreed to notify the Culture, Communications, Welsh Language, Sport and International Relations Committee of the agreement in light of its scrutiny of the Welsh Government's International Strategy¹⁰ which includes an action plan on Wales and Africa.

⁸ [UK Government, Explanatory Memorandum: Amendments to the Agreement establishing the African Development Fund](#), November 2024, paragraph 5

⁹ UK Government, Explanatory Memorandum: Amendments to the Agreement establishing the African Development Fund, November 2024, paragraph 10

¹⁰ [Culture, Communications, Welsh Language, Sport and International Relations Committee, Welsh Government international relations](#)

3. Agreements noted for information

UK-Mauritius agreement concerning the Chagos Archipelago

26. On 7 October 2024, the UK Government announced an agreement in principle for a treaty to be concluded between the UK and Mauritius in relation to the Chagos Islands.¹¹

27. Under the proposed agreement, the UK would relinquish its claim of sovereignty of the islands to Mauritius whilst maintaining a 99-year lease over Diego Garcia, which is the location of a UK-US military airbase.

28. When announcing the agreement in principle, the Secretary of State for Foreign, Commonwealth and Development Affairs, David Lammy MP, said:

“... after two years of negotiations and decades of disagreement, the United Kingdom and Mauritius have reached a political agreement on the future of the British Indian Ocean Territory. The treaty is neither signed nor ratified, but I wanted to update the House on the conclusion of formal negotiations at the earliest opportunity.”

29. He noted that:

“This is an agreement that secures our national defence and security interests in an important part of the globe.”

30. As the agreement concerns reserved matters, including international relations and defence, we agreed to note the agreement for information only.

Four individual termination agreements between the UK and the Czech Republic, Lithuania, Slovenia and Croatia on Promotion and Protection of Investments

31. Both the UK-Czech Republic and UK-Lithuania termination agreements were laid in the UK Parliament on 28 November 2024. Their scrutiny deadline, as required by the CReG Act 2010, is 16 January 2025.

¹¹ [UK Government, Oral Statement: British Indian Ocean Territory: Negotiations](#), 7 October 2024

32. Both the UK-Slovenia and UK-Croatia termination agreements were laid in the UK Parliament on 18 December 2024. Their scrutiny deadline is 5 February 2025.

33. The purpose of the termination agreements is to terminate the parties' Bilateral Investment Treaties, which contain investment protection provisions that provide investors with commitments on the treatment they can expect to receive with respect to established investments in the other state's territory.

34. The termination of these Bilateral Investment Treaties is in line with EU commitments made by the UK while it was a Member State.

35. The Explanatory Memoranda in relation to each termination agreement confirm that although the agreements relate to international investment, which is a reserved matter, given that the Bilateral Investment Treaties apply to the treatment of Czech/Lithuanian/Slovenian/Croatian investments by the devolved governments (and vice versa), the UK Government informed the devolved governments of the agreements.¹²

36. As the agreements concern reserved matters, including international relations and financial services, we agreed to note them for information only.

UK-Thailand Air Services agreement

37. This agreement was laid in the UK Parliament on 15 October 2024. Its scrutiny deadline, as required by the CRaG Act 2010, was 21 November 2024.

38. The purpose of the agreement is to provide the framework in international law for air services between and beyond the UK and Thailand.

39. The agreement replaces the 1950 agreement governing air services between the UK and Thailand and includes modern provisions on matters relevant to the operation of scheduled international air service. It also sets the

¹² [UK Government, Explanatory Memorandum: UK/Czech Republic: Agreement on Termination of the Agreement between the UK and the Czech and Slovak Federal Republic for the Promotion and Protection of Investments](#), November 2024, paragraph 10; [UK Government, Explanatory Memorandum: UK/Lithuania: Agreement on Termination of the Agreement for the Promotion and Protection of Investments](#), November 2024, paragraph 10; [UK Government, Explanatory Memorandum: UK/Slovenia: Agreement on the Termination of the Agreement for the Promotion and Protection of Investments](#), December 2024, paragraph 10; [UK Government, Explanatory Memorandum: UK/Croatia: Agreement on Termination of the Agreement for the Promotion and Protection of Investments](#), December 2024, paragraph 10

terms and conditions for the operation of air services, including with respect to safety, aviation security, customs duties and charges and other matters.

40. The Explanatory Memorandum confirms that no new legislation is needed to implement the agreement.¹³

41. The Explanatory Memorandum states that although the agreement does not relate to a devolved matter, it impacts upon air services between the devolved governments and Thailand. As such, the devolved governments have been kept aware of the UK's new air services agreements and the Explanatory Memorandum states that no concerns have been raised regarding the agreement.¹⁴

42. As the agreement relates to the reserved matter of international relations, we agreed to note it for information only.

UK-Brazil Air Services agreement

43. This international agreement was laid in the UK Parliament on 13 November 2024. Its scrutiny deadline, as required by the CRaG Act 2010, was 18 December 2024.

44. The purpose of the agreement is to provide the framework in international law for air services between and beyond the UK and Brazil.

45. The agreement replaces the 1946 agreement governing air services between the UK and Brazil and includes modern provisions on matters relevant to the operation of scheduled international air services.

46. The Explanatory Memorandum confirms that no new legislation is needed to implement the agreement.¹⁵

47. The Explanatory Memorandum states that although the agreement does not relate to a devolved matter, it impacts upon air services between the devolved governments and Brazil. As such, the devolved governments have been kept aware of the UK's new air services agreements and the Explanatory

¹³ [UK Government, Explanatory Memorandum: UK/Thailand: Agreement concerning Air Services](#), October 2024, paragraph 5

¹⁴ UK Government, Explanatory Memorandum: UK/Thailand: Agreement concerning Air Services, October 2024, paragraph 10

¹⁵ [UK Government, Explanatory Memorandum: UK/Brazil: Agreement concerning Air Services](#), November 2024, paragraph 5

Memorandum states that no concerns have been raised regarding the agreement.¹⁶

48. As the agreement relates to the reserved matter of international relations, we agreed to note it for information only.

UK-Mongolia Air Services agreement

49. This international agreement was laid in the UK Parliament on 13 November 2024. Its scrutiny deadline, as required by the CRaG Act 2010, was 18 December 2024.

50. The purpose of the agreement is to provide the framework in international law for air services between and beyond the UK and Mongolia.

51. The agreement replaces a previous agreement from 2000 governing air services and sets the terms and conditions for the operation of air services, including with respect to safety, aviation security, customs duties and charges and other matters.

52. The Explanatory Memorandum confirms that no new legislation is needed to implement the agreement.¹⁷

53. The Explanatory Memorandum states that although the agreement does not relate to a devolved matter, it impacts upon air services between the devolved governments and Mongolia. As such, the devolved governments have been kept aware of the UK's new air services agreements and the Explanatory Memorandum states that no concerns have been raised regarding the agreement.¹⁸

54. As the agreement relates to the reserved matter of international relations, we agreed to note it for information only.

UK-Moldova Air Services agreement

¹⁶ UK Government, Explanatory Memorandum: UK/Brazil: Agreement concerning Air Services, November 2024, paragraph 10

¹⁷ [UK Government, Explanatory Memorandum: UK/Mongolia: Agreement concerning Air Services](#), November 2024, paragraph 5

¹⁸ UK Government, Explanatory Memorandum: UK/Mongolia: Agreement concerning Air Services, November 2024, paragraph 10

55. This international agreement was laid in the UK Parliament on 13 November 2024. Its scrutiny deadline, as required by the CReG Act 2010, was 18 December 2024.

56. The purpose of the agreement is to provide the framework in international law for air services between and beyond the UK and Moldova.

57. The agreement replaces the EU-Moldova arrangements that applied to the UK until 31 December 2020 at the end of the Brexit transition period. The agreement sets the terms and conditions for the operation of air services, including with respect to safety, aviation security, customs duties and charges and other matters.

58. The Explanatory Memorandum confirms that no new legislation is needed to implement the agreement.¹⁹

59. The Explanatory Memorandum states that although the agreement does not relate to a devolved matter, it impacts upon air services between the devolved governments and Moldova. As such, the devolved governments have been kept aware of the UK's new air services agreements and the Explanatory Memorandum states that no concerns have been raised regarding the agreement.²⁰

60. As the agreement relates to the reserved matter of international relations, we agreed to note it for information only.

UK-Tajikistan Air Services agreement

61. This international agreement was laid in the UK Parliament on 13 November 2024. Its scrutiny deadline, as required by the CReG Act 2010, was 18 December 2024.

62. The agreement puts in place the first legally-binding agreement governing air services between the UK and Tajikistan.

63. The Explanatory Memorandum confirms that no new legislation is needed to implement the agreement.²¹

¹⁹ [UK Government, Explanatory Memorandum: UK/Moldova: Agreement concerning Air Services](#), November 2024, paragraph 5

²⁰ UK Government, Explanatory Memorandum: UK/Moldova: Agreement concerning Air Services, November 2024, paragraph 10

²¹ [UK Government, Explanatory Memorandum: UK/Tajikistan: Agreement concerning Air Services](#), November 2024, paragraph 5

64. The Explanatory Memorandum states that although the agreement does not relate to a devolved matter, it impacts upon air services between the devolved governments and Tajikistan. As such, the devolved governments have been kept aware of the UK's new air services agreements and the Explanatory Memorandum states that no concerns have been raised regarding the agreement.²²

65. As the agreement relates to the reserved matter of international relations, we agreed to note it for information only.

²² UK Government, Explanatory Memorandum: UK/Tajikistan: Agreement concerning Air Services, November 2024, paragraph 10

4. Correspondence relating to agreements previously considered

UK-European Forest Institute (EFI) Host Country Agreement

67. We considered this agreement at our meeting on 24 June 2024²³ and agreed to bring it to the attention of the Climate Change, Environment and Infrastructure Committee.

68. On 17 July 2024, the Climate Change, Environment and Infrastructure Committee wrote²⁴ to the Welsh Government requesting more information on the potential opportunities afforded to Wales by the agreement.

69. The Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs responded²⁵ to the Climate Change, Environment and Infrastructure Committee on 16 September 2024, confirming that although the Welsh Government was not consulted on the decision to establish a presence in the UK, it expects to be kept updated by the International Forests Unit.

70. The Deputy First Minister confirms how Wales is represented on the EFI's Council, noting that Bangor University is a member organisation and that the Welsh Government has a seat on the Forest Research Board.

71. The Deputy First Minister adds:

*“The UK office is expected to further strengthen the relationship and mutual understanding between the UK government and EFI and allow EFI experts to participate more actively in meetings and discussions happening in the UK. Once the Host Country Agreement is in place it should be easier for all UK based bodies and individuals to engage directly with the EFI due to their physical presence in the UK. We will continue to monitor how this delivers for Wales through the member organisations”.*²⁶

²³ [Legislation, Justice and Constitution Committee](#), 24 June 2024

²⁴ [Letter from the Climate Change, Environment and Infrastructure Committee to the Cabinet Secretary for Climate Change and Rural Affairs](#), 17 July 2024

²⁵ [Letter from the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs to the Climate Change, Environment and Infrastructure Committee](#), 16 September 2024

²⁶ Letter from the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs to the Climate Change, Environment and Infrastructure Committee, 16 September 2024