

# **International agreements**

Agreements considered on 13  
March 2023

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## 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 13 March 2023<sup>1</sup> we considered two international agreements that had recently been laid in the UK Parliament:
  - UK/Georgia: Agreement on the Readmission of Persons Residing without Authorisation;
  - UK/Japan: Agreement concerning the Facilitation of Reciprocal Access and Cooperation between the Self-Defense Forces of Japan and the Armed Forces of the United Kingdom of Great Britain and Northern Ireland.
6. We agreed to note both agreements for information only; further details are set out below.

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<sup>1</sup> Legislation, Justice and Constitution Committee, 13 March 2023

## 2. Agreement noted for information

### **UK-Georgia: Readmission of Persons Residing without Authorisation**

**7.** This international agreement was laid in the UK Parliament on 9 February 2023. Its scrutiny deadline, as required by the CRaG Act 2010, is 23 March 2023.

**8.** The agreement provides a mechanism for the return of individuals in violation of immigration laws, policies and procedures. It is a reciprocal agreement and applies to Georgian/British citizens, persons with right of abode in Georgia/UK as well as third-party nationals who have a verified connection to Georgia/UK.

**9.** The Explanatory Memorandum to the agreement states that as an EU Member State, the UK participated in a number of EU readmissions agreements. However, following the UK's withdrawal from the EU, those agreements, including the EU-Georgia Readmission Agreement, ceased to apply to the UK. The UK Government is therefore seeking to implement a bilateral agreement with Georgia.<sup>2</sup>

**10.** The Explanatory Memorandum also states that the agreement is “substantially similar” to the EU-Georgia Readmission Agreement, with “one notable amendment”<sup>3</sup>: the agreement limits the UK's obligations compared to those of EU Member States, so that it only has a duty to readmit persons with a right to abode. EU readmissions agreements apply to persons holding nationality of an EU Member State, which is broader.

**11.** As the Explanatory Memorandum states, the agreement relates to a reserved matter (immigration) within Schedule 7A to the *Government of Wales Act 2006*.<sup>4</sup> The devolved governments were therefore not consulted on the agreement's negotiation.

**12.** We noted the agreement for information only.

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<sup>2</sup> UK Government, [Explanatory Memorandum: UK/Georgia: Agreement on the Readmission of Persons Residing without Authorisation](#), February 2023, paragraphs 3.1-3.2

<sup>3</sup> Explanatory Memorandum, paragraph 3.3

<sup>4</sup> Explanatory Memorandum, paragraph 10.1

## **UK/Japan: Agreement concerning the Facilitation of Reciprocal Access and Cooperation between the Self-Defense Forces of Japan and the Armed Forces of the United Kingdom of Great Britain and Northern Ireland**

**13.** This international agreement was laid in the UK Parliament on 20 February 2023. Its scrutiny deadline, as required by the CRaG Act 2010, is 24 March 2023.

**14.** This agreement establishes a cooperation framework “to facilitate mutually beneficial defence cooperation” between the British Armed Forces and the Japan Self-Defense Forces.<sup>5</sup>

**15.** The Explanatory Memorandum for the agreement states that as the agreement relates to a reserved matter (defence) “with no direct implications” for the devolved governments, they were not consulted on the drafting of the agreement.<sup>6</sup>

**16.** We noted the agreement for information only.

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<sup>5</sup> UK Government, [Explanatory Memorandum: UK/Japan: Agreement concerning the Facilitation of Reciprocal Access and Cooperation between the Self-Defense Forces of Japan and the Armed Forces of the United Kingdom of Great Britain and Northern Ireland](#), February 2023, paragraph 2a

<sup>6</sup> Explanatory Memorandum, paragraph 10a