

International Agreements

Agreements considered on 13
December 2021

January 2022



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 December 2021 we considered three international agreements that have recently been laid in the UK Parliament.¹
6. The agreements we considered were:
 - UK/Ukraine Official Credit Support for the Development of the Capabilities of the Ukrainian Navy
 - UK/Kenya Defence Cooperation Agreement
 - UK/Australia/USA Exchange of Naval Nuclear Propulsion Information
7. We agreed to note the three agreements for information. Further details on each of the agreements are set out below.

¹ Legislation, Justice and Constitution Committee, 13 December 2021

2. Agreements noted for information

UK/Ukraine Official Credit Support for the Development of the Capabilities of the Ukrainian Navy

8. This international agreement was laid in the UK Parliament on 22 November 2021. Its scrutiny deadline, as required by the CRaG Act 2010, is 11 January 2022.

9. The aim of this agreement is to allow Ukraine to access UK Export Finance supported financing in connection with its project to procure naval capabilities from qualifying UK contractors. This involves the procurement of naval equipment, such as mine counter-measures vessels, missile ships and weapons systems. The **Explanatory Memorandum** states that the project will allow Ukraine to help deter regional threats while offering benefits to UK industry.

10. The section on devolution ordinarily included in Explanatory Memoranda to international agreements is missing from this agreement. Therefore, no information is available regarding the devolved administrations, including whether they were consulted in the drafting of this agreement and the UK Government's view on competence.

11. We noted the agreement for information and that information related to devolution, which is ordinarily included as standard, is missing.

UK/Kenya Defence Cooperation Agreement

12. This international agreement was laid in the UK Parliament on 25 November 2021. Its scrutiny deadline, as required by the CRaG Act 2010, is 17 January 2022.

13. The aim of this agreement is to provide status of forces arrangements for deployed service personnel and their dependants to each other's country to conduct defence cooperation activity. It renews and updates the 2016 Defence Cooperation Agreement with Kenya, which expired on 6 October 2021.

14. The **Explanatory Memorandum** states that the agreement concerns defence cooperation between the UK and Kenya, which relates fully to a reserved matter with no direct implications for the devolved governments. As such, devolved governments were not consulted on its drafting.

15. We noted the agreement for information only.

UK/Australia/USA for the Exchange of Naval Nuclear Propulsion Information

16. This international agreement was laid in the UK Parliament on 29 November 2021. Its scrutiny deadline, as required by the CRaG Act 2010, is 19 January 2022.

17. The aim of this agreement is to allow for the exchange information on the subject of naval nuclear propulsion as part of the AUKUS security pact between the three countries. A follow-on agreement would be needed to support the transfer of equipment as needed to deliver the submarine capability to Australia. This agreement will remain in force until 31 December 2023, subject to an extension period.

18. The Explanatory Memorandum states that the agreement concerns the exchange of naval nuclear propulsion information between the UK, US and Australia which relates fully to a reserved matter with no direct implications for the devolved governments. As such, devolved governments were not consulted on its drafting.

19. We noted the agreement for information only.