

1. Objective: To identify the most essential aspects of the UK's future relationship with the European Union (EU) from a Welsh perspective.

1.1) From a Welsh perspective, access to a wide range of diverse European networks is a significant benefit derived from the UK's membership of the EU. These networks are important sites for inter alia information exchange and policy learning. Notably, it is not only state actors who participate in European networks; civil society organisations in Wales are also actively involved in trans-national networks within the European political system. These networks may be within a particular institutional setting, or organised around a specific policy or issue, or geographical area; and they are not necessarily formal. Given the potential impact of this policy learning for institutions and organisations across policy areas in Wales (and in turn for policy-making itself) it will be essential to ensure the fullest possible access for Welsh actors to the widest range of networks post-Brexit.

1.2) Much political and public debate around Brexit has understandably been preoccupied with the legal implications of withdrawal. As a complement to this, it is vital to consider the impact of Brexit in governance terms. There is a risk that, in underplaying this governance dimension, the benefits of EU membership to policy communities and policy-making within Wales will not be realised until post-Brexit.

1.3) There are various ways in which Welsh institutions and organisations can access the European political system, and participate therein with a distinct Welsh voice. The EU is legally a union of nation states, whose governments are recognised as key decision makers within its systems; however, the EU provides an opportunity structure for the representation and promotion of regional interests. The principle of subsidiarity is a constitutional principle of the EU order, and one that orientates policy makers to be sensitive to the regional dimension. As a "Region" of the EU, Wales enjoys representation within the institutional architecture of the EU and, beyond this, Welsh institutions and organisations (both state and non-state) mobilise along with their European counterparts around particular policy issues or matters of common interest. Welsh representatives in Brussels undertake a range of roles: seeking to influence policy; gathering data; profile raising; and networking and information exchange.

Whilst not overlooking the value of all of these activities, this current intervention seeks to emphasise the benefits of networking and policy learning to a range of institutions, organisations and policy communities in Wales.

1.4) Networking takes place within various institutional settings. A key example for Wales is the Committee of the Regions, which is an EU body that was expressly established for the representation of regional and local interests in Europe. Through membership of the Committee of the Regions, the National Assembly for

Wales and the Welsh Local Government Association representatives have access to regional and local representatives from across the EU. In addition to the formal networks within the Committee of the Regions (for example, in work undertaken around particular legislative proposals), representatives from local and regional authorities build strong informal networks. These specialised networks (both formal and informal) enable the sharing of knowledge, the exchange of best practice and policy learning. This policy learning has significant potential to inform policy-making at a regional and local level. This potential benefit risks being overlooked in discussions around Brexit.

1.5) Networking also takes place beyond the institutional architecture of the EU and also involves non-state actors. Welsh civil society organisations are active players on the EU's civil society landscape. Within the bounds of time and resource constraints, Welsh civil society organisations participate within a range of pan-European networks and advocacy coalitions. This participation exposes Welsh civil society organisations to a range of different organisations from across Europe. Significant advantage is derived from this access, as Welsh organisations can build partnerships with regional and national counterparts, exchange information and examples of best practice, develop policy and undertake advocacy activity. Furthermore, Welsh organisations can benefit from the solidarity of trans-national advocacy networks.

2. Objective: To ensure that the issues of most importance to Wales are being adequately represented in the negotiations.

2.1) There are a variety of channels, formal and informal, internal to the UK state and external to it, that may be pursued to ensure Welsh interests are being adequately represented in negotiations. Internally, this includes using both intergovernmental and inter-parliamentary channels, and the Welsh Government and the National Assembly for Wales should make use of such opportunities as arise to advance Wales's interests.

2.2) Externally, the EU itself must be considered as a site for Welsh representatives to promote Wales' particular policy preferences during the Brexit negotiations. There is a sensitivity to regional interests in the EU, although this ought not to be overstated. Furthermore, there has been evidence of this regional sensitivity as part of the Brexit process. Although, the EU and its member states will prioritise their own interests in the Brexit negotiations, Wales is well-placed to capitalise on this relatively hospitable environment, and to mobilise through more formal and informal channels in order to highlight its distinctive priorities. These priorities include Wales' future in Europe (distinct from the final post-Brexit UK-EU agreement).

2.3) Wales has an established presence in Brussels, predominantly through its representation in the European Parliament, the Committee of the Regions and the European Economic and Social Committee; and from its Brussels outpost "Wales House", which hosts the Welsh Government, the National Assembly for

Wales, Welsh Local Government Association and Welsh Higher Education Brussels. Welsh institutions and organisations (including those mentioned above) participate in a host of formal and informal networks, and have cultivated bi-lateral and multi-lateral relationships at the European, state and regional levels.

2.4) The EU itself is hospitable to the representation of regional interests. This is built into the EU's institutional and governance architectures. Furthermore, a number of key actors in the Brexit negotiations are familiar with and sympathetic towards the particularities of regional politics, specifically the European Commission's Chief Negotiator Michel Barnier (a former regional politician in France and European Commissioner for Regional Policy) and the European Parliament's Brexit lead, Guy Verhofstadt (from Belgium, a federal state comprising communities and regions). Also, the Committee of the Regions has been vocal in highlighting the particular interests of regions in the context of Brexit.

3. Objective: To identify the opportunities for continued engagement with the European Union and its institutions after Brexit.

3.1) Notwithstanding the UK's withdrawal from the EU, the EU will continue to be an important political system for Welsh institutions and organisations from across policy sectors. It will remain a rich site for information exchange, policy learning, partnership building and collaborative working with local, regional and state-level counterparts. Underpinning this activity, networks play a fundamental role. It is vital to explore the post-Brexit frameworks and/or resources required to support Wales' continued access to and participation in a wide range of European networks.

3.2) Continued participation in formal and informal networks will be dependent on a range of factors, including the nature of any future agreement between the UK and the EU, subsequent eligibility and resource.

3.3) Following Brexit, the participation of Welsh representatives in the institutions and bodies of the EU will either terminate (e.g. European Parliament) or could potentially continue on a restricted basis (e.g. Committee of the Regions, and the European Economic and Social Committee). The latter will depend on the nature and level of post-Brexit provision in place. The participation of civil society organisations in formal and informal networks will be contingent upon the membership criteria of the European network, and whether flexibility is possible in cases where membership has conventionally been restricted to EU member states.

3.4) There are a diverse range of more formal European networks or associations that are open and tailored to both EU and non-EU member states, e.g. Conference

of Regions with Legislative Assemblies; Conference of Peripheral and Maritime Regions; European Regions for Research and Innovation; Network of Regional Governments for Sustainable Development; Cine Regions (a network of regional film funds) and the European Network of National Civil Society. Welsh representatives from a wide range of institutions and organisations are able to participate within such networks, including the Welsh Government, the National Assembly for Wales and Welsh civil society organisations. There is the opportunity for continued access to and participation within these networks post-Brexit.

3.5) In some cases, the EU's Neighbourhood Policy (Article 8 TEU) may serve as a platform upon which UK-based actors can continue their participation in EU activity.

3.6) Article 8 TEU states:

(1) The Union shall develop a special relationship with neighbouring countries, aiming to establish an area of prosperity and good neighbourliness, founded on the values of the Union and characterised by close and peaceful relations based on cooperation.

(2) For the purposes of paragraph 1, the Union may conclude specific agreements with the countries concerned. These agreements may contain reciprocal rights and obligations as well as the possibility of undertaking activities jointly. Their implementation shall be the subject of periodic consultation.

3.7) The potential of the EU's Neighbourhood Policy ought to be explored with respect to Wales' continued participation in the Committee of the Regions. The Committee of the Regions already has an Eastern Neighbourhood body (Conference for the Regional and Local Authorities of the Eastern Partnership, CORLEAP) and another focused on the Mediterranean (Euro-Mediterranean Regional and Local Assembly, ARLEM). Whilst these are not models for a future relationship between the Committee of the

Regions and regions and local authorities in the UK, they demonstrate that relationships beyond EU member states are possible. In an interview with Committee of the Regions officials (April 2016), the idea of a North Sea or North Atlantic Platform was raised.

3.8) In cases of restricted access to EU-level funding, Welsh civil society organisations in particular will require additional resource to enable their continued participation in European networks. As such, in some cases, domestic funding for this participation will be required.

4. General points

4.1) Below (4.2 and 4.3) is a reiteration of the two key points submitted in evidence by Dr Rachel Minto to the EAAL consultation in November 2016.

4.2) In all Article 50 TEU planning and negotiation activity, Wales should draw on the necessary EU expertise to fully understand the EU's shifting agenda. This will ensure that Wales' negotiating position (as part of the UK's negotiating position) is forward looking, leaving Wales better placed to take advantage of the opportunities presented by the European Union of the future. This could be achieved through drawing on both internal and external EU expertise.

4.3) Ensure that Wales has the requisite EU expertise and resource in Cardiff and Brussels to develop and deliver a European strategy post-Brexit. Any post-Brexit strategy will need to reflect Wales' objectives as an international actor as well as the newly defined opportunity structure provided by the EU post-Brexit.

Notes

The evidence presented in this document has largely been drawn from the findings from a research project, "Testing the limits of paradiplomacy in the EU: Brexit and regional representation", run by Dr Jo Hunt and Dr Rachel Minto (Cardiff University) during 2016. Please see the published article: 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. 647-662. Available (open access) here:

<http://journals.sagepub.com/doi/abs/10.1177/1369148117725027?journalCode=bpia>

Evidence has also been shared from preliminary research findings from the ongoing project "Brexit and European networks: The impact of Brexit on policy-making in the UK", run by Dr Rachel Minto (Cardiff University) and Dr Paul Copeland (Queen Mary University of London). Phase 1 of this project is focused on three case studies: the Committee of the Regions; the European Women's Lobby Observatory on Violence Against Women (NB the representative from the UK is from Welsh Women's Aid); and the network of actors as part of the European Employment Strategy. Phase 1 findings will be presented on 28 March 2018 at the Political Studies Association Conference. They will be available to share with the EAAL Committee from this time.