

Jeremy Miles AS/MS

Cwnsler Cyffredinol a'r Gweinidog Pontio Ewropeaidd
Counsel General and Minister for European Transition



Llywodraeth Cymru
Welsh Government

The Rt Hon Michael Gove MP
Chancellor of the Duchy of Lancaster
Cabinet Office
70 Whitehall
London
SW1A 2AS

18 June 2020

Dear Michael,

I am writing to you to set out some further detail on the Welsh Government's priorities in respect of EU Programme participation, as part of the UK/EU future relationship negotiations.

Whilst we have been clear that the Welsh Government would have set a different approach to the negotiations than the one advanced by the UK Government, we remain keen to be constructive in the negotiations to seek to ensure that Welsh interests and impacts are taken into account properly in the negotiations.

With regard to future participation in EU Programmes, a request for a Ministerial discussion on a quadrilateral basis on the UK Government's negotiating position was discussed with the Paymaster General. Whilst we await confirmation of this meeting, I am taking the opportunity to set out further details on our negotiating priorities.

We recognise that, outside the EU, we will no longer benefit from the European Structural and Investment Funds (ESIF): you will be well aware of our ongoing concerns at the lack of progress in confirming that full replacement funding will be made available to us.

But beyond the ESIF, participation in EU programmes which are routinely or potentially open to non-member states has brought demonstrable benefits to Wales for nearly 20 years – not only financial but cultural. The funding from EU Programmes has been hugely important to us, driving economic growth and jobs and has also enabled us to leverage additional resources from both public and private sources. The removal of the funding and collaborative mechanisms we have gained through programme participation will limit our ability to deliver devolved objectives and will negatively impact Wales.

The Welsh Government disagrees strongly with the process by which the UK Government developed their negotiating objectives within this area, particularly given many EU Programmes fall within the competence of the devolved administrations. The business

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400
YPCCGB@llyw.cymru / PSCGBM@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

cases on which these decisions were taken were developed without proper consideration of our views, have not been shared in any systematic way (despite our repeated requests), thus depriving us of an opportunity to critique them fully, and clearly included value for money assessments which failed to adequately examine the extensive wider benefits of programme participation which are not easily quantified. Such a narrow assessment of financial costs and benefits does not capture the value that cooperation brings to both the UK and our European partners.

As well as those identified in the UK's White Paper (in particular Horizon Europe), these priority programmes include the entirety of the Erasmus + programme, Creative Europe and the Ireland-Wales INTERREG programme, all of which have been of particular benefit to Wales. We also believe we should continue to be able to access the European Investment Bank.

Whilst I acknowledge that international negotiations are a reserved matter for the UK Government, it is the responsibility of the UK Government to negotiate in the interests of the whole UK, including with regard to participation in successor and future EU Programmes. Where the UK Government has determined that continued participation is not in the best interests of England, the Devolved Governments must be free to determine whether participation in such programmes is in the interest of our nations and the UK Government should clearly seek to negotiate the continued participation of those devolved nations and regions. It is simply not acceptable to be told that the EU would 'probably' not agree to this: the question should be posed directly and energetically. As the costs of membership of the EU have always been funded centrally, we would expect either the costs of any participation in future programmes to be met centrally or for the Devolved Governments to receive an appropriate share based on a jointly agreed methodology in order to 'buy into' them.

Where full participation is not negotiated we require full replacement of EU funding which would otherwise have come to Wales in line with repeated commitments, including during the referendum campaign, that Wales would not be a penny less worse off as a result of the decision to leave the EU.

We strongly believe – and repeat our very specific ask to you – that the UK Government must seek to negotiate the option for Welsh participation in any current or future EU Programme even if the UK Government does not wish for England to participate. The UK Government has not answered this specific question so I would welcome your response on this issue, either committing to negotiating the option of participation for Wales in all programmes or outlining why you would seek to prevent access to programmes for Wales in devolved areas when continued participation is in our best interests.

To use a specific example on Erasmus+, why would the UK Government prevent universities, schools and Vocational Education and Training organisations (amongst others) in Wales from participating in a well-recognised, established programme which enables student exchanges? Education is a clearly devolved area it would defy the nature of devolution for UK Government to say that only it can determine whether and how education providers in Wales participate in student exchanges. Erasmus+ is already open to countries outside the EU, and the EU has signalled that it would be open to continued participation from within the UK. Moreover, this does not challenge the reserved nature of international agreements, as we are asking the UK Government to make the agreement on our behalf. And there was absolutely no sense from anyone campaigning to leave the EU four years ago that one of the supposed benefits of leaving the EU would be to end participation in Erasmus+. The UK Government cannot hope to replace the breadth and diversity of activity Erasmus+ provides, or the vital platform it creates for collaboration across Europe, with a watered-down replacement. We in Wales value the many benefits and partnerships which

can only come through participation in the Erasmus+ programme in future. The only stumbling block would appear to be an apparent lack of willingness on the part of the UK Government to respond positively to a perfectly reasonable request from the Welsh Government. I ask you therefore very specifically to make arrangements with the EU within the future relationship negotiations for Wales to be able to participate fully in Erasmus+ on an ongoing basis.

I look forward to receiving a substantive response on these points, as well as to my previous letters, and for the opportunity for further conversations with you upon the detail of these questions.

I am copying this letter to the Secretary of State for Wales, and the Paymaster General; to the Cabinet Secretary for the Constitution, Europe and External Affairs at the Scottish Government; and to the First Minister and deputy First Minister of Northern Ireland.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Jeremy Miles', with a stylized, cursive flourish at the end.

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