



Ein cyf/Our ref:

Huw Irranca-Davies
Chair
Legislation, Justice and Constitution Committee
Senedd Cymru
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04 October 2021

Dear Chair

I am writing in response to your letter of 20 September about Protection of Classified Information: agreements UK/Estonia, UK/Latvia, UK/Belgium and UK/Italy.

Our legal assessment of the treaties is they relate to data sharing and national security and are therefore reserved matters.

The substantive provisions are high level and would likely require implementing arrangements in relation to specific exchanges. The agreements are subject to national laws and regulations and we should be mindful whether they conflict with the same. We are of the view that they do not conflict with UK data protection legislation.

As Welsh Ministers are required to take into account international obligations when making decisions, they could face Judicial Review or action from the Secretary of State for failing to do so.

In respect of consultation, if the agreements would have an impact on devolved matters, the Welsh Government would have a legitimate interest in those parts of the negotiations and

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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.

therefore an expectation to be consulted. In our view these agreements are high level and relate to reserved matters therefore there is no expectation to be consulted.

Yours sincerely

A handwritten signature in black ink that reads "Mark Drakeford". The signature is written in a cursive, slightly slanted style.

MARK DRAKEFORD