

Cynulliad Cenedlaethol Cymru | National Assembly for Wales

Y Pwyllgor Materion Allanol a Deddfwriaeth Ychwanegol | External Affairs
and Additional Legislation Committee

Y goblygiadau i Gymru wrth i Brydain adael yr Undeb Ewropeaidd |
Implications for Wales of Britain exiting the European Union

IOB 13

Ymateb gan Eglwysi Ynghyd yng Nghymru
Evidence from Churches Together in Wales

Submission to the External Affairs and Additional Legislation Committee by the Cytûn (Churches Together in Wales) Working Party on Wales and Europe

1. This submission is being made by the Wales and Europe Working Party of Cytûn (Churches Together in Wales) set up following a resolution by the Union of Welsh Independents, which convenes the Working Party. Representatives of Cytûn member churches and associated organisations seek to offer a Christian perspective on the core issues to be addressed within Wales and the UK following the referendum on UK membership of the European Union.
2. The member churches of Cytûn include some 172,000 adult members in 14 different traditions, worshipping through the medium of Welsh, English and several other languages in every community in Wales. They and the other organisations in membership have links with many thousands more children, young people and adults across Wales. A full list of members of Cytûn can be found at: <http://www.cytun.org.uk/us.html>
3. This submission encourages both the National Assembly for Wales and Welsh Government, and the UK Parliament and HM Government, to focus on two specific areas of concern for the Churches: firstly, the relationships of the UK with European nations and states following Brexit and, secondly, expressing Christian perspectives on key issues that should be addressed in shaping society in the UK and in Wales during and following Brexit negotiations. The submission identifies five policy areas for consideration:
 - Rights and opportunities
 - Minority communities
 - Agriculture and the environment
 - Relationships with other nations and states
 - The democratic process

What should be the top priority for Wales in advance of the UK Government triggering of Article 50 (which starts the formal process of exiting the EU)?

4. Prior to starting formal negotiations under Article 50, we believe that the elected governments of the UK should seek agreement on the fundamental aims of the negotiation. What follows is our suggestion for a statement of such aims. We believe that the Welsh Government and the other devolved administrations should be part of the negotiations following the triggering of Article 50. In this process, the centrality of European legislation as a basis for legislative aspects of devolution should not be overlooked.
5. **Relationships with European states and nations following Brexit**
The UK having decided to leave the EU, the Christian Churches in Wales represented on this Working Group believe that the first question to be addressed is : what kind of relationship with Europe do we as the people of Wales seek? The referendum vote does not mean that we cease to be inhabitants of the European continent or members of the European family.
6. We believe that HM Government and the Welsh Government should seek a relationship with Europe that continues to regard Europe as '*our common home, that builds on the past and looks to the future with renewed hope*'. Governments and Churches in Europe should work together 'to step up efforts in making such Christian virtues as respect for others, solidarity, [mutual service] and building up community more visible in public life'.¹ We believe that there should be no compromise on these principles, especially in view of the hatred, enmity and war that has characterized the history of Europe during the last century. Therefore, we believe that future negotiations should ensure that the sovereignty of states and the interdependence of peoples and nations should be given equal emphasis as principles to be upheld and balanced.
7. In its reflection on '*our common European home*' the Basel Assembly of the Conference of European Churches in 1989², referred to principles that should, we believe, remain at the core of our relationships within Europe:
 - 7.1. the equality of all who live in Europe, whether strong or weak;
 - 7.2. recognition of such values as freedom, justice, tolerance, solidarity, participation;

¹ [Conference of European Churches, Letter to the Churches, June 2016.](#)

² [Declaration of the European Ecumenical Assembly, Basel 1989](#)

- 7.3. a positive attitude towards adherents of different religions, cultures and world views;
- 7.4. the promotion of dialogue instead of resorting to resolving conflicts through violence.

8. Key policy areas to be addressed

In applying these general principles to our future European relationships and our national priorities we believe that a number of key policy areas should be addressed:

9. Rights and opportunities

- 9.1. Offering swift reassurance to EU citizens whose status is currently uncertain.
- 9.2. Protecting the status and rights of vulnerable and disabled people, the elderly and children.
- 9.3. Ensuring that young people have appropriate educational and employment opportunities during the period of greater economic uncertainty that is ahead, including continued participation in programmes such as Horizon 2020.
- 9.4. Being welcoming to the stranger and the poor among us, including continued participation in EU and Europe-wide programmes of resettlement of refugees.
- 9.5. Protecting individual and workers' rights, ensuring that rights currently guaranteed at EU level are written down into UK and/or Welsh law.

10. Minority communities

- 10.1. HM Government and the Welsh Government should continue to protect the rights of minority Communities, especially those who currently feel vulnerable as a result of hate crimes and abuse.
- 10.2. Both Governments should guarantee, through appropriate legislation and adequate funding, the nurture and encouragement of minority languages, particularly but not exclusively, the Welsh language. As Welsh will lose its co-official status at EU level when we leave the EU, we believe that an analogous status should be introduced at UK level for Welsh (and also for Scottish and Irish Gaelic)

11. Agriculture and the environment

- 11.1. We believe that, either through continued membership of the EEA and/or EFTA, or by writing down into UK and Welsh law, policies and funding should remain in place aimed at protecting the environment, tackling climate change and countering their effects on biodiversity.
- 11.2. We recognise that the current uncertainty is challenging for agriculture in Wales. We therefore encourage both Governments to ensure a transition from CAP funding that will not threaten future agricultural livelihoods, especially of small and medium sized family farms (including hill farms), which are vital to the Welsh rural economy and culture.

12. Relationships with other nations and states

- 12.1. As a fundamental basis for future relationships with countries both within and outside the European continent, we need to ensure that being good neighbours to other countries is a key aspect of our fiscal, economic, international development, and foreign policy.

13. The democratic process

- 13.1. The referendum on UK membership of the EU has itself raised two related issues with regard to the future of democracy within these nations and especially, for us, within Wales:
 - 13.1.1. the deep differences revealed by the result between different sectors of society and different geographical areas;
 - 13.1.2. aspects of our political culture and processes, and how to include the entire population within our politics (that is, addressing the so-called democratic deficit).

- 14. We are in process of inviting experts in the areas above to write short briefing papers on these topics. We hope to be able to share these, as appropriate, with HM Government and the Welsh Government, with a view to initiating a dialogue between churches and government on issues that we believe to be crucial to Wales during the coming years. We remain ready at any stage of the Committee's consultative process to elaborate on our concerns, either face to face or through further written evidence.

Can you provide examples of where the UK's proposed approach to transferring the *acquis communautaire* (the body of European law), through the proposed Great Repeal Bill, into domestic law might have particular implications for Wales?

15. A number of churches within Cytûn have supported devolution for Wales over many generations. Others have remained neutral on the principles involved, while being keen to see the governance arrangements for Wales being credible, answerable to the general populace, and serving the whole community, with special concern for the poor and vulnerable.
16. We have therefore expressed in our responses to the Wales Bill 2016-17³ our concern that a settlement which complicates our governance arrangements would carry the risk of distancing ordinary people from those who govern them, and therefore weaken the ties which bind our society and nation. The same concern applies to the changes to Wales's governance arrangements following departure from the European Union. Indeed, many are of the opinion that the result of the referendum itself suggests that this is already happening (see para 13.1.2 above). If so, it is vital that both Governments take every step possible to close the gap which is opening before us.
17. We believe therefore that the Great Repeal Bill should ensure that European legislation in the fields which are otherwise devolved should become the direct responsibility of the National Assembly for Wales, while legislation in reserved fields should become (as far as Wales is concerned) a Westminster responsibility. The Great Repeal Bill should respect the devolution boundary at the time of legislating. This will ensure as much consistency and clarity for the public as possible.
18. Having said this, we believe that each additional responsibility which comes to Wales in the light of these changes should be fully funded. The Barnett Formula is not fit for this purpose, because it was not designed to deal with such an eventuality. Funding from the European Union for agriculture (through the Common Agricultural Policy) and for economic development (through Objective One and other schemes and whatever schemes would have succeeded them in 2020) is based on the needs of Wales, rather than on population size, as with Barnett. As Wales is a land with much agriculture, and with deep-seated economic needs, we believe that the funding arrangements for these areas after leaving the EU should reflect current methods of assessing these needs.
19. In the light of the principles listed in paragraph 9 above, we believe that the restrictions on the legislative competence of the Assembly and the administrative competence of Welsh Ministers in respect of the European Convention on Human Rights should remain in place. The establishment of our national parliament on a secure basis of human rights has been a blessing to Wales since 1999, and we would not wish to see any drawing away from these principles as we leave the EU.
20. The current Wales Acts also restrict the ability of the Assembly and Welsh Ministers to act contrary to European Union law. We acknowledge that this restriction will need to be changed as we leave the European Union. But we believe that the Assembly needs the ability voluntarily to restrict itself in this way, in some or all policy areas, if it wishes to retain compatibility of Welsh standards and laws with European Law, to preserve our current close economic and cultural ties. This choice, either way, should be for elected representatives of the people of Wales rather than Westminster.
21. In the light of our particular concern regarding agriculture and the environment (para 11 above) – what we would call God's creation – we are especially concerned at the possibility expressed by the Secretary of State for Agriculture and the Environment before the Environmental Audit Committee of the House of Commons on 25 October 2016⁴ that all current environmental protections will not be transferred to the UK in the Great Repeal Bill. Much of this part of the *acquis communautaire* is in devolved areas, and we would be very keen to see it all transferred to the competence of the National Assembly, even if HM Government, in legislating for England, chooses a different path.

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³ Published in [the Consultation Responses Booklet of the inquiry of the Constitutional and Legislative Affairs Committee](#), pp 34-38

⁴ <http://www.parliament.uk/business/committees/committees-a-z/commons-select/environmental-audit-committee/news-parliament-2015/future-natural-environment-ev4-16-17/>