



Minister for Environment, Energy and Rural Affairs
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Dear Minister,

Environmental Governance & Principles Gap and No-deal Contingencies

In a matter of weeks, the UK is set to leave the European Union by automatic operation of law. As things stand, it will do so without a ratified withdrawal agreement, or a transition period. In that eventuality the environmental principle and governance structures afforded to us will effectively cease to exist.

As you will be aware, this is a matter of extreme concern to WWF Cymru due to the role these principles and governance structures play in guiding decision making; underpinning domestic legislation such as the Well-being of Future Generations and Environment (Wales) Acts; and providing a proven mechanism to hold the Welsh and UK Governments to account.

In the wake of the 2016 referendum, we welcomed the Welsh Government's commitment to retaining these principles through legislation and ensuring there was no regression in environmental standards as a result of the UK's exit from the EU. Unfortunately, we are yet to see any material proposals from the Welsh Government to deliver upon this commitment – with the consultation intended for Summer/Autumn 2018 still to be undertaken. We also understand that even were that consultation to appear, it will not contain any proposals to close the gap Brexit creates.

Without these principles and governance structures in place, decisions will be significantly less robust and potentially indefensible; our Acts will lose part of their foundation, risking inoperability; and citizens will lose their right and mechanism to freely challenge government where they are failing to apply environmental laws and standards effectively. This situation is liable to last for several years.

In the meantime, the UK Government are developing legislation to serve England and reserved functions. We are engaging with our UK colleagues to make improvements to those proposals.

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We also believe they are developing contingencies should a deal and transition period not be agreed. Whilst we appreciate that your officials are in dialogue with UK Government to find solutions, we are very concerned that the Welsh Government do not appear to have contingency plans and do not have proposals to close the gap.

Given the risks of a No Deal Brexit, we are writing to you to urge that you come forward without further delay, with your proposals for closing the Governance and Principles gap in Wales and in collaboration with the UK Government, and your no-deal contingency plans.

As always, WWF remains ready to assist you in any way in developing solutions and lobbying at UK level where necessary. We have appreciated our current engagement yet feel we can work much more collaboratively going forward.

Regards,

A handwritten signature in black ink, appearing to read 'Anne Meikle', written in a cursive style.

Anne Meikle – WWF Cymru Director