

Briefing for Commons Second Reading of the EU (Withdrawal Agreement) Bill

December 2019

We ask that you press the government during the Second Reading debate to deliver on its commitment not to compromise on environmental standards as we leave the EU by including a strong provision on non-regression in this bill and ensuring that parliament will play a meaningful role in the future EU negotiations.

The UK currently enjoys high standards in areas such as habitat protection and product safety. Having developed these standards with our European neighbours, we now benefit from cleaner beaches, safer food and the best chemicals regulation in the world.

The Conservative Party manifesto committed to legislate to “ensure high standards of workers’ rights, environmental protection and consumer protection”, and not to compromise on our high environmental protections in the UK’s trade negotiations.¹ Government ministers have also stated many times that environmental standards will not be weakened, including proposing the introduction of a non-regression provision on environmental protection in legislation.²

The return of the Withdrawal Agreement Bill is a timely opportunity for the government to deliver on this commitment and provide clarity on how it intends to ensure that current standards are maintained across the UK by:

- including a strong provision on environmental non-regression;
- strengthening parliament’s oversight role during the future UK-EU relationship negotiations.

Including non-regression in the Withdrawal Agreement Bill

A legally binding commitment to non-regression is needed to protect current and future generations against a weakening of environmental standards.³ It will be a helpful tool to deliver the prime minister’s commitment to pursue “the most ambitious environmental programme of any country on earth”.⁴

The political declaration, agreed by the UK and EU in October 2019, did include positive aspirations for environmental standards, proposing that the UK and EU should uphold “common high standards”.⁵ However, the declaration is only indicative and is not legally binding.

A strong non-regression provision should, therefore, be incorporated in domestic law, without delay. This will help ensure the maintenance of current UK standards relating to environmental and social protections. The future UK-EU relationship should also include a mutual commitment not to weaken standards.

Ensuring parliament, the devolved administrations and civil society have a clear role in the next phase of the negotiations

It is crucial that relationships which will guide and frame the future of the UK are developed with meaningful public participation, democracy, accountability and scrutiny. This applies to the future UK-EU relationship and new trade agreements.

The UK-EU relationship and new trade agreements have the potential to significantly affect people and the environment. Parliament and, where relevant, the devolved legislatures, must therefore have strengthened involvement in the development of these agreements. It is also crucial that civil society, including environmental representatives, can engage meaningfully in this process.

The Withdrawal Agreement Bill should therefore include provisions that strengthen parliament's oversight role during the forthcoming UK-EU relationship negotiations. Parliament must have a clear role in scrutinising, amending and approving the terms of the initial negotiating mandate. Relevant committees should be granted the opportunity to scrutinise, comment and feedback on negotiations as they progress. Parliament must also have a final vote on whether to approve or reject the future agreement.

For more information, please contact Sarah Williams, head of the Greener UK unit, Green Alliance. e: swilliams@green-alliance.org.uk; t: 020 7630 4515

Endnotes

- ¹ [Conservative Party manifesto](#), p. 5; p. 57.
- ² Zac Goldsmith, then Conservative MP for Richmond Park, [Twitter](#), 27 September 2019; Rebecca Pow MP, [Second reading of the Environment Bill](#), 28 October 2019.
- ³ [Briefing on non-regression in the Environment Bill](#).
- ⁴ [Conservative Party manifesto](#), introduction from the Prime Minister, p. 3.
- ⁵ [Political declaration](#), p.14.

Greener UK is a coalition of 13 major environmental organisations united in the belief that leaving the EU is a pivotal moment to restore and enhance the UK's environment.

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