

Briefing for Lords Committee stage of the EU (Withdrawal Agreement) Bill

15 January 2020

Amendments needed to protect environmental standards

The government has committed not to compromise on environmental standards as we leave the EU. It has also committed to legislate to ensure high standards of environmental protection.¹ However the government has not yet provided any clarity about how this will be achieved. A strong non-regression provision should be incorporated in domestic law without delay. This will help ensure the maintenance of current UK environmental standards and protect current and future generations against any weakening of them.

Relationships that will guide and frame the future of the UK and its environment must be developed with meaningful public participation, democracy, accountability and scrutiny. This applies to the future UK-EU relationship and new trade agreements with other countries.

The EU (Withdrawal Agreement) Bill is a timely opportunity for the government to signal its commitment to ensure high standards of environmental protection. The bill should be amended to demonstrate this intent to better protect environmental standards and to strengthen parliament's oversight role during the future relationship negotiations.

31: Non-regression in relation to environmental and animal welfare matters

Greener UK supports the cross-party amendment tabled by Baroness Jones of Whitchurch, Baroness Bakewell of Hardington Mandeville, Lord Randall of Uxbridge and Baroness Brown of Cambridge. This important amendment will reduce the possibility that any changes to UK legislation made through Brexit will result in a less protected environment.

It prevents regression in environmental standards via secondary legislation or other acts by public authorities connected to EU withdrawal. Further legislative guarantees for non-regression will be needed in the forthcoming Environment Bill to guard against the potential for future government action to result in negative environmental outcomes.

We urge Peers to ask the Minister how the government intends to provide a legal guarantee that environmental standards will be maintained. While verbal commitments are welcome, they are not a substitute for legal certainty, which the government must provide, either in this bill or in the forthcoming Environment Bill.

27: Oversight of negotiations for future relationship

Greener UK supports the amendment tabled by Baroness Hayter of Kentish Town, Lord Wallace of Saltire, Lord Hannay of Chiswick and Lord Bowness. This reinstates Clause 31 from the first EU (Withdrawal Agreement) Bill and will give MPs a vote on the UK-EU negotiating mandate prior to discussions commencing and on the final deal, as well as ensuring transparency during the negotiations.

This amendment will help to ensure parliament and the devolved administrations have a clear role in the next phase of the negotiations and support the meaningful scrutiny required for an effective, independent trade policy post Brexit.

Further information is set out in a [briefing](#) by the Trade Justice Movement.

43 & 62: Agencies of the EU and Euratom

Greener UK welcomes amendments tabled by Lord Whitty that require the government to continue to co-operate with a number of EU agencies during the implementation period and set out the UK's intended future relationship with them.

Greener UK recommends that the UK should continue to participate in, and co-operate with, relevant EU agencies. For example, the European Environment Agency (EEA) provides a rigorous, transparent and cost effective means of collecting, reporting and sharing environmental data and expertise. Another important agency is the European Chemicals Agency (ECHA), where the UK and EU has committed to explore the possibility of future cooperation.² It would be helpful if Peers could ask the Minister to confirm the government's plans on future co-operation with key environmental agencies.

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Endnotes

¹ [Conservative Party manifesto](#), p. 5; p. 57.

² [Political declaration](#), p.7.

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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