

Briefing for Commons Consideration of Lords Amendments to the Trade Bill

January 2021

Greener UK and the Aldersgate Group's priority amendment is:

- Amendment 1: Parliamentary approval of trade agreements

Greener UK and the Aldersgate Group also support:

- Amendment 6: Standards affected by international trade agreements

Amendment 1: Parliamentary approval of trade agreements

We urge MPs to retain **amendment 1**, which was passed with a substantial majority in the Lords. This amendment would significantly improve the level of parliamentary scrutiny of new trade agreements. We welcome the fact that during previous Commons stages, amendments relating to parliamentary scrutiny received wide cross party support.

This also reflects debates on the 2017-2019 Trade Bill, during which the House of Lords passed a similar amendment which aimed to provide a greater role for Parliament on the scrutiny of trade deals. **Amendment 1** would achieve the same policy effect and ensure:

- **Before negotiations:** a debate and vote for MPs on the government's negotiating objectives, and mandatory sustainability impact assessments on the impact of the new trade deal on the environment, public health, human rights and global development
- **During negotiations:** additional scrutiny through relevant updates to relevant parliamentary committees
- **After negotiations:** a vote in both Houses on a final deal, prior to ratification
- **Throughout:** consultation with devolved authorities.

The pursuit of new trading relationships will have implications for almost all spheres of public policy, including the UK's progress towards its net zero and Environment Bill targets. In order to meet the government's ambitions of international environmental leadership it is vital that Parliament's role in scrutinising trade deals is strengthened.

Free trade agreements present opportunities for the UK to strengthen its economic competitiveness through exports of low carbon goods and services and promote best practice globally. Yet under current precedent trade deals also pose acute risks, including of environmental standards being diluted by provisions to reduce regulatory barriers, the competitiveness of innovating UK industries being undermined by lower standard imports, and a rise in the unsustainable use of natural resources and emissions in exporting countries.

The crafting of the UK's future trade policy will require careful navigation and sufficient democratic oversight to ensure compatibility, not hindrance, to the UK's ambitious goals of delivering a green recovery, reaching climate neutrality and halting the loss of biodiversity.

Currently, the UK Parliament's role in the negotiation and ratification of FTAs is [considerably weaker](#) than systems in the US, EU and Japan. This framework was formalised when the UK was still a member of the EU and did not have an independent trade policy. Parliamentarians do not have a guaranteed debate or vote on trade agreements or a legal right to see negotiating objectives, and there are no legal requirements on the government to provide updates on trade negotiations.

Through the negotiation of the EU-UK deal, it is clear that the government is currently able to agree trade deals with very little input from Parliament. Even in cases where the government introduces implementing legislation as a result of new trade deals, Parliament may not be given enough time to effectively scrutinise this legislation.

Strengthening Parliament's role in the negotiation and ratification of agreements would enable businesses, NGOs, unions and the public to take part in shaping the government's trade policy, making it easier for environmental and climate voices to be heard and for opportunities in low carbon and environmentally friendly trade to be realised.

For further details, see a joint briefing on the importance of trade scrutiny for the environment from Greener UK and the Aldersgate Group [here](#).

Amendment 6: Standards affected by international trade agreements

We support **amendment 6**, which would establish a code of practice setting out how the government should maintain standards if a trade deal is expected to affect food standards, animal welfare, the environment and other matters.

The code of practice established as a result of this amendment would require ministers to ensure trade deals are consistent with our existing standards, and would ensure that parliamentary committees are involved where trade deals risk a change in standards and protections.

This amendment would provide crucial safeguards given that the UK's food standards are high on the negotiating priorities of many of our prospective trading partners, and that the UK government has to date [resisted calls](#) to put into primary legislation the Conservative Party manifesto promise not to compromise on environmental standards in trade deals.

The government has taken a step in the right direction by putting the Trade and Agriculture Commission (TAC) on a statutory footing in the Trade Bill. However, it is essential that the UK does not offshore its environmental impacts and undermine its domestic producers by allowing goods produced to low environmental standards to be readily imported into the UK to the detriment of existing high standards. Polling shows there is [unequivocal public support](#) for maintaining our current food standards relating to a number of issues, including pesticides, antibiotics and other products.

In previous debates on the Trade Bill, it has been suggested that amendments seeking to safeguard import standards might be incompatible with global trade rules or prevent the UK from trading with nations in the Global South. This is a common misinterpretation of

WTO rules. The consideration of public policy issues, including environmental protection, is written into the General Agreement on Tariffs and Trade (GATT) that establishes the basic principles for trade in goods. This means that trade rules enshrine the right of nations to regulate and to require that goods and services reach specific standards for import as long as these requirements are applied fairly. Existing trade approaches also routinely include exceptions, additional support and transitional periods to ensure that nations in the Global South are not treated inequitably.

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The **Aldersgate Group** is a membership organisation championing an environmentally sustainable economy. It is composed of businesses, leading NGOs, professional institutes, public sector bodies and politicians from across the political spectrum.

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