

## Briefing for Trade Bill Lords consideration of Commons message and amendments in lieu

February 2020

### Greener UK and the Aldersgate Group support the following Lords amendments in lieu:

- **1D:** Parliamentary approval of international trade agreements and treaties
- **6F:** Standards affected by international trade agreements

### Parliamentary approval of international trade agreements and treaties

We urge peers to vote for the **Lords amendment in lieu 1D** which 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.

#### **Amendment 1D** would ensure:

- **Before negotiations:** a statement to both Houses and a debate and vote for MPs on the government's negotiating objectives
- **After negotiations (by amending the Constitutional Reform and Governance Act 2010):** relevant committees can recommend a debate in Parliament and the scrutiny period may be extended to allow for this

### The importance of scrutiny for climate and the environment

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 nature 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 risk. For example, environmental standards could be diluted by provisions to reduce regulatory barriers, and the competitiveness of innovating UK industries could be undermined by lower standard imports. With new trade deals we could also see 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 degradation of our natural environment.

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](#).

## Standards affected by international trade agreements

We support the **Lords amendment in lieu 6F**, which mandates that provisions arising out of any new trade deal must be consistent with our current levels of environmental protection and other standards.

The government's proposed amendments in lieu 6C, 6D and 6E state that regulations arising out of trade deals must be consistent with maintaining environmental and other protections. However, these amendments apply only to 'rollover' deals, which mirror agreements that were signed when the UK was a member of the EU and which have already been agreed. New trade deals, such as with the US, Australia and New Zealand, must be subject to the same conditions as rollover deals on environmental standards and protections.

By bringing all trade deals in scope, **amendment 6F** would provide crucial safeguards for standards and protections in future trade deals. This would be in line with 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. This approach must also be applied to other areas to safeguard against downward pressure on environmental standards in the UK, for example relating to chemicals and manufacturing.

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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