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**Trade Bill Second Reading Briefing**

The UK is currently a party to many trade agreements as a member of the EU. On exiting the EU, the UK wishes to establish new trade agreements that replicate the existing agreements as closely as possible. The Trade Bill enables the Government to make any changes to domestic law that are needed to enable it to implement these new trade agreements.

Compassion in World Farming believes that:

* New trade agreements – whether new versions of existing agreements (to which the UK is a party as an EU member) or brand new agreements – ***must not undermine UK standards*** of animal welfare, food safety or environmental protection. They must protect UK farmers from imports produced to standards lower than those of the UK.
* ***Parliament must have a proper involvement*** in agreeing the terms of new trade agreements. Concluded agreements should not be presented to Parliament as a *fait accompli* leaving Parliament in the position of simply being able to accept or reject the agreement as a whole. Parliament must have the power to be properly engaged in shaping the terms of the agreement.

**New trade agreements must not undermine UK standards or UK farmers**

The Trade Bill should provide that the UK must not conclude any new trade agreement that compels it to allow the import of products produced to standards of animal welfare, food safety or environmental protection that are lower than those required by UK law. This means that imports would either have to meet UK law or be subject to requirements that are genuinely comparable in effectiveness to those of UK law. The Trade Bill should be amended to protect these standards. It should include:

1. A ban on the importation of food which is produced to standards lower than those in the UK or using practices which are illegal in the UK for health and environmental reasons, including chlorine-washed chicken and hormone-treated beef.
2. A requirement that trade agreements must not require regulatory alignment on standards of food safety and animal welfare where such alignment would lead to a lowering of UK standards. Trade deals increasingly include provisions with the aim of aligning standards, which could lead to lower standards in the UK.

**Parliament must have a proper involvement in agreeing the terms of new trade agreements**

While the UK has been in the EU, the adoption of trade agreements has been a matter for the EU. New arrangements must be made for governing how the UK is to negotiate and conclude trade agreements once it exits the EU.

The only relevant legislation appears to be the Constitutional Reform and Governance Act 2010; Part 2 deals with the ratification of treaties. Section 20 provides that treaties must be laid before Parliament beforeratification. However, it only gives Parliament the right to resolve that the treaty should or should not be ratified; it does not enable Parliament to propose modifications to the treaty. Moreover, a Minister of the Crown may overrule Parliament and ratify the treaty despite Parliament’s resolution that it should not be ratified.

In order for Parliament to have a proper role in the formation of new trade agreements, amendments to the Trade Bill should provide that:

***Before beginning to negotiate a trade agreement***

Parliament must set the mandate for the negotiations. To achieve this, the Bill should provide that negotiations may not begin until Parliament has authorised their commencement. Parliament should make recommendations to the Government regarding the policy areas that should be included in the negotiations and the principles that should underpin, and any limits on, the negotiations.

***During negotiations***

Parliament should receive the information necessary to properly scrutinise trade agreements. Accordingly, at least once each year the Government must lay before Parliament a report containing an account of progress made during the negotiations to date and an assessment of the issues likely to arise during the future stages of the negotiations that may affect UK producers, consumers or legislative standards (for example regarding food safety, the environment and animal welfare). Parliament should have the right to make recommendations to the Government on, and propose amendments, to any draft texts that have been proposed or agreed and on the UK’s position during future stages of the negotiations.

***At the end of negotiations***

Parliament should have the right to consent to, amend or reject a trade agreement. If it wishes to amend the agreement, the Government must place its proposals before the other party/parties to the agreement. If they do not accept Parliament’s proposals, Parliament will have to decide whether to accept or reject the trade agreement.

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