



Department for International Trade

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4th June 2020

Dear Chi,

Thank you for your correspondence of 13th May to the Rt Hon Elizabeth Truss MP, Secretary of State for International Trade and President of the Board of Trade, forwarding correspondence from your constituents, regarding the proposed UK-US Free Trade Agreement. I am replying as this matter falls within my portfolio.

As laid out in our negotiation objectives on 2nd May, the UK will decide how we set and maintain our own standards and regulations and we have been clear that we will not compromise on our high standards of food safety and animal welfare. The UK's food regulators will continue to provide independent advice to ensure that all food imports into the UK comply with those high safety standards. We have been clear that any future deal with the US must work for UK consumers, farmers and companies. Without exception, imports into the UK will meet our stringent food safety standards.

The UK leads the world in tackling climate change, as the first major economy to pass new laws for net zero emissions by 2050. The Prime Minister has set out his vision to ensure Britain has the most ambitious environmental programme of any country on Earth. The US has included provisions in trade agreements to protect the environment, including measures to protect air quality, biodiversity and sustainable forestry. We are committed to upholding the UK's high environmental standards and supporting global decarbonisation. We are clear that more trade will not come at the expense of the environment. Nothing in the deal will stop us taking the domestic action necessary to deliver our commitment to net zero emissions by 2050.

The UK has a strong history of protecting human rights and promoting our values globally. Our experience is that political freedom and rule of law are vital underpinnings for both prosperity and stability, and that, by having strong economic relationships with partners, we are able to have open discussions on a range of difficult issues, including on human rights standards.

The NHS, the price it pays for drugs and the services it provides are not on the table. There will be no compromise on high environmental protection, animal welfare and food standards.

Regarding Investor State Dispute Settlement, the precise details of any UK-US Free Trade Agreement are a matter for formal negotiations, and we would not seek to pre-empt these discussions. If it is deemed that a legal mechanism is appropriate for resolving investment disputes, the mechanism will reflect modern practice, deliver fair outcomes of claims, require high ethical standards for arbitrators and include transparent proceedings. ISDS is an effective means of resolving investment disputes and the UK has negotiated such provisions with over 90 existing treaty partners. The UK recognises the continuing important role played by ISDS in protecting our investors abroad, and there have been significant improvements in transparency of ISDS tribunals' proceedings in recent years. In addition, the UK will continue to press for more effective reforms that improve arbitration processes. The Government is clear that when negotiating FTAs we will continue to protect our right to regulate in the public interest, as this right to regulate is recognised in international law.

Finally, we note your constituents' concern that the Trade Bill might not contain scrutiny provisions. This is not the case. For those agreements which will be implemented using the powers under clause 2, relevant secondary legislation will be subject to debate and a vote in both Houses. Additionally, while not on the face of the Bill, the Government has published, and will continue to publish, a Parliamentary report for each transitioned agreement which outlines the significant differences between it and the original EU/3rd country agreement. These reports will help inform Parliamentarians when they debate and vote on the secondary legislation. We have published 20 reports to date, and I hope your constituents will be reassured to know there has been no change in standards from the original EU/3rd country agreement.

I hope this information is helpful and of reassurance to your constituents.

Yours ever,

A handwritten signature in blue ink, appearing to read 'G Hands', with a long horizontal flourish extending to the right.

THE RT HON GREG HANDS MP
Minister of State for Trade Policy
Department for International Trade