



The Trade Bill and animal welfare

TOGETHER WE CAN... IMPROVE ANIMAL WELFARE

Key facts...

- ★ The Trade Bill is one of the key pieces of the UK Government's post-Brexit legislative suite. Together with the Taxation (Cross-border Trade) Bill it will form the basis of the UK's trading relationship with the rest of the world as we leave the EU.
- ★ The Government has stated that it intends to replicate as far as possible in new UK Free Trade Agreements (FTAs) the 65 existing FTAs between the EU and third countries. This Bill is the legislative mechanism for doing this.
- ★ Animal welfare will be impacted by any future FTAs, which includes grandfathering those 65 existing FTAs the EU has, and any other trading arrangements that the UK agrees.
- ★ It is vital that the UK's animal welfare standards - some of the highest in the world - are protected in these FTAs particularly when it comes to farm animal welfare so that British farmers are not undercut by a 'race to the bottom' of cheap, low welfare, imported goods.
- ★ The RSPCA has been working on trade issues for 25 years, including at EU and WTO level. We also set the standards for the UK's only higher welfare farm assurance scheme, RSPCA Assured, which has over 3,000 members. This gives us expertise in both the public policy and commercial reality of international trade.

What is the Trade Bill?

The [Trade Bill](#) is one of the key pieces of the UK Government's post-Brexit legislative suite. Together with the [Taxation \(Cross-border Trade\) Bill](#) (or Customs Bill) it will form the basis of the UK's trading relationship with the rest of the world as we leave the EU. The Government has stated that it intends to replicate as far as possible in new UK Free Trade Agreements (FTAs) the 65 existing FTAs between the EU and third countries. The Trade Bill is the legislative mechanism for doing this. Though it doesn't directly apply to them, the Bill will also influence any further FTAs the UK agrees in the future: the details and conditions agreed in the FTAs that the Bill does directly affect will inevitably influence those of future FTAs, including those with major trading partners such as the USA and the EU itself.

How does the Trade Bill affect animal welfare?

The UK has some of the highest animal welfare standards in the world and the key threat to animal welfare as a result of the FTAs agreed as part of the Trade Bill, and those further in the future, is ensuring that our domestic standards are not undercut in a 'race to the bottom' of animal welfare standards.

This is a particular risk when it comes to farm animals. The EU has 19 agreed farm animal welfare laws which the UK has implemented, giving a high degree of consistency on standards and a level playing field for trade in farm products across the continent. This will not be the case when the UK starts to negotiate FTAs with other countries. This could include those 65 FTAs that the EU has already negotiated on behalf of the UK and which the Trade Bill will aim to replicate: any one of the signatory countries could demand new terms under their FTA, something that would have to be ratified by the EU as well as the relevant country (South Korea and Chile have already expressed a desire to renegotiate). Ensuring animal products that are imported to the UK meet our high welfare standards must be a priority not just for animal welfare reasons but also to protect the integrity of UK food and the commercial viability of UK farming. The Government has

For further information: politicalaffairs@rspca.org.uk

www.politicalanimal.org.uk

made it clear that their vision for the future of farming lies in the unique appeal of British quality and high animal welfare standards. They must now exercise the political will to ensure that this is the case.

What does the RSPCA think of the Trade Bill?

Although the RSPCA welcomes the Government's commitment to protecting UK animal welfare standards in any trade negotiations, we would like to see the Trade Bill strengthened in a number of key ways that we believe would better protect animal welfare without affecting the overall aims of the Bill:

- Crucially, the UK should include language in all of its future FTAs on animal welfare to ensure our own standards are protected. The EU has agreed two FTAs, with Chile in 2002 and South Korea in 2011, which have specific language inserted on animal welfare (it is also negotiating two more: with Mexico and the South American Mercosur bloc). These set out clearly what each country will do to solve the gap in animal welfare standards between them. This is an approach that the UK should follow in its future trade policy and it should be specified in the Bill.
- Currently the Bill does not include adequate provision for Parliamentary scrutiny of FTAs and it should do more to ensure that there is transparency in the negotiating and approval stages. This should include a clear mandate given to the UK Government by Parliament when negotiating any FTA (as the European Commission is currently given by the European Parliament and member states), regular updates on the status of negotiations to a specific Parliamentary committee and final approval by Parliament of the FTA.
- The Government is now proposing a new process in the Animal Welfare (Sentencing and Recognition of Sentience) Bill to ensure that any future legislation or policy is assessed against animal welfare science and standards. This should be recognised in the Trade Bill.
- The Trade Remedies Authority, as proposed by the Bill to address trade disputes, should include specific expertise on agriculture and animal welfare. The Bill should include this.

What amendments would the RSPCA like to see to the Trade Bill?

To ensure there is language on animal welfare in each FTA, there needs to be an amendment to **Clause 2(3)(c) and Clause 2(4)(e)**:

It is agreed that any international trade agreements have an animal welfare chapter that recognises that animals are sentient beings, recognises that members of the FTA undertake to exchange information, expertise and experiences in the field of animal welfare with the aim to align regulatory standards, and members of the FTA strengthen their research cooperation in the area of animal welfare in particular through international fora to develop adequate and science-based animal welfare standards.

To ensure there is sufficient transparency in the trade negotiation and approval process there needs to be an amendment to **Clause 2(3)(c) and Clause 2(4)**:

A mandate for the trade negotiation is set and agreed by Parliament and approval is given by Parliament to any trade negotiation before it comes into force.

To ensure there is recognition of the Animal Welfare (Sentencing and Recognition of Sentience) Bill there needs to be an amendment to **Clause 2(3)(c) and Clause 2(4)** as follows:

The implications of any new provisions have been assessed by the Government and have regard to the sentience of animals and the process laid out under the Animal Welfare (Sentencing and Recognition of Sentience) Bill 2017.

To ensure there is sufficient expertise on agriculture and animal welfare in the Trade Remedies Authority **Clause 5(4)** needs to be amended to add:

(g) agriculture and animal welfare

For further information: politicalaffairs@rspca.org.uk

www.politicalanimal.org.uk