

Written evidence submitted by James Dippie (TB18)

FOR THE ATTENTION OF: *The House of Commons Public Bill Committee - Trade Bill*

I am a member of both *Trade Justice Scotland Coalition* & *Global Justice Now Ayrshire* and I understand that "*The Public Bill Committee is scheduled to conclude by Thursday 1 February 2018, but could finish earlier.*"

In recent years I have become aware of the TTIP & CETA Trade Agreement negotiations and acutely concerned at proposed features and procedures involved.

While TTIP is currently dormant and CETA is awaiting EU member Parliament ratification, my main concerns now relate to the Westminster Trade Bill and the UK's subsequent Trade Deals negotiations.

This is particularly so as it appears that the UK Government is intent on using TTIP, CETA, TISA & their like as models for its post Brexit deliberations.

For brevity here are bullet points listing my overarching concerns:

- The UK Government Trade Deal consultancy process undertaken by Liam Fox resulted in tens of thousands of responses. It was a simple, "*under the radar*" request for email feedback rather than a detailed tabulated form. Those who responded were afforded absolutely no respect when the Trade Bill was launched within hours of the "consultation" closure - *with absolutely no due regard to the contributions of respondents.*

- During the European Referendum, an oft repeated Leave/Brexit mantra was that the UK needed its sovereignty back. We now have a fundamental "sovereignty" process being cynically disregarded as the Trade Bill appears to guarantee **no** democratic scrutiny of future trade deals by the Westminster Parliament - let alone by devolved administrations. ***This can only mean that Parliamentary sovereignty will be a myth in relation to future trade deals. If there is to be no Parliamentary sovereignty, with whom exactly will the sovereignty of the British state lie?***

- Compared to many other countries, the UK has a very poor record of Parliamentary scrutiny of trade deals by both MPs & MSPs. With regard to MSPs, this is despite trade deals impacting very significantly on devolved policy areas such as Health & the Environment. Right now ***the UK Westminster Government has an opportunity to emulate the progressive Parliamentary mechanisms of trade deal agreement accountability & scrutiny developed by other countries. Instead it appears totally committed to pursuing a strategy of no Parliamentary accountability, scrutiny or sovereignty.***

- A huge worry is that of corporate arbitration courts, such as TTIP's *Inter State Dispute Settlement*, ISDS, which would operate out-with the UK's judicial systems in order to "settle"

challenges by corporations to “Sovereign” Parliaments when the corporation(s) believe that the Parliament(s) is/are implementing policies which the corporation(s) claim would adversely affect its/their profits.

Under the current draft Trade Bill the UK Government would be vulnerable to such instances but nothing like as vulnerable as devolved Governments which adopt policies which digress from those of the UK Westminster Parliament/Government. It seems entirely likely that were a devolved Parliament to adopt a different policy position from Westminster that its Parliamentary sovereignty would not be recognised.

My understanding is that should such a situation arise with a devolved Parliament becoming challenged by a corporation, it would be the Westminster Government which would defend against the challenge, with informed input from the devolved Parliament, but the devolved Parliament would have to foot the bill if its case were to be lost.

I am extremely worried that the rush to process this Trade Bill will result in trade deal negotiating guidelines which, in turn, will enhance corporate & multi-national interests at further expense of community, service industry and environmental protection & development, both within the UK and worldwide.

I therefore appeal to the Committee to give due & appropriate consideration to the above bullet points (and other written submissions) when adopting amendments to the Bill.

Best wishes in your deliberations,

James Dippie
January 2018