

HOUSE OF LORDS

International Agreements Committee

6th Report of Session 2023–24

**Scrutiny of international
agreements: UK accession
to the Comprehensive and
Progressive Agreement for
Trans-Pacific Partnership**

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International Agreements Committee

The International Agreements Committee is appointed by the House of Lords in each session to consider, and where appropriate report on, 1) matters relating to the negotiation, conclusion and implementation of international agreements, and 2) treaties laid before Parliament in accordance with Part 2 of the Constitutional Reform and Governance Act 2010.

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See Appendix 1.

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Committee staff

The Committee Staff are Rhiannon Williams (Clerk), Cathy Adams (Legal Adviser), Sophie Andrews-McCarroll (Policy Analyst), Bruce Sinclair (Interim Policy Analyst) and Clayton Gurney (Committee Operations Officer)

Contact details

All correspondence should be addressed to the International Agreements Committee, Committee Office, House of Lords, London SW1A 0PW. Telephone 0207 219 4585. Email HLINTLAGREEMENTS@parliament.uk

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Q in footnotes refers to a question in oral evidence.

SUMMARY

In July 2023 the terms for the UK's accession to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) were agreed by the existing parties to the CPTPP. The UK Accession Protocol has now been laid before Parliament. The UK is the twelfth country to join and the second largest economy after Japan. Upon UK accession the bloc will represent 15 per cent of global GDP with potential for significant further growth. The Government's impact assessment expects the GDP of CPTPP countries (excluding the UK) to grow by £2.4 billion by 2040 (in 2021 prices).¹

Despite projections that CPTPP will bring limited economic benefits to the UK in the medium to long-term, the accession of the UK could be of strategic importance, especially in shaping the future development of CPTPP and geopolitical influence in the region. However, the effective implementation of CPTPP is key to maximising any potential benefits and building capacity for the future.

Chapter 2 of this report addresses market access for UK goods and services provided by the terms of accession. Aside from new market access to Malaysia and Brunei, the opportunity for growth is minimal because of the existing FTAs with the other countries. We outline issues relevant to market access for goods, including protection of agriculture and food standards and how rules of origin provisions could present opportunities to develop new business models that could benefit UK manufacturers. However, we also draw attention to fears that the same rules could lead to unfair domestic competition in some sectors. Chapter 2 also considers environmental concerns which could not be addressed in the accession process. The UK will have the opportunity to address such concerns through influencing the future development of CPTPP.

We outline the market access for services and find that while these contain features which will improve legal certainty and facilitate digital trade, they will not produce a significant overall increase in access other than with Malaysia and Brunei. We also consider how the services chapter of CPTPP could be developed further.

The final issues discussed in Chapter 2 are concerns about the incompatibility of CPTPP's provisions on patents with the UK's ongoing participation in the European Patent Convention, as well as some controversy over the use of Inter-State Dispute Settlement (ISDS) measures. While the former has been satisfactorily resolved, we call on the Government to set out a clearer approach to ISDS to reassure stakeholders that their concerns are being addressed.

In Chapter 3 we welcome the overall strategic significance of the agreement and note some areas where further clarification is required. We acknowledge the potential advantage of CPTPP as part of a post-Brexit "tilt" to the Indo-Pacific. However, we find that there is a lack of detail on how the Government intends to utilise CPTPP as the trade strand of this strategy. We think there is some, albeit limited, value in CPTPP membership providing access to a forum for

1 Department for Business and Trade: *Impact assessment of the UK's accession to the CPTPP executive summary* (17 July 2023): <https://www.gov.uk/government/publications/cptpp-impact-assessment/impact-assessment-of-the-uks-accession-to-the-cptpp-executive-summary-web-version> [accessed 22 February 2024]

members committed to a free, open trade order to cooperate in a challenging trading environment increasingly characterised by protectionism.

We note that the difficulties at the WTO amplify the importance of plurilateral rules-based trade agreements such as CPTPP, which could offer a forum for discussion of new trade policy initiatives. In any future development of CPTPP, we recommend that the Government prioritise innovations in climate and trade in environmental goods and services, digital services and trade, and professional services. We welcome future applications from other countries which meet the accession principles but note the sensitive geopolitical concerns around the applications of China and Taiwan. We call on the Government to subject future applications to the same consultation process and modelling as they would for a new FTA partner, and further welcome the Government's commitment to subject future accessions to the Constitutional Reform and Governance Act 2010 (CRAG) procedures. We reiterate the need for the Government to publish a trade policy with clearly defined objectives as this would help inform future scrutiny of trade agreements.

In Chapter 4 we consider priorities for the implementation of CPTPP. We identify two main priorities: a push to engage UK businesses about how they can use CPTPP for maximum benefit; and a strategic plan identifying how the UK can shape CPTPP's future development.

In relation to the first, we welcome the Government's measures to engage with business. However, we are concerned that these measures may not reach the businesses most affected by barriers such as lack of knowledge and experience of FTAs, and a lack of capacity, particularly among SMEs. We therefore consider that new approaches are required. We recommend that the Government should establish a CPTPP task force that centres on a regional roadshow to engage businesses, including mechanisms to evaluate its success. When the life of the task force comes to an end, we recommend that the expertise and experience of staff be retained and deployed to continue engaging with those using CPTPP, updating them on the outcomes of the General Review, and reaching out to new businesses. We also note the need to address concerns we heard about the standard of online information available for businesses.

In considering the UK's ability to shape the future development of CPTPP, we conclude that the UK should focus on capacity building. We welcome the current consultation on the General Review of CPTPP and call on the Government to set out its priorities as part of a longer-term plan for the development of CPTPP. We believe that the Government should continue with a programme of stakeholder engagement which builds on that currently underway for the General Review, keeping them and us informed on developments in CPTPP chapters. Where CPTPP members cannot agree on issues raised at the General Review we call on the Government to go further on a bilateral or plurilateral basis. Once the General Review has been completed the Government should publish its priorities for developing the agreement.

To further support capacity building, we recommend that the UK, as well as maintaining its own capabilities, should respond positively to initiatives to establish a small and lean standing secretariat to support the rotating chairs and retain key expertise.

We welcome the improvements in consulting with the devolved nations and reiterate our call to ensure their views are represented throughout future negotiations. Consultation should be reflected in detailed assessments of the impact on the devolved nations. These impact assessments should be shared at the earliest opportunity to allow adequate time for any mitigation of adverse effects in sectors such as agri-food. We believe that Northern Ireland's direct trade with CPTPP countries is likely to face restrictions which do not apply to the rest of the United Kingdom, and call on the Government in its response to provide further detail and to monitor the impact of the Windsor Framework in this regard.

Scrutiny of international agreements: UK accession to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership

CHAPTER 1: INTRODUCTION

This report and our inquiry

1. On 16 July 2023 the Government signed a Protocol on UK accession to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP). The Accession Protocol² was laid before Parliament under the Constitutional Reform and Governance Act 2010 on 19 February 2024. The Parliamentary scrutiny period under that Act expires on 22 March 2024.
2. In November 2021 we published a report scrutinising the Government's Negotiating Objectives for the accession process. We noted then that "Most witnesses supported the Government's aspiration to join CPTPP" though the most immediate issue was "the need for particular carve-outs" from intellectual property provisions.³
3. We opened our inquiry into CPTPP accession in July 2023 and held six oral evidence sessions with 14 witnesses. We also received 29 pieces of written evidence from a variety of organisations and individuals, including trade experts, trade bodies, academic experts, professional membership organisations, the devolved administrations, non-governmental organisations, representatives of the governments of Australia and Canada, and the UK Government. We are grateful to all those who contributed to our inquiry (see Appendix 2).
4. The Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) is a trade agreement between 11 countries: Australia, Brunei, Canada, Chile, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore, and Vietnam. CPTPP is an evolution of the Trans-Pacific Partnership (TPP) agreement which was signed by these parties together with the United States in 2016. The US subsequently withdrew from the TPP and the remaining countries revised the agreement and re-named it CPTPP. CPTPP entered into force on 30 December 2018.
5. CPTPP offers preferential access for UK business to member markets in the Asia Pacific region, though the UK already has FTAs with all CPTPP

2 Foreign, Commonwealth and Development Office, *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership*, CP 1017 Volume 1 (February 2024): https://assets.publishing.service.gov.uk/media/65d32ad20f4eb1ec90a98121/MS_2.2024_Protocol_Accession_UK_CPTPP_v1.pdf [accessed 22 February 2024]

3 International Agreements Committee, *UK accession to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP): Scrutiny of the Government's Negotiating Objectives* (10th Report, Session 2021–22, HL Paper 94)

countries except Malaysia and Brunei. Other members could however join in the future, and new commitments may be added to the text.

6. For the UK, CPTPP is more than a trade agreement. It also reflects the post-Brexit “Indo-Pacific tilt” alongside for example the Australia-UK-US defence partnership (AUKUS). On this basis, membership of CPTPP will provide a seat at the table when decisions are made about its development. In this context, accession to CPTPP can be viewed as strategically significant.
7. **We broadly welcome the accession of the UK to CPTPP. However, it remains to be seen whether the Government’s intended trade and geopolitical benefits will materialise.**
8. **We bring the Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership to the special attention of the House on the grounds that it is politically important and gives rise to issues of public policy. We make this report to the House for debate.**

CHAPTER 2: TERMS OF ACCESSION

Overall economic benefits

9. As CPTPP is an existing trade agreement, the UK was required to accept its established terms subject to some limited exceptions, and the negotiation of market access schedules.⁴ The Government’s Impact Assessment of the economic benefits of accession to CPTPP suggests a “£2.0 billion GDP gain each year in the long run”.⁵ This equates to approximately 0.08 per cent of GDP. More recently The Office for Budget Responsibility suggested a lower figure equating to 0.04 per cent of GDP.⁶ A number of witnesses to the inquiry confirmed that accession to CPTPP will represent only modest economic gain.⁷
10. However, the Impact Assessment suggests a broader, long-term purpose, stating that the estimate:

“... does not capture the potential economic benefits that could arise from CPTPP expanding further and acting as a pathway to greater integration in the region and beyond. This is in fact the fundamental strategic reason for pursuing accession to CPTPP.”⁸

Economic and trade issues (1)—goods market access

11. According to the Impact Assessment, “99 per cent of current UK goods exports to CPTPP members will be eligible for tariff-free trade” and removing nearly all tariffs imposed on UK imports “could reduce import prices for UK businesses and consumers”.⁹ In written evidence, the Department for Business and Trade said that UK accession would provide further economic benefits from new trade in goods. These include “enhanced market access to Malaysia and Brunei for the first time ... new market access opportunities with countries with which the UK already has Free Trade Agreements ... and faster tariff elimination on a range of products into Viet Nam”.¹⁰ We received very little evidence on any benefits to UK consumers. Two witnesses suggested that any potential benefits would be marginal.¹¹

4 Department for Business and Trade, *CPTPP: annexes* (July 2023): <https://www.gov.uk/government/publications/cptpp-annexes> [accessed 10 January 2024]

5 Department for Business and Trade, *Impact Assessment of the accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (July 2023), pp 7–8: https://assets.publishing.service.gov.uk/media/64b408f248826b000d3a9ee0/cptpp_impact_assessment.pdf [accessed 15 January 2024]

6 ‘UK’s flagship post-Brexit trade deal worth even less than previously thought, OBR says’, *The Guardian* (25 November 2023): <https://www.theguardian.com/politics/2023/nov/25/uks-flagship-post-brexit-trade-deal-worth-even-less-than-previously-thought-obr-says> [accessed 15 January 2024]

7 Written evidence from Centre for Inclusive Trade Policy, UK Trade Policy Observatory (ACP0028); Professor David Collins (Professor of International Economic Law at City, University of London) (ACP0003) and Dr Sarah Tzinieris (Research Fellow at King’s College London) (ACP0002)

8 Department for Business and Trade, *Impact Assessment of the accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (July 2023), pp 7–8: https://assets.publishing.service.gov.uk/media/64b408f248826b000d3a9ee0/cptpp_impact_assessment.pdf [accessed 15 January 2024]

9 Department for Business and Trade, *Impact Assessment of the accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (July 2023), p 4: https://assets.publishing.service.gov.uk/media/64b408f248826b000d3a9ee0/cptpp_impact_assessment.pdf [accessed 15 January 2024]

10 Written evidence from Department for Business and Trade (ACP0007)

11 Written evidence from: British Chambers of Commerce (ACP0016) and Dr Sarah Tzinieris (Research Fellow at King’s College London) (ACP0002)

12. **We welcome any additional economic benefits as a result of accession to CPTPP, particularly through market access to Malaysia and Brunei for the first time. However, we also acknowledge the limited economic gains suggested by current projections.**

Rules of origin

13. One key element of CPTPP is that members enjoy the benefits of cumulation which means that UK goods can benefit from preferential tariff treatment where they incorporate material originating from other CPTPP countries.¹² Lord Johnson of Lainston, Minister for Investment at Department for Business and Trade, told us that,

“We ... are entering into a structure that, when you consider the complexities of modern trade, gives us huge advantages when dealing with the issue of rules of origin ... that enable us to source components from CPTPP countries and that allow the goods to move around, as they do, in the production cycle and benefit from the intercountry tariff-free quota access, which is very important.”¹³

14. We received mixed evidence about how effectively British businesses thought they could use the rules of origin to their advantage.¹⁴ We were told about a number of factors which could act as barriers in the use of the rules of origin provisions, including geographical distance, business capacity, and lack of knowledge and experience.
15. While the UK agricultural sector told us it did not think it could use the rules of origin because of perishability and the huge distances between the UK and other CPTPP countries, one sector which thought it could benefit was the seafood industry.¹⁵ Seafish, a public body supporting the industry, said they could bring in frozen seafood from other CPTPP countries and carry out processing operations such as filleting or salting, concluding: “Overall we think these flexible rules of origin will be beneficial and gives the processing sector more choice and opportunities.”¹⁶
16. We were told that the rules of origin were complicated to use, especially alongside other existing trade deals, and that this may act as a barrier due to the time, effort and associated administration required which could put off some businesses attempting to use them. Commenting on her experience of working with businesses aiming to make practical use of rules of origin provisions in other free trade agreements, Sally Jones, a partner at Ernst & Young, an international accounting firm, told us that:

“the rules of origin provisions are nightmarishly difficult to cut through for anybody. Experts spend entire careers advising businesses on how to make the provisions of rules of origin work, so it is very difficult to say anything too generic other than that they are tricky ...”¹⁷

12 This is in contrast with the 99 per cent of goods which will be tariff free mentioned in para 11, which refers to goods wholly produced in the UK.

13 [Q 58](#) (Lord Johnson of Lainston)

14 Written evidence from: Professor David Collins (Professor of International Economic Law at City, University of London) ([ACP0003](#)); Transform Trade ([ACP0024](#)) and Scotch Whisky Association ([ACP0018](#))

15 Written evidence from Dr Sarah Tzinieris (Research Fellow at King’s College London) ([ACP0002](#))

16 Written evidence from Seafish ([ACP0027](#))

17 [Q 23](#) (Sally Jones)

17. The Trade Policy Observatory and Centre for Inclusive Trade Policy told us that “the benefit of using the CPTPP rules of origin as opposed to existing bilateral agreements is very product-specific”,¹⁸ citing the example of car engines and the consequences which need to be considered when deciding which trade agreement to use:

“... trading with Australia and New Zealand under the CPTPP terms would imply complying with more restrictive rules of origin for UK firms than under existing bilateral agreements. Thus, firms targeting those markets, to access easier [rules of origin] under the bilateral agreements, may not be able to use “originating” inputs from other CPTPP members.”¹⁹

18. As the UK already has FTAs with nine of the eleven existing CPTPP members, we heard that it will be important for businesses to develop the ability to navigate between different rules of origin provisions.²⁰ This ability would largely depend on the capacity of a business to handle the administration, as well as its knowledge and experience.²¹ Kate Foster, Head of International Affairs at the Federation of Small Businesses, told us:

“Trade in general is quite daunting for small businesses ... it always comes back to the same few things: it is expensive, there is a lot of paperwork, and there is a lot they do not know, and they do not know that they do not know it They do not have trade departments. They do not have trade staff, necessarily. They are doing it on top of everything else.”²²

19. Kate Foster also told us: “... the awareness of FTAs is really low.” Sally Jones, partner at Ernst & Young, agreed in relation to UK businesses in general, stating that “the take-up by businesses of free trade agreements in usage is really quite low”.²³

20. The Government told us that they were aware of some of the new challenges presented by the rules of origin and had plans in place to address them. Rob Cook, Deputy Director for CPTPP at the Department for Business and Trade, told us:

“The key point is that we know that this is complex for businesses. That is why we are really focused on the agenda of what we call utilisation: how we are going to support businesses to use this. We know that the rules

18 Written evidence from Centre for Inclusive Trade Policy, UK Trade Policy Observatory ([ACP0028](#))

19 *Ibid.*

20 We heard evidence supporting this: [Q 42](#) (Colin Barker, The Senior Trade Commissioner, High Commission of Canada and Elisabeth Bowes, Deputy High Commissioner, Australian High Commission)

21 The House of Commons International Trade Committee heard about the time, effort and administrative demands of doing this. “We also heard from Eduardo Pedrosa, Secretary General, Pacific Economic Co-operation Council, that the CPTPP’s arrangements for certification of goods as originating was significant: ‘[...] under most FTAs, you would need a chamber of commerce or someone else to certify that you are compliant with the rule of origin. Under the CPTPP rules, you can actually self-certify that you have complied. Who checks that afterwards? It will take a better man than me. It is about 200 pages of product-specific rules of origin.’ International Trade Committee, *CPTPP: opportunities and challenges for the UK* (Sixth Report, Session 2022–23, HC 13) See also, The Australian Government, *Guide to obtaining preferential tariff treatment when exporting and importing goods using CPTPP* (September 2021) p 9: <https://www.dfat.gov.au/sites/default/files/guide-to-obtaining-preferential-tariff-treatment-when-exporting-and-importing-goods-using-cptpp.pdf> [accessed 31 January 2024]

22 [Q 21](#) (Kate Foster)

23 [Q 20](#) (Sally Jones)

of origin provisions, for example, are very complex, so we are thinking really carefully. We have a dedicated utilisation team. How do we make sure that we have the provision, the guidance and everything in place?”²⁴

21. **We welcome the Government’s awareness of the issues around the use of rules of origin provisions. There is a clear opportunity for UK manufacturers to develop new business models, but equally member countries that are geographically closer to each other may find it easier to develop integrated supply chains. Overall, we are concerned about the extent to which businesses in general, and SMEs in particular, will be able to take advantage of the provisions on offer and call on the Government to monitor this carefully. Implementation will be a key factor, particularly for businesses not currently exporting goods.**
22. One of the products which the Government expects will benefit from the rules of origin provisions is automobiles.²⁵ The Government negotiated a side letter as part of CPTPP accession with Malaysia which provides more preferential terms of cumulation to the UK automotive sector than the standard CPTPP terms. The Government told the Committee that:

“The UK side letter with Malaysia on Automotive Rules of Origin goes beyond CPTPP rules and is specifically designed to benefit UK exporters. Its improved terms will make it easier for UK manufacturers to export finished vehicles to Malaysia, providing them with new opportunities to grow.”²⁶
23. The side letter lowers the member-country originating content from 55 per cent to 25 per cent to qualify for the rules of origin tariff reductions when exporting automobiles into Malaysia. However, The Society of Motor Manufacturers and Traders cautioned that the “potential benefits [of CPTPP] should not be overstated”,²⁷ and we note in this regard the strong competition in Malaysia from Chinese-produced electric vehicles.²⁸ Moreover, the special rules of cumulation in this case are presumed also to apply to automobiles imported into the UK. This could seriously affect UK producers, although it may be of benefit to consumers.
24. **We welcome the provisions in the side letter signed with Malaysia to support the growth of the UK automotive sector, but note the reservations of the Society of Motor Manufacturers and Traders. We call on the Government to set out its analysis of the effect of Chinese market competition.**

Agriculture and food

25. The Government stated that accession to CPTPP “offers significant benefits for UK agri-food businesses, while also maintaining strong protections for

24 [Q 72](#) (Rob Cook)

25 Written evidence from British Chambers of Commerce ([ACP0016](#))

26 Written evidence from Department for Business and Trade ([ACP0007](#))

27 The Society of Motor Manufacturers and Traders, *UK Automotive Trade Report 2023: Open Roads – Driving Britain’s global automotive trade* (2023), p 32: <https://www.smmmt.co.uk/wp-content/uploads/SMMT-Automotive-Trade-Report-2023.pdf> [accessed 27 January 2024]

28 ‘Chinese Electric Vehicles Expand Global Reach, Export Growth Surges by 84%Outside China’ *China Money Network* (19 December 2023): <https://www.chinamoneynetwork.com/2023/12/19/chinese-electric-vehicles-expand-global-reach-export-growth-surges-by-84-outside-china> [accessed 20 January 2024]

the UK's sensitive agricultural products".²⁹ It said it would allow British food producers further opportunities to sell produce into the markets of the Americas and Asia-Pacific. This includes zero tariffs on chocolate and confectionery products sold into Malaysia and Mexico, lower tariffs for UK dairy products in Canada, Chile, Japan and Mexico, and enhanced access to Mexico for UK beef, pork, poultry, and lamb. The protections on imports into the UK mean access for sensitive agricultural products at reduced or zero tariffs will be introduced over time, typically between five and ten years, giving producers time to adjust to any net trade flows. Moreover, permanent annual limits have been agreed on volumes of the most sensitive agricultural products, including beef, pork, chicken, milled rice, and sugar.

UK food exports to CPTPP members

26. While the Government stated that the benefits were "significant" we received evidence from Dairy UK and the Scottish Government stating that CPTPP accession would only provide some limited opportunities for UK food producers.³⁰ Dairy UK said that "Where [additional concessions] exist, they are largely in the form of sharing existing CPTPP tariff rate quotas with other member countries" so the UK will have to negotiate with these countries on how the existing concessions will be shared.³¹ The National Farmers' Union told us that accession "could provide opportunities" with potential for the UK's beef, sheep, and dairy sectors to grow exports. They noted that one advantage which particularly favoured the UK was food safety. UK exporters were well placed to meet growing demand due to the "... safe, traceable, and audited food supply chains".³² Aside from this, the product that was identified as most likely to benefit significantly was Scotch whisky.³³ The Scotch Whisky Association told us that the elimination of Malaysia's import tariff could double exports during the 10 year phase out period. However, it warned that this could be offset by the Malaysian Finance Ministry "increasing the excise tax rates on spirits like Scotch Whisky, as happened in Vietnam following the implementation of the EU-Vietnam, and now UK-Vietnam FTA."³⁴

CPTPP member food imports into the UK: animal health and welfare standards

27. Dairy UK told us that accession will create "significant opportunities for CPTPP members to export dairy products to the UK ... There will be some constraints on the ability of CPTPP countries to exploit this opportunity".³⁵ These constraints included price sensitivity, a lack of regular exportable surpluses, and the inability to meet the requirements of UK domestic law. Several witnesses³⁶ identified egg products and pig meat from Mexico and Canada as a potential threat to UK producers as "both countries have lower standards than the UK", which could therefore potentially undercut the

29 Written evidence from Department for Business and Trade ([ACP0007](#))

30 Written evidence from: Dairy UK ([ACP0004](#)) and Scottish Government ([ACP0008](#))

31 Written evidence from Dairy UK ([ACP0004](#))

32 Written evidence from National Farmers' Union of England and Wales ([ACP0013](#))

33 Written evidence from Scottish Government ([ACP0008](#)) and Chivas Brothers Ltd ([ACP0021](#))

34 Written evidence from Scotch Whisky Association ([ACP0018](#))

35 Written evidence from Dairy UK ([ACP0004](#))

36 Written evidence from: RSPCA ([ACP0001](#)) noted pig production costs were 31 per cent lower than those of the UK; Scottish Government ([ACP0008](#)) and Trade and Animal Welfare Coalition ([ACP0014](#))

production costs of UK farmers.³⁷ The National Farmers' Union told us that:

“The Government has clearly negotiated a ... trade deal [which is more considered than the Australia and New Zealand trade deals] recognising the sensitivities of our farming sector by limiting market access in the most vulnerable areas. However, we still have serious concerns about the cumulative impact of trade deals on British food production, especially for those sectors which already face very challenging market conditions, such as our beef, poultry and pork farmers.”³⁸

28. **In general, we welcome the good balance achieved between new market access for food exporters and access to the UK market, particularly as this issue was previously raised in relation to the trade agreement with Australia.**³⁹
29. The Government told us that the CPTPP agreement preserved the right to regulate and protect human, animal and plant life. It stated that decisions on standards remain a matter for the UK and will be made separately from any trade agreements. It added:

“The UK’s existing precautionary approach to sanitary and phytosanitary (SPS) controls is consistent with CPTPP rules and the agreement will not require the UK to compromise on our existing import requirements. All food and drink products imported into the UK will still have to meet our import requirements.”⁴⁰
30. This was supported in evidence we received from the RSPCA and the Trade and Animal Welfare Coalition. They told us that “the UK has successfully defended its animal health SPS standards and will not permit imports of products such as hormone beef, chlorine washed chicken and ractopamine injected pork from those countries that use those methods, illegal in the UK”.⁴¹ However, both organisations expressed regret that animal welfare standards had not been protected in the same manner and, as noted above, could lead to lower production costs undercutting UK farmers in the long run.
31. Dr Giulia Claudia Leonelli, Assistant Professor of Law at LSE Law School, pointed in oral and written evidence to some level of risk to the UK’s precautionary approach to SPS controls from CPTPP. She outlined a scenario in which the CPTPP dispute settlement procedures could lead to the UK being required to accept another country’s SPS levels as equivalent, possibly leading to regulators being hesitant to enforce standards for fear of legal challenges, or “regulatory chill”—where a government may be hesitant to regulate effectively in the public interest for fear of legal challenge from investors.
32. Dr Leonelli gave us an example of her fears about the risk to the UK’s precautionary approach posed by CPTPP. She outlined a scenario in which the UK adopts a revised maximum residual limit for pesticides which is lower

37 Written evidence from RSPCA ([ACP0001](#))

38 Written evidence from National Farmers’ Union ([ACP0013](#))

39 International Trade Committee, *UK trade negotiations: Agreement with Australia* (Second Report, Session 2022–23, HC 117)

40 Written evidence from Department for Business and Trade ([ACP0007](#))

41 Written evidence from: RSPCA ([ACP0001](#)) and Trade and Animal Welfare Coalition ([ACP0014](#))

than previously. Another CPTPP party may object to this new maximum limit, as its maximum limit remains much higher, meaning its access to the UK market is restricted for this product. Under CPTPP rules, this party could ask the UK to recognise its maximum residual limits as equivalent to those produced in the UK. Should the UK refuse this request, the situation would be open to state-to-state dispute settlement.⁴²

33. The Trade and Agriculture Commission (which provides expert advice to the Government on relevant aspects of new FTAs) were tasked with advising on the extent to which provisions of CPTPP were consistent with the maintenance of UK levels of statutory protection in relation to:
- (a) animal or plant life or health
 - (b) animal welfare, and
 - (c) environmental protections.

It found that CPTPP did not require the UK to change its levels of statutory protection in relation to any of these areas, that it strengthened the UK's ability to maintain its levels of statutory environmental protection, and it did not otherwise affect the ability of the UK to adopt statutory protection in these areas.⁴³ This report was laid before Parliament on 7 December 2023 under section 42 of the Agricultural Act 2020 when these findings were affirmed. However the full section 42 report⁴⁴ does confirm Dr Leonelli's point that the application of the CPTPP Dispute Settlement Mechanism to parts of the chapter means that future UK SPS measures may be at risk of being challenged, in addition to the existing recourse via the WTO Dispute Settlement Process.

34. **We welcome the report from the Trade and Agriculture Commission stating that UK food and drink rules do not have to change as a result of CPTPP accession. We note however the potential risk of challenge to these rules in the future.**
35. ***We call on the Government to set out how it intends to address the potential risk of equivalence provisions leading to "regulatory chill".***

The environment

36. CPTPP includes an environmental chapter which recognises a country's sovereign right to regulate for its own levels of environmental protection. The Government told us that this included "the pursuit of reaching net zero and other environment goals". The chapter also affirms that parties will implement multilateral environmental agreements such as the Paris

42 [Q 5](#) (Dr Giulia Claudia Leonelli) and written evidence from: Dr Giulia Claudia Leonelli (Assistant Professor of Law at LSE Law School) ([ACP0005](#)). The following evidence also stated this concern: PAN UK ([ACP0022](#)) ; Dr Sarah Tzinieris (Research Fellow at King's College London) ([ACP0002](#)).

43 Department for Business and Trade, *Trade and Agriculture Commission: Advice to the Secretary of State for Business and Trade on the UK's Accession Protocol to CPTPP*, CP 982, (December 2023): <https://assets.publishing.service.gov.uk/media/657192bd746930000d48897a/advice-from-trade-and-agriculture-commission-tac-to-the-secretary-of-state-for-business-and-trade-on-measures-in-the-uk-cptpp-fta.pdf> [accessed 15 January 2024]

44 Department for Business and Trade, *Report pursuant to Section 42 of the Agriculture Act 2020: Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (January 2024), pp 13–19: <https://assets.publishing.service.gov.uk/media/659bfc42c23a1000128d0c64/report-pursuant-to-section-42-of-the-agriculture-act-2020-cptpp.pdf> [accessed 1 February 2024]

Agreement and covers “wider environmental areas such as biodiversity, ozone layer protection and pollution”. The chapter contains “commitments not to waive, derogate from, or fail to enforce environmental laws in order to encourage trade or investment between parties”. These commitments are binding and enforceable, and subject to the dispute resolution mechanism of the agreement.⁴⁵

37. However, we received evidence from several witnesses who raised concerns about the environmental chapter of the agreement. Along with other witnesses, Transform Trade (a charity campaigning for people-centred trade) noted that in order to enforce the environmental commitments a party had to show that standards have been weakened to gain a trade advantage, and this was “notoriously difficult” to do.⁴⁶ The National Farmers’ Union noted that the environmental chapter “appears to signal little beyond what countries have already committed to.”⁴⁷
38. The Government also told us that: “As part of joining CPTPP, the UK has secured a Joint Statement on the Environment with a number⁴⁸ of other CPTPP parties, setting out our shared commitment to working together on environmental issues and combating climate change”.⁴⁹ The Scottish Government welcomed this as broadly in line with the principles in their own trade strategy. However, they expressed concern “that it was only signed by five existing members and that the language was less robust than we would have wished.”⁵⁰
39. One area which we were told was of particular concern was the potential increase in deforestation and greenhouse gas emissions due to lower tariffs on Malaysian palm oil. This could “further undermine indigenous and local community land rights, and threaten natural habitats for species like orangutans”.⁵¹ The Government told us, “... the UK Malaysia Joint Statement sets out that both Parties will continue to uphold their existing commitments through the UN Framework Convention on Climate Change and the Paris Agreement, the Convention on Biological Diversity, the UN Convention to Combat Desertification and the Glasgow Leaders Declaration”.⁵² However, we were told this was “simply a statement of intent and has no legal basis. It also contains no commitments about reducing deforestation.”⁵³
40. The Government’s Impact Assessment states: “the UK’s accession to CPTPP is not expected to lead to a net increase in overall Malaysian palm

45 Written evidence from Department for Business and Trade ([ACP0007](#))

46 Written evidence from: Global Justice Now ([ACP0011](#)); Transform Trade ([ACP0024](#)) and Trade Justice Movement ([ACP0017](#))

47 Written evidence from National Farmers’ Union of England and Wales ([ACP0013](#))

48 Australia, Canada, Japan, New Zealand, and the Republic of Chile

49 Written evidence from Department for Business and Trade ([ACP0007](#))

50 Written evidence from Scottish Government ([ACP0008](#))

51 Written evidence from: Trade Justice Movement ([ACP0017](#)): mentioned in Dr Sarah Tzinieris (Research Fellow at King’s College London) ([ACP0002](#)); Scottish Government ([ACP0008](#)); Global Justice Now ([ACP0011](#)); The Zoological Society of London - ZSL ([ACP0020](#)); Transform Trade ([ACP0024](#)); Centre for Inclusive Trade Policy, UK Trade Policy Observatory ([ACP0028](#)) and [Q 6](#) (Dr Giulia Leonelli)

52 Written evidence from Department for Business and Trade ([ACP0007](#))

53 Written evidence from Dr Sarah Tzinieris (Research Fellow at King’s College London) ([ACP0002](#)). Other witnesses also expressed this view, including Trade Justice Movement ([ACP0017](#)); The Zoological Society of London - ZSL ([ACP0020](#)); and Transform Trade ([ACP0024](#))

oil production”.⁵⁴ Dr Sarah Tzinieris, research fellow at King’s College London, told us about further analysis of this issue from the Agricultural and Horticultural Development Board (AHDB) showing that “the UK’s import of palm oil remained fairly static throughout [the period from 2015 to 2023], despite the price of palm oil at various times becoming cheaper in relative terms than other types of vegetable oil”.⁵⁵ However, along with other witnesses,⁵⁶ she thought it improbable that no increase in deforestation would be caused by lowering the current tariff from 12 per cent to zero. Moreover, she pointed out that if the AHDB’s analysis did hold true, that the UK’s demand for palm oil remained steady regardless of changes in the price, then retaining the 12 per cent tariff would also not result in a change to this demand. She said that if the UK Government had insisted on retaining this tariff it could have sent a signal about the UK’s attitude towards deforestation. As such, she suggested that the UK had missed an opportunity to seek improvements in the palm oil sector in Malaysia and recommended it should seek to address this issue in future.⁵⁷ We agree.

41. **We welcome the Joint Statement on the Environment and the CPTPP provisions on environmental protection. We also note the concerns raised by witnesses, particularly regarding UK import of palm oil. However, as the UK was signing up to an existing agreement it was required largely to accept the terms as stated.**

International labour standards

42. The Government has stated that “CPTPP raises labour standards by ensuring members adopt and maintain the internationally recognised labour rights enshrined in the 1998 International Labour Organisation (ILO) Declaration, to which the UK is a signatory, including on freedom of association and elimination of forced and child labour”. Additionally, it requires members to adhere to regulations in accordance with international standards relating to acceptable conditions of work, including on minimum wages.⁵⁸
43. We received evidence on the potential risk of CPTPP accession to workers’ rights. Dr Sarah Tzinieris told us that although the Labour chapter of CPTPP provided for sanctions in the case of violations of labour standards commitments, she doubted their effectiveness. This was because any case would have to prove a link between labour rights abuses and CPTPP trade. To illustrate this, she told us about the first labour case brought under the arbitration mechanism of a free trade agreement with comparable provisions, where although the United States was successful in showing Guatemala had

54 Department for Business and Trade, *Impact Assessment of the accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (July 2023), p 80: https://assets.publishing.service.gov.uk/media/64b408f248826b000d3a9ee0/cptpp_impact_assessment.pdf [accessed 15 January 2024]

55 Written evidence from: Dr Sarah Tzinieris (Research Fellow at King’s College London) (ACP0002)

56 Written evidence from: Trade Justice Movement (ACP0017); The Zoological Society of London - ZSL (ACP0020)

57 This was supported by other written evidence from: Trade Justice Movement (ACP0017); The Zoological Society of London - ZSL (ACP0020)

58 Department for International Trade, *UK Accession to CPTPP: The UK’s Strategic Approach* (2021), p 23: <https://assets.publishing.service.gov.uk/media/61728409e90e071977182a5d/dit-cptpp-uk-accession-strategic-approach.pdf> [accessed 18 January 2024]

failed to enforce labour laws it could not prove this was affecting trade.⁵⁹ Similar concerns about the potential effect on international labour have also been noted by the Trades Union Congress.⁶⁰

44. ***We urge the Government to monitor closely the employment practices of our CPTPP partners and be prepared to act should it identify issues.***

Economic and trade issues (2)—services market access

45. The CPTPP chapter on services contains rules governing key UK export sectors such as professional and business services. The Government referred to these as “modern” and provided further details of their benefits. They told us that the new rules remove barriers to market access and outlined some of the benefits for UK suppliers under the agreement:

- UK suppliers will enjoy ‘no less favourable treatment’ than local service suppliers or those of other CPTPP members.
- In certain sectors, businesses will not be required to establish a local presence in order to supply services.
- In some areas, such as temporary entry for businesspersons, CPTPP goes further than many bilateral agreements the UK currently has with CPTPP members.
- The Agreement includes ‘standstill and ratchet obligations’ which mean that if regulatory restrictions are relaxed to make trade easier for suppliers, they cannot be reintroduced at a later date.

46. In considering the impact of these new rules for the volume of trade in services, the Trade Policy Observatory noted that “Since the UK has bilateral FTAs with nine members, CPTPP does not provide a substantial benefit to business, other than market access to Malaysia with which the UK is currently trading on an MFN [most-favoured nation] basis”.⁶¹ David Collins, Professor of International Law at City, University of London, noted that “The CPTPP also offers better market access for the UK under some of its existing FTAs, for example the UK-Canada FTA.”⁶²

47. The British Chambers of Commerce said that though “some additional market access is provided ... the main benefits lie in the facilitative provisions”.⁶³ The Trade Policy Observatory noted that, in and of themselves, these do not necessarily create an increase in the volume of trade in services through greater market access but enhance the conditions services businesses trade

59 Written evidence from Dr Sarah Tzinieris (Research Fellow at King’s College London) ([ACP0002](#)); see also: Office of the United States Trade Representative, ‘In the Matter of Guatemala – Issues Relating to the Obligations Under Article 16.2.1 (a) of the CAFTA-DR’: <https://ustr.gov/issue-areas/labor/bilateral-and-regional-trade-agreements/guatemala-submission-under-cafta> [accessed 7 January 2024]

60 TUC Briefing: *Comprehensive and Progressive Transpacific Partnership*, (April 2021): <https://www.tuc.org.uk/sites/default/files/2021-04/TUC%20CPTPP%20briefing%20April%202021.pdf> [accessed 8 January 2024]

61 Written evidence from: UK Trade Policy Observatory and Centre for Inclusive Trade Policy ([ACP0028](#)); also supported by Dr Sarah Tzinieris (Research Fellow at King’s College London) ([ACP0002](#)).

62 Written evidence from Professor David Collins (Professor of International Economic Law at City, University of London) ([ACP0003](#))

63 Written evidence from British Chambers of Commerce ([ACP0016](#))

under by providing greater legal certainty.⁶⁴ Witnesses noted that financial, legal and professional services would all benefit from “an extra layer of legal protection and a degree of regulatory harmonisation”⁶⁵ and digital trade provisions ensuring the flow of data.⁶⁶ There were also advantages from the “no less favourable treatment’ rule ... [which] provides additional certainty and protection”.⁶⁷ Greater legal certainty on the temporary entry for businesspersons was also noted as a benefit.⁶⁸

48. In her oral evidence Sally Jones, from Ernst & Young, told us that negotiations on services five years ago were “cutting edge” at the time. However, she painted a different picture of the current situation:

“The UK has taken something of a lead in services negotiations, as you would expect, given the extent to which services are critical to our economy. As a result, Australia, Japan and New Zealand deals which the UK has subsequently negotiated go even further on services than the CPTPP provisions do. So my gut feeling is that it is decent on services, but it is not cutting edge anymore.”⁶⁹

49. **We welcome the CPTPP’s provisions on services while noting that the benefits may be more limited than the Government has suggested. We note in particular the lack of provisions on the mutual recognition of professional qualifications to drive services trade.**

Intellectual property

50. In our previous report on the Government’s CPTPP Negotiating Objectives,⁷⁰ we noted a significant concern about CPTPP provisions on patents. The report pointed to the incompatibility of Article 18.38 with the UK’s participation in the European Patent Office and The European Patent Convention (EPC), presenting an economic threat to the UK patent industry.
51. The Government told us that the UK has not agreed to any provisions that would lead to divergence from the European Patent Convention (EPC). The UK will only be required to comply with Article 18.38 (the Grace Period):

“once necessary amendments to the European Patent Convention ... have been made in line with Article 18.38, and not before. As a result, the UK will not have to diverge from the EPC. This ensures there is no conflict of obligation between the EPC and CPTPP regimes.”⁷¹

64 Written evidence from UK Trade Policy Observatory and Centre for Inclusive Trade Policy ([ACP0028](#))

65 Written evidence from: Dr Sarah Tzinieris (Research Fellow at King’s College London) ([ACP0002](#)). Also supported by UK Trade Policy Observatory and Centre for Inclusive Trade Policy ([ACP0028](#)).

66 Written evidence from: Professor David Collins (Professor of International Economic Law at City, University of London) ([ACP0003](#)) and Dr Sarah Tzinieris (Research Fellow at King’s College London) ([ACP0002](#))

67 Written evidence from British Chambers of Commerce ([ACP0016](#))

68 Written evidence from: Professor David Collins (Professor of International Economic Law at City, University of London) ([ACP0003](#)) and Dr Sarah Tzinieris (Research Fellow at King’s College London) ([ACP0002](#))

69 Written evidence from British Chambers of Commerce ([ACP0016](#))

70 International Agreement Committee, *UK accession to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP): Scrutiny of the Government’s Negotiating Objectives* (10th Report, Session 2021–22, HL Paper 94)

71 Written evidence from Department for Business and Trade ([ACP0007](#))

52. Witnesses agreed that the provisions had solved the incompatibility between the regimes.⁷² In their evidence to us the IP Federation and the Chartered Institute of Patent Attorneys told us they were satisfied with this outcome.⁷³
53. **We welcome the provisions of the Accession Protocol which avoid threatening the UK's continued adherence to the European Patent Convention, and thereby resolve the major concerns expressed in our previous report on Negotiating Objectives.**

Investor-State Dispute Settlement

54. Witnesses raised a number of concerns about the potential effect of the Investor-State Dispute Settlement (ISDS) mechanism within CPTPP. They pointed out that ISDS mechanisms in existing FTAs can and have been used to challenge regulations in other countries in areas such as health and equality regulations, labour law, and taxation where it can be shown that they negatively affect foreign direct investment, even if the regulations seek to further the public good.⁷⁴
55. Witnesses also suggested that the threat of litigation and the associated expense could lead to “regulatory chill” where governments are deterred from enforcing standards in areas such as environmental protection and human rights, or from introducing timely or effective new regulations in the public interest for fear of litigation.
56. In her analysis of the potential implications for the UK’s ‘precautionary principle’ as it applies to SPS standards (discussed above), Dr Leonelli told us how the ISDS mechanism in CPTPP could affect the UK’s SPS standards. Under CPTPP rules, products must be recognised as equivalent to an exporting party’s SPS measure if the exporting party “objectively demonstrates that its own measure achieves the same level of protection.” This would allow the exporting CPTPP member to argue that the UK’s (precautionary) risk assessment is not sound or prudential, or that the risk is sufficiently low, or that the hazard has not been conclusively established. Dr Leonelli concluded: “I believe that on the basis of the WTO dispute settlement organ’s interpretative approach, its claim would be successful, which would result in remedies against the UK or, if the UK accepts the recognition of equivalence, again “regulatory chill.”⁷⁵
57. Because of issues like this, several witnesses therefore suggested that the Government should seek side letters with all CPTPP members disapplying the ISDS measures, as it had done with Australia and New Zealand. They referred to Canada in particular, as Canadian companies tended to use ISDS measures extensively.
58. The Government told us that:
- “ISDS provisions in FTAs will not hinder our right to regulate in the public interest, including in areas such as the environment and labour standards. This right to regulate is recognised in international law, and

72 Written evidence from British Chambers of Commerce ([ACP0016](#))

73 Written evidence from: Chartered Institute of Patent Attorneys ([ACP0012](#)) and IP Federation ([ACP0006](#))

74 Written evidence from: Global Justice Now ([ACP0011](#)); Dr Sarah Tzinieris (Research Fellow at King’s College London) ([ACP0002](#)); Public Health Wales ([ACP0015](#)); Trade Justice Movement ([ACP0017](#)) and Transform Trade ([ACP0024](#))

75 [Q 5](#) (Dr Giulia Claudia Leonelli)

CPTPP protects states' rights to regulate proportionately, fairly and in the public interest."⁷⁶

In addition, ISDS provisions between the UK and Australia and New Zealand had been disapplied because of the good investment relations between both parties, and the UK had never received a successful claim from any country to which it had made ISDS commitments, including CPTPP countries.

59. ***We call on the Government to set out a clearer approach to ISDS and seek to reassure stakeholders that their concerns around regulatory chill are being addressed.***

76 Written evidence from Department for Business and Trade ([ACP0007](#))

CHAPTER 3: THE STRATEGIC CONTEXT

The geopolitical context to the UK's accession to CPTPP

60. The UK's accession to CPTPP should be understood as geopolitical and strategic as well as economic. In the words of one witness: "[CPTPP] goes beyond the very granular trade in commodities to an enhanced trade and investment relationship that presents an enabling environment for a greater UK economic presence in the region."⁷⁷ Another commented that "the geopolitical significance of CPTPP membership is enormous, again almost certain yielding major economic and political benefits in the future."⁷⁸
61. We heard four main arguments for UK membership of CPTPP in the post-Brexit landscape. We will evaluate these arguments in the following sections. We also discuss the need for a Trade Policy more generally, to guide the UK's approach to trade negotiations. Finally, we review the evidence we heard about positions the UK might take within CPTPP going forward, and its scope for doing so.

Arguments for UK membership of CPTPP

62. The Indo-Pacific region is of geopolitical significance to the UK and CPTPP membership represents a key component of the UK's post-Brexit strategic "tilt" to the region. Accession to CPTPP sends an important signal about the UK's commitment. This was acknowledged and welcomed by representatives from Australia and Canada in evidence.⁷⁹
63. The rapid GDP growth of emerging economies in the Indo-Pacific means that the region is likely to become more economically significant in the long term.⁸⁰ Some sectors are already seeing the benefit of this growth, for example the Asia-Pacific is now the largest geographical region by value for Scotch Whisky exports,⁸¹ and we heard evidence from the Federation of Small Businesses that many exporting businesses intend to expand into markets in the region in the coming years.⁸²
64. In an era of growing protectionism internationally, joining CPTPP offers the UK membership of an alliance of countries committed to the idea of free and open trade, high regulatory standards, and adherence to the rule of law.⁸³ In this context, the UK also has the opportunity to contribute to a forum which may develop into an influential trading group in future. In the words of one witness: "Achieving early membership will consolidate the UK as a leading contributor to the CPTPP as it matures in the coming decades. Membership is thus more than invaluable—it will become indispensable."⁸⁴
65. Several witnesses stressed the potential of CPTPP to act as an "incubator" for new trading initiatives, such as in digital or environmental trade, for example, and suggested that the UK's accession offered an important opportunity for the UK to contribute to this project.

77 [Q 42](#) (Elisabeth Bowes)

78 Written evidence from David Collins ([ACP0003](#))

79 [Q 35](#) (Elisabeth Bowes)

80 Written evidence from David Collins ([ACP0003](#))

81 Written evidence from the Scotch Whisky Association ([ACP0018](#))

82 [Q 20](#) (Kate Foster)

83 [Q 19](#) (Sophia Gaston)

84 Written evidence from David Collins ([ACP0003](#))

66. The UK's accession to CPTPP in turn holds strategic significance for existing members of the group. The UK is now the second largest economy of the group, which accounts for 15 per cent of global GDP, making it one of the largest trading blocs in the world.⁸⁵ The UK's accession has further enabled the agreement to develop from a regional trade agreement into one with global potential. The UK's membership has opened the door to more countries outside of the Asia-Pacific region joining.⁸⁶ This raises questions such as the extent to which "it can replace elements of the WTO that we are at risk of losing."⁸⁷

CPTPP and the UK's Indo-Pacific "Tilt"

67. The UK set out its post-Brexit vision for foreign, security, development, and defence policy in 2021 in the Integrated Review. This paper identified the Indo-Pacific region as the "centre of intensifying geopolitical competition with multiple potential flashpoints" and described the UK's Indo-Pacific "tilt"⁸⁸ as a response to the growing geopolitical and economic importance of the region.⁸⁹ In the 2023 Integrated Review Refresh, the Government described the region as "critical to the UK's economy, security and our interest in an open and stable international order" and as "a theatre of growing geopolitical and economic importance". As such, CPTPP accession was "a priority". It noted that its ambition now is to strengthen engagement and to make Indo-Pacific engagement "a permanent pillar of the UK's international policy." A key conclusion reads:

"We will put our approach to the region on a long-term strategic footing, working with others and ensuring that we are respectful to and guided by regional perspectives. We will do this through a combination of bilateral, minilateral⁹⁰ and institutional relationships across the region and our support for the concept of a free and open Indo-Pacific."⁹¹

68. This approach remains valid, though war in Ukraine (and now the Middle East) and the risk of reduced US commitment to NATO have created new preoccupations and uncertainties closer to home.
69. We heard in evidence that accession to CPTPP is important in consolidating the UK's position in and commitment to the region. Sophia Gaston, Head of Foreign Policy at Policy Exchange described CPTPP membership as "one of the three jewels in the crown of the Indo-Pacific tilt",⁹² alongside dialogue partner status at ASEAN⁹³ (the political and economic union in Southeast Asia) and the AUKUS defence pact.⁹⁴ We heard that CPTPP membership

85 Q 45 (Creon Butler)

86 Q 8 (Dr Minako Morita-Jaeger)

87 Q 46 (Professor Holger Hestermeyer)

88 We understand 'tilt' to mean an expansion of activity to this region, rather than a prioritisation of activity here at the expense of engagement with other regions.

89 Cabinet Office, *Global Britain in a Competitive Age: the Integrated Review of Security, Defence, Development and Foreign Policy*, CP 403 (16 March 2021): https://assets.publishing.service.gov.uk/media/60644e4bd3bf7f0c91eababd/Global_Britain_in_a_Competitive_Age_the_Integrated_Review_of_Security_Defence_Development_and_Foreign_Policy.pdf [accessed 15 January 2024]

90 We understand minilateral to be a form of plurilateral agreement, or agreement among two or more countries to supplement or complement the activities of multilateral organisations.

91 Cabinet Office, *Integrated Review Refresh: Responding to a more contested and volatile world*, CP 811 (13 March 2023): https://assets.publishing.service.gov.uk/media/641d72f45155a2000c6ad5d5/11857435_NS_IR_Refresh_2023_Supply_AllPages_Revision_7_WEB_PDF.pdf [accessed 15 January 2024]

92 Q 8 (Sophia Gaston); see also: Q 8 (Dr Chun-Yi Lee) and Q 35 (Elisabeth Bowes).

93 Association of Southeast Asian Nations

94 A trilateral security partnership in the Indo-Pacific between Australia, the UK and US.

facilitates UK integration into Indo-Pacific supply and regional value chains (i.e. the cross-border flow not only of goods, but also services, investment, knowledge and people associated with production in the region).⁹⁵

70. We heard from representatives of existing members that CPTPP does offer them:

“another forum in which to engage with countries perhaps on issues of digital trade, greening the economy or inclusive trade, learning more about how their economies are functioning and the challenges they are grappling with in those and other issues It is a good forum for exploring some of the issues together with common, like-minded partners”.

However, the same witness did note that “at the end of the day, this is a trade agreement ... that is what it is meant to help with: increasing trade between the parties.”⁹⁶

71. In the light of this, one witness stressed that: “In the end, participation by the UK is critical if it wants to reap the economic and strategic benefits of the trade deal and shape the Indo-Pacific trade landscape.”⁹⁷ Another stressed that membership represents an important opportunity for the UK “to understand Pacific partners better and their conduct ...” and “to work and engage with Pacific partners.”⁹⁸

72. **We acknowledge the potential advantages of the UK’s new role in CPTPP. However, the Integrated Review and Integrated Review Refresh lack detail as to how the Government intends to utilise CPTPP as an important economic and trade strand of its strategy. We have seen that there is potential for CPTPP to be a forum for engagement with partners in the Indo-Pacific, but note that its primary function is as a free trade agreement. We would welcome further detail on how the Government expects membership of CPTPP to contribute to delivery of its strategic aims in the region as the agreement is implemented over the coming years.**

CPTPP in the broader trading landscape

73. CPTPP is operating in an uncertain and rapidly shifting global landscape for trade. Several witnesses highlighted the challenges posed by national and economic security concerns internationally, prompting a shift towards protectionism. As stressed by Professor Holger Hestermeyer, Professor of International and EU Law at the Diplomatische Akademie Wien, the UK faces uncertainty in relation to international trade, which has implications for national security. He added:

“There are issues of national security that seep into trade again and again, and ever more. We are moving from what used to be thoughts about efficiency and free trade to resilience and reshoring. The whole environmental sphere is also moving into trade ... the insecurity should be emphasised and will lead to significant restructuring of the system.”⁹⁹

95 [Q 35](#) (Elisabeth Bowes)

96 [Q 41](#) (Colin Barker)

97 [Q 45](#) (Dr Inu Manak)

98 [Q 19](#) (Dr Chun-Yi Lee)

99 [Q 47](#) (Holger Hestermeyer)

74. Similarly, Sophia Gaston, Head of Foreign Policy and UK Resilience at Policy Exchange, noted: “We are also moving into an age where, in part because of the rise of China and the multipolar world, we are shifting towards a national security-led industrial policy era, which will also facilitate the formation of these more protectionist blocs whether that is the US itself or the EU.”¹⁰⁰ Managing these challenges in coordination with other ‘like-minded’ countries such as Australia, Japan and Canada will be crucial in maintaining an open, rules-based trading system.¹⁰¹ The CPTPP is operating in a “fast-changing trade policy and trade strategy-making environment”, according to Professor Christopher Dent, Professor of International Business at Edge Hill University, and must “respond if it is to stay relevant”.¹⁰²
75. Given this internationally challenging landscape, we heard that membership of CPTPP offers some advantages, notably:
- (a) First, it can act as a rallying point for countries seeking to build and consolidate partnerships with like-minded countries and allies in a global environment increasingly characterised by protectionism.¹⁰³
 - (b) Second, it offers a setting for CPTPP members to align their standards and establish regulatory governance frameworks, particularly in the light of the impasse at the WTO.¹⁰⁴
76. Witnesses characterised CPTPP as a trade liberalising vehicle among like-minded middle powers concerned with safeguarding “stability and openness”, and demonstrating a commitment to maintaining an open, rules-based order.¹⁰⁵ We heard from representatives of two CPTPP members, Australia and Canada, with the Deputy High Commissioner for Australia, for example, highlighting that “CPTPP members, by virtue of signing up to this high-standards agreement”, demonstrate their commitment to “supporting the cause of rules-based trade in a free and open Indo-Pacific”.¹⁰⁶ Similarly, we heard that Japan’s support for UK membership of the agreement was informed by a desire to “maintain the liberal order of the international trading system using the CPTPP *vis-à-vis* China”.¹⁰⁷
77. CPTPP was also described as a forum for coordination and alignment. Dr Chun-Yi Lee, Associate Professor at the School of Politics and International Relations at Nottingham University, told us: “the CPTPP is a forum of medium powers aligned together, in a sense, rather than an economic incentive, it also provides a forum. It is not just about trade, but about information sharing and the digital economy ... that is very important”.¹⁰⁸ Similarly, the Canadian High Commissioner to the UK pointed to the value of CPTPP as a “good forum for exploring ... issues together with like-minded partners” and outlined the benefits of closer engagement with countries across the Indo-Pacific.¹⁰⁹ In oral evidence, Professor Holger Hestermeyer

100 [Q 8](#) (Sophia Gaston)

101 Written evidence from UK Trade Policy Observatory and Centre for Inclusive Trade Policy ([ACP0028](#))

102 [Q 3](#) (Professor Christopher Dent)

103 [Q 55](#) (Professor Holger Hestermeyer, Creon Butler)

104 [Q 8](#) (Sophia Gaston); [Q 20](#) (Kate Foster); [Q 35](#) (Elisabeth Bowes); [Q 42](#) (Colin Barker) and [Q 18](#) (Dr Chun-Yi Lee)

105 [Q 19](#) (Sophia Gaston)

106 [Q 42](#) (Elisabeth Bowes)

107 [Q 12](#) (Dr Minako Morita Jaeger)

108 [Q 18](#) (Dr Chun-Yi Lee)

109 [Q 41](#) (Colin Barker)

and Creon Butler, Director of the Global Economy and Finance Programme at Chatham House, both concluded that the agreement provides a useful ‘insurance policy’ for the UK by providing a forum for engagement with similarly minded partners in the event of greater protectionist tendencies to the West and East.¹¹⁰

78. We heard from some witnesses that CPTPP could prove to be a forum where new trade rules are agreed among its members.¹¹¹ Agreements at CPTPP level could demonstrate how to develop certain types of trade arrangements, and it is possible that CPTPP members could begin to act as a bloc within WTO negotiations.¹¹² Some witnesses pointed out that in the context of some areas covered by the WTO, CPTPP may prove an alternative, complementary arena for new policy areas such as in environmental trade rules where the WTO frequently finds itself gridlocked.¹¹³ Developments and progress within CPTPP could then offer a new basis for discussions at the WTO itself, particularly if CPTPP countries were to decide jointly to advocate for something at the WTO.¹¹⁴ Although CPTPP could perform a useful innovative function alongside the WTO, it is important to note that CPTPP does not represent a replacement for the WTO. In the words of one witness “[the WTO] is still really important. We need to keep trying. The CPTPP will potentially increase our voice to some degree, but there is no real substitute for it”.¹¹⁵
79. **There is some value to UK accession to CPTPP as a forum for like-minded countries to discuss the challenges facing international trade and find ways to cooperate in addressing these issues. However, the utility of this rallying point against the backdrop of a more protectionist trade environment is limited. While the difficulties within the WTO amplify the importance of plurilateral rules-based trade agreements such as CPTPP, it will only represent a small part of UK trade as a whole.**

The UK’s role in the future development of CPTPP

The advantages of engaging in the development of CPTPP

80. Witnesses were in broad agreement that it is useful for the UK to have a “seat at the table within CPTPP”.¹¹⁶ Membership should at the very least facilitate enhanced relationships with partners in the region¹¹⁷, and potentially allow for further development of the agreement.

Scope for leveraging influence: the UK’s reputation as a CPTPP member

81. The UK is acceding to an agreement negotiated prior to its membership, thereby agreeing to a set of rules negotiated and accepted by the 11 existing members.¹¹⁸ Some witnesses argued that CPTPP can be thought of as a “living agreement”,¹¹⁹ and many witnesses described the potential for the

110 [Q 55](#) (Creon Butler, Holger Hestermeyer)

111 [Q 45](#) (Inu Manak)

112 [Q 49](#) (Creon Butler)

113 [Q 54](#) (Dr Inu Manak)

114 [Q 54](#) (Creon Butler)

115 *Ibid.*

116 [Q 8](#) (Sophia Gaston) and [Q 9](#) (Dr Chun-Yi Lee)

117 [Q 19](#) (Dr Chun-Yi Lee) [Q 41](#) (Colin Barker) and [Q 55](#) (Holger Hestermeyer)

118 [Q 35](#) (Elisabeth Bowes)

119 [Q 45](#) (Dr Inu Manak) and [Q 1](#) (Professor Christopher Dent)

UK to contribute to its development.¹²⁰ However, we have yet to see evidence of its evolution, beyond UK accession. It was also noted that the agreement is governed by a consensus rule and any changes must therefore be negotiated and agreed by all CPTPP members.¹²¹

82. Witnesses to our inquiry emphasised that the UK should engage constructively with fellow members to pursue mutually beneficial initiatives as CPTPP and the broader trading landscape develop. We heard evidence of the strengths the UK would bring to the bloc and how UK influence might develop. Broadly speaking, UK membership brought three advantages:
- (1) The UK is now the second largest economy within CPTPP and the sixth-largest economy globally, contributing “a not insignificant amount to the total mass of the agreement”.¹²²
 - (2) The addition of the UK—particularly as a country committed to free, rules-based trade—expands the scope of the agreement and strengthens its geopolitical importance, potentially heightening the appeal of the agreement to other economies.¹²³
 - (3) The UK is particularly strong in the area of trade in services, and may be able to press for enhancements to these provisions, which are no longer cutting edge.¹²⁴
83. The Government’s position on the development of CPTPP is that it is not looking at “major change” or “ripping up what is already there”,¹²⁵ but it should ensure that it can capitalise on its strengths to achieve optimal outcomes for the UK’s businesses and consumers.

Possible priority areas and issues for the UK in the development of CPTPP

84. The evidence we received pointed to some priority areas the UK might plausibly champion in the development of the agreement:
- (1) Climate change mitigation and trade in environmental goods and services. For example, the UK has gone further than the CPTPP provisions in bilateral agreements with Australia and New Zealand in some areas.¹²⁶ While deeper commitments might be expected in bilateral agreements, some witnesses suggest there may be scope for the UK to promote these more widely.¹²⁷
 - (2) In digital services and trade in digital technology, it was suggested that the UK would be well positioned to help “build robust rules” to the benefit of the UK economy and its allies.¹²⁸
 - (3) In the area of professional services, we heard frequent references to the strength of the UK as a service-heavy economy and its role as an authority on trade in services of many varieties, leading us to conclude

120 [Q 35](#) (Elisabeth Bowes, Colin Barker); [Q 20](#) (Kate Foster); [Q 2](#), [Q 4](#) and [Q 6](#) (Professor Christopher Dent); [Q 2](#) (Dr Giulia Leonelli); [Q 45](#) and [Q 53](#), (Dr Inu Manak).

121 [Q 9](#) (Dr Chun-Yi Lee)

122 [Q 45](#) (Creon Butler)

123 [Q 35](#) (Colin Barker, Elisabeth Bowes); [Q 12](#) (Dr Minako Morita-Jaeger) and [Q 13](#) (Dr Chun-Yi Lee).

124 [Q 24](#) (Sally Jones)

125 [Q 59](#) (Rob Cooke)

126 [Q 2](#) and [Q 6](#) (Professor Christopher Dent)

127 [Q 2](#) (Dr Giulia Leonelli); [Q 6](#) (Professor Christopher Dent); [Q 45](#), [Q 54](#) (Dr Inu Manak)

128 [Q 2](#) (Professor Christopher Dent); [Q 53](#) (Dr Inu Manak)

this may be a fruitful area of focus.¹²⁹ Witnesses from the business community told us that progress on mutual recognition of professional qualifications in the medium term would be particularly welcomed.¹³⁰

85. ***In any development of CPTPP, the Government should prioritise innovations in the area of climate and trade in environmental goods and services; in digital services and trade in digital technology; and in professional services. Progress in the area of mutual recognition of qualifications in the medium term would be particularly welcome.***
86. We did not hear much evidence relating to consumer interests during this inquiry. **We regret the absence of a consumer chapter in CPTPP. Inclusion of such a chapter would be a valuable means of identifying and protecting consumers as key stakeholders to this agreement.**

Future of CPTPP: expansion

87. The UK is the first country to accede to CPTPP. As of January 2024, six other countries had formally applied for membership: China, Taiwan, Costa Rica, Ecuador, Uruguay and Ukraine.¹³¹ We heard that CPTPP members have developed three principles for future applications. Applicants will only be successful if they:
- (1) Meet, implement and adhere to the high standards and rules of the agreement;
 - (2) Have a demonstrated track record of adhering to trade commitments;
 - (3) Meet the consensus rule.¹³²
88. The consensus rule means that each CPTPP member must agree to a new member being admitted. The UK will not formally accede to CPTPP until the UK Accession Protocol has been ratified by six of the 11 existing members and the UK.
89. The Government calculus in joining CPTPP was based on a presumed “DNA of expansion” of the group.¹³³ According to Dr Minako Morita-Jaeger, Senior Research Fellow in International Trade, University of Sussex, the UK expects to benefit from an expanded group in terms of its membership.¹³⁴ However, Dr Sarah Tzinieris, Research Fellow at King’s College London, noted that the potential economic benefits from future members would still only be modest,¹³⁵ and we heard that there is a trade-off between a deeper and wider trade agreement. Professor Holger Hestermeyer noted that “there are reasons for the dysfunctionality of the WTO”, citing its large and diverse

129 [Q 2, Q 4](#) (Professor Christopher Dent) and [Q 54](#) (Creon Butler)

130 [Q 28](#) (Kate Foster) and [Q 28](#) (Sally Jones)

131 New Zealand Foreign Affairs and Trade: ‘Common Questions’: <https://www.mfat.govt.nz/en/trade/free-trade-agreements/free-trade-agreements-in-force/cptpp/common-questions/#bookmark2> [accessed 11 January 2024]

132 [Q 37](#) (Elisabeth Bowes); Please see guidance about the official accession process : New Zealand Government, Ministry of Foreign Affairs and Trade: *CPTPP Accession Process* (2019): <https://www.mfat.govt.nz/assets/Trade-agreements/CPTPP/Accession-Process.pdf> [accessed 29 January 2024]

133 Department for International Trade, *UK Accession to CPTPP: The UK’s Strategic Approach* (2021): <https://assets.publishing.service.gov.uk/media/61728409e90e071977182a5d/dit-cptpp-uk-accession-strategic-approach.pdf> [accessed 2 February 2024]

134 [Q 11](#) (Dr Minako Morita-Jaeger)

135 Written evidence from Dr Sarah Tzinieris ([ACP0002](#))

membership which he considers not conducive to an atmosphere in which new deals can be concluded. Of the CPTPP, he said:

“If we want to rely on the CPTPP to be an innovator and a powerhouse for new ideas, it has to remain small. If we want it as a large trade benefit, others have to accede, but that will make any innovative function an impossibility.”¹³⁶

90. **An expanded membership of CPTPP could open up new markets for UK goods and services. We call on the Government to explain in their response to this report what impact they expect future accessions to have on the ability of the CPTPP to innovate and modernise.**
91. There are obviously sensitive geopolitical concerns around the applications of China and Taiwan to join the group. Here, the first two principles (set out above) are significant. The UK’s accession experience has illustrated the rigorous nature of the process: countries must demonstrate they can adhere to all appropriate regulations before market access negotiations can even begin.¹³⁷ On the basis of evidence we received, it will be a particular challenge for China to meet CPTPP’s rules on issues such as state-owned enterprises and we expect that this application is unlikely to be progressed swiftly, if at all.¹³⁸
92. Applications do not have to be considered in the order in which they are made. We heard from several witnesses that Taiwan is closer to meeting CPTPP standards than China, though for geopolitical reasons both applications are likely to be considered together.¹³⁹
93. **The UK should support membership of countries which meet the accession principles: the ability to meet, implement and adhere to CPTPP standards and a track record of adhering to trade commitments. The Government should work with other members on the accession of eligible countries which have demonstrated the appropriate commitments.**
94. **When an accession process commences, we call on the Government to subject it to the same process of consultation and modelling as they would for a new FTA partner. In line with this approach, we further welcome the Government’s commitment to subject any future accession to the agreement to the CRAG scrutiny framework.**

UK trade policy

95. In the context of developing CPTPP, we heard evidence that a comprehensive trade policy would help guide the UK’s strategic objectives and priorities and consider the cumulative impact of trade agreements. Professor Holger Hestermeyer stressed that “we really need a trade policy to find out where we want to lead to”.¹⁴⁰ This would involve extensive engagement with stakeholders to develop a “long-term vision for trade”¹⁴¹ setting out the UK’s strategic approach to issues such as digital trade, wider services, environment

136 [Q 55](#) (Professor Holger Hestermeyer)

137 [Q 50](#) (Professor Holger Hestermeyer). Applications take place on a “compliance first, market access later” basis, pointing to the importance placed on regulatory standards.

138 [Q 48](#) (Creon Butler)

139 [Q 15](#) (Sophia Gaston) and [Q 48](#) (Creon Butler)

140 [Q 53](#) (Professor Holger Hestermeyer)

141 Written evidence from Scottish Government ([ACP0026](#))

and trade, regulatory cooperation, consumer protection, supply chains etc. Other organisations suggested that such a strategy should align trade policy with the UK's commitments under the Paris Climate Agreement, Sustainable Development Goals and human rights commitments,¹⁴² and that a trade policy should ensure collaboration with the devolved nations to ensure parties are clear on what to expect within FTA negotiations.¹⁴³

96. These recommendations align with our repeated calls for a UK trade policy framework outlining core principles and objectives. Experts and specialists agree that a published framework would strengthen the Government's hand in negotiations, improve the quality of consultation with businesses, and improve the scrutiny process.
97. ***We reiterate the need for the Government to publish a trade policy that sets out defined priorities in areas of benefit to the UK. Such a policy would help those scrutinising trade agreements to understand the framework within which trade agreements are made.***

142 Written evidence from Transform Trade ([ACP0024](#))

143 Written evidence from RSPCA ([RCP001](#))

CHAPTER 4: IMPLEMENTATION OF CPTPP

98. Effective implementation is important for any agreement but in the case of CPTPP, stakeholders have judged the Government's progress on this to be weak. This explains why so many witnesses stressed the necessity for the Government to have an effective plan in place to make the most of the opportunities presented from accession to CPTPP.¹⁴⁴
99. In oral evidence Dr Inu Manak, Fellow for Trade Policy at the Council for Foreign Relations, told us:
- “Trade agreements are very much what you make of them. Their existence does not create benefits. It is how you utilise the trade agreement that creates benefits. To maximise the benefits ... the implementation of the agreement is critical for accessing trade opportunities.”¹⁴⁵
100. This chapter will focus on two steps which the Government needs to take to bring about effective implementation of CPTPP. Firstly, holding an ongoing dialogue with UK businesses about how they can use CPTPP for maximum benefit. Secondly, creating a strategic plan identifying how the UK can shape the future development of CPTPP and establishing clear goals.

A plan to engage UK business

101. In our oral evidence sessions, we consistently heard about how important accession to CPTPP would be in general terms.¹⁴⁶ However, when we pressed witnesses for practical economic examples of what exactly these benefits were, we were left feeling underwhelmed.¹⁴⁷
102. As discussed in Chapter 2, the use of rules of origin provisions is one of the main challenges faced by businesses using existing FTAs to export goods, as well as a general issue often raised of the ready access to information and guidance.
103. Sally Jones, partner at Ernst & Young, highlighted the significance of engaging businesses. She told us:
- “We know that the take-up by businesses of free trade agreements in usage is really quite low, so anything that can be done to encourage businesses by making it easy for them and keeping those dialogues going will pay dividends for the country.”¹⁴⁸
104. The Department for Business and Trade has started to engage with business through a number of online initiatives to address these issues. It has published a booklet with case studies outlining how different sectors can benefit from the provisions in CPTPP, and on 25 January 2023 there

144 [Q 42](#) (Colin Barker), [Q 19](#) (DR Minako Morita-Jaeger), [Q 20](#) (Kate Foster) [Q 50](#) (Professor Holger Hestermeyer) and written evidence from National Farmers' Union ([ACP0013](#))

145 [Q 53](#) (Dr Inu Manak)

146 See for example, [Q 45](#) (Dr Inu Manak); [Q 46](#) (Professor Holger Hestermeyer) and [Q 8](#) (Sophia Gaston).

147 See for example, [Q 52](#), [Q 42](#), [Q 69](#).

148 [Q 20](#) (Sally Jones)

was an online talk entitled ‘Get your business ready for CPTPP markets’.¹⁴⁹ DBT also has a dedicated Utilisation Team to help business with the rules of origin provisions.

105. **We welcome the Government’s measures to engage with and support business. However, we are concerned that they require individual businesses to seek them out, and those most likely to do so are those already exporting to the region. As such, these methods are less likely to overcome the barriers that we have identified such as a lack of knowledge and experience of FTAs in general and CPTPP in particular. If the potential economic benefits are to reach beyond the current marginal predictions for growth, we recommend that the UK Government proactively engages with businesses in an ongoing dialogue.**
106. One possible solution suggested by witnesses to our inquiry was the use of roadshows to actively engage with businesses. Kate Foster, from the Federation of Small Businesses, told us:
- “Quite often at the FSB we point to something that Canada has done as an example of best practice in the implementation of the EU-Canada trade agreement. Canada had a series of roadshows that took the Government out to the regions, out to businesses, and spoke to them directly about how they can take advantage of it.”¹⁵⁰
107. This was also raised by Professor Holger Hestermeyer, Chair of International and European Law, Vienna School of International Studies, with reference to the benefits of cumulation provided by the rules of origin provisions. He told us: “To benefit from that, we need a roadshow that fully advertises that to participants.”¹⁵¹ We asked Lord Johnson of Lainston, Minister for Investment at the Department for Business and Trade, about whether there was a case for a specific CPTPP task force to engage with UK businesses. He initially replied that though there was a coordinating role played by the Department, “Actually, sector by sector makes sense to me.”¹⁵² However, he added: “I am agnostic as to how we do it to some extent.”¹⁵³
108. **Our evidence suggests that the Government does not currently have an adequate plan for promoting CPTPP. We recommend that the Government develop new approaches to engaging businesses, including a task force to build the overall capacity of UK businesses to use CPTPP. This should work alongside existing initiatives such as the UK’s trade envoy network.**
109. ***A task force should run over a two-to-three-year period, focusing on a regional roadshow engaging with local business associations and individual small and medium sized businesses, alongside***

149 Department for Business and Trade, *Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership: Sector Explainers* (July 2023): <https://assets.publishing.service.gov.uk/media/64b5028048826b000d3a9f02/cptpp-sector-explainers.pdf> [accessed February 3 2024]; and Department for Business and Trade, *Get your business ready for CPTPP markets!* (2024): <https://www.great.gov.uk/export-academy/events/get-your-business-ready-for-the-cptpp-25-january-2024/> [accessed 10 January 2024]

150 Q 21 (Kate Foster)

151 Q 53 (Professor Holger Hestermeyer)

152 Q 75 (Lord Johnson of Lainston)

153 Ibid.

online activities. Opportunities such as selling into the newly preferential markets of Malaysia and Brunei should be emphasised, as well as the use of rules of origin and other key provisions. The Government should develop mechanisms to evaluate the success of this engagement.

110. *Once the CPTPP task force comes to an end, the Government should aim to retain the expertise and experience to continue to engage UK businesses. It should make every effort to encourage the ongoing use of the agreement, and update businesses on developments agreed at the General Review.*

111. One particularly concerning issue we heard about, which acts as a barrier for businesses in using UK trade agreements, was the difficulty in accessing appropriate information and guidance online. Kate Foster, Federation of Small Businesses, told us: “Our members tell us that there is a lot of guidance available on the government websites, but it is not always necessarily easy to navigate.”¹⁵⁴ Sally Jones, Ernst & Young, agreed, calling the GOV.UK website “woeful”, “almost impossible to use” and in need of “a complete overhaul”. She had compared the UK online export guidance to the Australian equivalent and noted:

“... we could get to any piece of information we looked for on the Australian website within five clicks. We gave up counting with the UK website when we got to about 200 clicks, because we got bored. ... Some of our clients tell us that they go to other countries’ websites to get guidance in preference to the UK site because it is so poor.”¹⁵⁵

112. When we raised this with the Minister, Lord Johnson of Lainston, he said:

“I do not welcome hearing that at all. I have seen some of the comments made. ... that is why yesterday I went on to our own systems myself. I have done various mystery shopper tests and so on. We are starting to deploy and hoping to use new technologies, AI and so on, to make the most of these opportunities.”¹⁵⁶

113. **The failure to provide easy to access to online information for trading businesses is unacceptable, particularly as we have heard how important it is to ensure correct implementation of trade agreements.**

114. *The Government must work quickly with businesses to improve and clarify the online guidance and advice on all trade agreements, including CPTPP.*

The 2024 General Review and future CPTPP development

2024 General Review

115. The text of the CPTPP agreement states that every five years, the “economic relationship and partnership between the parties” should be subject to a review. The first of these will take place imminently, known as the 2024 ‘General Review’. Although the UK is not yet a full member, we heard it has been invited to participate as a full member pending ratification.¹⁵⁷

154 [Q 20](#) (Kate Foster)

155 [Q 20](#) (Sally Jones)

156 [Q 72](#) (Lord Johnson of Lainston)

157 [Q 58](#) (Lord Johnson of Lainston)

116. Representatives from the governments of Australia and Canada told us that the UK's full participation in the upcoming CPTPP General Review would be welcomed. The invitation to participate in the Review was described by the Government as "a very powerful signal" as to how the UK can expect to be treated as a fully participating member of CPTPP.¹⁵⁸
117. The Terms of Reference for the 2024 Review were set in November 2023 and outline that it "aims to review the operation of the Agreement, with a view to updating and enhancing this Agreement ... to ensure that the disciplines contained in this Agreement remain relevant to the trade and investment issues and challenges confronting the Parties."¹⁵⁹ Canada is due to chair the Review and outlined its priorities to us: development on digital trade and the green economy, and a focus on inclusive trade, including making the agreement more accessible to SMEs, women-owned and indigenous-owned enterprises.¹⁶⁰ The Deputy High Commissioner for Australia noted that his country is keen to "examine the effective operation of the agreement, in order to ensure it is securing frictionless and integrated trade and contributing to the development of deep supply chains in the region." It is also interested in extending the rules on digital trade and developing commitments on trade and labour standards, trade and gender equality and trade and the environment.¹⁶¹
118. ***We welcome the current consultation on the review of CPTPP, and call on the Government to set out and publish its priorities. Given the need to reach consensus, we also call on the Government to define its priorities in the context of a longer-term plan for the development of CPTPP.***

Future development: general

119. Smaller groups of CPTPP countries may agree deeper partnerships and agreements alongside negotiations to develop and update the agreement as a whole. We heard in evidence, for example, that the 2020 Digital Economy Partnership Agreement was negotiated by CPTPP members Chile, Singapore and New Zealand among themselves with the ultimate aim of "bolting this onto" CPTPP.¹⁶² Such agreements may have the ultimate effect of influencing the direction of travel within CPTPP and the UK should pursue such agreements where they are deemed beneficial.
120. ***Where all CPTPP members cannot agree, the Government should seek to go further on a bilateral or plurilateral basis with one or more other members.***
121. ***Beyond the General Review, the Government should keep us and other stakeholders informed of developments in the various chapters of CPTPP. We also recommend that a programme of stakeholder engagement should continue, building on that currently underway for the General Review.***

158 *Ibid.*

159 Department for Business and Trade, *Terms of Reference for Conducting the General Review of the Comprehensive and Progressive Trans-Pacific Partnership (CPTPP) Endorsed at CPTPP Ministerial meeting on 15 November 2023 PST*, (15 November 2023): <https://www.great.gov.uk/export-academy/events/get-your-business-ready-for-the-cptpp-25-january-2024/> [accessed 28 January 2024]

160 [Q 37](#) (Colin Barker)

161 [Q 37](#) (Elisabeth Bowes)

162 [Q 25](#) (Sally Jones)

A permanent CPTPP secretariat

122. We heard much evidence about the potential for CPTPP to develop, but little on how this might practically happen. Elisabeth Bowes, the Australian Deputy High Commissioner commented in her evidence that the lack of a standing secretariat means that the rotating chair carries a “heavy burden” in organising meetings and ensuring that documentation is prepared.¹⁶³ There is thus a clear case to be made for establishing a small, lean standing CPTPP secretariat, particularly in the light of its promised role as a vehicle for establishing better relationships and new policy innovations, to support the rotating chairs and retain key expertise.
123. This view is reflected in the evidence we received from experts and representatives of existing members of the agreement. The Deputy High Commissioner for Australia noted that “one can see the benefit of a standing secretariat in providing everyday support for the agreement” and further commented that New Zealand as depositary “carries out quite a few functions that might go beyond the usual remit of a depositary”.¹⁶⁴ Dr Sarah Tzinieris, Research Fellow at King’s College London said: “there is insufficient resourcing and staffing of the CPTPP architecture at the current time. Most obvious is the absence of a permanent secretariat, which prevents expertise and experience being consolidated in one central independent institution”. She pointed to the weaknesses of the current system in rotating chairmanship by noting: “some of the smaller CPTPP economies have insufficient resources and staff to be able to interpret the provisions adequately”.¹⁶⁵ The downsides were also noted by Dr Inu Manakwho, Fellow for Trade Policy, Council on Foreign Relations, noted that CPTPP does not have the institutional capacity of the WTO, in part due to the lack of a secretariat that “could streamline the accession process and become a single depositary for documents, co-ordinating future negotiations and providing data and analysis for all its members.”¹⁶⁶
124. ***We recommend that the Government should respond positively to a proposal for the establishment of a small, lean standing secretariat, though note that key questions such the funding, location and exact size of such a secretariat would need to be addressed.***

Engagement with the devolved administrations through negotiations and implementation of the agreement

125. As noted by the Scottish Government in its evidence, the devolved administrations and the Department for Business and Trade have been operating under an improved Information Sharing Protocol since early 2023.¹⁶⁷ This is a welcome improvement on previous arrangements.
126. The Scottish Government broadly welcomed the improved information sharing, and noted that it sought to engage constructively with the Department for Business and Trade throughout the negotiations to discuss Scotland’s interests, priorities and concerns.¹⁶⁸ However, it also noted with regret the decision of the Government to deviate from the agreed approach

163 [Q 38](#) (Elisabeth Bowes)

164 *Ibid.*

165 Written evidence from Dr Sarah Tzinieris ([ACP0002](#))

166 [Q 54](#) (Dr Inu Manak)

167 Written evidence from Scottish Government ([ACP0008](#))

168 *Ibid.*

between the devolved administrations and the Government as it related to Sanitary and Phyto-Sanitary (SPS) measures, in particular that in the final agreement, the SPS chapter is open to dispute settlement. It expressed concern that, in doing so, the Government signed an agreement directly relating to devolved competence without engaging with the devolved governments or parliaments.¹⁶⁹

127. The Scottish Government noted that the impact assessment produced by the Department for Business and Trade was shared with Scottish officials only very shortly before the Accession Protocol was signed and the assessment was published. The UK Government has acknowledged that this situation did not meet the standards expected of engagement with the devolved administrations on trade agreements.¹⁷⁰ We have previously noted that it is important that government impact assessments and modelling reviews include detailed information about the effects (including cumulative effects) of free trade agreements on the devolved nations and regions of the UK.¹⁷¹
128. *We welcome the improvements made in consultation with the devolved nations, and reiterate our call for the Government to continue to provide timely, transparent and comprehensive engagement and information sharing to ensure that the devolved administrations are sufficiently informed and are clearly represented throughout negotiations. This should include all areas which relate to, or are likely to have an impact on the devolved nations.*
129. *We welcome the Government's previous commitment to improving its impact assessments and reiterate our call for detailed assessments of the impact of future trade agreements on the devolved nations and regions, including sensitive sectors such as agri-food. These assessments should be shared with the devolved administrations at the earliest opportunity to allow adequate time for mitigation of adverse impacts, and to capitalise on any potential gains.*

Windsor Framework

130. The Accession Protocol contains an article on the operation of the Windsor Framework which allows the UK to take measures to implement the Windsor Framework even if they are inconsistent with obligations under CPTPP, provided that such measures do not discriminate against another CPTPP party or amount to a disguised restriction on trade. The reason for this is that UK accession to CPTPP applies in relation to the whole of the UK, but Northern Ireland has a different position in relation to trade in goods under the Windsor Framework. The terms of the UK's accession to CPTPP allows it to reconcile any potential conflict.
131. We heard in evidence that the Windsor Framework will increase the costs and administrative burdens associated with EU customs tariffs and procedures for CPTPP exporters selling goods to Northern Ireland, where the EU tariff is higher than the UK tariff and the country does not have an EU FTA for

169 *Ibid.*

170 *Ibid.*

171 International Agreements Committee, *Scrutiny of International Agreements: UK-New Zealand free trade agreement* (9th Report of Session 2022–23, HL Paper 86) and International Agreements Committee, *Scrutiny of International Agreements: UK-Australia free trade agreement* (4th Report of Session 2022–23, HL Paper 26)

selling goods into Northern Ireland.¹⁷² A recent agreement between the UK and EU on the use of Tariff Rate Quotas for commodities originating from the rest of the world¹⁷³ shows how this may be resolved. However, **we believe Northern Ireland's direct trade with CPTPP countries is likely to face restrictions that will not affect the rest of the United Kingdom and request further information from the Government on what it expects the impact of this restriction to be.**

132. *We call on the Government to monitor the impact of the Windsor Framework on Northern Ireland's ability to benefit from CPTPP membership and on its ability to benefit from UK FTA tariff preferences more generally.*

172 Written evidence from UK Trade Policy Observatory and Centre for Inclusive Trade Policy ([ACP0028](#))

173 European Commission, 'Commission adopts proposal on a new EU-UK joint solution under the Windsor Framework on tariff-rate quotas for certain agri-food products, to benefit Northern Ireland businesses': https://ec.europa.eu/commission/presscorner/detail/en/ip_24_565 [accessed 14 February 2024]

SUMMARY OF CONCLUSIONS AND RECOMMENDATIONS

Introduction

1. We broadly welcome the accession of the UK to CPTPP. However, it remains to be seen whether the Government's intended trade and geopolitical benefits will materialise. (Paragraph 7)
2. We bring the Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership to the special attention of the House on the grounds that it is politically important and gives rise to issues of public policy. We make this report to the House for debate. (Paragraph 8)

Terms of accession

3. We welcome any additional economic benefits as a result of accession to CPTPP, particularly through market access to Malaysia and Brunei for the first time. However, we also acknowledge the limited economic gains suggested by current projections. (Paragraph 12)
4. We welcome the Government's awareness of the issues around the use of rules of origin provisions. There is a clear opportunity for UK manufacturers to develop new business models, but equally member countries that are geographically closer to each other may find it easier to develop integrated supply chains. Overall, we are concerned about the extent to which businesses in general, and SMEs in particular, will be able to take advantage of the provisions on offer and call on the Government to monitor this carefully. Implementation will be a key factor, particularly for businesses not currently exporting goods. (Paragraph 21)
5. We welcome the provisions in the side letter signed with Malaysia to support the growth of the UK automotive sector, but note the reservations of the Society of Motor Manufacturers and Traders. We call on the Government to set out its analysis of the effect of Chinese market competition. (Paragraph 24)
6. In general, we welcome the good balance achieved between new market access for food exporters and access to the UK market, particularly as this issue was previously raised in relation to the trade agreement with Australia. (Paragraph 28)
7. We welcome the report from the Trade and Agriculture Commission stating that UK food and drink rules do not have to change as a result of CPTPP accession. We note however the potential risk of challenge to these rules in the future. (Paragraph 34)
8. *We call on the Government to set out how it intends to address the potential risk of equivalence provisions leading to "regulatory chill".* (Paragraph 35)
9. We welcome the Joint Statement on the Environment and the CPTPP provisions on environmental protection. We also note the concerns raised by witnesses, particularly regarding UK import of palm oil. However, as the UK was signing up to an existing agreement it was required largely to accept the terms as stated. (Paragraph 41)
10. *We urge the Government to monitor closely the employment practices of our CPTPP partners and be prepared to act should it identify issues.* (Paragraph 44)

11. We welcome CPTPP's provisions on services while noting that the benefits may be more limited than the Government has suggested. We note in particular the lack of provisions on the mutual recognition of professional qualifications to drive services trade. (Paragraph 49)
12. We welcome the provisions of the Accession Protocol which avoid threatening the UK's continued adherence to the European Patent Convention, and thereby resolve the major concerns expressed in our previous report on Negotiating Objectives. (Paragraph 53)
13. *We call on the Government to set out a clearer approach to ISDS and seek to reassure stakeholders that their concerns around regulatory chill are being addressed.* (Paragraph 59)

The strategic context

14. We acknowledge the potential advantages of the UK's new role in CPTPP. However, the Integrated Review and Integrated Review Refresh lack detail as to how the Government intends to utilise CPTPP as an important economic and trade strand of its strategy. We have seen that there is potential for CPTPP to be a forum for engagement with partners in the Indo-Pacific, but note that its primary function is as a free trade agreement. We would welcome further detail on how the Government expects membership of CPTPP to contribute to delivery of its strategic aims in the region as the agreement is implemented over the coming years. (Paragraph 72)
15. There is some value to UK accession to CPTPP as a forum for like-minded countries to discuss the challenges facing international trade and find ways to cooperate in addressing these issues. However, the utility of this rallying point against the backdrop of a more protectionist trade environment is limited. While the difficulties within the WTO amplify the importance of plurilateral rules-based trade agreements such as CPTPP, it will only represent a small part of UK trade as a whole. (Paragraph 79)
16. *In any development of CPTPP, the Government should prioritise innovations in the area of climate and trade in environmental goods and services; in digital services and trade in digital technology; and in professional services. Progress in the area of mutual recognition of qualifications in the medium term would be particularly welcome.* (Paragraph 85)
17. We regret the absence of a consumer chapter in CPTPP. Inclusion of such a chapter would be a valuable means of identifying and protecting consumers as key stakeholders to this agreement. (Paragraph 86)
18. An expanded membership of CPTPP could open up new markets for UK goods and services. (Paragraph 90)
19. *We call on the Government to explain in their response to this report what impact they expect future accessions to have on the ability of the CPTPP to innovate and modernise.* (Paragraph 90)
20. The UK should support membership of countries which meet the accession principles: the ability to meet, implement and adhere to CPTPP standards and a track record of adhering to trade commitments. (Paragraph 93)
21. *The Government should work with other members on the accession of eligible countries which have demonstrated the appropriate commitments.* (Paragraph 93)

22. *When an accession process commences, we call on the Government to subject it to the same process of consultation and modelling as they would for a new FTA partner. In line with this approach, we further welcome the Government's commitment to subject any future accession to the agreement to the CRAG scrutiny framework. (Paragraph 94)*
23. *We reiterate the need for the Government to publish a trade policy that sets out defined priorities in areas of benefit to the UK. Such a policy would help those scrutinising trade agreements to understand the framework within which trade agreements are made. (Paragraph 97)*

Implementation of CPTPP

24. We welcome the Government's measures to engage with and support business. However, we are concerned that they require individual businesses to seek them out, and those most likely to do so are those already exporting to the region. As such, these methods are less likely to overcome the barriers that we have identified such as a lack of knowledge and experience of FTAs in general and CPTPP in particular. If the potential economic benefits are to reach beyond the current marginal predictions for growth, we recommend that the UK Government proactively engages with businesses in an ongoing dialogue. (Paragraph 105)
25. Our evidence suggests that the Government does not currently have an adequate plan for promoting CPTPP. We recommend that the Government develop new approaches to engaging businesses, including a task force to build the overall capacity of UK businesses to use CPTPP. This should work alongside existing initiatives such as the UK's trade envoy network. (Paragraph 108)
26. *A task force should run over a two-to-three-year period, focusing on a regional roadshow engaging with local business associations and individual small and medium sized businesses, alongside online activities. Opportunities such as selling into the newly preferential markets of Malaysia and Brunei should be emphasised, as well as the use of rules of origin and other key provisions. The Government should develop mechanisms to evaluate the success of this engagement. (Paragraph 109)*
27. *Once the CPTPP task force comes to an end, the Government should aim to retain the expertise and experience to continue to engage UK businesses. It should make every effort to encourage the ongoing use of the agreement, and update businesses on developments agreed at the General Review. (Paragraph 110)*
28. The failure to provide easy to access to online information for trading businesses is unacceptable, particularly as we have heard how important it is to ensure correct implementation of trade agreements. (Paragraph 113)
29. *The Government must work quickly with businesses to improve and clarify the online guidance and advice on all trade agreements, including CPTPP. (Paragraph 114)*
30. *We welcome the current consultation on the review of CPTPP, and call on the Government to set out and publish its priorities. Given the need to reach consensus, we also call on the Government to define its priorities in the context of a longer-term plan for the development of CPTPP. (Paragraph 118)*
31. *Where all CPTPP members cannot agree, the Government should seek to go further on a bilateral or plurilateral basis with one or more other members. (Paragraph 120)*

32. *Beyond the General Review, the Government should keep us and other stakeholders informed of developments in the various chapters of CPTPP. We also recommend that a programme of stakeholder engagement should continue, building on that currently underway for the General Review. (Paragraph 121)*
33. *We recommend that the Government should respond positively to a proposal for the establishment of a small, lean standing secretariat, though note that key questions such the funding, location and exact size of such a secretariat would need to be addressed. (Paragraph 124)*
34. *We welcome the improvements made in consultation with the devolved nations, and reiterate our call for the Government to continue to provide timely, transparent and comprehensive engagement and information sharing to ensure that the devolved administrations are sufficiently informed and are clearly represented throughout negotiations. This should include all areas which relate to, or are likely to have an impact on the devolved nations. (Paragraph 128)*
35. *We welcome the Government's previous commitment to improving its impact assessments and reiterate our call for detailed assessments of the impact of future trade agreements on the devolved nations and regions, including sensitive sectors such as agri-food. These assessments should be shared with the devolved administrations at the earliest opportunity to allow adequate time for mitigation of adverse impacts, and to capitalise on any potential gains. (Paragraph 129)*
36. *We believe Northern Ireland's direct trade with CPTPP countries is likely to face restrictions that will not affect the rest of the United Kingdom and request further information from the government on what it expects the impact of this restriction to be. (Paragraph 131)*
37. *We call on the Government to monitor the impact of the Windsor Framework on Northern Ireland's ability to benefit from CPTPP membership and on its ability to benefit from UK FTA tariff preferences more generally. (Paragraph 132)*

APPENDIX 1: LIST OF MEMBERS AND DECLARATIONS OF INTEREST

Members

Lord Anderson of Swansea
Lord Boateng
Lord Fox
Lord Geidt
Lord German
Lord Goldsmith KC (Chair)
Lord Grimstone of Boscobel
Lord Hannay of Chiswick
Baroness Hayter of Kentish Town (Member until 31 January 2024)
Lord Howell of Guildford
Lord Kerr of Kinlochard (Member until 31 January 2024)
Baroness Kingsmill
Lord Marland
Lord Razzall (Member until 31 January 2024)
Lord Udney-Lister
Lord Watts (Member until 31 January 2024)

Declarations of interest

Lord Anderson of Swansea
No relevant interests

Lord Boateng
No relevant interests

Lord Fox
No relevant interests

Lord Geidt
No relevant interests

Lord German
No relevant interests

Lord Goldsmith KC (Chair)
Co-Managing Partner, Debevoise & Plimpton LLP (international law firm). Legal work including investment arbitration cases.

Lord Grimstone of Boscobel
No relevant interests.

Lord Hannay of Chiswick
*Member, Advisory Board of the Centre for European Reform
Chair, European and International Analysts Group.
Member, European Leadership Network.*

Baroness Hayter of Kentish Town
No relevant interests

Lord Howell of Guildford
No relevant interests

Lord Kerr of Kinlochard
*Chair, Centre for European Reform
Deputy Chairman, Scottish Power PLC
Former trustee, Refugee Council*

Baroness Kingsmill

No relevant interests

Lord Marland

No relevant interests

Lord Razzall

Director, North Atlantic Mining Associates Limited

Director ZeU Technologies Inc

Shareholdings, ZeU Technologies Inc

Shareholdings St-Georges Eco-Mining Corporation

Shareholdings, Tintra plc

Lord Udney-Lister

Adviser to the Group Chairman of HSBC

Lord Watts

No relevant interests

A full list of Members' interests can be found in the Register of Lords' Interests:
<http://www.parliament.uk/mps-lords-and-offices/standards-and-interests/register-of-lords-interests>

APPENDIX 2: LIST OF WITNESSES

Evidence is published online at <https://committees.parliament.uk/work/7875/uk-accession-to-comprehensive-and-progressive-agreement-for-transpacific-partnership-cptpp/> and available for inspection at the Parliamentary Archives (020 7219 3074).

Evidence received by the Committee is listed below in chronological order of oral evidence session and in alphabetical order. Those witnesses marked with ** gave both oral and written evidence. Those marked with * gave oral evidence and did not submit any written evidence. All other witnesses submitted written evidence only.

Oral evidence in chronological order

*	Professor Christopher Dent, Professor in Economics and International Business at Edge Hill University	QQ 1–7
**	Dr Guilia Leonelli, Assistant Professor of Law at LSE Law School	QQ 1–7
*	Dr Chun-Yi Lee, Associate Professor at University of Nottingham	QQ 8–19
*	Dr Minako Morita-Jaeger, Senior Research Fellow at University of Sussex	QQ 8–19
*	Sophia Gaston, Head of Foreign Policy at Policy Exchange	QQ 8–19
*	Kate Foster, Head of International Affairs, Federation of Small Businesses	QQ 20–34
*	Sally Jones, Partner, Trade Policy and Strategy, Ernst & Young LLP	QQ 20–34
*	Colin Barker, High Commissioner for Canada	QQ 35–44
*	Elisabeth Bowes, Deputy High Commissioner for Australia	QQ 35–44
*	Creon Butler, Director, Global Economy and Finance Programme, Chatham House	QQ 45–55
*	Professor Holger Hestermeyer, Chair, International and European Law, Vienna School of International Studies	QQ 45–55
*	Dr Inu Manak, Fellow for Trade Policy, Council on Foreign Relations	QQ 45–55
*	Lord Johnston of Lainston, Minister for Investment at the Department of Business and Trade	QQ 56–76
**	Rob Cooke, Deputy Director for Comprehensive and Progressive Agreement for Trans-Pacific Partnership, Department of Business and Trade	QQ 56–76

Alphabetical list of all witnesses

Afruibana	ACP0019
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- Baby Milk Action/IBFAN UK [ACP0025](#)
- * Colin Barker, High Commissioner for Canada ([QQ 35-44](#))
- British Chambers of Commerce [ACP0016](#)
- * Elisabeth Bowes, Deputy High Commissioner for Australia ([QQ 35-44](#))
- * Creon Butler, Director, Global Economy and Finance Programme, Chatham House ([QQ 45-55](#))
- Chartered Institute of Patent Attorneys [ACP0012](#)
- Chivas Brothers Ltd [ACP0021](#)
- Professor David Collins, Professor of International Economic Law at City, University of London [ACP0003](#)
- * Rob Cooke, Deputy Director for Comprehensive and Progressive Agreement for Trans-Pacific Partnership, Department of Business and Trade ([QQ 35-44](#))
- Dairy UK
- ** Department for Business and Trade [ACP0007](#)
- * Professor Christopher Dent, Professor in Economics and International Business at Edge Hill University ([QQ 1-7](#))
- * Kate Foster, Head of International Affairs, Federation of Small Businesses ([QQ 20-34](#))
- * Sophia Gaston, Head of Foreign Policy at Policy Exchange ([QQ 8-19](#))
- Global Justice Now [ACP0011](#)
- * Professor Holger Hestermeyer, Chair, International and European Law, Vienna School of International Studies ([QQ 45-55](#))
- IP Federation [ACP0006](#)
- * Lord Johnston of Lainston, Minister for Investment at the Department of Business and Trade ([QQ56-76](#))
- * Sally Jones, Partner, Trade Policy and Strategy, Ernst & Young LLP ([QQ 20-34](#))
- Law Society of Scotland [ACP0026](#)
- * Dr Chun-Yi Lee, Associate Professor at University of Nottingham ([QQ 8-19](#))
- ** Dr Giulia Leonelli, Assistant Professor of Law at The London School of Economics and Political Science ([QQ 1-7](#)) [ACP0029](#)
[ACP0005](#)
- * Dr Inu Manak, Fellow for Trade Policy, Council on Foreign Relations ([QQ 45-55](#))

	Dr Courtney McNamara, Lecturer in Public Health at Newcastle University	<u>ACP0023</u>
*	Dr Minako Morita-Jaeger, Senior Research Fellow at University of Sussex (<u>QQ 8-19</u>)	
	National Farmers' Union of England and Wales	<u>ACP0013</u>
	PAN UK	<u>ACP0022</u>
	Public Health Wales	<u>ACP0015</u>
	RSPCA	<u>ACP0001</u>
	Scottish Government	<u>ACP0008</u>
	Scotch Whisky Association	<u>ACP0018</u>
	Scottish Grocers' Federation	<u>ACP0009</u>
	Seafish	<u>ACP0027</u>
	Trade and Animal Welfare Coalition	<u>ACP0014</u>
	Trade Justice Movement	<u>ACP0017</u>
	Transform Trade	<u>ACP0024</u>
	UK Trade Policy Observatory and Centre for Inclusive Trade Policy	<u>ACP0028</u>
	Dr Sarah Tzinieris, Research Fellow at King's College London	<u>ACP0002</u>
	Dr Anil Yilmaz Vastardis, Senior Lecturer at University of Essex	<u>ACP0010</u>
	The Zoological Society of London - ZSL	<u>ACP0020</u>

APPENDIX 3: CALL FOR EVIDENCE

Aim of the inquiry

Following the announcement of the UK's accession on 16 July, the International Agreements Committee is reactivating its inquiry into CPTPP. We will be undertaking a new programme of evidence gathering, covering the terms of the UK's accession, its potential benefits and disadvantages, and provisions for key UK sectors, among other issues.

Questions

The Committee is happy to receive submissions on any issues related to the subject of the inquiry but would particularly welcome submissions on the questions listed below. You do not need to address every question. Respondents may interpret the questions broadly and provide as much information as possible. Some questions are followed with supplementary bullet points; you only need to cover these supplementary points if you have relevant views on them.

Introductory question

1. What is your view of the overall likely economic benefit of CPTPP for the UK? What are your reasons for this view? Are Government projections realistic?

Agriculture

2. What is your view of the agricultural market access schedules that have been negotiated as part of CPTPP?
3. What do you think will be the effect of CPTPP access on geographical indications, and what impact might any changes have?

Non-agricultural market access

4. How might UK manufacturers gain or lose from the CPTPP provisions on cumulation of origin? How, if at all, are UK consumers likely to benefit?
 - The UK and Malaysia issued a side letter on automotive rules of origin which set the regional value content without tariff changes at 25 per cent. How is this likely to benefit, or harm, UK manufacturers?

Services

5. How far do you think the Agreement provides UK services firms with new market access or simply confirms existing access? Are there other benefits?
 - Will the Agreement result in the UK providing more services market access for CPTPP members?
6. What is your view on the likelihood of there being changes or new rules benefitting UK services firms in the future?

Intellectual property

7. The Government states that it “ensured our accession to CPTPP is consistent with our existing international obligations, such as the European Patent Convention (EPC)”.^[1] Are you satisfied with this outcome? Does it solve the issue of conflicting obligations between the EPC and CPTPP regimes?

8. Has the NHS been satisfactorily protected in CPTPP accession?

The precautionary principle and food standards

9. How might accession change the UK's precautionary approach to sanitary and phytosanitary measures and risk assessments, and its approach to food standards regulations more generally?

ISDS

10. The UK has agreed to exclude ISDS provisions with Australia and New Zealand, but they are included for the other member states. What is your view on this approach?
11. What is your view on the implications of CPTPP for the UK's domestic environmental policies and regulations, and for UK policy on greenhouse gas intensive practices among other member countries?
- What effect might the joint statement on climate change, the environment and sustainable trade have in this regard?
12. What is your view on the implications of CPTPP accession for deforestation and palm oil imports? What effect might the accompanying UK-Malaysia joint statement have in this regard?

Devolution

13. What is the potential impact of the agreement on the devolved administrations and their responsibilities?
14. Has the accession agreement struck the right balance between supporting the Windsor Framework and extending the benefits of CPTPP to Northern Ireland?

Concluding questions

15. What are your views on the likely future development of the CPTPP and how this could affect the UK? What are your views on how it should develop?
- How do you expect the Government might approach current and future applications to join CPTPP?
16. Are there any other aspects of the CPTPP which you think are of concern for UK manufacturers, producers and consumers, and for UK interests in general?
- How might CPTPP accession affect existing trade relationships such as those with the EU?