

TJM Briefing:

Comprehensive and Progressive Agreement for Trans-Pacific Partnership April 2023

EXECUTIVE SUMMARY

Background

- The Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) is a trading bloc encompassing 11 countries in the Pacific region. Members include Japan, Canada, Australia, New Zealand, Malaysia and Singapore.
- The UK formally applied to join the deal at the end of January 2021, and on 22 June published its negotiation objectives and scoping assessment.¹ An agreement in principle was signed on 31st March 2023 with full accession anticipated in the coming months.
- Joining CPTPP is seen as part of a wider 'Indo-Pacific tilt' in UK foreign policy, outlined in the Integrated Review of Security, Defense, Development and Foreign Policy, first written in 2021 and updated in 2023.²

Key issues:

- The economic benefits of joining the CPTPP are negligible on the Government's own measures: adding just under £1.8 billion, or 0.08%, to UK GDP "in the long run". This is the equivalent of £27.73 or around ten cups of coffee per person per year³, only achieved after 10-15 years of membership. In addition, there is little in place to ensure an equitable distribution of benefits.
- CPTPP includes nine countries that are partners in existing bilateral free trade agreements, which further reduces the benefits of joining the multilateral agreement. It also creates overlapping rules that will cause difficulties for businesses trying to export under the different deals. At the time of writing, the Government has said little about how it intends to address this.
- The terms of the CPTPP were agreed by existing partners; the UK has therefore only minimal ability to shape the terms of its accession. This means that UK interests will have been more difficult to secure and there is little to ensure alignment with other important foreign policy goals on issues such as climate change and human rights.
- Joining CPTPP could lead to increased climate emissions and negative impacts for the environment and biodiversity. The UK has acceded to Malaysia's demand to lower tariffs on palm oil to zero⁴, which could increase deforestation, further undermine indigenous and local community land rights and threaten natural habitats for species like orangutans.

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<https://www.gov.uk/government/publications/uk-approach-to-joining-the-comprehensive-and-progressive-agreement-for-trans-pacific-partnership-cptpp>

2 <https://www.gov.uk/government/publications/integrated-review-refresh-2023-responding-to-a-more-contested-and-volatile-world#:~:text=Policy%20paper-,Integrated%20Review%20Refresh%202023%3A%20Responding%20to%20a%20more%20contested%20and,context%20since%20Integrated%20Review%202021>

³ £1.8 billion divided by a population of 67.33 million, does not take account of price changes over time, need to check scoping docs to see whether it is per year or in total, and by when.

4

<https://www.gov.uk/government/publications/comprehensive-and-progressive-agreement-for-trans-pacific-partnershipcptpp-conclusion-of-negotiations/conclusion-of-negotiations-on-the-accession-of-the-united-kingdom-of-great-britain-and-northern-ireland-to-the-comprehensive-and-progressive-trans-pac>

- UK farming standards could come under pressure from accession to this agreement. For example, UK pesticide standards could be undermined: 119 pesticides that are banned in the UK are allowed for use in one or more CPTPP members.⁵ Multiple CPTPP countries have an interest in exporting a number of agri-food products to the UK, and this agreement could see lower standard products on UK plates. Canada, which permits the use of growth hormones in farming, has previously expressed its objection to the UK's ban on hormone-treated beef and is seeking increased access to the UK market. Canadian farming uses around five times as many antibiotics as are used in UK livestock production.⁶
- Canada and Mexico are seeking zero tariffs on agricultural goods, in line with provisions in the UK's recently agreed bilateral agreement with Australia. As their standards in several sectors are well below those permitted in the UK, this would increase the detrimental impact for UK farming and its ability to shift to a sustainable, higher animal welfare, agroecological model.⁷
- UK commitments to the Sustainable Development Goals (SDGs) could be undermined through CPTPP. Priorities for less wealthy countries have been sidelined in the agreement, meaning that it contains provisions which these countries have long resisted, such as a requirement to sign up to extensive seed patenting rules under UPOV91, investment liberalisation and protection measures and commitments to liberalise government procurement. Less wealthy CPTPP members initially agreed to these because they thought they would get increased access to the US market but the US subsequently withdrew from the negotiations.⁸
- The CPTPP group itself includes countries that have poor records on human rights, including Brunei, Mexico and Vietnam, and the agreement has only weak provisions on labour rights.⁹
- The impacts of a number of measures in the deal are deeply gendered, potentially pushing women, who are the majority of small-scale, subsistence farmers, to compete against large scale agribusiness, and posing a threat to the provision of freely accessible public services.¹⁰
- CPTPP includes Investor-State Dispute Settlement (ISDS) mechanisms, which allow firms to sue governments for measures which harm their profits. In the past, ISDS has been used to challenge important environmental, health and social regulations, including bans on fracking, plain packaged cigarettes and water pollution controls. The UK has refused to give any clarity regarding its intentions in respect of ISDS in the CPTPP.
- The Biden administration in the US has implied that it will not join CPTPP, due to concerns about how modern trade agreements can block progressive policies and limit the ability of governments to respond to challenges like Covid-19.¹¹
- It is unlikely that the agreement will be subject to proper parliamentary scrutiny. A clear precedent for poor scrutiny was set during the passage of the Australia FTA: despite assurances that agreements were unlikely to pass without a debate in parliament¹² no

⁵ <https://www.sustainweb.org/reports/toxic-trade-cptpp/>

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<https://www.saveourantibiotics.org/media/1864/farm-antibiotics-and-trade-could-uk-standards-be-undermined-asa-nov-2020.pdf>

⁷ <https://commonslibrary.parliament.uk/research-briefings/cbp-9484/>

⁸ <https://www.southcentre.int/wp-content/uploads/2021/11/SV165-180308.pdf>

⁹ <https://www.tuc.org.uk/sites/default/files/2021-04/TUC%20CPTPP%20briefing%20April%202021.pdf>

¹⁰ Over 50 feminist organisations and their allies from 10 countries signed a joint letter opposing the deal when it was first signed, where they set out their concerns. See:

<https://apwld.org/statement-feminist-organisations-and-allies-offended-by-cptpp-takeover-of-iwd/>

¹¹ The Hill, [Will new NAFTA block Biden's progressive regulatory policies?](#), 19 March 2021

¹² <https://hansard.parliament.uk/lords/2021-02-23/debates/8F92FB28-D51A-4996-8471-7CCAB472F224/TradeBill>

debate was given during the time allotted under the Constitutional Reform and Governance (CRaG) Act.

Recommendations:

TJM is calling for the UK to halt the accession process to the CPTPP. The agreement brings minimal benefits and significant risks for priorities such as tackling the climate and biodiversity crises, ensuring gender equality and eliminating poverty. Crucially, we have no faith that the agreement will be subject to anything approaching the necessary levels of scrutiny. We believe that the UK should rethink its approach to trade so that UK policy is fully aligned with commitments on human rights, gender equality, climate, the environment and the SDGs and overhaul its processes for public engagement and parliamentary scrutiny.

Full Briefing:

Background

The Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) is a trading bloc encompassing 11 countries in the Pacific region. Members include Japan, Canada, Australia, Malaysia and Singapore.

While increased collaboration with partners and allies in the Asia-Pacific region is welcome, trade deals are not the only forum to do so and the CPTPP shares similar defects to other modern trade agreements, including the failed Transatlantic Trade and Investment Partnership (TTIP) between the EU and US.

Although the US is no longer a signatory to CPTPP, the deal was originally designed and negotiated with the Obama administration, and its design is similar to TTIP. Like TTIP, CPTPP encourages liberalisation of markets, deregulation, and reduces the ability of national governments to intervene in the economy and regulate in the public interest.

The UK Government's own estimates predict a 'long run' (15 year) UK GDP benefit of just £1.8 billion, or 0.08% the equivalent of £27.73, or around ten cups of coffee, per person per year.¹³ To put this in context, the HS2 rail project will cost upwards of £100 billion.¹⁴ The estimates predict UK trade with CPTPP members will increase by around 3% as a result of UK accession, whereas UK trade with non-CPTPP countries is expected to decrease by 0.26%. Given that CPTPP members make up only 8% of UK trade, this means the benefits of accession are very finely balanced. Further countries are likely to join the deal, but even if Costa Rica, Ecuador, Uruguay, Thailand, the Philippines and South Korea all join, that would still only cover 10% of UK exports.¹⁵

The economic gains are further undermined in a number of other ways. The UK already has bilateral deals with nine of the eleven CPTPP member states¹⁶, and it is unclear to what extent the CPTPP adds value beyond these deals. The UK is joining an existing deal, with very limited ability to amend it to reflect UK priorities.

1) The environment, climate and standards

The UK has sought to be a world leader in the fight against climate change. Prime Minister Rishi Sunak has recognised that tackling climate change is central to UK economic success and resilience.¹⁷ The government has committed to net-zero greenhouse gas emissions by 2050.

However, there is a mismatch between these stated ambitions on climate and the UK's trade policy. The Department for Business and Trade is given free rein to negotiate trade deals with no requirements for deals to include environmental provisions, or restrictions on how deals affect standards. The Government opposed amendments to the Trade Act which would have maintained high standards¹⁸, and has since continued its opposition to such measures.

¹³ £1.8 billion divided by a population of 67.33 million, does not take account of price changes over time, scoping study indicates that "in the long run" means 15 years after accession.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1027860/dit-cptpp-uk-accession-strategic-approach.pdf Cups of coffee based on £2.86 average price cited here:

<https://www.theguardian.com/business/2023/jan/19/wake-up-and-buy-the-coffee-inflation-raises-cost-of-a-takeaway-cup#:~:text=A%20cup%20of%20coffee%20cost,data%20for%20a%20takeaway%20latte>.

¹⁴ <https://www.thetimes.co.uk/article/how-much-hs2-cost-money-spent-uk-2023-wvz9hdnz3>

¹⁵

<https://www.gov.uk/government/publications/comprehensive-and-progressive-agreement-for-trans-pacific-partnership-cptpp-conclusion-of-negotiations/conclusion-of-negotiations-on-the-accession-of-the-united-kingdom-of-great-britain-and-northern-ireland-to-the-comprehensive-and-progressive-trans-pac>

¹⁶ Australia, Canada, Chile, Japan, Mexico, New Zealand, Peru, Singapore and Vietnam

¹⁷ <https://www.telegraph.co.uk/politics/2022/11/05/rishi-sunak-fighting-climate-change-just-moral-good/>

¹⁸ Guardian, [UK ministers gain power to allow lower-standard food imports](#), 19 January 2021

The UK's own assessment predicts that greenhouse gas emissions will increase as a result of accession to CPTPP. Whilst the increase is very small, at 0.025%¹⁹, it is far from the significant reductions that are required to achieve our climate commitments.

The CPTPP risks encouraging a race to the bottom on standards, which severely hampers environmental regulation. This could happen through multiple avenues:

1. CPTPP preferences the 'science-based' approach to regulation over the 'precautionary principle'. The former requires parties to demonstrate a scientific basis for regulation, which can be problematic if there is no such basis, no means to develop it or scientific papers have been published by an industry with a vested interest in a particular outcome. The precautionary principle allows for greater flexibility so that countries can regulate if there is a reasonable concern of detrimental outcomes.
2. Negotiations may put pressure on the UK to reduce its product standards or allow imports of goods made using practices banned in the UK. For example, palm oil extraction leads to deforestation and therefore an increase in greenhouse gas emissions. The UK has acceded to Malaysia's demand to lower tariffs on palm oil to zero²⁰, which could increase deforestation, further undermine indigenous and local community land rights and threaten natural habitats for species like orangutans.
3. UK farming standards could come under pressure from accession to this agreement. For example, UK pesticide standards could be undermined: 119 pesticides that are banned in the UK are allowed for use in one or more CPTPP members.²¹ Multiple CPTPP countries, particularly Mexico and Canada, have interest in exporting a number of agri-food products to the UK, and this agreement could see sub-standard products from both countries end up on UK plates. The majority of Mexican pigs are raised in intensive conditions and the use of sow stalls, which have been illegal in the UK since 1999, is permitted. Furthermore, ractopamine, a growth-promoter used in pigs that is banned in the UK is also allowed in Mexico. Canada, which permits the use of growth hormones in farming, has previously expressed its objection to the UK's ban on hormone-treated beef and is seeking increased access to the UK market. Canadian farming uses around five times as many antibiotics as are used in UK livestock production.²²
4. Canada and Mexico are seeking zero tariffs on agricultural goods, in line with provisions in the UK's recently agreed bilateral agreement with Australia. As their standards in several sectors are well below those permitted in the UK, this would increase the detrimental impact for UK farming and its ability to shift to a sustainable, higher animal welfare, agroecological model.²³
5. CPTPP contains a regulatory cooperation chapter, which allows for dialogue between countries to reduce regulatory barriers to trade.²⁴ Since this cooperation is geared towards increasing trade rather than tackling issues like climate change, there is a risk that it leads to a reduction in standards rather than a shared raising of standards.

19

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1027860/dit-cptpp-uk-accession-strategic-approach.pdf

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<https://www.gov.uk/government/publications/comprehensive-and-progressive-agreement-for-trans-pacific-partnership-cptpp-conclusion-of-negotiations/conclusion-of-negotiations-on-the-accession-of-the-united-kingdom-of-great-britain-and-northern-ireland-to-the-comprehensive-and-progressive-trans-pac>

²¹ <https://www.sustainweb.org/reports/toxic-trade-cptpp/>

22

<https://www.saveourantibiotics.org/media/1864/farm-antibiotics-and-trade-could-uk-standards-be-undermined-asa-nov-2020.pdf>

²³ <https://commonslibrary.parliament.uk/research-briefings/cbp-9484/>

²⁴ Trade Justice Movement, [Dynamic Alignment and Regulatory Cooperation between the UK and the EU after Brexit](#), September 2019

Furthermore, these forums lack transparency and scrutiny mechanisms so that civil society can be involved.

6. CPTPP contains an intellectual IP chapter, offering lengthy protections for patents and trademarks, which could hamper the rapid dissemination of technology, recognised by the International Panel on Climate Change (IPCC) as critical to the fight against climate change.
7. CPTPP includes an Investor-State Dispute Settlement (ISDS) mechanism, described in more detail in a later section. This can have particularly worrying implications for environmental regulations and the fight against climate change.
8. Although the CPTPP contains an Environment Chapter, its provisions are non-binding and require proof that weakening of environmental measures was done in order to gain a trade advantage, something that is notoriously difficult to prove.

2) Sustainable Development Goals

UK commitments to the Sustainable Development Goals (SDGs) could be undermined through CPTPP. Priorities for less wealthy countries have been sidelined in the agreement, meaning that it contains provisions which these countries have resisted at the World Trade Organisation (WTO). Concerns include:

1. Countries must join an international treaty known as UPOV91 under which farmers are not able to save and exchange seeds that are patented by big corporations, but have to buy costly seeds from them in order to plant new crops.
2. Countries have to open up to other CPTPP members' companies and investors to enter and invest in their territory. This could have implications for the government's ability to ensure investment supports their development or industrial strategies, for example by promoting high quality local jobs.
3. Most governments in developing countries give preferential treatment to local companies when granting construction and other projects. This preference is also provided when the government purchases materials and services. Under the new agreement, these preferences will end, as foreign firms from CPTPP countries will have to be given equal treatment to local firms in government procurement above a certain level. The aim is to enable foreign firms to obtain more business and revenue. But the disadvantage to the host country is that their ability to support local firms and the domestic economy (as under the original procurement policy) will be severely eroded.
4. In many countries, State Owned Enterprises (SOEs) play multiple significant economic and social roles. Under the CPTPP, these roles will be significantly constrained and reduced by new rules that prohibit or make it more difficult for SOEs to obtain financing or preferential treatment from the government. The rules also prevent SOEs from giving preferential treatment (for example in their procurement) to other local firms. The aim is to enable foreign companies to better compete with the SOEs and obtain more market share.

5. Despite some provisions being suspended from the original Trans-Pacific Partnership Agreement (TPP), the CPTPP has retained Intellectual Property (IP) clauses that could have negative effects such as higher costs for medicines, educational materials and farm inputs.
6. The UK has offered significant tariff reductions for bananas to all CPTPP countries and further reductions for Mexico and Peru. This is likely to lead to demands from other significant producers, such as Colombia for an equivalent reduction, putting significant pressure on smaller countries who are heavily reliant on banana exports.²⁵

Less wealthy CPTPP members initially agreed to these because they thought they would get increased access to the US market but the US subsequently withdrew from the negotiations, reducing the potential benefits.²⁶

3) Human rights, labour rights, gender equality and health

The CPTPP group includes a number of countries that have poor records on human rights, including Brunei, Mexico and Vietnam, and the agreement has only weak provisions to address these issues.²⁷

1. The main mechanism for dealing with human rights issues is the 'Trade and Sustainable Development' (TSD) chapter; however, this lacks enforceability. There is also a labour rights chapter which commits countries to meet core international standards on labour rights as set out in International Labour Organization (ILO) regulations. A challenge can only be brought under these provisions if it can be demonstrated that failure to uphold labour rights was done in a way that gave the offending country a trade advantage, something that is notoriously difficult to achieve.
2. CPTPP's labour chapter can only be enforced by governments. Unions or other groups could lobby their governments to take formal action to enforce the provisions, but they will not be able to file a complaint under the agreement. This is in stark contrast with the ability of investors and corporations to sue member countries directly under the agreement's ISDS provisions.
3. The impacts of provisions in areas including services, government procurement and IP are deeply gendered, potentially pushing women, who are the majority of small-scale, subsistence farmers, to compete against large scale agribusiness, and posing a threat to the provision of freely accessible public services.²⁸
4. There are serious concerns regarding the agreement's impact on the right to health. Although CPTPP removes some of the IP provisions of the TPP, many worrying provisions remain, and if the US rejoins the deal, the currently suspended provisions will be reinstated. Provisions extend patent terms, allow minor changes to products to attract additional patent extensions, and prevent generics producers from using existing clinical data. The impact of these provisions is to drive up the cost of medicines.²⁹

²⁵ Duties for all CPTPP countries will be reduced to 62.00 GBP/1000kg at entry into force and remain at that rate in each subsequent year for all CPTPP Parties. In addition, Mexico and Peru will each receive additional access to separate TRQs of 8,000 tonnes each at entry into force, facing an in-quota rate of 40.00 GBP/1000kg
<https://www.gov.uk/government/publications/comprehensive-and-progressive-agreement-for-trans-pacific-partnership-cptpp-conclusion-of-negotiations/conclusion-of-negotiations-on-the-accession-of-the-united-kingdom-of-great-britain-and-northern-ireland-to-the-comprehensive-and-progressive-trans-pac>

²⁶ <https://www.southcentre.int/wp-content/uploads/2021/11/SV165-180308.pdf>

²⁷ <https://www.tuc.org.uk/sites/default/files/2021-04/TUC%20CPTPP%20briefing%20April%202021.pdf>

²⁸ Over 50 feminist organisations and their allies from 10 countries signed a joint letter opposing the deal when it was first signed, where they set out their concerns. See:

<https://apwld.org/statement-feminist-organisations-and-allies-offended-by-cptpp-takeover-of-iwd/>

²⁹ <https://www.hrw.org/news/2016/01/12/qa-trans-pacific-partnership>

4) Digital provisions

Business and governments have been keen, for example through the WTO's e-commerce negotiations, to forge ahead with new provisions in trade agreements covering online interactions. The CPTPP retains the TPP electronic commerce chapter in full. The chapter:

1. Commits parties to refrain from introducing a tax on cross-border digital transactions. Less wealthy countries have raised concerns about this at the WTO because it constrains their ability to generate revenue from border taxes, which constitute a much larger part of overall government funds than in wealthier countries.
2. Requires parties to allow the cross-border transfer of data, including personal information. There is some flexibility but the bar is set high for countries to prove that measures are necessary to achieve the relevant policy objective.
3. Commits parties to refrain from requiring companies to locate computing facilities in their territory.
4. Prevents parties from requiring access to source code, with the exception of code contained in critical infrastructure.

The above provisions are problematic in a number of ways. They can impact on the right to privacy where data is transferred from a country with relatively high to one with relatively low data protection provisions or enforcement. This could undermine the ability of member countries to enact data protection laws to regulate commercial collection and use of personal data and safeguard privacy. For example, European Union member states have limited cross-border data transfers as a mechanism for enforcing data protection rules imposed on US-based Internet companies since they find that data protection is not adequately regulated in the US. While governments can adopt measures that are inconsistent with this TPP provision, if challenged they will need to meet the high threshold of showing that data protection measures aren't "arbitrary or unjustifiable discrimination."³⁰

Preventing governments from requiring the disclosure of source code has already created a number of serious problems. For example, Volkswagen were found guilty of 'gaming' car engines so that they could detect when a test was being conducted and reduce emissions as compared with normal road usage.³¹ The Lords' International Agreements Committee found that CPTPP's digital provisions only have narrow public policy exceptions and that this would create barriers for regulatory bodies seeking to access source code for legitimate public interest reasons, such as fraud and security, and could limit accountability of automated decision-making. The committee encouraged the Government to negotiate an exception to this provision.³²

The CPTPP will lock in an approach to digital regulation that overrides public debate about where the balance should lie between privacy and data sharing. The consequences could reach far into everyday life.

5) Investor-State Dispute Settlement (ISDS)

Investor-State Dispute Settlement (ISDS) is a key provision within CPTPP. ISDS allows firms to sue governments for measures which harm their profits. This can have disastrous effects on the environment and a 'chilling' effect on regulation designed to combat climate change.

³⁰ *ibid*

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<https://www.theguardian.com/business/2017/mar/10/volkswagen-vw-pleads-guilty-criminal-charges-emissions-cheating#:~:text=Volkswagen%20pleaded%20guilty%20on%20Friday,of%20nitrogen%20oxide%20during%20tests.>

³² <https://committees.parliament.uk/publications/7859/documents/81612/default/>

ISDS has been used to challenge important environmental regulations, including: water pollution controls in Germany, a ban on fracking in Canada, and various regulations on mining in East Asia and South America.³³ There is a risk that ISDS is used to challenge new regulations which are essential for fighting climate change.

There is also evidence of ISDS being used to challenge health provision, labour rights and other important regulations. ISDS was used in Egypt to challenge an increase in the minimum wage, Philip Morris sued Australia for attempting to introduce plain-packaged cigarettes, and Slovakia was sued for attempting to nationalise part of the health service.³⁴

The Confederation of British Industry (CBI) has stated that there is “a risk of the UK becoming disproportionately targeted through ISDS” and that “there could also be environmental implications of the UK being exposed to the ISDS mechanism.”³⁵

The UK did not include ISDS in its recent trade agreements with Australia, New Zealand and Japan, and provisions are suspended in its rollover agreement with Canada. The Government could have sought explicit side-letters in CPTPP to be exempt but chose not to do this, which means the UK now has ISDS agreements with Canada and Japan, potentially increasing significantly the UK’s exposure to cases.³⁶

6) Process and scrutiny

The Government originally stated that “before applying” to join the CPTPP, it would “publish an Outline Approach and a Scoping Assessment setting out our negotiating objectives and the economic impact and benefits of accession.”³⁷ The UK applied to join the CPTPP at the end of January 2021, but the outline approach and scoping assessment were not published until 22 June 2021.

MPs have thus far not had a formal opportunity to debate the risks and benefits of joining CPTPP. The UK’s process for negotiating international agreements allows the government to initiate, negotiate and conclude deals without any scrutiny or consent from Parliament. MPs have no guaranteed votes on objectives or on the final deal.³⁸

Although verbal reassurances, made from the despatch box during the passage of the Trade Act, give committees the power to recommend deals for debate, this is not guaranteed in law.³⁹ Indeed, the post-signature scrutiny process for the UK-Australia FTA in 2022, the first ‘from scratch’ post-Brexit agreement, highlighted acutely that the processes are opaque and utterly unfit for purpose. The Government rejected calls from across the House⁴⁰ to ensure that they schedule time for MPs to debate the Agreement within the CRaG period, or failing that, extend the scrutiny period. Conservative MP and International Trade Committee member Anthony Mangnall was forced to secure an Urgent Question on UK-Australia scrutiny on the penultimate day of the CRaG period to ensure that the Commons debated the agreement at all.⁴¹ During the debate, MPs from all parties expressed their frustration at the way in which the process had been handled, but this was the only opportunity MPs had to discuss this landmark, wide-reaching FTA, which effectively sleepwalked its way to parliamentary approval.

³³ Trade Justice Movement, [Shaping future UK trade policy: Investment Protection Provisions](#), September 2020

³⁴ All examples detailed in Trade Justice Movement, [Shaping future UK trade policy: Investment Protection Provisions](#), September 2020

³⁵ <https://www.cbi.org.uk/media/6859/joining-the-cptpp-opportunities-and-challenges-for-uk-business.pdf>

³⁶ Herbert Smith Freehills, [New Zealand signs side letters with five CPTPP members to exclude compulsory investor state dispute settlement](#), 9 May 2018

³⁷ Department for International Trade, [An update on the UK’s position on accession to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership \(CPTPP\)](#), June 2020

³⁸ Trade Justice Movement, [Securing democracy in UK trade policy](#), November 2017

³⁹ Hansard, [Trade Bill ping pong \(Lords\)](#), 23 February 2021

⁴⁰ Liaison Committee, [Letter from the Chair to the Prime Minister regarding Parliamentary scrutiny of the Australia / UK trade agreement](#), July 2022

⁴¹ Hansard, [Australia-UK Free Trade Agreement: Scrutiny](#), 19 July 2022

This, along with the lack of opportunity for Parliament or the public to meaningfully scrutinise negotiating objectives or ongoing trade negotiations, represents a serious democratic deficit which risks bad deals being agreed without broad support. Though the negotiation processes to the point of signature have been similarly opaque, this post-signature precedent must not be repeated for accession to CPTPP.

Recommendations:

TJM is calling for the UK to halt the accession process to the CPTPP. The agreement brings minimal benefits and significant risks for priorities such as tackling the climate and biodiversity crises, ensuring gender equality and eliminating poverty. Crucially, we have no faith that the agreement will be subject to anything approaching the necessary levels of scrutiny. We believe that the UK should rethink its approach to trade so that UK policy is fully aligned with commitments on human rights, gender equality, climate, the environment and the SDGs and overhaul its processes for public engagement and parliamentary scrutiny.