



Scottish Environment LINK believes the UK Internal Market Bill fails to provide a clear legal commitment to maintain existing environmental standards as part of UK internal trade following EU exit. LINK believes that such a legal commitment would provide welcome assurance to the public, business, civil society and devolved administrations. It is crucial that that this commitment is viewed as a minimum standard, with individual nations of the UK free to exceed if they wish.

Our response to the UK Internal Market Bill is focused on matters related to environmental protection and achieving sustainability. The points below summarise our response to the UK Government's consultation on the Bill's White Paper in August 2020 which can be read in full [here](#).

- While both the UK and Scottish Governments have separate policy statements of admirable ambition – for example “to leave the environment in a better state for the next generation” (UK) or “to maintain or exceed EU environmental standards” (Scotland) – neither Government has committed to underpin these ambitions with legal certainty. **A commitment to high environmental standards following EU exit must be enshrined in law.** The UK Government could include this in either the Internal Market Bill or Environment Bill, while, in Scotland, such a commitment could be added to the Continuity Bill.
- The absence of any legally binding commitment in the UK Internal Market Bill to maintain existing environmental standards, risks one (or more) of the governments in the UK reducing its regulations in order to secure competitive advantage by reducing so-called ‘red tape’ and lowering costs to business. This would drive a **“race to the bottom.”**
- **To reduce this risk, the following changes to the Bill are required:**
 - The principles of mutual recognition and non-discrimination must be qualified to permit essential regulation in the public interest, including to protect and improve the environment.
 - The principles of mutual recognition and non-discrimination must be qualified to operate alongside the application of other important legal principles, including the four EU environmental principles set out in the UK Environment Bill and Scottish Continuity Bill.
 - The principles of mutual recognition and non-discrimination must be subject to clear clarification as to how they will be applied in a manner consistent with the benefits devolution has provided.
- These qualifications must be clear both in the legislation and in its implementation. **Common Frameworks are key** to ensuring consistent implementation and must urgently be progressed. **The Committee may wish to ask both the UK and Scottish Governments for an update on the progress with Common Frameworks.**
- Many respondents to the UK Government's consultation highlighted the risks to the environment and need for clear common frameworks. However, the [UK Government's](#)



[response](#) has not indicated how it will address these concerns. **Committee members are urged to ask the UK Government how it will address the concerns raised by respondents.**

This response is supported by the following LINK member organisations:

Butterfly Conservation Scotland
Cairngorms Campaign
Environmental Rights Centre for Scotland
Fidra
Friends of the Earth Scotland
Froglife
Hebridean Whale and Dolphin Trust
Marine Conservation Society
National Trust for Scotland
Nourish Scotland
Ramblers Scotland
RSPB Scotland
Scottish Badgers
Scottish Wild Land Group
Scottish Wildlife Trust
Soil Association Scotland
Trees for Life
Woodland Trust Scotland

Scottish Environment LINK is the forum for Scotland's voluntary environment community, with 38 member bodies representing a broad spectrum of environmental interests with the common goal of contributing to a more environmentally sustainable society.

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