



Department for
Energy Security
& Net Zero

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Bill Esterson MP
Chair, Energy Security and Net Zero Committee
House of Commons
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Dear Bill,

Follow up to oral evidence session – Investor-State Dispute Settlement

I am writing to you following my appearance before your committee on 8 July. During the session, I committed to providing you with further details regarding how the Government has weighed the decisions relating to ISDS in its recent Free Trade Agreements. You will be aware that this issue impacts equities across government, and the government position is as follows.

Our trade agreements are aligned with our Trade Strategy and Industrial Strategy, to bring prosperity to communities across the country, and fulfil our mission of securing the highest sustained growth in the G7. Free Trade Agreements (FTAs) are a vital part of our trade toolkit to pursue economic growth, supporting our goal to be the best-connected economy. Each FTA is bespoke to the partner country, and decisions on the final terms on any of our international agreements are taken on their individual merits, with the UK's strategic interests as the foremost consideration.

Where we identify prospective partners, multiple factors are considered when weighing whether a trade agreement will benefit UK businesses, consumers, the economy, and wider public policy objectives such as environmental and climate goals. This includes economic value, future economic growth, negotiability, readiness of counterparts to engage, and the wider state of the bilateral relationship.

The Government is clear that where we negotiate investment protections and ISDS, we will not remove our right to regulate in the public interest, including with respect to the environment. As a result, different agreements may contain different approaches to investment protection, reflecting the specific circumstances of the partner country, the objectives of the negotiation, and the UK's assessment of its overall interests.

I hope you will find this information helpful. I have copied the Minister for Trade in the Department for Business, Innovation, Science and Trade who leads on this policy area.

Yours ever,

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