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### UK Treaty Ratification

The UK government is responsible for negotiating and signing international treaties to which the UK is or will be a Party. In most cases the treaty is then subject to parliamentary scrutiny prior to ratification. Nuclear policy including safety, security and safeguards are reserved matters. International Agreements on nuclear are likewise reserved and as such Nuclear Cooperation Agreements are UK-wide.

### Constitutional Reform and Governance Act 2010

Under the 2010 Act, the government has a general statutory requirement to lay before Parliament most treaties it wishes to ratify, along with an Explanatory Memorandum which explains the provisions of the treaty and the reason for seeking ratification.

### Treaty Ratification Process

As set out in sections 20-25 of the Constitutional Reform and Governance Act 2010, in order to ratify a treaty:

- a) the relevant minister must lay before Parliament a copy of the treaty accompanied by an explanatory memorandum signed by the relevant minister;
- b) a period of 21 Parliament sitting days (beginning with the first sitting day after the date on which the treaty is laid) must expire without either House (Commons or Lords) having voted against the treaty being ratified.

During the 21 sitting day period that a treaty lays before Parliament, either the House of Lords or House of Commons can request a debate and vote against ratification.

If the House of Lords resolves against the treaty, it cannot be ratified unless the minister lays before Parliament a statement indicating that the minister is of the opinion that the treaty should nevertheless be ratified and explaining why

If the House of Commons resolves against the treaty, it cannot be ratified unless:

- a) the minister lays before Parliament a statement indicating that the minister is of the opinion that the treaty should nevertheless be ratified and explaining why; and
- b) a period of 21 sitting days (beginning with the first sitting day after the date on which the minister's statement is laid) has expired without the House of Commons having resolved that the treaty should not be ratified.

If during this period of 21 additional sitting days, the House of Commons resolves against the treaty again, it cannot be ratified. This process can continue or be repeated until either the treaty is withdrawn, or the House of Commons allows the ratification of the treaty.

## **Relevant International Agreements**

As a result of Euratom withdrawal, the UK is concluding international treaties, including safeguards agreements with the International Atomic Energy Agency (a Voluntary Offer Agreement and Additional Protocol) and bilateral arrangements with key third countries (Australia, Canada, Japan and the US). The new Safeguards agreements with the International Atomic Energy Agency have now been approved by the IAEA Board of Governors and a Nuclear Cooperation Agreement with the US has been signed. The government is on track to have bilateral Nuclear Cooperation Agreements in place with all priority countries when Euratom arrangements cease to apply in the UK.

## **Timings**

We intend that the new bilateral IAEA agreements and new bilateral NCAs will be presented to Parliament for scrutiny as required by the Constitutional Reform and Governance Act 2010 ahead of the UK's withdrawal from Euratom. This would enable them to come into force when current Euratom arrangements cease to apply in the UK. This will ensure a seamless transition from coverage by Euratom/trilateral agreements to coverage by bilateral agreements.

Once a treaty enters into force for the UK, it becomes legally binding on the United Kingdom under international law.