



**LABOUR:
BE BOLD**

An Internationalist Green New Deal Programme

Research led by



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About Green New Deal Rising

Green New Deal Rising is a movement of young people rising up for climate justice & a Green New Deal across the UK. The Green New Deal is a game changing plan to transform our economy, stop climate change and build a world in which we can all thrive.

Acknowledgements

This report was funded by Friends Provident Foundation and Green New Deal Rising.

The research was led by Noah Herfort and Jack Johnson. The report was written by Jack Johnson, Lachlan Ayles, Noah Herfort, and Callum Macintyre.

Table of Contents

01			02	
Relieve Debt	5		Pay Up	10
The Problem	5		The Problem	10
The Role of the UK	6		The Role of the UK	10
What Labour Should Do	7		What Labour Should Do	11
Policy 1	7		Policy 1	11
Cancel Bilateral Debt			Tax Fossil	
Policy 2	7		Policy 2	12
Rein in Private			Tax Wealth	
Creditors				
Policy 3	8		Policy 3	13
Lead Multilateral			Reallocate Special	
Debt Relief			Drawing Rights	
03			04	
Transform Trade	15		Support Migrants	20
The Problem	15		The Problem	20
The Role of the UK	16		The Role of the UK	20
What Labour Should Do	16		What Labour Should Do	21
Policy 1	16		Policy 1	21
Democratise Trade			Establish Safe Routes	
Governance				
Policy 2	17		Policy 2	22
End Investor-State			End the Backlog	
Dispute Settlements				
Policy 3	19		Policy 3	23
Facilitate Low-Carbon			Support Migrants	
Technology Transfer			at Home	
References and	25			
Notes				

Executive Summary

Researched and championed by young people across the UK, 'An Internationalist Green New Deal Programme' charts a bold path through the headwinds of climate, ecological, and social crisis. Internationalism is a lifeline that connects domestic transformation with global climate justice. The program outlines four policy directions for a Labour government to lead an internationalist Green New Deal:

01 Relieve Debt

Debt is a large barrier to necessary climate action and urgent development needs in the Global South. As it stands, the Global South spends five times more on debt repayment than on addressing climate breakdown. A Labour government should cancel all bilateral debt with the Global South, reign in private creditors, and lead on multilateral debt relief.

02 Pay Up

The Global South requires finance for climate mitigation, adaptation, and loss and damage. Estimates for the UK's actual fair share contribution for climate finance ranges from £40 billion up to £100 billion per year. Labour can fund the UK's annual fair share of climate finance by levying a 95% windfall tax on fossil fuel companies, redirecting fossil fuel subsidies, implementing a wealth tax, and reallocating Special Drawing Rights (SDRs). Put together, these policies would generate £96.9 billion per year. All climate finance must be unconditional and interest-free.

03 Transform Trade

International trade rules are incompatible with climate action. As an influential global economy and emerging green industrial power, Labour can harness the UK's formidable economic strength to meaningfully tackle trade rules. A Labour government should democratise trade governance, end Investor-State Dispute Settlements (ISDS), and facilitate low-carbon technology (LCT) transfer.

04 Support Migrants

Already at record numbers, climate breakdown is predicted to displace 1.2 billion people by 2050. As a former colonial power and the fourth largest historical emitter, the UK not only has a responsibility to lead on migrant justice but an opportunity to align humane reform with the British public's positive outlook on migration. A Labour government should establish safe routes, end the backlog, and support migrants at home.

Labour has a tremendous opportunity to stand with our generation and lead. Time to be bold.

01

Relieve Debt

The Problem

Since the 2008 Great Financial Crisis, sovereign debt levels in the Global South have become increasingly unsustainable. As a consequence of rising and more expensive debt, over half of low-income countries are now in “debt distress,” or at “high risk” of becoming so.¹

Urgent debt relief is a central pillar of climate justice. The Global South’s external debt is a tool of neocolonial wealth extraction from the Global South to the Global North.

Between 1980 and 2015, developing countries paid over \$4.2 trillion in interest payments, far outstripping total aid received over the same time period.²

Not only do widespread debt crises destabilise the global economy, but high interest payments syphon money away from urgent climate and development needs. As it stands, the Global South spends five times more on debt repayment than on addressing climate breakdown.³ To make matters worse, servicing debt in foreign currency often forces Global South countries to shape their economies around dirty export industries like fossil fuel production and industrial agri-business – a vicious cycle of planetary harm.⁴

Urgent, large-scale debt relief is necessary to stabilise economies, support climate measures, and redress global injustice.

Defining Debt Relief

Debt relief can be defined as a broad term comprising debt cancellation, debt service suspension, and debt restructuring.

Debt cancellation

Indefinite, partial or full, cancellation of debt payments.

Debt restructuring

Rearrangement of partial or full debt payment, including payment schedule and/or interest rates.

Debt service suspension

Partial or full pausing of debt payments.

Figure 1

The Role of the UK

As a former colonial power and host to some of the largest corporate creditors, the UK has a responsibility to provide global leadership on debt relief. Importantly, the UK is well-placed to do so.

The UK has the fifth largest vote share in the IMF and World Bank, which when combined

with its G7 and G20 membership, gives it critical influence over multilateral debt policy.⁵ In addition, 90% of debt contracts for lowest-income countries, and 50% of debt contracts for all Global South countries are governed by English law.⁶ This offers a unique opportunity to legislate for debt relief from private creditors who own the majority of Global South debt (Figure 2).⁷

Who Owns Debt?

Distribution of lower-income country external debt repayments due in 2022.

47%

**Private
creditors**

Commercial lenders, including banks and asset management firms.

27%

**Multilateral
creditors**

International financial institutions, including the World Bank and IMF.

26%

**Official
creditors**

Individual countries.

Figure 2

What Labour Should Do

Policy 1 Cancel Bilateral Debt

The UK holds £4.9 billion in debt.⁸ While this amount has negligible impact on the UK's accounts, it contributes to the resource drain away from climate action and key development needs in vulnerable countries.

Day 1

Cancel 100% of debt owed by Global South countries to the UK.

Following Germany's debt cancellation in 1953, the country experienced an "economic miracle," as resources poured into post-war reconstruction.⁹ Similarly, public spending on social services increased by around 40% in beneficiary countries following the Highly Indebted Poor Country Initiative (HIPC) and the Multilateral Debt Relief Initiative.¹⁰

On day 1, Labour should cancel the UK's bilateral debt holdings. In cases where UK loans are subject to comparability of treatment agreements, a negotiation process with the relevant official creditors should begin immediately.¹¹

The UK should not count the proposed debt cancellation towards its overseas development assistance. Debt cancellation is a redress of injustice, not a write off of existing aid commitments.

Policy 2 Rein in Private Creditors

The Common Framework for Debt Treatment (Common Framework) is the existing international mechanism for sovereign debt relief. However, the Common Framework has, so far, been completely ineffective. In over two years of operation, just four countries have applied – Chad, Ethiopia, Ghana, and Zambia – and none have seen any debt cancelled.

One of the largest impediments to a well functioning Common Framework is non-cooperation of private creditors. So long as private creditors refuse to engage, public creditors will not move forward either. If public creditors did engage, public money would be bailing out the risky, high-interest loans of banks and hedge funds – a dynamic that only encourages further reckless lending.¹² With no system of creditor coordination in place, the Common Framework remains hamstrung, with vulnerable countries stuck between default and risk of being sued, or continuing to make unsustainable payments. The UK can rein in private creditors in the following ways.

100 Days

1. Legislate so that no creditor can sue for more than they would have received if they had taken part in the Common Framework, or any other international debt restructuring process the UK agrees to.

What Labour Should Do

In 2010, the UK passed the Debt Relief Act, setting out that no creditor could sue for more than they would have received under the HIPC – an international debt relief program launched by the IMF and World Bank in 1996. It was highly effective legislation that was critical to the success of the HIPC.¹³ Extending the 2010 Act to include the Common Framework would fix the coordination risk between creditors by removing the gain from non-compliance.

While UK law governs 50% of Global South debt, New York state law covers the other 50%.¹⁴ Labour should therefore also consider bilateral legislation with New York state to close the private lender loophole entirely.

100 Days

2. Legislate to extend existing corporate law on debt relief to include government debt.

Part 26A of the 2006 Companies Act allows commercial courts to require that hold out creditors comply with debt relief for companies in financial difficulty if 75% of creditors vote in favour.¹⁵ Labour should extend the Act so that indebted governments may receive the same treatment, and reduce the threshold for required compliance from 75% to 66%.¹⁶

Policy 3

Lead Multilateral Debt Relief

Multilateral creditors hold the second largest amount of Global South debt.¹⁷ In addition, international financial institutions like the World Bank and the IMF have been central in designing and managing key sovereign debt relief mechanisms, including the Common Framework, which is ineffective.

The UK can use its influence in the relevant institutions to forge a new multilateral debt relief architecture that delivers systematic, fair, and timely sovereign debt relief to developing countries.

1 Year

1. Reform the Common Framework.

Beyond the non-cooperation of private creditors, the Common Framework is subject to other structural shortcomings that also need addressing. Three key reforms are as follows:

1. The IMF should develop a clear definition of “sustainable debt.” The Common Framework depends on the IMF first assessing an applicant’s debt situation, and then establishing the amount of debt relief necessary to bring it back within sustainable levels. However, with no clear definition, the process remains opaque and disincentives applications.¹⁸
2. The IMF should commit to lending into arrears when any creditor, public or private, refuses to constructively engage in the Common Framework¹⁹. By offering debtors financial and political backing, lending into

What Labour Should Do

arrears allows borrowing governments to default on their payments and sustain the default.²⁰ A strong IMF commitment to deploying its lending into arrears policy would be a powerful tool of encouraging creditors to the negotiating table.²¹

3. The scope of the Common Framework should be enlarged beyond the 73 low-income countries it currently covers. There are many countries, including Argentina, Venezuela, and Sri Lanka, that are both in a debt crisis and on the frontlines of climate breakdown, but ineligible for debt relief under the Common Framework.²² All Global South countries should be included in the Common Framework.

The UK should exercise its influence in the IMF and G20 to make the above points central topics on the political agenda.

1 Year

2. Develop a more democratic debt relief mechanism.

The Common Framework, even if reformed, would still be a limited tool for addressing systemic sovereign insolvency. Created by the G20, the Common Framework is a “mechanism designed by and for creditors.”²³

The United Nations – not a creditor itself – is the obvious institution in which an independent, democratic debt workout mechanism should be established and housed.²⁴ Labour should work with other countries to table a resolution that establishes UN-sponsored debt relief architecture.

The Problem

Countries in the Global South require finance for climate mitigation, adaptation, and loss and damage.

It has long been recognised that Global North countries have a significant responsibility to pay up for climate finance because of their historic responsibility for climate breakdown and outsize capacity to pay.²⁵ Admitting to this fact, over a decade ago Global North countries committed to raise \$100 billion per year by 2020.²⁶

In reality, the \$100 billion figure is arbitrary and does not reflect the climate finance needs of the Global South. Some estimates suggest that the actual requirements range from \$1 trillion per year by 2025 to \$2.8 trillion by 2030.²⁷ Despite this, the \$100 billion pledge has still not been met.²⁸

The Role of the UK

Estimates for the UK’s actual fair share contribution range from £40 billion up to £100 billion per year.²⁹ However, the UK currently spends just £2.3 billion annually on international climate finance.³⁰ On the other hand, the UK is among a number of countries leading the way on providing debt-free climate finance.³¹ It should strengthen this position by delivering its fair share of climate finance.

What follows are three avenues to raise additional international climate finance: tax fossil, tax wealth, Special Drawing Rights (SDR) reallocation. Put together, they would generate £96.9 billion annually. All international climate finance must be unconditional, interest-free grants.

Policy Area	Specific Policy	Amount Raised (£)	Time Period
Tax Fossil	95% fossil fuel windfall tax	43.6 billion ³²	Annual
Tax Fossil	End fossil fuel subsidies	14 billion	Annual
Tax Wealth	Wealth tax	22.3 billion	Annual
SDR Reallocation	COVID-19 SDR reallocation	22.1 billion ³³	One-time
SDR Reallocation	Bridgetown SDR allocation	17 billion ³⁴	Annual
Total (annual and one-time) (£)	119 billion		
Total (annual) (£)	96.9 billion		
The UK’s climate finance fair share (annual) (£)	40 billion to 100 billion		

Table 1: Funds raised for climate finance.

What Labour Should Do

Policy 1 Tax Fossil

Global oil and gas giants made record-breaking profits last year.³⁵ At least \$2.5 trillion of these were excess profits.³⁶ Bumper profits have been spent on repurchasing shares, paying dividends to shareholders, CEO bonuses, and increasing fossil fuel production.³⁷ Even prior to this bumper period, fossil fuel companies in the UK have enjoyed one of the most generous subsidy systems in the world.³⁸ This means that companies consistently pay a fraction of their profits in tax, or even pay negative tax bills.³⁹ Excessive fossil fuel profits must be recouped and the enabling system reformed.

Day 1

Announce a 95% tax on excess profits of companies involved in fossil fuel exploration, production, and pipeline transport in the UK.

The Energy Profits Levy (EPL) is an additional surcharge on top of normal taxes on oil and gas sector profits.⁴⁰ This surcharge tax should be scrapped and replaced with a 95% windfall tax on excess profits.⁴¹ Modelling from last year suggests the new tax would generate £43.6 billion per year.⁴² The tax should be backdated to the beginning of the windfall period and a stocktake carried out in March 2028, when the current EPL ends.⁴³

100 Days

End fossil fuel subsidies.

The current system of production and consumption subsidies should be scrapped, freeing up £12 billion per year.⁴⁴ Additionally, the current Investment Allowance attached to the EPL should be cancelled, as Labour have proposed.⁴⁵ This would yield an additional £2 billion per year.⁴⁶

1 Year

Propose an internationally-coordinated 95% windfall tax on the excess profits of fossil fuel companies at relevant intergovernmental events.

The proposed 95% headline tax rate should be imposed as a global minimum windfall tax rate. Countries party to the agreement reserve the right to collect the tax deficit from others that do not comply with the agreement.⁴⁷ In addition, capital controls on financial transactions with non-compliant states should be implemented.⁴⁸ Together, these measures incentivise countries to sign onto the agreement and prevent capital flight. Labour should propose the tax at the next G7 and G20 summits, OECD Ministerial Meeting, and the annual Financing for Development Forum. A tightly-coordinated global 95% windfall tax on the excess profits of fossil fuel companies in 2022 would have raised approximately \$2.38 trillion.⁴⁹

Policy 2 Tax Wealth

Since the 1980s, wealth inequality in the UK has risen dramatically. Between 1984 and 2013, the wealthiest 0.1% saw their share of wealth double.⁵⁰ At present, the richest 1% own as much wealth as the bottom 69%.⁵¹

What's more, the wealthiest individuals are disproportionately responsible for excess carbon emissions. The yearly carbon footprint from investments of the 125 richest billionaires is equivalent to France's annual emissions.⁵² In the UK, the top 1% of income earners emit the same amount of carbon in one year as the bottom 10% do in two decades.⁵³ Climate breakdown and extreme wealth are inextricably linked.

A wealth tax on the richest individuals serves the triple purpose of reducing inequality, decreasing emissions, and raising funds for international climate finance. Moreover, in recent polling, Tax Justice UK, YouGov, and the Wealth Tax Commission each found overwhelming support for a wealth tax across the political spectrum.⁵⁴

100 Days

1. Implement a 2% wealth tax on those holding assets in excess of £10 million.

Labour should implement a 2% wealth tax on individuals with net wealth in excess of £10 million. This would raise an estimated £22.3 billion every year.⁵⁵

The 2% tax should be annual, rather than one-off, as the tax carries the joint objective of raising international climate finance and reducing inequality.

Labour should also consider more ambitious wealth tax structures, including a wealth tax at a lower threshold (like the Wealth Tax Commission's proposal for a starting point of £500,000), and a more progressive rate (like Tippet, Wildauer, and Onaran's proposal to start at a 1% tax for net wealth above £3.4 million, rising to a 10% tax for net wealth above £18.2 million).⁵⁶ These structures are also justified and should be considered by Labour as potential future options.

100 Days

2. Propose an internationally coordinated wealth tax among G20 countries.

To close tax loopholes and direct more support towards international climate efforts, Labour should work with G20 finance ministers to implement a globally coordinated wealth tax. A progressive, globally coordinated wealth tax on individuals with assets above \$100 million could raise \$300 billion annually.⁵⁷

There is a precedent for internationally coordinated tax systems. In October 2021, a 15% global minimum corporate tax rate was agreed by 137 member countries of the OECD/ G20 Inclusive Framework.⁵⁸ It enters into force this year.

Policy 3 Reallocate Special Drawing Rights

SDRs are a unit of credit allocated by the IMF to its member countries. They are usually used by the IMF to inject emergency funds into the economy when countries are at risk of a balance of payment crisis.

Critically, the IMF distributes SDRs according to members' vote share, meaning high-income countries receive 67% of SDR allocations while only 1% go to low-income countries. In the case of the COVID-19 SDR allocation, high-income countries received almost \$400 billion of the \$650 billion total. The UK alone received \$27.5 billion in SDRs, more than all low-income countries combined.⁵⁹

While low-income countries are in urgent need of extra liquidity, SDRs received by wealthy countries generally just sit in central bank accounts, providing additional reserve cushioning where none is needed.⁶⁰ SDRs are largely an unused financial asset, presenting an opportunity for rechanneling towards critical climate needs.

Day 1

1. Transfer the equivalent amount of UK Special Drawing Rights to the Green Climate Fund.

The UK can unilaterally transfer its SDR holdings to Global South countries – a decision that would fall firmly within the government's remit to decide how it wishes to use its SDR allocation. As the IMF itself has identified, “there is nothing to prevent

countries from voluntarily agreeing to transfer SDRs to other countries or prescribed holders for reasons of their own choosing.”⁶¹

Restrictions bar HM Treasury from transferring funds straight from the Exchange Equalization Account (EEA) – the account that holds SDRs and foreign currency. However, an alternative pathway exists.⁶²

The Treasury should direct that the EEA transfer foreign currency, of the equivalent amount held in SDRs, into pounds sterling. The exchanged pounds should then be directed from the EEA, through the National Loan Fund, to the Consolidated Fund. From the Consolidated Fund, the given amount can be transferred to the Green Climate Fund.

This process is effectively a change in the composition of reserves, not a change in the amount of reserves relative to pre-SDR levels. In the process, the UK keeps SDRs on its balance sheet, pays no interest on the transfer, and does not add to government debt.⁶³

Day 1

2. Support the proposal for a regular Special Drawing Rights allocation for international climate action.

In 2022, Barbados Prime Minister Mia Mottley introduced the Bridgetown Initiative, a bold plan to transform the global financial system to support the Global South and tackle climate breakdown. Among other elements, the Initiative calls for the issuance of \$500 billion worth of SDRs every year, for 20 years, to meet global climate needs. Under this proposal, the UK would receive \$21.15 billion in annual SDR allotment to be channelled towards international climate finance.

What Labour Should Do

Labour should fully back Mottley's proposal for \$500 billion in annual SDR allocations. This must be more than rhetorical support but a complete leveraging of UK influence in the IMF, among G7 finance ministers, and Heads of State to bring the Bridgetown Initiative to the top of the political agenda.

The Problem

International trade rules are incompatible with climate action. The UK's ability to meaningfully address these harmful trade rules are impaired by undemocratic trade governance.

Investor-State Dispute Settlements

The most obstructive trade mechanism is Investor-State Dispute Settlements (ISDS), which allows investors to unilaterally sue states over sovereign policy that threatens future profits.⁶⁴ Investors have sued states over routine policy like minimum wage increases and public health measures, with no obligation to exhaust domestic legal avenues before filing an ISDS claim.⁶⁵

ISDS cases are managed by three-person arbitration tribunals with no democratic mandate.⁶⁶ Often dragging on for years, with little to no information shared with the public, states are forced to pay on average \$4.7 million in taxpayer-funded legal fees to elite law firms.⁶⁷ Investors win 57% of cases, with an average taxpayer-funded payout of \$438 million.⁶⁸

These rulings, which are neither based on established case law or reference to other treaty obligations, are not eligible for appeal.⁶⁹ If sovereign states refuse to pay the award, then it can be alternatively enforced through the seizure of foreign state assets.⁷⁰

ISDS risks derailing the Paris Agreement. Currently, fossil fuel companies are using ISDS to sue sovereign states for \$18 billion over climate policy.⁷¹ Safer decarbonisation pathways could lead to \$340 billion in ISDS investor awards.⁷² With the average fossil fuel investor award in excess of \$600 million, the mere threat of arbitration has forced sovereign states to weaken or altogether abandon climate policy.⁷³

Trade-Related Aspects of Intellectual Property Rights

Climate efforts are similarly hobbled by the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS). With multilateral coverage, TRIPS mandates that countries have a minimum 20 year standard for patent duration.⁷⁴ Extensive patent protections have made it prohibitively expensive (royalty and licence fees) for Global South countries to access low-carbon technologies (LCTs) necessary for climate mitigation and adaptation.⁷⁵

Undemocratic Trade Governance

The UK's ability to address harmful international trade rules has been hampered by the undemocratic nature of domestic trade governance. Compared to other Western democracies, the UK stands out with only two statutory Parliamentary rights on trade governance.⁷⁶

The Problem

For comparison, the US Congress has 22 statutory rights and the European Parliament has 18 statutory rights.⁷⁷

Parliament does not have the statutory right to a debate, vote, or veto on trade agreements, let alone oversight over trade negotiation mandates or access to negotiation texts.⁷⁸ For example, Parliament was not granted a debate or a vote on the UK-Australia Free Trade Agreement (FTA), the first major post-Brexit trade deal signed in 2021.⁷⁹

Legislation governing this process is not fit-for-purpose, especially since the UK is now managing international agreements for the first time since its accession to the EU in 1973. This is made more problematic by the UK's lack of a coherent trade strategy and objectives.⁸⁰ Unmoored from democratic checks and balances with no clear direction, the UK is unable to meaningfully tackle obstructive trade rules.

The Role of the UK

The UK is one of the largest economies in the world and an emerging green industrial power.⁸¹ If afforded the necessary democratic mandate, the UK has the power to not only extricate itself from harmful trade rules but to also actively challenge these rules on a multilateral level.

What Labour Should Do

Policy 1 Democratise Trade Governance

Day 1 Make non-statutory commitments to democratise trade governance across all phases of policy creation.

The Labour Secretary for Business and Trade should immediately re-affirm past non-statutory commitments on democratising trade.⁸² Moreover, they should make additional non-statutory commitments granting the Business and Trade Committee scrutiny power over trade negotiation mandates, access to negotiating texts, as well as the Parliamentary right to a vote and veto.⁸³

100 Days Launch a citizen-led trade strategy initiative.

The UK urgently needs a trade strategy with a coherent set of objectives.⁸⁴ To make this process as democratic as possible, a Labour government should launch an ad hoc citizens' assembly. This citizens' assembly would be tasked with creating a trade strategy that furthers the UK's statutory obligations and commitments on climate action, nature conservation, labour conditions, financial regulation, and human rights. The citizens' assembly would be advised by the Climate Change Committee (CCC).

1 Year

Amend the Trade Act (2021) to devolve trade governance to Parliament.

Labour should amend the Trade Act (2021) to codify non-statutory commitments across all three stages of trade governance.

Before negotiations, the Business and Trade Committee should have power over which countries the government opens negotiations with and the mandate of those negotiations, based on the trade strategy and a preliminary impact assessment from the CCC.

During the negotiations, the Business and Trade Committee should have the right to regular updates and access to draft texts.

After negotiations, the trade agreement should be made public and a 90 day period granted for Committee scrutiny, allowing time for a full CCC impact assessment and a public Committee report. Parliament should be given the right to a debate, vote, and veto.

Policy 2 End Investor-State Dispute Settlements

Day 1

1. Announce withdrawal from the Energy Charter Treaty.

The Energy Charter Treaty (ECT) is the most frequently used international investment agreement for fossil fuel investor arbitrations, accounting for 17% of all fossil fuel cases.⁸⁵ The ECT protects €344.6 billion fossil fuel assets across 31 European countries, of which €140.7 billion is concentrated in the UK fossil fuel industry.⁸⁶ In 2022, UK oil company Rockhopper won over €190 million in compensation due to the Italian government's ban on offshore oil and gas drilling and the Netherlands is currently being sued for a combined €2.3 billion over a coal phase out plan.⁸⁷

Multiple European countries, including France, Germany, the Netherlands, Poland and Spain, recently signalled their intention to quit the ECT.⁸⁸ As such, the EU Commission now considers an EU-wide exit "unavoidable."⁸⁹ A Labour government should announce its intention to coordinate a withdrawal from the ECT with the EU. This would neutralise the ECT's 20 year survival clause, saving the UK £4.4 billion in investor payouts.⁹⁰

Day 1

2. Announce withdrawal from the Comprehensive and Progressive

Trans-Pacific Partnership Agreement.

The Comprehensive and Progressive Trans-Pacific Partnership Agreement (CPTPP) is a FTA between 11 countries: Australia, Brunei, Canada, Chile, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore, and Vietnam.⁹¹ In July 2023, the UK officially signed and acceded to the CPTPP.⁹²

The CPTPP contains ISDS provisions, opening up the UK to investor claims from major economies like Canada and Japan.⁹³ Moreover, it is expected to increase emissions and lead to a surge in deforestation, “[making] a total mockery” of government commitments.⁹⁴ Labour should announce withdrawal on day 1.

Day 1

3. Announce an immediate moratorium on arbitrations by UK investors and arbitrations within UK borders.

The UK is the second most popular home state for fossil fuel investor arbitrations.⁹⁵ It is also home to the London Court of Arbitration, a regular forum for ISDS.⁹⁶ An immediate moratorium is a practical first step for Labour to limit the harms of ISDS.

100 Days

Begin the process of Bilateral Investment Treaty termination.

Bilateral Investment Treaties (BITs) are the most common vehicle for fossil fuel ISDS arbitrations.⁹⁷ Most of the UK’s 96 BITs were created in the 1980s and 1990s, which makes a Labour BIT termination policy sufficiently easier.⁹⁸ BIT survival clauses should also be neutralised through inter se agreements, a diplomatic procedure that modifies treaty provisions.⁹⁹ BIT termination is becoming increasingly popular, with more BITs concluded than new ones signed in 2020.¹⁰⁰

1 Year

Tackle Investor-State Dispute Settlement in current and future free trade agreements to protect against fossil fuel investor arbitration.

In line with the trade strategy, Labour should condition current and future FTAs on the following two principles:¹⁰¹

1. No Investor-State Dispute Settlements:

No FTA contains an ISDS provision, which can be used by fossil fuel companies to sue sovereign states over climate legislation. Further to the point, Labour should mandate that all trade partners are party to the Beyond Oil and Gas Alliance (BOGA) and have a credible policy commitment to no new oil, gas, or coal projects.¹⁰² This would align trade with Labour’s domestic commitment to no new oil and gas projects.¹⁰³

2. No Energy Charter Treaty membership:

No trade partner can be party to the ECT. If they were a member but have since withdrawn, they require an inter se agreement with the UK to neutralise the ECT’s 20 year survival clause.

Policy 3 Facilitate Low-Carbon Technology Transfer

100 Days

1. Condition public-funding for low-carbon technology development on public domain access.

Governments in the Global North frequently fund innovative technologies, including LCTs.¹⁰⁴ For example, the now dissolved Department for Business, Energy, and Industrial Strategy (BEIS) recently invested over £31 million worth of research and development into floating offshore wind.¹⁰⁵ Labour should tie all public funding for the development of LCTs on the condition that the LCT remains in the public domain, enabling easy transfer to the Global South.¹⁰⁶ There is little evidence to suggest that patent-free policies stifle innovation.¹⁰⁷

100 Days

2. Push for a WTO Ministerial Declaration on TRIPS and Climate Change.

After concerted pressure to ease patent protection of life-saving drugs, especially for HIV/AIDS, the WTO issued a Ministerial Declaration on TRIPS and Public Health.¹⁰⁸ The declaration enabled access to generic versions of patented medicine for over 60 primarily low-income and middle-income countries.¹⁰⁹ Labour should harness the UK's influence at the WTO to push

for a Ministerial Declaration on TRIPS and Climate Change, affirming that TRIPS should enable the transfer of LCTs necessary for climate mitigation and adaptation.¹¹⁰

1 Year

Launch a Climate Patent Pool with other global leaders in low-carbon technology development.

A Labour government should form a Climate Patent Pool with the four other lead developers of LCTs: the U.S., China, Japan, and Germany.¹¹¹ The Climate Patent Pool would receive licences from LCT patent holders and sell them to generic producers in exchange for a royalty fee.¹¹²

This would create a “one-stop-shop” for LCT patents, which is useful because there are often multiple patents on the components of a singular LCT.¹¹³ Moreover, it would provide a financial incentive for patent holders, enable access to life-saving LCTs, and further drive down costs for generically produced LCTs.¹¹⁴

04

Support Migrants

The Problem

Migration is one of the key human adaptations that protects communities from the climate crisis. As climate breakdown accelerates, more people will be forced to flee from their homes in search of a stable environment and safe haven. It is estimated that by 2050, 1.2 billion people will be forcibly displaced.¹¹⁵ Climate related migration is a reality which demands attention and policy responses now.

The Global North is responsible for 92% of emissions in excess of the safe limit, making it directly responsible for climate breakdown and the people displaced by uninhabitable conditions.¹¹⁶ Colonialism has also directly led to the oppressive regimes and ethnic conflicts that people flee from today.¹¹⁷ Despite the historic responsibility for soaring migration levels, the Global North refuses to take responsibility. In fact, migration policy has actively exacerbated the crisis. Instead of offering protection, governments have shut down asylum routes, introduced punitive measures on those using irregular routes, and forcibly returned people to dangerous situations.¹¹⁸

The UK is hardly exempt from this track record. Recent policies have violated international law and failed to uphold the human rights of asylum seekers.¹¹⁹ This is further punctuated by vicious political rhetoric regarding asylum seekers, with the Home Secretary referring to migration movements as an “invasion” of “billions of people gagging to come to the UK.”¹²⁰

There is a concerted agreement across the political spectrum that the UK asylum system is not fit-for-purpose. As the refugee crisis continues to grow, it is necessary to adopt progressive reforms that address the injustices of the current system.¹²¹

The Role of the UK

As a former colonial power and the fourth largest historical emitter, the UK has a responsibility to lead on refugee and asylum justice, particularly those displaced by climate breakdown.¹²² More recently, the UK’s illegal military interventions in Iraq and Libya have destabilised entire regions, causing forced displacement.¹²³

Labour has an opportunity to align the UK’s asylum system with the public’s concern. Polls indicate a large swing in favour of system reform and a generally positive outlook on immigration – outstripping comparable attitudes in most European countries.¹²⁴ Not only is reforming the asylum system a popular course of action, but it can also strengthen the UK. There is clear evidence that once legal status is recognised, refugees make an outsized contribution to a country’s political, economic, and cultural life.

What Labour Should Do

Policy 1 Establish Safe Routes

Safe and legal routes are central to a humane and just asylum system. However, apart from country specific schemes and a 5,000 per year commitment to the UK Resettlement Scheme (on average only 2,000 people are settled per year), there are currently no safe routes for those that arrive spontaneously. This is despite evidence that at least two thirds of those arriving through “illegal routes” qualify for refugee status.¹²⁵ To continue to crack down on asylum seekers who arrive on UK shores by irregular means is inhumane and a contravention of international law. Safe avenues to seek asylum must be established and protected.¹²⁶

100 Days

1. Implement the Family Reunification Regulation

The Family Reunification Regulation (FRR) would be a re-negotiation of parts of the Dublin Regulation. The Dublin Regulation allows families who have been separated across different European countries to reunite during their asylum claim. Post-Brexit, the UK is no longer bound by the Dublin Regulation and efforts to renegotiate a replacement for family reunions have not progressed.¹²⁷

Instead of rejoining the Dublin system, which did not prevent the establishment of inhumane border camps like the Calais Jungle, the new FFR would renew the ability for asylum families to be reunited.

100 Days

2. Restart the Dubs Scheme.

The Dubs Scheme was an amendment to the Immigration Act 2016 to accept an unspecified number of unaccompanied asylum seeking children (UASCs) from Europe, which ended after the initial number of 480 was met.¹²⁸ Labour should use the existing legislation to expand the number of places offered to UASCs to at least 1,000, with room for expansion. This would further protect UASCs from the “unimaginable horror of the terrible conditions of European refugee camps.”¹²⁹

1 Year

1. Trial Climate Disaster Temporary Protection Visas for countries most vulnerable to climate breakdown.

Labour should trial a targeted legal migration route for those most vulnerable to climate shocks – a Climate Disaster Temporary Protection Visa. The visa would grant asylum seekers the right to file claims in British embassies abroad, pending a full resolution of their claim in the UK. This would be in the form of short-term, seasonal visas to help people rebuild their lives following climate disasters, before returning home once safe to do so.

These visas must also have clear pathways for renewal, offering long-term residence or settlement in the UK should they have no home to return to. There is precedent for these types of visas, including the Swiss Protected Entry program, and recent proposals submitted by MEPs that call for humanitarian visas that can be applied for at embassies and consulates.¹³⁰

1 Year

2. Match the UK Resettlement Scheme with Ukrainian refugee resettlement numbers.

Accounting for steadily rising forced displacement, a Labour government should commit to expanding the UK Resettlement Scheme to 150,000 people annually. Over 170,000 Ukrainians have been resettled in the UK since March 2022.¹³¹ This has shown the UK's ability to provide safe haven for those in need. 150,000 resettlement places available for all asylum seekers is the bare minimum that must be delivered.

Policy 2 End the Backlog

The UK asylum system is inefficient at determining refugee status, resulting in a huge backlog of asylum processing cases.¹³² Over the last two years, the number of asylum seekers waiting over 6 months for a decision has doubled to 128,812.¹³³ The backlog has left many asylum seekers living for months or years in “de-facto detention centres” and asylum hotels, where they face unsanitary, unsafe, and isolated accommodation.¹³⁴

100 Days

1. Introduce a simplified and prioritised Refugee Status Determination process.

To speed up the complicated asylum process, Labour should introduce a simplified and prioritised Refugee Status Determination (RSD) process. This would include two aspects.

First, the introduction of an initial triage process to fast-track well-founded claims. This would minimise time wasted on aspects such as asserting country risk, one of the key issues that determines refugee status.¹³⁵ In this way, people from countries with a history of successful refugee determination due to a manifest risk of persecution or war can be fast tracked.¹³⁶

Second, the introduction of simplified asylum case processing, such as prefilled caseload specific templates, so as to cut down on unnecessary interviews and streamline decisions that focus on the core elements of the claim.

100 Days

2. Improve asylum processing productivity.

Labour needs to make significant investment in long-term measures to improve and upskill decision-makers. Efforts also need to be made to retain expertise in asylum decision-making teams.¹³⁷ Importantly, expanding automated decision-making is not the answer to ending the backlog. Automated decision-making systems have been shown to produce discriminatory outcomes as a result of bias being inadvertently embedded within algorithms.¹³⁸

1 Year

Create the Refugee and Asylum Determination Agency, separate from the Home Office.

Labour should establish the Refugee and Asylum Determination Agency (RADA), a new executive agency tasked with refugee status determination. RADA should be independent and have a technical (and less politicised) focus on asylum claim processing, ensuring the UK's obligations under the Refugee Convention are met.¹³⁹ This unit should sit outside of the Home Office, separating asylum decisions from police, terrorism, and other immigration issues. Among top priority for RADA would be to introduce specific targets for giving good quality decisions on all asylum claims, including complex ones, within 6 months.

Policy 3 Support Migrants at Home

Those waiting for asylum decisions in the UK are met with inhumane accommodation, poor services, and severe restrictions on the right to work. This is despite substantial evidence on the benefits of allowing asylum seekers the right to work, including strengthening chances of community integration, supporting themselves and their families, and stopping modern slavery.¹⁴⁰ There is also no evidence that relaxing the right to work restrictions would create a pull factor.¹⁴¹ Asylum seekers must be allowed to live a dignified life, including decent accommodation and a fair right to work.

100 Days

1. End the use of military barracks and disused ships as accommodation.

The UK is planning to continue the use of military barracks and disused ships to house asylum seekers until 2026. Watchdogs have found these to be decrepit and unsafe, amounting to little more than “arbitrary detention.”¹⁴² There should be an immediate moratorium on the use of these facilities for asylum accommodation.

100 Days

2. Ensure adequate healthcare.

Health and vulnerability screenings must be carried out when a person first enters the asylum support system, using a screening

What Labour Should Do

tool such as the one developed by UNHCR-IDC5.¹⁴³ Everyone accommodated in the asylum support system should be registered with a GP and have access to appropriate mental health support and secondary healthcare.

100 Days

3. Introduce an inspection system to improve the quality of accommodation.

Labour should create an independent inspection board for asylum accommodation. Inspections would monitor the quality and effectiveness of support provided and improve transparency and accountability through publicly-available reports. This would progressively mitigate asylum seeker abuse.¹⁴⁴

100 Days

4. Expand the right to work for asylum applicants.

Asylum seekers are generally not allowed to work in the UK until 12 months after their initial application, and even then only allowed to work in limited, highly skilled occupations. Asylum applicants and their adult dependents should be given full working rights in any profession six months after the initial asylum claim. Labour should develop a program that offers asylum seekers access to low-carbon, unionised jobs.

1 Year

Address shortage of adequate asylum accommodation.

In the short-term, there is a further need to negotiate more hotel accommodation contracts, so each asylum seeker has adequate accommodation. However, the rise in forced displacement is not a temporary development. Labour should look to create permanent solutions such as developing publicly-owned asylum accommodation centres and investing in social community housing. Labour also needs to work with local authorities, devolved governments, NGOs and relevant groups to expand community dispersal accommodation.

Contracting hotels should only be a temporary fix, and never used for children and vulnerable groups, while more safe and sustainable accommodation for asylum seekers is developed. This is vital as private contractors have consistently demonstrated neglect of their duty of care for asylum seekers, whilst raking in record profits.¹⁴⁵

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Notes

- 11.** Note: Comparability of treatment agreements are clauses set between creditors to manage credit in an equal manner.
- 19.** Note: Arrears is money that is owed past the point when it should have been repaid. The IMF generally does not lend to countries running arrears. The lending into arrears policy is an exception, allowing the IMF to lend to countries with unsustainable debt levels, so long as they are negotiating with creditors in good faith.
- 29.** Note: \$46 billion converted to pounds sterling using exchange rate on June 2nd 7:45 UTC.
- 32.** Note: This is an estimate for 2022-2023, a record-breaking year for the fossil fuel industry. This number will vary year by year.
- 33.** Note: \$27.5 billion converted to pound sterling using exchange rate on June 1st 11:05 UTC.
- 34.** Note: \$21.15 converted to pound sterling using exchange rate on June 1st 11:03 UTC.
- 40.** Note: The EPL is a 35% surcharge on top of the normal 30% ringfenced corporation tax and 10% supplementary charge on the oil and gas sector. This produces an effective tax rate of 75%. Labour plans to increase the surcharge to 38%.
- 41.** Note: Excess profits are those exceeding ‘normal’ profits, based on average North Sea oil and gas revenues over the preceding ten years (between 2012 - 2022). This produces a baseline of approximately £5.1 billion.
- 68.** Note: This is for cases decided on the merits, i.e. whether or not the challenged measure broke any substantive obligations in an international investment agreement.
- 83.** Note: The non-statutory commitment to a Parliamentary debate has already been made.
- 90.** Note: A survival clause (also known as a “sunset clause”) is a stipulation that protects investments for a given period of time after a country has withdrawn from or terminated an investment agreement.
- 101.** Note: This would require the UK to re-negotiate or scap existing FTAs, the latter being contingent on the efficacy of negotiations in line with the two principles.
- 102.** Note: This would be contingent on a Labour government also joining the BOGA.

Notes

122. Note: Refugee is defined as a person who has been forced to leave their country in order to escape war, persecution, or natural disaster, and have a recognised right to international protection. Asylum seekers are those awaiting refugee status determination.

126. Note: Defined as a person who has left their country and is seeking protection from persecution and serious human rights violations in another country, but who hasn't yet been legally recognized as a refugee, and is waiting to receive a decision on their asylum claim.