## **NEWSLETTER**



# UK Government publishes new "UK Trade Strategy", signaling a shift towards an increasingly strategic use of trade measures

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On 26 June 2025, the UK Government finally published its long-awaited <u>Trade Strategy</u>, outlining what will be the key guiding principles of UK trade policy in the years ahead. The publication of the UK Trade Strategy follows the announcement of the UK Industrial Strategy only a few days earlier on 23 June 2025, addressing the parallel "domestic dimension" of the UK Government's core policy focus on increasing growth.

According to a <u>press release</u> issued by the Department for Business and Trade ("**pBT**"), the UK Trade Strategy "will make the UK the most connected nation in the world while protecting vital industries from global threats and backing businesses to thrive." In this regard, it represents a fundamental change in the nature and orientation of UK trade policy. In the years immediately following Brexit, the defining feature of UK trade policy was its overwhelming focus on the pursuit of Free Trade Agreement ("**FTA**") negotiations with numerous third country partners, resulting in the conclusion of new FTAs with countries such as <u>Australia</u>, <u>New Zealand</u>, as well as the UK's accession to the <u>CPTPP</u>. Most recently, on 6 May 2025, the UK and India reached an <u>agreement in principle</u> on a new comprehensive FTA, after more than three years of negotiations.

However, while negotiations for preferential market access are set to remain an important component of UK trade policy, the announcement of the UK Trade Strategy marks a significant shift in emphasis — with the UK Government placing economic security concerns at the center of its trade policy going forward, against the backdrop of what it identifies as increased threats to secure and resilient trade. Consequently, the UK Trade Strategy has a "defensive" core, with the UK Government signaling its clear intent to use trade measures in support of UK strategic aims and to protect UK industry.

Below, we provide a brief overview of the most significant takeaways from the announcement of the UK Trade Strategy — and which could have an impact on your business in the near future. Should you have any questions regarding the impact of these new developments, please do not hesitate to contact us.

#### (1) More aggressive/strategic deployment of UK trade remedy measures

The UK Government has outlined its intention in the UK Trade Strategy to overhaul the UK's domestic trade remedies framework in order to make this "more assertive", marking a shift towards more politicized decision-making.

The existing UK trade remedies framework was first introduced following Brexit and was initially designed with minimal opportunity for political/discretionary decision-making. Under this system, an operationally independent (so-called "arms length") body known as the Trade Remedies Authority ("*TRA*") was given responsibility for deciding whether to initiate and carry out an anti-dumping, countervailing or safeguard investigation. At the outcome of its investigation, the TRA would then make a recommendation to the relevant government minister on the appropriate course of action that should be taken on the basis of its findings. In principle, the Minister

could then decide to accept or reject that recommendation, with limited additional flexibility in this regard.

The political constraints of this early design have already resulted in <a href="key changes">key changes</a> to the framework in 2023 — following the UK Government's frustration at the practical difficulties encountered in overriding a TRA recommendation in 2021 to partially revoke the UK Steel Safeguard Measure for several product categories. After publishing emergency legislation to overrule the TRA recommendation and extend the UK Steel Safeguard Measure in full, the UK Government announced a review of the trade remedies framework, which concluded in 2023. Following this review, several important changes to the UK trade remedies framework were introduced. These included:

- Limiting the TRA's discretion to initiate investigations, by requiring the TRA to give prior notice to the UK Government:
- Allowing the UK Government to deviate from TRA recommendations and apply alternative remedies where considered justified on the basis of evidence and in the public interest; and
- Giving the UK Government the power to ask the TRA to reassess its recommendations in light of new evidence.

Despite these changes, the UK Government has concluded in the UK Trade Strategy that this trade remedies system has been "found wanting for the new geopolitical reality", and is "not as effective as it could be". Consequently, the UK Government has announced that it will take steps "at the earliest opportunity" to overhaul the UK's trade remedies system in order to make this "more accessible, assertive and agile". In particular, the UK Government will introduce legislation to adjust the TRA's policy guidance and operating framework, "enabling it to adopt a more assertive approach on issues like imports from countries with unfair market distortions".

In this light, the changes suggested under the UK Trade Strategy are likely to continue further in the direction of the previous reform, with the UK Government gaining an increasingly central role in the conduct of investigations and further discretion to apply trade remedy measures as it sees fit — with the TRA likely to become more akin to an advisory body than an investigating authority.

At the same time, the UK Government has also indicated that it will seek to improve access to the trade remedies system for UK industry, by reducing the cost and speed of applications.

Most notably, however, the UK Government has also announced a fundamental shift in the design of its trade remedies system, outlining its intention to make this "more accountable to Ministers" — likely moving away from the more objective current system towards one largely driven by political considerations.

#### (2) New trade tools to tackle the "strategic weaponisation of trade"

The UK Trade Strategy also outlines the UK Government's intention to create new powers to "guard against economic threats that go beyond the traditional definitions of unfair trading practices, including the strategic weaponisation of trade."

To this end, the UK Government has announced that it will seek views on potential new powers to respond to deliberate economic pressure against the UK, suggesting that consideration is currently being given to the introduction of an instrument akin to the <u>EU Anti-Coercion Instrument</u> — which provides the European Union with a broad choice of measures for responding to economic coercion by a third country.

Again, the UK Government has not provided a clear timeline for the introduction of these new powers, beyond simply indicating that it will introduce legislation "[w]hen parliamentary time allows".

### (3) Long-term replacement of the UK Steel Safeguard Measure

While acknowledging that the existing UK Steel Safeguard Measure (transitioned from the EU Steel Safeguard Measure which applied prior to Brexit) will lapse in June 2026, the UK Government has announced a <u>Call for Evidence on Steel Trade Measures</u> in order to seek stakeholders' views in shaping the UK's future trade approach to steel.

While the UK Government has not yet committed to a replacement measure for the UK Steel Safeguard Measure similar to that announced under the <u>EU Steel and Metals Action Plan</u>, it is likely to be giving consideration to this option and has asked for input on "how the government should continue to support the steel industry from overcapacity". Moreover, we also note that the UK Government has most recently indicated a clear policy intention to align with the EU approach to it own steel safeguard measure, given the changes announced at the outcome of the tariff-rate quota review into the UK Steel Safeguard Measure, in which the UK Government announced that it would be seeking to reduce the rate of liberalisation under the measure from 3% to 0.1% — identical to the rate applied by the European Union following its recent functioning review into the EU Steel Safeguard Measure.

At the same time, the UK is also clearly giving consideration to policy measures which are being examined in parallel by the EU. For example, as evident from the questionnaire provided for use in responding to the Call for Evidence, the UK is giving consideration to a possible "Melt and Pour Rule" — first suggested by the European Commission in the Steel and Metals Action Plan announced in March 2025.

The Call for Evidence will remain open until 7 August 2025.

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