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Patrick Harvie MSP
Convener
Europe, External Affairs and Culture Committee
Scottish Parliament
Edinburgh
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30th July 2026

Dear Patrick,

Thank you for your letter of 8 July regarding Environmental Standards Scotland's commissioned report on Scotland's regulatory alignment with EU and other international environmental standards.

I am aware of the report and welcome the analysis undertaken for Environmental Standards Scotland. I acknowledge that, in exercising its functions under the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021, ESS may have regard to developments in, and information on the effectiveness of, international environmental protection legislation.

The report notes the Scottish Government's continuing commitment to maintaining and advancing EU environmental standards where appropriate and practicable within the devolved settlement. It also identifies areas where divergence between EU and UK environmental law has increased since EU Exit and notes the constraints arising from reserved matters and the current constitutional settlement.

The analysis is consistent with the Scottish Parliament's own EU Law Tracker, published in February this year, which noted the Scottish Government's transparency, consistency and quality of reporting on EU alignment.

The Scottish Government remains committed to protecting and advancing high environmental standards. Divergence from evolving EU standards in particular areas should not be seen as a reason to consider that our environmental law is ineffective. The Scottish Government continues to seek alignment with EU law, often at the level of policy principles and outcomes rather than full legal replication. We will continue to consider opportunities for alignment with evolving EU law where doing so is meaningful and delivers benefits for the people of Scotland, including in relation to environmental protection and public health.

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I note the report's findings and will consider them alongside other evidence and analysis as policy develops in this area.

I look forward to engaging with the Committee on these matters.

Yours sincerely,

A handwritten signature in black ink, reading "Stephen Gethins". The signature is fluid and cursive, with the first name "Stephen" and the surname "Gethins" clearly legible.

STEPHEN GETHINS MSP

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