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**TRANSATLANTIC TRADE RELATIONS (2012-2019): FROM
AMBITIOUS TTIP NEGOTIATIONS TO *AD-HOC* TRUMP-ERA TRADE
POLICY DECISIONS**

MASTER THESIS

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This thesis deals with EU-US trade relations during the period of 2012-2019, explaining the change of the European Union (EU) ambition (i.e. negotiating position) for trade liberalization with the United States. An in-depth actor-centred analysis was conducted both on European and national-levels of EU polity – thus, it opens up a black box of national level politics in the field of EU trade policy, providing an analysis of German, French and British national-level trade policy dynamics. This thesis puts forth an explanation of how and why the EU's ambition for trade liberalization with the US changed from 2012-2019.

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INTRODUCTION

The ambitious Transatlantic Trade and Investment Partnership (TTIP) negotiations, aligning two of the world's leading economies, have failed or, at least, been halted for the foreseeable future. Recent EU-US trade policy decisions have only brought more ambiguity and uncertainty around the transatlantic trade relations. A new mandate given to the European Commission (EC), similar to the new United States (US) negotiating directives, is nowhere close to the previously-held ambition. EU-US trade relations seem to have experienced a radical shift from the ambitious solutions-oriented negotiations towards a mode of "damage control" where European actors mainly react to aggressive US trade policy decisions. The question, which so far is strongly contested therefore leaving considerable scope for further research, is what explains such a shift in the EU's position?

Scope of the thesis: This thesis aims to understand the change in the European Union's (EU) ambition for a 'deep and comprehensive' trade agenda with the US. Looking at three different periods of recent EU-US trade relations (2012-2019), this thesis argues that major changes in the EU's negotiating positions for trade liberalization with the US can be explained by analysing the changing dynamics of European principal-agent relations (specifically the Commission-Parliament relationship together with the Commission and governments of Germany, France and the United Kingdom interactions). These principal-agent interaction are further shaped by external environment variables: US trade policy decisions, the level of public salience in Europe and the actions of competing interest groups (viewed as quasi-principals). By combining two approaches of trade policy analysis: two-level games and principal-agent (PA) model, the paper introduces an explanation of how and why the EU's ambition for trade liberalization with the US changed.

Research relevance: The unprecedented mobilization of actors, raising TTIP public saliency to unseen levels in Europe, have brought scholars back to the field of EU trade policy. Together with recent protectionist take on US trade by the newly-elected president, EU-US trade relations of the last decade has become an interesting field for academic inquiry. This recent surge in research on EU trade policy, often placing TTIP at the centre of the discussion, has produced a variety of conflicting and complementary explanations from realist, rationalist/liberalist and constructivist perspectives.

Research novelty: This thesis contributes to the novelty of academic research in three following areas:

1) Opening the black box of national-level political analysis in the field of EU trade policy (*e.g.* van Loon 2018, 2020).

2) Utilising the concept of public (policy) salience within a combined analytical framework of two level games and principal-agent model (introduced by Opperman (2008) which, as suggested by others, *e.g.* Conceição-Heldt and Mello (2017), has been a promising but neglected avenue for research to date) for an explanation of change in bilateral EU-US trade relations (2012-2019). This is an argument against the recent overgeneralizations of EU trade policy becoming a fundamentally politicized and contentious policy area (*e.g.* for an overview, see Leblond and Viju-Miljusevic 2019, Young 2019).

3) Taking a broader look at bilateral EU-US trade relations, beyond just narrow considerations around specific aspects of TTIP negotiations, with new empirical data from the Trump era.

Research question: How and why did the ambition (*i.e.* negotiating position) of the European Union for trade liberalization with the United States change from 2012 to 2019?

Hypotheses: **H.1.** During the authorization stages, positive (ambitious/compromise-oriented) US administration trade policy decisions tend to push the EU for a more open dialogue (ambitious outlook for liberalization), which is also more beneficial to the US, than negative/aggressive decisions which enable opposing/protectionist voices in Europe. **H.2.** During the negotiation stage, high levels of public salience tend to change the regular European PA dynamics, not only giving the principal(s) credibility to threaten but also for public opinion to influence policy, contrary to low levels of public salience – thus affecting the overall EU’s ambition for trade liberalization with US. **H.3.** European Parliament remains more open for trade liberalization with the US when; (1) US administration shows positive (ambitious/compromise-oriented) stances, (2) supportive interest groups are more dominant and (3) public salience remains low, if any one of these factors shift it will impact Parliament’s position to the opposite side. **H.4.** When supportive interest groups are more dominant, influential and united, it contributes to ambitious EU negotiating positions with the US contrary to when opposing interest groups are more dominant, influential and united.¹ **H.5.** The governments of major EU member states (DE, FR and UK) remain more open for trade liberalization with US when; (1) US administration shows positive (ambitious/compromise-oriented) stances, (2) supportive interest groups are more dominant and (3) public salience remains low, if any one of these factors shift it will impact the governments’ positions to the opposite side.

¹ Civil society interest group mobilization and the level of public salience are often interdependent.

Dependent variable: EU's ambition (*i.e.* negotiating position) for trade liberalization with the US (2012-2019).

Independent variables: The thesis puts forth the following list of independent variables (In.v.):

- 1) the nature of US trade policy decisions, *i.e.* counterpart's actions;
- 2) the level of public salience in Europe, *i.e.* informational determinant;
- 3) the actions of European Parliament, *i.e.* supranational principal;
- 4) the actions of competing interest groups, *i.e.* quasi principals;
- 5) the actions of major EU member state governments, namely Germany, France and the United Kingdom (up to Brexit), *i.e.* supranational principals and national agents.

Research method: The thesis adopts a process-tracing methodology, relying mostly on qualitative data sources with some exceptions of quantitative data, such as Eurobarometer surveys and Google Trends data. The thesis uses a comprehensive list of primary data sources from trade policy actors (*e.g.* EC, EP, EU member states, business and civil society interest groups, US administration).

Objectives of the thesis:

- 1) to conduct a thorough literature review on EU trade policy/negotiations and EU-US trade relations, representing the most important scholars, ideas and articles;
- 2) to establish the level of EU ambition for trade liberalization with the US for the period of 2012-2019 by looking at the differences in 2013 and 2019 EC mandates;
- 3) to provide an in-depth actor-centered analysis for three different periods of bilateral EU-US trade relations, namely Authorization stage I in 2012-2013, Negotiation stage in 2013-2017 and Authorization stage II in 2018-2019, by:
 - a. discussing the nature of US administration trade policy decisions prior to, during and after the negotiations and showcasing how these decisions impacted European PA dynamics;
 - b. establishing public (policy) salience levels during TTIP and showing how public interest impacted European PA dynamics prior to, during and after the negotiations;
 - c. discussing the nature of European Parliament actions prior to, during and after the negotiations and showing how these actions are impacted by external environment variables;
 - d. discussing the activities of competing interest groups and showing how these activities impacted European PA dynamics prior to, during and after the negotiations

- e. opening the black box of national-level politics and revealing the importance of major EU member state governments (DE, FR and UK) prior to, during and after the negotiations;

THEORETICAL PART

1. Literature review on EU Trade Policy/Negotiations and EU-US trade relations

After Dür and Zimmermann (2007, 772) branded EU trade policy as “*a frequently neglected field of EU studies*”, a surge of academic research followed from various theoretical streams (*i.e.* realist, rationalist, liberalist and constructivist explanations). This surge of research was also impacted by the changing nature of European trade politics, due to:

- 1) the new institutional structure enabled by the Lisbon Treaty which, above everything else, strengthened the powers of the European Parliament
- 2) the new ‘deep and comprehensive’ trade agenda of the European Commission which brought new issues into the equation, such as protection for investment, social and/or environmental standards, public procurement aspects, *etc.*
- 3) the unprecedented but sporadic involvement from irregular trade policy actors (*e.g.* NGOs, or, lately, national legislatures)
- 4) the shift from multilateral to bilateral European trade agendas and asymmetric to symmetric trade negotiations (*e.g.* US and Canada).

Since then, a variety of research emerged trying to understand the way EU trade policy is formed, who are the most important actors and when do certain actors have more influence than others on European trade policy and negotiations.

During the literature review, I have analysed more than 130 articles published in leading peer-reviewed political science journals and academic books (Annex 1, meta-data), traced 9 special issues, specifically dealing with EU trade policy (Annex 2), and further relied on various recent analytical papers and policy briefs when developing theoretical and empirical parts of this thesis. The literature review started by looking at recent academic reviews around EU trade policy/negotiations (*e.g.* Dür and Zimmermann 2007, Conceição-Heldt 2013a, Orbie and Kerremans 2013, Polleti and De Bièvre 2014, Conceição-Heldt and Mello 2017, Madeira 2018, *etc.*), this allowed me to distinguish between the most prominent scholars in the field of EU trade policy, capture the constant debate between rationalist/liberalist and constructivist scholars while also develop the combined analytical framework.

The latest major scholarly endeavor was taken by a group of scholars in the *Journal of European Integration* (Laursen and Roederer-Rynning 2017), trying to bridge the gap between material and ideational variables in the analysis of EU trade policy. Another special issue in the *Business and Politics* journal has specifically dealt with the politics of TTIP, however, the focus of this special issue remained on the American side, with some exceptions (Aggarwal and Evenett 2017). The same year, the *Journal of European Public Policy* published three articles on TTIP (De Ville and Siles-Brügge 2017, De Bièvre and Poletti 2017, Eliasson and García-Duran 2017), showcasing the wider debate in EU trade policy and differing explanations between constructivist and rationalist/liberalist scholars. Lastly, an article in a special issue in the *Journal of European Public Policy* in 2019 (Meunier and Czesana 2019) proposed a new research agenda in the study of European trade policy, suggesting to take the concept of public (policy) salience in a more systematic and comprehensive manner.

Current state-of-the-art: what determines the trajectory of EU Trade Policy/Negotiations?

Over the years a vast body of literature emerged with competing and complementary explanations around the field of EU trade policy. The final list of most important variables is often shaped by theoretical paradigms where such explanations are built. For example, IR theory based realist explanations focus on power, context and structural variables in explaining the outcomes of EU trade policy (*e.g.* Zimmermann 2007, Sbragia 2010, *etc.*). Rational choice scholars tend to focus on the effects of institutional design and state actors, working within the established legal frameworks (*e.g.* Clark et al. 2000, Meunier 2000, Elsig 2007, Larsén 2007, Delreux 2008, Conceição 2010, *etc.*). While IR-based, mostly realist, explanations would focus on the international level and systemic/contextual variables, rational choice explanations takes the domestic level variables into account more seriously. Their domestic focus, however, is different from liberal theory inspired explanations whose view on the preference formation process stems from economic and societal actors, accounting for business community behavior but also civil society interests (*e.g.* Dür and De Bièvre 2007, Dür 2008, Dür and Mateo 2014, *etc.*).

Furthermore, the two-level games approach inspired a variety of research in the field of EU trade policy, some of the most immediate applications can be noticed by rational choice scholars (*e.g.* Clark et al. 2000, Meunier 2000, *etc.*). Early attempts to apply two-level games to the analysis of European trade policy still remained systemic in nature. In time, however, rational choice research adopted the principal-agent model as one of the widely used explanations in EU

trade policy. The majority of PA explanations can be divided by their ultimate conclusions, either arguing for the agents' ability to act freely without restrictions from its principals (*e.g.* Elsig 2007, Delreux and Kerremans 2010, Elgström and Larsén 2010, Conceição 2010, Conceição-Heldt 2011, *etc.*) or principals' ability to successfully control their agent (*e.g.* De Bièvre, Dirk and Dür 2005, Elsig 2010, *etc.*).

Moving forward, another strand of literature on EU trade policy emerged within the liberal paradigm, with a dominant focus on the role of the business community, especially among competing exporting and importing businesses (*e.g.* De Bièvre and Dür 2005, Dür and De Bièvre 2007, Dür 2008, Dür and Lechner 2015, *etc.*). Only recently this literature began to focus on the actors beyond the business community, analyzing conditions under which various other interest groups have influence on trade policy outcomes (*e.g.* Dür and Mateo 2014, De Bièvre 2014, *etc.*). Over the years, liberal theory inspired approaches started to merge with rational institutionalist research (*e.g.* De Bièvre and Eckhardt 2011).

The major conflict in literature, however, remains between rational/liberal and constructivist scholars, often with conflicting explanations. The constructivist attempts to explain that contemporary processes of EU trade policy are driven by discourse analysis and the notion of role of ideas (*e.g.* Siles-Brügge 2011, De Ville and Orbie 2014, Bollen et al 2016, De Ville and Siles-Brügge 2017, *etc.*). Recently, there has also been attempts in trying to bridge the gap between conventional explanations, including realist paradigm, and more radical literature in the analysis of EU trade policy (Orbie and Kerremans 2013).

Overall scholars tend to divide literature on EU trade policy in the following three categories (*e.g.* Conceição-Heldt 2013a): (1) International/systemic explanations that focus on the variance in international level factors while holding domestic variables constant. The domestic level institutions or preference formation processes, are neglected. (2) State-centered approaches focus on domestic-level institutions, institutional structure and state actors as the most relevant variables in explaining the outcomes of foreign policy decisions. Contrary to international/systemic approaches, state-centered approaches do not view states as unitary actors and are more dynamic in their explanations, however, state and institutional design remains the most important areas of their research focus. (3) Society-centered approaches take the preference formation processes further and describes them as a result of competing business / societal interests, stemming from liberal theory and Moravscik (1993, 1997 and 1998) conceptualizations.

The majority of society-centered approaches emphasize the importance of domestic level preference formation and the role of non-state actors, as opposed to rational choice scholars who focus on state actors and primarily institutional design.

Recently, academic literature on EU-US trade relations, TTIP in particular, have been put at the centre of the new academic discussion around the changing nature of EU trade policy. For instance, De Ville and Siles-Brügge (2017) argued that it is important to recognize the socially-constructed nature of TTIP negotiations, describing the negotiations as a game changer in the field of EU trade policy. Responding to this article, De Bièvre and Poletti (2017) emphasized that TTIP just represents another case of intense public mobilization in the field of EU trade policy, which was seen a few times prior to TTIP. Similarly, Eliasson and García-Duran (2017) support the conclusions of De Bièvre and Poletti (2017) but draws our attention to the scope of TTIP negotiations which, according to the authors, would have changed the system of international trade governance making TTIP a unique phenomenon of trade negotiations. Moreover, few other scholars have focused on the questions of unprecedented mobilization of actors during TTIP negotiations (*e.g.* Bauer 2016, Buonanno 2017, Chan and Crawford 2017, Eliasson and García-Duran Huet 2019, *etc.*) Another special issue emerged in *Business and Politics* (Aggarwal and Evenett 2017) dealing with TTIP on the US side, with some exception around the analyses of the European side. This represents a new re-emerging interest of bilateral EU-US trade relations.

The gap in literature on EU Trade Policy/Negotiations and EU-US trade relations

The conventional approaches of EU trade policy analysis are often being critiqued for their lack of attention towards the influence of domestic variables. Recently, van Loon (2018, 97) emphasized the fact that *“this lack of attention is astonishing. The overlooked domestic arena is the level where trade policy-making begins and where EU member governments (those that drive Council positions) find negotiation positions originating in domestic societal demands”*. Research on EU trade policy often establishes the interaction on the European/supranational level as a domestic level of analysis, undermining the preference formation processes within the EU member state environments (*i.e.* national-level). A recent article by van Loon (2020, 326) once more calls for greater attention to the EU member states national-level in the EU trade policy analyses: *“Assessing domestic level influences shaping governments’ trade positions is thus a vital preceding component in comprehending how and why certain trade positions are pursued at the EU level”*. This thesis, therefore, gives greater attention to the EU member states national-

level dynamics thus, opening the black box of the domestic (national) arena in EU trade policy analysis (the first gap in literature on EU trade policy/negotiations and EU-US trade relations).

Furthermore, EU trade policy has experienced an unprecedented mobilization from non-traditional trade policy actors. The last decade of EU trade policy-making (*e.g.* ACTA, TTIP, CETA, *etc.*) has witnessed an increase in public interest, non-traditional trade policy actors and therefore, the growing saliency of EU trade negotiations. This brought scholars back to the questions of EU trade policy, some of which started to argue that EU trade policy has become a fundamentally politicized and contentious policy area (for an overview, see Leblond and Viju-Miljusevic 2019, Young 2019). This overgeneralization of EU trade policy becoming more politicized and contentious, as well as placing TTIP negotiations at the centre led Meunier and Czesana (2019) to propose a research agenda to account for varying degrees of public/policy salience in EU trade policy analysis, be it over time, across trade agreements or within different EU member states. This thesis looks at varying levels of public salience during TTIP negotiations and across different EU member states, namely Germany, France and the United Kingdom therefore, contributing to the research on policy salience in EU trade policy (the second gap in literature on EU trade policy/negotiations and EU-US trade relations). This thesis argues that a high saliency period of TTIP, producing politicized and contentious TTIP debate, was another peak in EU trade policy-making rather than a new reality of EU trade policy.

Moreover, Conceição-Heldt (2013a, 590) perfectly captures the essence of this thesis:

“Given the rich and varied nature of the two-level games literature, it can now be said that domestic political institutions, interest groups and the international-level perspective put the pieces in place for a coherent explanation of international trade cooperation. One of the main weaknesses of the current literature is, however, the focus on only one level of analysis, meaning that it fails to explore how different levels fit together. (...) We need to move more towards comparative institutional analysis at the domestic level. (...) Systematic investigation of actor interactions at the domestic, international and transnational levels.”

The thesis therefore aims to analyze bilateral EU-US trade relations in a broader perspective, accounting for periods prior to, during and after TTIP negotiations, as well as looking at the national level dynamics of EU member states and utilizing the concept of public policy salience. The dependent variable of this thesis is the EU’s ambition for trade liberalization with the US in the period of 2012-2019, which is operationalized through 2013 and 2019 EC

mandates. Relying on the following list of independent variables (In.v.), the thesis aims to explain the change in the EU's ambition (*i.e.* negotiating positions):

- 1) the nature of US trade policy decisions, *i.e.* counterpart's actions;
- 2) the level of public salience in Europe, *i.e.* informational determinant;
- 3) the actions of European Parliament, *i.e.* supranational principal;
- 4) the actions of competing interest groups, *i.e.* quasi principals;
- 5) the actions of major EU member states' governments, namely Germany, France and the United Kingdom (up to Brexit), *i.e.* supranational principals and national agents.

This thesis explains how and why the ambition of the European Union for trade liberalization with the US changed in the period of 2012-2019. The thesis positions itself within the rationalist/liberalist paradigm. The following chapter will describe a combined theoretical model of two level games and principal-agent relations in more detail.

2. Research design: Analytical model, Hypotheses and Methodology

a. Analytical model: two-level games and principal-agent model

Drawing on the insights from Putnam (1988, 433) that: "*we need to move beyond the mere observation that domestic factors influence international affairs and vice versa, and beyond simple catalogs of instances of such influence, to seek theories that integrate both spheres, accounting for the areas of entanglement between them*". Therefore this thesis proposes a combined analytical framework of two-level games and principal-agent model (originally conceptualised by Oppermann 2008), and further utilises various novel insights of principal-agent model developed over the years (*e.g.* Pollack 1997, 2002, Delreux 2008, Dür and Elsig 2011, Plank and Niemann 2017 and Delreux and Adriaensen 2017, 2018, 2019). The proposed analytical framework links international and domestic levels and their casual entanglements (Figure 2), accounting for the dynamics of multiple European principal-agent relationships (In.v. 3 and 5) and external environment variables (In.v. 1, 2 and 4), specifically the counterpart's pressure, public policy salience in Europe and the influence of competing interest groups. This analytical framework builds upon the Oppermann (2008) proposed combined two-level games and principal-agent framework, where he focused on the autonomy/discretion of an agent and brought the concept of policy salience to operationalize informational determinants. Together with the insights from Plank and Niemann (2017) on the agent side – where authors distinguished between interest-induced and structure-induced agent's discretion *vis-à-vis* its principals – this forms the basis for

analytical conceptualizations around the behaviour of an agent. Further, followed with the work of Dür and Elsig (2011) where authors further developed the chains of delegation concept (originally proposed by Pollack 2002) and conceptualized interest groups as quasi-principals which allows to discuss their relative influence that can transcend their immediate boundaries (originally conceptualized by Pollack 1997). Recognizing also Delreux and Adriaensen (2017, 2018 and 2019) insights on the challenges of principal-agent framework.

Two-level games: ratification process and the concept of governmental win-sets

To begin with, a few fundamental concepts of two-level games must be discussed before going further. For instance, the notion/process of ratification in international negotiations, as argued by Putnam (1988, 435-441), establishes an essential link between international and domestic level variables, thus allowing us to discuss the entanglements between two levels. Due to the requirement of ratification, the international level becomes entangled with the domestic level where an agent, or a chief negotiator, has to deal with them simultaneously. Ratification can be approached both from formal and informal points of view. The formal process of ratification can be described as an official act of a principal to formally vote on the negotiated text. Whereas the informal aspect of ratification can be alluded to the expected voter turnout, public opinion restrictions, support to the ruling majority, *etc.* This entanglement of international and domestic levels, allows to explore domestic politics influence towards international negotiations and *vice versa*.

Furthermore, the concept of governmental win-sets, as argued by Putnam (1988, 435-452), is another fundamental notion of two-level games. The concept of win-sets entails “*the ‘win-set’ for a given Level II (domestic) constituency as the set of all possible Level I (international) agreements that would allow ‘win’ – that is, gain the necessary majority among the constituents*” (ibid 437). In other words, the flexibility of international negotiations are defined by the boundaries of domestic win-sets. The larger the domestic win-set, the more likely an international agreement is ratified. Putnam (1988) additionally draws our attention to the fact that two-level games only assume uncertainty on the part of the Level I negotiator – “*the larger the perceived win-set of a negotiator, the more he can be ‘pushed around’ by the other Level I negotiators*” (ibid 440). In such scenario, the smaller win-set seems to be more suitable for Level I negotiator as he can play with inability to ratify such agreement on Level II and push for their interests to be incorporated into the agreement. However, the smaller the win-set, equally greater the risk of involuntary

defection, which can cause pressure from Level II constituencies. As noted by Putnam (1988), an expanded win-set might actually trigger a dilemma of collective action, for which two-level games do not account. Now turning to the principal-agent framework which, over the years, produced a variety of approaches, trying to account for the limitations of original two-level games.

Principal-Agent (PA) framework: agent's autonomy/discretion, principal's control mechanisms, chains of delegation and stages of negotiations

Moving towards the principal-agent perspective which is built around the defining feature of delegation. An act of delegation is pursued by a principal to deal with policy challenges in a cost effective way – *i.e.* delegating a certain amount of responsibility to an agent in order to pursue strategic interests, *e.g.* escape voting cycles, constituency demands and/or protectionist attitudes from certain actors, *etc.* For instance, Kassim and Menon (2003, 131) argue that the rational choice institutionalism/supranationalism arguably makes the most sophisticated use of principal-agent framework. One of the most prominent scholars of rational choice institutionalism/supranationalism, Pollack (1997, 2002), who brought PA framework into the EU studies, argues that the autonomy of supranational/EU level institutions can be explained through the analysis of four factors (Pollack 1997, 128-131): (1) the distribution of preferences among principals (*e.g.* member state governments' positions around certain policy issues), (2) the institutional design with its existing decision-making rules (*i.e.* existing *ex-ante* and *ex-post* control and sanction mechanisms), (3) the asymmetry of information among principals and agents and (4) the transnational constituencies that can bypass the domestic level and put pressure directly on the international level.

PA framework – AGENT SIDE: Oppermann (2008) proposed an approach to systematically deal with the conditions for agent's influence (*i.e.* the conditions under which an agent has the ability to freely/autonomously act without the likelihood of severe sanctions from its principals). Reflecting on Oppermann's (2008, 194-195) insights, the principal agent model can provide a thorough analytical framework when used together with two-level games.

As the author argued, principals engage in monitoring and controlling activities due to the asymmetry of information, distinguishing between the two types of monitoring activities: *police patrol oversight* and *fire alarm oversight*. The first one refers to a proactive and direct monitoring and the latter to a reactive and indirect monitoring activities. The latter is often triggered by the role of third parties, or quasi-principals as conceptualized by Dür and Elsig (2011), alerting agent's

direct principals (binned by legal contract) of a perceived agent's leeway from principals' interests. The evidence of a potential agent's leeway provided by third parties does not immediately result in a credible action from the principal, mostly due to his inability to credibly threaten (or also due to the fact that such a leeway does not exist).

For this reason, it is important to distinguish between informational and institutional determinants or, in other words, the conditions under which an agent's autonomy/discretion and influence of a principal tend to change. In order to operationalize informational determinants (ibid, 182-183), the concept of salience² must be applied. In broad terms, the term of salience implies the urgency or importance given to the political agenda from a certain actor. Applying the concept of salience allows for the measure of the informational determinants of domestic win-sets for specific actors. In most cases, principals are not able to fully monitor and assess all actions of all policy fields as much as deal with political issues (*i.e.* engage in *police patrol oversight*), mostly due to the lack of resources. For this reason, they tend to apply *fire alarm oversight* on the most relevant or visible policy-making fields. Thus, establishing the cycle of policy salience of a certain political issue, allowing the assessment of the dynamics of political actors' influence, including the involvement of third-party actors. As argued by Oppermann (2008, 184-185), the size of governmental win-sets is closely related to the shifts in policy salience but determined by the existing institutional structure, *i.e.* established means to sanction an agent on the performance of policy execution. One should not underestimate the importance of informational determinants as they give the credibility for the action of a principal. "*In order to be costly to governments, these sanctions must have negative repercussions on the re-election prospects of governments and thus harm their primary interest in maintaining their role as governmental agents*" (ibid, 184). Further work of Oppermann around informational determinants detailed the role of public saliency towards the outcomes in the field of foreign policy. For example Oppermann and Viehrig (2009, 925-927) in an article argue that "*the concept of public salience refers to the significance, importance and urgency that the general public ascribes to a certain issue (...) Governments are under greater pressure to formulate their policy in view of the electorate's preferences when the public salience of the policy is high than when it is low. Their decision-making leeway will correspondingly be*

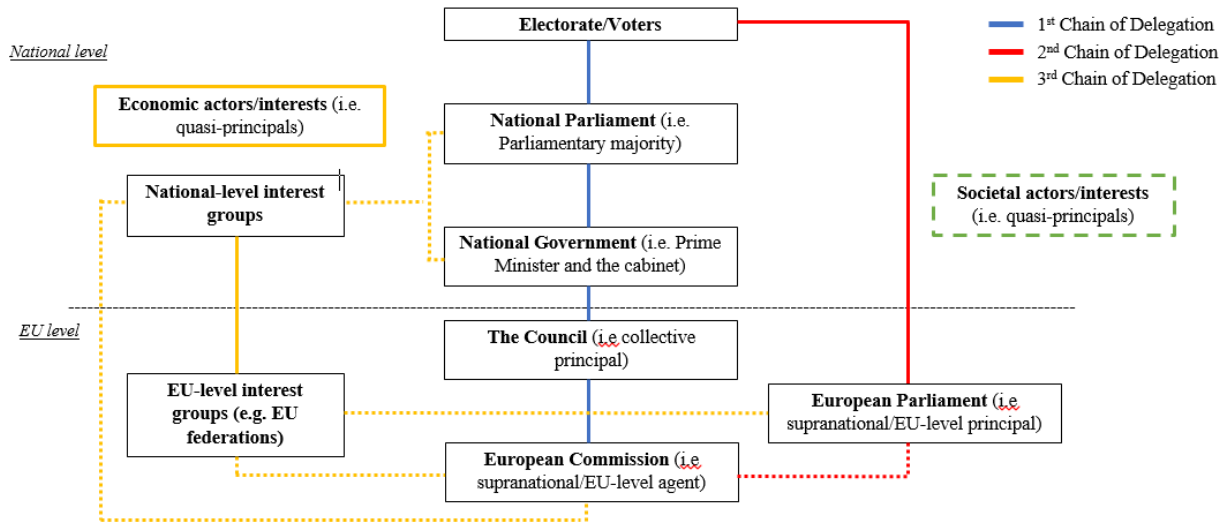
² The paper accounts for public (policy) salience and actor-specific policy salience. Moreover, as argued by Dür and Mateo (2014, 1200-1213) public policy salience and interest group activities are often interdependent – "*the public salience of an issue, in turn, influences which and how many interest groups become active*", and *vice versa*.

more constrained by the imperatives of electoral politics in the former than in the latter case". When dealing with the size of governmental win-sets or autonomy/discretion of a supranational/EU level agent, one must account for both sides of the determinants: institutional structure and the salience of a policy issue both to actors and to the public.

Furthermore, the post-delegation principal-agent relations are often described as the politics of discretion. Building upon the insights of Opermann (2008), the notion of interest-induced and structure-induced discretion of an agent vis-à-vis its principals must be discussed (Plank and Niemann 2017, 132, also Delreux and Adriaensen 2017). According to the authors, the actions of an agent can be viewed as a source of his discretion, which can be affected by either the current characteristics of the external environment where an agent is made to perform their duties (structure-induced discretion) or a product of intentionally pursued action which is different from the principals interests (interest-induced discretion).

PA framework – PRINCIPAL SIDE: Pollack (2002, 215) introduced a concept of chains of delegation, emphasizing that the chains of delegation are one of the most important aspects of bureaucratic governance, which occurs at various levels of government. Building on this, Dür and Elsig (2011, 330-333), suggest to view politics of European Union within the PA framework as a network of various competing and/or complementary chains of delegation. The authors distinguish between the following chains of delegation: 1st chain – from voters to legislators in national parliaments, from national parliaments to the executive, from the governments to the EU level and from the Council to the Commission; 2nd chain – from voters to the European Parliament and from the Parliament to the Commission; 3rd chain – from economic actors to national and EU-level interest groups/federations. The authors also recognize that national-level actors from the 3rd chain of delegation may transcend their immediate boundaries and can put pressure towards the EU-level actors. Within the 3rd chain of delegation, Dür and Elsig (2011) also accounts for the societal interests (non-economic interests) and their influence towards the policy outcomes, however, does not apply a strict interpretation of contractual relationships but sees their potential influence through signalling, access and control strategies. The following figure summarizes their proposed analytical model (Figure 1):

Figure 1, the chains of delegation in EU polity



Source: produced by author, based originally on Dür and Elsig (2011) figure 1

Lastly, Delreux (2008) takes the PA framework further in another way, by discussing different control mechanisms available to principals during different stages of international negotiations. The author suggests that EU trade policy-making can be analytically divided into three stages: *authorization*, *negotiation* and *ratification*. The author also emphasizes the *ad locum* control mechanisms used by principals during the negotiation stage and specifically addresses the complexity of EU trade policy governance when it comes to the negotiations of mixed agreements (i.e. involving aspects of shared competences). Based on these insights, the paper accounts for the three stages of international negotiations and recognizes the *ad locum* control mechanisms of principals.

The combined analytical framework of two-level games and principal-agent model

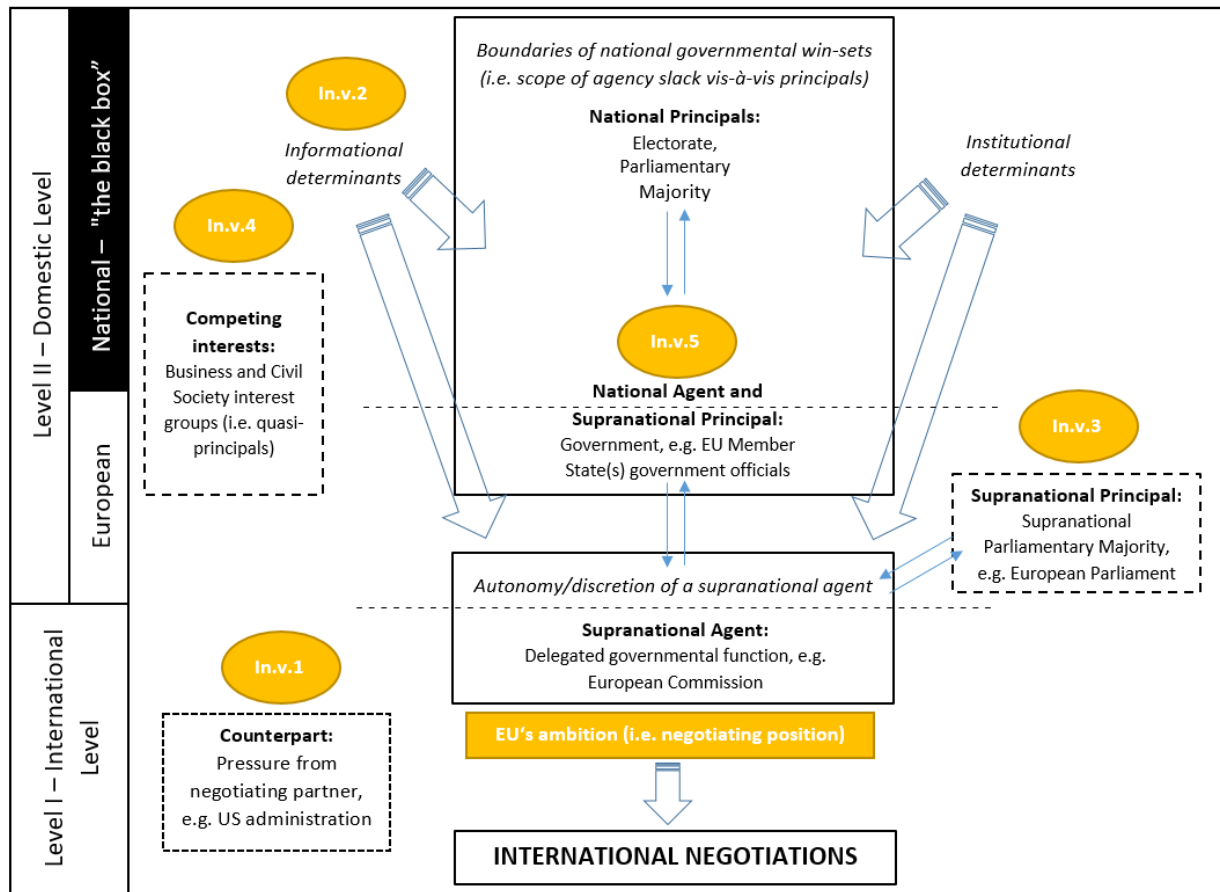
In line with the work of Putnam (1988), Pollack (1997, 2002), Oppermann (2008), Delreux (2008), Dür and Elsig (2011), Plank and Niemann (2017) Delreux and Adriaensen (2017, 2018, 2019), the thesis proposes a combined analytical framework of two-level games and principal-agent model. The work of Oppermann (2008) remains a fundamental base of the analytical framework of this thesis. The last important observation made by Oppermann (2008, 182) was around the concept of governmental win-sets, responding to the criticism of two-level games, proposed that “the task of establishing the boundaries of domestic win-sets in two-level games

becomes equal to determining the agency slack of governments in relation to its principals”.³ In other words, when an agent is not delivering (or is perceived to be) on certain aspects within the set of governmental win-sets, resulting in possible action. The evidence of principals’ dissatisfaction suggest the edges of the boundaries of governmental win-sets. For instance, Commission inability to deliver on a more ambitious access to agricultural products revealed the instance of a boundary of French governmental win-set which lies around the agricultural sector (more empirical part 5.b.iv.). Thus when a supranational agent does not deliver for governmental principals (because they are also national agents who does not deliver for national principals), the national environment becomes stressed which constricts a national government from allowing a supranational agent to act without restrictions. Such an example of agency slack suggest a way to map the boundaries of national governmental win-sets.

While the supranational agent is controlled by the governmental principal(s) (who are also national agent(s) controlled by national principals), the supranational/EU level agent has to deal with the dynamics of principal-agent relations on multiple levels. As argued in this thesis, the changing dynamics of European principal-agent relations impact the autonomy/discretion of a supranational agent, which are further shaped by external environment: counterpart’s pressure, public salience and interest groups influence. The integrated two-level games and PA framework can be summarized in the following figure bellow (Figure 2):

³ Agency slacking is when an agent fails to deliver on the instructions provided by the principals in an act of delegation.

Figure 2, the combined analytical framework of two-level games and principal-agent model



Source: produced by author, based originally on Opermann (2008) figure 1

b. Hypotheses: the changing European PA dynamics and external environment (*i.e.* counterpart's pressure, public policy salience and competing interest groups)

The delegation of a task is pursued by a principal, is based on a cost-benefit analysis aiming to maximize its relative gains. When an act of delegation is established, the relationship between an agent and a principal is considered as the politics of discretion. This however, creates an environment with asymmetric information between principals and agents – which drives a principal(s) to monitor and control the activities of an agent. As argued by Delreaux and Adriaensen (2017, 19) “*the politics of delegation lay down the rules of the game to be played between principal and agent, the eventual unfolding of the game is subject of the politics of discretion*”. Thus, the agent's discretion/autonomy is dependent upon the actions of its principals. “*The two primary ways in which the principal can affect the agent's discretion are through the amount of authority that is initially delegated and through the creation and activation of control*

mechanisms” (ibid, 19). Once the authority is delegated, principals try to react to the potential perceived losses to an agent, which are inherent in the principal-agent relations, especially during uncertain times (i.e. high saliency period). Principals have a variety of *ex-ante* (during authorization stage, e.g. design of a mandate), *ad-locum* (during negotiations stage, e.g. activation of *police patrol control*) and *ex-post* (during ratification stage, e.g. a final vote on the agreement) control mechanisms. Scholars dealing with the politics of discretion often aim to analyze agency *slippage*, *shrinking* or *slacking* during negotiations (e.g. Coremans and Kerremans 2017, Laloux and Delreux 2018).

During TTIP negotiations, there has been a lot said about the activities of the Commission and the agreement itself. For instance, a strong opposition formed around the proposed ISDS mechanism. There were many concerns over the agricultural sector and food standards and with regards to the secrecy of the negotiations. It was not necessarily self-interest induced leeway by the Commission, as argued by some TTIP opponents. Plank and Niemann (2017, 132-133), suggest that an agent’s discretion could be additionally affected by “*an unintentional product of the characteristics of the external environment in which the agent performs its task (structure-induced discretion)*”. While the main source impacting the politics of discretion is the actions of principals, other important factors of the external environment must be taken into account for the agent’s discretion *vis-à-vis* its principal. For instance, the radical shift of US trade policy stances towards the EU during and after TTIP allows to formulate the following hypothesis: *H.1. During the authorization stages, positive (ambitious/compromise-oriented) US administration trade policy decisions tend to push the EU for a more open dialogue (ambitious outlook for liberalization), which is also more beneficial to the US, than negative/aggressive decisions which enable opposing/protectionist voices in Europe.* Furthermore, TTIP negotiations witnessed an unprecedented mobilization of non-traditional trade policy actors which increased the levels of public policy salience, and *vice versa*. Together with Oppermann (2008) insights on the informational determinants and further considerations for public salience in Oppermann and Viehrig (2009), which were similar to Dür and Mateo (2014, 1200) conclusions around public salience and interest group activities that “*when the public salience of an issue is high, finally, public opinion is an important determinant of public policy. Interest groups are important in this step, too, as they transmit information about public opinion to decision-makers*”. I construct the following hypothesis: *H.2. During the negotiation stage, high levels of public salience tend to*

change the regular European PA dynamics, not only giving the principal(s) credibility to threaten but also for public opinion to influence policy, contrary to low levels of public salience – thus affecting the overall EU's ambition for trade liberalization with US.

Turning our attention to the side of the principals, the role of the European Parliament as a supranational/EU-level principal must be discussed. Thanks to the new Lisbon Treaty, the competences of the European Parliament have not only strengthened its ambition to establish itself as an equal player of the European legislative process, but also increased its ability to assert influence over external trade policy. This produced new and interesting dynamics between the European supranational level legislative and executive bodies. Lately, the supranational executive-legislative relations have become an interesting area of academic inquiry (e.g. Egeberg et al. 2014, Rosén 2017, Roederer-Rynning 2017, Jančić 2017, Rosén and Tørnblad 2018).

The European Parliament, as a supranational/EU-level principal, must monitor and control the activities of its agent, *i.e.* the European Commission – keeping the agent accountable and in line to its mandate. Scholars tend to find the behaviour of the European Parliament an interesting area of research due to its tendency to rely on the knowledge of the Commission while at the same time trying control and threaten (e.g. Rosén and Tørnblad 2018). As is said, the EP is “*lacking technical knowledge to follow the area properly, to understand the policy issues, and to avoid being influenced too much by lobbyists and interest groups*” (ibid, 35). Similarly, Meunier and Czesana (2019, 10) argued that “*unlike DG Trade staffers, domestic politicians in national parliaments and even members of the EP most often do not have the expertise required to understand the technical details of the complex and interconnected trade agreements*”. This produces two major problems: (1) the EP’s dependency on the Commission’s knowledge, while lacking technical competences to properly follow the field, the Parliament must hold the Commission accountable; (2) the Commission’s initial reluctance to share information, (since it could pose the risk to diminish the overall negotiating power of the EU), but eventual willingness to share information brought Parliament’s action. A certain degree of secrecy is required in international negotiations to deliver on a more favourable conditions for its constituents. Therefore, when sensitive information became more accessible and available to different institutions, a wide array of interests and eventually led to public involvement, making it harder for the Commission to negotiate with strength.

This produces interesting dynamics of European supranational-level executive-legislative relations. More importantly, the recent actions of the European Parliament in TTIP (but also additionally, for example, in ACTA) allows to construct the following hypothesis: *H.3. European Parliament remains more open for trade liberalization with the US when; (1) US administration shows positive (ambitious/compromise-oriented) stances, (2) supportive interest groups are more dominant and (3) public salience remains low, if any one of these factors shift it will impact Parliament's position to the opposite side.*

Furthermore, Dür and Elsig (2011) conceptualized activities of interest groups (both business and civil society, the latter perceived to have less power to influence trade policy decisions) within the principal-agent framework as quasi-principals. According to the authors, even if interest groups do not have a contractual agreement with an agent that would put them in the same position as principals – their activities and influence towards the policy decisions must be recognised. For Dür and Elsig (2011), economic interest groups could be viewed as a 3rd chain of delegation (also Figure 1), whereas civil society organizations assume a less important role, both can signal and inform the principals about the agent's leeway from their interests.

In addition, literature on EU trade policy, mostly stemming from liberal theory, produced a variety of explanations accounting for their relative influence (e.g. De Bièvre and Dür 2005, Dür and De Bièvre 2007, Dür 2008, *etc.*), recently their focus shifted towards the civil society actors (e.g. Dür and Mateo 2014, De Bièvre 2014, *etc.*). During TTIP negotiations, civil society groups have taken a central role in politicized and contentious debate. This led scholars to argue around their activities and relative influence towards the final outcome. Therefore, this thesis puts forth the following hypothesis: *H.4. When supportive interest groups are more dominant, influential and united, it contributes to ambitious EU negotiating positions with the US contrary to when opposing interest groups are more dominant, influential and united.*⁴

Lastly, the chain of delegation concept (Pollack 1997, 2002, Dür and Elsig 2011) allows to connect the actions of national governments to the autonomy/discretion of a supranational/EU-level agent and thus, speak of national-level institutions influence towards the overall EU's ambition (i.e. negotiating position) in the field of external trade. National-level executives for example, can be conceptualized as both the agents of national level and principals of the supranational/EU level, acting through the 'collective principal', *i.e.* the Council, but also in line

⁴ See footnote 1

with their own national interests and agenda. This brings an additional complexity to the EU context. “For instance, a minister in the Council is simultaneously an agent of her/his national government (as a principal) and a member of the Council acting as collective principal when the latter issues a trade negotiation mandate to the Commission (as an agent). Essentially, these are two principal–agent relationships, connected through a chain of delegation” (Delreux and Adriaensen 2019, 8). Similarly, some authors suggest (van Loon 2018, 2020) that it is important to open the “black box” of the national level in the field of EU trade policy. Therefore, deeper analysis of national-level politics of Germany, France and the United Kingdom will be pursued in this thesis, leading to the following hypothesis: H.5. The governments of major EU member states (DE, FR and UK) remain more open for trade liberalization with US when; (1) US administration shows positive (ambitious/compromise-oriented) stances, (2) supportive interest groups are more dominant and (3) public salience remains low, if any one of these factors shift it will impact the governments’ positions to the opposite side.

c. Methodology and data collection

The main aim of this paper is to explain what happened between the EU and US in the field of trade during the period of 2012-2019. The empirical part is structured in the following way:

- 1) *Chapter 3.* An introduction to EU-US trade relation in the period of 2012-2019;
- 2) *Chapter 4.* A comparative assessment of the two EC mandates (i.e. 2013 and 2019 mandates) allowing the Commission to pursue trade negotiations with the United States. This part reveals the different scopes of the two mandates (i.e. the level of ambition of the European Union held during different times).
- 3) *Chapter 5a.* A general introduction to the public policy salience during TTIP negotiations. This part uses quantitative data from Google Trends⁵ to establish an indication of public salience which is further supported by qualitative data sources in the following chapters.
- 4) *Chapter 5b.* An in-depth actor-centered case study on the EU-US trade relations for the period of 2012-2019, looking into the dynamics of principal-agent relations (i.e. mandate approval processes, politics of discretion, the counterpart’s pressure, public policy salience levels and interest group influence), namely the actions of the EC, EP, major EU member states, business

⁵ The thesis recognizes that data can be manipulated by interested actors as evidence by Russian interference into the US elections campaign or Brexit referendum campaign.

and civil society community and the US administration. An in depth national-level analysis of Germany, France and the United Kingdom is conducted in the last chapter (5.b.iv.).

Relying on the insights of the analytical model and data for an indication of policy salience, the in-depth actor-centered analysis was divided into 3 sections (Authorization stage I – pre-2013 mandate approval, Negotiation stage – TTIP negotiations 2013-2017 and Authorization stage II – pre-2019 mandate approval). Similarly these three stages reflect different periods of policy salience, with minor differences (low saliency period 2012-2013, high saliency period 2014-2016 and low saliency period 2017-2019). Furthermore, seminal work of Moravcsik (1998), a vast empirical study on European interstate bargaining, draws attention to the undeniably relative importance and influence of major EU countries, namely Germany, France and the United Kingdom, onto the outcomes of various integration related processes. For this reason, the paper will focus on Germany, France and the United Kingdom for a deeper national-level analysis.

The paper adopts process-tracing methodology mostly relying on qualitative data sources with some exception of quantitative data, such as Eurobarometer surveys, Google Trends data, etc. The paper uses a comprehensive list of primary data sources, such as official documents, statements, official speeches, etc., which are represented in the following annexes (Annex 3, Annex 4, Annex 5, Annex 6). The paper also benefited from secondary data sources, such as a specific peer-reviewed academic articles dealing with particular aspects of TTIP negotiations. All of this allowed to build a comprehensive in-depth actor-centered study of EU-US trade relations during the period of 2012-2019. A systemic approach on data collection has been adopted both for theoretical and empirical research. This resulted in the construction of a comprehensive dataset for the literature on EU trade policy/negotiations (meta-data represented in the Annex 1) and annexes of primary sources of EU and US bilateral trade policy decisions presented above.

EMPIRICAL PART

3. Introduction to bilateral EU-US trade relations (2012-2019)

The authorization of 2013 EC mandate was characterised by an undeniably ambitious outlook of many different European trade policy actors. Soon after the launch of TTIP negotiations unprecedented mobilization and involvement came from opposing actors, which contributed to the growth of public interest around TTIP and inspired politicized and contentious public debate. The

growth of public policy salience together with the change in public opinion challenged the European principal-agent dynamics – which almost halted the negotiations. European domestic resistance in EU member states has burdened the potential for an ambitious trade liberalization with the United States. By the end of 2016, the governments of major EU member states suggested that there is no political support for ambitious TTIP negotiations (Annex 5, Nr. 5, 12). The moment Donald J. Trump assumed office in January 2017, the EU-US trade relations entered an even more turbulent era and, thus, the final halt to TTIP was placed by the new US administration. When Donald J. Trump came to power in 2017, other opposing forces used this “window of opportunity” and watered-down the ambitions for trade liberalization. The new authorization of 2019 EC mandate showed a different environment in which opposing voices were able to press the domestic EU member states win-sets.

The new US administration brought more ambiguity into bilateral EU-US trade relations than ever before. This new relationship began with: (1) tariffs on steel and aluminium rationalised by the Trump administration as being “*in the name of national security*” (Annex 6, Nr.1, 2); (2) EU’s retaliatory tariffs on symbolic goods, such as Harley Davison motorcycles and bourbon whiskey, specifically produced in Wisconsin and Kentucky, where some of the US leadership had their constituencies (Annex 6, Nr.7) and (3) a meeting between Juncker and Trump in July 2018, which aimed to reduce tensions between the two sides and re-initiate trade negotiations (Annex 6, Nr.8). After the course of these events, both sides agreed to work on the reduction of imposed tariffs and re-opening of bilateral EU-US trade talks. However, the new US negotiating directives (Annex 6, Nr.9) as well as a new mandate given to the European Commission (Annex 6, Nr.16), are nowhere close to the previously-held ambitions. Some authors suggested that “*while the US administration has an interest in agreeing a US–EU trade deal to showcase President Trump’s deal-making abilities ahead of the US presidential election in 2020, the EU is interested in achieving a swift agreement primarily to forestall the potential imposition of automotive tariffs*” (Schneider-Petsinger 2019, 26). The new EU-US trade negotiations are being pursued in an *ad-hoc* manner where both sides engage in tit-for-tat policy decisions responding to threats or taking action without broader strategic considerations.

4. The EU’s ambition (i.e. negotiating position) in 2012/2013 and 2018/2019

The so-called ‘new generation’ European Free Trade Agreements (FTAs) tend to not only focus on the reduction of tariffs but also on the elimination of non-tariff barriers (NTB), i.e. around

regulatory cooperation aspects, trade rules and/or labour and environmental standards. Therefore, the 2013 EC mandate and further TTIP negotiations were structured around three main ambitious pillars: (1) Market Access for goods, services, investment and public procurement markets; (2) Regulatory Framework/NTBs across a wide-range of sectors aiming for the reduction on duplication processes and establishing high standards for mutual recognition; and (3) Rules around intellectual property rights, investment protection, labour and environmental standards, etc. The 2013 mandate was broad in scope and showed genuine interest of European leaders in creating the world's largest free trading area. Being broad in scope and covering wide range of areas and sectors, it also give high discretion to the European Commission. During the first authorization stage, a few small notes could be made to France's cautious stance around audio-visual services or for instance, the mostly unnoticeable role of civil society (which is fairly common in EU trade policy).

Looking at the second round of authorization, it is clear that its main focus was on the elimination of tensions between the two sides – i.e. with a specific condition for the US to remove any imposed measures for steel and aluminium exports. The 2019 EC mandate is only focused on one segment of the economy, i.e. industrial goods, and does not include a comprehensive approach towards the regulatory cooperation, non-tariff barriers, standards, or rules. More importantly, the Council meeting before the approval of the mandate suggested a protective stance of the European Union towards the United States. For instance, French government objected to include agricultural products and the Parliament took an offensive stance against the overall trade negotiations with countries outside the Paris agreement (following chapters). The two EC mandates are a perfect illustration of the reduced EU ambition. The following figure (Figure 3) summarises the two negotiating mandates given to the European Commission in 2013 and 2019, in this way revealing their differences of Europe's ambition to pursue trade negotiations with US:

Figure 3, Comparison of the 2013 and 2019 EC negotiating directives with US

EC negotiating directives (mandate) 17 June 2013	Main objective: to increase trade and investment between the EU and the US by realizing the untapped potential of a truly transatlantic market place while setting the path for global standards (incl. market access, regulatory cooperation/non-tariff barriers (NTB) and rules)	Ambitious /Strong
	MARKET ACCESS important objectives (incl. goods, services, investment and public procurement):	
	- to reciprocally eliminate all tariffs in goods , phasing out sensitive tariffs in short time frame;	Ambitious /Strong
	- to bind the existing autonomous level of liberalization on trade in services in all sectors , tackling long-standing market access barriers;	Ambitious /Strong
	- to negotiate investment liberalization and protection provisions including areas of mixed competence , such as portfolio investment property and expropriation;	Ambitious /Strong
	- to aim at enhanced mutual access to public procurement markets at all administrative levels (national, regional and local);	Ambitious /Strong
	REGULATORY ISSUES AND NTB important objectives (incl. all sectors, trade and investment provisions):	
	- to aim at removing unnecessary obstacles to trade and investment, including NTBs, through effective and efficient mechanisms, by reaching an ambitious level of regulatory compatibility for goods and services, including through mutual recognition, harmonization and through enhanced cooperation between regulators. Regulatory compatibility shall be without prejudice to the right to regulate in accordance with the level of health, safety, consumer, labour and environmental protection and cultural diversity that each side deems appropriate;	Ambitious /Strong
	RULES important objectives (incl. IPR, labour and environmental standards, transparency, etc.):	
	- to cover issues related to intellectual property rights, fostering the exchange of goods and services with IP content with a view to supporting innovation. The negotiations shall aim to provide for enhanced protection and recognition of EU Geographical Indications ;	Protective
	- consideration will be given to measures to facilitate and promote trade in environmentally friendly and low carbon goods (...) will also include provisions to promote adherence to and effective implementation of internationally agreed standards and agreements	Limited /Weak
	- commitment to consult stakeholders in advance (...) publication of general rules and measures (...) transparency as regards the application of measures having an impact on international trade and investment in goods and services	Adequate
Other important objectives (incl. institutional framework, ISDS, etc.)	Ambitious /Strong	
<i>Source: Council Decision 11103/13 DCL 1</i>		
EC negotiating directives (mandate) 9 April 2019	Main objective 1: to reciprocally eliminate tariffs for industrial goods between EU and US, excluding agricultural products and consideration given to the energy-intensive products as well as taking into account commitments to Paris Agreement	Limited /Weak
	Main objective 2: to develop a streamlined processes between EU and US that ease the recognition of conformity assessment, i.e. compliance of products with party's technical regulations, whilst ensuring protection of EU standards	Limited /Weak
	Other objectives:	
	- should aim at facilitating trade between the Parties and should take into account the standard preferential rules of origin of the European Union and the interests of the European Union economic operators	Limited /Weak
	- should set up an institutional structure to monitor the implementation of the Agreement	Limited /Weak
	- should include an effective and binding dispute settlement mechanism to ensure that the Parties observe mutually agreed rules.	Limited /Weak
	- should, as appropriate, address its relationship with the EU-US agreements on mutual recognition which are currently in force	Limited /Weak
Condition: US must remove any measures on exports of steel and aluminium from the European Union		
<i>Sources: Council Decision 6052/19, 6052/19 ADD 1, 6053/19, 6053/19 ADD1</i>		

Source: author's data

5. Why the EU's ambition for trade liberalization with the US changed from 2012 to 2019?

The novel elements of TTIP, representing a 'deep and comprehensive' European trade agenda, has not only brought an unprecedented level of attention from various European political and social actors but also raised interest from the public. This led to different depictions of EU-US trade negotiations, producing a contentious environment and changing of regular dynamics of European trade policy-making (i.e. dynamics of European principal-agent relations). The following figure (Figure 4) provides a summary of European trade policy actors' behaviour prior, during and after TTIP negotiations:

Figure 4, major EU trade policy actors during EU-US trade negotiations, 2012-2019

	Pre-2013 mandate approval (Authorization 1)	TTIP negotiations (2013-2017)	Pre-2019 mandate approval (Authorization 2)
<i>General EU context:</i>	<i>Ambitious and united outlook for trade liberalization, wide scope EC mandate and low policy salience;</i>	<i>Politicized and contentious TTIP debate among the public, unprecedented mobilization and involvement from non-traditional trade policy actors, high policy salience in the public and among different protectionist actors</i>	<i>Effects of TTIP legacy, uncertainty brought by the election of Donald J. Trump, limited outlook for liberalization, limited scope EC mandate and low policy salience</i>
International level	Obama administration (US) is leading in the ambitious outlook for the negotiations, pushing even further than EU supportive actors;	Obama administration (US) holds ambitious outlook for the negotiations, however, unwilling to compromise on some of EU demands;	Trump administration (US) trade policy towards EU is inconsistent and ambiguous, ranging from protective/offensive decisions to attempt to liberalization with EU;
European level	European Commission (EC) taken an ambitious outlook and strategic, measured and inclusive approach leading to TTIP	European Commission (EC) is supportive, pushing for ambitious negotiations, i.e. delivering on the mandate and actively engage in myth-busting communication activities;	European Commission (EC) is protective, responding to US threats and trying to secure EU interest by launching of negotiations;
	European Parliament (EP) supports the launch of negotiations with US;	European Parliament (EP) is divided, energized by high policy salience, plays ambiguous role, main focus on demands for transparency in TTIP	European Parliament (EP) is cautious lacking trust in the US administration;
National level	Germany. Government officials, including the Parliament, are supportive, united and eager to launch the negotiations with US;	Germany. Government officials, including the Parliament, are divided and inconsistent in their preferences, mostly in opposition to ISDS;	Germany. Government officials, including the Parliament, have taken a pragmatic approach trying to protect its automotive sector;
	France. Government officials, including the Parliament, are cautious but supportive of the negotiations with US;	France. Government officials, including the Parliament, are mostly in opposition to TTIP, especially to ISDS;	France. Government officials, including the Parliament, have taken a protective, even confrontational stance, trying to secure sensitive sectors, such as agriculture;
	UK. Government officials, including the Parliament, are supportive, united and eager to launch negotiations with US;	UK. Government officials, including the Parliament, remains supportive of TTIP until Brexit;	UK – no role due to Brexit;
European + national level	Business Interest Groups (BIGs) are supportive, active and aligned with US BIGs interests as well as ambition of TTIP, even the ones traditionally protectionist, i.e. agricultural lobby, looking forward to ambitious access to US market;	Business Interest Groups (BIGs) remain stable in their positions, majority of BIGs are supportive, however, there are signs of discomfort due to the lack of progress made in the negotiations, e.g. agricultural lobby;	Business Interest Groups (BIGs) are divided, some are supportive, active and aligned with US BIGs interests, other pushing for more ambitious agenda, the rest have taken protectionist stance, i.e. agricultural lobby.
	Civil Society Organisations (CSOs) are cautious and reserved, hardly put pressure or attention to the negotiations, only radically opposing ones are active;	Civil Society Organisations (CSOs) are active, influential and commits lots of resources to argue in opposition to TTIP;	Civil Society Organisations (CSOs) are cautious and reserved, hardly put pressure or attention to the negotiations, only radically opposing ones are active;

Source: author's data

Before going into the analysis of different political and social actors who have shaped the EU-US trade relations over the last decade, it is important to discuss the concept of policy salience and establish the overall image of the public agenda over this period. As argued by this paper, policy salience has influenced and shaped the behaviour of EU trade policy actors who have defined the trajectory of EU-US trade relations of the past decade.

a. Establishing the levels of public policy salience⁶ during TTIP negotiations

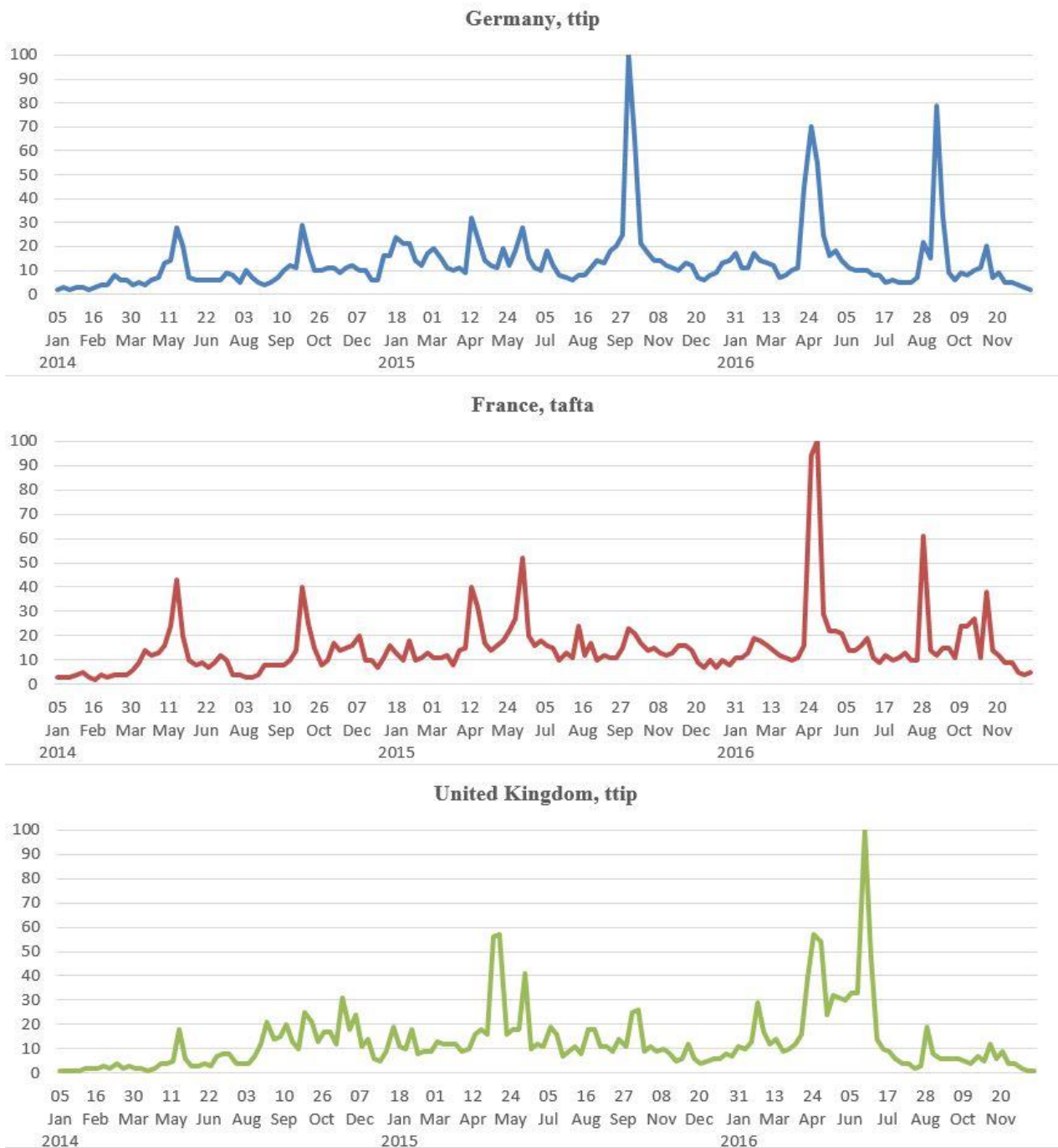
Scholars argue that policy salience is a difficult concept to capture as it is still hard to acquire comprehensive empirical data which would allow to systematically assess its effect on

⁶ See footnote 2

public policy outcomes (e.g. Beyers et al. 2017). Recent studies, however, tend to suggest that online search queries are a new evolving tool allowing it to capture an indication of public policy salience, i.e. public interest/agenda (e.g. Scharkow and Vogelsesang 2011, Maurer and Holbach 2016, etc.). Scharkow and Vogelsesang (2011, 106), for instance, argue that *“aggregate search queries as subsequent behavioural effects of salience provide valid and reliable measures of the public agenda (...) even if search queries for political issues do not originate from salience alone, we assume that over time variability in aggregate numbers indicates changes in the public agenda“*. Similarly, Maurer and Holbach (2016, 574) point out that *“the idea to capture the public agenda by behavioural responses has recently received a boost because freely available data about the use of online search engines are available via Google Trends”*. In this chapter, I will use data from Google Trends⁷ to capture an indication of TTIP saliency which will be further supported in the following chapter with qualitative empirical data, such as public opinion surveys, official documents, statements, position papers, as well as academic articles dealing with specific aspects of TTIP negotiations. Therefore, the data from Google Trends platform allows to measure public interest based on the aggregate search query (i.e. the volume of a specified searched term for a specified period and geographical area). For this thesis, I have retrieved data for the two terms “ttip” and “tafta” (as “tafta” was more salient in France than “ttip”) and represented in the following figure (Figure 5):

⁷ See footnote 5

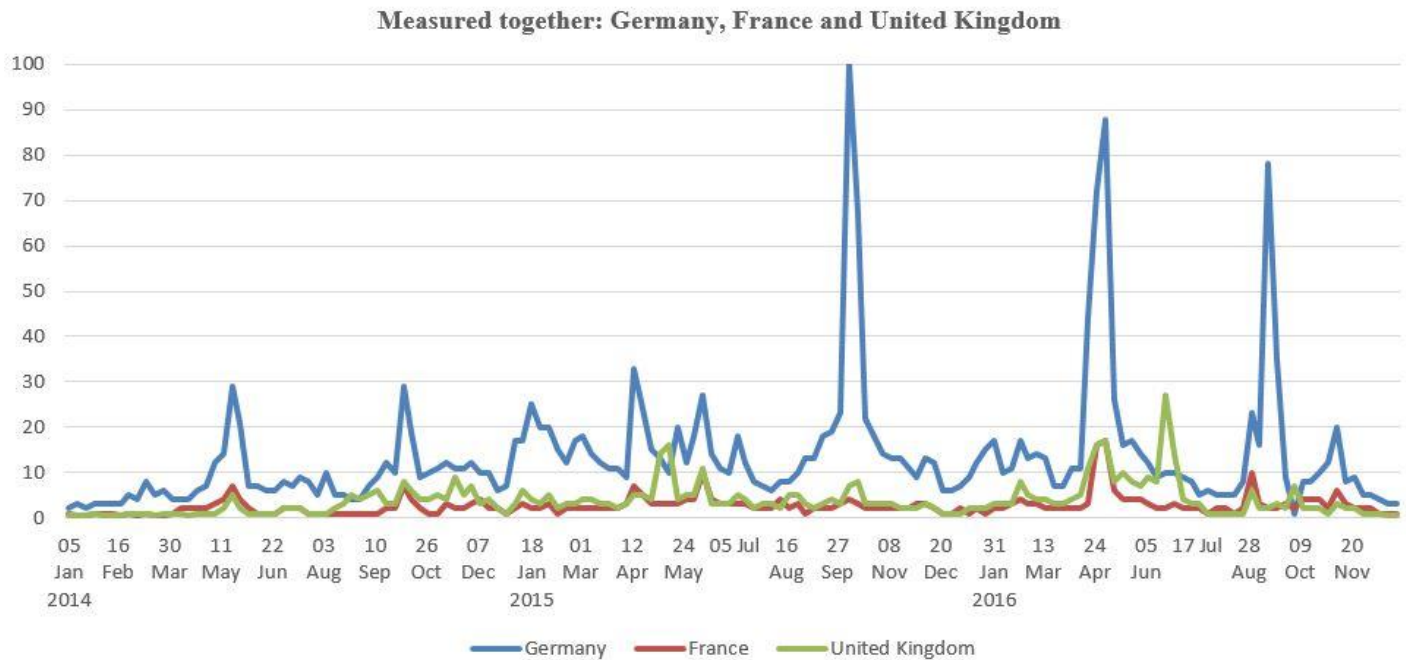
Figure 5, Public policy salience levels in Germany, France and UK during TTIP negotiations (2014-2016)



Source: author's data, based on Google Trends, <https://trends.google.com>

Another interesting observation can be made when policy salience in Germany, France and UK is measured together, which is represented in the next figure (Figure 6):

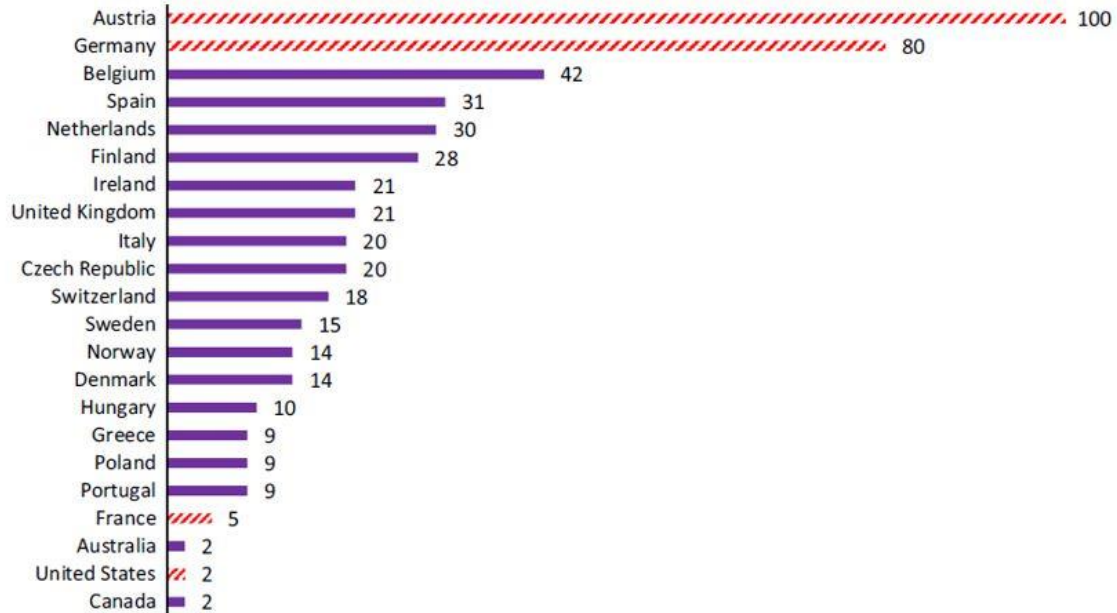
Figure 6, Public policy salience in Germany, France and United Kingdom (2014-2016)



Source: produced by an author, based on Google Trends, <https://trends.google.com>

This figure suggests that public policy salience, i.e. public interest, was significantly higher in Germany than in France or the United Kingdom (the difference of population must also be considered here). In a similar way, Bauer (2016) used Google Trends data together with a comprehensive collection of qualitative data analyzing national-level dynamics in Germany during TTIP negotiations. The author analyzed more than 1500 events in Germany organized over that period to discuss various issues of TTIP negotiations by Civil Society community and political parties. The figure from Bauer (2016) only further confirms the significantly higher public policy salience in Germany (80) than in France (5) or the United Kingdom (21). These figures already provide a general picture of TTIP salience from 2014 to 2016. Here I introduce a small part of Bauer's (2016) research by representing the following figure (Figure 7):

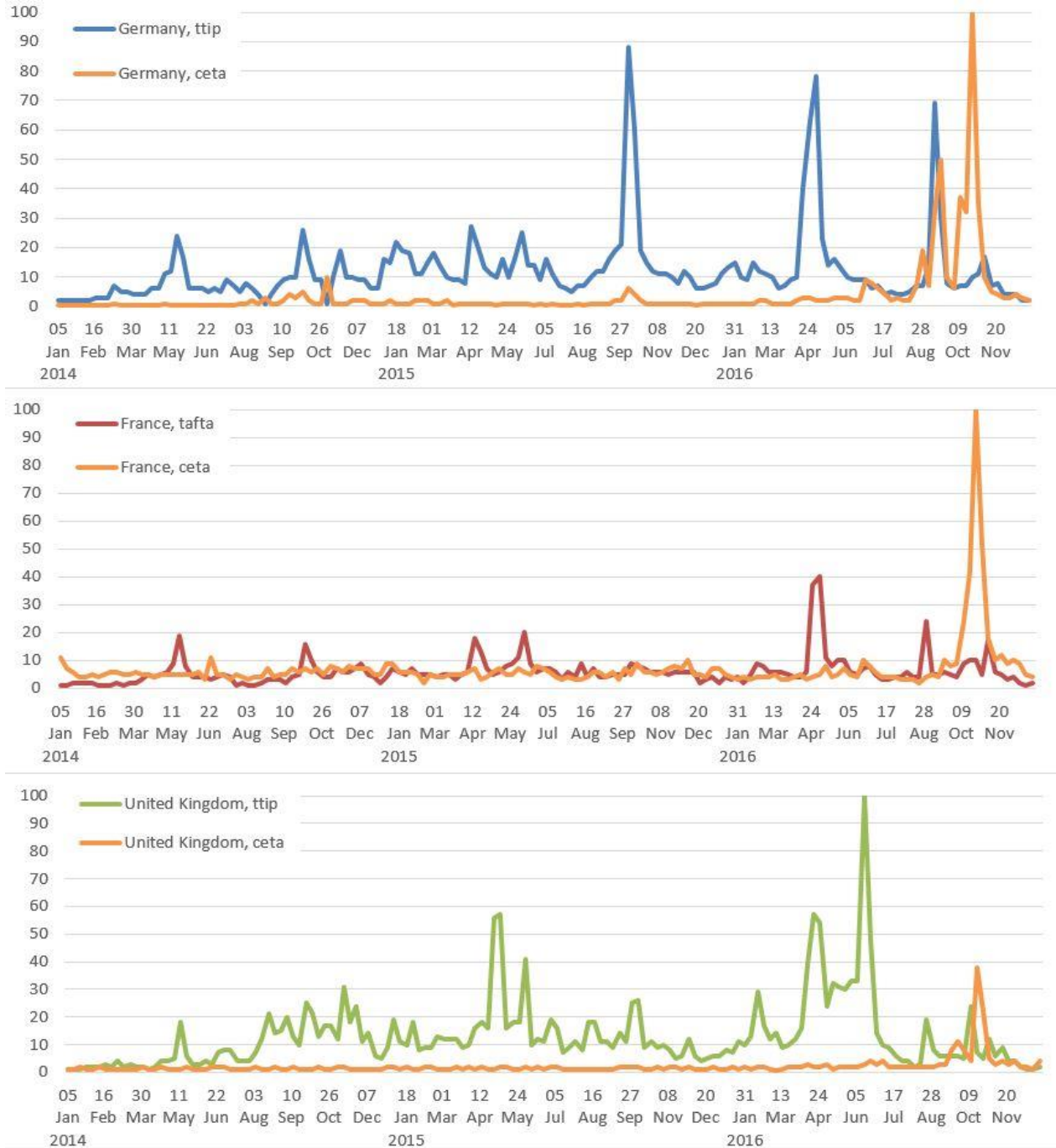
Figure 7, Public policy salience intensity by country



Source: Bauer (2016) figure 1

Similarly, scholars argued that public opposition to TTIP was far greater than to any other EU negotiated agreement at that time, for instance, CETA attracted visible opposition only after CSOs linked CETA agreement to TTIP controversy (Hübner et al. 2017, 844). The next figure (Figure 8) establishes also that public policy salience of TTIP was much greater than of any other EU trade agreements, in this case – compared to CETA. This figure shows that CETA saliency was almost non-existent until around the end of 2016, possibly with exception of France where it has mirrored saliency of TTIP.

Figure 8, Public policy salience in Germany, France and United Kingdom during TTIP negotiations (2014-2016) and compared to salience of CETA



Source: produced by an author, based on Google Trends, <https://trends.google.com>

All of these figures suggest that public policy salience over TTIP was continuously growing, the unexpected events during TTIP negotiations produced continuous growth of public interest. The

height of public policy salience changed the dynamics of the European principal-agent relations (actor-specific policy salience increased as well). It became harder for the Commission to enjoy high discretion and broad in scope mandate, the EP became more energized around TTIP matters, EU member states governmental win-sets began to shrink and lastly, civil society gained more influence and visibility over EU trade policy. The level of public policy salience becomes an important factor which guides the behaviour of different political and social actors.

b. Actor-centred analysis of EU-US trade negotiations (2012-2019)

i. European Commission: a supranational agent without room for *manoeuvre*?

Pre-2013 mandate approval (Authorization stage 1) and the beginning of TTIP: 2012-2013

The European Commission as a supranational agent and an agenda-setter in Europe took a strategic first-mover approach leading to ambitious TTIP negotiations with the United States. The Commission began as a driving actor of the overall ambitious European agenda and remained so throughout the whole process. For instance, Barroso said that "*with the world economy going through times of uncertainty and major changes occurring in the international system, the transatlantic relation is more relevant than ever*" (European Commission 2011). A strategic and thorough preparation path was taken by the Commission starting with the annual EU-US Summit in 2011, after which the High Level Working Group (HLWG) on Growth and Jobs was established.

The work further continued with extensive stakeholder consultations and public meetings, starting with two online consultations and Civil Society Dialogue meeting in 2012 (Annex 4, Nr.1, 2 and 3). These efforts allowed the Commission to map the expectations of relevant stakeholders, further used in the Impact Assessment (i.e. recommendation for the Council decision before the approval of a mandate). The Impact Assessment has put forward 3 potential options for transatlantic FTA – Option A, B and C (European Commission 2013). In parallel, the HLWG on Growth and Jobs finished their study on the potential impact of future EU-US trade deal (HLWG 2013). These two documents become the basis for the Commission's negotiating directives. Another public consultation was launched in early 2013, asking for the input on regulatory aspects of all interested stakeholders (Annex 4, Nr.4). Furthermore, the first 3 rounds of TTIP negotiations were conducted in relatively low-levels of policy salience to trade policy actors and the public and, thus, did not impact the regular European principal-agent dynamics.

TTIP negotiations and the height of policy salience: 2014-2017

During the following 3 rounds of negotiations policy salience increased with unprecedented mobilization of civil society actors. By the time Juncker assumed office, TTIP was surrounded by a controversial debate and high levels of public policy salience. During this time, the Commission began its transparency initiatives (European Commission 2014), followed by the Council's decision to declassify the EC mandate (Council 2013). With the rise of public policy salience, the regular dynamics of European principal-agent relations began to change, limiting the Commission's room for manoeuvre. The opposing voices became more relevant and their mobilization intensified, together with the changed role of the Parliament and EU member state governments – limiting the role of the supranational agent to deliver on ambitious trade liberalization (following chapters).

Moreover, the latter stages of TTIP negotiations also showed US unwillingness to compromise in the areas of extreme importance for Europe (Politico 2016). This US negotiating tactic was not following the ambitious and aligned rhetoric prior to the negotiations. For instance, Conceição-Heldt (2020, 226) in her interview with a DG trade official reports that “*USA was also not as strongly engaged in the TTIP negotiations as the EU*”. A combination of public policy salience (which led to the unprecedented mobilization) and counterpart's actions had an impact on the European principal-agent dynamics. By the end of 2016, the governments of major EU member states expressed lack of support for continuations of TTIP (Annex 5, Nr. 4, 12) Even when the rest of Europe started to shift towards the TTIP opponent's side (following chapters), the Commission still remained supportive of an ambitious European agenda (Euractiv 2016a).

Pre-2019 mandate approval (Authorization stage 2) and recent events: 2018-2019

The second authorization stage was mainly concerned with the reduction of tensions between the two sides. The role of the European Commission was defined by *ad-hoc* trade policy decisions and reactive character, responding to aggressive US trade policy decisions (Annex 6). Moreover, the legacy of TTIP left EU member states principals with reduced governmental win-sets – therefore, the Commission faced pressure from EU member states, specifically Germany and France (supranational principals and national agents). Contrary to TTIP, the path towards 2019 EC mandate approval was nowhere close to the previously held ambition nor had a strategic focus on either side.

ii. European Parliament: strength in *ad-locum* control?

The role of EP during TTIP negotiations has revealed interesting dynamics of supranational executive-legislative bodies. As argued by scholars (theoretical part), the Parliament's knowledge dependency and willingness to engage in controversial public debates, resulted in an ambiguous role during TTIP negotiations – where EP pushed for *ad-locum* control. The EP's demands for transparency became a focal point of its rhetoric during the times of high policy salience. The following figure (Figure 9) summarises 5 resolutions of the European Parliament with regards to EU-US trade relations in the period of 2012-2019. This shows the principal EP positions during different times.

Figure 9, EP resolutions with regards to EU-US trade negotiations, 2012-2019

EP Resolutions	Main points:	Votes
European Parliament resolution of 23 October 2012 on trade and economic relations with the United States (2012/2149(INI))	Puts forward an ambitious vision for closer cooperation with US (p-2, 3), takes a view that tariff-only free trade agreement would not be ambitious, therefore must include the tackling of non-tariff barriers (NTBs) and regulatory issues (p-8 to 12). Stresses the importance of strengthening of transatlantic economic relations, but supporting EU interests (e.g. environmental, health, food safety, cultural diversity) (p-4). Emphasises to strive for mutually improved standards not simply to adhering to a minimum required standard based on the WTO Agreement (p-5). Stresses that the protection of geographical indications as a key component that is directly related to an ambitious outcome regarding agricultural market access (p-6). Recognises that expanding trade in services, and taking steps to promote investment and procurement, should be a key component of any future transatlantic agreement (p-17). Calls, in particular, for the creation of truly open and integrated transatlantic financial services and digital markets (p-20). Calls to overcome restrictions on foreign ownership in US maritime and air transport markets (p-22). <u>Overall this resolution shows a supportive and ambitious attitude of European Parliament, outlining constructive reservations of certain areas to be negotiated</u>	FOR 526 AGAINST 94 ABS. 7
European Parliament resolution of 23 May 2013 on EU trade and investment negotiations with the United States of America (2013/2558(RSP))	Believes in an ambitious EU-US trade agreement (p-1 to 3), reiterates its supports for a deep and comprehensive trade agenda with US (p-8) and stresses that the TTIP should be ambitious and binding on all levels of government on both sides of the Atlantic (p-10). Supports the exclusion of cultural and audio-visual services (p-11). Emphasizes the sensitivity of certain fields, such as agriculture and, especially GMOs but sees an opportunity in enhanced cooperation in agriculture (p-17). Stresses that financial services must be included in the TTIP negotiations (p-18). Recalls the need for proactive outreach and continuous and transparent engagement by the Commission (p-21). <u>Overall this resolution resembles the latter resolution, showing supportive and ambitious attitude of European Parliament</u>	FOR 460 AGAINST 105 ABS. 28
European Parliament resolution of 8 July 2015 containing the European Parliament's recommendations to the European Commission on the negotiations for TTIP (2014/2228(INI))	Drawing attention to the public debate around TTIP (p-Q), questioning economic impact as the studies differ (p-I). A strong emphasis on transparency (several points) and the role of Parliament to ensure it (p-2.c.ix), pushing for confidential access for MEPs to TTIP documents (2.e). A strong stance against any lowering of food standards in public healthcare services, GMOs and use of hormones as well as cloning of animals for farming purposes (p-2.c.iii). Asking for a safeguard clause for a rise of imported good that could threaten food production and to the energy-intensive, carbon-leakage, chemicals, raw-materials and steel sectors in EU (p-2.b.iii). Notes to keep in mind that the consent of the European Parliament to the final TTIP agreement could be endangered as long as the US blanket mass surveillance activities are not completely abandoned (p-2.b.xiii). Draws attention that nothing in the agreement shall affect cultural industries and cultural, educational, audio-visual and press services (p-2.b.xix). Calls that the sustainable development chapter is binding and enforceable as well as overall labour and environmental standards (p-2.d.ii to iv, etc. multiple points in part 2.d). <u>Overall this resolution shows ambiguous stance of European Parliament, clearly showing its muscles and putting demands for European Commission as a response to the public and topic-specific salience</u>	FOR 436 AGAINST 241 ABS. 32
European Parliament resolution of 12 September 2018 on the state of EU-US relations (2017/2271(INI))	Makes a strong note an increasingly unpredictable US foreign policy which brings uncertainty in international relations (p-G), especially since the election of Donald Trump (p-I). Stresses the importance of strengthening EU-US relationship (p-1), welcomes joint Juncker-Trump statement (p-2) and believes that one-sided 'America First' Trump's policy is harmful for both sides (p-3). Therefore, recalls to seek for strategic autonomy for Europe (p-6). Draws attention to US lack of ability to take global responsibility (p-7 to 9), questions US unilateral decisions for international commitments (p-22, 50, 66, etc.) and strongly criticizes US officials inappropriate conduct towards EU (p-11). Stresses EU-US common interest in pursuing closer trade relations (p-68 to 82), believes that new agreement cannot be negotiated under pressure (p-84). <u>Overall this resolution shows reserved, protective stance of European Parliament in terms of EU-US relations, at times showing lack of trust for the new US administration</u>	FOR 490 AGAINST 148 ABS. 51
European Parliament resolution of 8 Mar 2019 on the recommendations for opening of trade negotiations between the EU and the US	Recalls that the goal is to avoid an escalation and regrets that EP was not informed (p-1). EU should not negotiate with the US under threat (p2), underlines that agriculture is not covered by the Joint Statement; notes that the Commission's draft negotiating mandate strictly focuses on the removal of tariffs (p-7). Deeply regrets the withdrawal of the US from the Paris Agreement (p-11). <u>Overall this resolution showed even more reserved, even negative, stance of European Parliament towards the United States and future trade agreement. No political support as the resolution is rejected.</u>	REJECTED

Source: author's data

Pre-2013 mandate approval (Authorization stage 1) and the beginning of TTIP: 2012-2013

Looking at the European Parliament resolution of 23 October 2012 and resolution of 23 May 2013, one could immediately notice the ambitious outlook of the Parliament for trade negotiations with the United States, which is aligned with the overall ambition of the Union. The 2012/2013 EP resolutions, however, showed a strong message of the Parliament towards the Commission, that the Parliament should be kept on board with complete information, immediate communication and knowledge transfer during all stages of the negotiations – thus, reminding the Commission of the changes in Lisbon Treaty. These resolutions were also focused on emphasizing relevant/sensitive aspects of other trade policy actors/stakeholders, mainly with ambitions on accessing the US public procurement market and safeguarding European cultural and audio-visual services market, together with a strong emphasis for the Commission to make sure that EU values were protected.

TTIP negotiations and the height of policy salience: 2014-2017

This ambitious outlook of the Parliament started to change around 2014, when TTIP saliency began to rise. A first spark of Parliament's "anti-American" attitudes came after the US National Security Agency (NSA) spying incident, which prompted a more reserved stance towards the EU-US trade negotiations (European Parliament 2014a). Another major event happened on 7th of March 2014 when the German version of the EC mandate was leaked to the public. Soon after, European Citizens Initiative (ECI) was launched, i.e. STOP TTIP campaign, followed by European Ombudsmen Initiative (EOI) regarding transparency of TTIP negotiations. In the course of these events, the European Parliament also began to demand for transparency from the Commission (European Parliament 2014b). A supranational-level legislature assumed its role as a supranational principal, allocating additional resources to the scrutiny of TTIP – to name a few, an increase in: (1) public hearings and workshops around TTIP (e.g. European Parliament 2015a), (2) own studies on the EU-US trade relations, (3) *etc.* For the Parliament, TTIP negotiations created a perfect environment where the EP could demand for more privileges over international trade negotiations.

The European Parliament resolution of 8 July 2015, containing also recommendations for the Commission, embodies a completely different stance of the Parliament from the one in 2012 or early 2013. Raising policy salience and public discontent allowed the EP to pressure for more privileges in TTIP, demanding for greater transparency and access to confidential negotiation documents. The Commission, however, was reluctant to provide full-pledge access to the

Parliament as it could have damaged the EU's overall negotiating power. A leak of sustainable development chapters of TTIP raised public policy salience to unprecedented levels – forcing the Commission to comply with Parliament's demands. The access over confidential TTIP documents was given to the Members of the European Parliament (MEPs) (European Parliament 2015b). The increase in public policy salience allowed the EP to credibly threaten its agent, which resulted in unprecedented access to the confidential documents of international negotiations.

Moving forward, the Parliament as a supranational level institution is at the best position, in terms of access to information, (compared to, for example, MS national parliaments) to inform the public in an informative and responsible way. It seems however, that the actions of European Parliament during the high levels of TTIP saliency were more concentrated on transmitting salient issues of the public into the inter-institutional dialogue between the Commission and Parliament, while trying to strengthen its own role in the EU legislative process. It was an attempt to showcase strength rather than genuine interest to fight for the public interest. In a similar way, Rosén and Tørnblad (2018, 44) concludes that:

“TTIP has been a difficult case for the EP, (...) the increased public contention was reproduced within the Parliament as well. (...) A dilemma for the EP is that even if it wants to signal a strong stance vis-à-vis the Commission and the Council. (...) Negotiating documents are restricted or confidential documents with rigorous restrictions on access. So even when MEPs get access, they may for instance not be able to bring their staff with them to assist them in deciphering these highly technical documents”

A lack of technical expertise at the hands of the Parliament played a part in its conflict with the Commission. Moreover, a brilliant article produced by Roederer-Rynning (2017), where the role of European Parliament was compared in CETA and TTIP, concluded that in a search for legitimacy the EP asserted its power beyond just a simple power of consent while it also showed some signs of institutional knowledge and memory growth around trade. This comparison of CETA and TTIP (Roederer-Rynning 2017, 517) revealed EP's ascribed policy salience to TTIP in relation to other trade negotiations. The author looked at different procedural, normative and cognitive instruments used by EP in the period of 2013-2016. This included 4 RSP, 11 INI resolutions, 18 rules, 133 motions, 1 COD, 17 organised events, including consultation with stakeholders and 23 TTIP-related studies. Not only emphasizing TTIP saliency over CETA but

also giving valuable insights on the behaviour of EP over this period. In a Roederer-Rynning (2017, 522) own words:

“Through legal pressure and a wave of public discontent, the EP was able to broaden access to negotiating documents for itself and the broader public. The ISDS issue demonstrated how the EP, using a similar repertoire of action and knowledge-building, was able to have a direct impact on the wording of the negotiating position of the EU”

Pre-2019 mandate approval and recent events (2018-2019) – Authorization Phase 2

Moving forward, the European Parliament resolution of 12 September 2018 and motion for resolution of 8 Mar 2019, revealed Parliament changed positions. The actions of EP was clearly influenced by the legacy of TTIP and the new US administration. The EP emphasized that EU should negotiate from a position of strength and should not be subject to US threats. Furthermore Members of Parliament cannot see a possibility for further advancement on US trade negotiations until tariffs are lifted. They emphasize the ambiguity of US administration under Trump therefore, remain reserved on pursuing trade negotiations with a country which does not respect international trade standards and agreements, such as the Paris Climate Change Agreement. The last EP resolution of 8 Mar 2019 was not adopted, which signaled a lack of political support for the next EU-US trade negotiations. The debate of MEPs before a decision showed even more of a divide on the way forward: mainstream parties and moderate right-wing politicians were reserved but willing to reopen trade negotiations whereas moderate and radical left-wing politicians were mostly against the reopening (European Parliament 2019). To illustrate all of this, here is a quote from S&D Jeppe Kofod: *“I think it’s clear to everybody that the Trump White House is undermining all that we stand for, not only in Europe but also in much of America (...) We are the ones who are in the driving seat and we would never accept, in trade negotiations with the US, any deal before they lift their unilateral tariffs on us.”*

The EP actions in the period of 2012-2019 was shaped by the levels of public policy salience and the change of US trade policy stances. During TTIP negotiations, the Parliament as a supranational principal managed to successfully pressure the Commission thus, gaining access to confidential TTIP documents. Whereas the second round of authorization showed a radical stance of EP against EU-US trade negotiations, however, its voice was not as strong as EU member states but it was one of the contributing factors that watered-down the EU’s ambitions for trade liberalization.

iii. Competing business and civil society groups (i.e. quasi-principals) – European level

TTIP negotiations have also revealed the changing relative influence of business and civil society groups that at times transcend the boundaries of EU member states and put pressure towards a supranational agent, e.g. through the actions of European Ombudsmen and European Parliament, as quasi principals. Their activities have shaped the dynamics of European principal-agent relations. These actors can be divided into TTIP supporters and opponents (the latter can be further divided into rejectionist and reformist voices, more Eliasson and García-Durán Huet 2019). During the times of high policy salience, CSOs have engaged in a systemic and negative framing of TTIP, building upon the pre-existing assumptions about food and health standards as well as the overall negotiating power of the United States.

Pre-2013 mandate approval (Authorization stage 1) and the beginning of TTIP: 2012-2013

The mapping of early BIGs preferences was based on the works of Dür and Lechner (2015), Young (2016) and, where relevant, digging deeper into the positions of specific BIGs (Annex 4). Dür and Lechner (2015) dealt with 222 consultation papers from 11 stakeholder meetings over the period from January 2012 to March 2014. Similarly, Young (2016) provided some insight on trade preferences, dealing with more than 400 position papers from both EU and US BIGs and 40 interviews with trade policy officials on both sides of the Atlantic. Overall, this provided a good sense of not only BIGs stances on TTIP but also some insight into the early activities of CSOs. A few conclusions can be drawn here: (1) BIGs were supportive of TTIP negotiations and held the same level of ambition as other European trade policy actors at that time (even agricultural interest groups showed cautious support); (2) European and American BIGs preferences were similar and in most cases entangled, while also seeing TTIP as a way to further strengthen transatlantic cooperation; (3) CSOs were less active than BIGs, and only a few showed interest and mostly emphasized concerns around TTIP. Similar trends can be noticed when looking at online consultations and Civil Society Dialogue meetings prior and during TTIP negotiations (Annex 3).

Furthermore, a clear distinction can be drawn between TTIP supporters and opponents already in early stages of EU-US trade negotiations. The most radical TTIP opponents, such as Corporate European Observatory (CEO), Friends of Europe (FoE), European Consumer Organization (BEUC), or EuroGroup for Animals, have shown cautious and sceptical position from the day one (Annex 4, Nr.2). Their negative outlook continued throughout the negotiations and they were one of the main actors systematically arguing against ambitious TTIP negotiations.

On the other hand, a broad support from the business community for an ambitious TTIP was visible even before the start of negotiations (Annex 4, Nr.4, 7). Even European agricultural lobby, Copacogeca and FoodDrinkEurope, saw the value in ambitious TTIP negotiations as a chance to eliminate unnecessary regulatory obstacles for the European agri-food industry (Annex 4, Nr.3).

TTIP negotiations and the height of policy salience: 2014-2017

TTIP negotiations became an interesting case of EU trade policy-making due to the unprecedented involvement from non-traditional trade policy actors (i.e. the ones who historically remained inactive or less active in the field of trade policy). Over the course of TTIP negotiations, CSOs took the debate into their own hands and began to actively and selectively construct an image of TTIP as a 'toxic trade deal'. The myth created by CSOs of extreme regulatory difference between EU and US, as well as differing standards, was at the core of their narrative, which created an image of TTIP as a 'race-to-the-bottom'.

Buanano (2017), for instance, argued that the core of CSOs arguments around regulatory differences in TTIP were taken from broader differing approaches to EU-US regulatory systems, which over the years produced many long-standing disputes. The EU appears to have adopted a precautionary approach whereas the US' was more evidence-based (Buanano 2017, 801-803), which was placed at the centre of chlorinated-chicken and hormone-induced beef debates. The contentious debate around TTIP resulted in European Citizens Initiative (ECI), i.e. STOP TTIP campaign, in July 2014 (European Commission 2017), which further intensified the growth of public policy salience around TTIP but also contributed to the growth of negative public opinion. Soon after, the European Ombudsmen Initiative was launched.

An empirically-sound analysis of the contributions to the European Ombudsmen Initiative was produced by constructivist-leaning scholars, Gheyle and De Ville (2017), which gives us a brief insight into the behavior and preferences of both European BIGs and CSOs over that period. The Initiative received 56 written contributions from not only CSOs and BIGs but also several MEPs. Here, Gheyle and De Ville (2017) provides a well-structured analysis of these contributions while also some interesting concluding remarks. According to the authors, the main difference between BIGs and CSOs positions is that BIGs asked for better and easy-to-understand explanations of TTIP, whereas CSOs were mainly concerned in getting access to official and confidential documents thus, arguing for the lack of transparency and secrecy of negotiations.

Furthermore, European agricultural interest groups began to shift their stances from supportive to more cautious, even protectionist in the later stage of negotiations (Annex 4 Nr. 5, 8, 10), as TTIP negotiation process did not deliver on the expected ambitious liberalization for European agricultural lobby. Following US administration pressure on agricultural products for the fruit and vegetables sector, as well as butter and cream products (Euractiv 2015), together with the Commission's inability to deliver on ambitious access for agricultural products (ambitious in terms of agricultural lobby expectations), stances of this sector interest groups began to shift to protectionist side.

Pre-2019 mandate approval (Authorization stage 2) and recent events - 2018-2019

Many scholars have argued that CSOs derailed TTIP negotiations (e.g. Buanano 2017, Eliasson and García-Durán Huet 2019, *etc.*) with a politicized and selectively-constructed debate around TTIP benefits and losses. However, the most important aspect of TTIP legacy was its effect for an ambitious outlook of some European BIGs for the next EU-US trade negotiations, which resulted in reduced national governmental win-sets. Agricultural interest groups, for instance, began to doubt the European Commission's ability to strike a deal with the United States that could bring ambitious access for agricultural products.

iv. The black box of national-level politics: Germany, France and the United Kingdom (up to Brexit)

The national governmental institutions and politicians in Germany, France and the United Kingdom showed an unprecedented interest and activity during TTIP negotiations, well beyond their usual *ex-ante* and *ex-post* involvement, *i.e.* when issuing of a mandate and ratification of mixed agreement in international trade negotiations. At the height of TTIP saliency and growing negative public opinion in EU member states, the European Commission urged them to take the contentious debate more seriously and show responsibility by offering better and more informative communication around TTIP to its citizens (van Ham 2016). This, however, has been overshadowed by TTIP opponents, *i.e.* CSOs activities, populist rhetoric and leaders of political opposition, which gave more prominent rise to negative public opinion. Moreover, the competing domestic interests have further shaped the actions of German, French and British governmental positions around bilateral EU-US trade relations.

In this chapter, I will dig deeper into the behaviour of German, French and British governmental actors prior and during TTIP negotiations (2012-2017). Followed with a last chapter

on the second round of authorization and the most recent events (2018-2019). The national-level dynamics of Germany, France and the United Kingdom will represent three different cases of TTIP negotiations:

- 1) high public policy salience and strong negative public opinion (Germany)
- 2) high public policy salience and strong positive public opinion (the United Kingdom)
- 3) relatively low public policy salience, which grew towards the end, and positive public opinion, which, again, changed towards the end (France).

The governments of Germany, France and the United Kingdom, as supranational level principals and national level agents, play an important role in determining the ambition of European Union for trade liberalization with the US.

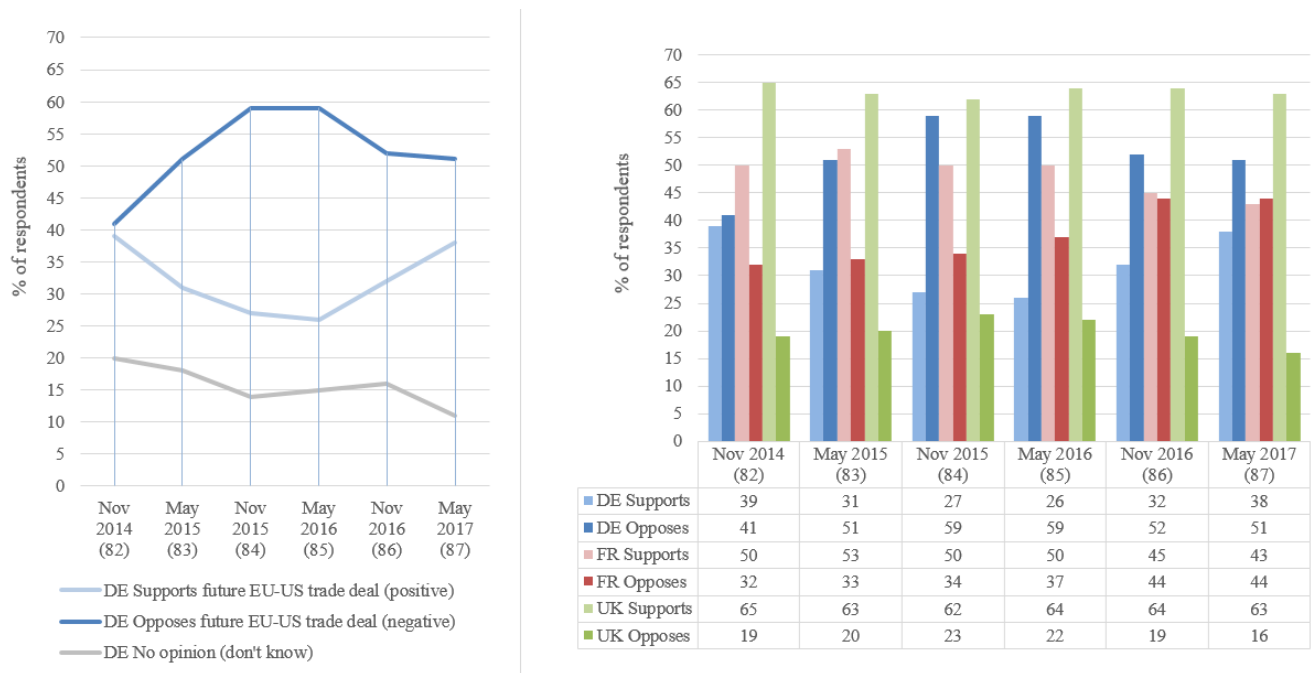
German national-level politics: from an ambitious supporter to an ambiguous/pragmatic player (2012-2017)

From early stages, the government of Germany took a strong and supportive stance towards the improvement of EU-US trade relations. The unprecedented TTIP saliency and growth of negative public opinion, however, turned Germany into an ambiguous player. During TTIP negotiations, Germany, surprisingly early, experienced fast and steady growth of public policy salience and negative public opinion (previous chapter – 5a and Figure 10), only Austria comes close to the saliency and negativity around TTIP. The changing domestic environment in Germany created a perfect platform for TTIP opponents and, in time, opposing voices overshadowed TTIP supporters. The effects of changing domestic environment (public policy salience together with negative public opinion and intense mobilization and winning rhetoric of TTIP opponents) restricted German governmental win-sets. By the end of 2016, German officials suggested that there is no political support towards TTIP (Annex 5, Nr.5). Even further with the radical change in US administration trade policy decisions, Germany became a pragmatic actor, trying to secure its sensitive sectors from US aggressive foreign policy decisions.

The launch of negotiations was strongly welcomed by two major parties in Germany, Christian Democrats (CDU/CSU) and Social Democrats (SPD). This support was encoded in a coalition agreement of 2013 (Annex 5, Nr.1). Reacting to the changing domestic environment, this coalition began to fracture rather early. For instance, Germany's Vice Chancellor and Economy Minister, Sigmar Gabriel, started to raise concerns around ISDS mechanism and later to issue warning to the European Commission warning about the lack of Germany's support to the ISDS

(Annex 5, Nr.2). Christen Democrats with Angela D. Merkel, however, remained rather cautiously supportive but facing a restrictive environment (Annex 5, Nr.3). Furthermore, the second NSA spying scandal gave an immediate and significant rise of negative public opinion towards TTIP and overall anti-American attitudes in Germany (DW 2014). The following figure (Figure 10) captures the situation of public opinion in Germany at that time:

Figure 10, Public opinion in Germany with regards to TTIP and in comparison to public opinion in France and United Kingdom (2014-2017)



Source: produced by an author, based on data from Eurobarometer 82, 83, 84, 85, 86 and 87

German public opinion with regards to EU-US trade negotiations remained negative from November 2014 to May 2017 (there is no further data). Furthermore, Germany experienced an unprecedented mobilization of non-traditional trade policy actors (which is closely interrelated with public policy salience, i.e. public interest of political issue). For instance, STOP TTIP campaign led by the CSO community has further constrained the actions of German officials therefore changing their stances on ambitious trade liberalization with the United States. As argued by Chan and Crawford (2017, 691), understanding the shift in Germany’s ambitious outlook for trade liberalization with the United States requires attention to its neo-corporatist model of economic decision-making, “in which strong and centralized labour unions, employers’ unions, and the government cooperate as “social partners” to negotiate and manage national economy”. These actors have managed to successfully press governmental elite and overshadow the

supporting voices of TTIP negotiations (Annex 4, Nr. 7, 12, 14). Essentially, the following factors determined the shift in positions of Germany's governmental officials: (1) the high level of public policy salience together with negative public opinion, (2) targeted and well-mobilized actions of TTIP opponents and (3) US policy decisions with regards to TTIP but also beyond (e.g. disagreements over the liberalisation and NSA spying scandal) which limited German governmental room for manoeuvre.

By the end of 2016, German government officials suggested that there is no political support in Germany for ambitious TTIP negotiations (Annex 5, Nr.5). "*The talks with the US have de facto failed because we Europeans of course must not succumb to American demands*" (ibid). Additionally to challenging domestic environment, US unwillingness to compromise on European demands seem to have further undermined the prospects for ambitious trade liberalization. Furthermore, the election of Donald J. Trump turned Germany into a pragmatic player, even if there was some ambitious rhetoric by German officials at the beginning of his term (Annex 5, Nr.6).

French national-level politics: from a cautious supporter to a protectionist player (2012-2017)

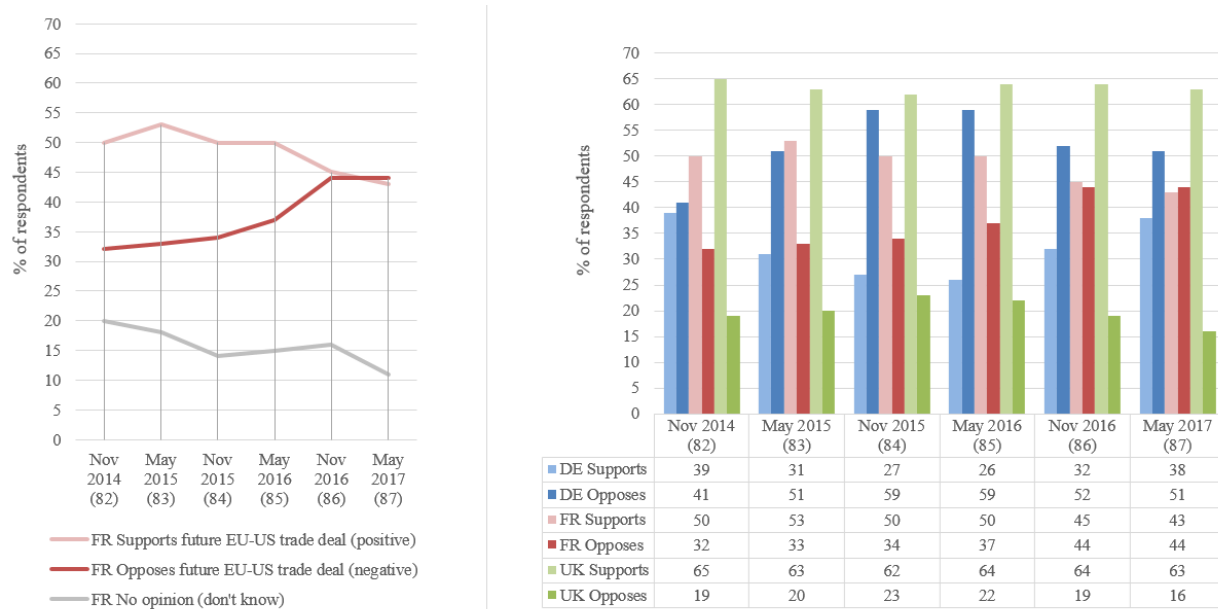
French national-level dynamics of TTIP negotiations represent another interesting case. The government officials in France took a cautious approach right from the start, even before the approval of 2013 EC mandate. Contrary to Germany, French public opinion remained positive almost until the end of 2016 (Figure 11). The levels of policy salience as well, remained relatively low only increasing by the end of TTIP negotiations. As suggested by Meunier and Roederer-Rynning (2020), French historic anti-Americanism and culture of protest have surprisingly played a modest role during TTIP negotiations. Despite French cautious stances around TTIP, the French government remained a supportive actor until the end of 2016. The constraining domestic environment again slowly reduced the French government's willingness to support trade negotiations with the United States. The election of Donald J. Trump and aggressive US decisions that followed turned France into a protectionist player.

During the first authorization stage (2012-2013), the French government's cautious approach was also a contrasting one to German and British governments' positions. Right from the start, French elite presented themselves as guardians of European values and interests (*Le monde* 2013) and drew a red line around audio-visual goods and services (Annex 5, Nr.8), which marked the first clash between French officials and EU institutions. The 2013 EC mandate was

approved with the exclusion of audio-visual goods and services up for liberalization. The French Foreign Minister, Laurent Fabius, quote captures the overall rhetoric of French government at that time: *“the conditions that our interests are respected (...) it is important that cultural exception must not be questioned and neither the norms for food or agriculture”* (Annex 5, Nr.9). Another clash of French government officials and EU institutions was around ISDS (Annex 5, Nr.8), which was broadly controversial among EU member states. The French pragmatic self-interest-induced opposition was visible throughout the whole TTIP negotiation process.

Despite this, the French government remain a supportive but cautious actor of TTIP negotiations. French public opinion remained positive almost until the end of 2016. Public policy salience mirrored similar trends as the rest of Europe, in particular Germany and UK, however, did not reach the same height. The following figure (Figure 11) represents French public opinion trends during TTIP negotiations for the period from November 2014 to May 2017:

Figure 11, Public opinion in France with regards to TTIP and in comparison to Public opinion in Germany and United Kingdom (2014-2017)



Source: produced by an author, based on data from Eurobarometer 82, 83, 84, 85, 86 and 87

This lack of public opposition was astonishing in France (Fabry 2015), especially when compared to the unprecedented mobilization in Germany, and also knowing the historic French anti-Americanism and culture of protest. The public opposition, however, started to pick up in spring of 2014 around the elections to the European Parliament. French political elite began to use

various elements of TTIP in a search for voters' support. The election campaign of 2014 was an ideal platform for TTIP opponents to gather support by emphasizing the lack of transparency, differences in food and health standards, etc. Moreover, the campaign of Marine le Pen, prior to the French presidential elections, included negative framing of TTIP and contentious issues. An explanation to French relative lack of mobilization and delayed growth of negative public opinion could be alluded to the initial French government's policy entrepreneurship, taking a cautious, nearly opposing stance, around TTIP. Thus, signalling to its citizens and other influential business and societal actors that the French government fights for their interests. In a similar way, Meunier and Roederer-Rynning (2020, 319) suggest that lack of politicization and mobilization in France can be explained by "*a combination of political entrepreneurship at the governmental level and at the level of the grassroots underpinned these changing patterns of anti-American sentiments*".

Moving forward, the French business community surprisingly remained absent from the debate during TTIP negotiations and, further, never committed to a group backing of TTIP as, for example in Germany (Fabry 2015, 8). Agricultural interest groups, however, played a major role in France during the period of 2012-2019. Initial stance mirrored the rest of Europe's agricultural interests groups, who cautiously were supporting negotiations but hoping for specific outcomes ensuring greater access to US market (Annex 4). For instance, the National Federation of Farmers' Union (FNSEA) never voiced open reservations against TTIP but emphasized that they keep a close eye on the negotiations (Annex 4, Nr.5).

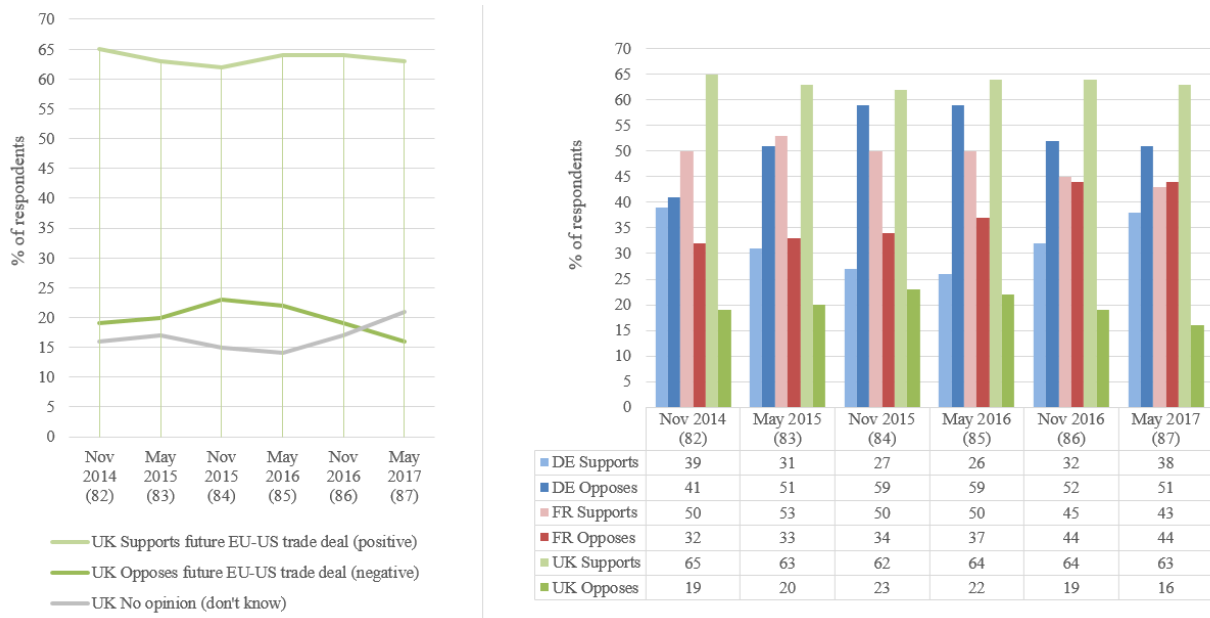
The later rounds of TTIP negotiations seems to have not satisfied the cautious supporters' expectations. European attempts to get greater access for European agricultural market or bypass the federal level of access to US market have not satisfied interested actors demands as US was not willing to give in on European demands (Annex 5, Nr.12). The French agricultural interest groups, for example, have shifted from cautious support towards the protectionist side (Euroactiv 2016b) and became one of the most important factors that shaped the boundaries of French governmental win-sets. For instance, the French Secretary of State for Foreign Trade, Matthias Fekl that there is "*no longer any political support (...) the Americans give nothing, or mere crumbs [...], this is not how we should negotiate between allies*" (Annex 5, Nr.12).

British national-level politics: from a strong and consistent supporter to no-role due to Brexit (2012-2017)

British government officials, in comparison to French and German, have maintained their strong and consistent support to TTIP, up until Brexit referendum (Annex 5), which eliminated UK as an actor in the EU. British public opinion, as well, remained exclusively positive throughout the uncertain times of TTIP negotiations. It seems that with the Brexit referendum of 2016, EU has lost one of its strongest supporters in terms of EU-US trade negotiations.

The UK government believed that an ambitious TTIP agreement would definitely strengthen the UK's economy, therefore constantly argued in favour of such an agreement (Annex 5 Nr. 14, 15). Throughout TTIP negotiations, the main concern of the British government remained public services as well as keeping National Health Service (NHS) out of the negotiations for liberalization (Annex 5 Nr. 17). Even more surprisingly, when the rest of Europe was extremely critical of TTIP, especially with regards to ISDS, the British government actually brought forth some favourable arguments for the inclusion of ISDS mechanisms into the transatlantic trade agreement (Annex 5 Nr. 16, 18). During TTIP negotiations, British public opinion remained highly positive, based on Eurobarometer surveys from 82 to 87, the next figure reveals the following trend (Figure 12):

Figure 12, Public opinion in the United Kingdom with regards to TTIP and in comparison to public opinion in Germany and France (2014-2017)



Source: produced by an author, based on data from Eurobarometer 82, 83, 84, 85, 86 and 87

Major business interest groups have also remained positive in attitude throughout the whole negotiations process. For instance, Confederation of British Industry (CBI) were heavily supportive of TTIP negotiations as well as other major business associations that remained in favour of TTIP (Annex 4, Nr. 4). However, the unexpected result of the Brexit referendum re-shifted British government's focus to the exit strategy from the European Union, because of this, one of the strongest supporters of ambitious EU-US trade relations has been lost.

Franco-German leadership in Trump/Brexit era (2017-2019)

By the end of 2016, political support from French and German governments had diminished, mostly due to the US unwillingness to give in on the important aspects for European interests but also to the constraining domestic environment (Annex 5 Nr. 5, 12). TTIP negotiations, however, remained open but was moving at a slow pace – only the European Commission remained supportive of continuation of TTIP negotiations (previous chapter). Furthermore, the election of Donald J. Trump in 2017 presented a “window of opportunity” for protectionist groups to assert influence on government officials.

Shortly after the new US administration assumed office, an evaluation on the progress of TTIP was scheduled (USTR 2017, 136) marking the end of TTIP. In the following years, bilateral EU-US relationship only deteriorated further and resulted in more ambiguity. A first major offensive decision by the new US administration was announced in March 2018 with US presidential proclamations on tariffs for European steel and aluminium (Annex 6, Nr.2), as a result of an investigation under the Section 232, a matter of US national security (Annex 6, Nr.1). This, of course, brought an immediate harsh response from European leaders, for instance, Jean-Claude Juncker has famously labeled this decision as ‘stupid’ – *so now we will also impose import tariffs. This is basically a stupid process, the fact that we have to do this. But we have to do it. We will now impose tariffs on motorcycles, Harley Davidson, on blue jeans, Levis, on Bourbon. We can also do stupid. We also have to be this stupid,*” (Euro-news 2018). Followed with 3 actions by the EU: (1) the launch of legal proceedings against US at WTO, (2) safeguard investigation on potential damage and (3) retaliatory tariffs on US iconic and politically-sensitive products (Annex 6, Nr.3, 6, 7).

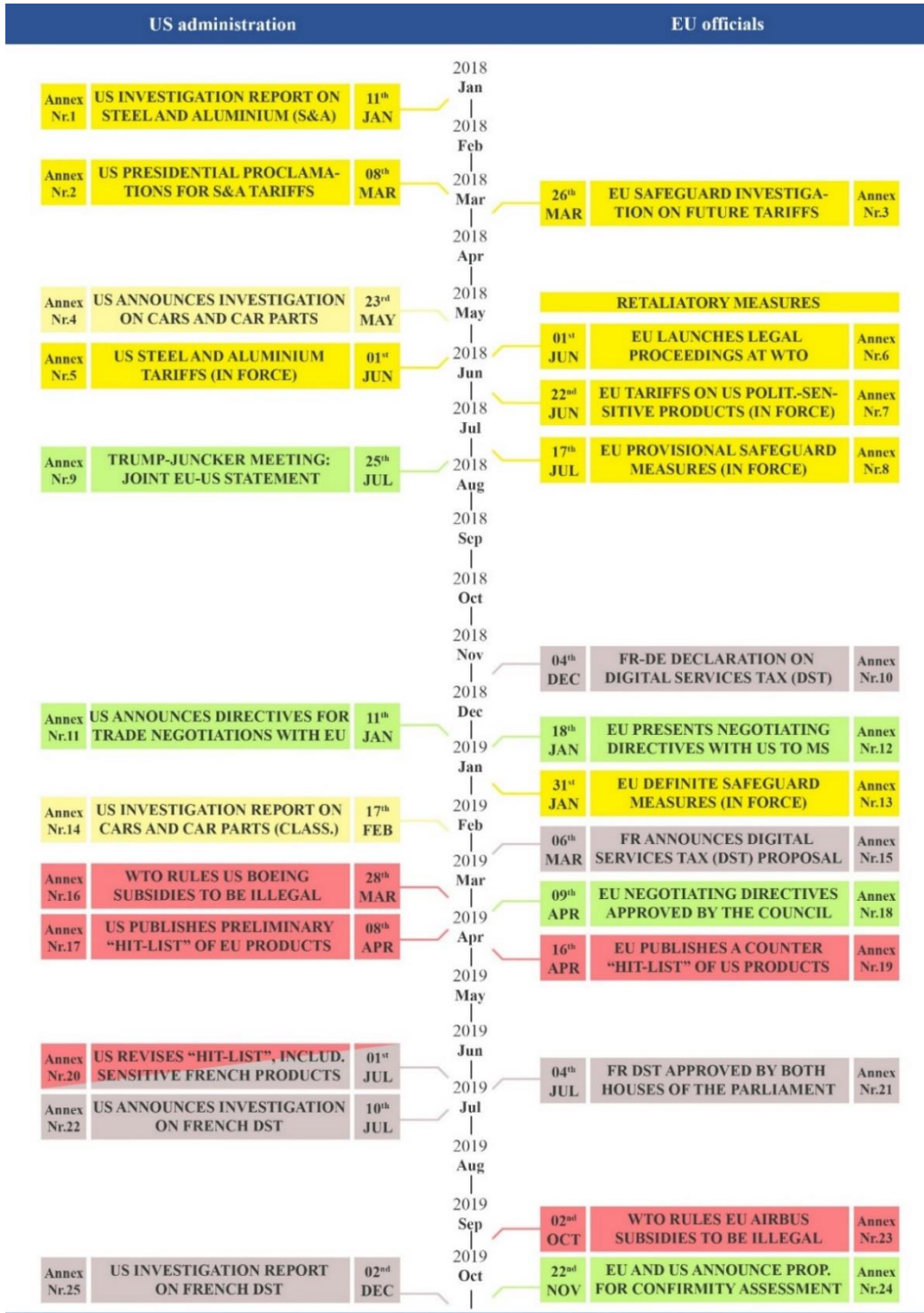
After the rise in tensions, Jean-Claude Juncker and Donald J. Trump decided to meet in Washington, focused on de-escalation which brought a positive outcome for EU-US relations, a joint Juncker-Trump statement (Annex 6, Nr.8). This became the basis for the re-opening of

bilateral EU-US trade negotiations. Some suggested that the future EU-US trade relations will take a different shape – *“rather than following the traditional approach – i.e. striking a comprehensive trade deal by means of a single-track negotiation where nothing is agreed until everything is agreed – future US-EU trade talks may be pursued via parallel tracks where each issue is addressed according to its own timetable”* (Schneider-Petsinger 2019, 17). This could be sensed in the 2019 EC mandate, the following events of 2019, however, suggest that the path back to the previously-held EU ambition might not be feasible in the foreseeable future. The second round of Authorization (2018-2019) revealed two important elements which watered-down the EU’s ambition for trade liberalization with US: (1) protectionist/aggressive US trade policy decisions and (2) pressure from opposing actors, e.g. agricultural lobby in France. For instance, Emmanuel Macron emphasized that: *“I am not in favour of having new trade deals, in whatever form, with whoever is, with partners that do not have the same climate standard than we have because that would be unfair competition for our companies, our farmers...”* (Euractiv 2019). Similarly, the boundaries of German governmental win-sets were reduced by the unprecedented mobilization of actors and growth of negative public opinion during TTIP. Thus, the new European Franco-German leadership remains reluctant to pursue ambitious trade liberalization with the United States. The European Union adopted a rather pragmatic view of negotiations: (1) France was one of the biggest opponents against the re-opening of negotiations, emphasizing the fact that US left the Paris Climate Change agreement, and expressing a strong stance against the inclusion of the agricultural sector (Annex 5, Nr.13); (2) Germany, as well, was quite pragmatic in starting these trade talks, pushing for a fast and quick deal with the US (clearly trying to avoid additional tariffs on automotive sector) (Politico 2019a, Annex 5, Nr.7); (3) European Parliament also failed to pass the resolution signalling a lack of political support to the negotiations (discussed in chapter 5.b.ii).

US administration, however, continue to believe that they can pressure European Union to include agriculture into the negotiations, which is also encoded in opposing directives of European Union and United States (Annex 6, Nr. 9, 16). An interesting point was expressed by Politico (2019) that *the understanding in Brussels is that U.S. demands on agriculture could be potentially addressed at a later stage, provided that the Americans lift their steel and aluminium tariffs, renounce the car tariff threat, and come up with a counteroffer such as on public procurement”* (Politico 2019b). In the course of following events, the United States continued their offensive “negotiating” strategy. Another disagreement emerged as a result of the Boeing-Airbus dispute

and French proposal on Digital Services Tax (DST). The following figure provides a summary of the major EU-US trade policy decisions/disputes in Trump-era (Figure 13)

Figure 13, Timeline of bilateral trade policy decisions by EU and US officials (2018-2019)



Source: author's data, based on Annex 6

This figure summarises 4 major developments around bilateral EU-US relations in the Trump-era. The first development includes (1) early threats and finally the imposition of steel and aluminium tariffs by the US administration, together with the investigation for tariffs on cars and car parts (yellow). This led to EU retaliatory measures and eventually to (2) a meeting between Juncker and Trump, joint statement and reopening of negotiations (green). Followed by further ambiguous trade policy decisions by the US administration – (3) the announcement of “hit-list” for European products after the WTO determined US Boeing subsidies to be illegal (red) and (4) French DST proposal (grey) which bind the last two issues together.

Lastly, the comments from the new EC Commissioner for Trade, Phil Hogan, showed the unity of EU in response to US, emphasizing the Commission support towards France (Politico 2020). Therefore, it would be hard to see EC crossing any red-lines drawn by its principals or sudden change in the lack of EU’s ambition for trade liberalization with the US. The change in the ambition can only come from the redefined dynamics of European principal-agent interactions, which could be influenced by either the new US president, thus following different stances on trade, change in policy salience or interest group stance and the level of mobilization. The foreseeable future of EU-US trade relations will be defined by the limited scope negotiations around certain aspects put for consideration of liberalization.

CONCLUSION

The combined analytical framework of two-level games and principal-agent model is an extremely useful tool when dealing with complex EU multi-level governance system. This framework proves to be especially useful around the aspects of EU trade policy. The rich and varying nature of two-level games as well as existing wide-application of principal-agent model, however, require a thorough and precise conceptualization of such framework. Still, the combined framework put by Oppermann (2008) shows a great potential for future studies, especially when dealing with the field of EU external action.

The empirical analysis of this thesis revealed the following aspects. The 2013 EC mandate for trade negotiations with the US reflected the overall ambitious outlook held by various trade policy actors. The mandate itself was broad in scope, full of ambitious objectives and gave the Commission necessary room to manoeuvre when dealing with a strong counterpart, i.e. United States. Furthermore, the path to TTIP negotiations taken by the Commission was marked by

strategic, thorough and inclusive approach. TTIP negotiations began in a solution-oriented manner, low public salience and TTIP supporters overshadowed its opponents. This, however, began to change when the external environment variables shifted, i.e. US administration showed lack of willingness to compromise, public salience increased and opposing voices in Europe started to gain momentum. By the end of 2016, the government officials of major EU member states (i.e. Germany and France) had to voice that there was no political support for the negotiations, as it became too costly for their re-election prospects. More importantly, the biggest TTIP supporter, Britain, fell out of the picture due to Brexit. This backed the Commission into a corner and the whole process of TTIP froze. The final halt to TTIP negotiations, however, was put by the newly-elected US president, Donald J. Trump, who above everything else came to power with a new slogan “America First” and did not view US trade policy as his predecessor. The second authorization stage of EC mandate showed a completely different picture of EU-US trade relations defined by the aggressive stance of US administration and TTIP legacy.

Hypothesis and In.v. 1: the analysis of this thesis showed that positive (ambitious/compromise-oriented) US trade policy decisions are more beneficial to both sides as this restricts the potential for European opposing/protectionist voices to mobilize and assume dominance. The first independent variable is extremely important during the authorization stages, i.e. when EC mandate is being issued. For instance, the second round of Authorization showed the failing US “negotiating” strategy, trying to bully EU to include agricultural products, which turned influential trade policy actors against the launch of the negotiations.

Hypothesis and In.v. 2: the research on EU trade policy must also recognize the importance of informational determinants, such as public salience, as this impacts the European principal-agent dynamics during the negotiation stages. This allows the principals to credibly threaten the agent as well as for public opinion to influence policy. For instance, this was visible in the actions of European Parliament when historic access to confidential trade policy documents were given or when national-level government officials were constrained due to the rise in public salience and growth of negative public opinion.

Hypothesis and In.v. 3: the analysis showed that European Parliament, as a supranational principal, plays an important role in international negotiations, contributing to the changes of overall EU’s negotiating position. The stances of the Parliament are heavily impacted by the changes of external environment variables. During TTIP negotiations, the growth of policy

saliency and dominance of opposing interest groups contributed to the changing positions of the Parliament. The Parliament started pressuring the Commission over the implementation aspects of the mandate. The second authorization stage turned Parliament into a vocal opponent, arguing against the launch of further TTIP negotiations due to the changed nature of US trade policy.

Hypothesis and In.v. 4: The European principal-agent relations in the field of EU trade policy are also shaped by the competing business and civil society interest groups, who are driven by their self-interested behaviour, try to influence the field of EU trade policy for their own benefits. During first authorization stage supportive interest groups, mostly the business community, assumed dominance of the debate and remained united over the ambitious negotiations. This supportive-opposing interest groups ratio began to change during later stages of the negotiations when opposing civil society actors controlled the public debate around TTIP. Later, policy saliency returned to usual level but TTIP legacy and change of US administration did not allow to resume ambitious negotiations, here agricultural interest groups showed their importance in the formation of the EU's ambition (i.e. negotiating position).

Hypothesis and In.v. 5: Opening the black box of EU member states national-level dynamics in the field of EU trade policy analysis revealed the importance of national level variables when forming the overall ambition of European Union for trade liberalization with the US. In 2012-2013, German and British governmental trade preferences were ambitious, aligned and supportive for trade liberalization with the US. France, on the other hand, was more cautious and reserved, the government often positioned itself as a guardian of European values and interests and therefore managed to secure an exclusion of audio-visual goods and services. When public saliency began to rise and positive public opinion shifted to negative, EU member states ambitious outlook began to be constrained by the challenging domestic (national) environment. The greater reduction in ambition of EU member states came with the change in the US administration's trade policy stance. The second round of authorization was defined by pragmatic stances – France blocking the start of negotiations together with exclusion of agricultural products and Germany pushing to secure its sensitive sectors from further damages of the US aggressive trade policy decisions.

Lastly, utilising the concept of public saliency enabled to argue that EU-US trade relations did not become fundamentally politicized and contentious. The second round of authorization showed the return to normal EU trade policy dynamics, however, other factors were important

which restricted continuation of ambitious trade negotiations. The thesis argued that TTIP was rather another unexpected and unprecedented peak in public interest and mobilization of opposing actors.

Limits of this research: (1) the empirical analysis of this paper remains only a single case study, though pursued in a comparative over-time and actor-centered manner showing entanglements between different levels of analysis and opening of the black box of national-level politics. (2) Pursuant of Oppermann (2008) combined framework which, above everything else, suggest a way to escape two-level game criticisms of governmental win-sets of unsystematic *ad-hoc* checklists, this systemic approach, however, was not achieved with this thesis. The thesis rather discussed visible instances that can describe the boundaries of governmental win-sets. Despite this, this thesis recognized the potential of Oppermann's model to map the boundaries of governmental win-sets when looking at them as equal to the agency slacking *vis-à-vis* its principals. Moreover, as this was not the main focus of the thesis, it did not interfere when determining the most important independent variables for the change of EU's negotiating position.

Future research: It is clear now that future research around EU trade policy/negotiations should be pursued in a comparative manner, looking at different EU trade negotiations across time and space but remaining in-depth actor-centered in nature. This would allow to better understand the behaviour of different trade policy actors and overall EU trade policy – which would allow for broader generalizations around the changing, or not, nature/character of EU trade policy. Furthermore, utilizing and measuring the concept of public policy salience in EU trade policy analysis allows to escape the pre-mature generalizations of the field of EU trade policy as fundamentally contentious and politicized. It also could be pursued looking for selective politicization areas in EU trade policy, *i.e.* different member states, agreements, *etc.*

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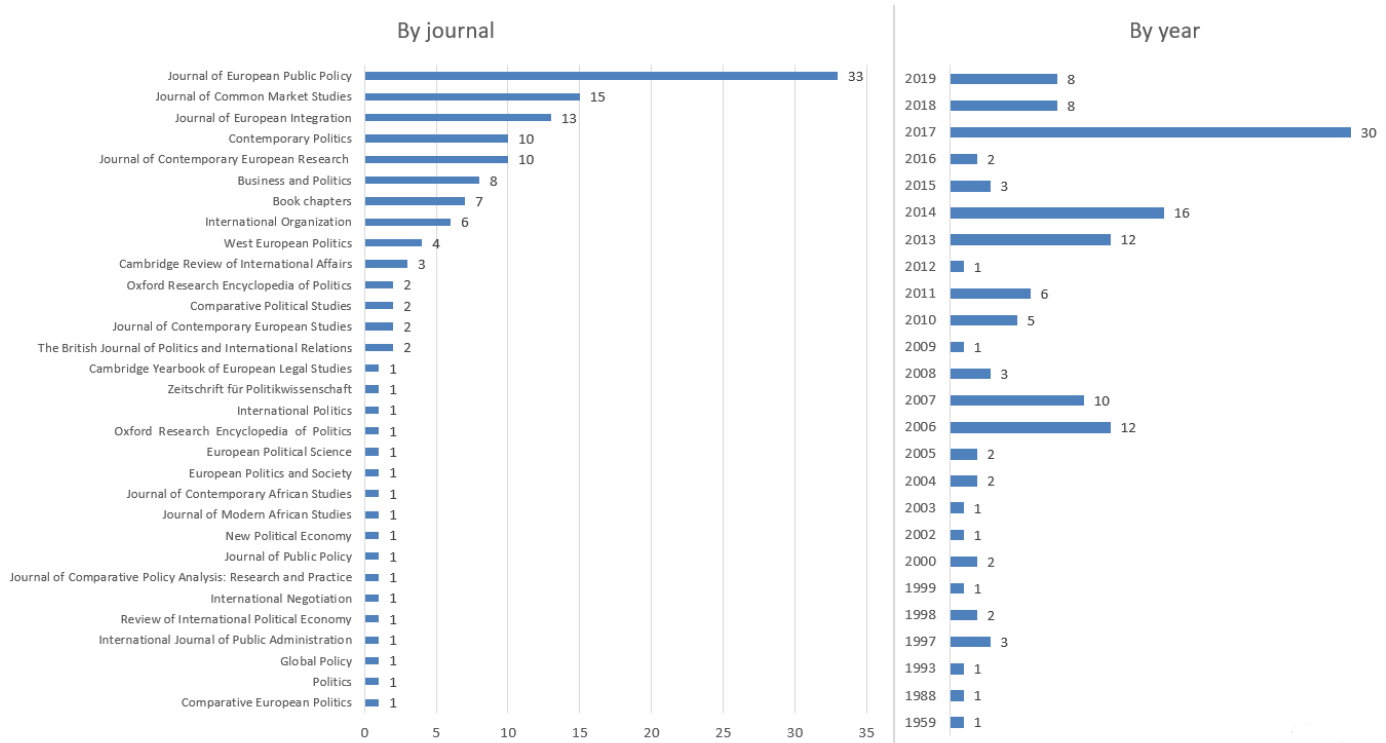
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ANNEXES

Annex 1, Meta data of EU Trade Policy/Negotiations literature dataset



Source: author's data

Annex 2, Special issues on EU Trade Policy in peer-reviewed academic journals, 2006-2019

Nr.	Year	Special Issue	Journal	Link
1	2006	The European Union and the New Trade Politics	Journal of European Public Policy, 13-6	https://www.tandfonline.com/doi/abs/10.1080/13632590600571414
2	2007	Special Issue: Guest Edited by Andreas Dür and Hubert Zimmermann	Journal of Common Market Studies, 45-4	https://onlinelibrary.wiley.com/doi/10.1017/S0022293307004544
3	2009	The Social Dimension of European Union Trade Policies	European Foreign Affairs Review, 14-4	http://www.kluwerlawonline.com/doc.php?pubcode=EERR
4	2011	The EU's foreign economic policies: a principal-agent	Journal of European Public Policy, 18-3	https://www.tandfonline.com/doi/abs/10.1080/136325910559214
5	2013	Theorizing European Union Trade Politics	Journal of Contemporary European Research, 9-4	https://www.jcer.net/index.php/jcer/issue/view/32
6	2014	Perspectives on the trade--development nexus in the European Union	Contemporary Politics, 20-1	https://www.tandfonline.com/doi/abs/10.1080/13632591308038144
7	2017	Writing the Rules of 21st Century Trade: The EU and the New Trade Bilateralism	Journal of European Integration, 39-7	https://www.tandfonline.com/doi/abs/10.1080/0899/39/7
8	2017	The Transatlantic Trade and Investment Partnership (TTIP)	Business and Politics, 19-4	https://www.cambridge.org/core/journals/business-and-politics/issue/19D22D7ECE4D0F00CE6A13B9196B88C0
9	2019	EU Trade Policy in the 21st Century	Journal of European Public Policy, 26-12	https://www.tandfonline.com/doi/abs/10.1080/13632591815141414

Source: author's data

Annex 3, European Commission's engagement vis-à-vis stakeholders (business and civil society community), 2012-2019

Nr.	Date	Event/Decision/Meeting	Type	Data available	Link
1	Jan-Apr 2012	Initial public consultation on the EU-US High-Level Working Group on growth and jobs	Online Consultation Nr.1	List of contributors (48), Broad summary document, actual position paper N/A anymore	https://trade.ec.europa.eu/consultations/?consul_id=160
2	Jan-Sep 2012	Public consultation on the future of EU-US trade and economic relations	Online Consultation Nr.2	Broad summary document, information used for Impact Assessment	https://trade.ec.europa.eu/consultations/?consul_id=169
3	Mar 2012	Civil Society Dialogue meeting on Public consultation on EU-US High Level Working Group on Jobs and Growth	Civil Society Dialogue meeting Nr.1	List of participants, Minutes	https://trade.ec.europa.eu/civilsoc/meetdetails.cfm?pastyear=2012&meet=11385
4	Sep-Oct 2012	EU and US call for input on regulatory issues for possible future trade agreement	Online Consultation Nr.3	List of contributors (52), Broad summary document, Actual position papers	https://trade.ec.europa.eu/consultations/?consul_id=170
5	Mar 2013	Final Report of the EU-US High Level Working Group on Jobs and Growth	Civil Society Dialogue meeting Nr.2	List of participants, Minutes	https://trade.ec.europa.eu/civilsoc/meetdetails.cfm?pastyear=2013&meet=11401
6	Jul 2013	Update on the Transatlantic Trade and Investment Partnership (TTIP) - First Negotiation Round	Civil Society Dialogue meeting Nr.3	List of participants, Minutes	http://trade.ec.europa.eu/civilsoc/meetdetails.cfm?meet=11411
7	Jan 2014	Update on the Transatlantic Trade and Investment Partnership (TTIP) - Third Negotiation Round	Civil Society Dialogue meeting Nr.4	List of participants, Minutes	https://trade.ec.europa.eu/civilsoc/meetdetails.cfm?meet=11421
8	Apr 2014	Trade Sustainability Impact Assessment on the Transatlantic Trade and Investment Partnership	Civil Society Dialogue meeting Nr.5	List of participants, Minutes	https://trade.ec.europa.eu/civilsoc/meetdetails.cfm?pastyear=2014&meet=11427
9	Jun 2014	Update on the Transatlantic Trade and Investment Partnership (TTIP) - Fifth Negotiation Round	Civil Society Dialogue meeting Nr.6	List of participants, Minutes	https://trade.ec.europa.eu/civilsoc/meetdetails.cfm?pastyear=2014&meet=11429
10	Mar-Jul 2014	Online public consultation on investment protection and investor-to-state dispute settlement (ISDS) in the Transatlantic Trade and Investment Partnership Agreement (TTIP)	Online Consultation Nr.4	List of contributors (522 + 70 000 individual), Broad Summary document, Actual position papers (majority organized, copy-pasted text)	http://trade.ec.europa.eu/consultations/index.cfm?consul_id=179
11	Nov 2014	Update on the Transatlantic Trade and Investment Partnership (TTIP) - Seventh Negotiation Round	Civil Society Dialogue meeting Nr.7	List of participants, no minutes available	https://trade.ec.europa.eu/civilsoc/meetdetails.cfm?pastyear=2014&meet=11433

12	May 2015	Update on the Transatlantic Trade and Investment Partnership (TTIP) - Ninth Negotiation Round	Civil Society Dialogue meeting Nr.8	List of participants, Minutes	https://trade.ec.europa.eu/civilsoc/meetdetails.cfm?pastyear=2015&meet=11443
13	Dec 2015	Update on the Transatlantic Trade and Investment Partnership (TTIP) – 11th Negotiation Round	Civil Society Dialogue meeting Nr.9	List of participants, no minutes available	https://trade.ec.europa.eu/civilsoc/meetdetails.cfm?pastyear=2015&meet=11461
14	May 2016	TTIP Sustainability Impact Assessment – Draft Interim Report	Civil Society Dialogue meeting Nr.10	List of participants, Minutes	https://trade.ec.europa.eu/civilsoc/meetdetails.cfm?pastyear=2016&meet=11476
15	Dec 2016	TTIP Sustainability Impact Assessment – Draft Final Report	Civil Society Dialogue meeting Nr.11	List of participants, no minutes available	https://trade.ec.europa.eu/civilsoc/meetdetails.cfm?pastyear=2016&meet=11486
16	Feb-Apr 2019	EU-U.S.: Call for proposals for regulatory cooperation activities	Online Consultation Nr.5	List of contributors (62), Broad summary document, Actual position papers	http://trade.ec.europa.eu/consultations/index.cfm?consul_id=259

Source: author's data

Annex 4, selective list of business and civil society positions, 2012-2019

Nr	Date	Quotes from interest groups - EU-US trade deal supporters and opponents
1	Apr 2013	DE – Trade union representatives take a reserved stance. Statement by German Trade Union Confederation (DGB) emphasized: <i>“While warning against exaggerated expectations, the DGB also argues that a European trade agreement with the US could yield positive welfare effects.”</i> (retrieved from Statement (DGB), Concerning the planned negotiations for a Transatlantic Trade and Investment Partnership Between the EU and the US (TTIP))
2	Jun 2013	EU – CSO are concerned from the start but small in numbers. Joint call for TTIP mandate by European Consumer Organisation (BEUC), Eurogroup for Animals and Friends of the Earth Europe (FoEE). <i>“Consumer, animal welfare and environmental organisations hold considerable concerns about the possible weakening of crucial environmental, consumer and social safeguards.”</i> (retrieved from Joint call for TTIP mandate, http://www.beuc.eu/publications/2013-00416-01-e.pdf , last accessed: 01/05/2020)
3	Sep 2013	EU – agricultural sector shows a supportive stance. Joint statement by Copa-Cogeca and FoodDrinkEurope, <i>“Our sectors are in favour of comprehensive negotiations and call on negotiators to deliver an agreement which provides concrete solutions to non-tariff measures and practical ways to make the EU and US regulatory systems more compatible, whilst respecting the high level of health and safety standards applied by both parties.”</i> (retrieved from joint position paper, https://www.fooddrinkeurope.eu/uploads/statements_documents/joint_TTIP_statement_September_2013.pdf , last accessed 01/05/2020)
4	2014	UK – business community shows a supportive stance. A publication by Confederation of British Industry (CBI) emphasized: <i>“TTIP will give British business a better platform for success in the US today – and is a step towards realising our trading ambitions around the world tomorrow”</i> (retrieved from CBI publication, A new era for transatlantic trade: five top reasons to support TTIP)
5	May 2014	FR – agricultural sector shows a cautious support. Remarks by National Federation of Farmers Unions (FNSEA) <i>“We are worried because we have been negotiating trade agreements for decades (...) and this one has the particularity that it could call into question our food model”</i> (retrieved from news article, https://www.terre-net.fr/actualite-agricole/politique-syndicalisme/article/la-fnsea-craint-une-remise-en-cause-du-modele-alimentaire-francais-205-100812.html , last accessed: 01/05/2020)
6	Jun 2014	UK – trade union representatives shows a cautious stance. Press release by British Trade Union Confederation (TUC) emphasized: <i>“The TUC has real concerns about the current state of</i>

		<i>negotiations as they do not exclude many parts of the public sector from broader privatisation.”</i> (retrieved from https://www.tuc.org.uk/speeches/ttip-threats-and-opportunities , last accessed: 04/05/2020)
7	Nov 2014	DE – business community shows a supportive stance. Joint Statement by Confederation of German Employers (BDA), Federation of German Industries (BDI), Chambers of Commerce and Industry (DIHK) and German Confederation of Skilled Crafts (ZDH) emphasized: <i>“Jointly with political decision-makers and citizens, we want to engage in an open dialogue on deepening the transatlantic partnership in which not only the concerns of the population but also the opportunities of TTIP are discussed.”</i> (retrieved from joint statement, TTIP: An opportunity for employment and the economy, https://www.arbeitgeber.de/www/arbeitgeber.nsf/res/An%20Opportunity%20for%20Employment%20and%20the%20Economy.pdf/\$file/An%20Opportunity%20for%20Employment%20and%20the%20Economy.pdf , last accessed: 04/05/2020)
8	Oct 2015	EU – agricultural shows a cautious stance. Press release by Copa-Cogeca, <i>“Copa and Cogeca urge EU chief negotiators to make progress on eliminating red tape and non-tariff barriers to trade in transatlantic trade (TTIP) (...) Little progress has been made here but for us its vital to ensure a successful outcome to the free trade talks between the EU and US.”</i> (retrieved from Copa-Cogeca press release on 14/10/15)
9	Jan 2016	EU – agricultural sector becomes more skeptical on EC to be able to deliver on ambition. Cope-Cogeca officials statement <i>“much to our disappointment, we have not yet seen any real solutions to the problems that we are facing”</i> (retrieved from Euronews article: EU farmers slam US over ‘technical barriers’ to trade, https://www.euractiv.com/section/agriculture-food/news/eu-farmers-slam-us-over-technical-barriers-to-trade/887701/ , last accessed: 01/05/2020)
10	Feb 2016	FR – agricultural sector skeptical of US willingness to compromise on European demands. Interbev launches a petition to French senate. The president emphasized that the negotiations should be concluded <i>“but not at any cost. We want a fair exchange, with actors who fight on equal terms.”</i> (retrieved from new article, Interbev lance un manifeste contre le TTIP, http://www.lafranceagricole.fr/actualites/viande-bovine-interbev-lance-un-manifeste-contre-le-ttip-1.0.615099373.html , last accessed: 06/05/2020)
11	Feb - Apr 2019	EU – CSO continue to show opposing stances. Corporate Europe Observatory (CEO) states that <i>“once again corporate lobby groups roam the corridors of EU negotiators working to set the agenda for the talks, while the European Commission covers over its links with big business.”</i> (retrieved from organization’s website, https://corporateeurope.org/en/international-trade/2019/02/ttip-reloaded-big-business-calls-shots-new-eu-us-trade-talks , last accessed: 01/05/2020). Eurogroup for animals emphasizes: <i>“A call for contribution on regulatory cooperation activities with the United States goes beyond the mandate that has just been granted to the EC”</i> (retrieved from a position paper submitted to the EC consultation (Annex 3, Nr.16))
12	Apr 2019	DE – agricultural actors suggest the need to address important areas and cautiously supportive of ambitious negotiations. Federation of German Food and Drink Industries (BVE) emphasized: <i>“the industry highlighted the need to improve market access for German food exports to the United States, and called for a reduction in non-tariff and regulatory barriers to trade. With the failure of negotiations, those trade barriers continue to exist (...) in the absence of ambitious trade talks, BVE is deeply concerned at the possibility of new trade barriers being set up”</i> (retrieved from a position paper submitted to the EC consultation (Annex 3, Nr.16))
13	Apr 2019	FR – CSOs are against the re-opening of EU-US trade negotiations. A statement by Attac emphasizes: <i>“Opening of trade negotiations with the United States is a bad blow for the democracy, climate and social justice.”</i> (retrieved from Attac website, https://france.attac.org/se-mobiliser/stop-amazon-et-son-monde/article/ouverture-de-negociations-commerciales-avec-les-etats-unis-un-mauvais-coup-pour , last accessed: 06/05/2020)
14	Apr 2019	EU – automotive sector pushes for ambitious negotiations. Joint position paper by EU and US auto manufacturers emphasizes that <i>“the trans-Atlantic motor vehicle industry supports efforts to achieve an ambitious regulatory Convergence. (...) The potential positive effects on the motor vehicle industry will depend on the scope of trade liberalisation and the depth of regulatory co-operation and convergence.”</i> (retrieved from a position paper submitted to the EC consultation (Annex 3, Nr.16))_

Source: author’s data

Annex 5, national-level policy decisions in Germany, France and the United Kingdom with regards to bilateral EU-US relations, 2012-2019

Nr	Date	Position/Decision/Action	Source:
1	Nov 2013	DE – German government is supportive of TTIP. CDU/CSU and SPD coalition agreement reinforces support to TTIP.	Non-official translation of the coalition treaty between CDU/CSU and SPD (page 10), last accessed: 30/04/2020, https://www.kas.de/c/document_library/get_file?uuid=d58641a0-02ab-935a-c295-1148b45cc426&groupId=252038
2	May 2014	DE – Coalition between CDU/CSU and SPD starts to fracture. Sigmar Gabriel warns the EC on lack of support towards ISDS.	Press statement by Minister Sigmar Gabriel, 2014, last accessed: 30/04/2020, https://www.bmwi.de/Redaktion/EN/Reden/20140505-pressestatement-gabriel-ttip.html
3	Mar 2015	DE – Coalition between CDU/CSU and SPD continue to fracture. Merkel continue to show supportive rhetoric towards TTIP.	Press release by German government, 2015, last accessed: 30/04/2020, https://www.bundesregierung.de/breg-en/search/-ttip-is-a-fantastic-opportunity--430262
4	Aug 2016	DE – German government conducts evaluation around TTIP. BMWi undertakes evaluation of the state of play on TTIP. Together with EU trade ministers concludes that negotiations cannot be concluded by the end of term of Obama administration.	An article by Federal Ministry for Economic Affairs and Energy (BMWi) on TTIP, last accessed: 06/05/2020, https://www.bmwi.de/Redaktion/EN/Dossier/ttip.html
5	Aug 2016	DE – German government suggest that there is no political support for TTIP. Gabriel Sigmar suggest that “ <i>the negotiations with the U.S. have de facto failed</i> ”.	Interview with Sigmar Gabriel retrieved from Euronews article, Germany says TTIP dead in the water, 2016, last accessed: 30/04/2020, https://www.euractiv.com/section/trade-society/news/germany-sayssttip-dead-in-the-water/
6	Mar - Jun 2017	DE – German government attempts to reinstate EU-US trade negotiations. Merkel tries to initiate relaunch of the negotiations.	Press release by German government after Trump-Merkel meeting, 2017, last accessed: 30/04/2020, https://www.bundesregierung.de/breg-en/search/-a-good-frank-exchange-of-views-says-angela-merkel-603108 , DW, 2017, Angela Merkel welcomes US offer to resume TTIP talks, last accessed: 02/05/2020a https://www.dw.com/en/angela-merkel-welcomes-us-offer-to-resume-ttip-talks/a-39446579
7	Mar 2018	DE – Governments takes a pragmatic approach. After Donald. J. Trump imposed tariffs, rhetoric of German officials emphasize intentions for a quick trade deal, aiming to reduce tensions and secure sensitive German sectors.	Press release by German government, 2018, last accessed: 02/05/2020, https://www.bundesregierung.de/breg-en/search/german-government-advocates-free-trade-847048
8	2013	FR - French shows cautious support to TTIP. Government officials wants to protect audiovisual services and goods and positions themselves as guardians of EU values.	Press release by French cultural ministry, <i>Exception culturelle : la France n'est pas seule</i> , https://www.culture.gouv.fr/Presse/Archives-Presses/Archives-Communiquees-de-presse-2012-2018/Annee-2013/Exception-culturelle-la-France-n-est-pas-seule , last accessed: 20/05/2020
9	Jan 2014	FR – French government in opposition to ISDS.	An interview with Nicole Brincq, ministry of Commerce, last accessed: https://www.latribune.fr/actualites/economie/international/20140130trib000812791/parteneriat-

			transatlantique-enfin-les-difficultes-commencent-nicole-bricq.html
10	Sep 2014	FR – French government shows a cautious support, continues to put redlines around their interests.	News article with remarks from Laurent Fabius https://www.latribune.fr/actualites/economie/union-europeenne/20140716trib000840249/traite-transatlantique-laurent-fabius-n-est-ni-pour-ni-contre.html
11	Feb 2016	FR – French government uncertain about TTIP progress. Matthias Fekl emphasized that “ <i>substance needs to prevail over timetable</i> ”.	Press release by French government, last accessed: 01/05/2020 https://www.diplomatie.gouv.fr/en/french-foreign-policy/europe/news/article/european-union-trade-meeting-between-matthias-fekl-and-commissioner-cecilia
12	Mar - Nov 2016	FR – The government shows no political support to TTIP.	Euractiv, 2016, France demands end to TTIP talks, last accessed:01/05/2020, https://www.euractiv.com/section/trade-society/news/paris-to-demand-an-end-toopaque-ttip-negotiations/ Politico, 2016, François Hollande: ‘No’ to TTIP at this stage, last accessed: 04/05/2020 https://www.politico.eu/article/francois-hollande-no-to-ttip-at-this-stage-matthias-fekl/ Politico, 2016, French trade minister: US must move, or TTIP is dead, last accessed: 05/05/2020 https://www.politico.eu/article/french-trade-minister-us-must-move-or-ttip-is-dead/
13	Apr 2019	FR - France is against starting trade negotiations with US.	Press release by French government, France opposes EU trade agreement with the US, last accessed: 04/05/2020, https://www.gouvernement.fr/en/france-opposes-eu-trade-agreement-with-the-us
14	Jun 2013	UK – British government supportive of TTIP is visible in David Cameron’s speech	Speech by David Cameron, 2013, Press release, last accessed 30/04/2020, https://www.gov.uk/government/speeches/g8-summit-us-eu-trade-statement
15	Jul 2014	UK – British government argues in favor of TTIP trying to emphasize the benefits of EU-US trade negotiations.	Report by British government, 2014, Government response to the House of European Union committee’s fourteenth lords report, last accessed 30/04/2020, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/329716/42014-Cm-8907-Transatlantic-trade-and-investment-partnership.pdf
16	Nov 2014	UK – British government continues to show supportive stance towards TTIP.	British government publication, 2014, Vince Cable responds to a publication about the TTIP from members of the #NoTTIP coalition, https://www.gov.uk/government/publications/ttip-vince-cables-response-to-ttip-no-public-benefits-but-major-costs/ttip-vince-cables-detailed-response-to-ttip-no-public-benefits-but-major-costs
17	Dec 2014	UK – British government remained supportive and emphasized that there is no threat to National Health Service (NHS) while responding to the Parliament’s concerns	A letter of Lord Livingston of Parkhead to the Parliament, 2014, last accessed: 04/05/2020, https://waronwant.org/sites/default/files/Lord%20Livingston%20to%20MPs%20-%20TTIP%20-%20December%202014.pdf
18	Jul 2015	UK – The government is aware of ISDS risks but shows a supportive stance:	Governments released FAQ on ISDS in TTIP

			https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/311247/bis-14-695-investor-state-dispute-settlement-faqs.pdf
19	Apr 2016	UK – The government is supportive	Press release by the UK government, TTIP: Separating myth from fact, https://www.gov.uk/government/news/ttip-separating-myth-from-fact

Source: author's data

Annex 6, bilateral EU-US trade policy decisions, 2017-2019

Nr	Date	Position/Decision/Action	Source
1	27 Apr 2017	US – Announces an investigation on European steel and aluminium products, report on 11 Jan 2018	Administration of Donald J. Trump, 2017, Memorandum on Aluminium Imports and Threats to National Security, https://www.govinfo.gov/content/pkg/DCPD-201700284/pdf/DCPD-201700284.pdf
2	08 Mar 2018	US – Announces an implementation of tariff program on European steel and aluminium	USTR, 2018, Statement on President Trump's Decisions on Imported Steel and Aluminum https://ustr.gov/about-us/policy-offices/press-office/press-releases/2018/february/ustr-robert-lighthizer%E2%80%99s-statement Administration of Donald J. Trump, 2018, Presidential Proclamation on Adjusting Imports of Steel into the United States, https://www.whitehouse.gov/presidential-actions/presidential-proclamation-adjusting-imports-steel-united-states/ Administration of Donald J. Trump, 2018, Presidential Proclamation on Adjusting Imports of Aluminium into the United States https://www.whitehouse.gov/presidential-actions/presidential-proclamation-adjusting-imports-aluminum-united-states/
3	Mar 2012	EU – Retaliatory measures: Announces a safeguard investigation	EC, 2018, Commission launches safeguard investigation into steel products to prevent trade diversion into the EU, http://trade.ec.europa.eu/doclib/press/index.cfm?id=1823
4	23 May 2018	US – Announces an investigation on European cars and car parts	Administration of Donald J. Trump, 2018, U.S. Department of Commerce Initiates Section 232 Investigation into Auto Imports https://www.commerce.gov/news/press-releases/2018/05/us-department-commerce-initiates-section-232-investigation-auto-imports Congressional Research Service, 2019, Section 232 Auto Investigation, https://fas.org/sgp/crs/misc/IF10971.pdf >
5	1 Jun 2018 (in force)	US – Tariffs on European steel and aluminium increased from 10% to 25%	Administration of Donald J. Trump, 2018, President Donald J. Trump Approves Section 232 Tariff Modifications, https://www.whitehouse.gov/briefings-statements/president-donald-j-trump-approves-section-232-tariff-modifications-2/
6	1 Jun 2018	EU – Retaliatory measures: Launch of legal proceeding at WTO, tariffs and safeguard measures	EC, 2018, European Commission reacts to the US restrictions on steel and aluminium affecting the EU, http://trade.ec.europa.eu/doclib/press/index.cfm?id=1851
7	22 Jun 2018	EU – Retaliatory measures: Tariffs on	EC, 2018, Implementing Regulation (EU) 2018/724 of 16 May 2018 on certain commercial policy measures concerning certain products originating in the United States of America

	(in force)	politically-sensitive US products	
8	17 Jul 2018	EU – Retaliatory measures: Provisional safeguard measures (in force)	COMMISSION IMPLEMENTING REGULATION (EU) 2018/1013 of 17 July 2018 http://trade.ec.europa.eu/doclib/docs/2018/july/tradoc_157125_prov_en.L181-2018.pdf
9	25 Jul 2018	Joint EU-U.S. Statement	EC, 2018, Joint EU-U.S. Statement following President Juncker’s visit to the White House, http://trade.ec.europa.eu/doclib/press/index.cfm?id=1898
10	4 Dec 2018	FR and DE – Declaration on digital service tax (DST)	Franco-German joint declaration on the taxation of digital companies and minimum taxation” (2018), available at: https://www.consilium.europa.eu/media/37276/fr-de-joint-declaration-on-the-taxation-of-digital-companies-final.pdf https://www.politico.eu/article/paris-berlin-to-propose-new-tech-tax-to-save-face/
11	11 Jan 2019	US – Represents negotiating directives with EU	USTR, 2019, United States-European Union Negotiations: Summary of Specific Negotiating Objectives, https://ustr.gov/sites/default/files/01.11.2019_Summary_of_U.S.-EU_Negotiating_Objectives.pdf
12	18 Jan 2019	EU – Represents negotiating directive with US to its Member States	EC, 2019, EU-U.S. Trade Talks: European Commission presents draft negotiating mandates, < https://trade.ec.europa.eu/doclib/press/index.cfm?id=1971 >
13	31 Jan 2019 (in force 2 Feb)	EU – Retaliatory measures: Adopts definite safeguard measures against steel	EC, 2019, Commission imposes definitive safeguard measures on imports of steel products, https://ec.europa.eu/commission/presscorner/detail/en/IP_19_821
14	17 Feb 2019	US – Report on cars and car parts (class.)	Adjusting Imports of Automobiles and Automobile Parts Into the United States, https://www.whitehouse.gov/presidential-actions/adjusting-imports-automobiles-automobile-parts-united-states/
15	6 Mar 2019	FR - Announces digital service tax (DST) proposal	French government press release on DST https://www.gouvernement.fr/conseil-des-ministres/2019-03-06/creation-d-une-taxe-sur-les-services-numeriques-et-modificat https://www.gouvernement.fr/fiscalite-les-contours-de-la-taxe-gafa-devoiles
16	28 Mar 2019	WTO – Rules US subsidies to Boeing as illegal	WTO, 2019, United States — Measures Affecting Trade in Large Civil Aircraft — Second Complaint, WT/DS353/AB/RW, https://www.wto.org/english/tratop_e/dispu_e/cases_e/ds353_e.htm
17	8 Apr 2019	US – Publishes a preliminary “hit-list” of European products	USTR Proposes Products for Tariff Countermeasures in Response to Harm Caused by EU Aircraft Subsidies, https://ustr.gov/about-us/policy-offices/press-office/press-releases/2019/april/ustr-proposes-products-tariff
18	9 Apr 2019	EU – the Council approves EU negotiating directives (mandate)	EC, 2019, EU-U.S. Trade: Commission welcomes Council’s green light to start negotiations with the United States, https://trade.ec.europa.eu/doclib/press/index.cfm?id=2010
19	16 Apr 2019	EU – Responds with counter “hit-list” of US products	EC, 2019, WTO Boeing dispute: EU issues preliminary list of U.S. products considered for countermeasures, https://ec.europa.eu/commission/presscorner/detail/en/IP_19_2162
20	1 Jul 2019	US – Revises a “hit-list” of European products, including	USTR, 2019, USTR Proposes Additional Products for Tariff Countermeasures in Response to Harm Caused by EU Aircraft

		sensitive French products	Subsidies, https://ustr.gov/about-us/policy-offices/press-office/press-releases/2019/july/ustr-proposes-additional-products
21	4 Jul 2019 (Senate - 11 Jul)	FR – Both houses of the Parliament approve DST	French government press release on DST https://www.gouvernement.fr/taxe-gafa-un-premier-pas-francais-avant-un-accord-international
22	10 Jul 2019	US – Announces an investigation on FR DST	USTR Announces Initiation of Section 301 Investigation into France’s Digital Services Tax, https://ustr.gov/about-us/policy-offices/press-office/press-releases/2019/july/ustr-announces-initiation-section-301
23	2 Oct 2019	WTO – Rules EU subsidies to Airbus as illegal	WTO, 2019, European Communities and Certain member States — Measures Affecting Trade in Large Civil Aircraft, WT/DS316/43, https://www.wto.org/english/tratop_e/dispu_e/cases_e/ds316_e.htm
24	22 Nov 2019	EU and US – Announces a proposal on conformity assessment	EC, 2019, Commission publishes proposal for agreement on conformity assessment with United States https://trade.ec.europa.eu/doclib/press/index.cfm?id=2085&title=Commission-publishes-proposal-for-agreement-on-conformity-assessment-with-United-States
25	02 Dec 2019	Report on French DST	USTR Report on France’s Digital Services Tax https://ustr.gov/sites/default/files/Report_On_France%27s_Digital_Services_Tax.pdf

Source: author’s data

SUMMARY (liet. REZIUMĖ)

Magistro darbo pavadinimas: Transatlantiniai prekybos santykiai (2012-2019): nuo ambicingų TTIP derybų iki *ad-hoc* Trumpo eros prekybos politikos sprendimų (anglų kalba)

Tyrimo objektas: ES ambicijos (*i.e.* derybinės pozicijos) prekybos liberalizavimo klausimais su JAV pokytis (2012-2019). ES ambicija apibrėžiama analizuojant 2013 ir 2019 metais Europos Komisijai (EK) suteiktus mandatus.

Tyrimo problematika ir novatoriškumas: 2012-2013-ųjų laikotarpiu ES derybinė pozicija buvo itin ambicinga, tačiau 2018-2019-ųjų laikotarpiu matėme radikalų ES ambicijos pokytį – ko pasekoje, inicijuojamos siauros ES-JAV derybos. Tuo pačiu ES išorės prekybos politikos literatūra dažnai kritikuojama dėl koncentravimosi į Europos lygmenį, užmiršdama nacionalinės politikos veiksnių svarbą. Naujausi mokslininkų darbai kalba apie radikaliai pasikeitusią ES išorės prekybos politiką, kuri, pagal juos, tapo itin konfliktiška ir politizuota. Magistro darbu prisidedama prie šių analitinių darbų analizuojant įvykius prieš, per ir po TTIP derybų – ko pasekoje parodoma, kad tai verčiau buvo tik laikinas ir trumpas pokytis ES išorės prekybos politikoje. Taip pat šiame darbe atliekama išsamesnė Vokietijos, Prancūzijos ir Jungtinės Karalystės (iki Brexit) analizė.

Darbo klausimas: Kaip ir kodėl pasikeitė ES ambicija (*i.e.* derybinė pozicija) prekybos liberalizavimo klausimais su JAV 2012-2019 laikotarpiu?

Hipotezės: **H.1.** EK mandato autorizacijos metu, teigiami (ambicingi/į kompromisą orientuoti) JAV administracijos prekybos politikos sprendimai linkę skatinti ES atviram dialogui (t.y. į ambicingesnę pusę) – ir taip pat naudingesni pačiai JAV – negu neigiami/agresyvūs JAV sprendimai, kurie įgalina opozicines/protekcionistines nuotaikas Europoje; **H.2.** Derybų metu, aukštas visuomenės susidomėjimo lygmuo paprastai keičia įprastą Europos PP dinamiką, ne tik suteikdamas patikėtojams galimybę grąžinti sankcijomis, bet ir visuomenės nuomonei paveikti politiką, priešingai nei žemas visuomenės susidomėjimo lygmuo – ir taip daro įtaką bendrai ES derybinei pozicijai. **H.3.** Europos Parlamentas išlieka atviresnis prekybos su JAV liberalizavimui kai: (1) JAV administracija rodo teigiamą (ambicingą/į kompromisus orientuotą) poziciją, (2) pritariančios interesų grupės yra labiau dominuojančios ir (3) visuomenės susidomėjimo lygmuo išlieka žemas, jei kuris nors iš šių veiksnių keičiasi tai turi įtakos Parlamento priešišakai pozicijai. **H.4.** Kai pritariančios interesų grupės yra labiau dominuojančios, įtakingos ir vieningesnės – tai prisideda prie ES ambicingos derybinės pozicijos nei tada, kai priešišakai nusiteikę interesų grupės yra labiau dominuojančios, įtakingos ir vieningesnės. (Pilietinės visuomenės interesų grupių

mobilizavimasis ir visuomenės susidomėjimo lygmuo dažnai yra tarpusavyje susiję). **H.5.** Didžiųjų ES valstybių narių (DE, FR ir JK) vyriausybės išlieka atviresnės prekybos su JAV liberalizavimui, kai; (1) JAV administracija rodo teigiamą (ambicingą/į kompromisus orientuotą) poziciją, (2) pritariančios interesų grupės yra labiau dominuojančios ir (3) visuomenės susidomėjimo lygmuo išlieka žemas, jei kuris nors iš šių veiksnių keičiasi tai turi įtakos vyriausybės priešiškomis pozicijoms.

Darbo tikslai/uždaviniai:

- Atlikti išsamę literatūros apžvalgą analizuojančią ES išorės prekybos politiką/derybas;
- Pateikti ES ambicijos liberalizavimo klausimais su JAV pokytį (2013 ir 2019 EK mandatai);
- Atlikti išsamę, į atskirus ES išorės prekybos veikėjų orientuotą, analizę, kuri apimta tris skirtingus periodus:
 - o Aptariant JAV prekybos politikos sprendimus bei parodant kaip šie veikia Europos PP dinamiškumą prieš, per ir po TTIP derybų;
 - o Nustatant visuomenės susidomėjimo politinė sritimi lygį TTIP derybų metu bei parodant kaip šis veikia veikia Europos PP dinamiškumą prieš, per ir po TTIP derybų;
 - o Parodant EP veiksmų svarbą ES ambicijos formavimo procese bei taip pat kaip išorės veiksniai veikia EP pozicijas;
 - o Aptariant konkuruojančių interesų grupių veiklą bei parodant jų svarbą šiuose procesuose;
 - o Atidarant „juodąją“ nacionalinio lygmens dėžę bei parodant didžiųjų ES valstybių narių (DE, FR ir UK) vyriausybės veiksmų svarbą ES ambicijos formavimo procese

Darbo išvados: Jungtinis dviejų lygmenų lošimų teorijos ir patikėtojo-patikėtinio analitinis modelis leidžia išsamiai analizuoti sudėtingą ES sprendimų priėmimo sistemą, ypač naudingas analizuojant ES išorės prekybos politikos sritį. Magistro darbe pateikiamas aiškinimas, analizuojantis ES ir JAV prekybos politikos klausimus (2012-2019), koncentruojantis į ES vidaus politikos procesus bei atidarant ES nacionalinės politikos juodąją dėžę (Vokietiją, Prancūzija ir Jungtinė Karalystė (iki Brexit)). Šiame magistro darbe paaiškininama kaip ir kodėl pasikeitė ES ambicija prekybos liberalizavimo klausimais su JAV nuo 2013 iki 2019. Aptarti trys skirtingi ES-JAV prekybos politikos periodai, leidžia teigti, kad ES ambicijos dydį apibrėžia besikeičiantis patikėtojo-patikėtinio santykių dinamiškumas. Šis patikėtojo-patikėtinio dinamiškumas taip pat veikiamas išorės veiksnių: JAV prekybos politikos sprendimų, politikos ryškumo/matmumo visuomenėje ir konkuruojančių interesų grupių.