

**EXPLORING EU AND NON-STATE ACTORS NEGOTIATION
DYNAMICS IN FTAs: THE CASE OF THE STAKEHOLDERS'
EVENTS AND THE ENERGY SECTOR IN THE TRANSATLANTIC
TRADE AND INVESTMENT PARTNERSHIP (TTIP)**

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Author's Declaration

I, the undersigned Victor Hugo Mercader Lara hereby declare that I am the sole author of this thesis. To the best of my knowledge this thesis contains no material previously published by any other person except where due acknowledgement has been made. This thesis contains no material which has been accepted as part of the requirements of any other academic degree or non-degree program, in English or in any other language.

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ABSTRACT

This thesis explores the negotiation dynamics between the EU and non-state actors in the Transatlantic Trade and Investment Partnership (TTIP) from the first to the twelfth round of negotiations of this mega-regional free trade agreement (FTA). It particularly focuses on the *Stakeholders Events* as a negotiation mechanism put into place by the European Commission from one of the pillars established in its unprecedented transparency initiative in order to involve everyone with a stake on this FTA. By exploring this mechanism, this research will determine if it has been a decisive factor that has prevented the chapter on Energy and Raw Materials from obtaining solid outcomes and agreements between the actors involved. In order to do so, this research will follow a qualitative approach based on a process-tracing methodology and semi-structured interviews to introduce evidence for the chapter on Energy and Raw Materials as a case study. The major finding from the evidence obtained suggests that the *Stakeholders Events* has served as a mechanism implemented by the EU to legitimate the TTIP negotiation process and not necessarily as a tool to obtain the best outcome for all the actors involved in this chapter. Factors involving the challenges of this strategic sector such as access, distribution and trade restrictions, have hampered this mechanism to bring agreements in an efficient manner.

Keywords: TTIP, FTA, Negotiation mechanism, non-state actors, transparency, Stakeholders events, Energy and Raw Materials.

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LIST OF ABBREVIATIONS

CETA	- Comprehensive Economic and Trade Agreement (EU - Canada)
EC	- European Commission
EP	- European Parliament
EU	- European Union
ERMs	- Energy and Raw Materials
FISMA	- European Commission - DG Finance Financial Stability, Financial Services and Capital Markets Union
FTA	- Free Trade Agreement
IPE	- International Political Economy
INTA	- Committee on International Trade
MNCs	- Multi-National Corporations
OECD	- Organization for Economic Co-operation and Development
TPP	- Trans-Pacific Partnership
TTIP	- Transatlantic Trade and Investment Partnership
US	- United States
WTO	- World Trade Organization

INTRODUCTION

Recent negotiations on a new wave of Free Trade Agreements (FTAs) have brought significant challenges in the negotiation process for all the actors involved. Governments representing the countries in these agreements face delicate global implications, such as the exceptional growth in the number of civil society groups and the outstanding economic power gained by multi-national corporations (MNCs) and their lobbyists. For the last 20 years, international trade has been influenced by the creation of the World Trade Organization (WTO) and by the multilateral interventions of its more than 160 member states. Nowadays, however, FTAs have increasingly become bilateral and regional in character, as this gives the advantage to decrease multilateral difficulties among stakeholders and to increase the fulfilment of geopolitical goals through closer cooperation. The Transatlantic Trade and Investment Partnership (TTIP), a FTA between the European Union (EU) and the United States (US), aims to boost growth on both sides of the Atlantic by removing trade barriers and increasing jobs. According to the Organization for Economic Co-operation and Development (OECD), TTIP “would be the most significant bilateral FTA to date, covering approximately 50% of global output, almost 30% of world merchandise trade (including intra-EU trade, but excluding services trade), and 20% of global foreign direct investment.” (OECD, 2015).

Negotiations on TTIP have shown to be a clear example of how governments and non-state actors interact through evolving global governance rules and mechanisms to make sure their interests are covered. Negotiations on FTAs not only bring challenges, but also sizable opportunities for the actors at stake to improve the way they negotiate their diverse interests. In the case of the EU, this represents an opportunity of high relevance as it seeks to reassure its role as a rule maker, in accordance to its sets of values and norms, and to make its diverse FTAs negotiations legitimate

to all the actors involved. In this sense, TTIP has demonstrated to gather joint efforts between EU institutions in order to make the negotiation process legitimate by increasing transparency and inclusiveness. These are two factors that have played a key role in the TTIP negotiations: transparency, by establishing its Transparency Initiative; and inclusiveness, by involving everyone with a stake in the negotiation outcomes, including MEPs and governments, a panel of outside experts, firms and industry bodies, consumer groups, unions and NGOs. (EC – DG Trade, 2014a). This research will focus on the negotiations dynamics as an attempt to explore these interactions between the EU and non-state actors, focusing on the chapter on Energy and Raw Materials in TTIP and on the Stakeholders Events. By doing so, the research will try to determine whether the Stakeholders Events, as a mechanism settled by the EC to negotiate with non-state actors, has influenced the slight progress made up until the 12th Round of Negotiations. This mechanism has been promoted by the EU as part of its ‘Trade for all’ strategy by putting an emphasis on getting all the voices heard and obtaining a better deal for all the parts involved. (EC – DG Trade, 2014a). Since TTIP has been one of the top priorities in the Junker administration, the European Commission (EC) has decided to establish an unparalleled transparency initiative to ease the process among all the stakeholders by providing them with information from a series of documents such as textual proposals and position papers. The first category consists of textual proposals, also known as ‘EU legal texts’. These important documents are the EU’s initial proposals specifically for legal texts on diverse topics in TTIP. These textual proposals, available at the EC archive on TTIP, have already been tabled for discussion with US negotiators during the rounds of negotiation and they will eventually shape into the final agreement once the negotiations are finished. The second category of documents corresponds to the ‘EU position papers’. These documents describe the EU’s ‘general approach’ on a certain topic. They have also been tabled for discussion with the

US in the negotiating rounds but only as a broad view of what the EU expects to achieve from each topic under debate and they do not necessarily form part of the legal texts.

Despite the efforts from the EU to follow its ‘Trade for all’ strategy, the chapter on the Energy Sector is, at the moment, one of the least advanced and has not been able to show progress on agreements that could arrive from the negotiation dynamics followed so far between state and non-state actors. This is a principal reason to explain why this sector has been chosen as a case study for this research and to determine the role that the Stakeholders Events have played in this process. At the moment, the only EU negotiating text on the Energy and Raw Materials chapter is the EU position paper since the EU and the US have not been able yet to compromise within limits agreed by both sides. (EC – DGT, 2013a).

Effective negotiations are a key factor that will determine how far these economic impacts on the region can go. The research question in this thesis will try to explore how the Stakeholders Events have influenced the progress on the Energy and Raw Materials chapter. From this analysis it will pursue to bring learning outcomes for the EU trade policy that could be applied by policymakers and practitioners in the different sectors surrounding FTAs. The main hypothesis to explain the slim progress on the Energy and Raw Materials chapter will be related to the fact that the Stakeholders Events has not been a useful tool to reach mutual agreements on this sector and that this mechanism was established to serve other purposes such as the need to make the process legitimate and transparent. If this hypothesis proves to be confirmed by the evidence available from the Stakeholders Events reports until the 12th round of negotiations, then a secondary hypothesis could be suggested, involving the factors surrounding the Energy and Raw Materials chapter as a framework for a strategic sector in both economies.

CHAPTER 1: A NEW WAVE OF FTAs AND A BOAT NAMED TTIP

1.1 FTAs in the recent years: From Multilateralism towards Multi-Stakeholderism

One of the political implications resulting from an increasingly globalized society is the reform of existing international institutions. At the forefront of this activity is the distinct and emerging institution known as multistakeholderism (Raymond & DeNardis, 2015). Multi-stakeholderism is a less well-defined institutional form, commonly associated with Internet governance. However, in 2009 the World Economic Forum (WEF) proposed a system of multi-stakeholder governance applicable to intergovernmental relations (Gleckman, 2016).

Raymond and DeNardis define multi-stakeholderism “as two or more classes of actors engaged in a common governance enterprise concerning issues they regard as public in nature, and characterized by polyarchic authority relations constituted by procedural rules” (2015, p. 573). As a result, the multi-stakeholder model is increasingly applied to intergovernmental global affairs and is increasingly “taking a lead on global issues” (Gleckman, 2016, p. 95).

This growing presence within global affairs is central to understanding the multistakeholder governance (MSG) system, because it can become a partial replacement for intergovernmental decision-making in the future— as proposed by the WEF (Gleckman, 2016). Furthermore, the WEF’s “governance proposal does not require approval or disapproval by any intergovernmental body” (Gleckman, 2016, p. 92). This is underscored by the growing number of civil society organizations that have been encouraged to negotiate directly with MNCs, due to their displeasure with governments that work bilaterally and or multilaterally (Gleckman, 2016). As consequence, Gleckman argues the informal transition to MSG can easily occur and replace multilateralism at the global governance level.

Defining & Understanding Global Governance

The spillover effects of globalization and the failure of the WTO Doha Round have allowed for the development of various practices and discourses regarding global governance models. According to Avant, Finnemore and Sell, “global governors are authorities who exercise power across borders for purposes of affecting policy” (2010, p.2). ~~Said~~ governors implement regulations and programs, evaluate the outcomes, and also set the agenda on a variety of global issues. Thusly, global governance is the sum of its parts: organizations, financial aspects, norms, and policies. In the last quarter century the world’s global economy has grown exponentially; during which state control over the economy has given way to non-state actors, whose aim is to set the agenda and influence the world economy (Avant, Finnemore, & Sell, 2010). Thusly, there is an increased use of the multistakeholder engagement in global economic relations such as mega-regional trade agreements.

Mega Regional Trade Agreements

Mega-regional trade agreements are “deep integration partnerships between countries or regions with a major share of world trade and foreign direct investment” (Hirst, 2014). Unlike large FTAs, mega-regionals include other measures in addition to tariffs (Baldwin, 2014). Trade has evolved away from WTO centricity and a multilateral scope, to large-scale trade liberalization through mega-regional agreements. As such, they are “likely to erode the WTO’s central place in world trade governance” (Baldwin, 2014, p. 26). These types of agreements, for example the Trans-Pacific Partnership (TPP), TTIP, and Comprehensive Economic and Trade Agreement (CETA), consist of a top-down approach and follow a multi-stakeholderism engagement model. Furthermore, the agreements are heavily influenced by MNC’s looking to expand or strengthen their operations through trade opportunities.

TTIP

TTIP is an endogenous factor that will induce change in global governance and non-state actors within both the EU and US. In June of 2013, the TTIP negotiations began and as of June 2016, they are in their 13th round of negotiations. The majority of estimates indicate gains will come from the elimination of NTBs (World Economic Forum, 2014). Some of the industries that are highly regulated, such as the chemical sector, are expected to witness stronger regulatory efficiency gains thanks to TTIP (Squire Patton Boggs, 2016). Using Raymond and DeNardis' definition, one can see how TTIP consists of a multistakeholderism type of engagement.

Firstly, the economic relationship between the US and the EU is the largest in the globe (Squire Patton Boggs, 2016). By deepening the existing economic ties, opportunities for stakeholders and MNCs will also strengthen. Secondly, TTIP negotiators are “providing opportunities for stakeholder consultations and harmonizing regulatory requirements wherever possible” (Squire Patton Boggs, 2016, p. 2). Thirdly, since the negotiation talks are ongoing, businesses have an opportunity to “engage with negotiators and influence the final text” (Squire Patton Boggs, 2016, p. 2). Expanding on the earlier example of the chemical industry, actors such as the American Chemical Council have submitted a proposal regarding the TTIP negotiations within their industry. Importantly, despite the multi-stakeholder engagement within TTIP, primary negotiations do continue to occur behind closed doors in a bilateral manner: between the EU and US governments. While non-state actors can influence the outcomes, the proposed WEF's MSG system has not been completely integrated into mega-regional agreements as it remains at an engagement level.

1.2 TTIP and the academic discussion so far

In terms of the literature surrounding this research topic, it exists a relevant influence from several authors in relation to the dynamics and coordination processes between state and non-state actors.

They usually analyse specific cases that are closely related to a certain economic modern theory or to the governance process that is struggling to become more inclusive. On the other hand, no particular literature has been found so far regarding these dynamics in the TTIP as a case study. However, it is also necessary to include those authors which have presented recent academic literature on the study of TTIP and its concerns. Therefore, both literatures perspectives will be included and analysed separately since, until now, there is a lack of resources analysing them together on the TTIP.

Regarding the ways to understand roles between private actors and the EU, it will be convenient to employ some points from Wigger and Nölke's analysis on how the roles between private actors and EU Business regulators deteriorated in 2004. They centred this research specifically on the antitrust reform and the way this changed the mode and substance of regulation. As a result, the authors discuss the erosion of the Rhenish capitalism towards the Anglo-Saxon type as one of the main undesirable shifts after this reform. Although their analysis is more related to regulations and reform processes, it will be useful to observe how they describe the challenging dynamics between private actors and EU legislators in negotiation processes. This will be seen as an example of how a lack of fruitful and structured negotiations can deteriorate their desirable outcomes. Since this example involves both state and non-state actors in a shared interest to improve a specific policy, in this case EU competition policy, it results beneficial to study and contrast the specific elements that made these dynamics ineffective for the actors involved. Additionally, these authors focus on the advantages of the Rhenish capitalism which implies to "focus on long-term strategies and broader conceptions of economic efficiency" in a social market economy (Wigger and Nölke, 2007). This scope will also be relative as it offers the possibility to maximize comparative

advantages for a social sphere that includes all the actors involved in any type of economic negotiation.

On the other hand, Knill and Lehmkuhl analyse the relation between private actors and the state, specifically in the internationalization dynamic and in the way that the patterns of governance can be changed or improved. Table 2.1 shows the relationship between the level of governance between private and public actors in order to make a correlation between the so called “Four Ideal Types” of this specific governance process between these actors. Knill and Lemkuhl transfer these four ideal types of governance to the internationalisation dynamic and they study the difference between them. They consider their work innovative because instead of just focusing to one side of the process, either just the state or just the non-state actors, they have analysed a very broad view of the term governance and by doing so, they have “identified four ideal types of governance, enabled by their differing configurations of public and private capacities to formally or factually influence in various ways the social, economic, and political processes employed in the provision of certain goods” (Knill and Lehmkuhl, 2004).

Table 1.2.1. Four Ideal Types of Constellations of Private and Public Governance

		Governance Capacity of Public Actors	
		Low	High
Governance Capacity of Private Actors	Low	Interfering Regulation	Interventionist Regulation
	High	Private Self-Regulation	Regulated Self-Regulation

Source: Knill and Lehmkuhl, 2004.

When comparing these types of interaction in private and public governance to the TTIP case, the study will suggest that it is desirable to obtain a high level of governance capacity coming from both sides of the table. The EU has clearly performed with a high level of interaction in its own

governance, but by not allowing non-state actors to increase their governance performance, both in official and unofficial dynamics, the scope to this could be seen as an interventionist regulation in the negotiation process, according to these authors. Naturally this analysis will not be proposed as being entirely low or high governance capacity. The authors have been clear to state that these are just models to describe different levels of interactions. Therefore, it is desirable to increase in a balanced way these dynamics to allow domestic and international capacities to be more favourable for both sides. As the TTIP negotiations move on, the amount of authors and researchers working on this FTA is increasing. Therefore, is it also relevant to refer to a couple of authors that have shown different approaches to the TTIP difficulties. This literature review will focus on two authors that have given a different scope to their research and that their investigation lines are close to this research too.

Prof. John A. McKinney from Baylor University in Texas has worked on the challenges for TTIP under a realistic perspective. He has analysed, like other authors, the agricultural trade barriers and the sanitary and phytosanitary issues; as well as the technical barriers to trade, services and investment. However, he offers a more realistic approach by stating that the best way to achieve an agreement in terms of time and political constraints is through ‘mutual recognition’. He agrees that complete tariff elimination, would absolutely benefit economies and consumers on both sides of the Atlantic. However, to “expect that [such a] comprehensive agreement can be attained in the areas of sanitary and phytosanitary measures or technical barriers to trade is unrealistic” (McKinney, 2014). Therefore, he analyses the benefits of arriving into a mutual recognition in these areas and observes that it should be possible in a faster and more effective manner. He is also taking into consideration that both governments across the Atlantic are pushing for the negotiations to be finished as soon as possible and the effective, yet not perfect, resource of mutual recognition

could be considered as a positive outcome for areas that would take more time to be negotiated otherwise. This research centres on exploring TTIP negotiations mechanisms, such as the Stakeholders Events, and what is the learning that this could be transferred to the EU experience on FTAs by the implementation of this mechanism. This resource analysed by McKinney could be a consistent and fair tool for the actors involved as the TTIP will continue to evolve after being signed and reinforced.

Finally, Prof. Federico Steinberg, from Universidad Autónoma de Madrid and Elcano Royal Institute, refers to TTIP in terms of its geopolitical relevance and the mutual trust factor in the 'mutual recognition' practice. Regarding TTIP negotiations, he focuses on the importance of reaching both the best possible interests and the most advantageous conditions for all the actors involved. He describes these elements as being fundamental towards a FTA that has been designed to "restore economic and geopolitical leadership to a Western World that is increasingly concerned by the prevailing narrative in international relations according to which the future belong to the emerging nations" (Steinberg, 2014). He also describes the TTIP as a model for the beginning of a scenario of fragmentation in the "international markets between large-scale rival trade blocs that would condemn the WTO [...] to irrelevance". He also refers, just like McKinney, to the mutual recognition practice as the 'best formula' to make progress in a scenario where the US and the EU have a fairly even balance of power. He also discusses the unprecedented exercise of mutual trust in terms of accepting what each party considers appropriate to protect consumers.

CHAPTER 2: MULTIPLE TRADE POLITICS IN THE NEW WAVE OF FTAS

2.1 ‘Making Sense of Multiple Trade Politics’ and the TTIP

To understand the new possibilities that state and non-state actors related to TTIP are obtaining, it is necessary to briefly untangle how the EU is making sense of multiple trade politics, as in the case of TTIP it is in mainly a result of a ‘top-down’ approach. According to Poletti (2013), “the political salience of an issue affects patterns of societal mobilization, which in turn influence decision-makers’ room of maneuver. Whether the effects of prospective policies can be anticipated influences the logic of action of the actors involved in the trade policy-making process, hence how they behave and interact” (p.91). The identification of four types of trade politics which reflect the interaction of state and non-state actors is proposed by this author as “the configuration of state-society relations and logic driving actors’ preferences dimensions of variation.” (p.74).

Table 2.1.1. Trade Politics Types

		Actors’ behavior	
		Strategic	Rule-guided
Configurations of state-society relations	State-centered	Executive politics	Deliberative politics
	Society-centered	Pressure politics	Civil politics

Source: Poletti 2013.

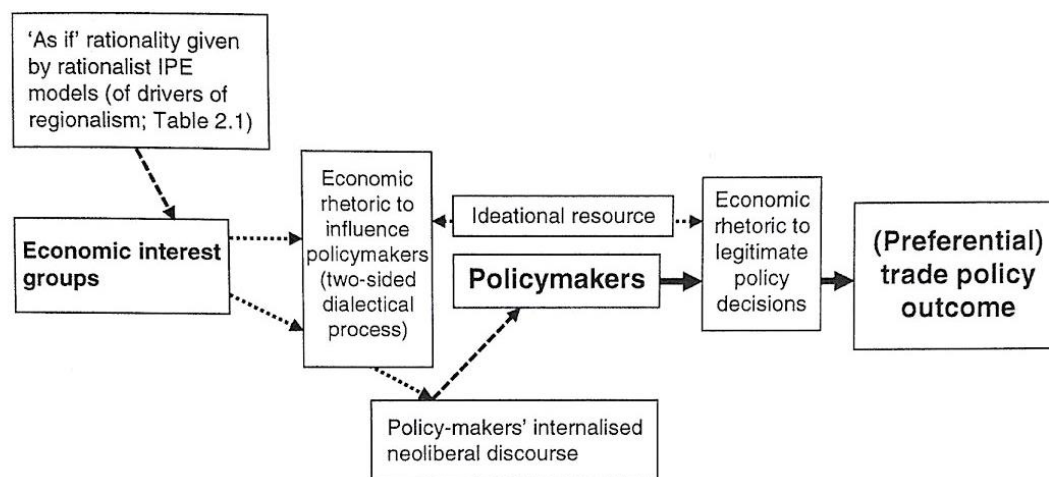
2.2 Constructivist approach on trade for TTIP

The theoretical approach followed in this research will be strongly influenced by the constructivist perspective, based on International Political Economy (IPE) with modern neoclassical theories in international trade, by Siles-Brügge. This author has been chosen as the theoretical centre in this research since he focuses his discussion specifically on EU Trade Policy theories. From his recent work, “Constructing European Union Trade Policy: A Global Idea of Europe”, this research will

pay special attention on the interests of economic groups and his perspective towards the ‘Global Europe’ goal set up by the EU in the Treaty of Lisbon. (Siles-Brügge, 2014a).

Siles-Brügge establishes that the main impulse for economic interest groups is *strategy* and that this is always moved by a rational idea. In analysing the language that economic interest groups use, the author has come to the conclusion that their interests can be taken as rational since they have been formulated to serve the economic goals of their own constituency. At the same time, the way they externalize their intentions is greatly influenced by policymakers’ discourse; which can be defined as either real and internalized, or just real but not internalized. The difference relies on the fact that if it is internalized, it will be repetitive; but if it is not, it will remain rhetoric. In both cases, the main goal is to be *strategic* depending on the way they want to influence policymakers. As the author clarifies: “The interests of pressure groups are always subject to a changeable perception of material factors and are themselves also dependent on ideational constructions”. (Siles-Brügge, 2014b, p.52-53).

Figure 2.2.1 A constructivist IPE of EU trade policy



Source: Siles-Brügge, 2014b.

Figure 2.2.1 depicts both the intentions of economic interest groups and of policymakers when establishing a trade policy outcome. Economic interest groups will be incentivized to perform through a rational belief that will be based in IPE models and that will influence policymakers through a rhetoric that will later be internalized in their speech. Both interest groups will use an ideational resource to legitimize their strategies and decisions. If, and only if, in this process they negotiate under a dynamic that fits the way policy should be shaped, then the outcome will be preferable for the actors involved. Finally, the author explains this constructivist IPE methodology on trade policy as what actors can *make of it* and he states that “it is not only shaped by actors’ views on it, but also by the way in which it is portrayed by those actors” (Siles-Brügge, 2014b).

The theoretical approach in this research will also incorporate Frennhoff-Larsén theory on three-level game, derived from Putnam’s two-level game theory. This approach was developed by the author in the process of the trade negotiations between the EU and South Africa, and it was centred on the importance of placing its domestic focus at the level of the Commission, instead of the Member States, if the EU Agenda wants to be put up in the first place (Larsén, 2007). This three-level game theory relates to the efficient coordination between both state actors, as well as the non-state actors involved in any FTA negotiation dynamic.

Finally, the research will also be influenced on Olson’s theory and analysis on collective action. This approach will be employed as it matches with the TTIP negotiation dynamics in terms of having common interests between all the actors and how to assume the costs of such an organizational effort. It will also be useful to explain how these negotiation resources should be allocated in order to satisfy all their common interests. (Olson, 1965).

2.3 Communicative vs. Coordinative Policy Strategies

Regarding Siles-Brügge analysis on EU Trade Policy, he stresses the differences on the way policymakers' discourse has shown different perspectives. He divides them as coordinative discourse setting, to refer to the 2005 mid-term review of the Lisbon Agenda; and then as a communicative discourse setting, to refer to the course of 2005-2006 Agenda revisions. In terms of coordinative discourse, the author cites Hay and Smith's argument that explains it as a private discourse where the policy is constructed. In relation to the communicative discourse, he cites the same authors as well but this time to explain that this is a public discourse, where policy makers engage with the public in order to legitimize their policies.

Table 2.2.1 DG Trade's diverging discourses on competitiveness and trade liberalisation

Table 3.1 DG Trade's diverging discourses on competitiveness and trade liberalisation		
'Trade and Competitiveness Issues Paper' (September 2005)	Globalisation (economic openness) as a contingent and desirable outcome. International competitiveness as a contingent and desirable outcome.	'Like the Single Market, the EU's ever greater openness to trade and investment has been a major "catalyst of growth" over the last two decades. [...] In many sectors (such as textiles or automotive), extra-EU liberalisation has been a major factor in reinforcing competitive disciplines in the EU economy [...] The aim of this paper is to show <i>how trade policy can</i> and indeed does, <i>contribute to competitiveness</i> and which policy levers <i>should be</i> used to maximise this contribution.' (European Commission 2005a: 3, emphasis added)
Coordinative Discursive Setting	Trade liberalisation as a contingent and desirable process.	'What can we do to add to EU external competitiveness? i) Reduce our own protection in the few areas where it remains [...] ii) Urge trade partners to open their markets , using our possibilities for movement on our own trade protection as negotiating leverage.' (European Commission 2005a: 6, emphasis in original)
'Global Europe: Competing in the World' (October 2006)	Globalisation (in the form of competitive pressures in East and South Asia) as an external economic constraint .	'In 2005, the renewed Lisbon strategy set out the steps we <i>must</i> take in Europe to deliver growth and jobs. [...] The purpose of this Communication is to set out the contribution of trade policy to stimulating growth and creating jobs in Europe. It sets out how, <i>in a rapidly changing economy</i> , we can build a more comprehensive, integrated and forward-looking external trade policy that makes a stronger contribution to Europe's competitiveness. It stresses the <i>need</i> to adapt the tools of EU trade policy to new challenges, to engage new partners, to <i>ensure</i> Europe remains open to the world and other markets open to us.' (European Commission 2006g: 2, emphasis added)

(continued)

Table 2.2.1 (continued)

Table 2.2.1 (continued)

Table 3.1 (continued)		
	The Lisbon (competitiveness) objectives as a necessary outcome given this constraint.	<p>'European exports are [...] less well placed than Japan and the US in rapidly growing markets, particularly in Asia.' (European Commission 2006g: 4)</p> <p>'The Communication also addresses some of the links between the policies we pursue at home and abroad. <i>As globalisation collapses distinctions between domestic and international policies, our domestic policies will often have a determining influence on our external competitiveness and vice versa.</i>' (European Commission 2006g: 2, emphasis added)</p>
Communicative Discursive Setting	Trade liberalisation as a necessary process to meet the Lisbon objectives.	<p>'Europe must reject protectionism. [...] As our prosperity depends on trade, others' reciprocal obstacles would damage our economy. [...] Our core argument is that rejection of protectionism at home must be accompanied by activism in creating open markets and fair conditions for trade abroad.' (European Commission 2006g: 5–6, emphasis in original)</p>
Source: Siles-Brügge (2011: 637), Table 1; reproduced with permission and slight changes.		

Source: Siles-Brügge, 2014a.

Both discourses, shown in Figure 1.2 and its continuation, are a relevant reference to this research as they mark the moment when these ideas and intentions were framed. At the same time, it recognizes the importance for the communicative discourse to be reinforced and the way TTIP can mark a new step in this 'Global Europe' mission and discourse. As referenced by the author, the EC noted in 2006 that "as globalization collapses distinctions between domestic and international policies, our domestic policies will often have a determining influence on our external competitiveness and vice-versa" (Siles-Brügge, 2014a).

CHAPTER 3: METHODOLOGY

3.1 Case study methodology

This thesis will adopt a qualitative approach by employing a case study methodology. To accomplish this, the chapter related to Energy and Raw Materials is chosen as a case to explore the negotiation dynamics between states and non-state actors. From this selection, the research will analyse the role of the Stakeholders Events on the progress obtained in this chapter as a result from this mechanism and the interactions between the state and non-state actors involved in this process. This methodology will be helpful to obtain the learning outcomes that this research pursues. At the same time, these outcomes will be able to bring advantages, both for the research and the trade dynamics, in three important ways. First, because European trade policies are the main area of interest in this research. Second, because EC transparency initiatives on TTIP negotiations enable the flow of information and adequate research analysis. And finally, because it has been seen from FTAs past experiences that best practices can be effectively adopted to improve trade benefits in future agreements to be negotiated by the EU.

This methodology has been chosen because it is a suitable way to connect academic research with day-to-day policy practice. As Simons exposes: “case study is an in-depth exploration from multiple perspectives of the complexity and uniqueness of a particular project, policy, institution or system in a “real-life” context. It is research based, inclusive of different methods and is evidence-led.” (as cited in Leavy, 2014). It is important to be certain about the chosen study cases and to think through what the cases will show, because the issues explored and the data generated from them have to effectively accomplish the purpose of the research analysis (Leavy, 2014).

3.2 Process tracing methodology

In order to address the research question, a process tracing qualitative analysis has also been followed as an additional methodology for this work. This has been the case because, thanks to the transparency initiative implemented by the EC on the TTIP negotiations, the amount of documents available is substantial and the method has helped to track and select the information is useful to address the research question and to validate the main hypothesis for this work. As exposed by Bennett, “process tracing involves the examination of ‘diagnostic’ pieces of evidence within a case” (2010, p. 208) with the purpose of establishing “whether the events or processes within the case fit those predicted by alternative explanations” (p. 208).

3.3 Semi-structured interviews

A third qualitative method has been added to the mix of methodologies employed in this research. Semi-structures interviews with a sample of interviewees related to TTIP were conducted in order to support and to add meaning to the evidence found through the process tracing method. The sample selected for the interviews contains two officials from the EC, one academic with high expertise on TTIP topics, a high-level official from a civil society, an official from a private company in the energy sector, and an official from a Brussels-based think-tank.

Officials from the European Commission:

- **Fernando Perreau de Pinnick:** Head of Unit Intellectual Property and Public Procurement. DG Trade of the European Commission.
- **Andrea Beltramello:** Official of the Unit on Capital Markets Union, Financial Markets. DG Finance Financial Stability, Financial Services and Capital Markets Union of the European Commission.

Academic with high expertise on TTIP topics:

- **Dr Gabriel Siles-Brügge:** Lecturer in Politics at The University of Manchester. Author of ‘Constructing European Union trade policy: A Global Idea of Europe’ and co-author along with Dr Ferdi De Ville of ‘TTIP: The Truth about the Transatlantic Trade and Investment Partnership’.

High-level official from a civil society:

- **Magda Stoczkiewicz:** Director, Friends of the Earth Europe, with “14 years of senior management experience in [...] non-profit organisations, [...] advanced knowledge of campaigning on environmental, social and governance issues as well as understanding of human rights and development aspects, coupled with 15 years’ experience of the intricacies of the EU policy-making framework”. (Forum Europe, 2015).

Official from a Brussels-based think-tank:

- **Victoria Breck:** Head of Public Affairs, Grayling Belgium. “She manages the Grayling Food and Consumer Goods Practice. Working for a range of clients in the field of nutrition, health, food safety, and consumer protection, she assists her clients in developing advocacy campaigns to mitigate potential barriers stemming from EU legislation and supports them in the development of thought-leadership and outreach programmes”. (Forum Europe, 2015).

Official from a private company in the energy sector:

- **Camilla Pedrini:** Official of European Government Affairs, Eni S.p.A. Ente Nazionale Idrocarburi is an Italian multinational oil and gas company headquartered in Rome.

CHAPTER 4: EU NEGOTIATION - COOPERATION MECHANISMS IN TTIP

4.1 EU ‘Trade for all’ strategy and its approach on trade negotiations

The ‘Trade for all’ strategy, aims to achieve EU’s normative legitimacy on a consensus of norms and values that are at the centre of the EU. An update on the EU trade strategy started to be considered on current public discussions on trade, mainly but not exclusively, as a cause of society’s concern about TTIP. (Velázquez et al, 2016). These discussions have shown that many people are worried about the potential impact of trade policy on their daily life (EC – DG Trade, 2015a). In order to address the question on ‘who is trade policy for?’ the EU needs to have a clear answer and they have started this update on its trade policy as “a strategy that serves the broad interests and values of the people of our continent” (EC – DG Trade, 2015a, p.4).

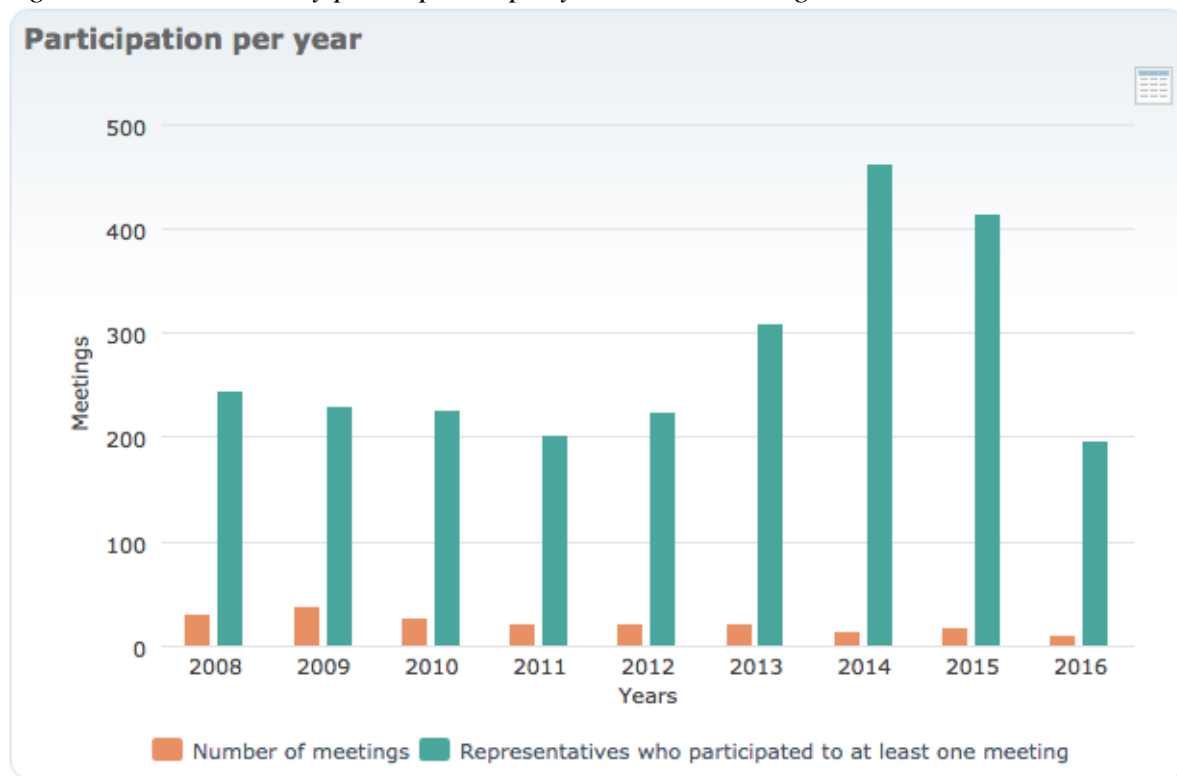
In the aims of this ‘Trade for all’ strategy the EU has made clear that the preparation for this policy has been a result of a wide consultation with Member States, the European Parliament and stakeholders; in preparation for this new trade strategy, following multi-stakeholderism dynamics and including non-state actors to legitimate the process. This is one of the main initiatives that the EC has taken into account, to have a more effective policy that addresses new economic issues and the need to set up an enhanced partnership with all the actors involved. (EC – DG Trade, 2015a). According to Siles-Brügge comments about this initiative, gathered from the semi-structured interview, he acknowledged this initiative as one of the important steps that the EC has taken in order to address the issue of an opposing society to this FTA. At the same time, he mentioned that this gives a strong push to Juncker’s administration priority on trade and follows a close resemblance to the ‘Global Europe’ strategy. This similarity is related to the communicative strategy under which ‘Global Europe’ was settled. A key point about this, he said, is that it is necessary to involve a coordinative strategy to maximise its effect, and this has not necessarily

been the case yet. As observed in the ‘Trade for all’ strategy document, its design has a strong influence by the importance of have a more transparent and based on values policy. These principles go along with a communicative strategy, as the EC acknowledges that a new trade policy need to respond to the public expectations on regulations and investment, as well as a support on sustainable development by a fair and ethical trade. (EC – DG Trade, 2015a).

4.2 EU Transparency Initiative

The EC has focused a great amount of its efforts in the negotiation of TTIP by listening and engaging with all the actors that have a stake in the outcome of this FTA, and at every stage. As a result of a 2014 leak of EU documents, related to the negotiation interests from the EU and the US on the different chapters included in the TTIP, civil society demanded for greater transparency efforts from state actors. The EU was the one to propose and start this unprecedented initiative, regardless of the lack of interest to joint this effort coming from its American trade partner. As Figure 4.2.1 shows, the number of civil society and private sector actors who participated in at least one meeting, increased from 309 in 2013 to 463 in 2014. These meetings correspond to the Stakeholders Events as part of the transparency initiative. Civil society and private sector are invited by the EC, during and between each week-long round of negotiations, to formal meetings with the EU Chief Negotiator and his team in order to make presentations to them, exchange views and discuss substance and progress on the TTIP (EC – DG Trade, 2014a). According to one of the EC officials interviewed, this is the first time in the history of FTAs negotiated by the EU where the public can have access to EU textual proposals and position papers. According to the interviewee, this has marked a very relevant precedent for the EU scope on norms and values and it has been caused, among other factors, due to the great amount of people represented in TTIP as it involves the world’s greatest trade markets.

Figure 4.2.1 Civil society participation per year in EU meetings



Source: European Commission – DG Trade, 2016a.

Table 4.2.1 Civil society participation per year in EU meetings

Participation per year

Meetings and participation

Year	Number of meetings	Representatives who participated to at least one meeting
2008	31	244
2009	37	230
2010	26	226
2011	21	202
2012	21	225
2013	21	309
2014	14	463
2015	18	415
2016	10	197

Source: European Commission – DG Trade, 2016a.

CHAPTER 5: EU ENERGY SECTOR IN TTIP

As a result of the negotiations on the chapter of Energy and Raw Materials, the EU wants to secure a more stable and sustainable access to natural resources by agreeing on rules to promote such access in a trade deal that is open, rule-based, competition-friendly and sustainable. The need for new rules on trade for this sector, comes with the increasing necessity on natural resources coming from outside the EU and the demand to promote it under fair trade norms. The EU's opinion on WTO rules in this matter states that they "do not fully reflect issues related to international production and trade in raw materials and energy. [...] The WTO rulebook contains tough rules to tackle import barriers, and weaker concomitant rules to address export barriers. This has affected energy and raw materials, insofar trade restrictions in this area are more pertinent on the export side". (EC – DGT, 2013a). Therefore, this is a matter that the EU has anticipated it wants to improve and TTIP an opportunity to do so, since they would like to act as model for future negotiations with other countries and to benefit the trade system with a stronger set of rules in this area. The interviewee from Eni S.p.A. stated that there is an important need for the interests to be similar in order to arrive to equal agreements within the EU. In this sense, most of the non-state actors' concerns have been addressed by the EC and, from the information this person gave, the EC knows that this is a sensitive sector for the EU, especially after the new changes that the US has recently made in its market and the EC is working close with non-state actors to address these issues.

Table 5.1: Society's concern and EU response on the EU Energy Sector in TTIP

Sensitivity/concern	EU response
1. Fracking	
'TTIP will allow US firms to produce shale gas in the EU if we agree on trade and investment rules in the area of energy.'	The government of each EU member country is responsible for deciding whether to allow shale gas production in their country. Nothing in TTIP could limit this sovereign right.
2. Fossil fuels	

‘There is nothing in TTIP on renewable energy.’	Our negotiations in TTIP cover the entire energy sector. We aim to include rules that will promote renewable energy and energy efficiency — areas that are crucial in terms of sustainability.
3. Carbon emissions	
‘Importing American natural gas, such as methane, is energy intensive. Carbon dioxide (CO ₂) levels will increase.’	The shale revolution in the United States has so far only led to increased coal imports into the EU. Replacing the import of coal by natural gas will have a positive effect: it will reduce our CO ₂ levels rather than increase them.
4. Sovereignty	
‘TTIP could reduce the rights of countries to decide whether or not to allow exploitation of their natural resource.’	Decisions on whether or not to allow exploitation of a natural resource will not be affected by TTIP. However, if a decision is taken to allow exploitation in a country, TTIP aims to foster better competition and open access.

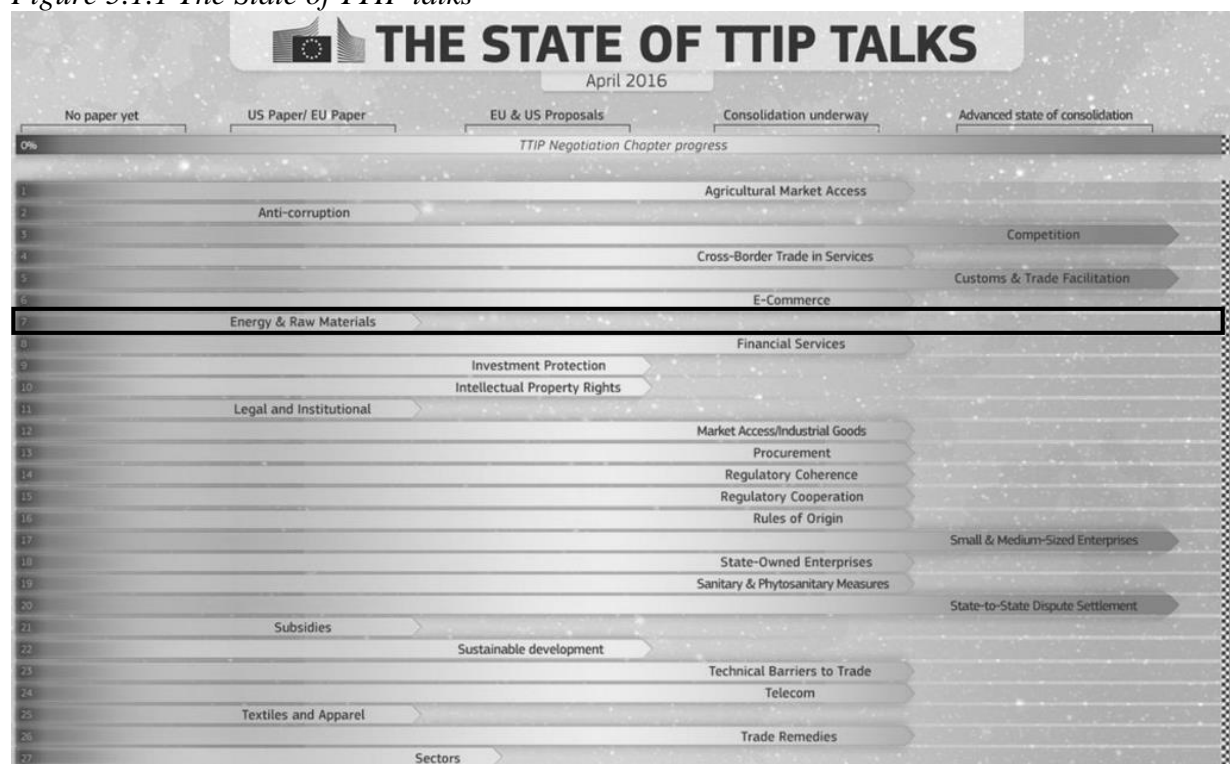
Source: EC – DGT. (2015).

Table 5.1 shows the four most important concerns from non-state actors in relation to the negotiations around the energy sector and the Energy and Raw Materials chapter in TTIP. They relate to fracking, fossil fuels, carbon emissions and sovereignty. When asked about these concerns, Siles-Brügge stated that they have been communicated repeatedly by civil society and private sector actors in their presentations at the Stakeholders Events he has had access to. At the same time, the promises by the EC to respect sovereignty over sensitive topics, such as fracking, has been communicated as a response over and over again. The interviewee referred to these interactions as being overly rehearsed at this point, since all of the actors already know the main concerns involving this sector and the responses to them. This will continue to occur until there is evidence of a further development on the negotiation of this chapter, which has shown little progress until this moment. The next two sections will show the current ‘State of Play’ of this chapter and will bring information from the rounds of negotiations and the Stakeholders Events in order to give evidence to support that these concerns have been addressed both by state and non-state actors, suggesting the correct operation of these mechanisms but not yet the expected results.

5.1 Rounds of Negotiation in the TTIP

Even though the main scope of this research relies on the Stakeholders Events as a negotiation mechanism to determine whether the role it has played between state and non-state actors, and if it has prevented to obtain progress on the Energy and Raw materials chapter; it is crucial to give evidence from the round of negotiations as this is the negotiation mechanism used between state actors to reach agreements on the negotiation of this FTA. Using this information as a background it is then possible to analyse the progress so far on this chapter and what have been the main advancements. It will also be useful to give more background evidence that could suggest how the US and the EU are dealing with their agreement limits on this sector. Figure 5.1.1 shows each of the main topics addressed on TTIP and the most current state of progress after the 12th Round of Negotiations.

Figure 5.1.1 The State of TTIP talks



Source: EC – DG Trade, 2016b.

The Energy and Raw materials chapter is one of the least advanced in terms of progress achieved on what both state actors have agreed within their limits. This is also the case of ‘anti-corruption’, ‘legal and institutional’ topics, ‘subsidies and textiles’, and ‘apparel’. These topics appear on the stage labelled as US Paper/EU Paper, meaning that the progress that state actors have reached so far is reflected only on their textual proposals and position papers. From the EU side, it is possible to find out what are the proposals and positions as these documents are available on the EC website thanks to the transparency initiative previously discussed. However, from the US side it is not possible to know their proposals and positions as they decided not to join the EC efforts on transparency. This could suggest that such interests are substantially different between these state actors in a way that have prevented them to reach for mutual agreements so far, and that the topics mentioned could be part of the most difficult ones to achieve agreements compared to the other areas of interest.

Table 5.1.1 show a compilation of the evidence, related to Energy and Raw materials, gathered from the ‘Round of Negotiations official reports’, and the ‘Stakeholder briefing reports’. Both of these types of documents have also been released by the EC. After the 7th round of negotiations is when the initiative of make available official reports from the Rounds of Negotiations started. Before this round, Stakeholder briefing reports were released instead, and the evidence from these reports is also included to compensate for the lack of information coming from the Round of Negotiations official reports. As this table shows, the availability of documents from the EU side is constant in every round, unlike US that decided not to release any type of report from the first, third and fifth rounds of negotiations that were hosted in the US.

Evidence from these reports shows that from the first to the eight round of negotiations, the discussions on Energy and Raw materials were superficial, giving undetailed information and

referring only to the scope of possible TTIP provisions on this topic. From the ninth round of negotiations is where the discussion in this topic started to give more progress by discussing the EU position on having a separate chapter in TTIP to address specific provisions for energy and raw materials sectors. This position was strongly pushed by the European Parliament (EP) through its Committee on International Trade (INTA) which received the recommendation from the Committee on Industry, Research and Energy to incorporate the following suggestions into its motion for a resolution:

Calls on the Commission to retain the objective of dedicating a specific chapter to energy, including industrial raw materials, in the TTIP with the aim of creating a competitive, transparent and non-discriminatory market which could significantly increase the EU's energy security, improve diversification of energy sources and lead to lower energy prices; highlights in this regard the importance of renewable energy sources and energy efficiency in increasing energy security; emphasises that this specific chapter must integrate clear guarantees that the EU's environmental standards and climate action goals must not be undermined and that the EU must retain the freedom to act independently in setting future standards and goals;

Source: European Parliament, 2015.

Discussions to whether accept or not this request from the EC continued until the eleventh round of negotiations, where it was finally accepted. On the twelfth round of negotiations both sides compared outcomes of the trade negotiations with Vietnam (EU) and the Trans Pacific Partnership (US) respectively on Energy and Raw materials, to use as a guideline for TTIP. Until these moments no new agreements on this topic has been reached. According to one of the EC officials interviewed, the role of the EP was decisive to agree on including a specific chapter to Energy and Raw materials in the TTIP, as the US knows that since the Treaty of Lisbon the EP received rights and obligations on Trade Policy and it is the EP right to approve or not the reinforcement of a new FTA if it meets with the needs and expectations of the EU. Therefore this has been a positive resolution for the EU and the role of its institutions in the negotiation of this new wave of FTAs.

Table 5.1.1 ERM's evidence from Round of Negotiations and Stakeholder briefing reports

Round of Negotiation	Topics discussed
First round Washington, DC July 7-12, 2013	No reports were released.
Second round Brussels November 11-15, 2013	Report of Stakeholder briefing: “Very important in terms of economic implications and where negotiators are exploring what could be done in the TTIP context”. <i>Source:</i> EC – DGT, 2013b.
Third round Washington, DC December 16-21, 2013	No reports were released.
Fourth round Brussels March 10-14, 2014	Report of Stakeholder briefing: “A key ambition of TTIP is to develop modernized trade rules together. Possible areas for this include sustainable development (labour and environment), on which negotiators are holding four full days of discussions; trade facilitation and customs, an essential area not least to ensure that what is agreed in TTIP translates to easier trade on the ground; specific elements of the agreement for SMEs, aiming to help them make the most of TTIP; and finally <u>energy and raw materials</u> , clearly an important issue”. <i>Source:</i> EC – DGT, 2014b.
Fifth round Arlington, USA May 19-13, 2014	No reports were released.
Sixth round Brussels July 13-18, 2014	Report of Stakeholder briefing: Stakeholders asked what progress had been made on <u>energy and raw materials</u> . <i>Source:</i> EC – DGT, 2014c.

Seventh round Chevy Chase, USA Sep. 29 - Oct. 03, 2014	Report of the Seventh Round of Negotiations “EU and the US continued technical discussions involving experts on both sides. The focus this time was on third party access, transit and interruption. Subjects for the next round are still under discussion, but could include issues related to <u>renewable energy (access to grids, localization) and energy efficiency</u> ”. <i>Source:</i> EC – DGT, 2014d.
Eighth round Brussels February 02-06, 2015	Report of the Eighth Round of Negotiations: “The EU and the US continued technical discussions involving experts on both sides in order to consider the scope of possible TTIP provisions on <u>energy and raw materials</u> . The focus during this round was on renewable energy and energy efficiency”. <i>Source:</i> EC – DGT, 2015b.
Ninth round New York, USA April 20-24, 2015	Report of the Ninth Round of Negotiations: “The EU and the US discussed in a constructive manner an extensive list of issues related to the potential scope of <u>energy and raw materials topics</u> to be covered in TTIP. The discussions have been without prejudice to the issue of whether or not there should be a separate chapter in TTIP or whether issues discussed should be addressed through specific provisions in TTIP for energy and raw materials sectors”. <i>Source:</i> EC – DGT, 2015c.
Tenth round Brussels July 13-17, 2015	Report of the Tenth Round of Negotiations: “EU and US focused on the scope of <u>Raw Materials as well as Modes of Cooperation for Energy and Raw Materials</u> . Furthermore, the EU and US discussed the working methods to structure the talks in the next months”. <i>Source:</i> EC – DGT, 2015d.
Eleventh round Miami, USA October 19-23, 2015	Report of the Eleventh Round of Negotiations: “Discussions covered all the issues identified by the two Parties during the rounds held so far, including all those that were presented in the EU’s initial position paper. The EU continued to state its position that TTIP should incorporate provisions specific to <u>energy and raw materials</u> in a standalone chapter. The EU and the US also

	<p>discussed issues related to trade and investment in renewable energy and energy efficiency. The relationship between potential ERM provisions and relevant horizontal chapters was also reviewed, as was the relationship between TTIP and current EU - US and US – Member States cooperative activities on <u>energy and raw materials</u>”.</p> <p><i>Source:</i> EC – DGT, 2015e.</p>
<p>Twelfth round</p> <p>Brussels February 22-26, 2016</p>	<p>Report of the Twelfth Round of Negotiations:</p> <p>“The EU and US exchanged information on several developments in the area of <u>raw materials and energy</u>, focusing on energy first and foremost. The EU presented the state of play of the Energy Union and the both sides compared outcomes of the trade negotiations with Vietnam (EU) and the Trans Pacific Partnership (US) respectively. The US noted the energy-related provisions of the US Omnibus legislation enacted in December 2015, including repeal of the crude oil export ban. Furthermore, both sides had a constructive discussion on the links between potential EU-supported specific provisions on <u>Energy and Raw Materials</u> and certain provisions that are currently being discussed in the context of the Trade in Goods chapter, such as export pricing and export restrictions”.</p> <p><i>Source:</i> EC – DGT, 2016c.</p>

5.2 EU ‘Stakeholders events’

According to the evidence gathered from the programs on the ‘Stakeholders events’ it could be suggested that non-state actors have used this mechanism in a limited way since there has been no evidence of interactions between state and non-state actors in rounds one, two, three, five, seven, and nine. This is mainly due to the fact that the US has not released most of the programs from these events and therefore it is impossible to give evidence about this. Table 5.2.1 gathers evidence from the programs of the Stakeholders events that are available at the EC website. Even though that a small percentage on the number of presentations on Energy and Raw materials is found, compared to the total number of presentations, some non-state actors have had the opportunity to communicate their most relevant concerns and proposals to the EU and US chief negotiators. As the interviewee from Grayling explained, it is relevant that this mechanism exists as it is a needed

platform to exchange concerns, points of view and proposals. However, at this point of the negotiations it is difficult to state if this negotiation mechanism has had an impact on the agreements reached on the Energy and Raw materials chapter, as the progress achieved so far has been limited and slow.

Table 5.2.1 Evidence from the programs of the Stakeholders events

Negotiation Round, Place and Date	Total number of presentations	Number of presentations on ERMs and ratio	Number of presentations on ERMs per topic
<u>TTIP Stakeholder Presentations Event</u> During the 4th Round of Negotiations Brussels, March 12 th , 2014.	90	4 4.4%	Three on different topics related to energy One on raw materials only
Company/Organisation name, presenter and presentation title: <u>Presentations on Energy:</u> -BDEW German Association of Energy and Water Industries – Nadine Fischer, Policy Officer: <i>‘How water services in Europe could be affected from TTIP’</i> . - Fertilizers Europe – Sean Mackle, Director, Trade & Economic Policy: <i>‘Energy chapter and need for CCT tariff protection on a limited number of end fertilizer products’</i> . -American Fuel and Petrochemical Manufacturers – David N. Friedman, Vice President Regulatory Affairs: <i>‘Energy matters’</i> . <u>Presentations on Raw Materials:</u> -Beryllium Science & Technology Association – Maurits Bruggink, Director EU Affairs: <i>‘Aligning EU and US trade policies interests for Critical Raw Materials’</i> . <i>Source: EC(2014e) and creation by the author.</i>			
<u>TTIP Stakeholder Presentations Event</u> During the 6th Round of Negotiations Brussels, July 16 th , 2014.	72	2 2.7%	One on Energy and Raw Materials One on raw materials only
Company/Organisation name, presenter and presentation title: <u>Presentations on Energy and Raw materials:</u> - Central Europe Energy Partners – Bogdan Janicki: <i>‘Energy and raw material issues’</i> .			

<p><u>Presentations on Raw Materials only:</u></p> <ul style="list-style-type: none"> - Critical Raw Materials Alliance – Heleen Vollers: <i>‘Increasing Interests of Critical Raw Materials in TTIP’</i>. <p>Source: EC(2014f) and creation by the author.</p>			
<p><u>TTIP Stakeholder Presentations Event</u> During the 8th Round of Negotiations</p> <p>Brussels, Feb. 4th, 2015.</p>	81	2 2.5%	<p>One on Energy and Raw Materials</p> <p>One on raw materials only</p>
<p>Company/Organisation name, presenter and presentation title:</p> <p><u>Presentations on Energy and Raw Materials:</u></p> <ul style="list-style-type: none"> - Central Europe Energy Partners / CEEP – Bogdan Janicki Energy and Raw Materials in TTIP <p><u>Presentations on Raw Materials:</u></p> <ul style="list-style-type: none"> - CRM Alliance – Maurits Bruggink Critical Raw Materials and Transatlantic Trade <p>Source: EC(2015f) and creation by the author.</p>			
<p><u>TTIP Stakeholder Presentations Event</u> During the 10th Round of Negotiations</p> <p>Brussels, July 15th, 2015.</p>	67	4 5.9%	<p>Two on raw materials</p> <p>Two on energy</p>
<p>Company/Organisation name, presenter and presentation title:</p> <p><u>Presentations on Raw materials:</u></p> <ul style="list-style-type: none"> - Critical Raw Materials Alliance (CRM Alliance) – Maurits Bruggink: <i>‘Aligning EU and US trade policies for Critical Raw Materials’</i>. - Beryllium Science and Technology Association – Heleen Vollers: <i>‘Technical Barriers to Trade in the Raw Materials Sector in the case of Beryllium’</i>. <p><u>Presentations on Energy:</u></p> <ul style="list-style-type: none"> - Central Europe Energy Partners (CEEP) – Jakub Przyborowicz: <i>‘Energy and energy intensive industries Central European perspective on TTIP’</i>. - BUSINESSEUROPE – Luisa Santos Energy: <i>‘How important is to have it in TTIP?’</i> <p>Source: EC(2015g) and creation by the author.</p>			

<u>TTIP Stakeholder Presentations Event</u> During the 11th Round of Negotiations Miami, October 21 st , 2015.	33	2 6%	Two on energy
Company/Organisation name, presenter and presentation title: <u>Presentations on Energy and Raw Materials:</u> - Floridians against Fracking: ' <i>Fracking in Florida</i> '. - Democratic Party – Louis Perrero: ' <i>Fracking</i> ' <i>Source:</i> EC(2015h) and creation by the author.			
<u>TTIP Stakeholder Presentations Event</u> During the 12th Round of Negotiations Brussels, Feb. 24 th , 2016.	67	1 1.5%	One on raw materials
Company/Organisation name, presenter and presentation title: <u>Presentations on Raw materials:</u> - Critical Raw Materials Alliance – Maurits Bruggink: ' <i>A Common approach for critical raw materials</i> '. <i>Source:</i> EC(2016d) and creation by the author.			

CONCLUSIONS

Findings in this research suggest that the interventions from non-state actors with state actors in the Stakeholders Events have been limited. At the same time, from the evidence gathered from the Rounds of Negotiations and Stakeholders Briefing reports, the discussion on Energy and Raw materials began to give progress from the 9th Round of Negotiations. Therefore, it could be claimed that the discussions between state actors began late in the negotiation process and this could be a reason to explain why the developments on this chapter have been slow and limited. The contribution in this thesis has been to explore the Stakeholder Events as an interaction and negotiation mechanism between state and non-state actors. In this analysis, it has been found that in order for this mechanism to bring further results, the strategy must change from communicative to coordinative, because if it remains in as a communicative strategy then this mechanism is useful to legitimate the negotiation process for state actors, but not necessarily to bring improvements and progress to the negotiation process, or to keep the interests and concerns from non-state actors present in the final agreements. The limitations of this research remain on the fact that the rounds of negotiations are still ongoing, and it would be beneficial to analyse how these non-state actors' concerns and proposals negotiated in the Stakeholders Events reflect on the final outcome. Another limitation is that this research is not taking into account informal negotiation mechanisms such as lobbying and the MNCs interests it represents. For a future research, it would be beneficial to include this and other informal mechanisms as well as the new agreements on the chapter reached in the future negotiations. An important learning outcome from this research is that negotiation mechanisms between state and non-state actors should be reinforced and enhanced in TTIP, but the initial steps taken by the EC to give transparency are relevant to make the process legitimate.

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