

Swiss Institute for International Economics  
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University of St.Gallen

*“From insight  
to impact”* 

# How Far Can TTIP Go Beyond The Border?

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# Purpose of this presentation

- To highlight the key role that non-trade-related officials and chance have played in the limiting the scope of TTIP negotiations in three important areas of regulation.
- If TTIP is going to become the global template for 21<sup>st</sup> century regulation, then a pre-requisite is that the EU and US agree and, in the policy areas discussed here, this hasn't happened (to date).
- This presentation summarises the findings of a very long paper that is available upon request (email [simon.evenett@unisg.ch](mailto:simon.evenett@unisg.ch))

# Where many go wrong in analysing TTIP

- Implicitly assuming a unitary state negotiates with another state.
- Ignores:
  1. Key roles of long-established regulators with their own traditions and means for cooperation with foreign regulators.
    - Bureaucrats can be entrepreneurs too.
    - Overstate power of trade negotiators.
  2. Cross-border coalitions between business.
  3. Cross-border coalitions between opponents.
  4. Importance of contingency.

# Factors blocking three key regulations in TTIP

Regulation	Demandeur	Blocking agent	Legacy or Contingency
Financial regulations (not market access)	EU	US Treasury, SEC	Dodd Frank implementation
GMOs	US	Juncker followed by Member State bans (“nationalisation of issue”)	Pioneer 1507 decision
Data privacy	US	ECJ decision followed by national agencies (Article 29 Working Group)	Snowden revelations; Schrems case

# Implications for TTIP's prospects

- TTIP as a Russian Doll—unless a “reset” happens.

