

Accessing Markets or Exporting Norms: The Determinants of Democratic Provisions in EU Trade Agreements

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Abstract:

The European Union (EU) has been characterised as a conflicted trade power. It seeks to secure market access for its exporting companies while simultaneously using trade as a foreign policy tool to propagate its institutional values such as human rights and democracy. Given the EU's dualistic approach to trade, this paper investigates which factors influence the inclusion of democracy-related provisions in EU preferential trade agreements (PTAs). Using novel data on democracy-related provisions in PTAs, the paper analyses 112 PTAs signed by the EU from 1960-2023. The results show that PTAs with countries that the EU has identified as economically significant incorporate relatively fewer democracy clauses. Furthermore, agreements with consolidated democracies are observed to contain a greater number of democracy clauses than those with autocratic regimes. Overall, the results suggest that the EU adopts varied frameworks for its trade agreements, tailored to the strategic importance of each trading partner. This paper highlights the EU's dual role as both a commercial and a normative power and reflects its internal conflict between gaining market shares and exporting democratic principles. This paper contributes to the literature on EU trade policy, the design of PTAs, and democracy within international trade.

I. Introduction

The European Union (EU) is recognized globally not only as a powerful commercial entity but also as a prominent exporter of norms. This dual identity is well displayed in its external trade policies, where economic interests often intersect with ideological goals. This paper delves into this complex and sometimes conflicting role of the EU by focusing on its Preferential Trade Agreements (PTAs). In international political economy, PTAs have been increasingly broadened and deepened over time to include a plethora of trade-related issues, such as health, labour, and the environment. Scholars have also extensively studied the patterns and even effects of the inclusion of these provisions. However, to date, there exists scant literature on select issues. This paper looks in particular at democracy-related provisions in PTAs, and what are the determinants of including these provisions in PTAs. Given the EU's reputation of being a strong norms exporter, this paper examine specifically PTAs signed by the EU, as a most likely case. The main argument is that the EU's promotion of democracy through PTAs is not merely ideological but deeply strategic, with the level of democracy-related provisions being significantly conditioned by economic considerations.

To dissect this intricate relationship, this paper employs a novel measure of democracy-related provisions, which offers a broad understanding of democracy within the ambit of trade, as well as how and why these provisions are incorporated into trade agreements. This innovative metric allows for the exploration of the factors that influence the inclusion of democratic norms in PTAs, bridging the gap between economic interests and democratic values.

The findings reveal a clear pattern: while economic ties, such as high export levels to the EU, consistently enhance the likelihood of including democratic clauses, strategic economic interests of the EU, such as accessing markets of countries rich in critical minerals, can lead to a tempered approach in demanding such provisions. Moreover, the impact of a partner country's GDP suggests that larger economies are more likely to adopt democracy clauses, albeit influenced by their political regimes. Additionally, countries with moderate democratic levels, what I refer to as newly established democracies, are more open to include democracy provisions in PTAs. These findings demonstrate the EU's complex strategy in trade, leveraging various PTA templates to strike a balance between

economic priorities and its commitment to exporting norms, thereby solidifying its role as a conflicted trade power. This paper contributes to the literature on EU trade policy, design of PTAs, and democracy within international trade.

II. Literature Review

Since its establishment, the EU has distinguished itself as a distinct entity in supranational governance, characterized by its unprecedented strides in political, economic, and legal integration among member states.¹ Being the first union of its kind, its unique internal framework reinforces its role as a global leader in international relations, both politically and economically.

Leveraging on the size of its single market, trade policy has been highly important for the EU as a foreign policy tool. Trade policy is not a stand-alone policy tool, but instead permeates into various aspects of external objectives and therefore “contributes to the achievement of the Union’s overall objectives”, as put forth by past Trade Commissioner Pascal Lamy (2002). Meunier and Nicolaidis (2006) have situated trade policy to be at the core of EU’s actual power. On that front, the EU often uses trade for a variety of objectives.

This has led to various characterizations by scholars - as an economic powerhouse, a norms exporter, a civilian power, and as a conflicted entity. These conceptualisations have at times been complementing, and at other times contradictory. For this paper, I will examine the three foremost interpretations of EU’s trade power – as a market force, a civilian power, and as a conflicted power.

Market Power Europe

The 'Market Power Europe' (MPE) argument posits that the strength of the EU primarily stems from its market size (Damro 2012). In short, his main argument is that the EU uses its significant market power to influence global standards by leveraging the attractiveness and regulatory capacity of its market. Indeed, internally, it is highly integrated as a single market economy making it the second-

¹ I use the term EU throughout the paper, notwithstanding the fact that until the signing of the Treaty of Maastricht in 1993, the EU has been called EEC and later EC.

largest economy in the world, with a combined GDP of \$16.75 trillion in 2023 (World Bank 2024). This is further bolstered by the establishment of common economic policies between its 27 Member Countries, and the adoption of the euro as a single currency in most Member Countries. In international trade, the EU is one of the largest global players alongside China and the United States, accounting for 14 per cent of the world's trade in goods (World Bank 2024). The EU is further a top destination and source for foreign direct investment (FDI) with outward-bound investment stocks to the rest of the world amounting to €9,382 billion in 2022 (Eurostat 2023).

The internal framework of the EU feeds into its external economic strength in some aspects. Article 207 of the Treaty on the Functioning of the European Union (TFEU) states that the EU shall have exclusive competence in the common commercial policy, thereby conferring powers to the European Commission (EC) as the key authority to negotiate trade agreements on behalf of the Member States² (Elsig 2002). Negotiating as one bloc on behalf of all Member countries makes the EU a highly powerful and attractive entity to trade with. This economic power translates to the EU's material existence and strong presence on the international level (Allen and Smith 1990). In line with Drezner's argument, the power of the state is determined by market size, which increases the EU's success in advancing its preferences and provides strong incentives for governments to adopt and comply with its regulatory standards (Drezner 2007). How it does this, among other tools, is through its strong bargaining power in trade.

Understanding the importance of the EU's need to be a strong player in international trade would necessitate tracing back to the founding Treaty of the European Union (TEU). It denotes the EU to promote free trade as one of the key guiding principles of the Union's external action. This is evidenced in Article 21.2(e) in the Consolidated version of the Treaty on European Union (2012):

“encourag(e) the integration of all countries into the world economy, including through the progressive abolition of restrictions on international trade”

² Article 207 (Ex Article 133 Tec) of The Treaty On The Functioning Of The European: “The Commission shall conduct these negotiations in consultation with a special committee appointed by the Council to assist the Commission in this task and within the framework of such directives as the Council may issue to it.”

Further, according to MPE, the EU possesses a significant advantage in negotiations of trade agreements with other countries due to the economic allure of its market. The vast and affluent EU market is highly sought after by external countries, who regard entry into this market as a valuable opportunity. This desirability enhances the EU's negotiating leverage, enabling it to dictate more favourable terms in international trade agreements. Moreover, the large market of the EU requires it to have in place a set of regulatory standards defined and maintained by its Member countries and institutions such as the European Commission, the European Parliament, and the European Court of Justice, which are adverse to changing them (Coen and Thatcher 2008; Eberlein and Grande 2005; Eberlein and Newman 2008). Conversely, due to other countries' eagerness to enter the EU market, they are more likely to conform to the regulatory standards established by the EU.

To this end, the EU has also been referred to as a regulatory leader, that pursues and prioritizes its standards through established rules and regulations which then must be adopted by partner countries who want to engage with the EU (Majone 1994). This is widely referred to as the Brussels Effect, which illustrates the EU's unique method of extending its regulatory influence globally without the need for coercive measures. Instead, the sheer size and attractiveness of the EU market compel multinational companies to voluntarily comply with its standards, thereby making these standards *de facto* global norms. Through this mechanism, the EU effectively exports its regulatory policies across various domains, such as data privacy, environmental protection, and labour standards, setting a precedent for global regulatory practices without resorting to traditional forms of power exertion such as military use (Bradford 2012, 2020).

In summary, the sheer scale of the EU's single market, combined with its extensive history and experience in trade of over forty years, and its commitment to the EU's economic guiding principles has galvanized it to be a global actor in the domain of international trade (Baldwin 2006, Meunier and Nicolaidis 2017).

Civilian Power Europe

The broad concept of the EU using non-coercive means to exert power on other countries, however, pre-dates the MPE argument. This notion has enjoyed lively debate since the post-war period, and was first referred to as "Civilian Power Europe" (CPE).

Against the optimistic backdrop of the European Economic Community's (EEC) first enlargement with the United Kingdom, Ireland and Denmark entering the community (Ludlow 2005), François Duchêne introduced the concept of "Civilian Power Europe" in 1973. He emphasized that the strength of the EU (then EEC) is primarily based on its ability to influence global relations and establish norms using non-military methods (Duchêne 1973). According to Duchêne, the EU's power derived from civilian instruments, such as trade agreements, assistance programs, financial aid, and the promotion of democracy and human rights, rather than conventional armed forces. While this reasoning may suggest a liberal perspective of economic interdependence (Keohane and Nye 2012), this branch of civilian power Europe stems rather from a realist perspective. Given the EU does not have, to date, a dedicated army (Parliament 2019), it therefore is incentivised to then alternatively assert itself as a civilian power (Duchêne 1973).

Furthermore, an analysis grounded in rational choice theory provides an underlying framework for the concept of civilian power, positing that states operate as utility maximizers (Tewes 2002). In a climate of increased economic interdependence, states gain more and are more secure when they foster a friendly environment with countries based on mutual interests (Keohane and Nye 2001). In that vein, this explanation fits within the pluralist framework of international relations, which emphasizes the significance of non-state actors, diverse sources of power, and the complex interplay of societal interests in shaping global politics. Similar to Keohane and Nye, other scholars have also further expanded on this notion through their work on complex interdependence, by arguing that state and non-state actors are interconnected and important in various stages of the EU's policy process (Haas 1992; Dür 2008). However, under civilian power Europe, the theory ultimately highlights the roles of

civilian instruments, economic and soft power, to demonstrate that military force is not the only form of power in international relations.

Finally, there is the normative justification underlying civilian power that has gained prominence over time. As a starting point, the idea of the EU as a normative power in Duchêne's account viewed the Community as a pioneering model for civilization at large, and hoped for the EEC to display the influence of "a large political co-operative formed to exert essentially civilian forms of power" (Duchêne 1973). In essence, Duchêne was optimistic about the EU, recognizing it as the world's first supranational entity, and its capacity to project its normative values—what is considered standard within the Union—onto the global stage, which in his words were "that Europe must be a force for the international diffusion of civilian and democratic standards" (Duchêne 1973).

Springboarding off this normative dimension of the EU defined by Duchêne, Manners pioneered the term 'Normative Power Europe', implying the ability of the EU to project its conceptions of "normal" in international relations (Manners 2002). The main point of departure from Duchêne in Manners' contribution is that the former focused on how the EU could be a normative power (primarily through non-coercive methods), while the latter emphasized the *contents* of EU influence, or what it deems "normal" – namely human rights, democracy, and the rule of law (Manners 2002). Manners' main findings elucidate that the EU exercises this normative power by diffusing its fundamental norms and values globally through policies and interactions that extend beyond mere economic leverage. He identified core norms such as peace, liberty, and sustainability alongside the aforementioned human rights, democracy, and the rule of law, which the EU promotes through dialogues, aid, trade agreements, and other external actions. He posits this normative influence is not only a strategic component of EU policy but also a reflection of its identity and internal constitution.

However, the question of what motivates the EU to exert its normative values globally remains. One strong motivation is based on democratic peace theory. Democratic peace theory explains that democracies are less likely to go to war with each other in comparison to autocracies. The formation of the EU after the Cold War led European leaders to seek a new model for inter-state relations that

would prevent future conflicts and ensure perpetual peace. As such, the convening of the Union was rooted in the idea of creating economic interdependence among democratic states (or vice versa), thereby reducing the probability of war between them. This is evidenced in the EU's accession requirements, the Copenhagen criteria established in 1993, which mandate the creation of stable institutions that uphold democracy, the rule of law, human rights, and the protection of minorities, alongside the presence of a competitive market economy³.

The second explanation for the EU as a normative player draws from role theory, which utilises a constructivist approach. Role theory suggests that states, like individuals, occupy specific roles within the international system, which are defined by both their self-perception and the expectations of others (Breuning 2019). These roles are not static but are constructed through social interactions, norms, and expectations, influencing how states perceive their duties, responsibilities, and behaviours on the global stage, and can change over time. In the context of the EU, by exporting and expressing its collective identity embedded in its institutions, guided by its foundational treaties with other countries, it can then be perceived as a normative player globally.

Overall, the central thread linking the explanations for the EU's motivation to act as a norms-exporter ultimately points to the fact that this principle is enshrined in the legal constitution of the EU. In the same founding treaty, Article 21.1 decrees the EU's role as a norms and standards exporter as such:

“The Union's action on the international scene shall be guided by the principles which have inspired its own creation, development and enlargement, and which it seeks to advance in the wider world: democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law.”

³ Article 6(1) of the Treaty of European Union: “Fundamental rights, as guaranteed by the European Convention for the Protection of Human Rights and Fundamental Freedoms and as they result from the constitutional traditions common to the Member States, shall constitute general principles of the Union's law”
<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:12016M006>

Conflicted Power Europe

Within the above-outlined capabilities of the EU, a fundamental tension can be observed. The MPE perspective envisions the EU leveraging its significant market influence to promote free trade across nations by eliminating tariffs and non-tariff barriers. The CPE model, particularly through its normative lens, envisions the EU as exporting its distinct norms—such as human rights, democracy, and the rule of law—to its external relations through trade. In essence, MPE characterises the EU as a power *in* trade, whereas CPE characterises the EU as a power *through* trade.

Moreover, MPE focuses mainly on trade, while CPE focuses on exporting values, namely democracy. This, combined with the regime complex of the EU given its framework of varying institutions governing issue areas (Young 1996; Aggarwal et al. 1998), has led to a new characterization of the EU – that of a conflicted power (Meunier and Nicolaïdis 2006; Young and Peterson 2007).

Firstly, the EU finds itself at a crossroads between its foundational principles. The Treaty of the European Union sets forth a dual mandate – to act as a power in trade, with the aim of abolishing trade barriers and reciprocal market access while at the same time, exporting its single market rules and broader standards such as democracy, development and standardization.

These two goals often contradict each other. The aim of advancing free trade often necessitates engaging with countries and regions where the EU's broader standards and values may not be fully embraced or implemented. For instance, in its pursuit to forge trade agreements that facilitate smoother and more open trade relations, the EU may find itself negotiating with partners who have differing views on human rights, environmental protection, or democratic governance (Meunier and Nicolaïdis 2006). These negotiations can lead to situations where the EU must balance its economic interests with its commitment to promote its normative values.

Overall, as current literature stands, the empirical evidence of the EU's goals in trade and through trade reflects mixed messages. On one hand, it stands to herald itself as a strong economic player to

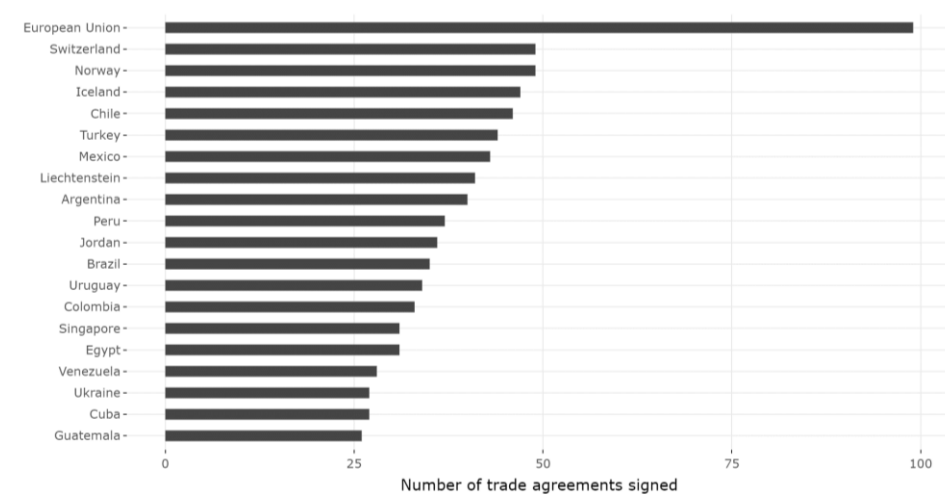
increase its bargaining power to gain access to key markets. On the other hand, it also seeks to give precedence to export its normative values.

Having examined the various powers in trade assumed by the EU, I now turn to how this power is being employed through trade. The EU has also utilised several forums to advance its goals through trade, namely unilateral measures, Generalised Scheme of Preferences (GSPs), and bilateral or multilateral preferential trade agreements (PTAs). For the purposes of this paper, I will focus on the latter.

Since the GATT era, trade agreements were predominantly designed to gain gradual market access and ease trade facilitation by reducing tariff and non-tariff barriers. With the stalemate of the Doha Development Round in 2008, PTAs have been the main forum for countries to advance trade. As a result, trade agreements have progressively broadened to include a wide range of trade-related concerns such as intellectual property, competition, and services (Dür et al. 2014). They also cover non-trade issues (NTIs), which are defined as provisions within PTAs that, while not directly linked to trade, are impacted by trade to various extents (Milewicz et al. 2018; Lechner 2016).

More recently, these agreements have started to integrate areas traditionally considered beyond trade, including health, security, environmental protection, sustainability, labour rights, rule of law, and democracy. These NTIs, once seen as separate from trade, are now often connected to trade policies by numerous governments. An example would be the Biden administration's approach to a 'worker-centric' trade policy (Claussen 2021). Throughout this period, the EU has emerged as a prominent player in PTAs, as evident in Figure 1 below, which shows the EU as the leading entity with the highest number of trade agreements signed.

Figure 1: Top 20 countries/entities with the highest number of PTAs signed (1948 - 2022)



Beyond numbers alone, data examining the design of PTAs shows that EU PTAs have the widest coverage of NTIs in the main text as well as the preamble of these agreements (Lechner 2018).

Concerning democracy-related provisions, in particular, the EU has been historically ahead of the curve since the post-war period. A prime example of this is the signing of accession treaties by prospective EU member states during the largest expansion of the European Union in 2004. At the end of the Cold War, eight post-communist countries and two Mediterranean countries acceded to the EU through bilateral trade agreements. The EU designed these agreements so that financial support for these nations is conditional upon their compliance with the 1993 Copenhagen criteria (Grimm 2019). These criteria set the foundational standards for determining a country's eligibility for EU membership. They mandate the creation of stable institutions that uphold democracy, the rule of law, human rights, and the protection of minorities, alongside the presence of a competitive market economy. To illustrate, the following is an excerpt from the EU-Serbia agreement:

“EU financial assistance is conditional on further progress in satisfying the Copenhagen political criteria”

Here, the Copenhagen political criteria refer to the essential conditions that countries must meet to qualify for EU membership, including stable institutions guaranteeing democracy, the rule of law,

human rights, and respect for and protection of minorities⁴. This is a stellar example of how the EU uses democratic conditionality as a tool in trade agreements to encourage reforms in candidate countries in ways that safeguard the EU's standards and values.

What accounts for this variation in democracy-related provisions? While current literature points to several factors, including geopolitical concerns of the EU, political and economic leverage of the partner countries, and even the ambition of EU institutions, an empirical study on all EU PTAs regarding this question is yet to be conducted. This paper aims to fill this gap by using novel, systematically defined data on democracy-related provisions in PTAs.

III. Conceptual Framework

Using "conflicted power Europe" as a conceptual starting point, my framework identifies two key areas where the EU aims to gain: Market Access Considerations and Norms Promotion. On one hand, factors like market attractiveness, GDP, and strategic resources might drive the EU towards economically motivated PTAs. On the other, the EU strives to maintain its role as a promoter of norms through trade. Balancing these economic and normative goals is challenging, particularly when dealing with regions that have differing political and economic systems. This balance is fraught with tensions, as the pursuit of economic interests may lead the EU to engage with regimes that clash with European values, potentially compromising its integrity as a norms promoter and thus, emerging as a conflicted power,

Firstly, under Market Access Considerations, I explore three key factors critical for the EU to uphold its status as a potent economic force. These include the market attractiveness, the robustness of its GDP, and the availability of strategic materials in the partner country. Firstly, on import-competing and export-oriented groups, there exists established literature on the varying priorities. Import-competing countries are typically protective of their domestic industries, employing barriers such as tariffs, quotas, and subsidies to shield these sectors from global competition. When engaging in trade negotiations with the EU, these countries are more likely to exhibit a cautious approach, aiming to

⁴ Europa.eu. "Accession Criteria (Copenhagen Criteria) - EUR-Lex," 1993. <https://eur-lex.europa.eu/EN/legal-content/glossary/accession-criteria-copenhagen-criteria.html>.

protect vulnerable industries from being overwhelmed by European goods. Such countries might be resistant to extensive liberalization commitments that could expose their domestic markets to EU competition. Regarding democracy-related provisions, if these provisions are perceived as non-intrusive or if they are coupled with economic incentives such as development aid or improved access to the EU market, such countries might be more receptive. However, if democracy clauses are seen as a threat to national sovereignty or as a pretext for imposing external values, the resistance could be significant.

Conversely, export-oriented countries typically advocate for lower barriers to trade and greater market access, as their economic growth strategies rely heavily on exporting goods and services. In negotiations with the EU, these countries are generally more favourable towards trade liberalization, seeking to reduce tariffs and expand their access to the vast EU market. This alignment with free-trade principles makes export-oriented countries more likely to be open to including democracy-related provisions in trade agreements. For these nations, aligning with EU standards on governance, rule of law, and human rights can not only facilitate smoother trade relations but also enhance their international image.

In summary, while export-oriented countries are generally more amenable to both trade liberalization and democracy-related provisions due to their outward-looking economic strategies, import-competing countries may show hesitancy unless they perceive clear benefits or face significant economic pressures.

Based on this, I formulate my first hypothesis as such:

H1: The EU is more likely to include democracy-related provisions in PTAs when negotiating with countries with more export-oriented economies.

Beyond the distinction between import-competing and export-oriented partners, the EU's strategic need for critical minerals introduces another complex dimension to its approach to trade agreements. Critical minerals, essential for key industries such as technology, renewable energy, and defence within the EU, often originate from geopolitically sensitive regions or countries where the EU has

limited influence. This dependency on critical minerals significantly affects the EU's negotiation strategies and consequently, the incorporation of democracy-related provisions in PTAs.

The main conflict here lies in the tendency for these minerals to be usually sourced from countries that may not meet the EU's standards for democracy, human rights, or governance. This presents a conflict between the EU's economic imperatives and its normative goals. When negotiating PTAs with countries rich in these minerals, the EU may face trade-offs between securing stable and ethical supply chains and pushing for stringent democratic reforms. In some cases, the urgency to secure access to these resources might lead the EU to prioritize economic agreements over normative demands, potentially diluting the democracy-related provisions.

Moreover, the presence of critical minerals can sometimes coincide with the 'resource curse,' where countries rich in resources face significant governance challenges. This adds another layer of complexity to the EU's approach, as it seeks to balance the need for these materials with the desire to promote sustainable and democratic practices in resource-rich countries. The EU's strategy often involves crafting PTAs that attempt to encourage better governance practices through conditional engagements and incentives tied to the adherence to democratic norms. Additionally, within EU institutions itself, there tends to be higher public scrutiny when dealing with less democratic countries, which might increase incentives of the European Commission, the main legislation drafter, to ensure that these trade agreements insist on maintaining a transparent approach in trade.

All else being equal, I argue that the EU is more likely to make concessions on the strictness of democracy-related provisions in trade agreements with countries that are rich in critical minerals, especially when these minerals are essential for industries like technology, renewable energy, and defence. These concessions are driven by the strategic need to secure stable supply chains for these resources, often leading to trade-offs between economic imperatives and the EU's normative goals of promoting democracy and good governance. In the instances where democracy-related provisions are included in PTAs with these countries, I anticipate that these would be weakly designed and a form of appeasement to the EU constituencies.

H2: The EU is less likely to include democracy-related provisions in PTAs with countries that have critical minerals the EU has identified as strategic to their interests.

Moving onto the effects of GDP, this measure has been used extensively in international political economy literature as a proxy for bargaining power (Stiller 2023; . A partner country with a higher GDP suggests that it has a larger, more lucrative market, which could offer substantial economic benefits to the EU. This economic potential may increase the partner country's bargaining power in negotiations. When a country possesses significant market power, it can resist external pressures to adopt stringent democracy-related provisions if these are perceived as contrary to its national interests or sovereignty. Conversely, the EU may also be more willing to push for these provisions if it views the economic relationship as sufficiently beneficial to warrant a firm stance on democratic norms.

The economic strength of a partner country can make it a more strategic partner for the EU. In cases where a partner country's GDP signifies substantial economic influence, the EU might prioritize maintaining a stable and beneficial relationship. This could lead to a more cautious approach in pressing for democracy-related provisions, particularly if such demands risk straining diplomatic or economic ties. The EU might opt for softer, more gradual approaches to democracy promotion, focusing on long-term engagement rather than immediate compliance.

Economically stable countries with strong GDPs might already have more robust institutions and governance structures, which can facilitate the implementation of democracy-related provisions. In these contexts, the EU might find it easier to include and enforce such provisions within trade agreements. The rationale is that economically stable countries are better equipped to absorb the impacts of reforms and are more likely to see the mutual benefits of adhering to democratic norms as stipulated by the EU.

For countries with lower GDPs, the EU might use democracy-related provisions as part of an incentive structure within trade agreements. This could include linking economic aid, investment, or enhanced market access to the adoption of specific democratic reforms. In these scenarios, the EU

leverages its economic might to promote democratic changes, utilising the economic aspirations of the partner country to drive compliance with democratic norms.

H3: The EU is more likely to include democracy-related provisions with countries with high GDP.

However, one main caveat concerning these three Market Access Considerations is the regime type of the partner country. On the effect of regime types, this paper conceptualizes the political systems of partner countries into three categories: autocracies, newly established democracies, and established democracies. Each category presents unique challenges and opportunities for the EU's trade and foreign policy strategies, particularly in how democracy-related clauses are integrated and prioritized in trade agreements.

Autocracies represent regimes where power is typically concentrated in the hands of a few, often at the expense of democratic governance and civil liberties. The inclusion of democracy-related provisions in PTAs with autocratic countries is likely complicated by these regimes' inherent resistance to changes that could destabilize their control. Given their centralized power structures and limited democratic governance, these regimes typically exhibit a low intrinsic motivation to adopt reforms that could potentially destabilize existing power dynamics. Consequently, the EU's strategy might involve a cautious incorporation of democracy clauses, potentially linked with substantial economic incentives that are appealing to autocratic leaders. However, the EU could also employ strategic sequencing in these agreements, introducing less politically sensitive provisions initially and gradually escalating to more comprehensive governance reforms, thereby avoiding immediate resistance and fostering gradual political change (Castle 2022).

Conversely, newly established democracies are characterized by their recent transition from autocratic rule to democratic governance, which makes them more receptive to international support in consolidating their democratic institutions. This receptivity provides the EU with an opportunity to include supportive democracy-related provisions that are more directly aimed at strengthening institutional resilience, promoting rule of law, and ensuring governmental transparency. These

provisions are often supplemented with EU initiatives that provide technical assistance and capacity building, crucial for the effective implementation and sustainability of democratic reforms. Therefore, PTAs with these countries are not merely trade agreements but also function as tools for democratic consolidation.

Established democracies share a common ground with the EU in terms of their long-standing democratic institutions and governance practices. In this context, PTAs are less about enforcing democratic norms and more about enhancing cooperation, mutual recognition of regulatory frameworks, and addressing global challenges collaboratively. The role of diffusion effects is particularly prominent in agreements with these countries, as established democracies can influence non-democratic or transitional regimes through example and through the interconnectedness facilitated by global trade networks.

Hence, the hypothesis follows that the EU's approach to incorporating democracy-related provisions in PTAs varies significantly across different regime types. While autocracies may require a gradual and strategically sequenced introduction of such provisions, newly established democracies might benefit from more direct and supportive measures. In contrast, established democracies likely engage in deeper cooperative endeavours that promote democratic norms indirectly through enhanced economic and regulatory integration.

IV. Research Design

The analysis examines the commitments in democracy-related provisions that governments have made in a sample of 112 PTAs signed with the EU. The unit of analysis is the PTA-dyad, formed by pairing the signatories of each agreement, with the EU being one observation for each PTA given that it negotiates trade agreements as a bloc. The sample consists of directed dyads, making a distinction in the direction of trade among the countries, with the partner country as the main point of interest for the regression analysis.

Dependent variable: Democracy-related provisions

The analysis utilizes an original dataset to measure democracy-related provisions within PTAs as its dependent variable. To develop this measure, we used a mix of manual coding and machine learning methods. Firstly, a representative subset of 80 PTAs, spanning from 1957 to 2023, was selected and meticulously coded by two researchers using a detailed codebook covering 90 variables across six categories. After reaching a consensus on the manual coding to ensure consistency, the texts of all 815 PTAs were pre-processed by removing numbers, common stopwords and punctuation, and was used to train a Word2Vec Skipgram model to generate word embeddings. The choice of the Skipgram model is mainly because of its proficiency in capturing contextual word relationships within large text corpora, which is vital for decoding the complex language present in legal documents.

The Skipgram model is particularly adept at detecting nuanced semantic differences and syntactic relationships between words, crucial for legal texts where specific terms carry significant implications. This capability allows the model to recognize thematic connections between words that may not be immediately adjacent but share contextual similarities, thus enhancing the analysis of PTAs' content. To illustrate, below is the model's output of the five most similar words it identified to "democracy":

Table 1: Most similar words to Democracy identified by the Word2Vec model

Word	Similarity Score Output from Word2Vec
democratic	0.92
freedoms	0.85
liberties	0.82
multiparty	0.81
dignity	0.81
pluralistic	0.80

Beyond capturing word relationships, the Skipgram model's robust handling of large vocabularies ensures it performs effectively across diverse and extensive text data, making it suitable for the

longitudinal scope of our dataset. The embeddings generated from this model not only facilitate a deeper understanding of how democracy-related terms cluster and vary but also support subsequent analytical methods.

After generating word embeddings, each coded PTA has now been assigned a document vector based on the words it contains. The next step involves using this to predict scores for the remaining uncoded PTAs. For this, the manually coded scores from the 80 PTAs were transformed into a Rasch index for each of the six categories and for the entire agreement. These scores were then converted into binary indices, where scores from 0 to 0.5 were labelled as '0' and scores from 0.5 to 1 as '1'. This transformation was used for two reasons. Firstly, this analysis requires a stringent measure of democracy. Secondly, from the validation results, this transformation produced the best results, with an accuracy score of 89 percent between the training and test data sets.

For predictive modelling of the remaining uncoded PTAs, I employed the Gradient Boosting Classifier. The rationale behind choosing this particular machine learning technique is due to its strength in handling complex, non-linear relationships within the data through an ensemble approach. Gradient Boosting builds multiple predictive models sequentially, where each new model corrects errors made by the previous ones, effectively enhancing the accuracy and robustness of predictions. This technique is particularly beneficial in our context as it allows for the precise classification of PTAs into categories of democracy-related provisions based on learned patterns.

Using the Gradient Boosting Classifier, I predicted the democracy-related provision scores for all 815 PTAs. This comprehensive dataset now encapsulates a robust picture of how democracy-related provisions have been integrated across international trade agreements from 1957 to 2023.

On the theoretical basis of this variable, we identified democracy-related provisions into six types of categories. This is in line with the view that, in the context of PTAs, a substantive conceptualization of democracy is appropriate to understand the full range of democracy-related provisions states are likely to include. Hence, democracy-related provisions fall into the following six categories: general objectives, democracy promotion, individual rights, transparency, inclusiveness, and policy space.

These categories pay attention to provisions that may affect democracies both directly and immediately but also indirectly and in the long term. These categories are outlined briefly in Table 1 below.

Table 2: Categories of Democracy-Related Provisions in PTAs

Category	Focus
Preamble/ General Objectives	Mentions of democracy-related issues in the agreement's main objectives
Democracy Promotion	Explicit mechanisms within the PTA aimed specifically at supporting and enhancing democratic processes among members
Individual Rights	Commitments to safeguarding various civil, political and social rights
Stakeholder Participation	Mechanisms for stakeholder participation in trade policy processes
Transparency	Provisions aimed at ensuring open and informed trade policy deliberation and implementation
Policy Space	Preservation of domestic policy-making autonomy in selected areas in the face of international commitments

Independent variables

Economic Variables – Exports and GDP

I chose two economic variables that relate to Hypotheses 1 and 3 in my conceptual framework. Firstly, as a proxy for whether the country is more export-oriented, I took the Exports as a Percentage of GDP variable from the World Bank. This reflects the total value of an EU partner country's exports divided by its GDP, transformed into a percentage. It shows the proportion of a country's economic output that is exported to other countries. A higher percentage indicates a more export-oriented economy, relying heavily on foreign markets for selling its goods and services. This variable helps test this hypothesis of whether countries with a higher dependence on exports are more likely to accept democracy-related provisions in their trade agreements with the EU.

Secondly, also from World Bank data, I took the GDP value in current US dollars, which represents the total monetary or market value of all the finished goods and services produced within an EU partner country's borders at the time of signing the PTA. This is a broad and widely used measure of overall domestic production and a key indicator of a country's economic size, which translates to a proxy of bargaining power wielded by the partner country when entering a trade agreement with the EU.

Strategic Critical Minerals

To assess the strategic importance of critical minerals, I developed two dummy variables based on the European Union's 2023 report, "Study on the Critical Raw Materials for the EU⁵." Annex I of this report identifies the critical raw minerals essential to the EU, and it also lists the main global producers of these minerals, along with the countries from which the EU primarily imports them. From this information, I formulated two variables – one indicating whether a partner country is a major global producer of any critical mineral deemed strategic by the EU, and another indicating whether the EU sources any critical minerals from that partner country.

Lastly, I incorporated several control variables from the CEPII dataset to refine our understanding of the impacts of key interest variables.

Regime Type

For regime type, I used the v2x_libdem variable from the V-Dem dataset. This variable is widely used as a proxy for regime type, and focuses specifically on measuring "liberal democracy," which encompasses both electoral democracy and liberal principles fundamental to democratic governance, such as the protection of individual and minority rights, adherence to the rule of law, and the existence of effective checks and balances, attributing a wider definition of democracy apart from free and fair elections which is in line with the characterisation of democracy in this paper as well.

Models

⁵ European Commission, Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs, Grohol, M., Veeh, C., Study on the critical raw materials for the EU 2023 – Final report, Publications Office of the European Union, 2023, <https://data.europa.eu/doi/10.2873/725585>

For my analysis, I employed three distinct regression models to examine the determinants of democracy provisions within EU PTAs. The first is a baseline regression that includes key economic and strategic variables of interest mentioned above.

The second model builds upon the first by introducing an interaction term between the logarithm of the partner country's GDP and its regime type. This interaction allows for a nuanced examination of how the relationship between economic size and the inclusion of democracy provisions varies depending on the political regime of the partner country. Additionally, it retains the economic and geopolitical variables from the baseline model to ensure a comprehensive analysis of the determinants of democracy provisions within PTAs.

The third model further extends the analysis by introducing an interaction term between global producer status of critical minerals and the regime type of the partner country. This interaction term captures the strategic considerations involved in trade negotiations, particularly how the EU's insistence on democracy provisions may be moderated when dealing with democratic, mineral-rich countries. Like the previous models, it retains the core economic, geopolitical, and institutional variables to provide a robust examination of the factors shaping the inclusion of democracy provisions in PTAs involving the EU.

V. Findings

Table 3: Regression results of Determinants of Democracy Provisions in EU PTAs

	<i>Dependent variable:</i>		
	Democracy Provisions in PTAs		
	(1)	(2)	(3)
Log_GDP_of_Partner_Country	0.068 (0.047)	0.218*** (0.081)	0.088* (0.048)
Log_Exports_of_Partner_Country	1.026*** (0.219)	0.874*** (0.226)	0.944*** (0.222)
`EU Source Country CRMs`	-0.018 (0.183)	-0.028 (0.180)	-0.227 (0.217)
`Global Producer CRMs`	0.105 (0.164)	0.138 (0.161)	0.659* (0.356)
`Regime Type`	0.333 (0.314)	8.137** (3.490)	0.869** (0.437)
`Accession Agreement`	-0.179 (0.146)	-0.222 (0.144)	-0.120 (0.148)
`Former Colony of an EU Country`	-0.073 (0.363)	0.058 (0.361)	-0.010 (0.361)
Log_Distance	0.099 (0.076)	0.137* (0.076)	0.105 (0.075)
Log_GDP_of_Partner_Country: `Regime Type`		-0.321** (0.143)	
`Global Producer CRMs`: `Regime Type`			-0.957* (0.547)
Constant	-7.954*** (0.994)	-11.242*** (1.760)	-8.363*** (1.012)
Observations	112	112	112
R ²	0.394	0.423	0.412
Adjusted R ²	0.347	0.372	0.360
Residual Std. Error	0.601 (df = 103)	0.589 (df = 102)	0.595 (df = 102)
F Statistic	8.378*** (df = 8; 103)	8.299*** (df = 9; 102)	7.937*** (df = 9; 102)

Note:

*p<0.1; **p<0.05; ***p<0.01

Across the three models, the strongest and most consistent result is observed with respect to the effect of export percentages of the partner country. For every unit increase in the logarithm of exports from a partner country, the likelihood of including democracy-related provisions in PTAs with the EU increases significantly at the 1 percent level across all models. This finding suggests that countries with higher export levels to the EU market are more likely to adopt democratic clauses, supporting the

hypothesis that export-oriented economies are aligned with EU democratic standards, which can facilitate trade and possibly enhance governance quality and international image.

The relationship between the EU's strategic need for critical minerals and its democratic aspirations is presents a more complex picture. Although being a global producer of CRMs does not show a significant negative main effect, the interaction term in Model 3 between global producer of CRMs and regime type presents a significant negative coefficient. This indicates that for more democratic global producers, the positive impact of being a critical mineral supplier on the inclusion of democracy provisions is reduced, reflecting the EU's strategic adjustments in trade negotiations. This provides support for hypothesis 2, by suggesting that the EU may strategically moderate its democracy-related demands in negotiations with democratic, mineral-rich countries, possibly to maintain favourable relations and secure essential resources.

The partner country's GDP impact on the inclusion of democracy provisions shows varied results. While the main effects in Models 1 and 3 show a positive trend, only the coefficient in Model 3 is significant at the 10 percent, suggesting a mild encouragement for democracy provisions with larger economies. However, the interaction in Model 2 between GDP and regime type of the partner country shows that an increase in GDP coupled with democratic governance diminishes the likelihood of democracy provisions by 0.321 units at the 5 percent significance level. This illustrates that while economic size generally encourages the inclusion of democracy clauses, this effect is contingent on the political regime of the trade partner.

These findings imply that the EU's inclusion of democracy provisions in PTAs is a strategic decision influenced by a complex array of factors. While economic interests, particularly exports, play a crucial role, political considerations and the specific characteristics of trade partners, such as their regime type and resource endowments, significantly shape the EU's approach. This strategic complexity highlights the EU's balancing act between promoting democratic values and pursuing economic and geopolitical interests.

VI. Conclusions

Overall, this paper illuminates the intricate interplay between the EU's trade priorities and its promotion of democratic norms through PTAs. Against the backdrop of the evolving landscape of international trade, characterized by the increasing integration of non-trade issues within PTAs, this study delves into the multifaceted nature of the EU's external trade relations.

As an international trade forum, PTAs by large have expanded beyond traditional trade issues to encompass a wide array of non-trade matters, including environmental protection, labour standards, and human rights. This paper sought to shed light on an overlooked area of non-trade issues – democracy in trade, where economic interests could potentially intersect with ideological goals. Through the various characterizations of EU power in trade, this paper highlights the inherent tension of the EU in grappling with the dual identity of being a formidable commercial entity and an influential exporter of norms.

This paper employs an innovative measure to analyse what factors determine the level of democracy-related provisions included in EU PTAs. The findings underscore the significant influence of economic factors, such as high export levels and strategic mineral dependencies, on the inclusion of democracy clauses. However, they also reveal more nuanced dynamics at play, wherein the EU's pursuit of economic interests sometimes leads to a tempered approach in demanding democracy-related provisions, especially in negotiations with mineral-rich, democratic countries.

This strategic complexity underscores the EU's role as a conflicted trade power, where it must balance its economic imperatives with its commitment to promoting democratic values. Against the backdrop of rising geopolitical tensions and expanding into trade partners with varying regime types, the EU navigates a delicate path, leveraging PTAs as instruments for both economic gain and normative export.

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