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Brexit and the External Trade Policy of the EU

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Abstract: Brexit is a huge challenge with enormous consequences for future UK trade policy. But it will also have an impact on the common external trade policy of the EU, and, thus, on one of the core components of EU foreign policy. This contribution analyses Britain's role in the formulation of EU trade policy and the likely repercussions of its departure, particularly regarding the effectiveness of the EU as trade negotiator and the preferences it represents internationally. I use three theoretical lenses to address these questions: the first lens focuses on likely changes in the material power and interests of the EU; the second looks at the institutional consequences of Brexit for the formulation of EU foreign trade policy, and the third addresses potential changes in external perceptions of the EU as a trade power. It will be argued that neither the effectiveness of the EU as global trade power, nor the substance of its interests, will change substantially.

Keywords: Brexit, European Parliament, European Union, Trade Policy

Introduction¹

Foreign trade is an exclusive competence of the EU. The Commission manages Europe's relations with trading partners in close consultation with the Council and the European Parliament, as set out in Art. 207 of the TEU. This is an enormous responsibility. The EU is arguably the biggest trading power in the world and it manages an unrivalled, extremely dense network of preferential trade agreements. Currently, the EU has customs unions, free trade agreements (FTAs), and partnership agreements with more than 80 states that are either completely or partly in place. Another nine agreements have been concluded and are awaiting ratification, including the FTA with Japan, to date the largest FTA ever, and, most recently with MERCOSUR (Brazil, Argentina, Paraguay, Uruguay). In addition, the EU is currently negotiating trade agreements with another 20 countries.²

In the past fifteen years, research has fully acknowledged the importance of the EU as a trading power. There is now a vibrant community of researchers dealing

1 The author acknowledges the very useful comments of two anonymous reviewers and of participants in a panel on the consequences of Brexit for EU foreign policies at the UACES Annual Conference at Bath in September 2018.

2 For current data see: <http://ec.europa.eu/trade/policy/countries-and-regions/negotiations-and-agreements/> (last accessed on 15 June 2019).

with questions such as the coherence of EU trade policy (both in itself and with respect to other policy fields), the power and effectiveness of the EU in international negotiations, the influence exerted by different actors, such as economic lobbies, parliaments or NGOs, the democratic governance of trade policy, and the causes of grassroots contestation of EU trade policy (for recent overviews: de Bièvre/Gstöhl 2018; Poletti/de Bièvre 2013). What has received less attention until now is the role of the member states (for exceptions, see Adriaensen 2016 and van Loon 2019). This is probably due to the supranational character of EU trade policy which gives it a state-like character and makes autonomous national trade policies practically impossible. This neglect of member state's positions might also result from the limited visibility of explicit disagreements between them, and with the Commission. In fact, ever since the famous French attack against the results achieved by EU trade negotiators in the multilateral Uruguay Round negotiations (1986–94), the Commission has been careful to stay within the mandates established by the member states (Meunier 2005). In recent years, it has also taken care to keep the European Parliament (EP) fully informed and supportive of its strategy. Since the Lisbon treaty, the Parliament has evolved from being a mere political factor to an institutional veto player in trade policy and has become the object of a lot of recent research work on EU trade (for example, Rosén 2017, 2018; van den Putte *et al.*, 2015).

Accordingly, there are almost no systematic studies on how single member states shape EU trade policy (for exceptions, see Bollen *et al.*, 2016; Falke 2005). This makes it quite a challenge to assess what Brexit will mean for future trade policies in Europe. It is obvious that leaving the single market will be a huge challenge for Britain's external trade. This fact has sparked numerous, extremely diverse, evaluations by think-tanks and research institutes that range from enthusiastic expectations that a traditional trade power will be restored to its former glory as soon as the yoke of common EU policies will be shed, to dramatic predictions of decline once Britain stands alone (Dhingra *et al.*, 2016: Institute for Government 2017; Stewart and Monteith 2016).

But does it matter for EU external trade policies that Britain leaves? How will this affect the EU's bargaining power in the international arena? How will the preferences change that are represented by the EU internationally? Both questions are necessarily speculative. Obviously, much will depend on the final shape of EU–UK relations once Brexit has been achieved in one form or another. But, thinking about the questions outlined above might alert scholars to issues in EU foreign trade policy, that have until now been rather neglected by research, particularly the nature and extent of member state influence. The article sets up a template for researching this issue.

I use three theoretical lenses that are derived from major approaches to EU external policies to tackle the topic. First, and most obviously, I will look at changes in the material power and interests of EU trade policy that will most likely result from Britain's departure. This will be done mainly on the basis of a quantitative analysis of trade patterns. Second, I will use an institutionalist lens, drawing on the rich literature on EU trade policy that has emerged over the past 15 years. Looking at the dynamics of decision-making in EU institutions will allow me to address whether the internal cohesiveness of EU policies will be affected, whether after Brexit some interests will not be represented as prominently in EU trade policy as before, and whether the EU as a whole will become more protectionist. Third, I will analyse

the perceptions of outsiders and their reaction to Brexit with respect to EU trade policy. Will they perceive trade agreements with the EU as less desirable, and will their negotiating stances be affected? The assessment will be based on an analysis of statements of third countries regarding the status of the EU as trading power after Brexit.

The research presented here is certainly not conclusive and exhaustive. Other dimensions of this issue will have to be studied before a comprehensive picture can emerge (see, in particular, de Ville and Siles-Brügge 2019). In addition, Brexit is a moving target and many of the dimensions discussed in this article will be influenced by the future settlement between the EU and Britain. However, evaluating material power and interests, institutional changes, and external perceptions of the impact of Brexit on EU trade policy permits a first in-depth take on an issue that will be a core issue in overall future EU international relations.

Researching the Impact of Brexit on EU Foreign Trade Policy

Research has just begun to investigate the potential impact of Brexit on future EU foreign policies (Bulmer and Quaglia 2018). Most of this work concentrates on the consequences for European defence cooperation (e.g. Koenig 2016). However, one of the most significant areas to be potentially transformed by Britain's departure is trade. Changes in this area will basically have two dimensions. First, when Britain leaves, the content of EU trade policies might change. Several authors, for example, expect that the departure of such a large member state, with a long-established image as a free trading nation, will make EU external economic policies more inward looking (Gstöhl/de Bièvre 2018: 208; Henig 2019a: 15–17). In effect, most of the press coverage and the policy papers mentioning this topic share this expectation. The second dimension refers to the leverage of the EU to pursue its preferences on the international stage. Will the EU be decisively weakened by the absence one of its biggest member states and thus less effective as external trade power?

Both the content of EU preferences (and how they emerge), as well as the external effectiveness of the EU in trade negotiations have been key themes in the literature on EU foreign trade. Studies, focusing on the external effectiveness³ of EU trade policy have used several concepts to address this question. Power-based arguments in a realist tradition have measured the material capabilities of the EU, in particular its capacity to leverage its huge market (Damro 2012; Meissner 2018; Meunier/Nicolaidis 2006: 908). Preferences in this perspective are derived from material interests, such as geopolitical influence or relative commercial gains.

Much research has also focused on whether the EU actually succeeds in converting its potential power into leverage. Given the peculiar institutional set-up of EU trade policy, the core question became in what respect more or less cohesion would have an impact on external effectiveness (Meunier 2000, 2005). Early research, as well as many officials and commentators, assumed that the EU needed to stand united to pull its full weight on the international stage. More recently,

3 We define external effectiveness here as the ability to successfully pursue one's objectives by influencing other international actors; see: Da Conceição-Heldt and Meunier, 2014: 968)

however, this straightforward argument has been qualified. The authors of a recent special issue on trade policy argued that internal cohesion is a bargaining advantage if the EU holds a defensive position since other countries cannot employ a strategy of *divide et impera* (Da Conceição-Heldt and Meunier 2014: 974). On the other hand, the “paradox of weakness” (Schelling 1960; de Bièvre 2018: 79) suggests that an internally divided EU might be especially effective in representing its offensive interests since it can argue that its small win-set requires concessions by trading partners to enhance the chances of ratification. If Britain frequently held (either on its own or as member of a group of countries) positions that strongly diverged from the median of all member state preferences, it is likely that, all things equal, the EU was a more assertive negotiator with Britain as member since it was more difficult to forge consensus at home. Conversely, without Britain, the EU position would be more open to compromise. These mechanisms can be illustrated using the case of the never-ending EU–India FTA negotiations in which the UK pushed some demands that diverged from the rest of the EU. Britain, for example, wanted restrictions on the free movement of people (mainly IT specialists); this became a major hurdle in the talks (Henig 2018: 4; Burchard 2018). It also asked for a reduction of tariffs on Scotch whisky, given that India is its largest market (*Guardian* 2017). Regarding the case of skilled Indian workers, a defensive position, the EU’s internal cohesion would be strengthened without Britain. Regarding the whisky problem, the “paradox of weakness” would suggest that the EU will lose one argument to drive a hard bargain. Overall, however, the chances of an agreement will rise, even if it contains less provisions that are advantageous to the EU.

Effects such as these make it important to investigate whether the United Kingdom systematically diverged from EU positions, or whether the EU–India talks were an exception. This analysis will be undertaken in para. 4.

Finally, external effectiveness is also a function of how strong the counterparts are and of their perception of the EU. Negotiation theory has made substantial use of the concept of BATNA (Best Alternative to Negotiated Agreement; see e.g. Odell and Tingley 2013). The more alternatives a negotiator has, the less it needs to concede to demands by its negotiating partners. This suggests the following question: Will Brexit enhance the BATNA of the EU’s trading partners, by lessening their dependence on the EU and giving them a larger range of options? Hypothetically, third countries might consider the UK – at least to a certain extent and on some issues – as an alternative to a deal with an assertive EU. This question will be addressed in section 5 which looks at perceptions of third countries about the consequences of Brexit on their trade relations with Europe and provide an assessment whether, in this respect, their BATNA will improve after Brexit.

In addition to the question of effectiveness the analysis will also assess potential changes in the preferences the EU will represent abroad. A comprehensive evaluation across economic sectors would require a much more fine-grained analysis than is possible for this article. I will focus therefore broadly on the general question of whether the EU will become more protectionist without the United Kingdom.

Brexit, EU Market Power and Preferences in Global Trade Negotiations

One of the most obvious consequences of Brexit will be the reduction of the sheer economic weight the European Union is able to deploy in international trade negotiations, both as importer and exporter. Thus, the “market power” (Damro 2012) represented by the EU might just shrink correspondingly (de Bièvre/Gstöhl 2018: 7). The following table illustrates the UKs share in EU external trade in the past ten years.

Table 1. UK Share of EU Foreign Trade (Own compilation; Source: Eurostat)

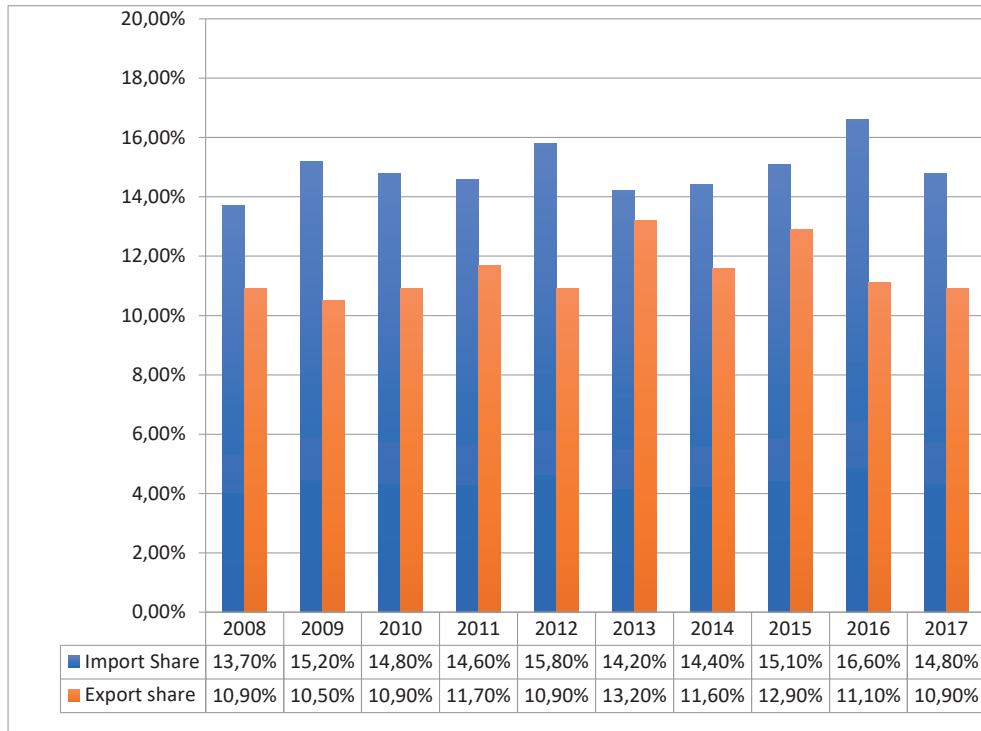


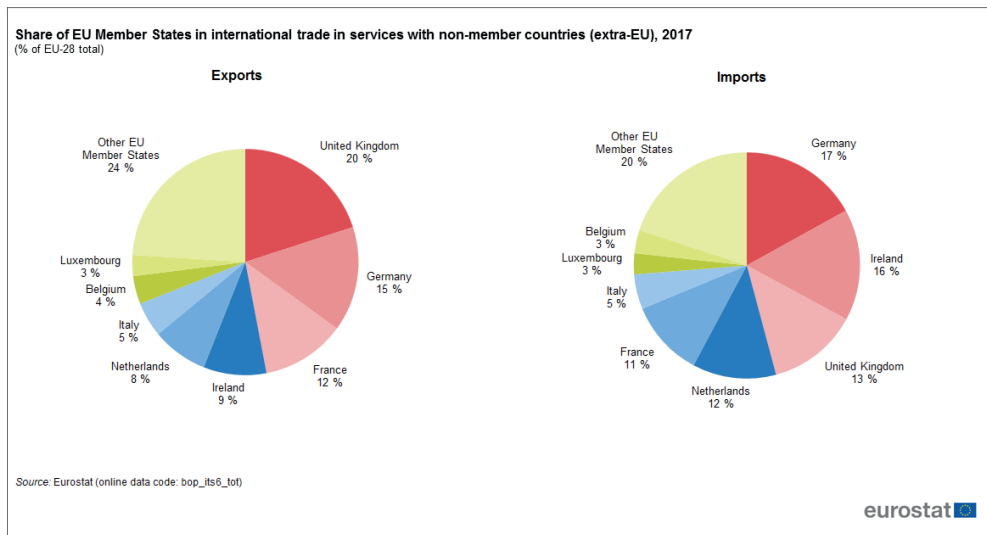
Table 1 shows that Britain accounted for a stable share of about one tenth of EU exports and a slightly higher share of its imports. Overall, the EU will become a less attractive market, and, in addition, it will be faced with a quite substantial competitor in its neighbourhood. However, sheer trade volumes cannot be translated directly into political weight. Incentives for foreign companies to access the EU’s single market will remain very high: even without Britain, the EU remains an economic giant in most conceivable negotiations and much larger than its counterparts.

To get a more fine-grained picture, it is necessary to look at the components of the UK share in EU external trade. The EU might lose some bargaining power in those areas in which Britain is strong, and it might also shift its preferences accordingly. One of the most important elements of British trade – and over-proportionally so with respect to its share in overall EU trade – is trade in services. Here, the UK

accounts for one-fifth of total EU exports. Services include financial and business services, which grew particularly fast until the financial crisis and since 2012, as well as transport, travel, insurances etc., they amount to almost half of all UK exports.

The largest component is financial services, almost £20bn in 2017, services between related enterprises and business management/consulting (Office for National Statistics 2019). Since the mid-1990s, the UK has recorded an increasing surplus in trade in services (2017: £83.4bn; equivalent to 4.7% of nominal GDP) which is mirrored by an increasing deficit in trade in goods, which in 2017 amounted to £25.9bn: 6.9% GDP) (Office for National Statistics 2017).

Table 2. EU MS import and export shares in service sector



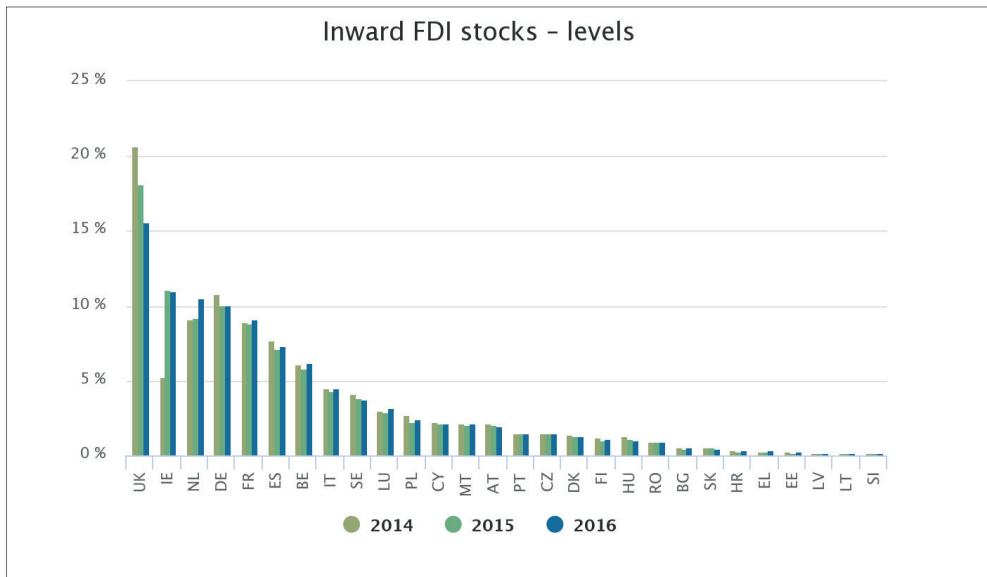
Source: [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=File:Share_of_EU_Member_States_in_international_trade_in_services_with_non-member_countries_\(extra-EU\),_2017_\(%25_of_EU-28_total\).png#file](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=File:Share_of_EU_Member_States_in_international_trade_in_services_with_non-member_countries_(extra-EU),_2017_(%25_of_EU-28_total).png#file) (last accessed 12 June 2019)

However, a substantial amount of the services surplus might have been related to the fact that Britain is an attractive location for providers serving large manufacturing firms located in the EU (Borchert 2016: 4). Since the UK was also one of the strongest – if not the strongest – supporter of greater liberalisation of trade in services, it is quite reasonable to expect that the EU position will become more restrictive in this area. All recent trade agreements the EU concluded also include a services component. It is thus likely that the EU will put less emphasis on services liberalisation, especially in the field of finance. However, this depends on the shape of an eventual UK–EU deal. The UK will lose access to pre-existing EU external agreements and it will need to negotiate its own deals. This task will become considerably harder if the Brexit deal causes the UK to lose passporting rights for its services in the EU. If that happens, and also in case of a prolonged situation of uncertainty, there are strong incentives for service providers to relocate inside the single market. However, in the likely event that a Brexit deal would continue to allow British services privileged

access to the Continent, EU trade negotiators will essentially negotiate in the name of Britain, too. Their bargaining leverage would not suffer to a great extent.

The same is true for Foreign Direct Investment (FDI). The following chart shows that the UK is the most attractive target country for FDI in the EU, indicating the attractiveness and the level of openness of the British economy. In 2015 inward FDI stocks were equivalent to 45% of GDP in 2015, a proportion substantially higher than those in other OECD countries.⁴ The chart also demonstrates that the British share in total inward FDI in the EU has declined over the past three years, probably indicating the effects of Brexit. This is confirmed by a recent article in the *Financial Times* which showed that the total amount of capital invested in the EU27 strongly rose, that is, by “43 per cent in the three years to the first quarter of 2019, compared with the preceding three years” (*Financial Times* 2019). In the same period investment in the UK dropped by 30 per cent, making it the only country in the EU to experience such a pronounced downward trend. As data from the UK Department of International Trade shows, the number of FDI projects in the UK dropped from a high of 2265 in 2016/17 to 1782 in just two years (Department of International Trade 2019).

Figure 1. Inward FDI stocks



Source: ec.europa.eu/internal_market/scoreboard/integration_market_openness/fdi/index_en.htm#maincontentSec 3

Again, the effects of Brexit in this area will depend on the arrangements the UK negotiates with the EU. The less restrictive the terms for Britain are, the more investors will be inclined to keep their EU-related investments in Britain. All things equal, however, the importance of the EU as investment location will not decline, but rather increase.

4 <http://www.oecd.org/investment/UNITED-KINGDOM-trade-investment-statistical-country-note.pdf>

Overall, a focus on changes to the sheer material power of the EU and its material interests can hardly predict the dynamic effects shaping the outcome of the Brexit negotiations and their aftermath (de Ville/Siles-Brügge 2019). In most scenarios, however, the shifts might turn out rather marginal. But how these will be translated into actual effectiveness in international negotiations and changes in preferences will depend on how they are filtered through the political system of EU trade policy making.

Institutional Dynamics and their Impact on the Effectiveness and Preferences of EU External Trade Policies

Brexit is happening at a time when the post-war multilateral system, with free trade as one of its core components, is under increasing pressure. As has been detailed above, the EU is at the very centre of this system, at least since the late 1980s/early 1990s when it turned from being a mostly defensive actor in global trade towards an export-oriented, offensive outlook (Hanson 1998; Dür 2008). Despite external pressures and internal opposition, it has continued to pursue an agenda of trade liberalisation within a rule-based multilateral trading system and to promote preferential trade agreements as means of development. Most of the current literature concurs that the EU is a normative actor in this sense, i.e. firmly wedded to the belief in the virtues of an open liberal trade system (De Bièvre 2015; Siles-Brügge 2011). However, some of the more EU-critical literature still claims that the EU is more protectionist than member states in the aggregate would like (e.g. Tupy 2016). This reflects the history of the early Common Market which was characterised by trade protectionism in many sectors, especially on agricultural products, to the frustration of American but also British economic interests. One reason why Germany fought so persistently for Britain's inclusion into the Common Market was the hope that the British would counterbalance the protectionist tendencies of the French (Zimmermann and Rhenisch 1996). Britain's commitment to free trade is stressed in innumerable public statements by British officials and repeated in much of the literature on British EU membership (Henig 2018). In fact, during the negotiations for the Doha Round, Britain tried to push the Commission's strategy towards a less protectionist stance on agriculture and more liberalisation on services (da Conceição-Heldt 2011b). Britain was also a strong supporter of TTIP. In its core policy paper on its future trade strategy, the current UK government has made clear that it is firmly committed to this free trade philosophy, in addition to a strong emphasis on transparency (Department for International Trade 2017). According to many studies, the UK was the core member state in a group of like-minded countries (Nordic countries, Netherlands) supporting free trade (Peterson/Young 2014: 31; Openeurope 2015: 15). This Nordic coalition is said to have coordinated their trade policy before Council meetings, and it had a blocking minority according to current QMV rules in the Council, as had a more protectionist Southern bloc that includes France, Italy, and Spain. All this suggests that without Britain the EU could become more inward-looking and protectionist.

However, gauging future trends in EU trade policy without Britain from such a simple binary depiction of free-traders *vs.* protectionists, which is backed up only

by rather limited empirical evidence, neglects the complex process by which trade decisions are reached in the European Union. Most of the literature on EU trade policy has used an institutionalist lens to clarify these dynamics, either by looking at multilevel-game relations between member states and EU institutions, or at the principal-agent relationship between the Commission as main negotiator and its principals, the Council and the Parliament as well as other actors such as national parliaments, economic lobbies and civil society groups (Delreux and Adriaensen 2018; Adriaensen 2016). The crucial question therefore is how these dynamics will be transformed in an EU without Britain.

Decision-making in European trade requires a supermajority or even consensus support from the 28 (soon 27) governments of the EU member states in the Council, an absolute majority in the European Parliament, and, in the case of mixed agreements, the approval of national parliaments. All these levels can become staging grounds for intense battles on trade-related matters. I will look at them in turn, with a focus on Britain's role. Of course, the Commission, too, can be divided by intense debates on trade, with different DGs often at loggerheads on specific issues in trade negotiations. However, organisational identity in the Commission definitely trumps national identity (de Bièvre 2015). For that reason, the slow departure of British officials will have no significant impact on the positions taken by the Commission.

Brexit and Trade Policy in the Council

As mentioned above, conventional wisdom asserts that Britain is one of the most liberal EU countries with respect to trade. Hypothetically, its departure might have an impact on the internal dynamics of the Council and the Trade Policy Committee, a special committee of the Council monitoring trade negotiations, where most of the consultation with the member state happens. This might make the Council more protectionist (Henig 2019a). Furthermore, the "paradox of weakness" (Schelling 1960) indicates that the EU will become a less compromising negotiator given that a force of moderation, expanding the EU's win-set towards more free trade, is gone and the Commission might be forced to represent abroad the tougher positions taken by some member states.

A closer look at the behaviour of the UK in the Council, however, reveals that in general it did not play the expected role of moderation by positioning itself as free trader. An analysis of voting patterns in the Council by *Votewatch* showed that in trade matters the UK was usually quite close to the EU median and that it was less likely to be outvoted in trade policy than in any other policy area (Hix *et al.*, 2016). This pattern has remained constant since 2004, although the UK was significantly more likely than all other member states to be in a minority position on other EU matters in the Council during the period 2009–15 (Hix and Hagemann 2015). Since 2014 there has only been one example of a trade-related vote in which the UK (together with Sweden) and the rest of the EU diverged: the April 2018 vote on a new regulation regarding Trade Defence Instruments (TDI), such as anti-dumping duties (Council 2018). In fact, the UK was the "leader of the anti-TDI member states" (GIDE 2016) and managed to block the proposal for some years. Thus, this is one area in which the Council indeed might become more protectionist (though the UK was outvoted anyway). A closer analysis of the dynamically shifting positions in EU

member states and the UK, reflecting the rise of the Chinese challenge, is, however, necessary to substantiate this hypothesis.

Overall, the voting record in the Council indicates that the UK did not occupy an extreme position on trade. It rather held a median position, and therefore its departure will not be felt strongly in the general set of preferences taken by the Council (with the possible exception of TDI).

The Balance of Power in the European Parliament

Another pathway for member state preferences is the European Parliament (EP). Since the Lisbon treaty, the role of the EP in trade policy has grown enormously (Rosén 2017). It has to agree to any trade deal, and be consulted by the Commission during the negotiations. Through resolutions and debates, MEPs can influence the positions taken by the Commission, which has to make sure it retains enough votes for an eventual ratification of a deal. In 2012, for example, the EP voted against ACTA (the Anti-Counterfeiting Trade Agreement that the EU had negotiated with the US, Japan and other countries) and effectively buried it, although most member states had already agreed to the results (Dür and Matteo 2014).⁵

MEPs usually vote in party groups, and thus the voting pattern will not necessarily reflect the position of the country they represent. In addition, different electoral systems in the EU and member states, as well as the particular characteristics of EP elections, usually lead to divergence in the political composition of national parliaments and the national delegations in the EP. This also is true for the British presence in the EP, which is chosen by proportional voting, in contrast to the majority vote in the general election. Until the constitution of the new European Parliament in July 2019, Labour had the strongest representation. British Labour MEPs are members of the Progressive Alliance of Socialists and Democrats (S&D) with 20 deputies. The Conservative Party had 18 deputies in the ECR group (European Conservatives and Reformists) and UKIP was part of the Eurosceptic EFDD (Europe of Freedom and Direct Democracy; 18 UKIP deputies). Other UK MEPs are in smaller groups such as the Greens (mostly anti-free trade) and the Liberals (pro-trade).

Generally, the ECR is strongly pro-trade, and almost always votes for free trade. S&D, however, is often split (Borderlex 2016). A 2016 study of *Votewatch* maintained that the votes of S&D were often decisive on trade, since the pro-trade groups in the EP need their support (VoteWatch 2016). The Labour MEPs are more free-trade minded than the majority in S&D, particularly the deputies from Southern member states. UKIP deputies often abstained, but were generally critical on trade. A good example underlining this pattern is the contentious debate on the Canada-Europe Trade Agreement (CETA) in 2017. At a vote on Jan 24, 2017 in INTA, the EP's trade committee, all 3 British members (2 from ECR, 1 from S&D) voted for the agreement. In the plenary vote on 15 February, all British ECR MEPs that were present voted for CETA. The S&D was split, and so were the Labour deputies (UKIP MEPs mostly were absent at the vote). To systematically gather this anecdotal evidence, I have looked at 13 EP recent votes in trade and calculated the voting pattern of UK MEPs in relation to the overall vote in the parliament.

5 It is worth mentioning that some member states had withdrawn their support, too, as one of the reviewers of this article noted.

| | Vote in EP as a whole (in %) | Vote of British MEPs (in %) | UK Yes Votes (total votes) | UK No Votes (total) | UK Abstentions (total) |
|---|------------------------------------|--|--|--|---------------------------------------|
| Negotiations for TTIP, 8 Jul 2015 | Yes: 61 No: 34 Abst: 5 | Yes: 30,8 No: 64,6 Abst: 4,6 | 18 ECR 1 ALDE 1 S&D | 18 EFDD 17 S&D 6 Greens, 1 GUE | 1 ECR 1 IND 1 EFDD |
| Doha Development Agenda, 26 Nov 2015 | Yes: 77 No: 19 Abst: 4 | Yes: 62,07 No: 10,34 Abst: 27,59 | 19 S&D 16 ECR 1 IND | 4 Greens 1 ENF 1 GUE | 16 EFDD |
| Negotiations for the Trade in Services Agreement, 3 Feb 2016 | Yes: 76 No: 19 Abst: 5 | Yes: 58,21 No: 8,96 Abst: 32,84 | 19 ECR 18 S&D 1 ALDE, 1 IND | 5 Greens 1 GUE | 21 EFDD 1 ENF |
| Opening of FTA negotiations with Australia and New Zealand, 25 Feb 2016 | Yes: 77 No: 20 Abst: 3 | Yes: 65,12 No: 16,28 Abst: 18,60 | 12 ECR 12 S&D 2 Greens 1 ALDE, 1 EFDD | 4 Greens 2 EFDD 1 ECR | 1 ENF 7 EFDD |
| Opening of negotiations for an EU-Tunisia FTA, 25 Feb 2016 | Yes: 76 No: 19 Abst: 5 | Yes: 66,67 No: 31,11 Abst: 2,22 | 13 ECR 12 S&D 3 Greens 1 ALDE, 1 IND | 11 EFDD 2 Greens 1 ENF | 1 Greens |
| China's market economy status, 12 May 2016 | Yes: 84 No: 4 Abst: 12 | Yes: 93,48 No: - Abst: 6,52 | 16 S&D 11 ECR 11 EFDD 3 Greens 1 ALDE, 1 ENF | -- | 3 ECR |
| Economic Partnership Agreement between the EU and SADC EPA states, 14 Sep 2016 | Yes: 60 No: 31 Abst: 9 | Yes: 52,24 No: 17,91 Abst: 29,85 | 19 ECR 14 S&D 1 ALDE 1 IND | 6 Greens 4 S&D 1 ENF 1 GUE | 19 EFDD 1 S&D |
| EU-Ghana Economic Partnership Agreement, 1 Dec 2016 | Yes: 59 No: 34 Abst: 7 | Yes: 36,21 No: 39,66 Abst: 24,14 | 17 ECR 2 S&D 1 ALDE, 1 IND | 15 S&D 5 Greens 2 IND, 1 GUE | 12 EFDD 1 ENF 1 S&D |
| Multilateral Negotiations, 11th WTO Ministerial Conference, 15 Jan 2017 | Yes: 76 No: 8 Abst: 17 | Yes: 59 No: 3,2 Abst: 25 | 20 S&D 17 ECR 1 ALDE 1 IND | 2 IND | 18 EFDD 6 Greens 1 GUE 1 ENF |
| CETA, 15 Feb 2017 | Yes: 58,7 No: 36,5 Abst: 4,7 | Yes: 50 No: 44,4 Abst: 5,6 | 18 ECR 7 S&D 1 ALDE 1 IND | 10 S&D 6 Greens 4 EFDD 1 GUE, 1 ENF | 2 S&D 1 EFDD |
| Implementation of the EU- Korea FTA, 18 May 2017 | Yes: 75 No: 19 Abst: 6 | Yes: 64,44 No: 13,33 Abst: 22,22 | 15 S&D 12 ECR 1 ALDE, 1 IND | 2 ECR 2 Greens 1 GUE, 1 IND | 8 EFDD 1 ENF 1 IND |
| Negotiating Mandate for FTA with Australia, 26 Oct 2017 | Yes: 75 No: 21 Abst: 4 | Yes: 63 No: 37 Abst: - | 19 S&D 14 ECR 1 ALDE | 15 EFDD 3 Greens 2 IND | -- |
| Negotiating Mandate for FTA with New Zealand, 26 Oct 2017 | Yes: 75 No: 20 Abst: 5 | Yes: 61 No: 39 Abst: - | 19 S&D 12 ECR 1 ALDE | 15 EFDD 3 Greens 2 IND | -- |

Table 3. Votes on Trade in the EP and British MEPs (grey-shaded areas denote clearly above average skeptical votes by UK MEPs) (Source: votewatch.eu)

What is most striking about this table is that the British vote was substantially more critical of free trade than the mood in the overall parliament (particularly in the votes shaded in grey). This was mainly due to the stance of the EFDD and its UKIP deputies. The results of the May 2019 European elections indicate that this pattern might not change in the next Parliament. The losses of the pro-free trade Conservatives have been offset by corresponding gains of the Liberal Democrats which have a similar orientation in trade policy. It is thus very likely that, all things equal, the departure of British MEPs will make the EP slightly more pro-trade oriented. There is no above average free-trade orientation of Britain's representatives in the EP.

Domestic Factors

Another institutional factor that might impact on future European trade policy is the role of the House of Commons, which formally is able to block the ratification of trade agreements. Recently, the May 2017 judgment of the EU Court of Justice on the ratification of the EU–Singapore FTA clarified that non-direct foreign investment and investor-state dispute settlement fall under national competences, and thus the influence of national parliaments might increase. However, for a long time, the House, like other national parliaments of EU member states, had hardly any influence on trade agreements. As recent research showed, it continued to display a very low level of activism with regard to the negotiation of international trade agreements as compared to other parliaments that have become much more active in the wake of the TTIP controversies (Roederer-Rynning/Kallestrup 2017). Since 2010, its European Scrutiny Committee can challenge negotiating mandates by the Commission. However, there is no requirement by the House to take up issues passed on by the Committee, and even on such highly contentious negotiations like TTIP or CETA there was no activity. This might be also due to the relatively low level of societal mobilisation in Britain on international trade. NGO activism on recent politicised trade talks was highly concentrated in Germany and Austria, and relatively muted in Britain (Bauer 2016). Thus, the departure of the UK parliament (and its civil society) from the formulation of EU trade policy will not have a noticeable impact, neither on the effectiveness and nor on the policy content of trade issues.

All these institutional factors indicate that Brexit will not make EU trade policy more protectionist. The image of a consistent free-trade orientation of the UK in EU policy-making is a myth. The argument in this section also aligns with recent historical research which shows that in the 1960s to 1980s, despite its self-promotion as a liberal trading nation, the UK's actual policy frequently was more protectionist than EU trade policy overall (Warlouzet 2018).

There will also be no significant changes in the external cohesiveness of EU trade policy, since Britain represented the EU median regarding its position on trade. The new institutional configuration after Brexit will thus not change the effectiveness of the EU as external trade negotiator.

How External Actors perceive the EU without Britain

In sections 3 and 4 I have argued that the material power of the EU in international trade will suffer only a marginal loss from Brexit and that the effectiveness of the EU in the pursuit of its preferences will not change. However, such a statement needs to be qualified, since power is a relational concept, depending on the potential of the negotiating partners the EU seeks to influence. Will other actors change their assessment of the EU and adjust their behaviour to a perceived weakening of its power? Will Brexit improve their BATNA by offering an alternative, making them less keen to extend concessions to EU trade negotiators? Since a detailed process tracing of specific negotiations is not possible here, I will look at statements from third powers regarding their future trade relations with the EU, and seek indications that their interest in deals with the EU has declined.

One of the core arguments of Brexit supporters, forming part of the “glorious future” narrative, has been the opportunity of promising new trade deals once Britain has escaped the shackles of EU membership (Lis 2018). During and after President Trump’s June 2019 state visit to Britain on the occasion of the 75th anniversary of D-Day, a lively controversy erupted on the prospects for future US–British trade agreements, after Trump grandiloquently proclaimed that these prospects were ‘phenomenal’ (Trump 2019). Traditionally, Britain has been (and sees itself as) a main interlocutor between Europe and the United States. Since the referendum, many British politicians emphasised the tenuous but still existing close relationship with the Commonwealth. One of the hopes of the Brexit supporters was that a comprehensive trade deal with the United States and Commonwealth countries might offset some of the losses that might result from reduced access to European markets (Trommer 2017). At the same time, it was expected that the EU would lose some of its bargaining power *vis-à-vis* the Americans and would be forced to consider the requests of the current US government for a more balanced trade relationship more seriously.

However, hopes by Brexiteers that the US might cover some of the economic and political losses resulting from the severing of ties to the EU have not yet materialised. There is little to no chance that Britain can achieve a really advantageous preferential trade deal with the United States, given the strong anti-free trade rhetoric in the Republican Party and the fact that Britain runs a sizeable trade surplus with the United States. ‘America First’ applies to the UK, too, and it is unlikely that an exception will be made in this case (Henig 2019b; Lis 2018; Balls et.al 2018). In a summary of American negotiating objectives for an eventual US–UK trade agreement from February 2019, the US Trade Representative published a comprehensive list of demands, including fair and full access for the US pharmaceutical industry (USTR 2019). This set off a chorus of alarmed voices in the UK regarding a potential threat to the National Health Service. Many of the rules and regulations that the US would push in these negotiations, particularly in the agricultural sector, will face strong resistance by British producers and consumers alike (Economist, 5 April 2018). Likewise, the removal of non-tariff barriers, for example in the field of financial regulation, public services, or investor protection will face intense public contestation in Britain, as evidenced by debates about TTIP. Globalisation critics from the left and the right (many of whom are strong Brexit supporters) would oppose any conceivable deal

(Korteweg 2016). Studies see it as unlikely that the UK will open its agricultural market to third countries to more than a limited extent, for the simple reason that a fully-fledged market opening (for example, to imports of meat and dairy products from New Zealand, Australia and South America) would lead to intense competition for UK farmers (Mogens 2017: 13). In that sense, Britain has not too much to offer.

In addition, all previous American presidents, apart from the Trump administration, have strongly expressed their support for British EU membership, and there is a very low probability that this might change. It is unlikely that future administrations will pursue a consistent strategy of ‘divide and conquer’ which is suggested by some voices in the Trump administration.

Given the overwhelming dependence of Britain on the European market (the destination of 45% of all British exports), Britain would also have to make sure that any agreement with the US meets EU standards, for example, regarding sanitary or phytosanitary standards (Lis 2018: 9). Undercutting these standards would also immediately revive the issue of hard border checks in Northern Ireland. For this reason alone the EU would, in practice, also negotiate standards for the UK in any future TTIP-style negotiations with the US. US negotiators would be aware of that. Of course, given the political views of Donald Trump, some token gestures towards Britain will be affected and a strategy of ‘divide and conquer’ might be expected. However, US industry has made very clear where its economic interests lay (Politico 2019).

Overall, the exit of Britain will in all likelihood only exert a relatively limited effect on the importance of the EU for the US as international trade partner. While the EU accounts for about 20% of overall American trade, Britain’s share was 3.0% in 2018. In fact, recent reports suggest that the EU is already negotiating a trade truce with the Trump administration (Borderlex, 30 Aug. 2018). On 15 April 2019, the Council voted by qualified majority to open trade talks with the US, against the opposition of France which argued against negotiations with a country that no longer honours the 2015 Paris climate agreement (CNN.com 2019). Agriculture will remain a core issue. The sticking points during the TTIP negotiations will not change. Thus, there is only a low chance for a comprehensive EU–US agreement, but this is no different to the pre-Brexit situation. As of June, talks seem to have stalled, probably owing to the Trump administration’s priority on talks with China (Oosterveld, 2019).

Nor is a US–UK FTA a credible alternative to a comprehensive British–European trade deal in the event of a hard Brexit. Given that the EU’s share as British trading partner is 45% as opposed to about 13% for the US, and given the fact that a rapid re-orientation of this trade pattern is impossible, the EU’s leverage against Britain is bound to remain substantial, to say the least.

One further instance demonstrating the continuing weight of the EU is their recently initiated talks with Australia and New Zealand. Asked about the Brexit problem, New Zealand’s trade minister said that the absence of the UK would not diminish the attractiveness of a trade deal with the EU, even though the EU had made clear that it would not agree to the desired wide-ranging liberalisation of agricultural products from New Zealand (*Guardian* 2018). A report by Borderlex on the trade relations of Britain and the EU with Australia quoted an Australian official, who stated “that Britain’s departure from the EU is making a planned EU–Australia free trade agreement an even greater priority for Canberra.” The report added that “Australian business is gradually setting up shop in other member states

in order not to lose market access” (Borderlex 2017). A parliamentary inquiry by the Australian parliament concluded that “the timing of the UK’s departure from the EU is entirely coincidental to the scoping work and ongoing development toward a free trade agreement between Australia and the EU” (Committee 2018). Allison-Reumann *et al.*, (2018), who were quoted repeatedly in the same inquiry, have strongly recommended that the Australian approach should be guided by pragmatism not nostalgia, and that therefore EU–Australia trade relations should have priority.

Nor are Asian countries queuing up to strike trade deals with a post-Brexit Britain. “If there is not a Brexit deal, there won’t be things to talk about after that,” the Chinese Ambassador to the EU said in April 2018, adding, “If the EU and the U.K. fail to reach agreement in the first place, the U.K.’s agreements with other parties may have to face great uncertainties.”⁶ Japan also made it clear early on that its FTA with the EU had absolute priority over any deal with Britain and that it would not negotiate with the UK as long as there is no Brexit deal. In addition, it has clearly stated that Japanese businesses in Britain were considering relocation to the Continent in case of a hard Brexit.⁷

Much of the perception of outsiders regarding trade with Europe depends on the deal between the EU and Britain, and on the ease of access to the European market that enterprises located in Britain will obtain. Nonetheless, first indications strongly suggest that the EU’s standing as a trade power has not (yet) been diminished because of Brexit becoming a partner for third countries. As of June 2019, Britain has replicated only 11 of more than 70 trade deals the EU has with third countries, and only with small trading partners. Some large countries, such as Japan and Canada, have refused to simply continue the trade agreements reached by the EU for Britain, and have requested new negotiations (BBC 2019; BuzzFeed 2019).

Summing Up

Based on three analytical lenses – changes in material power and interests of the EU, changes in the institutional configuration of EU trade policy-making, changes in the perception of outsiders – this article dealt with the impact of Brexit on EU foreign trade policy. Most of the usually cursory assessments of this question argue that the EU’s weight will be considerably diminished and its median position on international trade will shift towards a more protectionist stance. The present analysis, however, suggests that the impact of Brexit on the EU’s foreign trade policies will be rather limited and that the weight of the EU as trading power, its core strategic outlook and its negotiating behaviour will change only marginally (see also De Ville and Siles Brügge 2019). This article thus challenges some commonly held assumptions about the influence of specific member states on EU trade policy, in this case Britain. In this sense, it is also a call for researchers to tackle the rather unexplored territory of national influences on EU trade policies. How do specific member states shape the positions the EU takes on international trade? France’s recent threat to veto the

6 <https://www.politico.eu/article/chinese-ambassador-eu-zhang-ming-no-uk-trade-talks-without-a-brexit-deal>

7 <https://www.independent.co.uk/news/uk/politics/brexit-japan-shinichi-iida-trade-eu-theresa-may-a8280021.html>

agreement with MERCOSUR finally reached after more than 20 years of on-and-off negotiations underlines this research gap.

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