Social Provisions in EU Trade Agreements

by Evgeny Postnikov
Library Research Advisor, EUCE/ESC

The European Union has become a champion of bilateral trade liberalization, actively signing free trade agreements (FTAs) with countries across the globe. Interestingly, modern FTAs signed by developed countries, including the EU, which acts as a single entity in trade, do not just reduce trade barriers but also tackle non-trade issues, such as labor and environmental standards, by including various social provisions. Do these provisions achieve their desired goals and improve labor and environmental conditions in EU partners? This summer, I was privileged to receive generous support from the European Union Center of Excellence/European Studies Center to conduct field research in Chile and South Korea to explore how well social provisions in EU trade agreements are implemented and what have been their outcomes by interviewing various domestic actors.

I chose to focus on agreements with Chile and South Korea for two reasons. First, they represent two distinct stages in the EU’s approach towards bilateralism, and second, the United States has also signed agreements with them, and my dissertation compares social provisions in EU and U.S. FTAs. The EU-Chile

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In Review

From Diversity to Unity?

On Oct. 3, Dr. Carolyn Ban (far left) gave a presentation based on her new book, *Management and Culture in an Enlarged European Commission: From Diversity to Unity?* In her book, Professor Ban, the former acting director of the EUCE/ESC and former dean of GSPIA, analyzes the European Commission from a public management perspective. Based on extensive interviews conducted over six years, Dr. Ban explores how the European Commission faced the challenge of enlargement. Her presentation was followed by responses by Professors Guy Peters, Maurice Falk Professor of American Government, and Carrie Leana, George H. Love Professor of Organizations and Management. Also pictured above (from left to right) Ron Linden, Director of the EUCE/ESC, and Dr. Pamela J. Stewart and Dr. Andrew Strathern of the Department of Anthropology.

Pizza and Politics

On Oct. 2, the EUCE/ESC hosted the semester's first Pizza and Politics talk. Presenters included GSPIA students (pictured from left to right) Juli-anne Norman, Rebecca Young and Yao Zhang. They spoke about their summer in Brussels, Belgium, where they participated in the EU Studies in Brussels Program. Their travel and participation in the program was financed in part through a scholarship from the EUCE/ESC. They spent six weeks visiting EU institutions, meeting with practitioners, taking classes and conducting research about the EU.
Dr. Peters Honored in Estonia

by Gavin Jenkins
Newsletter Editor, EUCE/ESC

On September 17, Dr. B. Guy Peters received an Honorary Doctorate from Tallinn University of Technology (TUT) in Estonia. This is Dr. Peters’ third honorary degree, and it was the result of a long relationship with the Estonian government and academics in the country, which began shortly after Estonia gained independence in 1991. Unlike most of the other countries that gained independence from the Soviet Union, Estonia completely removed people from office who had worked for the previous regime. This created a need to educate the next generation of public servants who would fill these positions.

Initially, Dr. Peters worked with Estonians through the U.S. Embassy, giving what he called “a limited amount of direct advice to the government.” His main focus was academics, and he collaborated with NGO employees and scholars, first at the University of Tartu, and then at TUT.

Dr. Peters, a Professor in the University of Pittsburgh’s Department of Political Science since 1984, was pleased to earn the degree from TUT.

“It represents some small contribution to building an effective administrative system in Estonia and in developing the academic talent to support the institutions of governing,” he said.

While in Estonia, Dr. Peters worked closely with colleagues like Wolfgang Drechsler, Professor and Chair of Governance at the Ragnar Nurkse School of Innovation and Governance at TUT. Professor Drechsler wrote the justification for Dr. Peters’ Honorary Doctorate.

“Guy’s help and support were and are legendary,” Professor Drechsler wrote in an e-mail. “We have been lucky indeed to have him support us. An institution honoring him is honoring itself even more because Guy is the kind of scholar who cannot derive prestige anymore from any affiliation, but literally any place would justify itself by having Guy connected with it. So, it was very logical to convey upon him the title of Honorary Doctor, almost as a token of our gratitude – though it is a rare honor and indeed only the third one our faculty has ever given.”

Dr. Peters has the credentials to back up the rare honor. He is the Maurice Falk Professor of American Government at Pitt, a Distinguished Professor of Governance at Zeppelin University in Germany, an Honorary Professor at the City University of Hong Kong, his other two Honorary Doctorates are from the University of Gothenberg and the University of Vaasa. In 1970, he earned his PhD in Political Science from Michigan State University, and he has written and edited over 70 books.

The book he is most proud of is his first, The Politics of Bureaucracy. He described it as the foundation for the comparative study of public administration for at least three decades, and he is working on a seventh edition.

Dr. Peters grew up in a rural town outside Richmond, Va, and in 1966, graduated from the University of Richmond. One lesson he learned at Michigan State that he attempts to impart to graduate students at Pitt is the importance of working in a range of different subjects.

“Political science has become increasingly specialized and narrow, but I find that there are real benefits from working in different areas,” he said. “I am appointed as a professor of American politics but only occasionally teach American policy and administration. When I do, the course is better because I can put the US in more of a comparative context.”

Dr. Peters’ work in Estonia demonstrates that he practices what he preaches. It should also be noted that his dedication to Estonia began before the Internet existed, and given the fragility of the new country, this time period was arguably the most important phase of his work there. Today, Dr. Peters jokes about those early years, citing expensive telephone calls as a major hurdle.

“I fortunately have blotted out some of those memories about how difficult some of the coordination of projects and international communication were then,” he said.
UPCOMING GRANT AND FELLOWSHIP DEADLINES

THE NATIONALITY ROOMS SUMMER STUDY ABROAD SCHOLARSHIP PROGRAM

The University of Pittsburgh has announced the 2014 Nationality Rooms awards. Committed to education through cultural exchange, Nationality Rooms Committees are dedicated to helping students fund their international education. Eligibility requirements include: being a U.S. citizen or permanent resident, a full-time undergraduate or graduate student for the fall and spring terms prior to studying abroad, a full-time student for the fall and spring terms following the study abroad, the proposal must relate to career goals, and you must have foreign language skills. For more details, inquire at the Nationality Rooms Programs office, 1209 Cathedral of Learning, e-mail Scholarship Administrator Christina Lagnese at mcl38@pitt.edu, or visit http://www.nationalityrooms.pitt.edu/scholarshipsgrants. Information sessions began on Oct. 9 and will be held once a week until Jan. 8 for undergraduates and Jan. 15 for graduates. Deadline: Jan. 9, 2014 for undergraduates, Jan. 23, 2014 for graduates.

2014 EUSA HAAS FUND FELLOWSHIP COMPETITION

This annual fellowship of $1,500 for graduate student European Union-related dissertation research is endowed by the Ernst Haas Memorial Fund for EU Studies. The fellowship launched in June, 2003, to honor the memory of the late scholar Ernst B. Haas (1924-2003). The individual who applies also must be pursuing a PhD, and must be writing the dissertation in English. More information on the fellowship can be found at http://www.eustudies.org/interest_economics.php. Please send applications to eusa@pitt.edu and use the heading “2014 E.B. Haas Fund Fellowship competition.” Deadline: January 3, 2014.

On October 19, the EUCE/ESC was honored by the Pennsylvania State Modern Language Association (PSMLA) with its 2013 Merit Award. The award was presented to the Center for its French Immersion Program, now in its 12th year. These events, three per year, bring western Pennsylvania middle and high school teachers of French to Pitt for a program devoted to contemporary French society, culture and politics, all conducted in French. The PSMLA awards committee noted that the immersion institutes “afford teachers the opportunity to broaden their cultural knowledge regarding international studies and francophone countries, to strengthen their interpretive and interpersonal speaking skills, and to share high-yield standards-based classroom activities and assessments in French.”

Pictured above are Jean-Dominique Le Garrec, Honorary French Consul in Pittsburgh, EUCE/ESC Center Director Ronald Linden, former Associate Director of EUCE/ESC Timothy Thompson, and PSMLA First Vice President Jan Stewart.

EUCE/ESC NEWSLETTER:

Director: Professor Ronald H. Linden
Associate Director: Allyson Delmore
Editor: Gavin Jenkins

For newsletter announcements, comments, or submissions, please email eucnews@pitt.edu.

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This month, EUCE/ESC newsletter editor Gavin Jenkins interviewed alumnus Katie McMullen, a graduate student at the University of Alcalá in Madrid. McMullen graduated from the University of Pittsburgh in the spring of 2013 with degrees in Spanish and business. She also received certificates in Portuguese and Western European Studies, with a theme in Spanish Studies. She received a scholarship to study International Education at Alcalá, and she’s a teaching assistant at Colegio Ártica, a bilingual primary school in southern Madrid. She writes about her experiences on her blog, katesgypsysoul.com.

Q: How difficult was it to graduate with a dual major and two certificates?

A: Graduating with a dual major and double certificate was hard, but not impossible. Organization, motivation, and lots of planning on my part were crucial. You should learn how to work the system to get the most out of your 4 years. I decided on my dual major during my freshman year and my double certificate during my sophomore year. Even though the first year or two of college was full of its own type of culture shock and excitement, being proactive, talking to advisors, and researching what I thought I’d be interested in was invaluable. At first, it seemed intimidating and daunting to talk to professors and advisors, but it is honestly the best thing I did. They are full of knowledge, much of which I couldn’t imagine, and they are almost always willing to help you. I decided I wanted to earn the certificates and enroll in my current Master’s program while studying abroad in Spain.

That being said, I got frustrated and stressed out more than once. Choosing to take an uncommon path with your studies means that it’s not going to be streamlined. In my case, my majors, Spanish and Business, were in two different schools at Pitt and therefore, did not talk to or coordinate with each other. However, the plus with taking this route is that there are more chances for loopholes in the system. For example, this meant getting one class to count towards both a major and a certificate requirement. These things made it possible for me to do a dual major and two certificates in 4 years while spending one of those years abroad.

Q: What got you interested in Western Europe and Portuguese?

A: The reason I became interested in Portuguese was due to one of my majors. In order to complete the Spanish major, you are required to take one semester of Portuguese. During my first semester of Portuguese, I discovered that I loved the language. Unfortunately, I didn’t start Portuguese until the second semester of my sophomore year, after I already had plans to study abroad my entire junior year. This created a problem because I did not have time for the Portuguese minor. Luckily, the department presented a different option of a certificate, which had fewer requirements so I could fit it in my schedule. I became interested in Western Europe when I first went abroad to Spain in high school. Then, in my freshmen year at Pitt, I enrolled in a learning community about Europe and the Modern World. Through a EUCE/ESC-funded trip to New York to visit the United Nations and the Institute of International Education, in addition to the classes related to the community, I became more educated and interest-

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ed about not only Spain but Western Europe in general. This was also when I discovered Pitt’s EUCE/ESC, and the certificates that were offered. The Western European certificate was a wonderful way to add a more specialized interest of mine to my majors.

Q: Why did you choose to get a master’s in International Education after getting a business degree?

A: After studying abroad, I realized how interested I was in connecting cultures through education. I believe that cultural awareness through the lens of education can help change the world. This knowledge can change prejudices, stereotypes, and foster understanding in general. By helping to change someone’s thoughts or expand their mind, you can further help change the world through politics and international agreements. Once I was told about this Master’s program with International Education, I began to research more about International Education itself and decided this master’s program was exactly what I wanted to do. Even though it was a change from Business to International Education, I quickly saw how much my business degree would still help me. International Education is not just about teaching in the classroom but rather working in a company where you can develop programs to integrate students through the use of education. This requires not only an education background but also one where you know how to communicate between companies and work on the more logistical side of education.

Q: What is grad school and teaching like in Spain?

A: The combination of grad school and teaching creates a hectic schedule, but one that is very fulfilling. My teaching experience has been great so far. It is a cultural shock sometimes with how Spanish school systems differ from those in the U.S. However, it’s rewarding to help students learn English and see them progressing over the weeks. Grad school has been wonderful as well. Learning about International Education while teaching abroad as a foreigner has been a great hand in hand experience. So far, I’ve been able to directly apply what I’m learning in the classroom to what I’m teaching in my classroom. I’m able to see firsthand, and almost immediately, that what I’m learning about is functional in real life. This cross-over is extremely helpful in my learning process.

Q: What classes and professors at Pitt were the most helpful to you?

A: My first Spanish teacher at Pitt, Sarah Williams, and my Portuguese advisor, Ana Paula Carvalho, were extremely helpful during, and after, my time at Pitt. In addition, Stephen Lund, my advisor for my Western European Studies certificate, was a huge source of information and advice. All three of them gave amazing insight into my fields of interest, such as teaching, language learning, and international relations. As I mentioned before, I was also part of a learning community my freshman year about Europe and the Modern World. That really opened my eyes. I got to see how important the history of Europe was in relation to today’s world. I enrolled not anticipating how much it would help and relate to my current career path and passions. Without these professors and the classes I took with my learning community, my career path would certainly be different and not nearly as rich as it is now.

Association Agreement concluded in 2002 and is the first EU FTA to include both labor and environmental chapters. It was signed under the EU’s old approach to bilateralism, which was formulated by former Commissioner for Trade Pascal Lamy, who put forward the idea of the “social dimension of globalization,” i.e. reconciling free trade with social goals, such as improving workers’ conditions in the developing world. Social provisions in FTAs became an integral part of this approach. The EU-South Korea FTA was finalized in 2010, and it symbolizes the so-called “new generation” agreement that the EU plans to use as a model for all the future FTAs. It is part of the new EU strategy promoted by Peter Mandelson when he was Commissioner for Trade from 2004 to 2008. The strategy is to pursue new markets through signing bilateral FTAs, but also to stipulate that free trade is balanced with sustainable development. Thus, the EU-South Ko-
rea FTA is the first time an agreement includes a legally binding sustainable development chapter that covers both labor and the environment.

These two FTAs represent an evolution of the EU’s approach towards social provisions. More comprehensive in their scope, the social provisions oblige countries to abide by their existing labor and environmental laws, as well as respect International Labor Organization (ILO) core labor standards and multilateral environmental agreements they have signed. Yet, one thing remained constant in the EU’s approach: weak enforcement of social provisions. The United States uses trade sanctions to enforce its FTA social provisions. Some argue that this is a more effective approach than the way the EU relies on cooperation and consultations with governments and civil society in partner countries to ensure enforcement. Even FTAs’ dispute settlement bodies, to which actors now have recourse, can only issue recommendatory rulings. This soft approach, criticized by civil society in the EU, reflects the views of trade policy executives in the European Commission who do not want sanctions to undermine the Union’s long-standing commitment to multilateralism in world affairs. Thus, the Civil Society Forum (CSF) – a platform bringing together civil society and governmental officials from both the EU and partner countries – remains practically the only implementation mechanism for FTAs’ social provisions. Has it been effective in Chile and South Korea?

I went into the field with the expectation that, despite the perceived weakness of the soft EU approach, the CSF could be effective, as my previous quantitative research has shown. I hypothesized that civil society in EU partners can learn successful strategies from their EU counterparts and pressure state authorities to improve conditions in their country. Furthermore, state authorities could become more familiar with civil society demands and EU practices, using EU regulation as a model for their domestic reform. I found some positive effect consistent with this expectation – predictably more in Chile than in South Korea, considering how recent the EU-South Korea FTA is and how gradual the learning process I predicted would be. For example, Chile contemplates using EU regulation on health and safety at work as a model for the proposed reforms, following the mining accident in 2010. I further discovered that environmental provisions managed to elevate the level of importance and legitimacy attached to environmental issues in Chile.

However, I found that the progress has been inhibited by two factors: the lack of organizational capacity of the Chilean civil society and the lack of administrative capacity of the Chilean government. Chile, a country with the institutional legacy of dictatorship, has a fragmented civil society which undermines its effectiveness. For example, the labor movement is split among three main unions with competing agendas and distrust of each other who do not view the agreement’s social provisions as important. The Chilean environmental movement is even more eclectic and lacks crucial resources. It is not surprising then that the CSF was only able to meet twice since the EU-Chile agreement went into force in 2003, despite the stipulation that such meetings should be held annually. Furthermore, the Chilean government lacks administrative resources to successfully implement the agreement’s provisions. For example, the Ministry of the Environment has been established only recently. Thus, the EU has not been able to persuade Chile to establish a functional equivalent of the European Economic and Social Committee required by the agreement.

A similar dynamic occurs in South Korea. There has been one CSF meeting between the EU and South Korea so far where labor unions were suspiciously absent. South Korean labor movement is also quite disjointed and does not view the agreement’s social provisions as serious, despite the fact that labor rights in South Korea are not fully protected. On the other hand, environmental protection in South Korea is already high, which means there is not much room for improvement left.

What lessons can be learned from this? First, some positive effect in an unlikely candidate with already higher social standards like Chile suggests that the EU FTAs’ social provisions can work. Thus, trade sanctions insisted upon by EU civil society might not be the most effective instrument to ensure compliance. Second, domestic conditions in EU partner countries, such as vibrant civil society and capable government, matter a great deal for successful implementation of social provisions. This means that the EU together with civil society and governments in its partners need to take existing FTA mechanisms more seriously and invest in improving communication among each other through the CSF. Under these conditions, EU social provisions can work, which is yet another manifestation of EU normative and market power.
DISCOVERING THE EU

by Kenneth Kubistek
Social Studies Chairperson, Riverview High School

In June, I attended a European Union Study Tour to Brussels, thanks to funding from the EUCE/ESC. I had the opportunity to visit the many institutions that form the European Union, as well as meet with those who are integral to the legislative process. These meetings were informative and enlightening. For an educator used to teaching Europe as a set of independent entities, I was surprised to realize that the cooperation and unity was so well developed. I had naively assumed the European Union was just meant to help Europe compete with the United States. I quickly learned how wrong I was, that the European Union is so much more.

By the end of the week, I realized that the European Union’s success as a functioning political body suggests that anything can work, change, develop or progress if a willingness to cooperate and an open mind is involved. This is the greatest lesson that I learned in Brussels.

Since returning from Brussels, I have embraced this new perspective in my career. This trip connected me with educators and students from across the country. Our discussions and interactions have proven essential to this change in perspective. Their passion proves that all teachers can work toward a similar goal of teaching tolerance, acceptance, and human growth. While one may be able to reach a few, a team of open minded individuals can reach a generation of young minds. I have transferred this goal to my classroom and extra-curricular activities. I now have set it a goal to teach the European Union as a cooperative, international union as well as a continent of independent nations. I have also decided to sponsor students participating in the 2014 Euro-Challenge.

I never thought that one week-long trip to Brussels would change my perspective so significantly. I guess the point is that a new perspective can be realized at any moment if you are open to change. My career goals have been revitalized and professional decisions altered encouraging me to recognize many potential alternatives. This does not make the future uncertain; it makes the future exciting. €