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The EU/US Transatlantic Relationship – the indispensable partnership¹

HGK (as Horst Günter Krenzler used to be referred to in the fashion of Commission in-house acronyms) had been a personal friend and close colleague during our largely parallel careers of almost four decades with the European Commission, and the EU/US transatlantic relationship, from trade to foreign policy, has continuously been at the top end of our respective priorities and agendas.

When I first joined the Commission as a trainee in May 1968 I was assigned to a small desk placed inside HGK's office, which he already shared with two other officials, altogether in charge of implementing the EC's Association Agreements with Greece and Turkey, an administrative unit in the Commission's External Relations Directorate General, at the historic, however overpopulated, „Avenue de la Joyeuse Entrée“, close to the offices President Hallstein had left a year ago. HGK was my early mentor. Our paths crossed again many times from my joining the Commission as a permanent official in 1970 until HGK's retirement in 1996. When I succeeded HGK as the Commission's Political Director under President Jacques Delors in 1987 he became the Director General of the External Affairs DG under successively Commissioners Willy De Clercq, Frans Andriessen and Sir Leon Brittan. And when I took charge in 1993, as a Director General for External Political Relations (DG IA), HGK continued at the helm of the traditional external economic and trade relations DG I, from the third Delors Commission (1993/94) to his retirement in 1996 under the Santer Commission, with DG IA under the responsibility of Commissioner Hans van den Broek and DG I under Sir Leon Brittan. During all those years we both were part of the Commission President's team for European Council meetings, bilateral Summits with third countries, including with the US, and multilateral summits, such as the G 7/G 8. I am grateful for the opportunity to contribute to HGK's legacy with a few thoughts on the transatlantic relationship, the theme of one of our major, if not the most important, common foreign policy endeavours we had the privilege to embark upon side by side. Later on, while I served as the EC's Ambassador to the US from November 1999 till the end of President Bush Junior's first term in December 2004, HGK and his wife Nina were our visitors, in May 2002, at the European Commission's Kalorama Residence in Washington DC.

The „indispensable partnership“²

Any assessment of the European Union's external relations would be incomplete without paying tribute to the vital partnership between the EU and the US, the oldest and strategically most important chapter of the EU's gradually evolving external policies. European Integration and the EU/US relationship are like the

¹ Article published in: Herrmann e.a. (eds.), *Liber Amicorum in Memoriam Horst G. Krenzler*, European Yearbook of International Economic Law, Special Issue, Springer, 2015

² The term emerged in my conversations with former Secretary of State Albright during my posting in Washington to mirror President Clinton's characterization of „America, the indispensable nation“, and to counter the Bush (Junior) doctrine of unipolarism and US exceptionalism

two sides of one medal: As the late President Walter Hallstein formulated it, „America is a child of Europe“³, and Einstein stated at Princeton „America and Europe are family“. Those „sound bites“ not only describe the close historical and cultural roots between the „old“ and the „new“ world, but the US also stood at the cradle of the very beginnings of Europe’s post-world war II unification process. **Hallstein** was a regular visitor to Washington. His Clayton lectures at the Fletcher School of Law and Diplomacy and his many speeches were an early contribution to the understanding by the Washington constituencies of the transformative process in Europe, and his conversations with President **Kennedy**, in particular in April 1962⁴, had inspired the latter to deliver his visionary speech on July 4 Independence Day in Philadelphia with the twin proposal of a „transatlantic partnership of equals“ and a „Declaration of Interdependence“ between the „New World“ and the „New Europe“ should the European Agenda successfully materialize.

Earlier on, Jean **Monnet**, the first President of the European Coal and Steel Community’s (ECSC) High Authority, had closely cooperated with the **Truman** and **Eisenhower** Administrations, based on their common experience in Washington during World War II, and benefitted from active US support from his first day in office in August 1952. George Ball, an American lawyer and Undersecretary of State during the Kennedy Administration, had an office at the French Commissariat au Plan advising Monnet on the ECSC Treaty negotiations.⁵ One of Monnet’s immediate aims after taking office was to obtain international recognition of the new Community as an independent player in the world. The US obliged when Secretary Dean Acheson⁶, in the last year of the Truman Administration, on August 11, 1952, the day after Monnet’s inaugural ceremony, sent a diplomatic note assuring the ECSC „strong support...The US will now deal with the Community on coal and steel matters.“ And three months later, at the start of the Eisenhower Administration, Secretary Dulles nominated David Bruce⁷ as the first US Ambassador to the ECSC⁸ and followed up with an official

³ Walter Hallstein, *Der unvollendete Bundesstaat*, ECON Verlag, 1969, p. 238

⁴ Hallstein had met first with President Kennedy at the White House in May 1961. The Commission’s Washington Delegation has kept a full documentation of his pronouncements. On November 17, 2001 I directed our Press service to issue a news release on his 100th birthday. John Tuthill, the US Ambassador to the Community from 1962 to 1966 had contributed an article with his personal recollection for our Europe magazine’s May-June 1982 edition.

⁵ Georges Ball describes his intimate relationship with Jean Monnet and his involvement „as a private American lawyer“ with the Schuman Plan negotiations in his memoirs: *The Past has another Pattern*, Norton, New York, 1982, pp. 69-99

⁶ Dean Acheson’s memoirs „Present at the Creation“, Norton, New York, 1969, are an invaluable source of information about the US role as a deeply committed “midwife” during the early stages of European integration.

⁷ David Bruce was a top professional diplomat with a distinguished career, having been posted as Ambassador to Paris, London and Bonn.

⁸ Monnet reciprocated by opening a liaison office in Washington in 1954 which over the decades evolved into a fully fledged EU Commission Delegation with diplomatic status conferred in 1972 by an act of Congress, headed by an Ambassador accredited to the US President since 1990, and formally becoming the EU Delegation as part of the EEAS with the entry into force of the Lisbon Treaty on 1 December 2009.

visit to Monnet's Headquarters in Luxemburg on February 8.⁹ Dulles informed Monnet, who was planning an informal trip to Washington, that Eisenhower proposed to turn this into an official visit. On June 3, 1953, Monnet was housed like a Head of State at Blair House, the Presidential Guest House, and was welcomed as the representative of the new Europe.¹⁰

The "Big Picture"

Since those early beginnings the EU-US relationship has remained the most powerful, the most comprehensive and the strategically most important relationship in the world, despite the rise of new power centres on other continents.¹¹

Most powerful: The EU and the US combine roughly half of the global GDP, with around 17 trillion USD each. They stand for some 40% of world trade in goods and even more in services. They hold 80% of the global capital markets. They are each other's main trading partner and source, as much as recipient, of foreign direct investment. And since the introduction of Euro notes and coins on January 1, 2002, the by now 18 member states of the Euro zone with a combined GDP of around 13 trillion share the second most important world currency in terms of global foreign reserves, international bond issues and money market demand.¹²

Most comprehensive: There is scarcely an issue that does not involve the transatlantic relationship – from Afghanistan to Ukraine; from WTO to counter-terrorism; from aircraft to data privacy; from bananas to gmo's – the EU and the US are involved bilaterally, regionally or globally.¹³

Strategically most important: Europe matters to America, and America matters to Europe, because of major converging concerns, largely compatible values and overlapping interests. "When we quarrel we make headlines, when we work together, we make progress."¹⁴

⁹ François Duchêne, Jean Monnet, *The First Statesman of Interdependence*, Norton, New York, 1994, p.236

¹⁰ Duchêne, *op. cit.* p. 244

¹¹ For a periodic update on economic facts and figures see the annual "Survey on the Transatlantic Economy" by Daniel Hamilton and Joseph Quinlan from the SAIS Johns Hopkins Center for Transatlantic Relations, Washington DC

¹² Günter Burghardt, *Successes and Challenges for the Euro*, in "The Euro at Five: Ready for a Global Role", Adam Posen, Editor, Institute for International Economics, Special report 18, Washington DC, April 2005, pp. 23 ff.

¹³ During my term in Washington, absent an overall transatlantic treaty relationship, the close to 100 members of our Delegation were involved in the management of about 50 individual agreements of all kind, from trade to competition policies, from product regulatory to standard issues, from research to justice and home affairs.

¹⁴ Secretary of State Colin Powell during the EU/US Ministerial meeting at the Department of State on December 18, 2002.

Trade policy, an early backbone of the overall EU/US relationship – from the Torquay to the Kennedy Round

Although the ECSC Treaty had not formally mandated the High Authority to conduct trade negotiations in the areas of its sectoral responsibilities for coal and steel its successful start and the prospect of wider economic integration among the Six after the failure to ratify the European Defence Community Treaty in the French Assembly on August 30, 1954 created an early dynamic on both sides of the Atlantic to engage in successive rounds of multilateral trade negotiations within GATT. For the US, although supportive of the political process in Europe, this was a means to participate in its economic benefits, while Monnet and Hallstein were anxious to mitigate the effects of liberalisation within the Six on the UK, notably after De Gaulle's veto suspending accession negotiations in January 1963.

Until the end of the 1960tees transatlantic trade liberalisation was essentially pursued within the multilateral setting of the General Agreement on Tariffs and Trade. Regular rounds of multilateral negotiations inside GATT mirrored important stages in European economic integration: the 1950 to 1951 Torquay Round coincided with German accession to GATT and the negotiation and ratification of the ECSC Treaty; the 1955 to 1956 Geneva Round was driven by the decision of the Six at the Messina conference to start negotiations leading to the EEC and Euratom Treaties; and the 1960 to 1962 Dillon Round accompanied the first stage of the implementation of the customs union within the EEC. Those three rounds centred on important tariff reductions among, at the time, around 40 GATT member countries. Immediately after the crisis triggered by De Gaulle's veto against UK membership Hallstein, in a speech at New York's Columbia University on March 8, 1963, responded to the US Trade Expansion Act with the proposition to reenergize transatlantic partnership by preparing what later became known as the „Kennedy Round“, which lasted from 1964 to 1967 and brought together an enlarged GATT membership of more than 60 countries. The EEC participated as such, and the Commission signed the Final Act on behalf of the Community. In addition to further tariff cuts negotiations entered into new territory, covering non tariff barriers and trade in agriculture.

From the 1969 EC Summit in The Hague to “1992”, the completion of the EC's Internal Market

The December 1969 Summit meeting at The Hague marked the successful end of the transitional period under the European Economic Community Treaty with the completion of the EC's Customs Union, reopened the process leading to the January 1973 enlargement from 6 to 9 members, including the UK, Denmark and Ireland and agreed on first steps on cooperation in the area of foreign policy. Thus, Europe „graduated“ into a fuller player able to propel the transatlantic partnership into higher orbit in terms of both process and substance, at a time when the relationship had reached a low point because, inter alia, of US President **Nixon's** unilateral decision in August 1971 to end the direct convertibility of the US Dollar to gold, a decision that greatly complicated the on-

going preparations of a new multilateral round of trade negotiations. Robert Schatzel, the retiring US Ambassador to the EC, described the overall situation as „a dialogue of the deaf across the Atlantic“.¹⁵

When in January 1973 Sir Christopher Soames joined the **Ortoli Commission** (1973 to 1977) as Vice President in charge of external relations his reputation and personal authority provided a further boost to the Community's international role.¹⁶ Relations with the US hugely benefitted from his tenure, bilaterally and globally, on process and on substance.

Soames from the outset succeeded to increase level and substance of the regular consultations between the Commission and the US Administration, which had begun in 1970 under the „Dahrendorf/Samuels formula“.¹⁷ Under Soames' leadership other Commissioners would accept to join the team, such as Haferkamp (Economy and Finance), Gundelach (Internal Market), Lardinois (Agriculture), Cheysson (LDCs) and Simonet (Energy). The US responded by fielding a team at Undersecretary level of the corresponding government departments, as well as from the White House, such as the USTR and the Chairman of the Council of Economic Advisors. As a result, the substance of the „High Level Consultations“ as they were henceforth called covered the whole range of policies gradually being implemented at Community level. Energy was a case in point. Following the first energy crisis in 1973 US Secretary of State Henry Kissinger had invited the Commission, the EC member states and other industrialised countries at foreign minister level for a three day crisis meeting in February 1974 at the State Department, only to become extremely frustrated by quarrels over competences among the Europeans.¹⁸ Similarly, the Nixon/Kissinger „Year of Europe“ initiative failed in 1974 because of the „Nine“ unable to agree on a joint response within the intergovernmental context of „European Political Cooperation“¹⁹, while the Commission moved on to intensify the dialogue in its areas of community competence.

¹⁵ Fortune Magazine, November 1972, pp. 148 to 154

¹⁶ I had moved from the Legal Service to DG I, the External Relations Directorate General, in 1972 and remember the arrival in 1973 of a first class wave of UK colleagues at all levels, including my new Director Leslie Fielding under whom I became the desk officer for the US and Canada, and Sir Christopher's team of personal advisors under Chef de Cabinet David Hannay. Edmond Wellenstein, Director General of DG I, who had started his career as Deputy Secretary General of the High Authority with Jean Monnet and Max Kohnstamm, was one of the most gifted Commission officials I had the privilege to work under.

¹⁷ Ralf Dahrendorf was the member in charge of External Relations and Trade in the Malfatti/Mansholt Commission (helped, incidentally, by HG Krenzler as his deputy chef de cabinet) and Samuels was the US Undersecretary for Economic Affairs in the Department of State. Meetings took place twice a year, alternatively in Brussels and in Washington.

¹⁸ As the secretary of the Commission delegation to the conference I witnessed the endless coordination meetings of the „Nine“ while Kissinger restlessly waited for an EC common position to emerge in order to resume the plenary session. Cf. Kissinger's detailed account in his memoirs „Years of Upheaval“, pp. 896-925

¹⁹ „Europe had responded to the Year of Europe initiative with a procedure in which those who talked with us were not empowered to negotiate while those who could have negotiated with us no longer had the authority to talk.“ Cf Kissinger, op. cit., p. 189

Concerning trade Soames reached a crucial agreement with US Treasury Secretary Shultz at the September 1973 GATT conference in Tokyo on the launch of what became known as the Tokyo Round (1973 to 1979)²⁰. Bilaterally, disputes on non-tariff barriers²¹, agriculture, the EC's Mediterranean policy and its relations with the ACP, as well as the EC regime of generalised preferences were among the recurring agenda items.

From 1977 to 1980 Commission President Roy **Jenkins** continued raising the Commission's external profile, both as a partner in the EC's relationship with the US and globally. Jenkins took office simultaneously with the start of US President **Carter's** term. Carter sent Vice President Mondale on an early European tour, which Mondale started off with a visit to the Commission in January 1977 and invited Jenkins for a first visit to the White House in April. While the discussions with Mondale in Brussels centred on European fears of US protectionism which threatened to increase an already sizeable EC trade deficit with the US, Jenkins secured President Carter's commitment for a strong role of the US in the ongoing round of multilateral trade negotiations (MTN) in Geneva. Carter was the first US President to visit the Commission Headquarters in Brussels in January 1978. The bi-annual high-level consultations between the Commission, led by Vice President Wilhelm Haferkamp, and the US Administration became a regular and broader exercise, and the „Tokyo Round“ was successfully concluded in November 1979 with more than 100 countries around the table²². As to the Commission's global role President Jenkins managed to become part of the privileged circle of world leaders, which had started off in Rambouillet in 1975 and became known as the yearly World Economic Summit. He first joined the third such meeting in July 1978 at London mainly in order to introduce the discussions on the state of play at the MTN²³. Jenkins had to endure a staunch fight with France's President Giscard d'Estaing to obtain a place at the table for the Commission to represent the European Community at an „Economic“ conference²⁴. Later on the Commission became an officially invited full member of the „G 7“ as from the fourth of such meetings at Bonn in 1979.

The 1981 to 1984 Commission under President Gaston **Thorn** coincided with the first term of the **Reagan** Administration. Despite President Reagan's liberal

²⁰ Next to the interaction between monetary and trade policy, protectionism in agricultural policies on both sides of the Atlantic, the role of developing countries, anti dumping and subsidy rules had been other key issues on the mandate (called the „Global Undertaking“) for the round.

²¹ 20% of EC industrial exports were subject to US quantitative restrictions, as compared with 4% of EC imports from the US. As another example, my first dossier as a desk officer was to deal with the ban of US exports to the EC of ferrous scrap, a commodity essential to the steel industry.

²² A great deal of merit at the working level has to be attributed to the team led by Roy Denman, the newly appointed Director General for External Relations coming from a London Board of Trade background, and his excellent and tireless efforts with Bob Strauss, the US chief negotiator, which I was able to closely witness as Denman's personal assistant.

²³ Jenkins owed this invitation to President Carter's support. Carter was on the record to consider „US cooperation with the EC as an essential feature in the international effort to strengthen the world economy, to build a more open and orderly trading system, to develop a constructive policy towards meeting the needs of the developing countries and improving stability in other parts of the world.“ (Press memo of the US Mission to the EC, April 19, 1977)

²⁴ Roy Jenkins discusses the episode in his „European Diary 1977-1981“, Collins, London, 1989, pp. 22, 74 to 77, 95 to 100

philosophy US protectionism took the upper hand against the background of a sputtering world economy and growing US trade deficits. US anti dumping and anti subsidy action against steel and agricultural imports from the EC and the Russia pipeline dispute are cases in point and required increased conflict management. In 1981 President Thorn visited Washington and US Secretary of State Haig travelled to Brussels twice in the company of his colleagues from commerce Baldrige, agriculture Block and USTR Brock for meetings with their Commission counterparts Haferkamp, Davignon and Gundelach (replaced by Dalsager after Gundelach's passing away in office in 1981). When Secretary Shultz took over from Haig in 1982 he agreed with Thorn to bolster the traditional biannual consultations at sub cabinet level by adding an annual cabinet level meeting with the Commission at the Berlaimont in December of each year to coincide with the Nato ministerial in Brussels. On the foreign policy front the transatlantic climate deteriorated as a consequence of the June 1980 Venice Declaration of the European Council on the situation in the Middle East („land for peace“), in addition to policy differences in relations with the Soviet Union. While France resisted regular meetings at ministerial level in the framework of European Political Cooperation (EPC) because of fear of US interference with EPC decision-making, and the Commission, for its part, wanting to avoid duplication of contacts, the European Council agreed in March 1982 to hold regular, at least once during each Presidency, Political Directors Troika (former, present and incoming Council Presidencies) meetings at the level, on the US side, of the Assistant Secretary for Europe at the State Department.²⁵

At the end of the Thorn Commission a host of unfinished transatlantic business remained on the table. Multilaterally, the remainder of the GATT work programme (such as on quantitative restrictions and trade in agriculture) had started to merge into the preparations for a New Round. The EC position since the London Economic Summit was to be ready to join in preparatory work without in principle to be able to agree to the formal launching of such Round, in the absence of agreement of subject matters and without having secured the support of LDCs. More generally, multilateral trade issues were increasingly dealt with in informal meetings of trade ministers in the run-up to the Bonn G7 Summit, as well as within OECD, partly because of certain disillusionment with the operations of the GATT system and the perceived need for further measures to „roll back“ protectionism.

Bilateral relations with the US had become an area of intense activity, across the board of a growing number of policies, hand in hand with the process of deepening of the EC's economic union and its enlargement negotiations with Spain and Portugal, after Greece had joined in 1981. The Reagan Administration had become known for „tough noises“ on trade policy and major bilateral issues could blow up over night, such as the unilateral restrictions imposed on EC exports of pipes and tubes and the October 1984 US Trade and Tariff Act, a piece

²⁵ It was understood that the Commission participated in the Troika meetings to ensure coordination with Community matters. The Commission representative was the Deputy Secretary General, also in charge of participating in COREPER (the Council Committee of member states Permanent Representatives), having an overall view of Commission activities. HG Krenzler assumed this role until the summer of 1987.

of protectionist legislation by the US Congress. On process, at the end of 1984, the Commission could look back with some satisfaction to having established a pretty efficient crisis management system with the US Administration, hinging principally on the – since 1981 regular - December Ministerial conference between a team of US Ministers led by Secretary Shultz and a corresponding team of Members of the Commission.

The **transition from the Thorn to the first Delors Commission** was marked by two somewhat humoristic anecdotes not entirely uncharacteristic of the general atmosphere of transatlantic relationship as explained above. When Secretary Shultz arrived for his last meeting with the Thorn Commission at the Berlaymont in December 1984 and the two Delegations were seated around the table in the Commission's meeting room on the 13th floor he pointedly pulled a banana out of his briefing case and laid it squarely on the table in front of him. His gesture was an unusual protest against a recent speech by Roy Denman, the Commission's Ambassador in Washington at the time, and of course a greatly embarrassed participant of the gathering, in which he had compared the US with a "Banana Republic", because of the US protests against preferential imports of bananas into the EU from the associated ACP countries to the detriment of American trading companies. Even more embarrassing was a second incident, when Shultz, after Thorn's opening remarks, asked whether it was true that Jacques Delors, the incoming Commission President, had made a speech in Paris the day before, in which he was quoted by the press to have said that Americans had a revolver in one hand and a bible in the other.²⁶

During **the decade (1985 to 1994) of Jacques Delors' Commission Presidency** the European Communities evolved into a fully-fledged European Union with the internal market almost completed; the institutional system reinforced through the Single European Act and the Maastricht Treaty setting up the European Union; economic and monetary union with a common currency, the Euro, well on its way; enlargement from 10 to 15 members with a European Economic Area around the EU successfully completed; a pre-accession process with the new democracies in central and eastern Europe launched and a normalisation with Russia and the former Soviet republics achieved with the help of Gorbachev and Jeltsin. **Internationally the EU/US relationship was the key factor** to make all this possible, with 11/9, the fall of the Berlin wall on November 9, 1989 the historic turning point, and the November 1990 Paris Conference transforming CSCE into OSCE the symbolic event of the consolidation of the Greater Europe.

1985 was a difficult starting point. Internally, Delors needed to turn euro-pessimism ("I want my money back" policies) into a new dynamism. The way to achieve this was the early announcement, in his program speech to the European

²⁶ As I was seated on the chair behind Thorn which is normally reserved for the Chef de cabinet of the President (I had instead been asked to attend as Delors' incoming deputy chef and diplomatic advisor) Thorn turned around to me and requested that I immediately got in touch with Delors in Paris to verify the accuracy of the press story. I duly left the room and got on the phone. The quote had been correct and I discreetly confirmed with Thorn. To everybody's great relief the meeting had resumed in the meantime in the usual business like mode.

Parliament in January, of the “1992” program to complete the internal market; the conclusion in March of the enlargement negotiations with Spain and Portugal which had dragged on for 6 years; and an institutional reform via an Intergovernmental Conference leading to the Single European Act (SEA) launched in June and completed in December. All this went not unnoticed on the other side of the Atlantic, although increasingly virulent protectionist initiatives by the US Congress, partly vetoed by President Reagan, and unilateral trade policy measures enacted by the Administration prompted Commissioner Willy De Clerq to visit with Commerce Secretary Baldrige and USTR Brock in Washington in March.

Delors concluded, although unenthusiastically, **that an early visit by himself to the US**, including a meeting with President Reagan in the Oval Office, **a week before his first G7 Summit in Bonn in early May** with the US President and other world leaders in attendance, **was an indispensable move to connect his ambitious European with the transatlantic and global agendas.**²⁷ From 23 to 27 April Delors visited **New York, Washington and Northern California**. In New York Delors met with the world of finance and had dinner with George Ball to revisit the past and take advice on how to deal with the present.²⁸ In California Delors spent one day in and around Silicon Valley on technology issues (meeting with the CEOs of Hewlett Packard and Intel, and visiting their manufacturing facilities; Stanford University and the Bay Area International Business Forum) and the following day on a whirlwind tour round some of the key sectors of Californian agriculture, such as almonds, citrus, wine and dairy.²⁹ The **Washington** leg, however, was to be the crucially important “plat de résistance” of the visit with a fully packed 48 hours schedule. Our US interlocutors regarded the visit with a mixture of interest and apprehension. This arose partly from Delors’ reputation as a rigorous former French minister of finance³⁰ and partly from the above mentioned press reports of remarks he had made in Paris in December 1984 at which Secretary Shultz had taken offense. These fears were effectively laid to rest by the speech Delors gave at the National Press Club, by the reasoned line he took in discussions with the Administration and Congress,

²⁷ Preparation and participation of the visit fell on me as his foreign policy advisor. We opted for a fuller program, around, of course, and beyond the strategically important meeting at the White House, in order to reach out to main decision-makers and to underline Delors’ interest in getting an idea of the other America “beyond the Belt Way”. At my modest level I was looking forward to my first shaking hands with a US President in the holy grail of the Oval Office (it so happened that I was the official representative of the European Commission at the state act and funeral service for President Reagan at Washington Cathedral on 6 June 2004, in my capacity as the EU Commission’s Ambassador in the US). Hundreds of pages of briefing papers from the Commission services and our Washington Delegation, reflecting the density of transatlantic relations and great number of bilateral disputes, had to be condensed into operational speaking notes and well intended “background” advise on how to handle US interlocutors.

²⁸ See above footnote 4

²⁹ A gesture much appreciated by both President Reagan and Secretary Shultz given their Californian background and the pressure on them by their constituencies on the Hill and within a business community heavily depending on exports to Europe

³⁰ In that capacity Delors had, in the company of President Mitterand, paid host to President Reagan at the June 1984 40st anniversary commemorations of the Allied landing at the beaches of Normandy

and, above all, by the unexpected warm atmosphere and friendly exchange at the Oval Office meeting.

On Tuesday morning, April 23, President Delors, in the company of Roy Denman, the Commission's Head of Delegation in the US, and myself arrived at the North West Gate of the White House. We were greeted by Secretary Shultz and the Chief of Protocol, Selwa Roosevelt, a granddaughter of the former President. Delors signed the guest book in the Roosevelt room before being escorted to the Oval Office for the joined "public" photo opportunity with Reagan open to the accredited White House press corps, followed by the "private" meeting. Reagan and Delors set down in the traditional two chairs next to each other in front of the chimney, while Denman and myself, assigned to the sofa on Delors' side, found ourselves outnumbered, on the opposite side, by a long row of Reagan's advisors including Vice President G.W. Bush, Secretary Shultz, Chief of Staff Don Regan, US Ambassador to the EC Mitterand, US G7 Sherpa Wallis and a bunch of additional note-takers. While the meeting was slated for ten minutes as a largely ceremonial occasion, President Reagan extended it himself to half an hour, waving away anxious aides. Delors thanked for the invitation and welcome and recalled Reagan's visit to Normandy in June 1984 and the latter's deep moral and emotional involvement. Reagan appreciated Delors' good solid style and his timely visit shortly before the Bonn Economic Summit, which, he hoped, would conclude in favour of new multilateral trade talks to start in 1986. Delors said Europe was back on track and laid out his agenda, the creation of a common market of 320 million consumers, the accession of Spain and Portugal as the consecration of the return of these two countries to democracy, and the expectation of the Milan European Council in June to take decisions leading toward political union. The Bonn Summit should promote trade, financial and monetary matters, without the Commission being able, at this stage, to commit to a date for the opening of a new round. He stressed the need for Japan to opening up its market and to internationalize the Yen. Reagan agreed and expected Nakasone, a courageous friend, to show leadership. Delors raised European preoccupations about steel exports to the US. Both Kohl and Mitterand were likely to raise this issue in Bonn if a solution was not found before. Reagan said he had asked Commerce Secretary Baldrige to "find a solution right now", which in turn triggered an intervention by Don Regan about US preoccupations with the EC's common agricultural policy. Discussions then took a more philosophical tone, with Reagan showing sympathy for Delors' analysis of agriculture in Europe, in particular the survival of small farmers, as a problem of society. To obvious signs of unease with his bench Reagan concurred that agriculture was not there only "to produce big money". The meeting ended in a relaxed atmosphere and was later described by Shultz at the lunch he offered for Delors at the State Department as "a very good one".

Delors' ensuing presentation entitled "Europe should not be written off" was well received by a packed National Press Club. At his 3 hours meeting and lunch with Secretary Shultz he was cross-examined in some detail on his attitude to international monetary reform. He was listened to with increasing respect and was able to dispel US suspicion that his insistence on the interaction between monetary and trade policy was an excuse to delay the trade round. With

Baldrige he courteously but firmly declined an – insufficient - offer to settle the steel issue. On the Hill he met with key members of the Senate Finance Committee and had breakfast with the House Ways and Means Committee. Meetings with Secretary of Agriculture Block and the Federal Reserve Chairman Paul Volcker completed Delors' DC tour. As a particular sign of grace Secretary Shultz attended the dinner hosted by Denman at the Commission residence. Shultz' habit was not to dine out often, and never before had an acting US Secretary of State attended a dinner at our residence. Shultz and Delors struck up a friendly relationship.

All in all, this “opening set” in support of the EC's transatlantic agenda had been timely and successful, although it would not prevent some US circles to suspect Delors' programme of completing the internal market by 1992 of creating “Fortress Europe”. More importantly, the visit had inaugurated a climate of confidence and constructive cooperation between Delors and the successive Reagan, Bush and Clinton Presidencies.

The remaining term of the first Delors Commission, coinciding with President Reagan's second term continued to require constant trade policy crisis management bilaterally, despite the successful opening, on September 20, 1986, at Punta del Este, of what would be known as the “Uruguay Round” of multilateral trade negotiations. Negotiations were to include new subject matters, such as trade in services, intellectual property rights and investment rules, in addition to traditional items. Evolving hand in hand with the ongoing completion of the EC's 1992 internal market program the Round would lead to replacing GATT with the World Trade Organisation (WTO) in 1995. Although the negotiating mandate required “standstill” and “roll back” as to bilateral trade restrictions not in conformity with existing GATT rules during the process of the Round, the US side added new transatlantic irritants, such as Airbus and hormones, to the long list of issues under review. The 1988 US “Omnibus Trade and Competitiveness Act” or “Trade Bill” enacted by Congress ultimately provided the US President with formal negotiating authority under the Uruguay Round. In December 1988 the last of the annual Delors/Shultz Ministerial meetings at the Berlaimont, in that configuration, both sides were able to look back at a legacy somewhat suboptimal on results while excellent on personal chemistry.³¹

In addition to the consultations with the Commission becoming more “political”, the signature on 28 February 1986 of the Single European Act (SEA) and its entering into force on 1 July 1987 provided an opportunity for a major step in

³¹ As from December 1986 Delors had introduced the habit of preceding the plenary meeting with restricted bilateral discussions in his office, separately with Secretary Shultz and Treasury Secretary Baker. With Shultz issues discussed included the evolution of East/West relations and the Reagan/Gorbachev Summits, as well as relations with Turkey, against the background of traditionally strong US backing for progress in EC/Turkey membership talks. With Baker Delors exchanged views on the G5 Finance Ministers meetings from which the Commission was excluded at the time. Shultz used to warmly thank Delors in a personal letter after the meeting, stressing the highly useful exercise notably of the informal part of the discussions “unfortunately complicated by our trade relations”. Shultz called the US and the EC the “center of gravity of the Free World”.

strengthening the dialogue with the US in the area of European Political Cooperation (EPC). ³² Consistency between the external relations of the Communities and – intergovernmental – EPC policies was to be ensured by the member state holding the rotating Council Presidency and the Commission. To this effect the Commission was “fully associated with the proceedings of Political Cooperation”.³³ This, of course, included the organisation of the transatlantic relationship in all its aspects. During 1986, consultations between US Secretary Shultz and the Netherland’s Foreign Minister (and later Commissioner) Hans van den Broek under Dutch Presidency, continued under UK Presidency by Geoffrey Howe, led to agreement reached by EC foreign ministers at their informal meeting at Brockett Hall, with the participation of Jacques Delors, on a set of procedures³⁴, later on confirmed by Shultz.

From “Eleven Nine”, November 9, 1989³⁵ - “Europe Whole and Free” – to the EC-US Transatlantic Declaration (TAD)

Already during Reagan’s second term Vice President Bush had opened another channel of communication when he called on President Delors in June 27, 1985. With policy developments in the Soviet Union and the countries in Central and Eastern Europe gaining traction the Vice President used to stop over in Brussels for meetings with NATO Secretary General Lord Carrington and Delors to discuss his visits of EC member states and Eastern capitals, such as Warsaw and Moscow. These informal encounters would prove particularly valuable during Bush’s own Presidency (1989 to 1992), coinciding with the second Delors Commission, when a new chapter in the transatlantic relationship started around the fall of the Berlin wall on November 9, 1989.

President Bush made the opening set in his speech at Boston University on 21 May 1989, with on his side French President Mitterand who was on a state visit to the US.³⁶

³² Art. 30 SEA for the first time institutionalized EPC within a single Treaty, next to the provisions that were needed in order to strengthen the legal base relating to Community competences for completing internal market legislation.

³³ SEA, Art. 30 para 3c

³⁴ Semi annual visits to the US by the Foreign Minister holding the Council Presidency; meetings of the Political Director Troika with the Assistant Secretary for Europe at the State Department; and regular contacts between the diplomatic Missions of the Twelve and the US Administration in Washington; with Commission participation at all levels. Political Director Troika meetings had occasionally already been held in Washington since 1983 with Assistant Secretary Burt and Ridgeway. Foreign Minister level meetings had started to take place in the margins of the September UNGA sessions in New York.

³⁵ A term I suggested during my time in Washington, as it conveniently contrasted with what became known as “Nine Eleven”, September 11 2001, the terrorist attacks on New York and Washington. While “Eleven Nine” was the symbolic event leading to the most productive phase of transatlantic interaction under the “first Bush” or “Bush 41”, “Nine Eleven” and its aftermath symbolize the most divisive period of the “Second Bush” or “Bush 43”, the 43rd President of the United States.

³⁶ “A New Century holds the promise of a united Europe...already moving toward greater economic integration, with the ambitious goal of a single European market in 1992...There has been an historical ambivalence on the part of some Americans toward a more united Europe...This Administration is of one mind. We believe a strong, united Europe means a strong America...The United States welcomes the emergence of Europe as a partner in world leadership.

On 30 May Bush and Secretary Baker travelled to Brussels for meetings with Nato and the Commission (Delors/Andriessen). Upon his invitation Delors responded with a visit to the White House for lunch with Bush, meetings with Baker and the House and Senate leaderships on 14 June 1989.³⁷ Only 4 weeks later Bush and Delors met again with the other G 7 leaders at the July “Sommet de l’Arche” in Paris, coinciding with the bi-centenary of the French revolution. On his way to Paris Bush had visited Warsaw and Budapest to arrive at the G 7 dinner with a heightened sense of urgency concerning necessary support for what would be called later the “new democracies” of central and Eastern Europe. Bush joined forces with Chancellor Kohl of Germany and Canadian Prime Minister Mulroney to convince a reluctant Mitterand and a more than sceptical UK Prime Minister Thatcher that, in the absence of any other suitable body, the European Commission should be tasked with the coordination of a massive financial assistance programme. In a way, the subsequent EU pre-accession and later accession process leading to the EU’s May 2004 eastern enlargement had its early roots at the memorable G 7 dinner on July 14, 1989 at the Hotel de la Marine overlooking Place de la Concorde, surrounded by the gorgeous festivities so ably orchestrated by Mitterrand’s Sherpa Jacques Attali.³⁸

So, the ingredients of the menu were on the table when the political earthquake in Europe, the fall of the Berlin wall, accelerated the process and prompted action on improving the institutional mechanisms of transatlantic consultation and cooperation. What was remarkable was the deep familiarity, knowledge about and appreciation by the US leadership of the role assumed by Europe’s institutions, including the Commission, in those historic moments.

On **December 4, 1989** President Bush stopped over in Brussels on his way back to Washington from a key bilateral summit with President Gorbachev in Malta to debrief Nato partners at an impromptu Summit meeting. In a remarkable gesture Bush had asked for an informal meeting with Delors before the Nato meeting. That meeting took place in the early morning in Stuivenberg Castle at the northern periphery of Brussels. Bush was accompanied by Baker, US

We are ready to develop with the European Community and its member states new mechanisms of consultation and cooperation on political and global issues...to putting an end to the division of Europe.”

³⁷ Bush and Baker had fielded a strong team to proceed with putting ambitions into practice, including with respect to the ever-longer “laundry list” of trade and other economic issues. On the US side the co-leader were Under Secretary for Economic Affairs Robert Zoellick, Commission Director General Krenzler’s opposite number, while Robert Kimmit, Under Secretary for Political Affairs, who had already worked with Baker at the Treasury, was my Political Director counterpart. The EC Troika met twice with the US in 1989, under Spanish and under French Presidency, with a broad foreign and security policy agenda. The Washington October 25/26 session of the Political Directors Troika was presided over on the US side, for the first time, at Under Secretary level by Bob Kimmit who brought in a number of Assistant Secretaries in charge of key dossiers, and added meetings with key members of the House and the Senate, as well as with the Pentagon.

³⁸ Delors’ Sherpa Pascal Lamy and myself missed part of the fun exchanging little notes with Delors at the dinner table next door and having to explain to an understandably worried Frans Andriessen that new tasks had just been put on his shoulders for which resources had yet to be found.

Ambassador to the EU Niles, Chief of staff Sununu and National Security Advisor Scowcroft. VP Andriessen, the two chefs de cabinet Lamy and Wijnmalen, HGK and myself assisted on Delors' side. The meeting lasted for over an hour and confidentiality had been agreed on both sides. Reviewing my 4 pages of notes taken from the discussion I can report, however, President Bush's worries about what he had heard from Gorbachev about the depressing state of the Soviet economy. US and Europe needed to encourage every action by the SU which would move the latter closer to market economy, including by offering observer status with GATT and considering granting MFN status. Andriessen described the agreement reached between the EC and the USSR. The EC was ready to open its market, but there was a problem of SU competitiveness. When Delors asked whether Gorbachev had again referred to his "Common European House" concept Bush replied that Gorbachev had maintained his defensive attitude stating that "walls must not be moved", which had to be understood as a substitute for warning against unwelcome dynamics, in particular in the direction of the Baltic States, while on the issue of the inner-German border he had restated that "history will judge what happens". Bush expressed hope that European integration would not slow down after the events in Berlin. Baker asked whether the Commission detected any change in German resolve to move fully towards European unity. Delors replied that if Chancellor Kohl would not agree to EMU at the forthcoming December European Council meeting in Strasbourg this would indeed be a very bad sign. It was agreed to go into more detail at the annual Commission meeting with Baker on 15 December right after the Strasbourg European Council.

At the end of that same day Delors received a handwritten letter by Bush with the US President's speaking notes for his afternoon intervention at the Nato Summit attached. In his remarks "on the Future of Europe" Bush had set out the **architecture** of what henceforth became known as his "**Europe Whole and Free**" concept, based on four principles, three organisations and two processes, to allow for German unification and the consolidation of the Greater Europe, with strong US involvement at all levels. The **four principles** were the right for self-determination; respect for existing borders, subject to freely and voluntarily agreed changes; German unification within the context of European integration and of the Nato Alliance; and a massive coordinated effort of economic and financial support for the new democracies in central and eastern Europe. **Three organisations** and **two processes** were key to frame the collective effort: the European Community, reinforced through a process of increased integration, together with its role, as agreed at the Paris G 7 meeting, to coordinate economic assistance for the new democracies within a G 24 group of donor countries; Nato, to be tasked with "New Missions" to promote greater freedom in the East; the CSCE to play a greater role in the future of Europe with its political and economic "baskets", supporting human rights, free elections, allowing the reconciliation of the two principles of self-determination and the respect of borders, and helping the Soviet Union to develop its economy.

It fell on **Secretary Baker** to publicly present this comprehensive concept, capturing what amounted to a peaceful revolutionary momentum in Europe's post World War II history, in his memorable **speech in Berlin, on December**

12.³⁹ Again, the US-EC interaction was presented as a key element in the new architecture.⁴⁰

Against this background, the Brussels **EC/US Ministerial meeting on December 15, 1989**, in addition to its traditional trade and economic agenda items, responded to the foregoing events with new ideas on the organisational aspects of transatlantic interaction. Secretary Baker delivered prepared remarks following up on President Bush's pronouncements less than a fortnight ago, and the meeting concluded, unusually, with a "Joint Declaration". Baker, again, stressed the vital role the EC has to play in an era of extraordinary times for Europe. He quoted US statements in support of European integration from Bush back to Eisenhower. This process must go on economically, to keep the Uruguay Round moving forward, with combined EC and US leadership, and politically, in shaping, together, the transformations in Eastern Europe. Baker went on with a long paragraph on the future organisation of EC/US consultations: "Because we are firmly convinced that the EC will provide a cornerstone for the New Europe, we think it is sensible to explore a closer US-EC linkage." This linkage should combine "the rich network of ties with the nations of the Community" with "working more closely with the Community institutions the Twelve create." Baker went on to say that he did not have "a preconceived model of transatlantic cooperation with the EC". Both sides should "begin a dialogue" with the aim to bring together exchanges on foreign policy within EPC with the broad range of our economic relationship "in parallel with Europe's efforts to achieve a common internal market by 1992". He was anxious not to be seen interfering with the EC's own institutional evolution and ended with Bush's leitmotiv: "By working more closely together, the US and the EC can contribute to the architecture of a New Europe, **a Europe whole and free.**" The Joint Declaration captured the gist of this statement.⁴¹

Early in 1990 the Commission embarked on a thorough stock taking on both the substance and the options for procedural arrangements to strengthen the EC/US dialogue in response to the changing environment.⁴² While the US were perfectly

³⁹ "A New Europe, A New Atlanticism, Architecture for a New Era", US Mission to the EC, Public Affairs Office, USAT PL 10, December 12, 1989

⁴⁰ "As Europe moves toward its goal of a common internal market, and as its institutions for political and security cooperation evolve, the link between the US and the EC will become even more important. We want our transatlantic cooperation to keep pace with European integration and with institutional reform. To this end, we propose that the US and the EC work together to achieve, whether in treaty or some other form, a significantly strengthened set of institutional and consultative links..."

⁴¹ "The Commission of the European Communities and the United States consider it opportune, at this juncture, to reaffirm the importance they attach to EC-US relations and to declare their intent to strengthen further their relationship... Representatives of the EC Commission and the United States will meet early in 1990 to examine ways of strengthening coordination in the growing number of areas of common interest. Our goal is to assure the continued vitality of transatlantic ties at a time of accelerating European integration."

⁴² This exercise took place under the authority of President Delors and Commissioner Andriessen, with, at service level, HGK in the lead on community and myself on EPC matters.

able to interact with the Europeans in NATO and the CSCE⁴³ it was well understood that the US were looking for ways to keep track with the fast evolving EC agenda,⁴⁴ and that this was a legitimate objective to be accommodated in the interest of both sides. On the European side, the problem was to accommodate the evolving nature of the integration process, which seemed to argue against rigid transatlantic treaty commitments. On substance, issues of community competence, from trade to common economic policies, were well dealt with by the Commission at ministerial level, extended in 1990 to two sessions, in February in Washington, and in December in Brussels, as well as by individual Commissioners with their US counterparts.⁴⁵ However, the US were aiming to move towards dialogue with a single European partner, presenting the EC and its member states, the “Twelve”, with the problem of “globalizing” matters of community and intergovernmental nature, and drawing into the exercise, as a more permanent feature, the Presidency of the EC Council. At the occasion of a visit to the White House on 27 February 1990 of PM Haughey, under Irish Council Presidency, President Bush understandably took the view that modalities on the European side were for the Europeans to decide. After a meeting between Presidents Bush and Delors at the White House on 24 April, 1990, a first set of arrangements took shape with agreement on combined Presidency of the European Council/ President of the Commission/ President of the United States meetings once every semester, to start under the incoming Italian Presidency⁴⁶; an additional meeting each year between the US Secretary of State, the twelve foreign ministers and the Commission⁴⁷; and increased EPC contacts in Troika format at working level. Furthermore, the June 1990 Dublin European Council agreed in principle that EC/US cooperation “could take the form of a joint transatlantic declaration”.

Negotiations on the **“Transatlantic Declaration on EC-US Relations (TAD)”** were conducted during the second half of 1990⁴⁸ and the text was agreed on

⁴³ In the CSCE framework transatlantic coordination took place in Nato format on security and human rights issues. This had, however, proved increasingly inadequate with the CSCE’s second, the economic, basket.

⁴⁴ This had, to some degree, already been the case with the aborted 1973 “Year of Europe” initiative, at the time perceived by some EC member states as Kissinger’s attempt to “gate crash” the EC through obtaining a place at the EC table. The Nine, therefore, had replied with a “European identity” statement, adopted at their Summit meeting on 14 December 1973 at Copenhagen, insisting on the EC as “une identité distincte et originale.” US participation in the Community’s own decision making would remain an unacceptable proposition.

⁴⁵ As of July 1990 the list of current and potential EC-US agreements and contacts had reached an impressive number of around 60, in areas such as agriculture and fisheries, science and technology, the environment, transport, telecommunications and competition policies. While agreements on individual trade items and on standards and certification issues were at the centre of Commission competence, some of the new areas reached into a “grey zone” of mixed responsibility with member states.

⁴⁶ The first meeting in this format took place on 13 November 1990 in Washington between President Bush, the PM of Italy Andreotti and Commission President Delors.

⁴⁷ The meeting was additional to the annual dinner, since September 1987, with the US Secretary of State in the margins of the September UN General Assembly in New York. The new format was practised for the first time on 3 May 1990 after a Nato ministerial in Brussels.

⁴⁸ Contacts to that effect were pursued, among others, in the margins of the G 7 Summit in Houston/Texas from 9 to 11 July 1990. As Houston was President Bush’s hometown, he did not spare any efforts to display typical local Texan habits like horseshoe throwing, and to create a

November 23, 1990 in the margins of the CSCE Summit at the Centre Kléber in Paris, after final drafting sessions in the margins of the conference between EC Political Directors and US Deputy Secretary Zoellick. It saw the light at a place and at a moment coinciding with the signing of the “**Charta for a New Europe**”⁴⁹ which transformed CSCE, a “Conference” into OSCE, an “Organisation”, thus reinforcing another pillar of the Bush “Europe whole and free” concept. The TAD, in its introductory preamble, puts the “Year of Europe” squabbles behind by stressing a “partnership on an equal footing” and noting the EC’s “own identity”. There follow chapters on “Common goals”, on “Principles of US-EC partnership”, on broad areas of “Cooperation”, from economic to cultural policies, and on “Trans-national challenges”. While security issues, such as the fight against terrorism and the proliferation of weapons of mass destruction were covered, military security was excluded at the explicit request of the US. Although the US had actively supported the European Defence Community Treaty in the early 50ties, their position henceforth was that issues of military security were matters to be discussed in Nato. This was perfectly in line with Art. 30 paragraph 6 of the Single European Act (SEA), which limited cooperation among the Twelve to “political and economic aspects of security”. However, the Europeans were only a month away from the opening of an Intergovernmental Conference (IGC) to negotiate a Political Union Treaty next to the IGC on Economic and Monetary Union.⁵⁰ Political Union was intended to include an element of common defence through WEU. The US position risked therefore to be out-dated because of the process of European integration moving forward. Had TAD acquired “treaty” quality, instead of a “declaration”, the EC’s future margin of manoeuvre might have been even more limited.⁵¹ Finally, the “Institutional framework for consultation” at the end of the TAD text codified the procedural arrangements agreed earlier on, namely bi-annual consultations at the level of the 3 Presidents (US, EC Council Presidency and European Commission) as well as of Foreign Ministers (12+1+1), with adding another element of flexibility at Foreign Minister level by including meetings between the US Secretary of State and the EC Foreign Ministers Troika. Bi-annual consultations between the EC Commission and the US Government at Cabinet level were maintained. The already existing contacts between the European Parliament and the US Congress

particularly warm and informal atmosphere for the talks at Rice University. Moreover, the EC led G 24 assistance program could shown an excellent start: since the Paris G 7 Summit a year ago a total of close to 25 Billion ECU in grants and loans had been collected, of which 78% by the EC and its member states and 7% by the US, a “burden-sharing” more than favorable for the Europeans.

⁴⁹ The Charta was signed by 34 Heads of State and Government, including Chancellor Kohl for the freshly united Germany, as well as on behalf of the EC by Commission President Jacques Delors and the Italian Foreign Minister Dini in charge of the Council Presidency.

⁵⁰ Both Conferences were opened immediately after the European Council meeting in Rome, on 14 to 15 December 1990.

⁵¹ A particularly undiplomatic expression of the US position was the Dobbins/Bartholomew memorandum in the spring of 1991, addressed to the EU Member States members of Nato, assembled at the IGC negotiations presided over by the Netherland’s Foreign Minister (and later European Commissioner) Hans van den Broek at Noordwijk. That demarche was a robust outside interference with the aim of hardening the stand of those Member States who already took minimalist positions towards the Common Security and Defense provisions of the Maastricht Treaty.

were encouraged. An evolutionary clause was included to allow future institutional developments to be duly reflected.⁵²

EC/US dialogue during 1991 and 1992, the first years under the TAD, took place against the background of the **EC's internal Treaty negotiations on EMU and Political Union**, concluded at the European Council meeting on 10 December and signed on 7 February 1992 at **Maastricht**. On the international front the US and the EC stood firmly together on the first Gulf War and its aftermath, contrary to deep disagreements in relation to the second war against Iraq under Bush "43". The TAD's institutional arrangements were used intensely, with additional ad-hoc meetings in various formats.

Three summit meetings took place in **1991**: PM Santer of Luxemburg and President Delors with President Bush on 4 April in Washington; Dutch PM Lubbers and Delors, joined by Foreign Minister van den Broek and Commissioner Andriessen with Bush and Baker in the margins of the G 7 Summit in London on 16 July, and the Lubbers/Delors/Bush Summit on 9 November in The Hague. At Foreign Minister level international crisis management required utmost flexibility and produced about 10 meetings by Baker with either the EC Troika including Commissioner Andriessen or, in a smaller setting, with successively the Luxemburg and then Netherlands Presidency Foreign Ministers Poos and van den Broek, together with Andriessen, in Washington, Luxemburg, The Hague, Geneva; and the 12+1+1 dinner in the margins of UNGA in New York. There was considerable travel across the Atlantic in both directions by individual members of the Commission and US cabinet ministers, as well as by members of the European Parliament and the US Congress.

In **1992**, under Portuguese and UK Council Presidencies, the frequency of meetings continued according to the TAD schedule, including Summits between Bush, PM Cavaco Silva and Delors on 22 April in Washington and on 18 December with UK PM Major as the host. Dialogue on Community matters was supported by sub-cabinet level meetings under the leadership, on the European side, by the Commission's Director General for External Relations and, on foreign policy matters, by the Political Director's Troika, with the participation of the Commission's Political Director, and at the level of an increasing number of EPC working groups, including, as the newest addition, on justice and home affairs. A central agenda item at the December Delors/Baker ministerial meeting, to which Baker arrived on his return from Moscow, was EC/US coordination of support to the CIS, the independent successor states of the former Soviet Union, as well as the organisation of delivery of food aid, including to the cities of Moscow and St. Petersburg.

⁵² It is interesting to note that this first ever codified institutional framework of the TAD has broadly survived over the many years, while, on substance, a long list of transatlantic initiatives has gradually emerged through the sequence of EU Presidencies and Commission as well as US initiatives leading up to today's Transatlantic Trade and Investment Partnership (TTIP) negotiations which formally started in the Summer of 2013.

From TAD to NTA, the New Transatlantic Agenda of 1995

The – unexpected and abrupt – end of the Bush Administration, after the victory of Bill **Clinton**, at the November 1992 US Presidential elections, of a young and fairly unknown former Governor of Arkansas, confronted the Europeans with a changing America after 12 years of Republican Administrations. President Clinton had made it clear that the key to his foreign and security policy was a strong domestic economy. He had secured election on a platform of change and renewal. This raised questions about what this meant in terms of US priorities in economic and foreign policies, against the background, it had to be admitted, of a mixed record on the European side as well. While the EC had largely achieved its 1992 program of completing the internal market, signed, on May 2, 1992, a European Economic Area Agreement with EFTA countries and entered into a first generation of Europe Agreements with central and eastern countries, the ratification of the Maastricht Treaty (MT) had slowed down considerably by the negative result of the first Danish referendum on June 2, 1992. After the close outcome of a referendum in France on 20 September and an agreement on modified conditions for Denmark at the European Council meeting on December 12, 1992 a second referendum was held with a positive result on May 18, 1993. This removed the obstacle for a late ratification in the UK and the MT finally entered into force on November 1, 1993, to allow for introducing the new mechanisms of the EU's Common Foreign and Security Policy (CFSP).

Another “hangover” were the protracted **Uruguay Round** multilateral trade negotiations. Roughly 2 months before the early November US Presidential elections Delors had received a personal telegram from President Bush, dated September 7, 1992. Bush expressed understanding that Delors could not push the negotiations at “this delicate moment”, ahead of the French referendum on the MT Treaty. “My thoughts are with you at this important time.” He added, however, that the Administration stood ready for early resumption thereafter “leading to a rapid breakthrough and conclusion of the Round this year”. Somehow anticipating defeat the message expresses Bush's political credo: “I believe strongly in the process of European integration. European unity is good for Europe, good for the United States and good for the Atlantic Community. This is a conviction shared by American Administrations since the second World War, and I believe it will remain a tenet of American foreign policy.” As far as Clinton was concerned, his focus on the economy was a good omen for general support of the Uruguay Round, and for a fresh attempt to get bilateral trade policy conflicts under control.

In January 1993 **Delors started his third term** as Commission President, this time for a limited period of two years, in order for him to preside over the running in of the Maastricht Treaty and to allow his successor to start the first 5 yearly mandate of the Commission under the new institutional arrangements of the MT in January 1995 to coincide with the electoral cycle of the European Parliament, due for renewal in the summer of 1994. Because of his relative short time in office Delors set out for an **early fact finding tour to Washington** from March 17 to 19, 1993. His visit with President **Clinton** and Vice President **Gore** in the White House on March 18, literally marching over the boxes still unpacked,

produced a remarkably spontaneous meeting of minds. Both, Clinton and Gore, laid out a program of the largest social and economic reforms ever established in the US, and they shared with Delors a vivid interest in global issues. Clinton was aware of the US economy's increasing interdependence, after the relative self-sufficiency of the past, and of the transatlantic market place representing the lion's share of the global economy. The financing of his domestic program presupposed a high degree of burden sharing, notably with Europe, to manage the international agenda. Clinton, much like Delors, was a son of the lower class and had succeeded through his own determination. He was more concerned with content than with the status symbols coming with his office. He agreed with Delors on the imperative to coordinate the US and the EU growth initiatives, including macroeconomic and monetary policies, bilaterally and with Japan in the G 7 process. Concerning **foreign policy** Clinton had chosen mature and experienced advisors⁵³, many from the Carter Administration. As to Clinton's foreign policy priorities Delors had been well briefed with respect to initial US misgivings with the EC.⁵⁴ The Administration was ready for shared leadership with the EC, including the envisaged WEU/EU caucus on security under the MT, provided that immovable positions would not be taken by the EU "before full consultation" with the US had taken place. The EC crisis management in the former Yugoslavia was judged highly inefficient because of disunity among EC Member States about how to deal with Serb heavy weapons, while maintaining an arms embargo against all parties. There was fierce criticism with the announcement on February 2 of the EC's support for the Vance/Owen plan without prior consultation of the US. The same had been true with the EC's recognition of Croat and Slovenian independence. On this and other policy issues Political Directors were tasked to prepare for the next EC/US Summit meeting with Danish PM Nyrup Rasmussen and Delors on 7 May 1993 in Washington.⁵⁵ Interestingly, Delors introduced a public speech in Washington right after the visit in the White House as follows: "President Clinton called for leadership as a new global economy unfolds before our eyes. He invited us to face this new challenge and to respond to it in a positive way. The wind of change, fuelled by an enthusiastic and dynamic young President of the United States is now crossing the Atlantic. I am convinced that it will add a new dimension to transatlantic relations."

Meanwhile in Brussels the General Affairs Council of 8 March, 1993, had decided that part of the foreign ministers informal ("Gymnich" style) meeting on 24/25 April at the Hindsgavl Castle in Denmark would deal

⁵³ In choosing Warren Christopher (67) as Secretary of State Clinton had chosen experience over flair, openly displaying dislike for large meetings, such as the 12+1+1 EU/US foreign ministers formula of the TAD. His deputy, Clifton Wharton (66) was a prominent Afro-American with a development policy background. Russian-speaking Madeleine Albright's post as Ambassador to the UN carried Cabinet status.

⁵⁴ Delors had dispatched me ahead of the Oval office meeting to take soundings on March 17 with Peter Tarnoff, the Undersecretary for Political Affairs and my Political Director counterpart in the State Department, and his team, as well as with Jenone Walker and Tony Wayne at the National Security Council (NSC).

⁵⁵ Clinton sent Delors an elaborate "thank you" letter on 24 April, also to report about his summit with Russian President Yeltzin and his subsequent talks with Japan's PM Miyazawa on burden-sharing re financial help for Russia ahead of the June G 7 meeting in Tokyo.

with relations with the US. Ministers should focus on content, as the TAD did not need to be revisited on mechanics. Political Directors were invited to contribute. **The Commission** saw this as a welcome opportunity for another systematic stocktaking and **submitted a comprehensive policy paper to the Council.**⁵⁶ The communication updated facts and figures with respect to transatlantic economic interdependence and burden sharing, two of the priority themes of the Clinton Administration. It covered at great length the mixed record in the area of bilateral trade⁵⁷, with the US legal system giving domestic legislation, such as the Trade Act of 1988, primacy over international trade law. It requested the US to refrain from such unilateral action and to adhere to internationally agreed dispute settlement procedures. It lauded the quality of bilateral dialogue having lead to cooperative solutions such as on Airbus and to a breakthrough on agriculture, and to the signature of new agreements such as on competition policy, energy and financial services. It called for an early warning system, in order to detect and to resolve trade issues before they would develop into political problems. It stated that wide gaps remained in the Uruguay Round negotiations and it ended with a long “to do list”.

Against the background of the informal discussions of EU foreign ministers at Hindsgavl Castle **the PM of Denmark Rasmussen and President Delors agreed with US President Clinton at a Summit in Washington on 7 May 1993** to revisit the substantive part of the TAD with a view of adapting its content to the changed circumstances. Joint work was set in motion under the watch of foreign ministers during the remainder of 1993 by the Danish and Belgian Presidencies, together with Commissioner van den Broek, in the course of four meetings with Secretary Christopher, as well as by Commissioner Brittan in numerous encounters with USTR Mickey Kantor. While the latter had their hands full with the management of a long list of bilateral trade policy issues, including the negotiation of a memorandum on public procurement, as well as with bringing the Uruguay Round to a conclusion⁵⁸, foreign policy priorities focussed on the on-going war in the former Yugoslavia, economic support for Russia and the other members of the CIS, and the Middle East peace process. Furthermore, a first set of “joint actions” and “common positions” on a variety of international issues were agreed by the EU Council at the end of 1993 under Art. J of the MT⁵⁹ with the effect of considerably enlarging the scope of transatlantic consultations at the level of Political Directors and of EPC working groups.

⁵⁶ Communication on Relations between the Community and the United States, SEC(93) 538 final, of 6 April 1993. The document was prepared under the joint authority of Sir Leon Brittan, in the third Delors Commission in charge of “External economic affairs and trade policy” (with DG I under HGK) and Commissioner Hans van den Broek, in charge of “External relations and enlargement” (with DG IA under myself in the process to being set up to support the Commission’s role under the MT).

⁵⁷ “While the vast majority of EC-US bilateral trade flows is largely trouble free, EC-US relations are still adversely affected by some profound divergences of view and a number of serious bilateral trade conflicts in areas such as steel, telecommunications and Government Procurement”.

⁵⁸ The Final Act was signed in Marrakesh (Morocco) on April 15,1994. The World Trade Organization (WTO), successor to GATT, started operations on January 1, 1995.

⁵⁹ Art. J establishing CFSP and, in particular, Art. J3 TEU the notion of joint actions.

1994, the last year of the Delors decennia, and 1995, the first year of the Santer Commission, were marked by intense work on the New Transatlantic Agenda (NTA), formally agreed at an EU/US Summit meeting in Madrid, on 3 December 1995.

The state of play was reviewed at the 2 Summits in 1994, on January 11, with President Clinton, the PM of Greece Papandreou and Delors, and on June 12 in Berlin, with Chancellor Kohl and Delors on the EU side. President Clinton made 4 trips to Europe during this year, and supported the effort in key addresses at Brussels' Hotel de Ville on January 9⁶⁰ and at the French Assembly in Paris on June 9⁶¹. Richard Holbrooke, the then Assistant Secretary of State for European Affairs, our US counterpart in Political Directors Troika meetings and architect of the 1995 Bosnia Peace Accord negotiated at a US Air force base in Dayton/Ohio, underpinned Clinton's concept with a thorough article in the March/April edition of Foreign Affairs.⁶²

At the start of the Santer Commission in 1995 the arrangements at working level referred to above⁶³ continued, with the difference that Santer had allocated foreign relations portfolios among four commissioners with each being in charge of a mix of geographic and thematic responsibilities.⁶⁴ On the US side, continuity of work had been assured with the appointment by President Clinton, as from early 1993, of Stu Eizenstat, the US Ambassador to the EU, as the point person in charge of coordinating US input out of Brussels into NTA discussions.⁶⁵ However, reflexions were still in flux as to the format of a new transatlantic agreement at the time of the EU/US Summit on June 15 in Washington between Presidents Clinton, Chirac and Santer. President Santer articulated this in a public speech at the Willard Hotel ahead of the White House meeting.⁶⁶ As a consequence, the

⁶⁰ "My Administration supports European Union, and Europe's development of stronger institutions ... The fall of the Soviet empire and Western Europe's integration are the two greatest advances for peace in the last half of the 20th century."

⁶¹ "We want Europe to be strong. That is why America supports Europe's own steps toward greater unity – the European Union, the WEU, and the development of a greater European defense identity. We now must pursue a shared strategy that depends upon integrating the entire continent through three sets of bonds, security cooperation, market economics and democracy."

⁶² "America, a European Power", Foreign Affairs, Volume 74 No.2, pp 38ss.

⁶³ FN 55

⁶⁴ Van den Broek: Foreign Policy (EPC) and Europe; Brittan: Trade and North America; Marin: Mediterranean Policy, Latin America and the Middle East; Matutes: ACP and development policies. DG I under Brittan and DG IA under van den Broek remained in charge of together coordinating the transatlantic relationship under all aspects.

⁶⁵ Eizenstat was a former key member of the Carter White House staff. After his stint in Brussels from 1993 to 1996 he occupied senior positions at Commerce and Treasury in DC. I remember his first call on me in early 1993, after his introductory visits with Commissioners van den Broek and Brittan. He looked at me and said: "You have been longer in this business than me. Can you tell me what we can do better?" A hard worker, he took careful notes and went into great detail. We share sincere friendship ever since.

⁶⁶ "You are all aware of the increasingly active debate that has started on both sides of the Atlantic on whether we should aim for a more formalized relationship in the future to replace the Transatlantic Declaration. Various options are being looked at – an "economic cooperation agreement", an "economic space arrangement", a TAFTA, Transatlantic Free Trade area, an EU-NAFTA Agreement or a fully fledged Transatlantic Treaty taking political and security matters on board." (Sic!)

Summit participants agreed on the need to set up a **“Senior Level Group (SLG)”** with the task to sort out bits and pieces and to come up with a coherent proposal. The SLG convened for a first meeting in Washington on July 24 hosted by Undersecretary Tarnoff at the Department of State, and preceded, on the same day and place, by a foreign ministers meeting. While Vice President Brittan participated at the ministerial level for the Commission, DG Krenzler led the Commission team at the SLG. The Commission went into both meetings well prepared on substance. Immediately after the June 15 EU/US Summit the Commission had agreed on a comprehensive policy paper in the form of a communication to the Council entitled **“Europe and the US: the way forward”**.⁶⁷ The paper included an inventory of “components of a new relationship” covering security, foreign policy, economic and trade, as well as various stakeholder dialogues. Ambassador Eizenstat, who participated in both the ministerial level and the SLG meetings on the US side, introduced a similar range of areas and underlined the **importance of moving from consultation to common action**. Ministers agreed with this leitmotiv and charged the SLG to proceed on this basis. The SLG met again in September in Washington and in October in Madrid and agreed on a draft **political statement entitled “The New Transatlantic Agenda” accompanied by a EU/US “Action Plan”**. **Both documents were agreed at the EU/US Summit in Madrid on December 3, ahead of the Madrid European Council meeting.**

The coincidence of a landmark agreement in transatlantic relations with the EU’s Madrid European Council meeting on 15 and 16 December 1995 was yet another illustration of both processes moving forward hand in hand and providing mutually reinforcing momentum. The EU had embarked on a new phase in its widening and deepening processes. Austria, Finland and Sweden had just joined to bring the EU’s membership from 12 to 15 and agreement had been reached on a timetable for the start of accession negotiations with the new democracies in Central and Eastern Europe, as well as with Cyprus and Malta. The EU had embarked on a far-reaching road map entitled “Agenda 2000”, including an agreement to enter the third and final phase of Economic and Monetary Union with the introduction of the single currency, the Euro, on January 1, 1999⁶⁸; to revisit major common policies, such as agriculture and structural reforms, in prolongation of the successful completion of Delors’ Internal Market agenda; and on the EU’s multi-annual budgetary framework for 2000 to 2006.

Against this background the NTA’s objective was, in the logic of the TAD’s evolutionary clause, to move from consultation to common action, including “all aspects” of security and defence policies, for which the MT, in its Art. J.4 provided the legal base on the EU side. Until today, the NTA constitutes the most elaborate and comprehensive constitutional basis for the EU/US transatlantic relationship. On procedure, it has left in place the organisational framework of the TAD, with the understanding that levels and periodicity of meetings must be result oriented

⁶⁷ COM(95) 411 final, dated 26 July 1995

⁶⁸ During my term in Washington we celebrated with our American friends the introduction of Euro notes and coins at a New Years party in our Delegation on 31 December 2001, as well as on Schuman Day, May 9, 2002 at the premises of the FED upon invitation by Chairman Greenspan.

and handled flexibly. The one addition was to maintain the SLG⁶⁹, which had so successfully supported the NTA negotiating process. Henceforth the Senior Level Group would meet regularly, twice a year, at the Undersecretaries of State for political and for economic affairs level, on the US side, the two Commission Director Generals for External Relations⁷⁰ and their opposite numbers in the Council Presidency country, on the EU side, with both the US Ambassador to the EU and the Commission's Ambassador to the US, in attendance. With the help of modern communication technology, meetings could be called, as necessary, by conference call and video conference. Bi-annual Summits⁷¹ were reduced to one regular meeting a year after the June 2001 Summit in Goteborg, in the first year of the Bush "43" Administration⁷², with special meetings, as required.⁷³ After the entry into force of the EU's Lisbon Treaty in October 2009 which created the function of a permanent EU Council President there was some flux concerning the continuity of summit meetings. The first "regular" EU/US Summit under the new Lisbon formula with US President Obama took place in the margins of a Nato Summit on September 20, 2010 in Lisbon, with EU Council President van Rompuy and Commission President Barroso, followed by the November 11, 2011 Summit in the same composition in Washington. There were no meetings scheduled in either 2012 or 2013, until the most recent Summit held in Brussels on March 26, 2014.⁷⁴ Henceforth, summits will normally alternate between Washington and Brussels.

On content, the NTA, in a language reflecting the spirit of joint responsibility, sets out a "Framework of Action" with four main chapters: (I) promoting peace and stability, democracy and development around the world; (II) responding to global challenges; (III) contributing to the expansion of world trade and closer economic relations, notably by creating a New Transatlantic Marketplace at the

⁶⁹ "We have entrusted the Senior Level Group to oversee work on this Agenda and particularly the priority actions we have identified."

⁷⁰ After HGK's retirement Hans Beseler had taken over at DG I while I remained in charge of DG IA before moving to Washington in January 2000.

⁷¹ "We will use our regular Summits to measure progress and to update our priorities."

⁷² President Bush had been faced with sharp criticism from the 16 members of the European Council (the 15 Heads of State or Government and Commission President Prodi) he had met collectively at the invitation by Sweden's PM Persson, because of his Administration's early disavowal of a number of international agreements, including the "Kyoto Protocol" on climate change and the International Criminal Court Treaty. At a subsequent lunch with EU Heads of Mission in Washington Condoleezza Rice, the President's National Security Advisor, told us how much the President had disliked the "Göteborg bashing".

⁷³ Which was already the case immediately after the September 11, 2001 attacks on New York and Washington, when Commission President Romano Prodi and the Belgian PM Verhofstadt were dispatched by the European Council to visit President Bush in the Oval Office on September 27. The EU's representatives expressed unreserved solidarity and proposed starting work on a common anti-terrorism agenda. President Bush readily replied that "this challenge to the entire world provides us with a new opportunity to work together". Sadly, that opportunity was not fully grasped because of his ill-conceived and divisive "war on terror" agenda.

⁷⁴ Critical comments went like: "Obama has no appetite for EU/US summits." A more down to earth explanation by Washington insiders is that he was against meetings for the sake of photo opportunities and insists that meetings should be held if something important needed to be decided. Clearly, with the spring 2014 crisis over Russia and Ukraine and because of the need to maintain the momentum in the TTIP (Transatlantic Trade and Investment Partnership) negotiations between the US and the EU that need had become self-evident.

bilateral level; and (IV) building bridges across the Atlantic. The latter goal includes 5 stakeholder “dialogues”, a Transatlantic Business Dialogue (TABD), a Transatlantic Environmental Dialogue (TAED), a Transatlantic Consumer Dialogue (TACD), a Transatlantic Labour Dialogue (TALD) and, last but not least, a Transatlantic Legislators Dialogue (TLD) among members of Congress and the European Parliament. A joint EU-US Action Plan was attached to the body of the NTA text outlining immediate objectives within the four chapters.

From the NTA to today’s TTIP negotiations

This chapter briefly stretches across the second Clinton and the two Bush “43” into the on going Obama Administration. Developments broadly fall into **three parts**: the first marked by the initial implementation of the NTA, the second by “Nine Eleven, 2001” and its aftermath, and the third by the run-up to TTIP.

During the remainder of the Clinton years until the end of 2000, coinciding with the **Santer Commission** (1995 to 1999) and the first year of the Prodi Commission in 2000, work routinely focussed on the Joint EU-US Action Plan which comprised some 150 specific action points ranging from reducing barriers to transatlantic trade and investment to promoting links between colleges and universities. As to the dialogues there was a forceful start of TABD under the co-chairmanship of a European and a US CEO of major companies for respectively an annual term. TABD was launched at Seville, in the margins of the Madrid transatlantic summit in December 1995. The other stakeholder dialogues were equally activated although at less systematic intervals. Increasingly important became the legislators dialogue with meetings between the delegation of the European Parliament for relations with the US Congress and their congressional counterparts developing ever-broader agendas hand in hand with the substance of the meetings at government level. It has to be said, however, that the meetings in Washington were better attended and more substantial, as it proved difficult to convince members of Congress to spare time for transatlantic travel. In the context of the NTA, the filling of the notion of a New Transatlantic Partnership was a particular challenge for successive EU Presidencies who in turn tried to leave their mark on the issue. The EU/US SLG took a strong lead in coordinating the broad menu of economic and political aspects of the NTA. It sent regular reports to the bilateral EU/US summit meetings.⁷⁵ This work underpinned the **launch at the May 18, 1998 EU/US summit in London, of two Declarations**, one filling in the concept of **Transatlantic Economic Partnership** with the dual objective to reduce many of the remaining barriers to the free flow of commerce and to ease the conduct business across the Atlantic; and one on **Transatlantic Partnership on Political Cooperation**, focussing on coordination to fight terrorism and on economic sanctions policies, as well as on burden sharing,

⁷⁵ An inventory of the SLG reports to the EU/US summits on 13 May (Clinton/PM of Italy Prodi/Santer) and 16 December 1996 (Clinton/PM of Ireland Bruton/Santer), both in Washington; on 28 May (Clinton/PM of the Netherlands Kok/Santer) in The Hague and 5 December 1997 (Clinton/PM of Luxemburg Juncker/Santer) in Washington; and on 18 May 1998 (Clinton/PM of the UK Blair/Santer) in London can be found in “Toward Transatlantic Partnership, a Cooperation Project Report” by TPN, the Transatlantic Policy Network, Brussels, 30 September 1998

notably in the former Yugoslavia⁷⁶ and in supporting democracy and market economy in central and eastern Europe⁷⁷. Furthermore, the London summit agreed on an “Understanding with respect to disciplines for the strengthening of Investment Protection”, and on informal understandings with respect to US sanctions legislations such as “Helms-Burton” directed against Cuba and “ILSA”, dealing with Iran and Libya.

The next step forward within the NTA occurred at the EU/US summit in Bonn on 21 June, 1999, back to back with the 18 to 20 June G 8 meeting in Cologne. The **Bonn Declaration** committed both sides to a “**full and equal partnership in economic, political and security affairs**”, outlining how the EU and the US wanted to shape their relationship over the next decade ahead into the next century.⁷⁸ Again, this upbeat rhetoric needs to be measured against the background of EU and US developments. On the EU side, the Amsterdam Treaty, signed on October 2, 1997, had entered into force on May 1, 1999, strengthening the “S” in Common Foreign and Security Policy (CFSP), and preparing the EU for the landmark enlargement with the new democracies of central and eastern Europe, together with other achievements under the “Agenda 2000”, such as the entry into the final phase of EMU with the switch to the Single currency, the euro. Another robust US engagement in Europe had brought the second Balkan war on Kosovo to a successful end, when we greeted with relief the return of Martti Ahtisaari⁷⁹ from Belgrade to the Köln Gürzenich, the venue of the G 8 meeting, with the news that Milosevic had yielded to the West’s demands. Three years into President Clinton’s second term US Secretary Madeleine Albright, who had taken over from Warren Christopher, had developed a “Triple Crown” concept, based on Nato, EU-US and OSCE, in the good old tradition of the creative Bush/Baker times.⁸⁰ This initiative had been spelled out by Albright’s Assistant Secretary of State for European Affairs Marc Grossman⁸¹ as a way of using the three transatlantic summits during 1999, NATO, OSCE and EU-US, to give new impetus within the three ‘legs’, security, foreign policy and economy, of the concept. Grossman states that the US had taken the lead in enlarging and revitalising NATO and in building a new, broader relationship with the EU. He explains that the US was now “ready to make the next logical step” in defining a vision for a Euro-Atlantic Partnership for the 21st century.

All in all, towards the end of the Clinton Administration, the EU-US relationship based on the EU’s policy aspirations and achievements and on a functioning transatlantic partnership, had become more intertwined and interdependent. The years since the end of the Cold War – when the ‘glue’ of common threats supposedly loosened the transatlantic bonds – actually marked the most intense

⁷⁶ The Commission had taken the lead, together with the World bank, of the post-Dayton Bosnia donor conferences.

⁷⁷ The May 28, 1997 EU/US summit at The Hague had issued a Statement on “Assistance to central and Eastern Europe and the independent states of the Former Soviet Union”.

⁷⁸ It is indeed remarkable, in hindsight, how this language would contrast with US policies post “Nine Eleven”, only less than two years later!

⁷⁹ President of Finland and UN Special Envoy for Kosovo

⁸⁰ Albright had developed a close relationship with Commissioner van den Broek since the time of her Ambassadorship at the UN in New York during the first Clinton term

⁸¹ Remarks on “The Future of the US-Europe Relationship, Houston, October 1, 1998

period of transatlantic cooperation ever. **The economic relationship had become a stabilizer of the overall relationship.** Particularly in the areas of trade and investment, regulatory cooperation and competition policies, EU-US interaction had reached an unprecedented level of intensity. In a nutshell, it became widely recognized by Administration, legislators and the business community that the transatlantic economy constituted the most globalized part of the global economy. Perhaps, due to this solid foundation, both partners were better prepared to withstand the rocky times ahead, when the Nine Eleven 2001 earthquake unexpectedly hit hard, and led the Bush '43' Administration to embark on an ill conceived, unilateral and divisive instead of unifying 'war on terror' agenda.

A dramatic change of direction in the transatlantic relationship marked the start of President George W. Bush's first term in early 2001.⁸² As mentioned above⁸³ tensions had already started during the first months preceding 'Nine Eleven'. However, the unprecedented terrorist attacks on the United States mainland on September 11 profoundly affected America's sense of invulnerability and security at home.⁸⁴ While, after the spontaneous visit with President Bush at the White House of the Belgian PM Guy Verhofstadt in his capacity of European Council President, together with Commission President Romano Prodi, transatlantic cooperation in the area of justice and home affairs became a topical issue⁸⁵, the US-led 'war on terror' quickly divided the international community and drove a wedge right through the European Union membership. After a short period of international unity with relation to the need for military operations in Afghanistan, the US engaged in a policy of unilaterally determining the agenda, preferring recourse to ad-hoc 'coalitions of the willing' over partnerships of equals, with the invasion of Iraq, based on false assumptions, at the centre of profound disagreements.

In retrospect, the polarising 'you are either with us or against us' **Bush doctrine** was an offspring of the traditional neoconservative foreign policy school, based on factors such as overreliance on the military superiority of the world's sole

⁸² For a more 'on the record' assessment of the most divisive years in the overall EU-US relationship from 2001 to 2005, coinciding with my term as the European Commission's Ambassador in Washington, I refer to my presentation at the College of Europe in Bruges, published in the CoE's EU Diplomacy Papers Nr.2/2006.

⁸³ p. 24 and FN 71 and 72

⁸⁴ I was able to witness the impact at close range in Washington DC. In the early morning of September 11 I was briefing the members of the European Parliament's delegation for relations with the US Congress in the press room of the Commission Delegation premises on 2100 M Street when news came in about a plane having hit the north tower of New York's world trade center. We decided to switch on the TV screen and followed 'live' the day's incredible events, including the plane crash into the Pentagon building a few miles away from our meeting room. Our meeting later that day with Congressional counterparts in an almost deserted Capitol Hill, after having crossed a ghost downtown filled with police cars and army vehicles, was a deeply moving experience. In this hour of tragedy 'we were all Americans.'

⁸⁵ On the EU side, the Amsterdam Treaty had reinforced the legal base for common action in Justice and home affairs; a long time neglected 'third pillar'. The excellent cooperation between Commissioner Vitorino and the EU Council counter-terrorism coordinator de Vries, on the EU side, Attorney General Ashcroft at the Department of Justice and Homeland Security Secretary Tom Rich, on the US side, became a success story under the NTA.

hyper power with a defence budget equal to all other countries' defence budgets combined; a missionary zeal of America, the chosen country, called by history and divine providence to defend freedom and democracy, God's gift to mankind; an oversimplified distinction between right and wrong, good and evil; and a refusal to let 'others' have a say in determining America's course of action. Patterns like Secretary of Defence Rumsfeld's distinction between the 'old' and the 'new' Europe; Bob Kagan's 'America is from Mars, Europe is from Venus'; or John Bolton's disdain for a UN system at which he was supposed to represent his country were illustrations of a mind-set adverse to a privileged partnership with an, admittedly, more complex European Union organisation.

The EU, for reasons of own shortcomings, proved unable to respond collectively as a Union.⁸⁶ Its members split into those who decided to follow, most outspokenly the UK (Blair), Spain (Aznar), Italy (Berlusconi) as well as most candidate countries from central and eastern Europe (hence, Rumsfeld's enthusiasm for 'new Europe'), and those who advocated a more comprehensive and internationally legitimized approach, led by Chancellor Schröder of Germany and France's President Chirac, to what Europe used to call "fight against terrorism" as opposed to "war on terror". As a consequence, for much of 2002 and 2003, the general tenor in the US-EU relationship remained uneasy and combative. This did not prevent, however, to conclude important agreements on homeland security and counter-terrorism matters, and to ensure continuity in the economic relationship. At the May 2, 2002 Bush/Aznar/Prodi summit meeting in Washington both sides agreed on a **Positive Economic Agenda (PEA)**, in the context of NTA, including **Guidelines on Regulatory Cooperation and Transparency** and a **Financial Markets Regulatory Dialogue**.

During 2004, a Presidential election year in the US with another very close outcome in favour of Bush, **some of the rifts began to settle**. Foreign policy had uncharacteristically dominated the presidential campaign in a country deeply divided. After a period of patriotic conformism and almost zero tolerance with respect to criticizing a President 'Commander in Chief' at war, critical voices took issue with the course of US foreign policy and its increasingly negative effects on America's public image. The case was made for America to reach out to its partners, and notably to the EU, after the Euro Zone had been consolidated with the introduction of Euro notes and coins in 2002, and after the Treaty of Nice, in effect since February 2003, had brought necessary institutional reform to allow enlargement negotiations with 8 candidate member states from central and eastern Europe plus Cyprus and Malta to be successfully completed. The neoconservative agenda of pre-emption and pre-eminence, of 'the mission determining the coalition' had obviously met with limits of military, financial and moral overstretch.

On the EU side, lessons had to be learned as well. It had become evident that no single Member State on its own was able to ultimately influence the Washington decision-making process, and that collective engagement with

⁸⁶ Javier Solana, the EU's foreign policy chief, explained in an IHT article dated August 12, 2006, that in the absence of EU common positions he had no choice but to practice the art of making himself invisible.

enhanced capabilities could make a difference. Moreover, putting aside past differences over the invasion of Iraq had to make room for the need to address together post-Saddam Iraq as part of the problems of the wider Middle East, a region closer to Europe than to the US. **The triple, G 8, EU/US, and Nato summit meetings in June 2004** displayed a new sense of realism, with a quite substantive set of seven policy declarations at the EU-US meeting at Dromoland Castle in Shannon/Ireland on 26 June, 2004⁸⁷.

The coincidence in transatlantic changeovers in November 2004 (after the June European Parliament elections for the first time in 25 EU member states), **the start of the Barroso Commission on 1 November, coinciding with the re-election of President Bush for a second term on 2 November** created an opening for reassessing the state of the transatlantic relationship, all the more since Barroso had earned Bush's gratitude, when he, in his capacity as PM of Portugal, had hosted a last minute so-called "Atlantic Summit" meeting on 16 March 2003 on the Azores with Bush, Blair, and Aznar. The meeting had produced a joint Statement on "A vision for Iraq and the Iraqi people" right before the beginning of the US led invasion on March 20.

A first strong gesture was the **visit by President Bush to the EU Headquarters in Brussels on February 22, 2005**, starting with a meeting with the Commission, and followed by a summit with all 25 EU Heads of State or Government. The meeting reaffirmed joint commitment to transatlantic partnership, "irreplaceable and vital", and discussed common challenges, including the Middle East, Iraq, Iran, the Balkans and Russia, global economic and environmental issues. Four months later, the **June 2005 Summit in Washington**, in addition to joint declarations on the promotion of democracy, the Middle East, UN reform, counter-terrorism, non-proliferation and Africa, launched a **"EU-US Initiative to Enhance Transatlantic Economic Integration and growth"** and agreed to set up a **"High Level Regulatory Co-Operation Forum"**.⁸⁸ On October 18, 2005 **Commission President Barroso's invitation to the White House**, the first individual visit by a Commission President outside the NTA routine since many years, completed the list of conciliatory gestures. Discussions focussed on the WTO Doha Round, transatlantic economic issues and, again, Bush's pet subject matter, the promotion of democracy around the world. All in all, 2005 had changed the rhetoric, ended polarisation and put the NTA back on track.

⁸⁷ The G 8 Summit under US President Bush's Chairmanship from 7 to 10 June in Sea Island, Georgia (with the participation of Chirac, Schröder, Blair, Berlusconi, Koizumi, Martin, Putin and Commission President Prodi together with Irish PM Ahern); the Nato Summit in Istanbul/Turkey and the annual EU/US Summit under Irish Council Presidency in Ireland.

⁸⁸ The Forum was launched at ministerial level on November 30, 2005, hosted by the EU side, with the participation of relevant commissioners, member states ministers representing three successive Council presidencies and a US team led by the Secretary of Commerce. A second meeting in Washington on November 9, 2006 followed up on the June 26 Vienna Summit which had agreed on a "Roadmap for EU/US Regulatory Cooperation". The ministerial meeting was co-chaired by US Secretaries of Commerce Gutierrez and of Energy Bodman, with Commission VP Verheugen and the Finnish minister for trade on the EU side.

Two years later, at the **Washington summit meeting on April 30, 2007**, upon an initiative by the German Chancellor Angela Merkel, a **“Framework for Advancing Transatlantic Integration between the EU and the US”** was signed by President Bush, Chancellor Merkel and Commission President Barroso, which in its section IV established a **“Transatlantic Economic Council (TEC)”**. This fresh transatlantic initiative had been initiated during Germany’s Council Presidency in order to ensure that the ‘sudden death’ of the EU’s draft Constitutional Treaty following the negative referenda in France and the Netherlands on, respectively, 29 May and 1 June, 2005, would not adversely effect the transatlantic dynamism. Pressure in favour of a “Transatlantic Partnership Agreement” had also mounted at the European Parliament.⁸⁹ Work under the TEC was led by a Cabinet level official from the US President’s Executive Office, putting the White House in charge of coordinating the relevant US government departments, and by the Commissioner for Trade on the EU side.

After the entry into force on 1 December 2009 of the EU’s Lisbon Treaty which had rescued the essential elements of the failed Constitutional Treaty, and as a result of the TEC’s report to the 29 November 2011 Washington summit⁹⁰, work during the first term of the Obama Administration (2009 to 2012), coinciding with the second Barroso Commission and the appointment of Van Rompuy as the first permanent President of the European Council, **a Joint US-EU Statement**⁹¹ was released in the margins of a G 20 meeting at Los Cabos, Mexico, on 19 June 2012, by the three Presidents (Obama, Van Rompuy and Barroso). The statement urged a “High Level Working Group on Jobs and Growth (HLWG)” which had submitted an interim report to Leaders, to prepare a mandate for negotiations of “an ambitious and comprehensive market opening arrangement”.

The re-election of President Obama in November 2012 led to an acceleration of events immediately after his inauguration for a second term on January 21, 2013. In a scenario well orchestrated on both sides the HLWG, co-chaired by USTR Ron Kirk and by the EU Commissioner for Trade Karel De Gucht, submitted its “Final Report on Jobs and Growth” on 11 February 2013. The report concludes with a recommendation “that the US and the EU launch negotiations on a comprehensive, ambitious agreement that addresses a broad range of bilateral trade and investment issues, including regulatory issues, and contributes to the development of global rules.”⁹² The next day, on 12 February, in his traditional ‘State of the Union’ address to the US Congress President Obama included the following sentence: “And tonight, I am announcing that we will launch talks on a comprehensive Transatlantic Trade and Investment Partnership with the European Union.” Again, one day later on 13 February, the three Presidents, Obama, Van Rompuy and Barroso, in a joint declaration,

⁸⁹ Reports by MEPs Elmar Brok of 8 May, 2006, A6-0173/2006, and Erika Mann of 20 April, 2006, A6-0131/2006

⁹⁰ This meeting also established a similar body, next to TEC, the “Transatlantic Energy Council”.

⁹¹ “Joint Statement by US President Obama, European Council President Van Rompuy and European Commission President Barroso on transatlantic trade relations”; Los Cabos, 19 June 2012, <http://www.consilium.europa.eu>, EUCO 126/12, Presse 306

⁹² The report is available at <http://trade.ec.europa.eu/doclib/docs/2013/february/tra-doc15051.pdf>

pledged to **“initiate the internal procedures necessary to launch negotiations on a Transatlantic Trade and Investment Partnership (TTIP)”**.⁹³ Finally, at the first meeting on 14 February between the newly appointed US Secretary of State Kerry with the EU High Representative and Commission VP Ashton, herself a former European trade commissioner, Kerry remarked that this major transatlantic initiative was to “rebalance” the recent new US focus on Asia with the negotiation of a “Transpacific Partnership (TPP)”.

Today⁹⁴, after some 6 decades of EU/US interaction since the early Monnet years, the transatlantic relationship is based on an immense ‘acquis’ of policy statements, legal texts and organisational decisions. While TAD, NTA, SLG, TABD, PEA, TEC and HLWG stand for attempts to bring various strands of the relationship under a common roof, no single overarching Treaty had so far been a realistic option. The sheer weight, and its effects on the global scene, of the world’s two major economic powerhouses entering into an overall bilateral, and institutionalised, relationship was traditionally considered a negative factor, in particular for the pursuit of multilateral trade negotiations. However, with the lapse of the WTO Doha Round, opened as far back as 2003, and against the background of new powerful actors emerging around the globe the case for a historic economic agreement has become more compelling now. Since the formal opening of TTIP negotiations in July 2013, broad stakeholder consultations, four negotiating rounds at official level and two assessments by the chief negotiators on both sides, it is still too early to speculate on the outcome. And if, over the next years, negotiations can be concluded, ratification by the US Congress will not be an easy task, provided the US President will obtain fast track negotiating authority.

⁹³ Henceforth, “TTIP” will have to be remembered as a novel abbreviation in the transatlantic dictionary of acronyms.

⁹⁴ This manuscript was completed on March 18, 2014, shortly before US President Obama’s visit to Brussels for the resumption of annual EU/US summit meetings with EU Council President Van Rompuy and EU Commission President Barroso on March 26, 2014 (there had been no formal yearly summit meetings in 2012 and 2013, since the previous such gathering on 28 November 2011 in Washington).