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1 Introduction

The United States of America (USA) and the European Union (EU) belong to the group of the most important economic powers around the World and play a significant role not only in the economic field. "The EU and the US economies account together for about half the entire world GDP and for nearly a third of world trade flows." 1 The last estimates reveal that the combined population of the European Union and the United States was around 830 million inhabitants in July 2014, 2 which is a little less than two thirds of inhabitants of China.

European and American economies are highly interlinked – speaking for instance of outward stocks investment (i.e. aggregate net investments and retained profit over years) "*Total US investment in the EU is three times higher than in all of Asia.*" and "*EU investment in the US is around eight times the amount of EU investment in India and China together.*" Intensive mutual trade, significant share in world GDP and significant share in mutual investments between the two economies have led to various attempts for conclusion of a trade agreement. The historical and cultural links between the two sides of the Atlantic that binds them under the concept of the Western Civilization also throw in as arguments for the establishment of such common transatlantic institutional framework.

In the 1990s the initial attempts that aimed at connecting the two economies in a large transatlantic market had been abandoned before reaching a more advanced stage.⁵ Certain developments could have been seen only in specific sectors such as medical devices, pharmaceuticals, telecommunications, electrical equipment or marine equipment, where some

¹ European Commission *United States: Trade picture.* [online]. 2014 [cit. 2014-08-19]. Retrieved from: http://ec.europa.eu/trade/policy/countries-and-regions/countries/united-states/

² The World Factbook: COUNTRY COMPARISON:: POPULATION. Central Intelligence Agency [online]. 2014 [cit. 2014-08-19]. Retrieved from: https://www.cia.gov/library/publications/the-world-factbook/rankorder/2119rank.html

³ European Commission *United States: Trade picture.* [online]. 2014 [cit. 2014-08-19]. Retrieved from: http://ec.europa.eu/trade/policy/countries-and-regions/countries/united-states/

⁴ European Commission *United States: Trade picture.* [online]. 2014 [cit. 2014-08-19]. Retrieved from: http://ec.europa.eu/trade/policy/countries-and-regions/countries/united-states/

⁵ KRULIŠ, KRYŠTOF. LÍDL, VÁCLAV. *TTIP:Benefits and Challenges for the Czech Republic and the EU AMO Conference Report 5/2014* [online]. 2014 [cit. 2015-02-24]. Retrieved from:http://www.amo.cz/editor/image/produkty1_soubory/amocz_cr_2014_05.pdf, p. 2.



administrative burdens resulting from double regulatory standards have been gradually reduced trough various Mutual Recognition Agreements.⁶

In 2007 the US government and the European Union concluded an agreement⁷ which expressed their interest in negotiations about mutual agreement that would further deepen the economic integration and established the Transatlantic Economic Council in order to enhance mutual economic cooperation. In 2011 a High-Level Working Group on Jobs and Growth was founded on the platform of the the Transatlantic Economic Council.⁸ The working group's task was to examine further trade and investment possibilities. In February 2013⁹ direct negotiations on the text of the agreement, known as the Transatlantic Trade & Investment Partnership (TTIP), were announced and formally started in June 2013. In February 2015 the eighth round of the negotiations took place. ¹⁰ It is estimated that the agreement in the final form could be done by the end of 2016.

When speaking of the TTIP, it is often being linked to, or even interchanged with, the Transatlantic Free Trade Agreement (TAFTA) which is a free trade area that would cover all countries of the European Economic Area¹¹ and the North American Free Trade Agreement (NAFTA)¹². It is important to explain a few terms in order to correctly distinguish the difference between these two. TAFTA is a contemplated framework for interregional trade between the countries of NAFTA (the USA, Canada and Mexico) and all countries of the European Economic Area (including the countries of the EU and Norway, Island and Liechtenstein; Switzerland is also considered to be linked through EFTA). No comprehensive negotiation of TAFTA is currently in progress.

⁶ KRUILIŠ, KRYŠTOF. *Transatlantická obchodní a investiční dohoda: fakta, mýty a přínosy pro Slovensko IHNED .CZ* [online]. 2014 [cit. 2015-02-24]. Retrieved from: http://blog.ihned.cz/c3-63260990-06b000 d-63260990-06b000 d-63260990-transatlanticka-obchodni-a-investicni-dohodafakta-myty-a-prinosy-pro-slovensko

⁷ EUROPEAN COMMISSION. *Framework for advancing Transatlantic economic integration between the European union and the United states of America* [online]. 2007 [cit. 2014-08-19]. Retrieved from: http://trade.ec.europa.eu/doclib/docs/2007/may/tradoc_134654.pdf

⁸ EUROPEAN COMMISSION. *EU-US Summit: Factsheet on High-Level Working Group on Jobs and Growth* [online]. 2011 [cit. 2014-08-19]. Retrieved from:

http://trade.ec.europa.eu/doclib/docs/2011/november/tradoc 148387.pdf

⁹ BLENKINSOP, PHILIP a ETHAN BILBY. *EU U.S. to start free tradetalks* [online]. 2013 [cit. 2014-08-19]. Retrieved from: http://www.reuters.com/article/2013/02/13/us-eu-us-trade-idUSBRE91C0OC20130213

¹⁰ T-TIP Round Information. *The Office of the U.S. Trade Representative* [online]. 2015 [cit. 2015-01-29]. Retrieved from: https://ustr.gov/ttip/ttip-round-information

¹¹ More information about the EEA: http://www.efta.int/eea

¹² More information about the NAFTA: http://www.naftanow.org



TTIP is then a trade agreement, which is being currently negotiated between the United States and the European Union. TTIP may serve in the future as a fundamental step to the broader TAFTA framework together with the already concluded free trade agreement between the EU and Mexico and the free trade agreement between the EU and Canada which is currently within its ratification process. However, within the discourse regarding the TTIP negotiations, several NGOs that are in opposition to the TTIP use TAFTA interchangeably for TTIP or its part that is focused on establishment of free trade zone between the USA and the EU and no longer use the term within its original above mentioned meaning.

The aim of this background paper is to introduce key questions regarding TTIP negotiations and arguments of advocates and opponents of the agreement. TTIP is a complex document that shall regulate very wide range of economic sectors and therefore there are many disputed areas. A lot of prominent figures from both the EU and the USA comment on the form of the agreement. Thus, this background does not intend to provide all the information about the TTIP but instead, its primary aim is to lay down a general basis for adopting further knowledge.

2 Key questions about TTIP

A number of questions have emerged in the course of negotiating TTIP that are crucial for concluding the agreement. TTIP could influence not only economies but also social and cultural areas. The heated questions connected to TTIP include among others the area of intellectual property, agriculture, cultural exceptions, mining, import and processing of raw materials, energetic or financial sector.

2.1 Geographical indications

"A geographical indication is a sign used on products that have a specific geographical origin and possess qualities or a reputation that are due to that origin." ¹³ Typical products with such a protection would be champagne made in French region of Champagne. European Union has a well worked-out system of geographical indications (GIs) ¹⁴ and its further development is considered to be one of its priorities. GIs have their own legislation within the international law, especially in agreements of the World Trade Organization (WTO) - in the TRIPS agreement. ¹⁵ The primary objective of the EU is to create legislation that would be as wide as

¹³ WIPO. *Geographical Indications* [online]. 2014 [cit. 2014-08-20]. Retrieved from: http://www.wipo.int/geo_indications/en/

¹⁴ Division of geographical indicators http://ec.europa.eu/agriculture/quality/schemes/index en.htm

¹⁵ Parts of TRIPS agreement about geographical indicators: http://www.wto.org/english/docs e/legal e/27-trips 04b e.htm#3



possible and will enable preserving high degree of protection. Another objective is to extend the effect of the agreement on non-agricultural products¹⁶, whose adjustment is still in negotiation.¹⁷ The biggest problem in this field is caused by the fact that a significant portion of GIs is in the USA considered as generic (due to naturalization in the USA as a result of historical migrant inflows from Europe) and not all European producers were able to achieve protection via the US trademarks before US domestic producers.¹⁸

2.2 Agriculture

Agriculture belongs among the most sensitive sectors of the economy for both US and EU. Both economies are spending significant funds to support agriculture and create good conditions for the development of the primary sector. "Opening up agriculture markets will be a two-way street with benefits for both the EU and the US. The US is interested in selling more of its agricultural commodities, such as wheat and soy. EU exports to the US are mostly higher value food products like spirits, wine, beer, and processed food (such as cheeses, ham and chocolate) ¹⁹ This issue is also linked to geographical indication of products. German Minister of Agriculture Christian Schmidt criticized the protection of certain products and explained that "The EU also protects specialties whose raw materials are no longer produced in their home regions." ²⁰ So in the negotiations, it is necessary to find a compromise within the means of protection of products.

Common interest remains mainly an effort to maximize the removal of non-tariff barriers²¹ that restrict the trade. Tariff barriers²² for certain agricultural products can reach tens of percent. The agricultural sectors of both economies specialize in different areas. The difference is also

http://trade.ec.europa.eu/doclib/docs/2011/may/tradoc 147926.pdf

¹⁶ More information about non-agricultural products:

¹⁷ Information about negotiationsplease find here http://ec.europa.eu/growth/industry/intellectual-property/jindustrial-property/geo-indications/index en.htm

¹⁸ KRULIŠ, KRYŠTOF. REZKOVÁ, ALICE. *The TTIP One Year On and the Czech Position: Measuring Benefits and Identifying Threats AMO Research Paper 5/2014.* [online]. 2014 [cit. 2015-02-24]. Retrieved from: http://www.amo.cz/editor/image/produkty1 soubory/amocz rp 2014 05.pdf

¹⁹ European Commission. *FAQ on the EU-US Transatlantic Trade and Investment Partnership ('TTIP')* [online]. 2014 [cit. 2014-08-20]. Retrieved

from: http://trade.ec.europa.eu/doclib/docs/2013/may/tradoc 151351.pdf

²⁰ We can't protect every sausage,' says German agriculture minister over TTIP deal. *DW* [online]. 2015 [cit. 2015-01-30]. Retrieved from: http://www.dw.de/we-cant-protect-every-sausage-says-german-agriculture-minister-over-ttip-deal/a-18169728

²¹ Non-tariff barriers are various regulations concerning consumer protection, safety or environmental issues and include also subsidizing of domestic producers.

²² Tariff barriers: Custom duty, taxes.



in land worked by individual farms. "The size of the US farm is almost 170 hectares against the 13 in the EU-27."²³ The big difference between the average sizes of farms is also in the V4 countries, where the average size decreases in the east of Poland and Hungary but is significantly high in the whole of the Czech Republic.²⁴ This has a great impact on politics and the social role of agriculture in individual countries.

2.2.1 Genetically Modified Organisms

A different approach on the issue of genetically modified organisms (GMOs) is one of the most popular themes, wrongly connected with the TTIP negotiations. "Genetically modified crops are crops with genetic material (DNA) altered by using gene technology. It is a modern breeding method (genetic engineering) in the field of biotechnology which uses naturally occurring processes. It is not about creation and introduction of artificial genes. GM crops are characterized by various specific traits, including, in particular, resistance to harmful factors pests, diseases, cold, drought, etc., or tolerance to spraying non-selective herbicide that destroys all the other, unwanted plants." 25 While EU feels threaten by GMOs and strongly regulates the possibility of growing these products and their access to the market and the consumer, the USA are more liberal in regards to this issue and facilitate access to GMOs on the market.²⁶ The issue of GMOs is however not included in the TTIP negotiations and the EU and its individual member states have a system of recognition of GMOs which should remain separate from the TTIP framework. The much higher usage of GMOs in the USA however opens questions how could be the mutual trade with agricultural product enhanced if the US imports are banned from EU markets due to GMOs regulation. The general question (notwithstanding the TTIP negotiations) remains whether the mutual agricultural trade could be enhanced through liberalization of the GMOs regulation in the EU, stricter regulation of GMOs in the US or none of this with the barrier still in dampening the trade.

²³ Momagri. DE CASTRO, Paolo. *A comparative approach to European and American agricultural policies* [online]. 2014 [cit. 2014-08-20]. Retrieved from: http://www.momagri.org/UK/points-of-view/A-comparative-approach-to-European-and-American-agricultural-policies 798.html

Average farm size by region. European Parliamentary Research Service [online]. 2013 [cit. 2015-01-30]. Retrieved from: http://epthinktank.eu/2013/04/12/young-farmers-in-the-european-union/fig-3-2/2
 Ministerstvo zemědělství ČR. *GMO - Geneticky modifikované organismy* [online]. 2014 [cit. 2014-08-20]. Retrieved from: http://eagri.cz/public/web/mze/zemedelstvi/gmo-geneticky-modifikovane-organismy/

²⁶ More information about regulation differences: http://www.cfr.org/agricultural-policy/regulation-gmos-europe-united-states-case-study-contemporary-european-regulatory-politics/p8688



2.2.2 The use of hormones in livestock production

Other contentious issue is the access of meat induced with hormones to the market. We are talking about hormones and antibiotics in nourishment of animals used for meat preparation. "In general, such treatment has resulted in 10–15% increases in daily gains, similar improvements in FCE27 and improvement of carcass quality"²⁸ In the EU such nourishments are forbidden as well as the import of such meat from third countries.²⁹ The USA permits this practice and it is widespread. The current negotiations suggest that this issue will probably be, together with GMOs, exempted from the TTIP framework.

2.3 Cultural exception

Under the term of cultural exception we can understand the measures enforced by European politicians and members of the cultural community. This exemption was enforced because in Europe, for example, audio-visual materials or music are not perceived only as a commodity but as something higher that is creating cultural values and has to be protected to some extent from the influence of the globalization. Impacts of denial of this exception would be associated with the end of state financial support for film producers and so called European quota which requires the content of TV broadcast in the EU account for at least 50 percent of European production.³⁰ At the beginning of the negotiations mainly due to pressure from France³¹ it was decided that the TTIP will not apply to the audio-visual sector,³² and it was thus explicitly exempted in the mandate which has been given to the EU negotiators.

2.4 Financial services

Financial services are also part of the TTIP treatment. The goal of treatment is to find a common arrangement for the US and EU, in order to cooperate better in this globalized environment. "The financial crisis showed in stark clarity that financial markets are global and

²⁷ FCE :feed conversion efficiency

²⁸ FAO. VELLE, Weiert. *The use of hormones in animal production* [online]. 2014 [cit. 2014-08-20]. Retrieved from: http://www.fao.org/docrep/004/x6533e/X6533E01.htm#p12

²⁹ Legislative information

http://ec.europa.eu/food/food/chemicalsafety/contaminants/hormones/index_en.htm

³⁰FELIS, Paweł T. a Tereza BENHARTOVÁ. *Zóna volného obchodu EU-USA: Evropská kultura v ohrožení.* GAZETA WYBORCZA [online]. 2013 [cit. 2014-08-20]. Retrieved from: http://www.voxeurop.eu/cs/content/article/3879821-evropska-kultura-v-ohrozeni

³¹ *EU reaches deal on French 'cultural exception'*. France 24 [online]. 2013 [cit. 2014-08-20]. Retrieved from: http://www.france24.com/en/20130615-eu-deal-french-cultural-exception-usa-trade/

³² EUROPEAN COMMISSION. *TTIP and Culture* [online]. 2014 [cit. 2014-08-20]. Retrieved from: http://trade.ec.europa.eu/doclib/docs/2014/july/tradoc 152670.pdf



deeply interconnected. The global nature of financial services allows systemic risks to be transmitted across national borders. Financial stability is not served by a fragmented regulatory approach, inconsistent rules and a low level of co-operation among supervisors."³³ For this reason, both parties are interested in regulating this sector in TTIP.

EU approaches the negotiations with vast amount of proposals in particular to enhance cooperation. One of the proposals is to agree upon "Mutual consultations in advance of any new financial measures that may significantly affect the provision of financial services between the EU and the US and to avoid introducing rules unduly affecting the jurisdiction of the other party"³⁴ The main problem for reaching an agreement on financial services, however, will be different views on financial sector in the US and some EU member states, as well as concerns of some countries about excessive liberalization of this sector, which is for the individual national economies extremely sensitive. Recently, the discussion led to possibility of transferring negotiations on regulation of financial services to the G20 level.³⁵

2.5 Raw materials and energy

Raw materials and energy is another topic, in which long negotiations are to be expected. "Raw materials and energy and their subsequent trade across borders have not been fully covered by international trade and investment rules over the last decades." ³⁶ This is the main reason why long negotiations are expected as they cannot be based on former agreements. Both economies are united in an interest in complex legislation but these branches are strongly regulated in specific sub-areas, whether it is extraction or export. There is also an important difference in positions – USA possesses large mineral reserves, whereas the EU has by far less raw materials or higher concerns of their extraction due to higher population density. Moreover, it is often limited to some specific resources, for example coal.

³³ EUROPEAN COMMISSION. *EU - US Transatlantic Trade and Investment Partnership (ttip): Cooperation on financial services regulation* [online]. 2014 [cit. 2014-08-20]. Retrieved from: http://trade.ec.europa.eu/doclib/docs/2014/january/tradoc_152101.pdf

³⁴ EUROPEAN COMMISSION. *EU - US Transatlantic Trade and Investment Partnership (ttip): Cooperation on financial services regulation* [online]. 2014 [cit. 2014-08-20]. Retrieved from: http://trade.ec.europa.eu/doclib/docs/2014/january/tradoc 152101.pdf

³⁵ WEDD, Dominic. ECONOMIC POLICY AND STATISTICS SECTIONS. *The Transatlantic Trade and Investment Partnership (TTIP)*. Library House of Commons, 2015, 14 s. Retrieved from: www.parliament.uk/briefing-papers/sn06688.pdf

³⁶ EUROPEAN COMMISSION. *EU - US Transatlantic Trade and Investment Partnership (ttip): Raw materials and energy* [online]. 2014 [cit. 2014-08-20]. Retrieved from: http://trade.ec.europa.eu/doclib/docs/2013/july/tradoc 151624.pdf



The phenomenon of shale gas is another topic, which influences the negotiation of this treaty. The growth of shale gas extraction *"is caused by significant technological progress, which enables drilling even on sites, that were previously thought inaccessible and on top of that in an environmentally friendlier way.* " ³⁷ Among the governments of EU member states, the Ukraine conflict led to an increase of interest in the import of shale gas into EU.³⁸ Many hurdles lie ahead though. These include even technical problems, mainly with infrastructure but also with the price of the transported commodity. Individual V4 member countries recently made large investments in infrastructure,³⁹ but none of them made an investment, which would primarily enable import of natural gas into the V4 countries. According to Gabriel Felbermayer, there is also a problem with the cost of shale gas. *"Russian gas will most probably remain cheaper for Europe. The US supplies would still primarily go to Asia, where the gas is currently more expensive than in the EU.*" ⁴⁰

Another important factor is the fact that both parties of the negotiations have large quantities of companies, which are globally the largest in the field. They would greatly benefit from the agreement, because they have business all over the world⁴¹ and it would be easier for them to access the market of the other party to the agreement.

2.6 Investor-State dispute settlement mechanisms

"Investor-State dispute settlement mechanisms (ISDS) are an important component of most International Investment Agreements (IIAs) and have significant influence on how disputes between States and investors are resolved." ⁴² The importance of these mechanisms lies mainly in protection of investors in economies, where there are concerns about the functionality of rule of law. "ISDS is not a novel system, and there are many agreements all

BusinessInfo.cz. Spojené státy americké: Ekonomická charakteristika země: Infrastruktura (doprava, telekomunikace, energetika – z toho jaderná) [online]. 2014 [cit. 2014-08-20]. Retrieved from: http://www.businessinfo.cz/cs/clanky/spojene-staty-americke-ekonomicka-charakteristika-18548.html
 ČT24. V4 žádá USA o rozšíření vývozu plynu - kdyby Moskva zavřela kohoutky [online]. 2014 [cit. 2014-08-20]. Retrieved from: http://www.ceskatelevize.cz/ct24/svet/265585-v4-zada-usa-o-rozsireni-vvvozu-plynu-kdyby-moskva-zavrela-kohoutky/

³⁹ SZABO, John. V4 Energy Cooperation. Visegrad Plus [online]. 2015 [cit. 2015-01-30]. Retrieved from: http://visegradplus.org/analyse/v4-energy-cooperation/

⁴⁰ KRULIŠ, Kryštof a Václav LÍDL. TTIP: Benefits and Challenges for the Czech Republic and the EU [online]. 2014 [cit. 2015-02-09]. Retrieved from:

http://www.amo.cz/editor/image/produkty1 soubory/amocz cr 2014 05.pdf

⁴¹ For example ExxonMobil a Chevron or Royal Dutch Shell.

⁴² POHL, Joachim, MASHIGO a Alexis NOHEN. OECD. Dispute Settlement Provisions in International Investment Agreements: a large sample survey. 2012, 3 s. Retrieved from: http://www.oecd.org/daf/inv/investment-policy/WP-2012 2.pdf



over the world that include this mechanism as a means of protecting investments from unexpected public rulings." ⁴³ At present, many new EU member states have agreements containing ISDS⁴⁴ with USA. These were concluded in the beginning of their transformation in the 1990s. They are not optimal and their adjustments within the TTIP should bring more advantages. ⁴⁵ The older member states usually do not have an agreement with the US about ISDS, and there is much controversy about the subject. For these states, ISDS would mean introduction of possibility of arbitration instead of general administration of the case by their justice system.

ISDS is currently the most controversial topic of the TTIP negotiations. It has a large number of critics and many subjects are involved in finding the solution. "The consultation clearly shows that there is a huge scepticism against the ISDS instrument", said Cecilia Malmström, Commissioner for Trade. " ⁴⁶ The EU approaches the TTIP with requests that should ascertain a new generation model of ISDS. "Firstly, the EU wants to prohibit two claims being brought at the same time before different tribunals. Avoiding parallel claims will prevent investors winning twice and also avoid a situation where two different tribunals come to different decisions based on the same facts. Secondly, the EU wants to fight investors taking their case to the tribunal they think will provide the most favorable judgment. The EU wants to ensure that its agreements will stop investors from creating a shell company in a particular country with the sole purpose of benefiting from the ISDS provisions contained in that country's investment agreement with the EU." ⁴⁷ These requests should make ISDS under TTIP much more beneficial to defending states than the existing IIAs of the new EU member states, including countries of the V4 region.

from: http://trade.ec.europa.eu/doclib/docs/2013/october/tradoc 151791.pdf

⁴³ REZKOVÁ, Alice a Kryštof KRULIŠ. The TTIP One Year On and the Czech Position: Measuring Benefits and Identifying Threats [online]. 2014 [cit. 2015-02-06]. Retrieved from: http://www.amo.cz/editor/image/produkty1_soubory/amocz_rp_2014_05.pdf

⁴⁴ POHL, Joachim, MASHIGO a Alexis NOHEN. OECD. Dispute Settlement Provisions in International Investment Agreements: a large sample survey. 2012, 47 s. Retrieved from: http://www.oecd.org/daf/inv/investment-policy/WP-2012 2.pdf

⁴⁵ KRULIŠ, Kryštof. Tržní a investiční dohoda EU-USA?. *IHNed.cz* [online]. 2015 [cit. 2015-02-06]. Retrieved from: http://amo.blog.ihned.cz/c1-63403160-trzni-a-investicni-dohoda-eu-usa

⁴⁶ Report presented today: Consultation on investment protection in EU-US trade talks. European Commission [online]. 2015 [cit. 2015-02-05]. Retrieved from: http://europa.eu/rapid/press-release IP-15-3201 en.htm

⁴⁷ How will the EU prevent investors from abusing ISDS?. In: *Factsheet Investor-State Dispute Settlement* [online]. Europea, 2013 [cit. 2015-02-06]. Retrieved



"The US wants ISDS included in the landmark free trade agreement." ⁴⁸ USA wants to negotiate ISDS mainly because EU has 28 different national legal systems and on top of that one common legal system based on European treaties. ISDS could guarantee the same degree of protection in all the parts of EU.

3 Theses of proponents and opponents of TTIP

TTIP, as any other significant agreements has a number of supporters and opponents. Arguments of both sides can be very beneficial for negotiations of TTIP, since they often reflect possible impediments and opinions of general public. Due to variety of opinions on this contract, public debate on TTIP can be illustrated on the exchange of views of politicians and public activists in the public debate.

Mr. Jan Keller, Czech Social Democrat, deputy of the European Parliament and severe opponent of the TTIP, said about TTIP: "It can not only weaken the protection of employees, but also hygiene, environmental and consumer standards which are generally higher in Europe than in the US." ⁴⁹ Keller in his article for the daily newspaper expressed concern about the possibility of supply of meat which is fed with hormones and other chemicals. He also expressed concerns over, according to him, secretive approach of the negotiators.

Mr. Ludek Niedermayer, also Czech deputy of the European Parliament for TOP 09 political party, commented on the criticism of the TTIP: "An analysis of the Bertelsmann Foundation even pointed out that liberalization of trade between the Czech Republic and the USA will increase our economic efficiency by up to two percent and bring up to 22,000 jobs. At the level of the whole Union it is \in 119 billion per year - \in 545 per family per year" ⁵⁰ He also pointed out that the potential impact may be positive especially in the field of agriculture "Maybe the current ban on imports of European apples and many types of cheese to the US or duties on meat accounting up to 30% and on dairy products up to 139 % are not what would suit the Union." ⁵¹

⁴⁸ ISDS decision delayed to end of TTIP talks. EurActiv.com [online]. 2015 [cit. 2015-02-05]. Retrieved from: http://www.euractiv.com/sections/trade-society/isds-decision-delayed-end-ttip-talks-311234 ⁴⁹ ⁴⁹ KELLER, Jan. *Co upečou diplomati*. Právo [online]. 2014 [cit. 2014-08-21]. Retrieved from: http://www.cssd.cz/aktualne/aktuality/ocima-jana-kellera/

⁵⁰NIEDERMAYER, Luděk. *Niedermayer: Smlouva s USA není, ale už se jí straší*.. *TOP 09* [online]. [cit. 2014-08-21]. Retrieved from: http://www.top09.cz/co-delame/medialni-vystupy/niedermayer-smlouva-s-usa-neni-ale-uz-se-ji-strasi-15687.html

⁵¹ NIEDERMAYER, Luděk. *Niedermayer: Smlouva s USA není, ale už se jí straší. TOP 09* [online]. [cit. 2014-08-21]. Retrieved from: http://www.top09.cz/co-delame/medialni-vystupy/niedermayer-smlouva-s-usa-neni-ale-uz-se-ji-strasi-15687.html



3.1 Protection of workers

This question is important especially because of the effects of free goods impact on the labour market. Since a higher protection of employees increases the costs of employees, it also leads to higher product price when compared to the products produced under lower standards of protection of employees. The opinion of (not only) the Czech trade unions is that: "In terms of protecting workers, in particular in order to maintain jobs and decent wages in Europe and in our country, it is necessary to integrate full respect to minimum standards of labor enshrined in the conventions of the International Labor Organization (United States have not yet ratified a number of important ILO conventions) and the directives and regulations of the European Union, into the Transatlantic trade and investment partnership. That is in order to significantly reduce or eliminate the risk of worsening labor, wage and social conditions of employees." 52 The European Union offers high security and protection to the employees, and therefore we can witness concerns over potential competition from manufacturers from the USA. AFL - CIO, one of the largest trade unions in the USA supports TTIP. "The AFL-CIO believes that increasing trade ties with the EU could be beneficial for both American and European workers but as with all trade agreements, the rules matter. Generally speaking, both regions have advanced economies, high national incomes and well-developed legal and regulatory regimes designed to protect the environment and defend workers' rights. And in many respects, the European nations' social programs to protect families and the environment exceed those of U.S. laws and regulations—and any U.S.-EU agreement must not be used as a tool to deregulate or drive down these higher standards." 53 Between member states of the EU, however, are also large differences in the extent of protection of employees. "In addition, Poland has been engaging in so-called "labor market flexibilities" for a generation and Hungary's current government has likewise been intent on destroying many worker protections. American workers should be aware that some multinational corporations could be intending to use a U.S.-EU trade agreement to move jobs from the U.S. to these countries whose wages and worker protections do not reach the level of the rest of the EU." 54 Both

⁵² TŮMA, Ondřej *Očima expertů: Chystá se nová obchodní smlouva mezi Evropou a USA. Komu k dobru?*.. Peníze.cz [online]. 2014 [cit. 2014-08-21]. Retrieved from: <a href="http://www.penize.cz/svetova-ekonomika/287297-ocima-expertu-chysta-se-nova-obchodni-smlouva-mezi-evropou-a-usa-komu-k-ekonomika/287297-ocima-expertu-chysta-se-nova-obchodni-smlouva-mezi-evropou-a-usa-komu-k-ekonomika/287297-ocima-expertu-chysta-se-nova-obchodni-smlouva-mezi-evropou-a-usa-komu-k-ekonomika/287297-ocima-expertu-chysta-se-nova-obchodni-smlouva-mezi-evropou-a-usa-komu-k-ekonomika/287297-ocima-expertu-chysta-se-nova-obchodni-smlouva-mezi-evropou-a-usa-komu-k-ekonomika/287297-ocima-expertu-chysta-se-nova-obchodni-smlouva-mezi-evropou-a-usa-komu-k-ekonomika/287297-ocima-expertu-chysta-se-nova-obchodni-smlouva-mezi-evropou-a-usa-komu-k-ekonomika/287297-ocima-expertu-chysta-se-nova-obchodni-smlouva-mezi-evropou-a-usa-komu-k-ekonomika/287297-ocima-expertu-chysta-se-nova-obchodni-smlouva-mezi-evropou-a-usa-komu-k-ekonomika/287297-ocima-expertu-chysta-se-nova-obchodni-smlouva-mezi-evropou-a-usa-komu-k-ekonomika/287297-ocima-expertu-chysta-se-nova-obchodni-smlouva-mezi-evropou-a-usa-komu-k-ekonomika/287297-ocima-expertu-chysta-se-nova-obchodni-smlouva-mezi-evropou-a-usa-komu-k-ekonomika/287297-ocima-expertu-chysta-se-nova-obchodni-smlouva-mezi-evropou-a-usa-komu-k-ekonomika/287297-ocima-expertu-chysta-se-nova-obchodni-smlouva-mezi-evropou-a-usa-komu-k-ekonomika/287297-ocima-expertu-chysta-se-nova-obchodni-smlouva-mezi-evropou-a-usa-komu-k-ekonomika/287297-ocima-expertu-chysta-se-nova-ekonomika/287297-ocima-expertu-chysta-se-nova-ekonomika/287297-ocima-expertu-chysta-se-nova-ekonomika/287297-ocima-expertu-chysta-se-nova-ekonomika/287297-ocima-expertu-chysta-ekonomika/287297-ocima-ekonomika/287297-ocima-ekonomika/287297-ocima-ekonomika/287297-ocima-ekonomika/287297-ocima-ekonomika/287297-ocima-ekonomika/287297-ocima-ekonomika/287297-ocima-ekonomika/287297-ocima-ekonomika/287297-ocima-ekonomika/287297-ocima-ekonomika/287297-ocima-ekonomika/28

⁵³ U.S.-EU Free Trade Agreement (TTIP). AFL-CIO. *AFL-CIO* [online]. 2014 [cit. 2015-02-08]. Retrieved from: http://www.aflcio.org/Issues/Trade/U.S.-EU-Free-Trade-Agreement-TTIP

⁵⁴ U.S.-EU Free Trade Agreement (TTIP). AFL-CIO. *AFL-CIO* [online]. 2014 [cit. 2015-02-08]. Retrieved from: http://www.aflcio.org/Issues/Trade/U.S.-EU-Free-Trade-Agreement-TTIP



sides are therefore very careful when negotiating what the final terms of the protection of workers will be.

3.2 Hygiene standards

Another argument concerns the possible infringement of hygiene standards. They are often used as non-tariff barriers to market access. According to the German Minister of Agriculture regarding hygiene standards: "The EU is not open to negotiation in respect of European food and consumer protection standard." The hygiene standards are not the same in EU and USA, therefore for further enhancement of mutual trade certain ways of mutual standard recognition, approximation of standards or at least recognition of controls seem as a needed part of the TTIP.

3.3 Environmental standards

Another issue, which TTIP critics bring up is the problem of environmental standards. Different approaches to ecology are applied on both sides of the Atlantic. "One area where benefits were expected from TTIP were efficiency gains from harmonized standards which could enable companies to invest more in job creation and development of new more environmentally friendly products" ⁵⁶ If there is a harmonization in this field, it would be a strong impetus for development in this area. The environment is highly political issue, though, and the results thus depend on the particular political moves in the negotiations.

3.4 Consumer standards

Consumers could benefit from the TTIP mainly throug the decrease in prices of goods and their easier availability. Even TTIP critics admire the positive impact on the availability of goods but add a potential threat to consumers because of differences in the legislation of the involved countries, as for example mentioned above - GMOs and hormones added to the nourishment of animals. "The EU and US already exchange information on policy, regulations and technical issues concerning GMOs. This kind of cooperation helps keep to a minimum the effect on trade of our respective systems for approving GMOs. We see the TTIP as an opportunity to support

⁵⁵ Bundesministerium für Ernährung und Landwirtschaft *TTIP and food: The Federal Ministry of Food and Agriculture supports a high level of consumer protection in the transatlantic free trade agreement with the US.* [online]. 2014 [cit. 2014-08-21]. Retrieved from: http://www.bmel.de/EN/Food/Safe-Food/Texte/TTIP.html

⁵⁶ Ecologic Institute *The New Transatlantic Trade and Investment Partnership (TTIP): A Focus on the Environment.* KRAEMER, R. Andreas a Christiane GERSTETTER. [online]. 2013 [cit. 2014-08-21]. Retrieved from: http://www.ecologic.eu/8654



this cooperation." ⁵⁷ The European Commission also believes that the agreement would contribute to strengthening cooperation in the field. Also the effort to preserve the possibility for member states of the EU to decide for themselves whether to embark GMOs products on its market, remains present as a condition from the side of the EU in the negotiations. However, just the possibility to access the meat of animals fed with hormones in European markets was a subject of criticism: "The strict EU legislation, like that relating to hormones or which is there to protect human life and health, animal health and welfare, or environment and consumer interests will not be part of the negotiations" ⁵⁸ It is expected that the European Commission will secure the interests of consumers in negotiations, as critics demanded.

3.5 Transparency of negotiations

Critics of the TTIP often claim that the negotiations are held secretly and wide public cannot access any information from these "The real stuff of this transatlantic game lies in the negotiation offers and in the draft negotiation texts that will be exchanged between the EU and US in the coming weeks and months. They will define the level of the economic and consumer benefits of a transatlantic trade deal, but they will also define the magnitude of risk and reduction of well-being that the agreement can lead to on both sides of the Atlantic. And it is precisely these documents which will remain a secret" ⁵⁹ as Monigue Goyens, Director of BEUC, the European Consumers' Organization expressed her concerns. The official position of the European Commission on this issue is: "For a successful business you need a certain degree of confidentiality, otherwise it would be like showing the other player ones' cards in a card game." ⁶⁰ The European Commission also cooperates during negotiations with representatives of employees, employers and civic society. The negotiating team has its own website⁶¹, which regularly informs about the status of negotiations and the negotiating team also has an account on the social network Twitter⁶², where it shares the latest information. The European Commission will maintain awareness of the member states in the Council and the European

⁵⁷ European Commission *TTIP: The regulatory part* [online]. 2013 [cit. 2015-03-20]. Retrieved from: http://trade.ec.europa.eu/doclib/docs/2013/july/tradoc_151605.pdf

⁵⁸EuropeanCommission *WillEuropeansupermarketsbefilledwithmeatfromAmericananimalsfedwithhormo nes?*. [online]. 2013 [cit. 2014-08-21]. Retrieved from: http://ec.europa.eu/trade/policy/infocus/ttip/questions-and-answers/

⁵⁹ GOYENS, Monique. EU Needs Greater TTIP Transparency. *Atlantic Community* [online]. 2014 [cit. 2015-02-08]. Retrieved from: http://www.atlantic-community.org/-/eu-needs-greater-ttip-transparency
⁶⁰ European Commission *Are the negotiations being held in secret?*. [online]. 2014 [cit. 2014-08-21]. Retrieved from: http://ec.europa.eu/trade/policy/in-focus/ttip/questions-and-answers/

⁶¹ More information here: http://trade.ec.europa.eu/doclib/press/index.cfm?id=1139

⁶² Twitter account: https://twitter.com/EU TTIP team



Parliament about the development. In the end it will be these two institutions - the Council, composed of representatives of the governments of the member states and the European Parliament directly elected by the citizens - to approve or reject the agreement. Moreover, the member states of the EU also claim that the TTIP has to be ratified at the level of their national parliaments. The representatives of European citizens at national and European level will have the last word during the discussion of TTIP. In early October 2014 the Council of the EU made an important step towards further transparency of the negotiation process and declassified its TIPP negotiation directive (No. 11103/13) which provides mandate for the EU negotiators. On January 7, 2015 the European Commission published content of yet negotiated agreement.

3.6 The Financial Contribution of the TTIP

The biggest contribution of the TTIP usually mentioned is the area of economic gains. In the independent study⁶⁵, which was funded by the European Commission, it is stated that the "ambitious and comprehensive transatlantic trade and investment agreement could bring significant economic gains as a whole for the EU (\in 119 billion a year) and US (\in 95 billion a year). This translates to an extra \in 545 in disposable income each year for a family of 4 in the EU, on average, and \in 655 per family in the US. "66 The study states that the permanent problems in the mutual relationships are the customs and the nontariff barriers even though the customs, thanks to the trade structure exchange, aren't so high.

Due to the independent statement, high benefits are in the growth of the GDP in all versions of the possible agreement, even in the case of the minimal version, which would be limited mostly to the removal of the customs. "Extra-EU exports are estimated to increase by 1.18 per cent (corresponding to 44 billion euros) while imports from outside EU are expected to rise by 1.00 per cent (corresponding also to about 44 billion euros increase). The changes are estimated to be slightly higher for the US."67

⁶³ European Commission *Are the negotiations being held in secret?*. [online]. 2014 [cit. 2014-08-21]. Retrieved from: http://ec.europa.eu/trade/policy/in-focus/ttip/questions-and-answers/

⁶⁴ Celý text zatím vyjednaných podmínek dohody TTIP: http://trade.ec.europa.eu/doclib/press/index.cfm?id=1230

⁶⁵ Full study: http://trade.ec.europa.eu/doclib/docs/2013/march/tradoc 150737.pdf

⁶⁶ CENTRE FOR ECONOMIC POLICY RESEARCH. *Reducing Transatlantic Barriers to Trade and Investment* [online]. London, 2013 [cit. 2014-08-21]. Retrieved

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⁶⁷ CENTRE FOR ECONOMIC POLICY RESEARCH. *Reducing Transatlantic Barriers to Trade and Investment* [online]. London, 2013 [cit. 2014-08-21]. Retrieved from:http://trade.ec.europa.eu/doclib/docs/2013/march/tradoc 150737.pdf



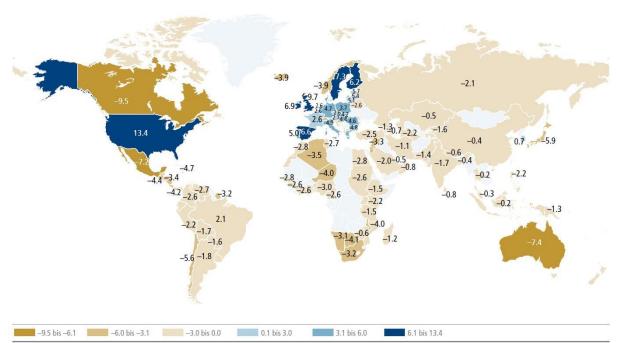


Figure 1: Change in global real per capita income, deep liberalization

Source: FELBERMAYR Gabriel., HEID Benedikt., LEHWAND Sybille. *Transatlantic trade and investment partnership (TTIP): Who benefits from a free trade deal?* [online]. Bertelsmann Stiftung, 2013 [cit. 2015-01-21] Retrieved from: http://www10.iadb.org/intal/intalcdi/PE/2014/13541.pdf

4 Conclusion

The planned TTIP agreement about the free trade between the two largest economies in the world brings a lot of positive aspects, although even a lot of such points that could be controversial and risky either economically or socially.

The most controversial part is (traditionally) mainly in the area of agriculture. In 2012, "93 % of soybeans and 95 % of beets grown in the U.S. came from genetically modified seed. These modified food products allow U.S. farmers to increase output at a lower cost a huge competitive advantage over their European counterparts who do not employ such growth methods." ⁶⁸ Such different methods and attitude towards the GMO and using hormones in the meatpacking industry remain one of the biggest obstacles in the further expansion of mutual trade. As a result of position of the EU the GMO regulation is retained at the level of individual EU member states and also the other issues were suggested to be withdraw from the agreement.

from:http://www.amo.cz/editor/image/produkty1 soubory/amocz-bp-2013-02-1.pdf

 $^{^{68}}$ WATKINS, Bryan. *Bridging the Atlantic: The State of Free Trade Negotiations between the U.S. and EU* [online]. Praha: AMO, 2013 [cit. 2014-08-22]. Retrieved



The biggest argument from the protagonists of the TTIP is the huge economic contribution of the agreement. "A Bloomberg study determined U.S. exporters pay \$6.4 billion pay in tariffs on exports to the EU, while Europeans shipping goods to the U.S. pay \$4.1 billion." ⁶⁹ The contribution for the private sector could be more than 10 billion dollars, which could have been used by the exporters for the development of their corporations.

TTIP would have an extensive impact on world trade. It might initiate the start of the free trade zone which would be in the size of almost half of the world GDP. But what real benefits could the TTIP bring? This depends on the negotiating teams, their hard work and clauses that are actually agreed upon in real life and not only in theory

from: http://www.amo.cz/editor/image/produkty1 soubory/amocz-bp-2013-02-1.pdf

⁶⁹ WATKINS, Bryan. *Bridging the Atlantic: The State of Free Trade Negotiations between the U.S. and EU* [online]. Praha: AMO, 2013 [cit. 2014-08-22]. Retrieved



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Top partneři

Generální partner Modelu OSN



Hlavní partner Modelu OSN Hlavní partner Modelu NATO





Model NATO is co-sponsored by the North Atlantic Treaty Organization



Hlavní partner Modelu EU



Partner konference



Univerzitní partner



Partner zahájení

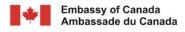


Partner jednání



Partneři Modelů















Mediální partneři

Hlavní mediální partner

Hlavní mediální partner

Partner Chronicle











