
CONTEMPORARY ISSUES IN TRANSATLANTIC RELATIONS

1 JULY 2020 1.30-6.00PM BST (VIA ZOOM)

*HOSTED BY THE JEAN MONNET CHAIR OF LAW & TRANSATLANTIC RELATIONS & INSTITUTE
FOR THE STUDY OF EUROPEAN LAW, CITY LAW SCHOOL, CITY, UNIVERSITY OF LONDON*

SESSION I: 1.30-3.00PM BST: THE TRANSATLANTIC RELATIONSHIP

- **Prof. Elaine Fahey, City Law School, Introduction to the event**
- **Mr. Michael Curtis, Deputy Head of Delegation of the EU to the US**
- Overview of the work of the EU EEAS Delegation to the US
- **Prof. Mike Smith, University of Warwick, 'The EU and Trump's US: Two Worlds of Diplomacy?'**
- This presentation considers the extent to which the EU and the US inhabit two different worlds of diplomatic practice: on the one hand, the EU's world reflecting a commitment to multilateralism as principle and practice, on the other hand, the US' world reflecting a transactionalist commitment to 'America First' and to ad hoc deal-making as the basis for diplomatic practice. It will examine these positions in general, and then briefly in relation to three current issues in transatlantic relations: the coronavirus crisis, Hong Kong, and climate change. In conclusion, it will re-examine the general argument about 'two worlds of diplomacy'
- **Prof. Inderjeet Parmar, City, University of London, 'The future of US-UK Relations'**
- There will be important adjustments in international politics broadly and in US-UK relations. Globally, the US operates in a more competitive world and sees its positions eroding. The US is weaponizing its powers particularly via America First. Can the neoliberal anti-statist model survive intact? How this plays out will have significant effects on US-UK relations and global politics.
- **Prof. Wyn Rees, University of Nottingham, 'The Demise of the Anglo-American Special Relationship?'**
- The turbulence in Anglo-American relations during the first Trump administration has led to perceptions that the so-called 'Special Relationship' is in decline. This paper investigates both the bilateral and multilateral strains between the two countries in recent years. The paper argues that the most significant challenge is the growing divergence between the UK and the US on major global policy issues. The future of the special relationship will be shaped by the American election in November and the UK's relationship with the EU after Brexit.

2.40-3.00pm: Q & A

SESSION II: 3.00-4.30 PM: TRANSATLANTIC DEFENCE, SECURITY & CIVIL LIBERTIES

- **Prof. Mai'a K. Davis Cross, Northeastern University, 'EU Security & Defense after the Pandemic'**
- What are the key security and defense policy issues that the EU has been grappling with during and after the pandemic? Why are they now more challenging than ever, especially in the context of a highly strained transatlantic relationship? This talk analyzes the trajectory and implications of the pandemic for the EU's defense budget, permanent structured cooperation in security (PESCO), the Common Security and Defence Policy (CSDP), and plans to develop a significant space sector
- **Claude Moraes, Former Labour MEP for London, Ex Chair LIBE EP Committee, 'The US and EU as Global Data Actors - comparing Transatlantic Data Agreements'**
- Addressing the question - how does the rise of the EU as a global data actor influence contemporary politics and the dominant position of US social media giants? The EU has embarked on a process of data protection and privacy reform. Has that influenced what is happening in the US? I will look at GDPR and the beginnings of regulation in e-privacy and AI and the sense that US data giants are not responding to external pressures such as the threat of

taxation. Data agreements exist between the EU and US in trade and security such as Privacy Shield or the anti-terrorist Passenger Name Records (PNR) and Umbrella Agreement. Obstacles reflect different perceptions and speed of movement on privacy and data protection issues on each side of the Atlantic.

- **Prof. Elaine Fahey, City Law School, 'The Transatlantic data and digital trade stand-offs: the US, EU & UK'**
- The talk considers the awkward transatlantic stand-offs on data and digital trade between the EU-US on the one hand and UK-US and UK-EU on the other. Transatlantic data flows constitute of the most sophisticated in the globe- e.g. as to the EU-US Privacy Shield covering over one billions consumers and citizens, pending the outcome of the forthcoming *Schrems* decision. Digital trade does not fall part of the current EU-US talks which but is a key dimension of the UK-US negotiations potentially. Yet can digital trade unite the transatlantic relationship, even post-Brexit, more than divide? The UK has made significant efforts to obtain an adequacy decision from the EU but also proposes to diverge from EU data rules whilst keeping the GDPR. Can the UK evade the reach of EU data law Can the US avoid adopting 'a' GDPR?
- **Prof. Theodore Christakis, University Grenoble Alpes 'EU-US Negotiations on Law Enforcement Access to Data'**
- On September 25, 2019 the EU and the US started officially negotiations for the conclusion of a very important transatlantic agreement on cross-border access to electronic evidence for judicial cooperation in criminal matters. This presentation will present the EU-US divergences on the architecture of the agreement and existing options under EU law. It will also discuss what could be the eventual role of the CJEU. Indeed, it has been said several times that the EU-US Agreement risks to be deferred to the CJEU for judicial review. How could this happen (or not happen)? What are the different precedents and scenarios?

- 4.10-4.30pm: Q & A

SESSION III: 4.30-6.00PM: TRANSATLANTIC & GLOBAL TRADE

- **Xuechen Chu, Kings College London & Xinchu Gao, Kings College London, 'The EU-China Cooperation in Digital Connectivity and the US-China Tech War'**
- Over the past decade, the concepts of digital connectivity, digital economy and cyber security have become growing policy issues as well as a new focal point for international relations. This research examines the EU-China relationship in the domain of digital connectivity against the backdrop of a rising technology conflict between the US and China. In particular, our presentation analyses the following questions: (1) What is the current state of the US-China tech war, and how does the US-China tech war impact upon the EU-China cooperation in digital connectivity and technology sector? (2) What are potential scenarios for the EU-China cooperation in digital connectivity in light of the rising tension between the US and China?
- **David Henig, ECIPE, 'Are Transatlantic Trade Relations bound to Disappoint? What do Brexit and the Covid-19 Crisis Mean for the Relationships between the UK, EU and US?'**
- The UK having now left the EU is in trade talks both with the bloc and the US, trying to navigate issues where their approach differs, most notably around standards and regulations pertaining to food. Meanwhile all of the EU, UK, and US face politicians and public increasingly sceptical of China and demanding to put globalisation into reverse. Yet in 2016 trade talks between the EU and US, in part to help set the rules against Chinese competition, failed, and the US has been undermining the functioning of the WTO. Against this unpromising state of transatlantic trade policy in 2020 can we look forward with any optimism to future relations, or are transatlantic trade relations bound to disappoint?
- **Prof. David Collins, City Law School, 'Challenges in UK-US FTA Negotiations'**
- Over the last few months the US and the UK have released their official negotiating objectives for the highly anticipated UK-US Free Trade Agreement (FTA), outlining the intended scope of the agreement including economic forecasts. This presentation will discuss some of these objectives, which are both ambitious and comprehensive, reflecting the most up-to-date material built upon recent US and global practice in international trade negotiations. While broad consistency in the parties' objectives is encouraging, there are some potential areas of conflict including Rules of Origin, Government Procurement, Trade Remedies and SPS rules.



- **Timothy Lyons QC, 39 Essex Chambers, 'Dispute Settlement Provisions in a future UK-USA Trade and Investment Agreement'**
- Provisions governing the resolution of disputes in trade and investment agreements have a history of arousing strong feelings. Dispute settlement has been considered recently in the context of the WTO, the USMCA, the EU's negotiations with third countries and negotiations between the UK and the EU. What may we learn from debates in relation to these topics about likely areas of concern in the negotiations between the UK and the USA?
- **Prof. Michelle Egan, American University, DC, Federalism and Trade in US and Canada**
- The international trading system is in turmoil in part due to the unilateralism, protectionism and unpredictability of the Trump administration. While the US has sought to fundamentally restructure trading relations with its allies, push for change at the international level and compel China to restructure its model to level the playing field, we might focus on the domestic determinants of trade policy. In looking at Canada and the United States, it is interesting to think about the role and impact of states and provinces in trade negotiations as much of European demands for market access are often regulated at the subnational level.
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5.40-6.00pm: Q & A, followed by conclusions

