The European Union and the Republic of Korea: trading partners of strategic partners?

Abstract

This paper addresses the global economic governance strand of the conference. It considers the Republic of Korea (RoK) -European Union (EU) Free Trade Agreement (FTA), signed in October 2010 and provisionally operational from July 2011. This FTA was the first of the economically-focused form of bilateral arrangement which the European Commission advocated in 2006, as it became apparent that the Doha Development Agenda lacked momentum. The EU intended these FTAs as a means of advancing the cause of liberalising international trade, taking the standards of the World Trade Organisation as a minimum, and creating conditions conducive to a revival of multilateralism at some point in the future. Amongst those singled out as potential participants in FTAs were emerging powers, including RoK.

Yet the FTA is presented as part of an agenda more ambitious still. At the same time that they announced the signing of the agreement, RoK and EU stated that they were upgrading their relationship to a Strategic Partnership. A Framework Agreement between the two parties, which had been agreed in May 2010, set out a broad set of areas in which they could collaborate with each-other, and contained provision for various mechanisms of coordination and dialogue.

This paper draw conclusions, first, about the value of the FTA when judged on its own terms, including the negotiation process and the concerns it addressed. Second it assesses how far the FTA can form part of a wider RoK-EU relationship, which has yet fully to emerge. It discusses the meaning of the term 'strategic partnership' in this context, and how far the RoK shares the EU's conception of it. More general implications for the EU, both in trade policy and as a global normative actor, with particular reference to the influence of emerging powers, are then discerned.

Professor Richard G. Whitman
Director, Global Europe Centre
Professor of Politics and International Relations
Room N4 W5
School of Politics and International Relations
Rutherford College
University of Kent
Canterbury
Kent CT2 7NX UK

r.whitman@kent.ac.uk

Dr. Andrew Blick
Lecturer in Politics and Contemporary History
Centre for Political and Constitutional Studies
Room K6.52
King's College London
Strand
London WC2R 2LS

andrew.blick@kcl.ac.uk

Introduction

On 6 October 2010 the fifth summit between the European Union (EU) and the Republic of Korea (RoK) took place. The President of the European Council, Herman Van Rompuy and the President of the European Commission, Jose Manuel Barroso represented the EU; while President Lee Myung-bak represented RoK. The joint press release issued afterwards announced that there had been 'a friendly, productive and successful Summit'. The participants were pleased with 'the positive development of the overall relationship', founded in 'shared values and common global interests'. In particular they welcomed the EU-Korea Free Trade Agreement (FTA) which had just been signed, and a Framework Agreement from the previous May. The FTA would 'bring major benefits to economic operators and to consumers, as well as sending a strong message that trade liberalisation is a key element for the recovery of the world economy'. The framework agreement would 'provide a basis for strengthened EU-Korea cooperation on key global challenges such as climate change and development assistance'. In accordance with the discussions held at the fourth EU-RoK summit of May 2009, 'leaders agreed to upgrade relations to a strategic partnership' (Council of the European Union, 2010).

The following paper considers the relationship between the EU and the RoK. It discusses the appropriateness of the 'strategic partnership' label the two parties now formally attach to their association with each-other; and the potential for the future development of the relationship. The paper considers what is the overall strategic approach of the EU; and within that the specific concept of the 'strategic partnership'. It assesses the strategic orientation of RoK, and how it might be disposed towards a fully strategic relationship with the EU. Next there follows an account of the content of the Framework Agreement and the FTA referred to at the 2010 summit. Then comes a depiction of the genesis and significance of the FTA, at present the more significant document of the two. Having considered this key building block of a potential strategic partnership, the paper then proposes how this embryonic strategic relationship might more fully be realised in future.

EU global strategy and the strategic partnership concept

The idea of an EU-RoK strategic partnership should be considered against a background debate about the nature of the EU as a global actor. Within this discussion

there is a narrative of an EU which underperforms on the international stage and is subject to limitations upon its ability to act meaningfully in this arena (Whitman, 2010). Often these constraints are believed to be determined partly by the way in which the EU is configured. Strains between the EU and the member states comprising it are identified. Weaknesses are identified in its central structures (Thomas, 2012; Howorth, 2010). The EU is portrayed as distinctive because of the importance of 'ideational dynamics' to it (Lee, 2012, p.43). The concept of 'normative power' has been frequently employed. This idea emphasises that the EU is a player which has the potential to make a difference to the nature of international relations, and that its ability to wield influence should be judged in a distinctive way (Manners, 2008; Whitman, 2011). The EU is held to be marked out as distinctive by its historical development, its 'hybrid polity' and its 'political-legal constitution'. These characteristics have created a disposition for it 'to act in a normative way' and promote values of particular kinds (Lee, 2012, p.45). A variety of crucial EU norms have been depicted. It is held to be disposed towards human rights, the rule of law, democracy, free markets combined with a socially interventionist outlook, and sustainable development (Biscop, 2009; Manners, 2008).

When the role of the EU as global player is considered, the importance of the idea that the EU as an entity is continually developing is often stressed. One author argues that the 'key metric against which to think about the challenges now facing the EU, will be that of an emerging *multi-polar* system which threatens to be anything but stable' (Howorth, 2010, p.458-9). Two other commentators write: 'Since the end of the Cold War, the United States and its European allies have dominated the international arena – economically, politically and culturally. This is changing. Russia is re-emerging and once again claiming a dominant role in global affairs. Alongside her, China, India and Brazil make up the so-called BRIC group of emerging powers' (Whitman and Rodt, 2012, p.27). Finally, it is held that the EU is able and out to perform an important role on the international scene. The EU is envisaged as a power that is in the process of emerging, though the final form it will take may not yet be precisely apparent (Renard, 2011). One author expresses the hope that the EU could contribute to the formation of a global system that was more stable than present arrangements (Howorth, 2010). Another work argues that to pursue its interests 'the EU must be a *power*, i.e. a strategic actor that consciously and purposely defines long-term

objectives, actively pursues these, and acquires the necessary means to that end' (Biscop, 2009, p.3).

The development of the strategic partnerships concept represents an attempt by the EU to become make more impact as a player within world context that exists now. Thomas Renard notes that 'The concept of strategic partnership emerged from the post-Cold War era', as a reaction to the cessation of duopoly (Renard, 2011, p.7). Renard identified in 2011 ten individual states that were strategic partners of the EU: Brazil, Canada, China, India, Japan, Mexico, Russia, South Africa, RoK and the US. Alongside these individual states two regions (Latin America and the Caribbean; the Mediterranean and the Middle East) are strategic partners of the EU; and three multilateral institutions: the UN, the African Union and Nato (Renard, 2011). As Balfour notes, the strategic partnerships with these supranational bodies are 'often overlooked' (Balfour, 2010, p.1). In September 2010, the President of the European Council, Herman van Rompuy gathered together the foreign ministers and heads of government of member states. His purpose was to discuss the future of strategic partnerships (Balfour, 2010; European Council, 2010). Catherine Ashton, the EU High Representative, was entrusted with the production of reports on six such relationships (with Brazil, China, India, Russia, South Africa and the US). It was intended that strategic partnerships as a whole would be reviewed in 2012 (Renard, 2012). An initial wave of reports was drafted but not made public, and the review now seems to have lost momentum. Our interviews conducted with EU officials suggested the existence of a view that rather than continually examining what are strategic partnerships, it is better simply to proceed with relations.

Yet the literature on strategic partnerships confirms that such a reassessment is needed. Definitional problems exist. Giovanni Grevi writes: 'Strategic partnerships are a political category that no EU document or statement clearly defines. The question is whether this is a problem *per se*' (Grevi, 2010, p.2). Three authors state that a strategic partnership is 'a label that designates a country is important to the EU, but does little more' (Hemra et al, 2011, p.20). Grevi notes that the European Council has not even produced a single official list of these partners, but 'Arguably, that was wise' (Grevi, 2010, p.2). Renard constructed his list of EU strategic partners using various different official sources. He notes that the 'exact reasoning behind this list'

was not apparent. It included 'natural partners' of the EU, such as the US and those who were 'simply…too big to ignore' (China and Russia). For others 'the strategic rationale [was] far less evident' (Renard, 2011, p.3). It has been noted that: 'The EU's relationships with its strategic partners differ a great deal. Likewise, the Union's rationale behind establishing strategic partnerships with particular countries seems to vary' (Whitman and Rodt, 2012, p.28). In reality, it has been argued, 'many of these arrangements are not really partnerships and most of them are not very strategic'. Some of those designated as strategic partners are not committed to the same values as the EU (Balfour, 2010, p.1). Moreover, Renard states that 'the EU's strategic partnerships have been seriously tested recently, and their strategic nature has come into question' (Renard, 2012, p.1).

The strategic position and outlook of RoK

How should RoK be assessed as a strategic partner for the EU? It is perhaps best regarded as a medium-sized Northeast Asian regional economic power. It has passed through industrialisation and is an OECD member state. The most important industries in RoK are electronics, machinery, steel, the manufacture of automobiles, and shipbuilding. China, the EU and the US are the main parties with which RoK carries out trade. RoK has begun to donate international development aid. From the early 1960s RoK introduced a series of economic plans. It surpassed North Korea as an economic force during the 1970s, and underwent industrialisation and urbanisation. By 1997 the RoK had the 11th largest global economy. But, partly as a consequence of the Asian financial crisis of this year, it underwent a substantial reversal, and had to apply for assistance from the IMF. A phase of contraction was followed by expansion once more from 2000. Measured in GDP, RoK had by 2009 the 15th largest economy in the world (Foreign and Commonwealth Office, 2012a).

Alongside these economic developments, since the early 1990s and the culmination of the Cold War, RoK is perceived has having undergone a change in strategic perspective greater than any other player in Northeast Asia. Previously it tended to depend solely upon the US. The emergence of multipolarity prompted a rethink. Nonetheless, RoK is probably has less scope for freedom of action than other states active in the region: China, Japan, Russia, North Korea and the US. RoK is required to balance its relationships with these diverse parties. Amongst them, the US

continues to be the most important concern, with North Korea following, then China, Japan and Russia (Rozman et al., 2008).

As well as external developments, internal changes have occurred impacting upon RoK and its conception of its international position. From the 1980s a democracy began to emerge from what had been a conservative and authoritarian political system. A movement in supportive of human rights has developed, with an official National Human Rights Commission created in 2001 (Koo, 2006). A left wing political movement has appeared, and civil society has strengthened (Shin, 2010). David I. Steinberg describes how RoK is shifting away from an 'officially sponsored ideal of conceptual cultural homogeneity'. This previous approach was possibly motivated by a wish to stress the objective of eventually rejoining with North Korea (see below). Official depictions of RoK now cast it as a 'multicultural' entity. This transition is of immense significance, Steinberg judges. (Steinberg, 2010, pp.355-6). RoK has also developed a view of security that extends beyond traditional models to include such matters as economics (Lee, 2004).

The partition of Korea in the post-Second World War era is central to an understanding of the strategic orientation of RoK. The most immediate concern facing RoK is how it should handle the unfriendly country in the North, which has historical and ideological animosity towards it, and has ongoing plans to develop non-conventional weapons. It is not possible for RoK to manage this task on its own. As a consequence it has tended to rely upon having allies and upon multinational structures. The first objective of RoK is addressing immediate security issues (Kelly, 2012). Its longer-run objective is to achieve more harmonious relations with the North, and eventually achieve reunification. In accounts of RoK positioning, a more satisfactory interaction with the North is regarded as a perquisite to the pursuit of a wider strategy in the region. Reunification in turn would require firmer links within Northeast Asia, and some kind of multilateral coordination (Rozman et al., 2008).

Economic ascendancy prompted the view within RoK that the balance of power with the US should become more equal, where previously RoK had been more of a supplicant (Lee, 2004). Political and social trends have brought about disagreement within RoK over the value of the alliance with the US and what is its appropriate form

(Shin, 2010). As suggested above, there are important players other than the US with a presence in the region. China has sought to use its growing economic strength to bring both Korean states increasingly into its ambit (Snyder, 2009). In 2009 RoK and US produced a Joint Vision Statement. It concentrated on greater collaboration over security, with attention also given to the development of cooperation in the economic and political spheres (Snyder, 2012). Though the nature of the relationship with the US is changing, for the foreseeable future it is reasonable to assume that the US will remain the most significant ally of RoK, both in its management of its relationship with the North and Northeast Asia as a whole (Rozman et al., 2008). However, changes are taking place not only in the RoK outlook, but also that of the US. In the words of Scott Snyder:

> The US fiscal crisis has emerged as a practical obstacle that will speed a transition from a system in which the United States was the sole guarantor of regional stability in East Asia to one in which the United States is a primary guarantor of security, but is no longer sufficient in and of itself to produce security in East Asia, requiring supplementary measures to fill the gap (Snyder, 2012, p.247).

RoK can be seen as a power with a disposition towards regional integration. It is argued that RoK would make a clear strategic gain if there was greater cooperation between China and Japan. RoK is uniquely placed to facilitate this outcome, though the difficult of this task should not be underestimated (Rozman et al., 2008). Potentially, RoK could help provide ballast in a closer cooperation between the two larger, mutually suspicious, powers. As Gilbert Rozman, commenting on the position of Korea as a whole, puts it: 'Common images of Korea have failed to capture its importance…many consider it to be crunched between the powers that really matter in Northeast Asia'. But conversely 'a neighbourhood experiencing great-power flux is precisely what gives the Korean peninsular the special opportunity to play a critical role in the emergence of substantial regional linkages' (Rozman, 2006, p.ix). Within RoK a tendency exists to perceive China, Japan and Korea as between them making up one region. The ways in which this entity could find effective and cohesive institutional realisation are not wholly clear (Lee, 2008). The countries have problems in their relations. Yet they also have a shared historical and cultural background

(Rozman, 2006). While the most immediate regional interest for RoK is Northeast Asia it also has wider Asian relationships (Lee, 2008). RoK has been assessed as having a substantial impact upon the ASEAN bloc through trade, and the investment and foreign assistance it supplies. This region has in turn had a cultural impact upon RoK, encouraging the previously discussed shift away from cultural insularity (Steinberg, 2010). RoK has an FTA with ASEAN and Singapore, amongst other parties (Pollet-Fort, 2011).

Finally, and taking into account a number of these previously discussed characteristics, RoK can be seen as having a strategic disposition towards multilateral cooperation and regional integration. Its status as a state of medium-level status in a region where bigger players operates compels it towards such an outlook, as does the awareness that its hopes for its relationship with the North will require multilateral action (Rozman et al., 2008). The most pressing concerns of RoK could drive regional integration. A multinational effort to solve Korean security problems could in turn facilitate wider regional collaboration, for instance over the economy, and political, social and cultural issues (Rozman, 2006). Furthermore, as RoK has developed a more sophisticated conception of security, it has increased its interest in promoting various forms of multilateral cooperation (Lee, 2004).

The EU and the DPRK

The EU's relationship with the Democratic Republic of North Korea (DPRK) is conducted on a more limited basis and focuses primarily on the issues of denuclearisation/non-proliferation and the improvement of human rights in the north of the Korean peninsula.

The EU lacks a delegation in the DPRK and diplomatic relations are conducted in-country via member states embassies on a rotating six monthly basis and with this role currently being undertaken via the Swedish Embassy. It also has an in-country presence via the €6 million a year provided under European Commission food security programmes.

On the security issues on the peninsula the EU has confined itself to being a very subordinate partner to the USA in the region and not yet established a niche for itself.

Rather, its role is confined to standing behind the UN resolutions which have followed the DPRK's three nuclear tests and testing of ballistic missile technology. The outbreak of the most recent tensions on the peninsula at the end of 2012 with the Tensions began escalating again at the end of 2012: first with a satellite launch on 12 December using ballistic missile technology. Following the third recorded DPRK nuclear test on 12 February 2013 there has been a heightening of tensions on the peninsula. Public statements from the DPRK government of its intentions to reopen the Yongbyon nuclear facility, deployment of two mid-range missiles on the east coast, threats of pre-emptive nuclear strikes against the South and the U.S. and unilateral rescinding of the armistice that concluded the fighting in the Korean war have been met with declarations of condemnation by the HR/VP Baroness Ashton.

The EU has further strengthened the restrictive measures in place against the DPRK. These were originally enacted to facilitate the implementation of UNSC Resolutions following the nuclear tests ((UNSCR 1718 (2006); 1874 (2009); and 2087 (2013). There are also further measures in force to and include further prohibit the export and import of arms and goods and technology and retard the development of nuclear and ballistic missile programmes of the DPRK. The most recent measures introduced in February 2013, gave effect to UNSC 2087 and with the EU also agreeing supplementary measures including a ban on the export and import of certain goods relevant the DPRK's ballistic missiles-sector and certain additional measures in the financial and trade sectors. The most recent UNSC resolution 2094 widens the scope of already existing measures and imposes additional measures in the financial sector (these were awaiting transposition into EU measures at the time of writing).

The EU remains an outsider to the substantive diplomatic process that was commenced in 2003 in response to the DPRK withdrawing from the Nuclear Non-Proliferation Treaty. The six-party talks, which have been abeyance since 2009, and are intended to find a peaceful resolution to the security concerns as a result of the DPRK's nuclear programme, are confined to the two Koreas, Russia, Japan and the United States.

The Framework Agreement and the Free Trade Agreement

Two recent documents are key to an understanding of the relationship between the EU and RoK. They are the Framework Agreement and the Free Trade Agreement, which update a previous Framework Agreement for Trade and Cooperation dating from 2001. The main text of the Framework Agreement signed in 2010 opens with a confirmation of both parties' 'attachment to democratic principles, human rights and fundamental freedoms, and the rule of law...commitment to promoting sustainable development in all its dimensions…to the principles of good governance and the fights against corruption'. Title II deals with 'political dialogue and cooperation', encompassing 'Countering the proliferation of weapons of mass destruction' as well as other weapons; dealing with international crimes; and combating terrorism. Title III covers 'cooperation in regional and international organisations'. Title IV is headed 'Cooperation in the area of economic development'; Title V 'cooperation in the area of sustainable development'; while Title VI is 'cooperation in the area of education and culture'. 'Justice Freedom and Security' is dealt with by Title VII and various other spheres of cooperation by Title VIII. Title IX states that the parties may establish particular agreements within the overall remit of the framework agreement. It calls for the establishment of a Joint Committee, to meet once a year, alternating between Brussels and Seoul, with special meetings at the request of either party. An arbitration procedure is established (Foreign and Commonwealth Office, 2010). The EU has approved provisional application for the Framework Agreement. Once member states have ratified it, the Agreement will come fully into force.

In its account of the FTA the EU noted that it was the first such agreement it had concluded with an Asian country and the 'most comprehensive' so far. Within a five year time-frame, the FTA would eliminate 98.7 per cent of duties applying to agriculture and industry. Subsequently nearly all tariffs still in force would end, though certain exemptions would continue to apply in agriculture. The FTA also addressed the issue of 'non-tariff barriers', which applied to motor vehicles and parts, electronics, chemicals, pharmaceuticals and medical devices. The agreement included chapters dealing with 'trade remedies, technical barriers to trade, sanitary…measures, customs and trade facilitation'. The portions relating to foreign direct investment, e-commerce and services went 'significantly beyond' both EU and RoK obligations under the General Agreement on Trade in Services (GATS). A chapter dealt with 'Current Payment and Capital Movements'. The FTA included commitments on rules

covering competition that were ‘far reaching’; as well as ‘stronger and binding horizontal provisions’ on regulatory transparency for mutual trade and investment. The agreement covered ‘cultural cooperation’ and ‘Trade and Sustainable Development’. The Commission claimed that the FTA opened up a ‘fast growing East Asian market for EU exports’ and that it was estimated it would enhance the position of the EU in several areas: ‘chemicals, machinery, other manufactured and food products’ and in ‘specific services…business, insurance and transport…’. The FTA was ‘an ambitious agreement, which can be used as a benchmark for future FTA negotiations’ (European Commission, 2010, pp.6-7).

It is clear that of the two agreements the more significant – both to the parties involved and in international terms – is, at present at least, the FTA (Pollet-Fort, 2011). Trade is the most prominent component of the association between the EU and RoK, including in foreign direct investment in both directions, and in goods and services (Cooper et al., 2011, p.2). The FTA in particular has been described as ‘the most significant step forward in the postwar history of these actors’ (Kelly, 2012, p.102). The existing literature on developments in the links between the EU and RoK focuses on the FTA rather than the Framework Agreement (or any other formal features of the connection between the two parties). For these reasons a detailed consideration of the background to and issues surrounding the FTA is apt.

The background to the EU-RoK FTA

The shift towards the use of FTAs by the EU and RoK

The FTA can be seen as arising from a reorientation of policy by both the EU and RoK. The use of FTAs as devices of external policy is a relatively recent development for both parties (Kelly, 2012), though in the case of the EU the change was in some senses a resumption of an earlier practice. First, Korea. Francoise Nicolas describes how following the 1997-1998 financial crisis and motivated by the economic ascent of China, several states in East Asia started to pursue FTAs. FoK was initially left behind by others. It was, as of 2003, the sole East Asian country not to have entered into such an agreement, but then began seeking FTAs (Nicolas, 2009). Successive presidents have sustained this shift of policy (Cooper et al., 2011).

RoK saw FTAs as a means of competing with other countries which were also securing them; and encouraging integration in its region. Policy-makers in RoK hoped they would, through FTAs, gain access to export markets and achieve greater internal competitiveness. RoK began by seeking FTAs with smaller parties including Singapore and EFTA. Then came a shift up to the likes of Mercosur, India and Mexico. Finally came the largest trading partners, including the EU and the US. RoK followed a strategy of negotiating multiple agreements at once, in order to accelerate progress, and minimise domestic resistance to any one particular FTA (Nicolas, 2009). By 2011 FTAs were operational between RoK on the one hand and Chile, Singapore, EFTA, ASEAN and India (as well as with the EU) on the other hand. Agreements had been reached with Peru and the US; and discussions were ongoing with Australia, Canada, Colombia, the Gulf Cooperation Council, Mexico, New Zealand, and Turkey (Pollet-Fort, 2011).

Second, the EU. Anne Pollet-Fort describes how the EU had a long tradition of pursuing preferential trade agreements (PTAs), but in the mid-1990s a different agenda was favoured, of World Trade Organisation (WTO) multilateralism, and in particular the Doha Development round initiated in 2001. In this context PTAs fell out of favour as contradicting EU support for more liberal world trade. However by mid-2006 the Doha negotiations had halted and the EU adopted a policy of seeking FTAs on a regional and bilateral basis, while still in principle supporting multilateralism if it could be obtained (Pollet-Fort, 2011).

The EU Communication of October 2006, *Global Europe*, set out 'an external agenda for creating opportunity in a globalised economy, encompassing our trade and other external policies' (European Union, 2011, p.2). In setting out FTAs as part of its 'action plan for EU external competitiveness', the document had a cautious tone and sought to maintain congruity between FTAs and an overall multilateralism. It noted that if they were 'approached with care' they could 'build on WTO and other international rules' through 'tackling issues which are not yet ready for multilateral discussion' and 'preparing the ground for the next level of multilateral liberalisation'. *Global Europe* accepted that FTAs could 'carry risks for the multilateral trading system'. They could 'complicate trade, erode the principle of non-discrimination and exclude the weakest economies'. To prevent the emergence of these possible negative

features FTAs had to be ‘comprehensive in scope, provide for liberalisation of substantially all trade and go beyond WTO disciplines’.

The document stressed that FTAs were not entirely new for the EU, having been applied in the ‘European neighbourhood’ and in various negotiations actual and prospective for agreements with African, Caribbean, Pacific and with the ‘Central American and the Andean community’. However, while ‘neighbourhood and development’ priorities were well supported by bilateral agreements ‘our main trade interests, including in Asia’ were less so. The document put forward the economic considerations that would apply to the selection of ‘new FTA partners’. They were ‘market potential’ – that is ‘economic size and growth’; the level of protections against EU exports; and whether prospective partners were negotiating with competitors. The potential for the undermining of the benefits of favoured access provided to existing partners would be taken into account also.

Using these measures, ASEAN (the Association of Southeast Asian Nations) and Mercosur appeared ‘as priorities’ (discussions with the latter were already ‘on-going’). So too did RoK. India, Russia and the Gulf Co-operation Council were noted as possessing ‘combinations of market potential and levels of protection which make them of direct interest’. China, while fulfilling many of the qualifying requirements, required ‘special attention because of the opportunities and risks it presents’.

Aside from suitable partners, *Global Europe* discussed the ‘content’ of these new FTAs. They had to be ‘comprehensive and ambitious…aiming at the highest possible degree of trade liberalisation’. As well as tariffs, attention would be given to the establishment of EU investment agreements, ensuring that deals were at least equal to those that the partner had provided to its other partners, harmonisation of regulations, governance issues and monitoring mechanisms. Attempts would be made to enhance sustainability and attention would be given to development. As the document noted, ‘These are high levels of ambition’. It was necessary to ‘ensure that we share similar ambitions with our prospective partners at the outset’. Decisions to instigate discussions would be made on a ‘case-by-case’ basis, including the criteria set out in the document as well as ‘our partners’ readiness and broader political considerations’. The FTA would be ‘an integral part of the overall relations with the country or region

concerned'. However, the means of attaining this alignment between FTA and the wider relationship would be 'established on a case-by-case basis' (European Commission, 2006, pp.10-11).

Following the publication of *Global Europe*, the EU instigated negotiations with ASEAN, India and RoK. Canada was identified as a partner in a prospective 'Comprehensive Economic and Trade Agreement'. Some pre-existing talks – including with Mercosur and the Gulf Cooperation Council – were restarted. FTAs were agreed with Columbia, Peru and Central America in 2010 (Pollet-Fort, 2011, p.8). In March 2013 the EU began FTA negotiations with the US, Japan and Thailand (European Commission, 2013b).

It is possible to identify a number of causes of the new *Global Europe* approach. The multilateral model associated with the WTO Doha Development Agenda was experiencing problems. Other parties, including the US, were establishing FTAs of their own. The Commission supported the different outlook, as did specifically the incoming Trade Commissioner, Peter Mandelson. An important backdrop was the influence of ongoing economic expansion in Asia (Elsig and Dupont, 2012; Woolcock, 2007). FTAs might be seen as a means of dealing with blocks on trade that were 'too complex for multilateral negotiations or…otherwise beyond the purview of the WTO'. They included 'competition policy, regulatory issues, government procurement, and…intellectual property rights enforcement' (Cooper et al., 2011, p.5).

Yet one author has questioned whether the *Global Europe* strategy will deliver its claimed objectives. Writing in 2007 Razeen Sally argued that the EU appeared to be contemplating 'serious, commercially relevant FTAs'. The prospect of such 'reciprocal' agreements was contrasted with a number of existing EU PTAs which were 'not strongly WTO plus and rather one-sided: EU concessions dwarf concessions by its partners' (Sally, 2007, p.7). Sally questioned, however, how far the EU was genuinely committed to attaining and able to achieve 'economically sensible FTAs'. One basis for this doubt was the likelihood that the EU would use FTAs as vehicle for the promotion of its normative values and its approach to regulation. Another was that though 'the EU is more serious about commercial-relevant FTAs

than most other players, it is not as serious as the USA' (Sally, 2007, p.8). Sally referred to various further possible reservations. The absence of Japan and China from the list of parties with which the EU wanted to pursue FTAs was queried. Sally speculated that the omission of China was prompted by 'Fear of Chinese competition' (Sally, 2007, p.9). Efficiency might be undermined if goods were purchased from countries within an agreement rather than at a lower price from countries not within the agreement. EU FTAs might simply add to a complicated system of world trade rather than genuinely opening it up; and opening markets would not serve to correct problems of a lack of competitiveness on the part of certain areas of the EU economy (Sally, 2007). As some of these points suggest, there is room to question the extent to which the pursuit of FTAs is genuinely reconcilable with and supportive of EU multilateralism (Woolcock, 2007).

Why the EU and RoK?

Against this general background to the new FTA programme, explanations have been offered as to the EU focus on Asia and within that RoK. In the words of Sally, the EU had 'joined the bandwagon of FTAs in Asia'. In so doing it was catching up with other powers. Before this shift the EU was 'the only leading power not to be engaged in FTAs in Asia' (Sally, 2007, p.5). The EU-RoK FTA followed the agreement of a US-RoK FTA. This US initiative 'made it harder and harder for the EU not to respond' (Woolcock, 2007, p.5). The US-RoK FTA was 'the strongest to date in Asia, and the US's first in the region' (Sally, 2007, p.12). Other developments encouraging EU interest in a deal with RoK included that the latter was making progress in discussions about an FTA with ASEAN (Sally, 2007). RoK was the first emerging economic power to become a member of the OECD and was 'a more "equal" (and possibly like-minded) FTA partner for the EU than ASEAN or India for instance' (Nicolas, 2009, p.25). Because of the developed nature of the RoK economy it was 'possible to go beyond "standard" trade issues and to try to impose European standards' (Nicolas, 2009, p.32). In 2007 Sally judged RoK as offering the most plausible opportunity for the EU of establishing a worthwhile FTA in Asia (Sally, 2007). RoK was the EU's 'fourth largest trading partner outside Europe', offering 'significant growth potential' (Pollet-Fort, 2011, p.10). During the period 2000-2009, trade between the EU and Korea increased by an average of 8.4 per cent a year. Mid-way through the last decade, the total volume of trade between the EU and RoK

overtook that between the US and RoK (Cooper et al., 2011). It was explained to us in interviews with EU officials that because the average tariff levels of RoK were higher than those of the EU, the EU stood to gain from an FTA. Furthermore RoK had various non-tariff barriers such as standards that might be tackled as part of an FTA.

Beyond the general motives for the introduction of an FTA with RoK, from where within the EU did the impetus for this initiative originate? Manfred Elsig and Dedric Dupont portray the Commission as driving the policy, enlisting those political heads and business representatives which shared its agenda. (Elsig and Dupont, 2012). They assess the Trade DG as most important to the process. Mandelson was 'a political heavyweight who was always aiming to produce tangible results to legitimize his tenure'. When he became Trade Commissioner, there was already an impetus for the negotiation of FTAs within the Trade DG, partly motivated by the other parties elsewhere in the world that were following this course. As already noted, this emerging position chimed with the personal views of Mandelson (Elsig and Dupont, 2012, p.500). During negotiations the Commission cooperated with the RoK Office for the Minister of Trade, which was supportive of an FTA, in eliminating the domestic obstacles it faced in RoK (Elsig and Dupont, 2012).

From the RoK perspective, Nicolas judges that the EU made an attractive partner for three main reasons. First, economic. There were perceived short-term gains to be attained in market access and possible longer-run advantages in becoming more competitive. Second, an arrangement with the EU was seen from the RoK point of view as a further step towards achieving greater variety of international alliances. Third, a deal with the EU was a means of achieving prestige for RoK as a regional and global power. There was evidence that public opinion in RoK held the EU to be fairer than the US in its trade dealings with RoK. The negotiation of an FTA with the EU was also less likely to be distorted by political issues than that with the US (Nicolas, 2009).

However, whether and to what extent an FTA with RoK would be of economic value to the EU was debatable. An imbalance existed between the two parties, with the EU market relatively more important to RoK than the other way round. The EU – the largest trading bloc in the world – provided a market for RoK of even greater size

than that of the US. Obvious opportunities in an FTA for the EU were not as great (Nicolas, 2009).

Negotiating and approving the FTA

In April 2007 member states gave authorisation for the EU to negotiate with ASEAN, India and RoK. The RoK process took place over a period of more than two years. Negotiations began in May 2007 and eight sets of talks occurred before the FTA was signed in October 2010. Negotiations took place with one round in Brussels followed by a round in Seoul. Intersessional meetings of experts carried out the detailed work. Compared to similar negotiations, for instance with Chile and Mexico, Elsig and Dupont judge that 'the negotiations progressed quickly' (Elsig and Dupont, 2012, p.498). The FTA became effective from 1 July 2011 after the legislatures of the respective parties had provided approval (Cooper et al., 2011; European Commission, 2010).

EU officials informed us that the availability from 2006 of a draft text of the RoK-US FTA – though the agreement did not become live until March 2012 – was useful to the EU in negotiations. The document gave an idea of the ways in which RoK might be pushed and what its red lines might be. But there were limits to its value, since there were key differences between the US and EU approaches, for instance over the concept of intellectual property.

At the outset of negotiations some outside assessments were pessimistic about how much could be achieved, for instance anticipating that while duties would be eliminated for manufactured goods, the same outcome for agricultural goods was less plausible. Furthermore, various forms of services might be omitted, or not subject to strong control. There might be 'soft…disciplines on government procurement and competition'. Strong 'disciplines on domestic regulatory barriers' were judged crucial to the effectiveness of any FTA (Sally, 2007, p.15).

Nicolas assessed that over trade there was a general congruence between the EU and RoK. The duties each had in place on manufactures were, comparatively speaking, low, though they had 'protection in some selected areas' (Nicolas, 2009, p.25). RoK was 'overall more heavily protected than the EU25, in particular through non-tariff

barriers. There was ‘a fairly high degree of complementarity between the two partners in a large number of sectors’ (Nicolas, 2009, p.31). The main areas of potential gain for the EU were chemicals including cosmetics and pharmaceuticals, machinery, food and beverage products and services. The Italian government voiced concerns about the prospective FTA, as did some car manufacturers. Key areas of possible enhancements for RoK were identified as textiles, cars, electrics and electrical machinery. RoK sought to protect its position over agriculture and services. In RoK some dissent about the idea of a FTA with the EU came from trades unions and from within agriculture (Elsig and Dupont, 2012; Nicolas, 2009; Pollet-Fort, 2011; Sally, 2007). Near the beginning of negotiations the EU indicated that it was willing to remove tariffs in the bulk of areas (though through a phased process only for car manufacturing) if RoK reciprocated, especially on non-tariff barriers. Some resistance came from the RoK Assembly (Elsig and Dupont, 2012). EU officials informed us that in most of the areas where they sought improvements to RoK propositions, they were successful.

A significant subject of controversy in the negotiations was automobile manufacturing. The RoK market for cars was relatively small. Non-tariff barriers inhibited foreign entry. Nonetheless there was some potential for EU manufacturers if the FTA was effective (Nicolas, 2009). Car-manufacturers provided the only sectoral resistance from within the EU to the FTA with RoK. It seemed that overall RoK manufacturers had more to gain than those within the EU. Reflecting these concerns the Italian government sought to extend the period before duties on cars ended (Pollet-Fort, 2011). But not all EU car manufacturers had the same apprehensions (Nicolas, 2009). Furthermore, opponents within the automobile industry were arguably too slow to engage and were isolated (Elsig and Dupont, 2012). Taking into account the concerns expressed by the Italian government, EU member states and the European Parliament did however consent to a delay in the initial introduction of the agreement (Pollet-Fort, 2011). The FTA as agreed includes safeguards intended to take on board these concerns. In specially defined circumstances it is possible to freeze tariffs before they drop further, or restore tariffs to their previous level (European Union 2012b).

Both the European Parliament and RoK Assembly played significant roles in the FTA. It was subject to approval by the RoK Assembly. In October 2010 the RoK government presented the FTA to the Assembly. After some resistance, involving concerns about the removal of restrictions on services and on agriculture, it was passed in May 2011 (Pollet-Fort, 2011).

For the EU the Council agreed to the FTA on 16 September 2010 and it was signed on 6 October (Elsig and Dupont, 2012). The European Parliament approved its coming provisionally into force on 17 February 2011. Under the Lisbon Treaty, from 1 December 2009, the approval of the European Parliament became necessary for EU agreements on trade to be ratified (Pollet-Fort). It was not certain throughout the process when the Parliament would obtain its new status. As Trade Commissioner Mandelson did not engage substantially with the Parliament. But in the ratification phase the Commission was obliged to work closely with the Parliament. Elsig and Dupont note that approval from the European Parliament was not specifically *required* by Lisbon before the FTA was applied *provisionally*, but that the Commission *chose* to wait for the Parliament to agree before proceeding. The Parliament has been assessed as deploying its position to influence the process. For instance, it drove the Commission to reconsider portions of the FTA relating to imports (Elsig and Dupont, 2012). Officials seem to have been confident that the European Parliament would approve the deal; with its alternative being to reject it – amendment was not an option.

While the assent of the RoK Assembly and the European Parliament meant that the FTA could be put into force from 1 July it was only, as noted, on a provisional basis. The agreement was what is known as a mixed agreement dealing with issues that were within the power of the EU and others that were the responsibility of member states. Most of the parts of the FTA specifically dealing with trade could be implemented immediately. But it was necessary for each individual member state to ratify the FTA before the FTA could come fully into force, a prolonged process (Pollet-Fort, 2011).

Assessments and impact of the FTA

The general judgement has been that the EU-RoK FTA will be beneficial to both parties, but that the difference for RoK will be relatively more substantial. An overview provided for the US Congressional Research Service projected that the GDP of RoK was likely to rise by between 1 and 2 per cent following the implementation of the FTA; while for the EU the boost would be less than 0.05 per cent. The imbalance between the two parties is plain from these figures. The effects would vary according to sector, as is normal for FTAs (Cooper et al., 2011). The European Parliament Committee on International Trade issued a report on the EU-RoK FTA in February 2011. It noted that there were potential gains for the EU, since the RoK was an important market which had previously been surrounded by high tariffs and other barriers. An important feature of the FTA the Committee noted was that it sought to reduce 'technical barriers to trade (TBTs)', which was a vital outcome from the point of view of the EU (Committee on International Trade, 2011). The Committee noted further that the most contentious feature of the FTA, from the EU perspective, was that it allowed for duty drawback. Under this system manufacturers who imported components which were then used in products they assembled could apply for a refund on the duties they paid for those components when they exported those final products (Committee on International Trade, 2011). The early indicators, for the first six months of the operation of the FTA, were that duty drawback made no major difference to the operation of manufacturers in RoK (European Union, 2013a).

It will be some time before it is possible to assess the full impact of the FTA on EU-RoK trade. But the early indications suggest the agreement is proving significant. In the first full year of operation overall EU exports to RoK rose by 37%. Exports for goods on which all tariffs were removed, which accounted for 35% of the total, rose by 54%. Equivalent exports to the world as a whole rose by 37%. The difference between average growth rates for these products and those for RoK amount to the generation of an additional €2 billion. There was also an increase of 35% for goods on which tariffs were partly eliminated (these goods account for 43% of EU exports to RoK). The benefit to the EU economy of the FTA is heightened because imports from RoK have risen only by 1%. Two reasons for this low figure are the economic difficulties within the EU at present, which have depressed demand for imports; and the continuing tendency for RoK firms to shift production into the EU (European Commission, 2013a).

There were further ways of assessing the importance of the EU-RoK FTA. The arguable tensions involved in the idea that the 2006 *Global Europe* strategy could achieve its purported multilateral ends were discussed above. Aside from whether it is pursuing a flawed strategy, another issue is whether the supposed multilateral intent of the EU is shared by the parties into which it enters with FTAs. In a specific consideration of the EU FTA with RoK, Pollet-Fort argues that 'While the EU has been aiming at a deep and ambitious "WTO +" FTA that gives priority to the WTO's "Singapore issues"', RoK was more specifically interested in removing duties and matters associated with environmental standards (Pollet-Fort, 2011, p.9). However, the same author goes on to argue that the FTA demonstrates the far-reaching extent of EU intentions with its post-*Global Europe* FTAs. Notwithstanding variations for the particular party with which each FTA was agreed, they would all be 'WTO+' in nature and contain a strong regulatory dimension (Pollet-Fort, 2011, p.22).

Conclusion: developing a true strategic partnership

The simultaneous announcement in 2010 of the FTA and the upgrading of the EU-RoK relationship to a strategic partnership invites a question. How far can the FTA be seen as a component in a potentially broader and deeper relationship extending beyond trade relations? We were told by EU officials that the strategic partnership idea was floated to the RoK as something they should agree to in return for the FTA, rather than an agreement they actively sought. It was put to us that the EU 'wanted to show we were more than a trade bloc'. The strategic partnership was negotiated by the Commission and with the changeover of external policy to the EEAS it initially seemed that it would be dropped. Therefore the extent to which either party was committed to a strategic partnership is questionable.

Any attempt to establish a strategic partnership does not build on a base of close association between Europe and RoK. Historically, China, Japan and Russia sought to dominate Korea. After the Second World War, the relationship with the US became of primary importance (Foreign and Commonwealth Office, 2012b). As Robert Kelly puts it 'European, and more specifically EU, interest in Korea has been traditionally quite low…Similarly, the ROK has had little need for an "EU policy" in its history' (Kelly, 2012, p.102). Kelly suggests that beyond the FTA the prospects for

establishing a more substantial relationship are not great. He proposes 'four goals' which 'states pursue in world politics'. They are 'national security, economic growth, prestige, and values promotion' (Kelly, 2012, p.102). Kelly holds that neither party can assist meaningfully with the security of the other (Kelly, 2012). This same point is made in another analysis, which states that: 'The security of the Korean peninsula is not a direct concern of the EU. The Union's most acute security interests lie primarily in Europe and other nearer parts of the world'. The significant players in the area are both Korean states, China, Japan, Russia and the US. While they are 'directly and immediately concerned with pending security issues…the EU only occupies a marginal position that deals with soft security issues'. Moreover in as far as it is active in this sphere the EU takes its cue from the US (Lee, 2012, p.43).

On the subject of prestige as an objective of states, Kelly argues that a relationship with the EU may enhance the status of RoK, but that this gain is not in itself sufficient to drive closer cooperation. Moreover RoK is a relatively small player that cannot confer the sort of prestige on the EU that the US, for instance, can. As far as normative goals are concerned, Kelly notes RoK already subscribes to 'European Enlightenment values' (Kelly, 2012, p.103). However, while Kelly describes the current official position of RoK accurately, the normative commitments of the RoK and their depth should not be overstated. For much of its history, RoK was a conservative authoritarian regime, driven by hostility to the Communist North. Only from the 1980s did a growing democracy movement spur the move to a multi-party contest, a legislature which constrained the presidency, and introduction of various other features of liberal democratic constitutionalism (Foreign and Commonwealth Office, 2012a). Progress has been made. The RoK does not figure, for instance, as a country of concern in the UK official annual human rights report (Foreign and Commonwealth Office, 2012b). However, Amnesty International has recently raised concerns about abuses by the RoK government in such areas as the rights to freedom of assembly, expression and association (Amnesty International, 2011).

It has been held that the way in which the EU is configured has implications for its potential to develop a more substantial relationship with RoK. Nicolas argues that the prospects are lessened by the propensity of member states including France and the UK to follow their own policies towards East Asia. Consequently the EU and ROK

concentrate on economics (Nicolas, 2009). Kelly observes an internal competition within the EU, between EU-level institutions and the member states. Through achieving an enhanced relationship with RoK, the EU can be seen as boosting its role relative to particular member states (Kelly, 2012).

If the EU is serious about developing meaningful strategic partnerships certain opportunities present themselves in the case of RoK. The assessment of RoK positioning and strategy earlier in this paper showed that it is accustomed to working – and indeed obliged to work – with multiple actors to achieve its objectives. In this sense, an attempt by the EU to increase its role in the Northeast Asian region, for instance in security issues, would not be a fundamental challenge to RoK orientation and might be welcome to it. Moreover, nature of the alliance between RoK and the US is changing. Pressures from within RoK have encouraged less dependency on this preeminent ally. Furthermore, the US itself may be amenable to assistance with its security role in the region. The EU could therefore develop a security relationship with a new strategic partner, RoK, in a fashion which suited the objectives of its 'super-strategic-partner', the US. Here might be the basis for a 'triangular regional strategic partnership'.

As well as there being potential for developing further cooperation between the EU and RoK, certain shared agendas exist. A process of political and economic integration in Northeast Asia would fit with the objectives of RoK and the EU alike. Moreover, RoK may have some ability to contribute to such an outcome. A mutual lack of confidence between China and Japan is a barrier which RoK could help overcome as a third party in the relationship (Rozman, 2006, p.x). Within the EU, officials are cautiously optimistic that about cooperation between the three in the longer term. In May 2012 the powers signed an investment treaty; and are considering in more general terms an FTA, though it is certainly not imminent. A trilateral secretariat has been operational since September 2011. It is based in Seoul, in the same building as the EU delegation, one floor below it.

The potential for RoK to contribute to integration which extends beyond Northeast Asia could be of value to the EU. Between them the ten members of ASEAN comprise the largest trading partner of the EU. In 2007 the EU began discussions for

possible FTAs with seven ASEAN members. The three that were the least advanced – Cambodia, Laos and Myanmar – were not included, with the last of the three ruled out on human rights grounds. However in 2009 talks broke off. The EU experienced difficulties with the variations in conditions across ASEAN members, in such areas as intellectual property and government procurement. The EU decided instead to conduct bilateral negotiations with individual ASEAN members (Pollet-Fort, 2011). Through RoK, which has an FTA with ASEAN, the EU could seek to promote the degree of harmonisation within the group which the EU found lacking. EU officials also noted to us that RoK has an interest in an ASEAN + 6 deal, the 6 being Australia, China, India, Japan, New Zealand, and RoK. It was put to us that RoK could be a driving force for other parties to negotiate more ambitious FTAs.

Finally, if the EU is seen most importantly as a normative power which seeks to promote certain approaches internationally, then the RoK is a valuable potential ally in this cause within Northeast Asia and Asia as a whole. The progress that has been made towards democracy and human rights in the RoK should be consolidated and promoted elsewhere in the region. Furthermore, the need and desire of RoK to pursue regional integration as a route to security, stability and prosperity is fundamental to the EU and its mission. Officials noted to us that the two parties have worked together closely on G20, global security and climate change; and that there was reciprocity in the relationship: 'How many of our partners actually listen to us when we want something?' When present economic difficulties were overcome, an official felt, there was great scope for heightened coordination in areas including international development, anti-piracy, Afghanistan, cyber-security and maritime security. On this analysis the RoK could be a valuable ally in itself, as well as serving as a model for a certain kind of strategic partnership, one in which a party is selected as a strategic interlocutor within a particular region and for more general cooperation.

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