

EURASIA

ECONOMIC RESEARCH

October 6th, 2015

Alicia Garcia Herrero, (852) 3900-8680, alicia.garciaherrero@ap.natixis.com

TPP: Should the key losers - China and Europe - join forces?

After five years of struggle, a massive trade pact has been signed among the US, Japan and 10 other economies (mostly in Asia but also Latin America): the Trans-Pacific Partnership (TPP). The winners are obvious: Obama and Shinzo Abe, arguably also the US and Japanese economies. Obama can leave office with a strong demonstration of its pivot to Asia and Abe can finally argue that the third arrow of his Abenomics program is not empty.

The losers are also quite obvious: China and Europe. China not only has been left out of the deal but it has been done on purpose. If anybody had a doubt (at some point China was invited into the negotiations and some still expect China to continue discussing membership in the future), Obama's official statement on TPP yesterday makes it very clear: "when more than 95 percent of our potential customers live outside our borders, we can't let countries like China write the rules of the global economy". For China, the issue is not only losing access to the US market but also the fact that its most important trading partners are in the deal, with the notable exception of Europe. Europe, which has spent years negotiating with the US on another major trade pact, the Transatlantic Trade and Investment Partnership (TTIP), may need to be more accommodative to reach a deal before Obama leaves as the President's interest has probably waned somewhat after this victory. On the other hand, many of the negotiation benchmarks reached by the US government for TPP will probably not be acceptable for Europe.

The fact that TPP has not yet being ratified by national parliaments still offers room for doubt as to TPP's actual economic significance (exemptions to its coverage could spring out in every jurisdiction) but there is no doubt that it will be economically relevant. TPP covers 40 per cent of the global trade and 800 million of population. Not only will trade barriers be reduced to the minimum in virtually every sector (including generally protected ones such as agriculture) but also common standards will need to be used by all participants be it for investment, environment and labor. In this regard, the primacy of the protection of brand names over the protection of geographical indications of agricultural products, or the priority of the protection of trade secrets over press freedom are cornerstones of the US success in its negotiations with TPP partners, which also shows the price that a country like Japan are willing to pay for US-led security. In the same vein, the high price to pay (in terms of US supremacy on the negotiation table) makes it all the more unlikely for China to seriously consider joining the bloc in the near future: the treatment of SOEs and data protection are

twos stumbling blocks. The latter is also a key deterrent for Europe's TTIP negotiations.

The question, thus, is what should China and Europe do in front of a huge economic block like TPP. Having lost hope about a multilateral process under the axis of the WTO, both areas have been piling up bilateral free trade agreements (FTA) with countries of interest, some of which are also part of TPP. As an example, China has recently closed a deal with Australia while Europe has done the same with Singapore and Vietnam. Aware of the fact that such bilateral FTAs will remain quite futile compared to TPP (both in terms of size and coverage), China is gearing towards a regional strategy, participating in talks on a Regional Comprehensive Economic Partnership (RCEP), which would link it to 10 Southeast Asian Nations, namely Australia, China, India, Japan, New Zealand and South Korea, accounting for about 30% of global gross domestic product. It remains unclear whether these countries will have an interest to pursue this deal once TPP is up and running. Against this gloomy backdrop, China and Europe may finally look at each other and find some commonalities that they were unaware of before. The process will not be easy but, at least, there is somewhere to start as Europe and China are indeed negotiating a Bilateral Investment Agreement, following the trail of the US. Now that the US and China seem to have lost the momentum for their own Bilateral Investment agreement (a notable absence during Xi Jinping's trip to the US), Europe could - for once become a frontrunner in the negotiations with China and have the US follow if it so wishes.





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