



Department of Political Science  
Master's Degree in International Relations  
Chair of Comparative Politics

*From Division to Safeguards:  
A Comparative Analysis of EU Member States' Positions and  
Their Impact on the EU–Mercosur Agreement*

**SUPERVISOR**

Prof. Sergio Fabbrini

**CANDIDATE**

Cristina Sasso

Student Reg. No. 657042

**CO-SUPERVISOR**

Prof. Tatiana-Alina Pippidi

**Academic Year 2024/2025**

# Table of contents

<b>Introduction .....</b>	<b>4</b>
<b>Theoretical Framework.....</b>	<b>9</b>
<b>Literature Review .....</b>	<b>14</b>
<b>1. Mercosur's origins and evolutionary dynamics: from strategic cooperation to imperfect integration .....</b>	<b>17</b>
<b>1.1. Introduction.....</b>	<b>17</b>
<b>1.2. Foundation of Mercosur .....</b>	<b>18</b>
<b>1.3. Institutional mechanisms and governance of Mercosur .....</b>	<b>23</b>
1.3.1. Founding Legal Framework .....	23
<b>1.4. Comparison between Mercosur and other regional block in Latin America.....</b>	<b>28</b>
1.4.1. ALADI.....	29
1.4.2. CAN.....	30
1.4.3. Three models of regional governance: differences and similarities .....	32
<b>1.5. Evolution of trade policies within Mercosur .....</b>	<b>33</b>
<b>1.6. Conclusion .....</b>	<b>37</b>
<b>2. The European Union: Institutionalization and Governance .....</b>	<b>38</b>
<b>2.1. Introduction.....</b>	<b>38</b>
<b>2.2. Institutional structure of the European Union .....</b>	<b>39</b>
<b>The European Parliament .....</b>	<b>40</b>
The European Council .....	41
The Council of the European Union .....	42
The Court of Justice of the European Union .....	45
<b>2.3. European Union Trade Policy.....</b>	<b>47</b>
2.3.1. Legal and institutional framework .....	47
2.3.2. Historical evolution .....	48
2.3.3. Importance of the WTO and Multilateralism vs Regionalism .....	49
2.3.4. Types of commercial agreements .....	50
2.3.5. Objectives and fundamental principles.....	51
<b>2.4. Decision-making Mechanisms in the Field of Trade Policy.....</b>	<b>52</b>
2.4.1. Consultation and Negotiation Processes within the EU .....	52
2.4.2. Influence of Non-State Actors .....	54
<b>2.5. Conclusion .....</b>	<b>57</b>
<b>3. EU-Mercosur trade negotiations .....</b>	<b>58</b>
<b>3.1. Introduction.....</b>	<b>58</b>
<b>3.2. History of trade negotiations: from the first negotiations in 1999 to the present day .....</b>	<b>59</b>
3.2.1. The New Deal.....	63
<b>3.3. Positions of Mercosur Countries .....</b>	<b>67</b>
3.3.1. Brazil.....	67
3.3.2. Argentina .....	69
3.3.3. Uruguay.....	71
3.3.4. Paraguay .....	72
<b>3.4. Positions of EU member states .....</b>	<b>73</b>
3.4.1. Positions against the EU-Mercosur agreement.....	73

3.4.2.	<i>Positions in favour of the EU-Mercosur agreement</i> .....	75
<b>3.5.</b>	<b><i>Concerns of the European agricultural sectors</i></b> .....	<b>76</b>
<b>3.6.</b>	<b><i>Environmental and sustainability issues</i></b> .....	<b>78</b>
<b>3.7.</b>	<b><i>Conclusion</i></b> .....	<b>81</b>
<b>4.</b>	<b><i>Analysis of Member States' and political groups' position</i></b> .....	<b>82</b>
<b>4.1.</b>	<b><i>Introduction</i></b> .....	<b>82</b>
<b>4.2.</b>	<b><i>Negotiations and state of play of the ratification process (December 2024 – September 2025)</i></b>	<b>83</b>
<b>4.3.</b>	<b><i>Adoption of the text of the agreement (3 September 2025)</i></b> .....	<b>85</b>
4.3.1.	<i>Presentation of the agreement in the light of the new safeguard clause</i> .....	87
<b>4.4.</b>	<b><i>Positions of the Member States since the signing of the Agreement (6 December 2024)</i></b> .....	<b>89</b>
4.4.1.	<i>Member States' positions following the addition of the safeguard clause</i> .....	92
<b>4.5.</b>	<b><i>Political group positions in the European Parliament (December 2024 – September 2025)</i></b> .....	<b>93</b>
4.5.1.	<i>The positions of the political groups after the introduction of the safeguard clause</i> .....	96
<b>4.6.</b>	<b><i>Conclusion</i></b> .....	<b>99</b>
	<b><i>Conclusion</i></b> .....	<b>100</b>
	<b><i>Bibliography and sitography</i></b> .....	<b>105</b>

# Introduction

The association agreement between the European Union and Mercosur is one of the longest-running and politically dense trade dossiers of the contemporary world. The negotiations, which formally began in 1999, went through alternating phases of acceleration, stalemate and recalibration, culminating in the political compromise in December 2024 and the adoption of the text by the European Commission in September 2025. In this period of time, the EU-Mercosur affair has become a privileged laboratory for observing how the Union builds — and sometimes struggles to build — internal consensus around choices that integrate trade liberalization, sectoral safeguards, environmental constraints and geopolitical objectives. Unlike other agreements, its relevance does not depend solely on the extent of tariff concessions or the scope of regulatory chapters: it depends above all on the EU's ability to reconcile the structural tension between external openness and internal cohesion, which manifests itself at the points where divergent national preferences meet complex decision-making procedures and intensely politicized social pressures.

This thesis fits into this junction with a question that is simple in its statement, but challenging in its analytical implications: what factors explain the different positions of the Member States with respect to the EU-Mercosur agreement and how did these positions influence the final content of the treaty? The relevance of this question is twofold. On the one hand, it makes it possible to illuminate the "real" functioning of the common commercial policy beyond the veil of formal competences, showing where and how national preferences enter the circuit of European decisions and translate into constraints and course corrections; on the other hand, it makes it possible to assess the extent to which the EU's ability to position itself as a coherent and credible commercial actor depends not so much on an abstract external mandate, but on the political conditions that make its action sustainable externally. The EU-Mercosur case, by extension and public salience, is suitable for focusing on these mechanisms in a context in which the economic, environmental and geopolitical dimensions overlap and condition each other.

The importance of the work also lies in its promise of multi-level explanation. To answer the research question, it is not enough to reconstruct the chronology of the negotiations or inventory the clauses of the text: it is necessary to articulate an interpretative key that holds together long-term institutional legacies and contingent strategic choices of national governments, with the addition of sectoral pressures and social mobilizations that have redefined the stakes. To this end, the thesis integrates two complementary theoretical traditions: historical institutionalism, which allows us to grasp path dependence, critical conjunctures and lock-in effects that channel the available options over time; and liberal intergovernmentalism, which makes it possible to "open the black box" of the state, reconstructing how the aggregation of domestic preferences — from agri-food to the export industry,

up to environmental movements — translates into negotiating positions and bargaining strategies between governments. The integration of the two lenses is crucial: the first avoids treating choices as purely tactical outcomes, the second prevents the naturalization of institutions, restoring to them the profoundly political dimension of products and, at the same time, the constraints of the coalitions that cross them.

On an empirical level, the thesis adopts a qualitative strategy based on triangulation of sources: official EU and Mercosur documents, academic analyses and policy papers, parliamentary proceedings and debates, positions of sectoral associations and civil society organizations, as well as interviews with Commission officials and members of the European Parliament. The reference methodology is process tracing applied to the main turning points of the negotiation (initiation and first impasses, negotiation relaunches, textual reformulations, insertion of new clauses), which makes it possible to follow over time the appearance and consolidation of causal links between national preferences and policy choices. The validity of the explanation here is not entrusted to the isolation of "necessary and sufficient causes", but to the identification of plausible and recurrent mechanisms that connect, in a coherent way, configurations of interests, decision-making venues and regulatory outputs.

The analysis highlights three results that anticipate — without exhausting — the answer to the research question. First, national trade preferences are neither homogeneous nor perfectly stable: they reflect slowly changing economic and institutional structures and, at the same time, react to exogenous shocks (global crises, environmental sensitivities, sectoral mobilizations) capable of recalibrating priorities. Second, the politicization of the dossier — particularly along the agriculture/environment and industry/services fractures — has increased reputational costs for governments, encouraging defense strategies in some member states and pro-liberalization attitudes in others. Thirdly, and this is the point that most directly anticipates the conclusion of the paper, the text that came to adoption in September 2025 bears the material imprint of the preferences of the most critical countries, to the point of incorporating a bilateral safeguard clause as a condition for synthesis between the need to open markets and the request for credible protections for exposed sectors. This does not mean that the agreement is reduced to a sum of vetoes: it means that its final architecture is the result of a negotiation in which the internal political balance of the EU operated as a constraint of compatibility on the commercial arrangements.

The need for a broad and reasoned introduction is not purely formal. It serves to clarify why each chapter of the thesis is indispensable to the heart of the analysis, i.e. to demonstrate the causal link between national preferences and the content of the treaty. The choice to open with a chapter dedicated to Mercosur does not respond to a descriptive need, but an analytical one. Retracing the

origins, governance and trajectories of the South American bloc allows us to grasp the extent of its functional incompleteness (marked intergovernmentalism, decision by consensus, exceptions to the Common External Tariff, flexibility regimes), elements that enter directly into the European assessment of the counterpart and influence the form of the clauses that the EU deems necessary to ensure enforcement and reciprocity. Without this "Mercosur side" look, there would be a risk of attributing to European domestic politics alone what instead also depends on the partner's capacity for commitment and the structure of its collective preferences.

The second chapter, which focuses on the institutions and procedures of EU trade policy, serves as a "causal cartography". It identifies the access points through which domestic preferences and pressures are translated into official positions: from the Trade Policy Committee to the Council's formats, from the Commission's role in negotiations to the — increasing — control of the European Parliament, up to the conditions that make an agreement "mixed" or "EU-only" and the consequent ratification geometries. This is not a mere institutional compendium, but a necessary step to understand where and when the veto power is formed, how the technical delegation to negotiators is articulated and in which forums regulatory corrections can be grafted, for example in the field of sustainability or food safety. In addition, the reconstruction of interactions with non-state actors — farmers, exporting companies, environmental NGOs — makes it possible to measure the permeability of the decision-making process to inputs from non-strictly governmental arenas.

The third chapter, which traces twenty-six years of negotiations, has the task of sequencing events, fractures and textual adjustments. Temporalization is crucial here, because it allows us to observe how certain controversies emerge, break down and sometimes recompose themselves; how external events — from Amazon fires to European agricultural protests, from the crises of globalization to tensions over critical raw materials — redefine the priorities of the parties; and how the most visible political junctions translate into rewrites or reinforcements of specific chapters: trade and sustainable development (TSD), sanitary and phytosanitary measures (SPS), geographical indications, public procurement, up to the grafting decided in 2024-2025 of safeguard mechanisms with an internal reassurance function. This chapter does not limit itself to telling; it establishes traceability between political conditions and regulatory solutions, preparing the ground for subsequent comparative verification.

The fourth chapter is the demonstrative pivot of the thesis. Here, the comparative analysis of national positions and European political families, conducted with the support of official sources and interviews, allows to test the theoretical hypotheses and to respond, in a detailed way, to the research question. The classification of preferences distinguishes the states that have pressed decisively for liberalization, due to the structure of their industrial fabric and pro-export orientation, from those that

have taken a more defensive posture, for mainly sectoral reasons (with particular regard to agriculture) or the environment. Within this framework, the Italian specificity is taken into account: Italy has expressed reservations and fears consistent with the protection of its typical supply chains and with sensitivity to standards and reciprocity, but has not assumed, throughout the entire process, an oppositional role equivalent to that of France. The comparison shows how, in order to build the political majority necessary for approval, it was inevitable to include in the text compensatory instruments — including the bilateral safeguard clause — capable of making the agreement acceptable to the most exposed or skeptical components, without distorting its openness.

The path that leads to the answer should therefore be read as a methodical spiral: from the context to the institutions, from the institutions to the chronology of the junctions, from the junctions to the comparison of preferences and, finally, from the comparison to the regulatory outcome. The central argument that the thesis defends is that, in a Union with broad but politically conditioned commercial competences, the "new generation" agreements can only be understood — let alone evaluated — as regulatory compromises that incorporate, within them, the interests of domestic coalitions capable of exercising vetoes or imposing high reputational costs. In this sense, the insertion of a safeguard clause is not a technical accessory: it is the material imprint of the internal political conflict, the legal translation of a request for protection that becomes a condition for legitimizing commercial opening. This approach offers a contribution to the literature in at least three directions. First, it makes it possible to reconcile institutional and intergovernmental explanations, showing that the former without the latter risk freezing the political dynamic, while the latter without the former tend to underestimate the strength of rules and procedural legacies. Secondly, it proposes a fine mapping of the points of contact between national preferences and the writing of clauses, which is also useful for the analysis of other agreements in which the environmental and social dimension is co-essential to the tariff dimension. Thirdly, it introduces first-hand evidence — through interviews — that helps to illuminate passages that are not very visible in the chain that unites domestic pressures, European decision-making forums and negotiations.

The added value of the thesis can also be grasped in a comparative perspective. Many of the issues observed in the EU-Mercosur case — from the relationship between green transition and competitiveness, to security of supply, to the protection of sensitive sectors — will recur with minimal variations in future dossiers, in particular those related to digital and critical raw materials. The proposed interpretative model, and the empirical demonstration that supports it, suggest that the political sustainability of the agreements will depend on the ability to graft credible adaptation mechanisms into the text: carefully designed safeguard clauses, monitoring and review mechanisms, assistance and reconversion tools for exposed supply chains. The alternative — the pure

maximization of static exchange gains — risks being, at best, inefficient; at worst, unrealizable, because it is destined to break against consensus constraints that no figure of aggregate well-being is able, on its own, to overcome.

In defining the perimeter of the analysis, the thesis adopts some delimitation choices. The focus is on the trade pillar of the agreement and the trade and sustainable development chapter, with forays into the other sections (SPS, GIs, procurement) to the extent that they are crucial to understanding the preference game. The privileged object is not the allocative efficiency of concessions, nor the quantitative measurement of the expected sectoral impacts, although these dimensions are the background to the reasoning; The aim is, rather, to explain how and why the content of the agreement has settled on a balance that reflects the political forces in the field. The main limitation of this approach — inevitable given the nature of the phenomenon — lies in the degree of opacity that certain negotiating passages maintain for reasons of confidentiality; To mitigate it, the thesis resorts to a triangulation of sources and, when possible, to cross-checking the information collected through interviews.

The reader will therefore find in Chapter 1 a reconstruction of the birth and evolution of Mercosur, with particular attention to its decision-making architecture, the asymmetries between members and the flexibility tools that characterize its daily practice. This passage clarifies the external constraints that the EU has had to deal with in defining key clauses. Chapter 2 offers a map of the institutions and procedures of European trade policy, illustrating how national preferences are formed and "filtered" and how non-state actors are positioned within this ecosystem. Chapter 3 reconstructs the 1999-2025 negotiation sequence, identifying the conjunctures in which disputes have thickened and those in which windows of opportunity have opened for the reformulation of sensitive chapters, up to the inclusion of safeguard instruments. Chapter 4 carries out a comparative analysis of the positions of the Member States and the political families in the European Parliament, relating these positions to the text choices and showing the mechanism through which, in order to meet the concerns of the most critical countries, the Commission incorporated a bilateral safeguard clause, a key element of the political stabilization of the agreement.

With this architecture, the introduction intends to provide a compass for reading the rest of the work, but also an explicit commitment: at the end of the course, the thesis will not be limited to documenting the plurality of positions in the field. Rather, it will show how those positions have become the norm, affecting the writing of the agreement and, in particular, its internal guarantees. The answer to the research question — that the evolution of the text, up to its adoption in 2025, reflects the ability of the most skeptical domestic coalitions to influence and is embodied, among other things, in the introduction of the safeguard clause — is not a dogmatic starting point, but the point of arrival of a

path that lines up context, institutions, chronology and comparison. It is in this succession of passages that the EU-Mercosur agreement reveals its nature as a regulatory compromise: not a fallback from an abstract ideal of liberalization, but the concrete political form that the opening of markets must take in order to be legitimized and, therefore, practicable in a union of democracies.

## *Theoretical Framework*

This chapter introduces the theoretical foundations on which the research work on the Free Trade Agreement between the European Union and Mercosur is based and, in particular, provides the analytical framework to answer the following question: "What can explain the different positions of EU Member States on the EU-Mercosur trade agreement, and how have these positions shaped the content of the trade agreement?".

To study the complex dynamics of the negotiation and ratification process of the EU-Mercosur trade agreement, this thesis adopts a dual theoretical approach, combining theories of political and regional integration. This approach allows capturing the multiplicity of institutional, political, economic and cultural factors that condition and influence the positions of the member states. The aforementioned theories are historical institutionalism and liberal intergovernmentalism.

Each theory will be presented and discussed in this chapter, in the following paragraphs. Integrating these two theories enables an understanding of both the structural constraints inherited from the past and the current strategic choices, offering a multi-level explanation of the divergent positions of EU member states and the compromise reached in the EU-Mercosur context.

From the study of the above theories, hypotheses will be derived that will be tested during the empirical analysis of the following chapters.

### *I. Historical Institutionalism*

Historical Institutionalism is a type of approach used to study politics and social change, and it is distinguished from other approaches precisely by its historical orientation that focuses on how the structure of each institution defines its outcomes. Historical Institutionalism is a macro theory of comparative politics that bases its analysis on the evolution of institutional structures over time.

The model, developed by Paul Pierson, Theda Skocpol and Kathleen Thelen, "analyze institutional and organizational configurations rather than single institutions in isolation, and they pay attention to processes of long duration" as highlighted by Sergio Fabbrini and Patrick Dibere Molutsi (2011).

Thomas Rixen (2016) explains that "HI is specifically focused on the dynamics of institutional development and has theorized the role of history or, more precisely, temporality in that development. It pays attention to when and how historical processes shape institutional outcomes".

Starting from these assumptions, the approach based on Historical Institutionalism highlights that institutional legacies will always lead to resistance to change, thus constraining new future possibilities.

Among the concepts characterizing this theory we find the "path dependence", according to which political actions are destined to be conditioned by the previously established path, as explained by Sergio Fabbrini and Patrick Dibere Molutsi (2011) "Also, windows of opportunity for institutional change open up under conditions of institutional crisis, but the actors, nevertheless, are constrained to act within the bounds inherited from the previous arrangements."

Analyzing the concept of path-dependent institutions, another important concept arises: the "critical juncture". Critical junctures are historical moments in the development of an institution in which the future of the latter is still uncertain. In these moments, therefore, the choices and actions of political leaders become fundamental in order to determine which path the institution will take. Once the decision has been made during a critical juncture, it will set this precedent as definitive in the development path of the institution (Capoccia, 2015).

Historical institutionalism, therefore, offers an articulated reading of how public policy institutions, such as banking supervision or environmental protection, influence responses to unforeseen political challenges. This approach allows an understanding of the conditions under which States are able to deal effectively with new challenges, for example when they have pre-existing institutions that can be easily adapted to new needs, and under what circumstances. However, they face greater difficulties of adaptation in the short or medium term. In summary, historical institutionalism fills a relevant gap in the theory of international relations by identifying mechanisms through which actors respond to an evolving context. (Farrell & Newman, 2010)

Within, for example, the EU-Mercosur context, historical institutionalism helps explain how the institutional structure of the European Union, such as its multilevel system of decision-making, voting rules, and previous voting experiences, conditions member states' preferences and strategies. In fact, Ferdi De Ville (2013) writes "Trade policy decision-making does not operate each time in a neutral vacuum. To the contrary, it is influenced by policies, institutions and ideas from the past that benefit some actors over others, through dissimilar effects on their resources, incentives and perceptions."

We can use the historical institutionalism to retrace the key stages of the evolution of Mercosur, highlighting the role of institutions and historical choices that have defined the path of integration of the bloc. The process of integration, which began with the return of democracy in Argentina and Brazil in the 1980s, Gardini (2011) defined it as "gradual, sectoral and flexible". In 1991 the four countries signed the Treaty of Asunción, and in 1994 the Ouro Preto protocol creates the institutional framework of the organization. These moments represent a critical juncture in the history of the

organization. The aforementioned protocol has established voting procedures and decision-making bodies that require unanimity, limiting the ability to take binding and rapid decisions. These institutional constraints, together with economic asymmetries among members (with Brazil dominating the bloc's GDP), have contributed to making integration slower and more fragmented.

Therefore, in the course of this analysis we will use Historical Institutionalism to analyze how the path dependence of the organization, derived from the critical junctures that defined it, has conditioned negotiations in the last 25 years. (Gardini, 2010, 2011)

In the case of EU, many scholars (Christiansen, 2020; Neuman, 2021) have stressed that Historical Institutionalism has established itself among the main theories of European integration thanks to its long-term approach, its ability to analyse the continuity and change of institutions and its focus on historic turning points. This approach has been applied both to the general study of the European integration process and to the analysis of individual EU institutions, finding increasing use also in the interpretation of developments in different areas of Union policy. In particular, Historical Institutionalism is commonly used to explain the EU's social, market and monetary policies, but it has also been adopted to deepen the dimension of the Union's external relations. (Neuman, 2021)

As analyzed by Tim Büthe (2016), Historical Institutionalism helps to demonstrate how the institutional arrangements of the European Union are not neutral with respect to power relations, nor simply the result of a rational negotiation between main actors but are shaped by long-term cultural and historical trajectories. For this reason, this approach will be essential to analyse the dynamics underlying the long negotiations of the agreement.

In the light of the approach of Historical Institutionalism, it is assumed that the different positions of EU Member States on the free trade agreement with Mercosur are mainly the result of specific historical trajectories and national institutional configurations, in particular in the agricultural and commercial sectors. In other words, Member States which, over time, have developed institutions and public policies aimed at protecting certain economic sectors (such as agriculture in France or industry in other countries) will tend to adopt more defensive and restrictive positions towards the agreement, trying to condition the final content in order to safeguard these interests. On the contrary, those Member States with an institutional tradition of greater trade openness and less historical ties to protect specific economic sectors tend to support positions more in favour of an ambitious and inclusive agreement. It is assumed that these institutional legacies, consolidated over time, have acted as constraints or incentives in the negotiation choices, directly affecting both the preferences expressed by national governments and the specific clauses inserted in the trade agreement between the EU and Mercosur.

## II. Liberal intergovernmentalism

The comparative political theory known as "Liberal intergovernmentalism" was developed by Andrew Moravcsik in the early 90s to explain the process of European integration, acquiring the status of "baseline theory" in the study of regional integration (Moravcsik, 1995; Moravcsik and Schimmelfennig, 2018).

Moravcsik used this approach to underline the importance of national governments, which are considered as the main actors in this view, in determining intergovernmental negotiations, based on the internal economic and political interests of each member country. (Kleine and Pollack, 2018)

Over time, as François Akilatan (2020) explains, Moravcsik then expanded his theory by specifying that states always act in a (even limited) rational way in the pursuit of their goals. Their limited rationality in intergovernmental cooperation, due to access to available information, political uncertainties and the resources at their disposal, is explained through three precise stages: the formation of national preferences, the reaching, through intergovernmental negotiations, of a substantive agreement, and the creation or adaptation of an institution to ensure that these changes do not lead to reasons for political uncertainty in the future. (Akilatan, 2020)

In this perspective, states are rational actors willing to give up part of their sovereignty in order to improve the efficiency of international cooperation, accepting this reduction because the European institutions strengthen the autonomy of national leaders with respect to specific social groups within their countries. In comparison with Mercosur, the latter's institutions are weaker and lack the necessary autonomy and resources to implement decisions binding on all members, with power strongly concentrated within the presidential framework. (Caichiolo, 2017)

In the case of Mercosur, liberal intergovernmentalism allows us to understand how decisions are strongly influenced by the interests of major economies such as Argentina and Brazil, and how differences in the economic and political models of the members may hinder further integration.

It should be remembered that in Moravcsik's view, the formation of national preferences stems from the interaction between government and society. However, as Carlos Ricardo Caichiolo (2017) says, the actors involved in Mercosur are limited to high-level authorities of member states' governments. Private sector actors such as trade associations, industrialists, workers, entrepreneurs, consumers, taxpayers, farmers and bankers were not consulted during the first steps towards the formation of Mercosur, led mainly by Argentina and Brazil, or later. This does not mean that their interests have been completely ignored; in fact, it is up to the Member States to support and promote the interests of their private sectors. However, the decision-making process has been vertical, since on a number of occasions States have taken decisions on behalf of their private sectors, decisions which were then criticised by the same sectors that the State intended to protect. This has led to a state-led integration

process, with limited participation of civil society. In part, this situation is a legacy of the period of military rule, especially in the early years of Mercosur. (Carlos Ricardo Caichiolo, 2017)

One of the great differences with the European Union is exactly this. The participation of civil society in Mercosur has been limited by a lack of financial resources and adequate knowledge. As a result, the situation in Mercosur differs greatly from that described by Moravcsik for the European Union: domestic groups are largely disarticulated and have a reduced impact on decision-making. Member States' governments decide which policies to adopt; within the framework of a rational decision-making process, their executive bodies choose independently which measures may benefit specific sectors of society. In Mercosur, therefore, the concept of deeper regional integration through active social participation is lacking. (Caichiolo, 2017 ; Akilatan, 2020; Mukhametdinov, 2007)

The interest of civil society in EU Member States has allowed private actors, such as agricultural confederations, human rights, climate and sustainability organisations, to exert and continue to exercise significant influence on the positions of European Member States, thereby exerting strong pressure on the contents of the agreement.

In conclusion, the different positions of EU Member States on the EU-Mercosur trade agreement are mainly determined by the formation of national preferences, which reflect the economic, political and social interests of major domestic groups, particularly in the agricultural sectors, industrial and environmental. These interests, in turn, are shaped by national institutions and the specific socio-economic context of each country. Member States with strongly protected and influential agricultural or industrial sectors will adopt more defensive and restrictive positions, negotiating clauses and safeguards to protect these interests. In contrast, countries with more export-oriented economies or fewer sectoral constraints will support a more open and ambitious agreement. In addition, is likely that EU member countries that show greater attention and involvement with sustainability and have environmental protection and social standards among their priorities are also more likely to criticize the agreement.

In the negotiating process, the relative power of the Member States, based on their economic, political, social and influence-ability dimension, determines the weight of their preferences in the final compromise. In addition, the EU's intergovernmental structure, combined with the institutional weakness of Mercosur, strengthens the central role of national governments in defining the terms of the agreement, limiting the autonomy of supranational institutions and the participation of non-state actors.

The hypothesis is therefore that the content of the EU-Mercosur agreement reflects a negotiated balance between these divergent national preferences, with specific clauses reflecting the concessions obtained by the main national actors, and that the duration and complexity of the negotiations are

influenced by power asymmetries and conflicting interests between EU members and between the EU and Mercosur.

## *Literature Review*

The free trade agreement between the European Union and Mercosur, the South American common market whose founding members are Brazil, Argentina, Uruguay, and Paraguay, is currently considered one of the most important trade agreements. However, it is also among the most complex of the last century, on the one hand due to the massive number of consumers and the resulting economic benefits, and on the other hand due to the difficulty of negotiations.

In fact, negotiations for the agreement lasted 25 years, but a compromise was finally reached on December 6 of last year.

Before delving into the analysis, it is important to recount the origins and peculiarities of Mercosur. In the late 1980s and early 1990s, there was a rapprochement between the two main South American powers, Argentina and Brazil, through the ratification of the "El Acta para la Integración Argentino-Brasileña," which paved the way for a Program of Integration and Economic Cooperation between the two countries. This inevitably sparked the interest of Uruguay and Paraguay, who, on March 26, 1991, signed the Treaty of Asunción, thus establishing, together with the others, a free trade area among the South American countries and a customs union, henceforth known as Mercosur. (Gardini, 2010)

As indicated by many scholars and economists, including Ignacio Bartesaghi (2021), the process of regional integration of Mercosur represents one of the most distinctive in the twentieth century, with its main objective being the achievement of a transitional phase for South American countries through the coordination of macroeconomic policies and the liberalization of trade.

The structure of Mercosur has often been subject to various crises, which have led some observers to describe this organization as inherently "imperfect." (Campos, 2016; Bouzas et al. 2002)

As Mikhail Mukhametdinov (2018) also notes, the relative underdevelopment of the Mercosur market compared to that of the European Union is due, in part, to the different levels of integration, determinants of intra-regional trade, and the limited integration of economic interests.

A comparison between MERCOSUR and the European Union reveals both important similarities and profound differences. Both blocs are defined geographical areas which have expressed the objective of achieving a common market and adopted measures for its implementation, having institutional structures which, at least in appearance, present parallel elements. Both MERCOSUR and the EU have acquired international legal personality, thus being able to represent their members in trade agreements as a single entity. In addition, both have followed the classic sequence of economic

integration, moving from a free trade area to a customs union and, at least as an aspiration, to a common market, promoting integration also through shared symbols and common rhetoric. However, the differences are marked: MERCOSUR, founded in 1991, is a more recent and less integrated process than the EU, born in 1957 and composed mainly of rich and self-sufficient countries. The institutional architecture of MERCOSUR remains strictly intergovernmental, requiring unanimity for decisions and without supranational powers, while the EU exercises supra-national competences in many areas and can impose decisions even against the will of individual member states. In addition, MERCOSUR has more pronounced economic asymmetries, with Brazil in a dominant position, and its integration process has been slowed down by recurrent economic crises and limited internal trade interdependence, unlike the EU, which has a much higher economic density and degree of interdependence. (Mukhametdinov 2018)

The relations between the European Union and Mercosur have been the subject of a wide literature that has analyzed in detail the difficulties inherent in the negotiating agenda between the two blocs. Among the main obstacles, we can find the internal shortcomings of Mercosur, as we already mentioned, defined as "an imperfect customs union" due to both limited free movement and uneven application of common standards (Arana et al., 2022). This is compounded by the offensive and defensive interests of both parties and the limitations on their respective market access offers, in particular in the areas of agricultural products, industrial goods and public procurement, the presence of non-tariff barriers and protectionist measures. These difficulties led to a first suspension of the negotiations in 2004 and a second, temporary one in 2012. The literature (Arana et al., 2022; Arana, 2014, 2017; Estevadeordal and Krivosos, 2000 ; Toscano-Valle, 2021 ; Burrell et al., 2011) also highlights how the negotiations have been influenced by the evolution of multilateral trade negotiations in the WTO and the different regionalism strategies adopted in Europe and Latin America. Asymmetries between the two blocs, weak institutionalisation and lower regulatory quality of Mercosur compared to the EU have been persistent structural constraints. Further complications emerged in the following decade with the strengthening of a "post-liberal regionalism" in South America, characterized by neo-developmental policies less compatible with the European agenda, and with the increasing attractiveness of third markets such as China. Internal political changes, such as the return of liberal-conservative governments in Argentina and Brazil, have also not removed structural barriers, while the crisis of globalisation and the growth of protectionist tendencies at global level have further complicated the negotiating framework. (Arana et al., 2022; Gomez Arana, 2014, 2017; Estevadeordal and Krivosos, 2000 ; Toscano-Valle, 2021 ; Burrell et al., 2011)

The issue of the agreement has once again become central to public debate following the compromise reached on December 6, 2024, in Montevideo, where Luiz Inácio Lula da Silva, Javier Milei, Luis

Alberto Lacalle Pou, and Santiago Peña, the respective Presidents of Brazil, Argentina, Uruguay, and Paraguay, together with the President of the European Commission Ursula von der Leyen, reached a new agreement.

As explained by Nicolas Pose-Ferraro (2025), the significant reduction of opposition from Mercosur manufacturing sectors, given potential distributional losers (actors negatively impacted by a policy, economic change, or other event that redistributes resources, income, or benefits), together with increased geopolitical incentives in the EU to conclude an agreement from the end of 2022, has paved the way for a renegotiation aimed at reducing environmental opposition by European civil society organisations, thus enabling an understanding between the European Commission and Mercosur. However, “at the same time, the EU’s domestic political economy constraints, coming from the capacity of distributional losers from a PTA (i.e., agricultural producers) to influence key actors within the EU’s decision-making process, continue to challenge ratification in the EU.” (Pose-Ferraro, 2025). Agriculture therefore continues to be one of the most sensitive areas in the negotiations of the Agreement, also involving cross-cutting issues such as phytosanitary barriers and animal welfare. As analysed by Krzyzanowski (2025), countries of Mercosur possess an enormous agricultural potential and adopt production standards, as well as plant and animal health rules, different from those of the European Union. As a result, the negotiations met with opposition from some European Member States, including France, the Netherlands, Ireland and Poland, mainly in relation to concessions on access of Mercosur agri-food products to the European market. However, the European Commission, together with its South American partners, stressed that the agreement is balanced and takes account of the concerns raised. (Krzyzanowski, 2025)

However, ratification is far from certain in the EU as a group of member states led by France opposes the initiative, whilst others, such as Italy, are considering whether to join the French side.

In any case, the ratification of the agreement remains uncertain since, to the group of EU member countries that oppose it, there are others who are still in doubt about their position, such as in the case of Italy (Pose-Ferraro, 2025). The aim of this thesis is to analyze the different positions of European countries regarding this agreement on which the literature has not addressed enough. To do so, it will be necessary to study the reasons underlying the criticism of the treaty, as well as to analyze and highlight the motivations behind the support or opposition of certain countries to ratification.

However, considering recent geopolitical developments, with the new challenges posed by the President of the United States, Trump, who has threatened to impose tariffs on European countries, European leaders appear less skeptical about the need to increase trade with third countries, without giving up on their own standards, in order to reach fair and balanced conditions for all parties involved.

# *1. Mercosur's origins and evolutionary dynamics: from strategic cooperation to imperfect integration*

## *1.1. Introduction*

In the vast panorama of regional integration initiatives in the global South, Mercosur represents a paradigmatic case, both for its initial ambitions and for its incomplete trajectories. Born in a context marked by democratic transition and a growing need to consolidate economic cooperation between the main South American powers, the Southern Common Market (Mercosur) has embodied since its foundation the aspiration to build an integrated, competitive and autonomous region in the international system.

This chapter aims to offer a critical and analytical reconstruction of the institutional and political evolution of Mercosur, highlighting the elements that facilitated its birth and the contradictions that still hinder its full functioning as a customs union. In particular, the decisive role played by the bilateral dialogue between Argentina and Brazil, the two economic poles of the bloc, whose relations — initially marked by geopolitical rivalries — have gradually transformed into a strategic cooperative axis, will be explored. Some key stages of the transition process will be examined, including the Tripartite Agreement of 1979, the Iguazú Declaration of 1985 and the Treaty of Asunción of 1991, in order to highlight how the emergence of converging interests laid the foundations for an experiment in regionalism characterized by a marked presidential leadership. Subsequently, the chapter will focus on the analysis of the institutional structure and governance mechanisms of Mercosur, with particular attention to inter-presidentialism as the prevailing decision-making model, and to the delicate balance between intergovernmental dynamics and tensions towards forms of supranational integration. It will be illustrated how the bloc has equipped, through the Ouro Preto Protocol, with an international legal personality that has expanded its capacity for external projection, while maintaining a profoundly state-centric nature. Dispute management, enforcement and decision-making will be assessed in the light of the persistent tension between regional cooperation and the defence of national sovereignty. A further segment will be dedicated to the comparison between Mercosur and other Latin American integration schemes — in particular ALADI and the Andean Community (CAN) — to highlight affinities and divergences in regional governance models, and to better understand the dynamics of fragmentation that have marked the continent. The comparative analysis will allow Mercosur to be placed in the broader context of the post-Cold War "new regionalism", revealing both its potential and its structural limitations.

Finally, the evolution of trade policies within the bloc will be deepened, with particular attention to the difficulties in implementing a common external tariff and the proliferation of exceptions that have

undermined the coherence of the customs union. The recent reform of the Rules of Origin (NRO), adopted in 2023, will also be examined as an attempt to rationalise the regulatory framework and simplify intra-regional trade. At the same time, this reform is an indicator of Mercosur's persistent regulatory complexity and structural asymmetries among its members.

As a whole, the chapter aims to offer the analytical tools necessary to understand the internal logics that govern the functioning of Mercosur, considered a fundamental prerequisite for critically assessing the scope and implications of the trade agreement with the European Union. The study of the genesis and institutional characteristics of the South American bloc is not only a historical-institutional analysis, but constitutes an essential interpretative key to deciphering the negotiation dynamics between two regional actors characterized by profoundly heterogeneous architectures.

## *1.2. Foundation of Mercosur*

MERCOSUR is currently one of the most significant experiences of regional integration on the global scene, bringing together countries characterized by cultural, economic and political heterogeneity in a common project of development and cooperation. In particular, it represents an emblematic case of South American regionalism, in which the political-institutional dimension is closely intertwined with the economic-commercial one.

In order to understand the still imperfect nature of the customs union that characterizes Mercosur, it is essential to analyze the historical and political assumptions of its formation. The historical rivalry between Brazil and Argentina, the bloc's two main players, has long hindered any process of structured regional integration.

In international relations between states, elements such as shared history, economic, commercial and geographical interests play a fundamental role in fostering the emergence of alliances, peaceful relations or, on the contrary, situations of tension. In fact, during the twentieth century, and in particular in the period between 1905 and 1967, Argentina and Brazil have tried their hand at various attempts at collaboration, which, as Gardini (2010) explains, can be quantified in about five significant episodes. However, these moments of cooperation were interspersed with phases of tension, which were exacerbated mainly due to disputes relating to the control and use of shared water resources. Paradoxically, the issue of water management represented a turning point: it was, in fact, on this issue that Argentina, Brazil and Paraguay managed to reach an agreement, formalized in the Tripartite Agreement. This agreement, in fact, was born as a response to a long phase of tensions and rivalries related to the exploitation of shared water resources in the area of the Paraná River, rich in energy potential. During the twentieth century, the growing demand for energy and the desire for industrial development led these countries to consider the construction of large hydroelectric plants along the border stretches. However, overlapping interests and competing projects risked generating

diplomatic conflicts and hampering regional cooperation. The turning point therefore came in the seventies, when Brazil and Paraguay started the construction of the Itaipu hydroelectric plant, one of the largest plants in the world, located right on the border between the two countries. Argentina expressed strong concerns and initially opposed the project, fearing negative repercussions on water management and its energy security. To avoid a crisis, intense trilateral negotiations were initiated which led, in 1979, to the signing of the Tripartite Agreement Corpus-Itaipu Multilateral Treaty on Technical Cooperation between Argentina, Brazil and Paraguay. This agreement established the principles for the shared management of the water resources of the Paraná Basin, guaranteeing each country the right to benefit from energy development opportunities, without prejudice to the interests of the other partners. (Gardini, 2010)

Although this event can be defined as a turning point in relations between Brazil and Argentina, the roots of the tension between the two countries were much deeper, making it difficult for a single event to be enough to reverse the course from hostility to cooperation. For this reason, the resolution of the water conflict is an important step in a gradual process.

Only a year after the signing of the Corpus-Itaipu Tripartite Agreement, Brazilian President Joao Figueiredo visited Buenos Aires, a gesture that had great symbolic value since it was the first time that a Brazilian president had visited Argentina since 1935 (Gardini, 2010). During this summit, the nuclear agreement was concluded, which started a process of building trust that is fundamental for the consolidation of bilateral rapprochement between the two countries. Nuclear development ceased to be perceived as a mutual threat, but instead became a tool at the service of the economic and social development of both nations.

Following these successes, there was a new and unexpected event that nevertheless managed to concretize the proximity between Brazil and Argentina: the Falklands/Malvinas War of 1982, which indirectly contributed to bringing the two countries closer together. Brazil, by maintaining a neutral position and promoting diplomatic dialogue, was perceived by Argentina as a reliable interlocutor. (Wrobel, 1999)

At the end of the 70s, Argentina was already engaged in a dispute with Chile regarding the Beagle Channel, a strait that dissects the archipelago of Tierra del Fuego, at the extreme southern tip of South America, which was leading to the outbreak of a real war, which was later foiled. However, after avoiding this conflict, Argentina invaded the British South Atlantic Islands in April 1982 and started a war with the United Kingdom. Brazil, in the general turmoil, always remained neutral but always supported a negotiated resolution of the conflict. In any case, Brazil's willingness to act as a mediator was viewed very positively by Argentina, which recognized it as a true trusted partner, choosing Brazil to represent its interests in London until the end of hostilities. (Wrobel, 1999).

Marking a real turning point in the now changed relationship between Brazil and Argentina was the ratification of the Treaty of Iguazu (Russian, 2023), signed by Presidents José Sarney and Raúl Alfonsín, sanctioning, with this symbolic and political act, the official start of the integration process. On November 29, 1985, in a solemn ceremony, the Presidents of Brazil and Argentina inaugurated the International Bridge connecting Porto Meira, Brazil, with Puerto Iguazu, Argentina. This infrastructure, named "President Tancredo Neves Bridge" in honor of the Brazilian statesman, represents a tangible symbol of cooperation and integration between the two countries, as well as responding to the regional development needs of neighboring populations.

On the occasion of the inauguration, the two Heads of State met both in Puerto Iguazú and in Foz do Iguazú to discuss issues of common interest in an atmosphere of cordiality and friendship. They emphasized that the bridge constituted not only a physical connection, but also a symbolic link that strengthens the union between nations and their shared commitment to greater integration. (Wrobel, 1999)

As can be seen from the text of the declaration, the Presidents also highlighted the importance of this project as the first major joint infrastructure intervention since the Uruguayan-Paso de los Libres International Bridge of 1947, thus marking a significant step in the path of physical integration and bilateral cooperation.

During the talks, the leaders also addressed the economic difficulties the region was experiencing, caused by foreign debt, protectionist policies and the deterioration of international trade terms. They agreed on the urgency of strengthening Latin America's negotiating position at the global level, promoting greater decision-making autonomy and coordinating efforts to relaunch regional cooperation and integration policies.

In particular, the Presidents reaffirmed the validity of the approach that emerged from the 1984 Cartagena Consensus, a discussion forum that took place in Cartagena de Indias, Colombia that saw the highest political and economic leaders of the various South American countries as protagonists, which emphasized the need for economic growth in debtor countries, the lightening of the burden of debt service and the co-responsibility between debtors and creditors. They hoped that these principles could guide future initiatives to address the debt problem in a lasting way, thus allowing Latin American governments to focus on the well-being and development of their populations, consolidating the democratic process in the region.

Through this instrument, the representatives declared the "urgent need for Latin America to strengthen its negotiating power with the rest of the world, expanding its decision-making autonomy

and preventing the countries of the region from remaining vulnerable to the effects of the policies adopted without their participation" (Iguazú Declaration, 1985).

From this moment on, relations and treaties intensified, with the adoption in 1986 of the Economic Integration and Cooperation Program which further strengthened bilateral trade and the consequent treaty signed in 1988 the "Tratado de Integración, Cooperación y Desarrollo entre Argentina y Brasil" which eliminated tariff and non-tariff barriers between the two countries (Squeff, 2022) whose strategy was to be accompanied by coordination in legal matters and macroeconomic policies between the two blocs. Therefore, the Treaty of Iguazu, strengthened in 1986 by the Program of Integration and Economic Cooperation and in 1988 by the Treaty of Integration, Cooperation and Development, provided for the progressive elimination of tariff and non-tariff barriers and increasing coordination in the field of macroeconomic and legislative policies. (Russo, 2023)

All these events led to the negotiations and ratification of the Treaty of Asuncion of March 26, 1991 which included Argentina and Brazil, but also Uruguay and Paraguay. The objective of this treaty was to create a common market and a true customs union, and, as Luiz A. Moniz Bandeira (1992) makes explicit, in this sense it can be said that the Treaty of Asuncion consolidated "the basic guidelines of the 1988 Treaty (construction of a common economic space and harmonization and coordination of policies) and the Buenos Aires Act of 1990 (new deadlines and new methodology) and incorporated even more ambitious objectives, providing for the free movement of factors of production (labour) and common external tariffs from January 1995".

This document, in its first article, affirmed the establishment of a Common Market which would henceforth be called "Mercado Común del Sur", MERCOSUR.

The treaty enshrined the commitment of the signatory countries to achieve a common market through the gradual elimination of customs barriers and the creation of a common external tariff, with the aim of promoting the free movement of goods, services and production factors among its members. The agreement responded to the need to overcome protectionist barriers and stimulate economic development through deeper integration, including not only trade liberalisation, but also the coordination of macroeconomic policies and the adoption of a common external tariff to strengthen the external competitiveness of member countries.

The 1994 Ouro Preto Protocol (Brazil) also played a fundamental role in the process of forming Mercosur, effectively consolidating its institutional structure. In fact, it establishes the formal characteristics of the international organization, defining the voting procedures and the institutional structure, and, through Article 34 (Protocol of Ouro Preto), recognizes the organization as a legal personality of international law to all intents and purposes:

*" Mercosul shall possess legal personality of international law."*

Following the creation of the free trade area and the customs union, between 1991 and 1999, Mercosur experienced a phase of strong expansion of economic integration, often referred to as the "golden years" (Malamud, 2003, 2008; Krapohl, 2010). During this period there has been a strong trend to significantly reduce trade barriers, increasing trade and economic benefits for member countries (Laursen 2010). During those years, Mercosur's share of world trade grew from 11% to nearly 20%, positioning the organization as the fourth largest economic bloc in the world (Mecham, 2003; Vaidya, 2006). In 1999, total exports exceeded \$70 billion, imports over \$80 billion, with total trade with the rest of the world exceeding \$122 billion (Mercosur, 1999).

In addition to the increase in international trade, intra-regional trade grew significantly, from 8.9% to 25% between 1991 and 1999, with a value that increased from \$11 billion to over \$20 billion (Preusse, 2001; Mahrukh, 2012). This increase reflects a growing economic interdependence between members, mainly favored by the drastic reduction of protective tariffs and non-tariff barriers. For example, in Brazil, duties on other Mercosur countries have drastically decreased from 80% in 1985 to 12% in 1994-1995; similar reductions occurred in Argentina, Paraguay and Uruguay (from 26% to 11.9%, from 71.7% to 10.2% and from 32% to 10.5% respectively). (Campos, 2016)

Despite its original ambitions, the South American regional integration promoted by Mercosur now appears to have slowed down, more for internal political and regulatory reasons than for structural economic reasons. Difficulties in adopting binding decision-making mechanisms and the persistent divergence between the national priorities of the Member States – in particular Argentina and Brazil – have jeopardised the full implementation of the project.

Meanwhile, the enlargement process initially included Venezuela, which was originally welcomed as a full member of the bloc, was subsequently suspended in 2016 due to violations of democratic criteria and human rights, and more recently Bolivia, which signed the accession protocol in July 2024, initiating the process of full integration.

MERCOSUR remains a key player in the regional and global geopolitical scenario, a symbol of Latin America's aspirations for autonomous development and multilateral cooperation. However, the consolidation of its role will depend on the ability of member countries to overcome the current institutional impasse and relaunch integration as a shared strategy of growth and stability.

As analyzed by Preusse (2001), and as we will see in the course of this chapter, the Treaty of Asunción of 1991 provided for a transitional phase until 1994 to create a free trade area, followed by the establishment of a customs union starting in 1995, with the ultimate goal of building a common market. However, over time, the creation of the common market has been neglected and no precise date has been set for its implementation. Neither the free trade area nor the customs union have been

fully implemented, due to numerous exceptions, restrictions and safeguards adopted by Member States, in particular Brazil and Argentina, which retain strong control over their economic policies. This situation has led to a hybrid model, in which integration rules coexist with transitional rules that preserve national autonomy, thus preventing a full customs union and slowing down the process towards a common market. The current stagnation, therefore, is more linked to internal political and regulatory issues of the member countries than to economic or trade problems, raising doubts about the real commitment of the states to continue towards greater regional integration. (Cardoso Squeff, 2022).

### *1.3. Institutional mechanisms and governance of Mercosur*

In order to fully understand the Mercosur integration process, it is essential to analyse the institutional and governance mechanisms that form its backbone. As will be seen in this paragraph, the institutional configuration of the South American regional bloc developed in two main phases.

The first phase, i.e. the transitional phase, was established through the 1991 Treaty of Asuncion, which laid the foundations for an even deeper and more deep-rooted integration that took shape through the 1994 Ouro Preto Protocol. This transition period is important because it gives member countries the opportunity to align and follow a single path in achieving those objectives enshrined in the treaties. The second phase is defined as "consolidation" and began in 1995/1996 (Preusse, 2001). The path of integration of Mercosur has not been, and continues to be, not an easy one, given the formal differences between its Member States and, above all, the type of governance structure underlying the organization, inter-presidentialism.

#### *1.3.1. Founding Legal Framework*

As we have anticipated in the previous paragraphs, Mercosur was officially created through the ratification of the 1991 Treaty of Asuncion which established a common market between the signatory countries, Brazil, Argentina, Uruguay and Paraguay.

Through the 1991 Agreement, a transition period was established that would facilitate the establishment of the common market and the harmonization of general rules between countries, which would adopt a "*Régimen General de Origen, un Sistema de Solución de Controversias y Cláusulas de Salvaguardia*" (art.3 Tratado de Asuncion). This implied a regulation of the classification of origin of exported products, a safeguard clause for the import of products that would benefit from the trade freedom program established under the Treaty and, even more importantly, the Annex on dispute settlement. The dispute settlement clause is of central importance since, especially in a time of transition, regulating conflict dynamics facilitates balance and peace between countries. It is stipulated in Annex III that disputes that might arise between member countries would be resolved through direct negotiations; if these did not lead to a resolution, the dispute would be submitted to the

Grupo Mercado Comun, which would be overtaken by the Consejo Mercado Comun if it too could not find a solution. In Article 3 of this Annex on dispute resolution, it is then specified that a Permanent Dispute Resolution System would be established before the end of the transition period. This important decision anticipates the organic structure that is defined in Chapter II by establishing that the administration and implementation of the Treaty during the transitional period would be the responsibility of the two aforementioned bodies: the Consejo del Mercado Comun and the Grupo Mercado Comun.

The Consejo del Mercado Comun (CMC) is the supreme body, which is responsible for the political management of the Mercado Comun and the decision-making process to ensure compliance with the objectives and deadlines established for the definitive launch of the Common Market. This is composed of the Ministers of Foreign Affairs and the Ministers of the Economy of the countries party to the Agreement and its Presidency is exercised in rotation by alphabetical order and for a period of six months. (Articles 10, 11 and 12 of the Treaty of Asuncion 1991)

The Grupo Mercado Común (GMC) is the executive body of the Common Market, coordinated by the Ministries of Foreign Affairs of the member countries. It has the power of initiative and its main functions include: ensuring compliance with the Treaty, implementing the decisions of the Common Market Council, proposing measures for the implementation of the Trade Release Programme, coordinating macroeconomic policies and negotiating agreements with third countries, as well as defining the work programme for progress towards the establishment of the Common Market.

The GMC has an Administrative Secretariat, based in Montevideo, which deals with document management and communication of activities. During the transition period, decisions of the Council and the Group are taken by consensus and must be approved by all member states. (Articles 13, 15, 16 of the Treaty of Asuncion 1991). Both bodies, therefore, are animated by an intergovernmental logic and require decisions by consensus, reflecting the strong attachment of the Member States to their national sovereignty.

As laid down in Article 18 of the Treaty, by 31 December 1994 the States undertook to redefine the permanent structure of the organs and their powers and decision-making powers. This reformulation took shape with the adoption of the Ouro Preto Protocol of 1994, which represented the real moment of formal institutionalization of Mercosur.

Article 1 of the Protocol defines a series of bodies that make up the new structure of Mercosur: the Common Market Council (CMC), the Common Market Group (GMC), the Mercosur Trade Commission (CCM), the Joint Parliamentary Commission (CPC), the Economic and Social Consultative Forum (FCES) and the Administrative Secretariat of Mercosur (SAM). This new

configuration responds to the need to provide the bloc with more effective tools for managing the customs union phase and for preparing for the future construction of the common market.

One of the main innovations introduced by the Ouro Preto Protocol is the creation of the Mercosur Trade Commission (Articles 16-21), which is responsible for supervising the application of common commercial policy instruments and following issues relating to intra-Mercosur trade relations and with third countries. In addition, the Protocol establishes the Joint Parliamentary Commission (Articles 22-27), which represents national parliaments and promotes legislative harmonization, and the Economic and Social Consultative Forum (Articles 28-30), which offers representation to the economic and social sectors of the member countries.

The Council of the Common Market (Articles 3-9) remains the supreme body, responsible for political leadership and the definition of integration strategies, while the Common Market Group (Articles 10-15) retains the role of executive body. Both bodies, together with the new Commerce Commission, are endowed with decision-making capacity of an intergovernmental nature (art. 2), while the other bodies have advisory or support functions. However, they have differences as regards the nature of their rulings, since, although they are binding on all member states in all three cases, the CMC issues Decisions, the GMC issues Resolutions while the CCM pronounces through Directives. As regards the adoption and application of the rules issued by the Mercosur decision-making bodies within the territories of each member state, the procedure differs from that of the European Union. In fact, in the case of Mercosur, in accordance with Article 40 of the Protocol, the rules are not directly applicable, but need to be incorporated into national law.

The main novelty of the Ouro Preto Protocol concerns the legal personality of Mercosur, formally attributed through Article 34. This was a fundamental element since it allowed the bloc to act as a subject of autonomous international law in all respects by materializing a type of “open regionalism” (Tatiana Cardoso Squeff, 2023).

The attribution of legal personality has allowed Mercosur to be able to enter into agreements with third States or with other regional blocs and international organizations, endowing it with the capacity for representation, negotiation and autonomous action, thus strengthening its position on the international scene.

The peculiar characteristic, therefore, of the Mercosur organization is its intergovernmental structure. It is based on the pre-eminence of national governments, whose representatives act in the light of national interests and decide by consensus; they reject the idea of a supranational structure and autonomous bodies that can in some way limit their sovereignty. It is for this reason that there is no direct applicability of the rules, but the need to incorporate them into the law of each member state emerges, thus creating a gap in implementation (Malamud, 2008).

As Cardoso Squeff (2023) explains, the Mercosur model can be defined as hybrid, since it is a model in which the rules governing the regional bloc coexist with the transnational rules that guarantee full and total autonomy to member countries, stagnating the process of unification and integration, making Mercosur definable as an imperfect customs union (Mahrukh, 2012). Mercosur, therefore, has a number of limitations imposed unilaterally by the States which prevent the achievement of its aims, rendering the debates in favour of a common economic policy meaningless and, thus, preventing progress towards the common market. In fact, some exceptions to free trade in the Mercosur territories and other exceptions to the common external tariff that the states would have to adopt were established. This decision clearly raised very important questions about the disparity between the Mercosur economies. Indeed, as expressed by Cardoso Squeff (2023) and Burle (2018), "the existence of these rules is an obstacle to the development of MERCOSUR, as it allows for the creation of different rules that remain outside the systems and frameworks that [exist] to ensure the unity of the blocs". In fact, the question was very simple, if states could decide for themselves with respect to the adoption or limitation of certain policies, this would have to be analyzed by considering the different degrees of economic power and influence of each state, thus making clear the great disparities between members.

It is always necessary to remember that Mercosur was born from a multitude of negative factors and events that created the need for the countries of South America to emerge, to pursue the wave of democratization that was expanding in the region and to aim for ever greater integration. However, the intergovernmental structure that forms the foundation of the organization makes it difficult to achieve true unity since there is no supranational body with binding autonomy, and the rules issued must be incorporated into the domestic law of the member states (Article 40, Ouro Preto Protocol). This scheme, as Malamud (2008) observes, reflects a precise political choice: to avoid the creation of autonomous institutions that could limit national sovereignty. In the absence of strong supranational institutions, it is the heads of state who guide the dynamics of integration, shaping them according to national interests and internal agendas through what Malamud (2016) defines as interpresidentialism, which represents the influence that presidential diplomacy and national presidential institutions spread in the evolution of regional integration in terms of decision-making and dispute resolution. As anticipated in the previous paragraphs, the integration process, in the first years after the ratification of the founding agreement, was invested with a disruptive success, defining it, as mentioned, "Mercosur's golden years" (Malamud 2003, Malamud 2008, Krapohl 2010). Whether in trade with third countries or regional blocs or whether it was referring to intra-regional trade, the integration process was proving to work and to be beneficial for all the economies of the signatory countries.

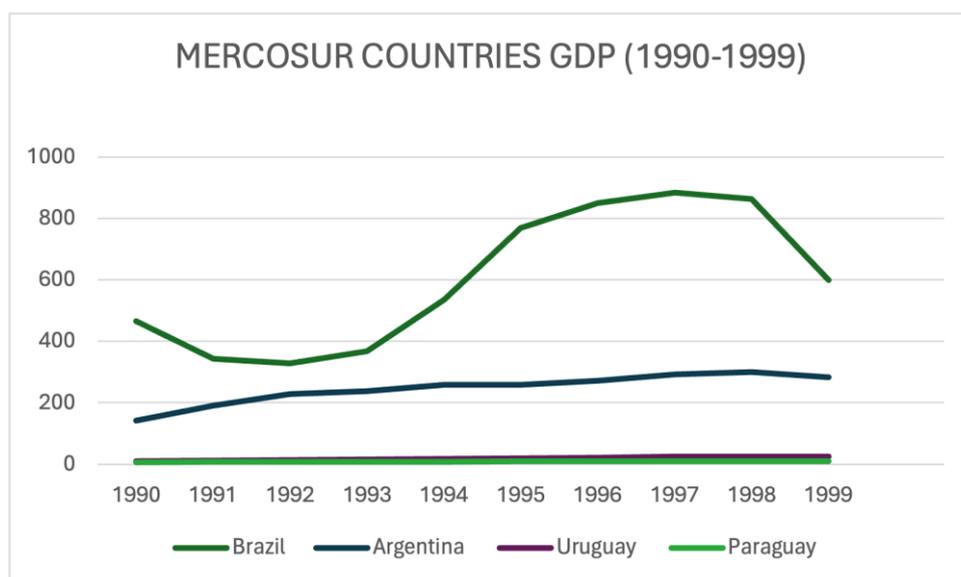
As demonstrated by its history, Mercosur was a political project wanted mainly by the powers of Brazil and Argentina, thus making it inevitably a state-led project whose main ace was presidential diplomacy (Mecham, 2003).

The presidents of Brazil and Argentina who followed one another during the negotiations for the Mercosur agreement were the key players in the success of the project. As analyzed by Kaltenthaler and Mora (2002), Presidents Sarney and Collor of Brazil and Presidents Alfonsín and Menem of Argentina were able to recognize the benefits that would come from achieving a regional peace that could only take place through a process of democratization and integration.

As described above, the body with the highest degree of decision-making is the Council, which meets at least once every six months with the presence of all the Presidents of the founding States. This feature highlights, according to Mattli (1999) and Bouzas et al. (2002), the reticence of national governments to cede their autonomy and sovereignty even to a limited extent and the state-centric perspective in shaping the integration process. This logic shows, therefore, that Mercosur's decision-making processes are intrinsically linked to the specific interests of countries.

However, we know that the weight of each country varies, depending on its commercial power and influence, factors that are intrinsically linked.

For this reason, Brazil has always been considered the natural leader in South America (Russell and Tokatlian, 2016), since, unlike Argentina, Uruguay and Paraguay, whose economies were very weak, Brazil was able to influence the integration direction of Mercosur thanks to its great economic capacity. (Cason 2000, Mathias, Guzzi and Giannini 2008)



(Source) Author's calculations using data from the World Bank (2025)

Thus, the model of inter-presidentialism made sure that Brazil had the reins in shaping the integration process to its liking, using diplomatic means combined with its economic capacity to influence other

countries in taking the path that was most convenient for its economic and political goals (Gabriela Lomeu Campos, 2016).

Inter-presidentialism continued to be a central element in the process of Mercosur's integration with states that maintained a leading and institutional role in guiding the regional bloc. The same institutions remained unchanged both during the 1990s, a period of strong growth in integration, and after 1999, when the process deteriorated. However, these institutions have always had little autonomy in actually driving integration, as highlighted by Pedersen (2002) and Best (2005). Between 1998 and 2003, out of 201 dispute resolution cases filed, only 9 were resolved through Mercosur's institutional mechanisms, while most were dealt with by diplomatic means (Hummel and Lohaus, 2012).

As Veiga (2004) points out, the institutions do not operate in a "political vacuum" and Mercosur's difficulties stem from structural characteristics and the level of political commitment of member countries towards integration. Institutional weakness has favored Brazil's negotiating power, which has preferred to keep Mercosur in a state of "latent institutionalization" in order to retain greater executive control and autonomy in defining the degree of regional integration (Hummel and Lohaus, 2012).

#### *1.4. Comparison between Mercosur and other regional block in Latin America*

The process of regional integration in Latin America has its roots in the post-World War II period, in a context marked by growing economic inequalities and the shared desire to strengthen regional autonomy in the face of the world's major economic powers. The first concrete initiative in this direction was the creation of LAFTA (Latin American Free Trade Association) in 1960, through the Treaty of Montevideo. LAFTA was born with the intention of promoting a free trade area between Latin American countries, but soon proved ineffective in achieving its objectives due to an overly rigid approach, fragmented negotiations and deep asymmetries between member countries (Mace, 1988; Porrata-Doria et al., 2005).

The experience of LAFTA, although unsuccessful in its practical results, nevertheless laid the foundations for an evolution of Latin American regionalism. The answer was the creation of ALADI (Latin American Integration Association) in 1980, which introduced greater flexibility and tools better suited to managing economic and political differences between member countries. It was in this historical and institutional context, at the beginning of the nineties, that MERCOSUR took shape, the result of a renewed integrative drive between Argentina, Brazil, Paraguay and Uruguay. It can therefore be said that its birth is part of the broader framework of the "new regionalism" of the 90s,

also promoted as a reaction to the North American integration project that emerged with NAFTA and as an attempt to strengthen the position of South America in global markets (Riggirozzi et al., 2017). MERCOSUR initially appeared as an ambitious project, oriented towards the customs union and, in the long term, the creation of a common market. However, as we will see in the comparison with ALADI and CAN, it has been hampered too by recurrent structural problems that afflict many of Latin America's integration initiatives: economic asymmetries, lack of political cohesion, and poor implementation of commitments.

#### *1.4.1. ALADI*

The Latin American Integration Association (ALADI) was founded in 1980 as a response to the difficulties encountered by the former Latin American Free Trade Association (LAFTA), established by the 1960 Treaty of Montevideo. LAFTA had the objective of creating a free trade area between Latin American countries through the gradual elimination of tariff barriers and quantitative restrictions. However, its operation proved problematic from the outset: trade liberalisation proceeded slowly and the benefits were concentrated mainly in the larger, industrialised economies, leaving smaller and less developed countries behind (Mace, 1988 ;P orrata-Doria et al. 2005). In addition, LAFTA's decision-making structure, based on detailed product-by-product negotiations, has proven to be ineffective and cumbersome, leading to fragmented agreements and a poor capacity to promote true regional integration. These difficulties contributed to the emergence of autonomous sub-regional initiatives, such as the 1969 Andean Pact, formed by Bolivia, Chile, Colombia, Ecuador and Peru, which sought deeper and more targeted integration.

To overcome these limitations, in 1980 Latin American countries signed a new Treaty of Montevideo, giving birth to ALADI. The objective of this new regional organization is a balanced and harmonious economic and social development in Latin America, through the progressive integration of markets and the regulation of reciprocal trade (Articles 1 and 2 of the Treaty of Montevideo 1980). Unlike LAFTA, ALADI takes a more flexible and pragmatic approach: the Treaty does not set strict deadlines for achieving the objectives and allows for broad adaptability to the different economic and political conditions of member countries. In addition, the 1980 Treaty of Montevideo opens up the organization to all Latin American states, thus facilitating their possible future expansion.

The institutional architecture of ALADI is based on three key principles: pluralism, convergence and flexibility. The principle of pluralism implies the recognition and respect of political and economic differences between Member States, avoiding the adoption of uniform and prescriptive models. The principle of convergence, on the other hand, pursues the objective of a progressive multilateralization of the agreements, starting from bilateral or partial agreements that can, at a later stage, be extended to other members of the organization. Finally, flexibility makes it possible to enter into agreements

of varying scope and to provide for differential treatment in favour of least developed countries, to reduce asymmetries and promote more inclusive growth (López-Jacoiste Díaz, 2015).

ALADI's governance mechanism provides that decisions are taken through regular negotiations between member states, which can conclude both regional agreements (involving all members) and partial agreements (between some members), provided that these remain open to future membership by the other states of the organization. Among the innovative elements introduced by ALADI is the System of Mutual Payments and Credits between the central banks of the Member States, operational since 1982. This instrument makes it possible to facilitate intra-regional trade by reducing the use of valuable currency and mitigating the risks associated with exchange rate fluctuations, thus helping to stimulate the development of regional trade (López-Jacoiste Díaz, 2015). Despite progress compared to the ALALC experience, the ALADI continues to present structural criticalities. Firstly, the fragmentation of agreements is still a major obstacle: many agreements retain a bilateral or partial character, limiting the scope of multilateral integration and making it difficult to achieve an effective Latin American common market. Secondly, the distribution of the benefits resulting from integration remains unequal, with negative effects for less developed countries and a consequent strengthening of internal disparities.

Another weakness is the institutional structure of the organisation: ALADI's joint institutions have limited powers and often encounter difficulties in building consensus and ensuring consistent implementation of decisions (Porrata-Doria et al., 2005). In addition, the absence of legally binding obligations and precise deadlines for achieving the objectives contributes to slowing down the integration process, making it less effective than other regional models with a greater regulatory and institutional structure.

In conclusion, the ALADI is an attempt to relaunch the process of Latin American integration on a more pragmatic and flexible basis than the previous experience of the LAFTA, trying to adapt to the political-Member States and to promote a more balanced development. However, the fragmentation of agreements, the persistence of marked asymmetries between the participating countries and the weakness of the institutional architecture continue to represent major obstacles to the effectiveness of the organization and raise substantial questions about the future of regional integration in Latin America (Mace, 1988; López-Jacoiste Díaz, 2015; Porrata-Doria et al., 2005).

#### *1.4.2. CAN*

The Andean Community of Nations (CAN) is one of the oldest and most articulated regional integration organizations in Latin America, created with the aim of promoting economic, commercial and political cooperation between the Andean countries. Its historical roots date back to early post-colonial attempts to maintain an Andean macro-region, inspired by the shared cultural and

geographical ties and integration projects of Simon Bolivar and Gran Colombia in the nineteenth century (Bushnell 1993). However, it was only in 1969, with the signing of the Cartagena Agreement in Bogotá, that the integration process took a concrete institutional form, giving rise to the Andean Pact, with the aim of creating a customs union and a common market between Bolivia, Colombia, Ecuador, Peru, Chile and Venezuela (Xenias 2006; Quindimil López 2006; Adkisson 2003; Rodríguez et al. 1999; O'Keefe 1996; Garcia 2011).

The Cartagena Agreement was designed to overcome the stagnation of the previous Latin American Free Trade Association (LAFTA) and relaunch economic integration in the region, taking the nascent European Communities as a model and paying particular attention to trade cooperation and the harmonization of economic policies. Over the years, the structure of the CAN has evolved through a series of protocols and institutional reforms, among them: the Lima Protocol (1976), the Arequipa Protocol (1978), the Quito Protocol (1987), the Trujillo Protocol (1996) and the Sucre Protocol (1997). The Trujillo Protocol, in particular, marked the transition from the Andean Pact to the Andean Community of Nations, establishing the Andean Council of Presidents and the Consultative Council of Foreign Ministers and strengthening the General Secretariat based in Lima, which acquired both technical and political functions.

The institutional set-up of the CAN is coordinated by the Andean Integration System (AIS) and includes several key bodies: the Commission of the Andean Community, the Andean Council of Foreign Ministers, the General Secretariat, the Court of Justice of the Andean Community (established in 1979), the Andean Parliament (founded in Bogotá in 1979) and the Simón Bolívar Andean University (founded in Sucre in 1985). These bodies are responsible for defining common policies, resolving disputes and promoting cooperation initiatives in various areas.

Concrete achievements of the CAN include the creation of a free trade area in 1993, the adoption of a Common External Tariff in 1995 and the introduction of the Andean passport in 2001 (CAN Decision 504, 2001; CAN Decision 524, 2002), which allows citizens of member countries to travel without a visa for tourist stays of up to 90 days. However, the freedom of movement guaranteed by the Andean passport remains limited by European standards, not extending to students, workers or businessmen.

The composition of the CAN has varied over time: Chile withdrew in 1976, while Venezuela, which joined in 1973, left the organization in 2006 due to differences over trade policies, later joining Mercosur. Currently, the full members are Bolivia, Colombia, Ecuador and Peru. Since 2005, Argentina, Brazil, Chile, Paraguay and Uruguay have also been associate members, with modalities of participation defined on a case-by-case basis by the Commission and the Council of Foreign Ministers. (Comunidad Andina)

The governance mechanism of the CAN is based on a multi-level system involving Member States at both political and technical level. Decisions are taken within the various bodies, with the General Secretariat playing a role in coordinating and initiating common policies. The Court of Justice of the Andean Community ensures the resolution of disputes and the correct application of Community rules. (Comunidad Andina)

However, CAN has some structural criticalities. The fragmentation of economic policies among members, the tendency to enter into bilateral agreements outside the area and internal divergences have often limited cohesion and the ability to promote real economic convergence. The ambition for deeper political integration clashes with the weakness of common structures and the lack of binding instruments, making it difficult to replicate the European model and sometimes generating excessive expectations compared to real institutional capacities (Malamud, 2013). In addition, the multiplication of regional initiatives and bodies, such as UNASUR, has contributed to a certain institutional overlap and a dispersion of integration efforts.

#### *1.4.3. Three models of regional governance: differences and similarities*

We have therefore been able to analyze in the course of this paragraph the aspects characterizing these three specific models of regional governance born in Latin America characterized by distinct institutional and methodological frameworks.

It is therefore possible to highlight their common characteristics, but also, and above all, to underline their differences.

Firstly, the aspect that most unites them was the great gap between the ambitious objectives they had set themselves to achieve, and the actual results, characterized by low levels of political and economic integration, thus reflecting the difficulties encountered in the process of integration. Structural problems related to the implementation and fulfilment of commitments have hindered the consolidation of strong regional ties, generating a growing divergence between rhetoric and reality (Tussie, 2009).

In fact, one of the most controversial aspects of ALADI, CAN and Mercosur lies precisely in the large regional asymmetries that emerged during the process. Political asymmetries and, above all, economic development, which have generated tensions and discord between member countries.

While ALADI has been able to make its structure more flexible, and thus to be able to adapt to the ever-changing political, economic and social structures in the region, the more rigid structures of CAN and Mercosur have made this work more difficult. ALADI has in fact served as a regulatory framework for bilateral and sub-regional agreements, while the role of CAN and Mercosur appears less defined. (Riggirozzi et al., 2017)

If in the early 90s MERCOSUR saw a peak of commercial interdependence, this has since been reduced with respect to trade with external partners. Similarly, intra-Andean trade remained weak, with member states prioritising extra-regional relations. Both organizations suffer from opportunistic behavior, rivalry for regional hegemony, and a lack of solidarity (Malamud and Gardini, 2012).

The rhetoric of integration – evident above all in Mercosur, defined by some leaders as a "transcendental political decision" – has not been translated into concrete and coherent commitments, often subordinated to the internal priorities of each state. The emergence of parallel initiatives such as UNASUR, ALBA, CELAC and the Pacific Alliance demonstrates increasing fragmentation (Phillips and Prieto, 2011). In this context, South American regional integration seems more like a defensive response to external vulnerabilities – such as the creation of NAFTA – than a shared strategic project. As Tussie (2009) observes, it is a fragile, fragmented and ever-changing regionalism. (Riggirozzi et al., 2017)

### *1.5. Evolution of trade policies within Mercosur*

The evolution of Mercosur's trade policies, from its foundation to the present, has been characterized by ambitious integration objectives, but also by numerous exceptions and practical difficulties in implementing the rules common to the member states. (Azevedo, 2004)

The founding treaty of 1991 generated a "boom" of new preferential trade agreements (PTAs), with the aim of creating a true common market between Brazil, Argentina, Uruguay and Paraguay by 2006. Thus, according to the rules of the treaty, all internal trade had to be duty-free and national tariffs from third countries had to progressively converge towards a Common External Tariff (CET), without any kind of exception.

Specifically, the treaty also provided for the free movement of capital, services and people and the harmonization of policies on competition, public procurement, technical barriers and phytosanitary measures (Azevedo, 2004, p.595; Tratado de Asuncion, 1991).

The internal tariff reduction programme during the transitional period (1991-1994) was defined as follows:

*"Un Programa de Liberación Comercial, que consistirá en rebajas arancelarias progresivas, lineales y automáticas, acompañadas de la eliminación de restricciones no arancelarias o medidas de efectos equivalentes, así como de otras restricciones al comercio entre los Estados Partes, para llegar al 31 de diciembre de 1994 con arancel cero, sin restricciones no arancelarias sobre la totalidad del universo arancelario"*

*"A Trade Liberalization Program, which will consist of progressive, linear and automatic tariff reductions, accompanied by the elimination of non-tariff restrictions or measures having equivalent*

*effects, as well as other restrictions on trade between States Parties, to arrive at 31 December 1994 with zero tariffs, without non-tariff restrictions throughout the tariff universe"*

*(Art. 5 Treaty of Asuncion)*

As stated in Annex 1 of the Treaty, the States Parties would agree to eliminate by 31 December 1994 the charges and other restrictions applied in their mutual trade. Since the entry into force of the treaty, the States Parties have launched a "progressive, linear and automatic" relief program with a relief rate ranging from 47% in 1991 to 100% by the end of 1994.

However, to protect the sectors considered most sensitive, the possibility of drawing up "Listas de Excepciones" (art. 6 Annex 1 Treaty of Asuncion) was introduced, so that the products that were part of these lists would be considered excluded from the relief program. The member countries drew up their lists with hundreds of products considered exempt: Argentina 394 products, Brazil 324, Paraguay 439 and finally Uruguay with the largest quantity 960 products.

These exemptions represented the first flaw in the newly established system, since they allowed internal duties to be maintained on strategic products (Azevedo, 2004, p.596). At the end of the transition period, Mercosur was supposed to become a fully functioning customs union. However, the creation of the "Listas de Excepciones" in 1995 extended internal protection to numerous products, with different deadlines: 1999 for Argentina and Brazil, 2000 for Paraguay and Uruguay (Azevedo, 2004, p. 596). Some sectors, such as automotive and sugar, were subject to special regimes that further delayed their liberalization. The automotive agreement, for example, introduced a managed trade system based on minimum regional content and export balancing requirements, which were incompatible with WTO rules (Azevedo, 2004, p. 597). In the sugar sector, liberalization was hampered by disputes over national distortions, leaving tariffs in place beyond the deadline.

According to Preusse (2001), this strategy of selective removal of barriers reflects a "selective problem solving" approach, which tends to perpetuate protection in the most sensitive sectors. It has been shown that exceptions are concentrated precisely in sectors with the greatest potential for trade creation, reducing the overall effectiveness of integration. (Grossman and Helpman ,1995 ; Olarreaga and Soloaga, 1998)

In accordance with the provisions of the Treaty of Asuncion and as an essential condition for the deepening of the integration process, the MERCOSUR Common External Tariff (CET) has been in force since 1 January 1995, formally creating the Mercosur Customs Union, and was based on the Mercosur Common Nomenclature (NCM), which, in turn, was based on the Harmonized Commodity Description and Coding System developed by the World Customs Organization (WCO). However, even here there were numerous exceptions: capital goods, information technology and

telecommunications had extended transitional periods, with deadlines until 2006 for full convergence. Each country could also maintain a list of exceptions (up to 300 products, 399 for Paraguay) until 2001 or, for smaller members, 2006. Some strategic sectors, such as automotive and sugar, remained subject to national regimes until 2000-2001, while products from free zones and special customs areas continued to enjoy differentiated treatment. This patchwork of derogations and exception lists has compromised the coherence of the CET and the full implementation of the customs union (Azevedo, 2004, pp. 598-599).

As anticipated in the previous paragraphs, also in this case the evolution of trade policies between the transition period and the 2000s have shown a constant tension between ambition and reality. In fact, while the bloc had succeeded in removing many internal barriers and had succeeded in creating a CET for most products, the persistence of numerous derogations, exceptions and special regimes had led to a regulatory fragmentation that limited the scope of integration and favoured the proliferation of protectionist national practices and policies. (Azevedo, 2004, pp.604-605) Azevedo (2004) traces these critical issues to various possible causes such as the economic structure of the members, the pressure of national interest groups, the weakness of common institutions and the lack of a supranational authority capable of imposing binding decisions. The result of this is a Mercosur which, despite being formally a customs union, often behaves as an incomplete free trade area, with a high degree of flexibility in its policies and in adapting to the needs of individual member countries.

As reported by Cornejo (2024), Mercosur has been considered an Imperfect Customs Union precisely because of the delay in eliminating tariffs in its intra-regional trade and the impossibility of finding a common external tariff. The delay in the implementation of the economic integration process has led to the adoption of a system of rules of origin during the transitional period, aimed at defining the criteria for substantial processing that goods produced in each of the Member States must meet in order to benefit from tariff exemption in intra-regional trade.

This transition period has been repeatedly extended to the present day, making it necessary to progressively adapt the legislation through the introduction of supplementary amendments and regulations, often of a sectoral or partial nature. The establishment of rules of origin within a customs union is not a usual practice or a prerequisite. However, in the case of Mercosur, the adoption of this regime has become essential due to the persistent uncertainties and slowdowns that have characterized the path towards the effective implementation of the customs union. In this context, it is of particular relevance to analyze the main innovative elements of the New Rules of Origin (NRO), recently adopted within the Common Market of the South. (Cornejo, 2024)

The NROs were formally approved by Decision No. 5 of 2023 of the Mercosur Common Market Council, which entered into force on 18 July 2024. As required by Mercosur's institutional practice,

the regulations relating to trade liberalisation are transposed within the framework of ALADI, through additional protocols to the Economic Complementation Agreement (ACE) No. 18. In this specific case, NROs were incorporated through Protocol 218 of the aforementioned agreement.

The New Rules of Origin essentially constitute a process of codification and regulatory rationalization that has allowed States Parties to unify, in a single corpus, and regulate a series of pre-existing provisions that are still considered relevant. At the same time, the opportunity was taken to introduce innovations and regulatory revisions, with the aim of adapting the regime to the current needs of the regional integration process. NROs consist of fifty-six articles grouped into seven different chapters and 10 appendices (Dec. No. 05/23 Regimen de Origen Mercosur) and are intended to facilitate trade between its parties and to implement the enforcement of rules of origin for both national governments and traders (Cornejo, 2024). As reported in the Council Decision:

*“[...] los Estados Parte del MERCOSUR consideraron conveniente actualizar y modernizar el Régimen de Origen MERCOSUR a fin de contribuir a la facilitación del comercio entre los socios del bloque.*

*Que dicha actualización facilitará la aplicación del Régimen de origen MERCOSUR tanto para las autoridades competentes como para los operadores comerciales”*

(MERCOSUR/CMC/DEC. NO 05/23)

*“[...] the MERCOSUR member states considered it appropriate to update and modernize the MERCOSUR Regime of Origin in order to contribute to the facilitation of trade among the bloc's partners.*

*That such updating will facilitate the application of the MERCOSUR Regime of Origin for both the competent authorities and commercial operators.”*

(MERCOSUR/CMC/DEC. NO 05/23)

The unification of the many rules of origin previously in force in Mercosur is undoubtedly a measure aimed at facilitating intra-regional trade. The compilation into a single regulatory instrument makes it possible, in fact, to overcome the regulatory fragmentation accumulated over time and to avoid the chronological consultation of a multiplicity of provisions issued over the years. In this sense, the New Rules of Origin (NRO) constitute an important step towards streamlining the legal framework relating to the origin of goods.

However, this codification operation is not without criticalities. The integration of heterogeneous rules has highlighted the density and complexity of the MERCOSUR regulatory system on origin, which is significantly more articulated than that provided for in the origin regimes adopted under free trade agreements, both at regional and international level. This regulatory superstructure can be an obstacle to the very objective of simplifying and transparent trade rules.

A further element of complexity derives from the inclusion, within the new regime, of pre-existing provisions that reflect the ambition — still unfulfilled — of MERCOSUR to evolve into a true Customs Union. These rules, which depart from the classic approach of the origin regimes typical of free trade agreements (where the origin function is mainly limited to the determination of preferential access), introduce a further specificity that makes the regulatory framework of MERCOSUR difficult to compare with that of other regional contexts.

In this scenario, the mere compilation of the rules is not in itself sufficient to ensure real trade facilitation. It is therefore essential to start a process of critical evaluation of the new regime, aimed at verifying its internal consistency, the necessity of the provisions included and their effectiveness with respect to the objectives of simplification and legal predictability. Only through such a substantive review exercise will it be possible to ensure that NROs represent an effective instrument of economic integration and not an additional factor of regulatory complexity. (Cornejo, 2024)

## *1.6. Conclusion*

The chapter offered a critical and in-depth reading of the dynamics that characterized the birth and evolution of Mercosur, paying particular attention to the tensions between regional ambitions and institutional realities. The analysis emphasized how the genesis of Mercosur is intertwined with the political and social transformations of Latin America in the eighties and nineties, especially the progressive rapprochement between Argentina and Brazil, overcoming historic geopolitical rivalries and building the foundations for a strategic and lasting cooperation.

Through the reconstruction of the milestones —from the Tripartite Agreement of 1979, to the Iguazú Declaration of 1985, up to the Treaty of Asunción of 1991 — the centrality of a presidential leadership in the bloc's decision-making process emerged. The practice of inter-presidentialism has proved to be a key element, both as a driver of advancement of integration and as a factor of vulnerability in the face of political changes within individual member countries.

The deepening of the institutional architecture and governance mechanisms has highlighted how Mercosur represents an example of “hybrid” regionalism: on the one hand, the bloc has endowed itself with international legal personality, strengthening its capacity to conclude agreements and interact on the global stage; on the other hand, however, its decision-making structure remains strongly intergovernmental, with a marked reluctance to attribute supranational powers to common bodies. This tension between the requirements of cooperation and the defence of national sovereignties has helped to make the implementation of the original objectives —in particular the full achievement of the customs union — a slow and unfinished process.

The chapter also highlighted how dispute management and the effectiveness of enforcement mechanisms remain open topics, influencing the credibility and international projection of Mercosur.

Difficulties in adopting binding decisions, the imbalance between the interests of the core (Argentina and Brazil) and smaller Member States, and regulatory fragmentation are elements that limit the bloc's ability to consolidate itself as a coherent and competitive regional player.

In conclusion, the survey conducted shows that Mercosur, although still the main attempt at regional integration in South America today, suffers from the same contradictions that have marked its history: high ambitions, strong political leadership, but a structural incompleteness that hinders its full potential. The future of the bloc will depend on the ability of member countries to relaunch an inclusive and coordinated integration project, redefining the difficult balance between national sovereignty and regional governance. Only thus can Mercosur respond effectively to the challenges of the global environment and continue to represent a credible perspective of autonomous development and multilateral cooperation for Latin America.

## *2. The European Union: Institutionalization and Governance*

### *2.1. Introduction*

The aim of this chapter is to provide a rigorous and detailed understanding of the institutional mechanisms and governance instruments that govern the European Union's (EU) trade action at the international level. Knowledge of these elements is essential to correctly interpret the negotiation dynamics and political strategies that characterize the relationship between two major regional players, distinguished by integration models and institutional structures, such as the European Union and Mercosur.

The EU is a complex system, characterized by a delicate balance between supranational and intergovernmental dimensions. The main institutions involved in trade decision-making – the European Parliament, the European Council, the Council of the European Union and the European Commission – play specific and interdependent roles, which regulate the formulation, adoption and implementation of the common commercial policy. Analyzing the structure, competences and functioning of these bodies is therefore the first necessary step in understanding how the EU relates to external partners.

In addition, the chapter pays particular attention to the multilateral context of European trade policy, marked by the crucial role of the World Trade Organization (WTO). The rules of this international platform guide policies of liberalization, non-discrimination and promotion of sustainable development in EU trade relations, defining limits and opportunities for EU action.

Finally, the growing role of non-state actors – such as non-governmental organizations, trade associations, trade unions and the public – capable of significantly influencing the negotiation and

implementation of trade agreements will be explored. This dimension highlights how European trade policy is not exclusively an intergovernmental affair, but rather a complex terrain of interaction between economic interests, social values and political pressures.

For these reasons, this chapter is indispensable for an in-depth and critical understanding of the entire process of negotiation and ratification of the EU-Mercosur Agreement. By providing the necessary basis for knowing how the European Union builds and manages its trade agreements, the conditions are created to analyze with greater awareness the specificity and challenges of this bilateral agreement between two very different regional realities.

Structured in three main sections, the chapter is structured as follows: a first part describes the institutional architecture of the EU and the functions of the trade policy bodies; the second analyzes the regulatory and multilateral framework, with a focus on the WTO and the regulatory principles of the common commercial policy; Finally, the third section explores the role and influence of non-state actors in the context of the negotiation and implementation of agreements.

Ultimately, this chapter intends to provide essential interpretative tools for anyone wishing to understand the complexity with which the European Union manages its trade relations, constituting the necessary basis for a critical and informed analysis of the EU-Mercosur Agreement, the heart of the overall project.

## *2.2. Institutional structure of the European Union*

In the framework of European integration, the institutional architecture of the European Union represents one of the main instruments through which the complex balance between the supranational dimension and national sovereignty is articulated (Fabbrini, 2010). The EU's institutional system is based on a hybrid governance model, in which institutions with an intergovernmental character and others of a more supranational nature coexist, each with its own functions, competences and methods of legitimation. These institutions, governed by the founding Treaties — in particular by Articles 13 et seq. of the Treaty on European Union (TEU) — operate according to the principle of institutional balance, aimed at ensuring effective interaction between the actors involved in the decision-making process and in the management of common policies. Within this multi-level system, each institution assumes a specific role in the definition and implementation of the Union's policies, reflecting the plurality of interests that characterize the European and the EU's nature as a compound polity combining elements of both supranationalism and intergovernmentalism (Ibid., 2010). As explained by Fabbrini “The EU is the outcome of choices made by national elites and supranational actors for peacefully aggregating nation states of different demographic size, historical identity and political cultures. The crucial choices were made at critical junctures, as in the first half of the 1950s, in the first years of the 1990s and then at the start of the 2010s.” (Fabbrini, 2015).

### *The European Parliament*

The European Parliament is the only institution of the European Union directly elected by the citizens, thus representing the main body of democratic legitimacy of the EU decision-making process. Currently, the Parliament is composed of 720 MEPs elected every five years by direct universal suffrage, according to a system of digressive proportional representation that guarantees each Member State a number of seats between a minimum of 6 and a maximum of 96, in accordance with the provisions of Article 14 of the Treaty on European Union (TEU). Members of Parliament organise themselves into transnational political groups, rather than by national affiliation, in line with the principle of supranational representation, and plenary sessions take place mainly in Strasbourg, with further meetings in Brussels.

In terms of competences, Parliament has an important legislative role, exercising the function of co-legislator jointly with the Council of the European Union in the ordinary legislative procedure, governed by Articles 289-294 of the Treaty on the Functioning of the European Union (TFEU). This procedure gives Parliament an equal decision-making power with the Council, giving significant political weight to its deliberations. In addition to its legislative function, Parliament exercises democratic control over the other European institutions, in particular the European Commission, which can be approved or dismissed, as provided for in Articles 17 TEU and 234 TFEU. In addition, Parliament has budgetary powers, participating jointly with the Council in the approval of the annual and multiannual budget of the Union (Article 314 TFEU).

The European Parliament, in the course of history, has significantly expanded its role and prerogatives through a process of progressive institutional evolution. It was originally established in 1952 as the Common Assembly of the European Coal and Steel Community (ECSC), in which it essentially performed advisory functions and was composed of members appointed by national parliaments. It then acquired greater autonomy thanks to the introduction of direct elections in 1979, an event that marked a fundamental turning point in strengthening its democratic legitimacy. (Olsen, 2020). Subsequently, the Treaties of Maastricht (1992), Amsterdam (1997), Nice (2001) and Lisbon (2009) progressively extended Parliament's legislative and scrutiny powers, consolidating it as a full co-legislator and giving it a central role in the election of the European Commission (Hix, S., & Høyland, B., 2013). Despite these institutional advances, the European Parliament continues to be the recipient of criticism attributable to the so-called "democratic deficit" of the European Union, which manifests itself in the perception of a distance between the European institutions and citizens and in the limited ability of the latter to directly influence the EU decision-making process (Mair, 2007). The complexity of decision-making dynamics, characterized by the need to balance national and supranational interests, represents a further challenge for the effectiveness of parliamentary action. In

addition, recent scandals, such as "Qatargate", have raised relevant questions regarding the transparency, integrity and political accountability of the institution, stimulating a heated academic and political debate on the governance and democratic legitimacy of the Union (Costa, 2024).

### The European Council

The European Council is the institution that defines the general guidelines and political priorities of the European Union, without exercising direct legislative functions. It is governed by Article 15 of the Treaty on European Union (TEU) and, for some specific competences, also by the Treaty on the Functioning of the European Union (TFEU).

The European Council represents the highest expression of intergovernmental political cooperation within the EU's institutional system, being composed of the Heads of State or Government of the Member States, the President of the European Council and the President of the European Commission. On certain occasions, the High Representative of the Union for Foreign Affairs and Security Policy also participates (Article 15(2) TEU).

The office of President of the European Council, formally introduced by the Treaty of Lisbon, is distinct from the Presidency of the Council of the EU (held on a rotating basis by the Member States). Currently, this function is exercised by António Costa. The President is elected by the European Council by qualified majority for a term of two and a half years, renewable only once (Article 15(5) TEU), and has the task of chairing and animating the work, promoting cohesion and mediating between the different positions of the Member States (Article 15(6) TEU).

The European Council meets ordinarily four times a year, typically in March, June, October and December, but the President may convene extraordinary meetings if circumstances so require (Article 15(3) TEU).

In terms of decision-making, the European Council adopts conclusions by consensus, but in specific cases it may act by qualified majority or unanimity, as provided for by the Treaties (e.g. Article 31 TEU on the Common Foreign and Security Policy – CFSP).

In addition to setting the political agenda of the Union, the European Council plays a central role in the appointment of senior institutional positions, including: the President of the Commission (Art. 17(7) TEU), the President of the European Central Bank (Art. 283(2) TFEU), the High Representative (Art. 18 TEU), and proposes candidates for other top positions. In addition, it may request the European Commission to submit legislative or policy proposals and may instruct the Council of the EU to follow up on certain dossiers (Article 15(1) TEU).

The Council plays a central role in the Common Foreign and Security Policy (CFSP), contributing, in accordance with Art. 26 TEU, to the formulation and implementation of that policy on the basis of the strategic guidelines defined by the European Council. In this context, the High Representative of

the Union for Foreign Affairs and Security Policy, who chairs the Council in its Foreign Affairs configuration, ensures coherence and effectiveness in the Union's external action, in close cooperation with the Member States (Article 27 TEU). In continuity with this external function, the Council also has exclusive competence to conclude international agreements on behalf of the Union, as provided for in Art. 218 TFEU: it authorizes the opening of negotiations, establishes negotiating directives, signs and concludes agreements with third countries or international organizations. Although in most cases the consent of the European Parliament is required, CFSP agreements do not require such consultation, confirming the intergovernmental nature of this area.

From a functional point of view, the European Council is characterized by three fundamental features:

1. *Flexibility*: Unlike other institutions, it is not constrained by rigid procedures or excessive bureaucracy. This increases its strategic responsiveness.
2. *Informality*: although based on a political agenda, his work avoids formal votes and favors a direct confrontation between leaders, reducing procedural formality.
3. *Delegation*: The European Council avoids dealing with the day-to-day management of the Union, which remains delegated to other institutions (Commission, Council of the EU, Parliament), intervening only when high-level mediation is necessary.

In the past, before the introduction of the permanent Presidency with the Treaty of Lisbon, the preparatory work was entrusted to the Member State holding the rotating presidency of the Council of Ministers. Today, however, it is the prerogative of the President of the European Council, who collaborates "in close cooperation" with the rotating presidency and the Commission (Article 15(6)(b) TEU).

Although formalized only with the Single European Act (1986) and fully institutionalized by the Lisbon Treaty (2007), the European Council has its political roots in the 60s. In particular, it refers to the intergovernmental vision of Charles de Gaulle, who advocated the need for regular meetings between heads of state and government to strengthen the political unity of Europe.

The first informal meeting between leaders was held in Paris in 1961, but it was at the 1974 Paris summit, promoted by France, the United Kingdom and West Germany, that the need for a permanent platform for defining the political direction of European integration was established. The first formal summit under the name "Council of the Community in political cooperation" was held in Dublin in March 1975. (Olsen, 2020)

### *The Council of the European Union*

The Council of the European Union, not to be confused with the European Council, despite the lexical similarity and the partial sharing of administrative staff, is the institution that expresses the voice of the governments of the Member States in the decision-making process of the Union. Its composition

varies and depends on the subject matter under discussion: it meets in sectoral formations, each composed of the competent ministers of the 27 Member States, in accordance with the provisions of art. 16 of the Treaty on European Union (TEU) and Articles 237-243 of the Treaty on the Functioning of the European Union (TFEU).

The exercise of the Presidency of the Council is based on a six-monthly rotation system, under which each Member State takes turns taking over the leadership of the Council's work for a period of six months (Article 16(9) TEU). Currently, that presidency is held by Denmark, which holds it until 31 December 2025. The presidency is responsible for ensuring the continuity of the legislative process and the smooth functioning of the Council's configurations, in coordination with the European Parliament and the Commission.

One of the main functions of the Council of the EU is primarily its legislative function. According to art. 16(1) TEU, the Council, jointly with the European Parliament, exercises legislative and budgetary functions, on the basis of proposals from the European Commission. Most legislative acts are adopted through the ordinary legislative procedure (ex Article 294 TFEU), which provides for equality between the Council and Parliament as co-legislators. Proposals are negotiated in advance within the Council between the national delegations, and then between the Council and Parliament, assisted by the Commission. The final text is adopted when an agreement is reached between the two institutions. The Council of the EU also approves the annual budget of the Union, together with the European Parliament, in accordance with the procedure laid down in Articles 310-314 TFEU. The financial year lasts for one year, and the budget is normally adopted in December and enters into force on 1 January of the following year.

In the economic and fiscal governance fields, the Council exercises an important role in coordinating national policies, as established in art. 121 TFEU. In this context, it monitors Member States' fiscal policies, makes recommendations in the context of the European Semester and defines the Union's macroeconomic framework, with a particular focus on legal and financial aspects related to the euro area, capital markets and monetary stability.

The Council also adopts non-binding policy acts, such as work plans and policy recommendations in areas such as education, culture, youth, sport and employment, where the Union has supporting competences (Articles 165–166 TFEU). In the field of employment, for example, it issues annual employment guidelines for the Member States, on the basis of the indications of the European Council.

The Council's activity is structured on three levels: political, diplomatic and technical. At the political level, ministers adopt decisions and legislative acts. At diplomatic level, the Permanent Representatives of the Member States (COREPER I and II) prepare the ministerial meetings. Finally,

at the technical level, national experts work within the numerous working groups and committees, examining the Commission's legislative proposals.

The resolutions of the Board are based on different voting methods, as established by art. 16(3) TEU and art. 238 TFEU. The general rule is that of qualified majority, which applies to about 80% of the acts adopted. This requires 55% of Member States to vote in favour, representing at least 65% of the EU population. However, some areas require unanimity (e.g. foreign policy, accession, taxation), while procedural decisions are taken by simple majority.

Council meetings are mainly held in Brussels, with meetings scheduled to take place in Luxembourg in April, June and October. On average, between 70 and 80 sessions are held annually.

From the historical point of view, the Council held its first session in 1958 as an organ of the European Economic Community. With the Maastricht Treaty of 1993, it acquired competences in new areas, such as the CFSP and cooperation in the field of justice and home affairs. Finally, the Lisbon Treaty of 2009 expanded the use of qualified majority voting and strengthened the role of Parliament, consolidating the Council's position as an essential pillar of the EU's institutional triangle, together with Parliament and the Commission.

### The European Commission

The European Commission represents the executive and bureaucratic heart of the European Union, distinguishing itself as the most supranational institution among those of the EU. It plays a central role in the development of new laws and policies, their implementation, the management of the EU budget and the representation of the EU in international relations. These functions are mainly based on Articles 17-18 of the Treaty on European Union (TEU) and Articles 244-250 of the Treaty on the Functioning of the European Union (TFEU), which define the composition, powers and manner of appointment of the Commission.

The Commission is based in Brussels, in the famous Berlaymont building, and consists of a college of 27 Commissioners, one from each Member State, who operate in a similar way to a national government cabinet. Each Commissioner is responsible for a specific policy portfolio, while the President of the Commission – currently Ursula von der Leyen – acts as a 'first among equals', with the power to distribute portfolios and steer the Commission's policy agenda. The procedure for appointing Commissioners and the President is governed by Articles 17(3) to (7) TEU and 245-246 TFEU.

The Commission is supported by a large bureaucracy of around 32,000 officials, divided into Directorates-General (DGs), each dedicated to a policy area (e.g. agriculture, environment, internal market, energy). These officials come from all Member States and are selected through highly competitive competitions, which require university degrees and knowledge of at least two official EU

languages. Gender representation is growing among both Commissioners and officials, although women remain mainly concentrated in the lower levels of the administrative hierarchy.

From the point of view of powers, the Commission has the exclusive right of legislative initiative: only it can propose new laws at European level, which are then discussed and approved by the European Parliament and the Council of the EU. This principle is enshrined in Article 17(2) TEU and Articles 294-297 TFEU. However, its power is not unlimited: the Commission must follow the political guidelines set by the European Council, and the final decision on laws rests with other institutions. In addition, the Commission monitors the implementation of European rules by Member States, being able to launch infringement procedures before the Court of Justice of the EU in the event of non-compliance, as provided for in Articles 258-260 TFEU.

Throughout its history, the Commission has played a key role in European integration, promoting initiatives such as the single market, the single currency and the enlargement of the Union. However, in recent decades its power has been partly reduced in favour of other institutions, such as the European Parliament and the Council. Despite criticism – often fuelled by Eurosceptics who accuse it of being a distant and opaque bureaucracy – the Commission remains an essential engine of the EU, capable of coordinating complex policies in a multinational and multilingual context, and representing the collective interests of member states on the global stage.

#### *The Court of Justice of the European Union*

Among the institutions of the European Union, the Court of Justice of the European Union (CJEU) is probably the least known to the general public, although it plays an essential role in the institutional architecture of the Union. It represents the EU judiciary, responsible for ensuring respect for the law in the interpretation and application of the Treaties, as established by art. 19(1) of the Treaty on European Union (TEU).

The Court is called upon to settle disputes between Member States, EU institutions, natural and legal persons invoking rights or obligations under EU law. It also ensures the uniform interpretation and application of EU law in all Member States.

Art. Article 19(2) TEU provides that the Court of Justice shall consist of one judge from each Member State, for a total of 27 judges, appointed by common accord of the Member States for a renewable term of six years, after consulting a committee responsible for assessing the suitability of candidates (Article 253 TFEU). The Court is presided over by a President, elected from among the Judges themselves, and is assisted by eleven Advocates-General, whose task is to make, in complete independence, reasoned submissions in cases brought before the Court (Article 252 TFEU).

In addition to the Court of Justice, the judicial system of the European Union also includes the General Court, established under Art. 19(1) TEU and governed by art. 254–256 TFEU. The General Court

acts as a court of first instance for most direct actions, in particular those brought by natural and legal persons against acts of the EU institutions, and for competition, state aid, trade and trade mark disputes. Its role is to relieve the Court of Justice of less complex procedures, while ensuring effective and accessible judicial protection.

The work of the Court of Justice has proved to be fundamental to the process of European integration. Through well-established and consistent case-law, the Court has contributed to the formation of a genuine EU legal order, ensuring its direct effect, primacy over national law and uniform application in all Member States. Among the most significant judgments are the judgments in *Van Gend en Loos* (1963) and *Costa v. ENEL* (1964), which established the principle of direct effect and the principle of the primacy of EU law respectively. (Olsen, 2020)

While operating with relative discretion, the Court of Justice can be defined as the "silent hero" of European integration (Olsen, 2020), as it has favored regulatory harmonization and the consolidation of the rule of law at the supranational level. Its generally respected and uncontroversial decisions have enhanced legal certainty and helped develop a community of law in which citizens, businesses and institutions can assert their rights before an independent and impartial tribunal.

#### *The European Central Bank*

Among the specialised bodies that have emerged in the evolution of European integration, the European Central Bank (ECB) now plays a leading role, particularly in the context of Economic and Monetary Union. Established in 1998 under Article 282 TFEU, the ECB is the hub of the European System of Central Banks (ESCB) and is responsible for monetary policy for euro area countries, in accordance with Articles 127 et seq. TFEU.

The ECB's main objective is to maintain price stability. To achieve this, it has a high degree of institutional independence and works in cooperation with the national central banks of the Member States. The ECB's internal architecture is structured in such a way as to ensure both effective decision-making and coordination between the European and national levels. (Olsen, 2020)

In the years since its creation, and in particular since the global financial crisis and the sovereign debt crisis, the ECB has progressively broadened its operational spectrum, establishing itself as a central player in European economic governance. In this context, it has adopted extraordinary monetary policy measures and assumed banking supervision responsibilities through the Single Supervisory Mechanism, pursuant to Regulation (EU) No 1024/2013.

Although initially the ECB did not exercise the typical functions of a central bank with full powers of macroeconomic intervention, such as the US Federal Reserve, it has gradually evolved towards a more interventionist model, contributing decisively to financial stabilisation and the strengthening of the economic integration of the Union. (Olsen, 2020)

In summary, the European Union configures a multilevel and hybrid institutional model, in which a complex combination of supranational and intergovernmental elements coexist coherently articulated to balance political integration with respect for national sovereignty (Fabbrini, 2010). This structure reflects the different historical and political choices marked by multiple critical moments in the integration process, culminating in the Maastricht and Lisbon treaties, which institutionalized differentiated decision-making regimes to govern political areas with different supranational sensitivity (Fabbrini, 2015). The existence of a European Parliament endowed with legislative functions and shared democratic legitimacy and intergovernmental institutions such as the European Council, the authentic fulcrum of political coordination between States, testifies to the delicate and dynamic balance of a system that differs profoundly from other regional models lacking robust and supranational institutions (Ibid., 2015). However, this articulated institutional complexity leads to tensions in terms of democratic deficit and decision-making difficulties, which require a constant balance between effectiveness and representativeness in a pluralistic and multi-actor system (Fabbrini, 2010; 2015).

### *2.3. European Union Trade Policy*

The Common Commercial Policy (CCP) is one of the most complete expressions of the external dimension of the European Union and represents, at the same time, one of the most historically integrated competences at the supranational level. Since the origins of the European integration process, the regulation of trade with third countries has been conceived as a central function of the Union, not only for economic reasons, but also for its strategic value in the overall projection of the EU. In this context, the CCP serves as a key legal and institutional framework for the negotiation and conclusion of international trade agreements, including the free trade agreement with Mercosur. In light of this, it is essential to analyze the legal bases governing this policy, starting from the provisions contained in Articles 206 and 207 of the Treaty on the Functioning of the European Union (TFEU), which define its objectives, areas of application and operational tools. (Gstöhl and Bièvre, 2017)

#### *2.3.1. Legal and institutional framework*

Title II of the Treaty on the Functioning of the European Union establishes and defines the Union's common commercial policy. In fact, the EU is formally recognized as a customs union, which contributes significantly to the development of global trade, the elimination of restrictions on international trade and direct investment, as well as the reduction of customs and other barriers. (art.206 TFEU)

On the other hand, Article 207 establishes the principles on which the common commercial policy is based, which always follow the trajectory indicated by the principles and objectives of the Union's external action. In fact, these relate to tariff changes' the conclusion of tariff and trade agreements

relating to trade in goods and services, and the commercial aspects of intellectual property' foreign direct investment, the standardisation of liberalisation measures' export policy and trade protection measures' including those to be adopted in cases of dumping and subsidies.

International agreements, on the other hand, are regulated by Title V of the Treaty and stipulate that "*the Union may conclude agreements with one or more third countries or international organisations establishing an association characterised by reciprocal rights and obligations, joint action and special procedures*" (Article 217 TFEU). The procedure of these agreements is instead defined through art. 218, which delimits the powers and rights of the European institutions in the negotiation and conclusion of such agreements.

EU trade policy is structurally and mainly attributed to the competence of the European Commission and the Council of the European Union, however, the decision-making dynamics will be analysed in more detail in the next paragraph (2.4.1), dedicated to the consultation and negotiation processes in trade matters.

### *2.3.2. Historical evolution*

The common commercial policy has played a fundamental role in the European integration process, making the European Union a key player in the global trade environment.

The 1951 Treaty of Paris, which created the European Coal and Steel Community (ECSC), established a customs union on coal, iron and steel for 50 years. In 1957, however, with the signing of the Treaty of Rome, the European Economic Community (EEC) was established, which followed the trajectory marked out by the ECSC, but basing integration on a customs union for all goods, and without any end date. Both attempts at integration have highlighted the desire to create a real customs union, and therefore with a consequent removal of tariffs between member countries, the harmonization of external tariffs and a common commercial policy to negotiate with third parties, departing from the project of a simple free trade area. Unlike this, in fact, a customs union tends to strengthen the ties between member countries, going beyond the mere economic purpose, but aiming at the construction of a politically united bloc in the global landscape. This desire is clearly expressed by the fact that the member countries have given the area of trade one of the first areas of exclusive competence of the EEC, thus endowing the Community with the power to adopt binding acts on its members, limiting their margins in deciding to raise or lower certain tariffs. (Gstöhl and Bièvre, 2017) While the goal of eliminating tariffs between the member countries of the community was achieved even ahead of time, with the creation of a Common Agricultural Policy (CAP), the achievement of a uniform trade policy was more difficult to achieve, due to the long lists of import restrictions and non-tariff barriers to trade (NTBs). and because of the oil crises of the 70s and 80s that led states to adopt more protectionist policies.

Although the Treaty of Rome gave a great impetus to the creation of a concrete customs union between its members, it was flawed in its definition of specificity. This, in fact, listed only some of the instruments of trade policy without specifying their real intent, for example by liberalizing trade only for goods and not also for services.

Only with the Lisbon Treaty of 2009 was this definition made less vague and more careful to include all the cases referred to when talking about trade policy. In fact, the aforementioned Article 207 of the TFEU states:

*“[t]he common commercial policy shall be based on uniform principles, particularly with regard to changes in tariff rates, the conclusion of tariff and trade agreements relating to trade in goods and services, and the commercial aspects of intellectual property, foreign direct investment, the achievement of uniformity in measures of liberalisation, export policy and measures to protect trade such as those to be taken in the event of dumping or subsidies. The common commercial policy shall be conducted in the context of the principles and objectives of the Union’s external action.”*

Further innovations brought about by the Treaty of Lisbon is the inclusion of foreign direct investment, which appears in Article 206 of the TFEU, and the inclusion of the common commercial policy among the policies forming part of the Union's external action, thus placing the common commercial policy as a means not only for better economic integration, but for stronger general cooperation between member states. making it possible to achieve non-commercial objectives through commercial policies. (Gstöhl and Bièvre, 2017)

### *2.3.3. Importance of the WTO and Multilateralism vs Regionalism*

In this context, it is important to mention the role of the World Trade Organization (WTO), of which the European Union is one of the main members. In fact, the common commercial policy of the European Union is developed within the multilateral context regulated by the WTO. Through the signing of the General Agreement on Tariffs and Trade (GATT) in 1947, the main set of rules that have and continue to regulate international trade was created. This global regime has developed over the decades through several rounds of negotiations, but it was not until 1994, at the end of the GATT Uruguay Round, that the WTO was created as a formal international organization. (Gstöhl and Bièvre, 2017)

Article 207 TFEU states that the common commercial policy must be conducted "*within the framework of the principles and objectives of the Union's external action*", which also include respect for international law and multilateral commitments made at the WTO. In this sense, the WTO ensures predictability, legitimacy and coherence to the EU's external action, acting as a legal framework

within which both the tariff and non-tariff measures adopted by the Union and the bilateral and regional trade agreements negotiated by the Union are inserted.

#### *2.3.4. Types of commercial agreements*

The trade agreements concluded by the European Union are distinguished according to their nature and the objectives pursued, configuring themselves as fundamental instruments of the common commercial policy. Among them, Economic Partnership Agreements (EPAs) are designed to support the economic development and regional integration of African, Caribbean and Pacific countries, while Free Trade Agreements (FTAs) promote the reciprocal opening of markets between the EU and third countries, through the granting of preferential access. The Association Agreements (AAs), on the other hand, are part of broader political frameworks, consolidating long-term strategic relationships. The Union also concludes non-preferential trade agreements, which are generally integrated into broader cooperation arrangements, such as Partnership and Cooperation Agreements (PCAs). All these agreements are negotiated in accordance with the procedures laid down in Article 218 of the Treaty on the Functioning of the European Union (TFEU), which, as mentioned in the previous paragraphs, governs the conclusion of international agreements by the EU. (Council of the European Union).

In the legal framework of the European Union, the nature of competences – as defined by Article 5 TEU and Articles 2, 3, 4 and 6 TFEU – determines the degree of autonomy of the EU in concluding international agreements. There are three main categories of skills: exclusive, shared and supporting, coordinating or complementing. In the case of exclusive competences (Article 3 TFEU), such as the Common Commercial Policy (CCP), the Union is the only actor entitled to negotiate and conclude agreements, and Member States can only intervene by delegation or for executive purposes. The supporting competences (Art. 6 TFEU), on the other hand, do not preclude the action of the Member States, since the EU does not pursue regulatory objectives, but provides cooperation or financial support. Finally, shared competences (Article 4 TFEU) provide for the possible participation of both the EU and the Member States, which often makes it necessary to conclude mixed agreements. However, in some shared areas – in particular when an international agreement affects the EU's internal rules or conditions their implementation – there may be an implicit external exclusive competence, pursuant to art. 3(2) TFEU. The case law of the Court of Justice (ERTA doctrine) has confirmed this interpretation. Disputes between the Commission and the Council, as in the case of the Singapore agreement, show that the determination of the nature of competences remains a crucial element in the approval process of trade agreements, influencing the form (mixed or EU-only) and the applicable institutional procedure. (Conconi et. Al.,2020)

In the case of the free trade agreement between the European Union and Mercosur, the definition of its typology is therefore fundamental because, if it were to be presented as a mixed agreement, this will have to be ratified not only through the procedures provided for in the European treaties, but also through the procedures of the member states, thus meaning a potential greater difficulty in its successful conclusion given that the national parliaments, but also regional, could block the agreement. (Conconi et al., 2020)

### 2.3.5. Objectives and fundamental principles

In conclusion, the European Union's common commercial policy pursues three primary objectives: the promotion of free trade, sustainable development and the protection of European interests. These objectives are legally justified by the Treaty on the Functioning of the European Union (TFEU) and are based on the values enshrined in Article 21 TEU, which require the EU to behave externally in accordance with the principles of democracy, the rule of law, the protection of human rights and respect for international law:

*"The Union's action on the international scene shall be guided by the principles which have guided its creation, development and enlargement and which it seeks to promote in the wider world: democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the Charter of the United Nations and international law."*

For the promotion of free trade, the aforementioned Article 207 TFEU requires the common commercial policy to be based on uniform principles of liberalization, non-discrimination (MFN – Most Favoured Nation) and removal of tariff and non-tariff barriers, while pursuing consistency with the objectives of the EU's external action. On the other hand, on the subject of sustainable development, the EU permanently integrates clauses relating to environmental protection and labour rights into its trade agreements. All free trade agreements (FTAs) concluded after 2009 include, in fact, a chapter dedicated to "Trade & Sustainable Development" (TSD). (Europa.eu, 2023)

Similarly, the protection of European interests is expressed through trade defence instruments such as, for example, anti-dumping, compensatory measures, safeguard measures, and powers to screen foreign investments in strategic sectors. These instruments allow the EU to balance the opening of markets with the preservation of domestic production and the protection of economic and national security. (European Parliament, 2025)

In the light of these objectives and principles, the free trade agreement between the European Union and Mercosur is an emblematic test case for the EU's ability to combine trade openness with the protection of its fundamental values: it aims not only to strengthen economic exchange, but also to promote sustainable development, respect for labour rights and environmental protection. In line

with the provisions of art. 21 TEU and the clauses on rights and sustainability present in the new generation agreements.

## *2.4. Decision-making Mechanisms in the Field of Trade Policy*

### *2.4.1. Consultation and Negotiation Processes within the EU*

The decision-making mechanism within the European Union in trade matters is a decision-making process that sees the cooperation of the main EU institutions, such as the Commission, the Council, and to a lesser extent the European Parliament.

We can say that the process of entering into a commercial agreement consists of six main moments (Gastinger, 2023).

The first stage is "Pre-negotiations", i.e. the moment in which both parties make a political decision about the real interest they have in entering into that particular agreement. Clearly, the choice is conditioned by the evaluation of geopolitical interests, thus making a certain agreement more or less convenient for the Union, or considering it strategically necessary to face competition with other great powers such as the United States of America or China (Adriaensen and Postnikov, 2022; Sbragia, 2010). It is therefore obvious that the political and economic spheres are intrinsically interconnected. The pre-negotiations is therefore a phase in which the type of agreement that would result and the possible advantages are evaluated through explanatory talks that are primarily directed by the Commission.

The second stage is mainly concerned with the Commission and its role in the negotiations. As we anticipated in the previous paragraph, the Commission is composed of DGs, among which one is designated to which the status of leader is attributed, elaborating the proposals for negotiating directives and representing the commission before the council bodies. As soon as these proposals reach the Council, the third stage begins. At the moment, the negotiating line is not totally binding, but it helps member states to define the objective of the negotiations at an early stage. At this stage, the Commission works closely with the Member States, trying to find compromises or defend its position during discussions. The member countries, at this stage, try to reach a "consensus" on the negotiating directives, and often this happens through the influence of the country that holds the presidency of the Council, which uses its position to direct the discussion in the direction most in line with its will.

There are different levels to the negotiation process. The highest level is the Council of Ministers, up to the commissions that deal with technical issues. Decisions are made by the lowest level bodies, and then approved by ministers. Important work is carried out by the aforementioned COREPER, which brings together all the ambassadors of the European countries and to which financial and more technical issues are passed on by the working groups. This body is flanked by various commissions.

The most important committees are the 133 Committee and the Special Committee on Agriculture. The 133rd committee, which with the entry into force of the Lisbon Treaty will later be called the Trade Policy Committee (TPC), is defined as follows:

*“[...]is the real power behind and decision-making centre for the European Union's commercial policy. It takes its name from Article 133 of the Treaty of Amsterdam. That article provides for the establishment of a special committee appointed by the Council to assist the European Commission.*

*The 133 Committee constitutes the link between the European Commission and the Council.”*

(Staes, 2001, Written Question E-4034/00 to the Council)

The Special Committee on Agriculture (SCA) is a preparatory body of the Council established in 1960 to facilitate the implementation of the Common Agricultural Policy (CAP). Although it has no explicit legal basis, it has taken on a central role in the definition of European agricultural policy, distinguishing itself from other committees in that it presents its work directly to the Council, without going through COREPER. (ClientEarth, 2021)

The fourth phase is the phase of the actual negotiations. It starts when you accept the trading directives. Although the member states are involved in the negotiations, it is the Commission that is the real leader of the negotiations, in fact it is undoubtedly its prerogative to conduct the negotiations. The Council, in any case, must always be informed at all stages of the negotiation process. The Commission, in fact, can organize information meetings, through, for example, the TPC, following which all formulations are submitted to the Council and discussed with the member countries. The Council, therefore, although it does not have a role with the power to limit the Commission's work during the negotiations, must nevertheless be kept up to date throughout the negotiation phase and be informed of all decisions reached.

Parliament's role in the negotiation process, on the other hand, has always been very limited compared to the other institutions. It is important to underline, however, that the European Parliament, throughout history, has achieved an increasingly wide margin in defining and approving the European Union's international trade agreements, transforming itself from a merely consultative body to a central legislative actor. Initially, in 1958, its involvement in the Common Commercial Policy (CCP) was marginal, limited to information on association agreements. Only with time, through informal procedures such as that of Luns (1964) and its subsequent expansion into Luns-Westerterp, and subsequent political declarations – including the Stuttgart Declaration (1983) – did Parliament begin to be consulted on other international agreements as well. The Maastricht Treaty strengthened its role, extending the power of consensus to agreements with financial significance or relating to policies subject to co-decision. However, it was only with the Lisbon Treaty (2009) that the European Parliament acquired the right of approval for all international agreements under the CCP, thus placing

it on an equal footing with the Council in the conclusion procedure. The Treaty also imposed an obligation on the European Commission to regularly inform Parliament of the progress of the negotiations, thus consolidating a more effective and structured mechanism of democratic control. (Windhoff-Héritier et al., 2019)

However, the pivotal role in the negotiations is played by the Commission, which can decide for itself when to start negotiations for a trade agreement.

Once an agreement has been reached, it must be ratified by both sides. It is the ratification process that defines the fifth phase described by Gastinger (2023). Ratification is a necessary act for the agreement to enter into force. The modalities of ratification of a trade agreement between the European Union and a third party depend, as anticipated, on the type of agreement, which in turn depends on the European Union's sphere of competence with respect to a certain matter.

Once the agreement has been ratified, the sixth phase begins, the implementation phase (Gastinger, 2023). The complexity of this varies depending on the measures envisaged. While the removal of tariff barriers can be done through simple legal acts, the elimination of non-tariff barriers and the implementation of provisions on "WTO-X" issues, such as labour rights, require more structured and long-term interventions (Harrison et al., 2019). To this end, the agreements generally include joint bodies, involving the Commission, the Council and counterparts from third countries (Dür & Gastinger, 2023). These bodies strengthen the Commission's role in EU foreign policy, while the European Parliament remains largely excluded from the implementation phase (Weiß, 2018).

#### *2.4.2. Influence of Non-State Actors*

The panorama of non-state actors is extremely heterogeneous, including subjects of profoundly different natures, purposes and levels of autonomy. Although in general terms they can be defined as opposed to state actors, this distinction is fluid and depends mainly on the degree of independence from the state itself (Josselin and Wallace, 2001). In the legal and political spheres, the term is frequently used to designate components of civil society organized in groups that work, for example, for the protection of human rights. However, in other contexts, it can also include actors with violent purposes, such as terrorist groups. In the face of this variety, international law imposes a twofold obligation on states: on the one hand, to cooperate with certain non-state actors, and on the other hand, to counter those that pose a threat to security and international order (Clapham, 2018).

In the context of this analysis, the focus will be exclusively on those categories of non-state actors who, despite their heterogeneity, are actively involved in the debate on the EU-Mercosur Agreement. In particular, non-governmental organisations, trade unions, businesses, industrial and environmental associations, as well as public opinion, will be considered, insofar as they exert a significant influence

on the ratification processes of the agreement, helping to shape its perception and outcome at political and institutional level.

Non-governmental organizations (NGOs), frequently identified with the terms "non-profit", "voluntary" or "civil society organizations" (Lewis, 2010), have gained increasing relevance in the European political space since the eighties and nineties. Within the European Union, they are often configured as "umbrella organisations", i.e. structures that coordinate a multiplicity of minor organisations heterogeneous in composition and areas of intervention (Melville, 2010; Schoenefeld, 2020). As Schoenefeld (2020) notes, NGOs are distinguished from both market and governmental institutions, proposing themselves instead as independent actors that act as spokespersons for collective interests and promoters of the public good.

Although trade unions, companies and industrial or environmental associations do not have international legal personality and therefore cannot be full members of international intergovernmental organisations, they are increasingly actively involved in multilateral decision-making processes through forms of indirect representation and institutionalised consultation mechanisms. The International Trade Union Confederation (ITUC), for example, is a transnational organization and represents trade unions. It enjoys consultative status with the International Labour Organization (ILO). Similarly, companies are represented in bodies such as the International Chamber of Commerce (ICC), which are frequently involved in international forums as observers. Industry and environmental associations also regularly participate in the work of organizations such as the United Nations Framework Convention on Climate Change (UNFCCC), accrediting themselves as stakeholders in the negotiation processes. These forms of participation reflect the evolution of global governance dynamics towards multi-stakeholder models, in which non-state actors take on an increasing role in influencing the agenda and implementation of international policies.

In January 2006, the European Commission published a communication to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions, in which it presented a co-financing programme aimed at strengthening the right of initiative of non-state actors, in particular NGOs. This document recognised the strategic value of the involvement of these actors in the Union's political processes, emphasising their independence from the state, their ability to represent specific segments of the population, their territorial and social proximity to local instances, as well as their function as a link between strategic objectives and their concrete implementation.

As an entity that is neither state nor purely intergovernmental, the European Union is configured as a hybrid and innovative actor of transnational governance, with an institutional structure that

integrates multi-stakeholder mechanisms into its daily functioning (Bergmann et al., 2024). This vocation is reflected in Article 11 TEU, which imposes on the European institutions – and on the Commission in particular – the obligation to establish an open, regular and structured dialogue with civil society, thus promoting the principles of transparency and participation that define the democratic nature of the Union.

This is where the European Economic and Social Committee (EESC), an advisory body that ensures the representation of workers, businesses and other interest groups, plays a key role. The EESC is responsible for ensuring that European legislation reflects the socio-economic realities of citizens and for promoting participatory democracy through the active involvement of civil society, including through the drafting of opinions on its own initiative through its specialised groups. (EESC, 2025)

The Commission's Directorate-General for Trade (DG Trade) also plays a crucial role in stakeholder engagement. It promotes regular consultations with a variety of actors – from business associations to trade unions, from consumer organisations to environmental groups – with the aim of making EU trade policy-making processes transparent and fostering an open dialogue with civil society representatives. (European Commission, 2025)

In the case of the EU-Mercosur Agreement, this institutional openness has allowed for a broad mobilization of non-state actors, in particular by environmental and agricultural organizations. They denounced the potential negative effects of the agreement on climate, biodiversity and the sustainability of European agricultural models, accusing the European institutions of favoring the interests of a few large agro-industrial players to the detriment of environmental health and fair competition. This criticism has resulted in public campaigns, demonstrations and direct pressure on the Commission, helping to make the process of ratifying the agreement a transnational political and social battleground.

In the debate on the free trade agreement between the European Union and Mercosur, non-state actors have taken strongly divergent positions, articulated along a fracture between economic interests and social and environmental issues. A broad coalition of civil society organizations – including Greenpeace, Friends of the Earth Europe, La Via Campesina and numerous NGOs gathered in the transnational platform Stop EU–Mercosur – have spoken out critically of the agreement, denouncing its potential negative consequences on the climate, deforestation in the Amazon and agricultural sustainability, as well as the absence of binding mechanisms on human rights and environmental standards. At the same time, important European agricultural associations, such as the Fédération nationale des syndicats d'exploitants agricoles (FNSEA) in France, the Coordinadora de Organizaciones de Agricultores y Ganaderos (COAG) in Spain and Copa-Cogeca at the European level, have challenged the agreement on the basis of the risk of unfair competition, underlining the

threat posed by imports of products from production systems subject to less stringent health and environmental standards. On the other hand, economic and business actors, in particular BusinessEurope, the European Services Forum and various trade associations, have lined up in support of the agreement, highlighting the expected benefits in terms of access to the South American market, protection of industrial interests and strengthening the EU's strategic projection in global trade.

## 2.5. *Conclusion*

The chapter offered a detailed and critical analysis of the institutional architecture and governance mechanisms that govern the European Union's trade policy, fundamental elements for understanding the complexity of the European role in international agreements, with particular reference to the EU-Mercosur Agreement. Starting from the description of the key institutions — the European Parliament, the European Council, the Council of the European Union and the European Commission — the articulated and multilevel dynamics of a decision-making system that combines supranational and intergovernmental dimensions were highlighted. This delicate balance has a strong impact on the way in which common trade policies are defined, negotiated and implemented.

The deepening of the regulatory framework, with particular attention to the role of the World Trade Organization (WTO), underlined how European trade policy is part of a binding multilateral context, which orients EU strategies towards shared principles of liberalisation, non-discrimination and sustainable development. Such a global inclusion not only defines the limits of European action but also highlights its opportunities for regulatory and operational leadership.

A further central contribution of the chapter was the examination of the growing role of non-state actors, who are configured as essential protagonists in the process of drafting and ratifying trade agreements. Non-governmental organizations, trade unions, industrial associations and citizens exert pressure and influence that transform commercial negotiation into a complex terrain of interaction between economic interests, social values and political dynamics. This underlines how European trade policy goes beyond the traditional institutional framework, paving the way for more inclusive but also more challenging governance.

The key findings of the analysis show that a thorough understanding of the internal organisation and rules that guide the Union's actions is essential for a rigorous interpretation of the process of negotiation and ratification of the EU-Mercosur Agreement. The institutional profile of the EU emerges as decisive for defining negotiating strategies, the capacity for political cohesion and the effectiveness in implementing the commitments undertaken, all crucial elements for the success and sustainability of the treaty itself.

In conclusion, this chapter has provided the analytical tools necessary to grasp the complexity of the European system in the management of international trade relations, thus laying a solid foundation for a critical and in-depth evaluation of the EU-Mercosur Agreement as a whole. Knowledge of the internal mechanisms of the European Union is therefore essential for anyone wishing to understand the challenges and potential of the partnership between two regional systems which, despite their diversity, are called upon to interact in a globalized and constantly evolving world.

### *3. EU-Mercosur trade negotiations*

#### *3.1. Introduction*

This chapter systematically reconstructs and analyzes the evolution of the trade agreement between the European Union and the Mercosur regional bloc, with particular attention to the political, institutional and economic dynamics that influenced, slowed down and finally reshaped the content of the agreement. From the first negotiations started in 1999 until the signing of the new text of the agreement in December 2024, the negotiation process has been characterized by its exceptional duration, technical complexity and degree of internal and external politicization, becoming one of the most emblematic cases of recent European trade policy.

The chronological reconstruction of the initial negotiation phases – the subject of the first part of the chapter – allows us to contextualize the main structural fractures that have crossed the interregional dialogue: from the divergences on agriculture and the liberalization of services, to the contrasts on health standards, intellectual property rights and environmental sustainability. These divergences were not exclusively inter-bloc, but took on an intra-bloc dimension that was particularly relevant in the case of the European Union. As demonstrated by the post-2019 political deadlock, the heterogeneity of economic interests, environmental sensitivities and strategic priorities of individual Member States was one of the main obstacles to the ratification of the agreement.

In order to fully understand the weight of the internal dynamics of the EU, the chapter devotes ample space to the comparative analysis of the positions of the main member states, distinguishing between countries in favour, against or ambivalent with respect to the agreement. The motivations behind these orientations appear to be attributable to a set of interconnected factors: sectoral interests (in particular of the agricultural sector), public pressure, European regulatory constraints (e.g. Green Deal, EUDR), and geostrategic considerations. In parallel, the position of the Mercosur countries is examined, whose negotiating posture has also evolved over time in relation to internal political changes, strategic economic interests and growing regional tensions, influencing the overall balance of the agreement.

The chapter also addresses the decisive role played by the European agricultural sectors in mobilising against the agreement, as well as the growing weight of environmental and sustainability considerations, which have become central to the public debate and the definition of the final clauses. The concluding sections analyse how these factors led to a substantial renegotiation of the original 2019 text, resulting in the 2024 agreement, which incorporates new environmental conditionality mechanisms and a more advanced regulatory structure than previous standards.

Taken together, the materials collected in this chapter contribute to answering the research question of the thesis, highlighting how the variety of positions among the Member States of the Union not only influenced the political outcome of the negotiations, but also directly shaped its contents, orienting the structure, clauses and priorities of the final text. The EU-Mercosur agreement is thus configured as a paradigmatic case for understanding the role of national preferences in the formation of European trade policy and in multilevel governance processes.

### 3.2. History of trade negotiations: from the first negotiations in 1999 to the present day

The negotiation process between the European Union (EU) and Mercosur is one of the longest and most articulated processes of the Union's trade policy. The negotiations lasted for over twenty years, going through alternating phases of political enthusiasm, internal crises, strategic relaunches and profound global geopolitical changes. The formalization of the dialogue dates back to 1995, with the signing of the Interregional Framework Agreement for Cooperation between the European Community and Mercosur, signed in Madrid on December 15, 1995 and entered into force only in July 1999, more than three years after ratification. This agreement represented the first legal and political basis for a future interregional association between the two areas, articulated on three dimensions: political, economic and cooperation (*Acuerdo marco interregional de cooperación*, 1999, Arana, 2014).

In an international context dominated by economic liberalism, the 1995 Framework Agreement intended to connect two customs unions in a framework of open regionalism. The objective was twofold: on the one hand, to promote trade and investment between the two regions; on the other hand, to consolidate stable political and institutional relations, strengthening the multilateral dimension of dialogue. In fact, the agreement established a permanent consultation structure at presidential, ministerial and technical levels, as well as providing for a wide range of areas of cooperation (statistics, customs, agri-food, intellectual property rights, environment, education, fight against drug trafficking), taking the form of a true third-generation agreement with ambitions beyond trade alone (Torres Jarrín & Daza Aramayo, 2023).

The first attempt to concretize a structured commercial dimension was officially launched in 1999, giving rise to what would become a complex and uneven negotiation, characterized by a high degree of politicization. From that year until 2004, sixteen rounds of negotiations were organized. However, the ambition to build an ambitious and symmetrical interregional agreement immediately encountered significant obstacles. The European Union, in fact, made the opening of its agricultural market conditional on the guarantee of preferential access to industrial sectors and services in Mercosur. The latter, on the contrary, insisted on a broad liberalization of agri-food exports, a strategic sector for its economies (Ibid., 2023).

The opposition on this crucial point quickly became one of the main unresolved issues of the negotiations. According to a summary by Kutas (2006), the main areas of conflict included: the size of tariff quotas, their administration, transition times, intra- and extra-quota tariffs, the lack of countervailing measures by the EU, and the protection of geographical indications. In particular, Mercosur rejected the quota management systems proposed by the EU (e.g. "first come, first served") and contested the lack of progress on the abolition of extra-quota duties. (Torres Jarrín & Daza Aramayo, 2023 ; Arana, 2014)

At the same time, the political debate within the Union showed deep divisions. The agricultural liberalisation proposed by Mercosur met with resistance from some key member states such as France, Ireland, Austria and Poland, who advocated an intransigent defence of the Common Agricultural Policy (CAP). On the other hand, countries such as Germany and Spain were more open to the agreement, insofar as it would have guaranteed greater commercial outlets for European industry. The imbalance between the beneficiary sectors (industry, services) and the penalized sectors (agriculture) within the EU contributed to weakening the internal cohesion of the European negotiating bloc (Ibid., 2023).

In light of these difficulties, and in the absence of common ground, the negotiations were suspended in 2004. The dialogue between the two regions did not stop completely, but underwent a sharp downsizing. In the following years, the EU oriented its trade policy towards bilateral agreements with other Latin American countries and sub-regions (Central America, Colombia, Peru), while Mercosur faced major internal transformations, including the Argentine economic crisis of 2001 and the consolidation of more protectionist economic strategies in Brazil and Argentina. In this period, the European Union expressed a certain disappointment with the unwillingness of the Andean and Central American countries to delegate supranational powers to their regional bodies. This frustration reinforced European interest in Mercosur, perceived as a more promising integration project, by virtue of the presence of leading economies such as Brazil and Argentina (Sanahuja Perales et Rodríguez, 2019 ; Arana, 2014).

In 2010, within the VI Cumbre EU-LAC in Madrid, the interregional dialogue received new impetus. European interest in Mercosur markets increased, also by virtue of the economic crisis that hit countries such as Spain and Portugal hard. However, the official reopening of trading only took place in 2016, after a further period of technical exchanges and failed attempts to relaunch. The EU presented a new trade offer that included concessions on industrial tariffs and marginal openings in the agricultural sector. Mercosur, on the other hand, pushed for wider access to European markets for strategic products such as beef, poultry, sugar, and bioethanol (Torres Jarrín & Daza Aramayo, 2023). The negotiation round between 2016 and 2019 was one of the most intense in the history of the process. The working groups addressed complex technical issues: from dispute resolution mechanisms, to intellectual property rights, to public procurement regulations and phytosanitary measures. The favorable geopolitical context (with US protectionism and the rise of China) helped to strengthen the understanding between the EU and Mercosur, which presented themselves as defenders of multilateralism and regulated trade. In June 2019, during the G20 summit in Osaka, a political agreement was finally reached between the two sides. The European Commission and Mercosur governments celebrated the agreement as a historic step: the agreement would create one of the largest free trade areas in the world, covering 91% of Mercosur's exports to the EU and 92% of European exports to Mercosur (Torres Jarrín & Daza Aramayo, 2023; Arana, 2014).

However, political and social reactions within the Union were highly polarized. The spread of fires in the Brazilian Amazon in the summer of 2019 drew sharp criticism from the European public, environmental organizations and numerous national parliaments. France openly opposed ratification, followed by Austria, Belgium, Ireland and other member countries. The Austrian Parliament officially blocked the signing of the treaty, and several European political actors denounced the lack of binding mechanisms for the protection of the environment and social rights (Sanahuja Perales et Rodríguez, 2019).

Added to this was the absence of internal cohesion in Mercosur itself: the return of more protectionist governments in Argentina and tensions between members over the possibility of negotiating individual agreements with other partners (as in the case of Uruguay with China) created new uncertainties about the future of the agreement. Faced with these difficulties, the European Commission put forward a proposal for an additional environmental protocol to overcome resistance, but its approval proved complex. With the arrival of the COVID-19 pandemic and national priorities focused on economic recovery, the ratification process stalled for more than four years.

Only recently, on 6 December 2024, the new text of the agreement between the EU and Mercosur was signed, renegotiated on the basis of the 2019 political agreement but supplemented by binding environmental sustainability clauses and new guarantees for the most exposed sectors. Ratification is

currently under way and remains subject to the will of the national parliaments and the European Parliament.

The political agreement reached in June 2019 represented, at least formally, a turning point in the long negotiation process between the European Union and Mercosur. The agreement, defined as one of the largest ever negotiated by the EU, provided for the phasing out of more than 90% of trade tariffs between the two regions, with the aim of creating a vast free trade area covering crucial sectors such as industry, agriculture, services and public procurement (Majchrowska, 2022). The agreement would have offered European companies preferential access to a market of over 260 million consumers, facilitating in particular the export of industrial goods – including cars, machinery and chemicals – but also European agri-food products such as wine, chocolate and dairy products (Ibid., 2022). In return, Mercosur would benefit from a gradual liberalization of access to the European market for its main agricultural exports, including beef, sugar, poultry, and bioethanol (Ghiotto & Echaide, 2020: 5).

However, the achievement of the agreement never resulted in its ratification. On the contrary, the agreement immediately met with strong political and social opposition, in particular from some EU member states, national parliaments and civil society organisations. Criticism focused mainly on the absence of effective environmental safeguards: in a context marked by the increase in deforestation in the Amazon and the environmental policies of the Brazilian government at the time, the agreement was deemed inadequate in ensuring the implementation of the Paris Agreement and protecting sensitive ecosystems (Majchrowska, 2022: 109). At the institutional level, countries such as France, Austria, Ireland and the Netherlands openly declared their rejection, preventing any progress in the ratification process.

Further concerns concerned social and labour standards, which were considered insufficiently protected in the text of the agreement. Trade unions and NGOs criticized the lack of sanction mechanisms for violations of workers' rights and feared a possible weakening of environmental and social standards in favor of trade competitiveness (Ghiotto & Echaide, 2020: 13). The European agricultural sector, particularly the beef and dairy sector, also expressed strong opposition, fearing excessive competition from South American producers with less stringent rules.

These elements of contestation, aggravated by the pandemic context and the growing attention of European public opinion to environmental and climate issues, led to a lasting political blockade of the treaty. The 2019 agreement, although concluded on a political level, thus remained a dead letter, lacking tools to ensure a broad and sustainable political consensus within the European Union.

In addition to environmental and economic obstacles, the failure to ratify the 2019 agreement must also be understood in light of the internal and external political dynamics of the two regional blocs.

As Sanahuja and Rodríguez (2024) show, four factors contributed decisively to the failure of the agreement: first, the EU's increasing use of unilateral instruments such as the CBAM and the European Deforestation Regulation, perceived by Mercosur countries as forms of green protectionism, fuelled mistrust of the European climate agenda (Sanahuja & Rodríguez, 2024). Secondly, strong domestic pressures in Europe, particularly from France, have strengthened political opposition. President Emmanuel Macron, supported by the Ambac report, denounced the absence of binding guarantees on the environment and called for a suspension of ratification (ibid. 2024).

Thirdly, numerous national parliaments — including Austria, Ireland and the Netherlands — and the European Parliament itself have spoken out negatively, criticising the lack of effective enforcement tools in the areas of human rights, labour and sustainability. Even Germany, traditionally in favor, has taken an ambiguous position under the leadership of Angela Merkel (ibid.2024). Finally, strategic divisions within Mercosur have further complicated the picture: Argentina and Brazil have asked for new guarantees on industrial policies and public procurement, and proposed a European fund for the green transition of 12.5 billion euros, while Uruguay has been pushing for greater negotiating autonomy, including in the direction of China (ibid., 2024).

In this context, the European Commission's attempt to propose a "split agreement", separating the trade part to facilitate ratification, was rejected by France, highlighting the impossibility of proceeding without unanimous consent. The blocking of the 2019 treaty is therefore the result of a combination of protectionist resistance, geopolitical tensions, regulatory divergences and poor intra- and interregional cohesion, which prevented the political agreement from being transformed into a legally binding instrument (ibid., 2024).

Faced with this stalemate, the parties embarked on a new round of consultations and revisions, culminating in the signing, in December 2024, of a reformulated text, aimed at responding more effectively to the critical issues that emerged, in particular in terms of environmental sustainability, social rights and compliance with climate commitments.

### *3.2.1. The New Deal*

On December 6, 2024, after more than a year of intense negotiations and technical consultations, the European Union and the four founding countries of Mercosur – Argentina, Brazil, Paraguay and Uruguay – signed a new version of the Partnership Agreement in Montevideo, which is one of the most ambitious interregional agreements ever negotiated by the EU.

Mercosur, with a combined population of around 270 million people and an aggregate GDP of €2.7 trillion, is currently the sixth largest economy outside the EU. The importance of the area is also evidenced by the intensity of existing trade: in 2023, European exports to the South American bloc amounted to 84 billion euros in goods and services, supporting 756,000 jobs within the Union. In

addition, more than 30,000 European small and medium-sized enterprises are active in exporting to Mercosur, benefiting from already consolidated trade relationships. The Union also figures as the largest foreign investor in the region, with €388 billion in direct investment stocks recorded in 2023. In light of these data, the 2024 agreement is one of the most ambitious initiatives of economic and regulatory cooperation between regions, destined to strengthen a historic but so far incomplete relationship, with objectives that go far beyond trade liberalization alone (European Commission, 2025).

This new treaty stems from the need to overcome the political and regulatory impasse that had prevented the ratification of the 2019 agreement, despite the political consensus reached at the G20 in Osaka. While the original version represented a strategic economic and geopolitical achievement, it also raised strong resistance from European public opinion, environmental organisations and some national governments, especially due to concerns about deforestation in the Amazon, the protection of environmental standards and the preservation of the European agricultural model. (Palmieri, Amice, Amato and Verneau, 2024)

The new text negotiated in 2024 is distinguished by a more articulated structure and the introduction of regulatory and procedural elements that strengthen the sustainable and democratic dimension of Euro-Latin American cooperation. The new agreement consists of 20 chapters structured into three main pillars: a trade pillar, an institutional-political pillar and a third dedicated to sustainability and cooperation. The trade part includes provisions on the liberalisation of goods, access to services and public procurement, investment protection, intellectual property, rules of origin and sanitary and phytosanitary measures, while the political and institutional part includes cooperation clauses, multi-level governance, dispute settlement. A profoundly revised chapter is that of trade and sustainable development. This chapter, which represents the main novelty compared to 2019, provides for the first time the formal and binding inclusion of the Paris Agreement as an "essential element" of the treaty. This implies that failure by one of the signatories to comply with climate commitments could lead to the suspension of the trade preferences granted, introducing a sanction mechanism that was so far missing in the free trade agreements signed by the EU with other strategic partners (European Commission, 2024).

The greatest innovation of the text therefore lies in its ability to combine the opening of markets with the protection of transnational collective interests, such as environmental protection, the protection of workers' rights and the fight against illegal deforestation. In this sense, the treaty not only takes up, but expands and strengthens the "win-win" approach promoted by Brussels, acting as a tool for promoting a regulated, inclusive and sustainable globalization.

*“This is a win-win agreement, which will bring meaningful benefits to consumers and businesses, on both sides. We are focused on fairness and mutual benefit. We have listened to the concerns of our farmers and we acted on them. This agreement includes robust safeguards to protect your livelihoods. EU-Mercosur is the biggest agreement ever, when it comes to the protection of EU food and drinks products. More than 350 EU products now are protected by a geographical indication. In addition, our European health and food standards remain untouchable. Mercosur exporters will have to comply strictly with these standards to access the EU market. This is the reality of an agreement that will save EU companies €4 billion worth of export duties per year.”*

*Ursula von der Leyen, President of the European Commission - 06/12/2024*

The subject of extensive negotiations between 2023 and 2024 concerns the attention that states should have paid to the issue of deforestation. As also mentioned in the text of the agreement, in art. 16 of the chapter "Trade and Sustainable Development":

*“Each Party reaffirms its relevant international commitments and shall implement measures, in accordance with its national laws and regulations, to prevent further deforestation and enhance efforts to stabilize or increase forest cover from 2030. In this context, the Parties should not weaken the levels of protection afforded in their environmental law.”*

Brazil, in particular, has committed to presenting detailed plans to combat illegal deforestation by 2030, a commitment that represents a step forward compared to the vague promises contained in the 2019 text and the general absence of binding mechanisms (European Commission, 2024; CAN Europe, 2025).

From an economic point of view, the agreement maintains many of the concessions already provided for in 2019, but introduces significant adjustments with regard to agriculture and strategic raw materials. Import quotas for sensitive products such as beef, sugar, poultry and ethanol have been reduced compared to the previous version, with the introduction of safeguard thresholds and temporary interruption mechanisms if distorting effects on European markets occur. In addition, particular emphasis was placed on promoting cooperation on critical raw materials, such as lithium, rare earths and biofuels, sectors considered strategic for the Union's ecological and digital transition. In this context, the treaty provides provisions on traceability, transparency of supply chains and the adoption of minimum environmental and social standards, thus offering a concrete response to the needs of economic security and responsible sourcing (European Commission, "Factsheet: Critical Raw Materials", 2024).

The 2024 agreement also stands out for its increased focus on compliance with European sanitary and phytosanitary standards. Exports from Mercosur will have to fully comply with European legislation on food safety, pesticide use, GMOs and traceability, without the possibility of derogations or

equivalences based on local standards. This is an important step forward compared to 2019, when concerns arose that the agreement could weaken European consumer protection. Brussels has reiterated that, even under trade liberalisation, the protection of public health and the environment is not subject to negotiation, and the new text reflects this approach in a timely and unequivocal manner (European Commission, "Factsheet: Respecting Europe's Health and Safety Standards", 2024).

In the new text of the EU-Mercosur agreement, Geographical Indications (GIs) represent one of the central elements of the European strategy for the protection of agri-food and cultural heritage. The agreement guarantees the recognition and protection of about 350 European designations of origin for foodstuffs, wines and spirits, including excellences such as Parma Ham, Roquefort Cheese, Queso Manchego and Grappa and of which 57 are Italian excellences. These GIs will be protected in the Mercosur countries against imitation or usurpation practices. (EU-Mercosur Agreement, 2024)

According to estimates released by the European Commission's Directorate-General for Trade, the agreement could generate an increase in aggregate GDP of around €15 billion per year for the Union and up to €10 billion for the Mercosur countries. The benefits would be concentrated in particular in the manufacturing, automotive, agri-food and services sectors, with significant opportunities also for European small and medium-sized enterprises.

In fact, the EU-Mercosur agreement is bound to have significant effects on the competitiveness of European industry, in particular through the phasing out of the currently very high tariffs imposed by Mercosur. European companies are expected to save more than €4 billion a year in customs duties, thanks to the abolition of tariffs of up to 35% for automotive components, 20% for industrial machinery, 18% for chemicals and 14% for pharmaceuticals. The simplification of customs procedures and regulatory harmonisation will facilitate faster and safer access to the South American market. In addition, EU companies will be able to participate on an equal basis in public procurement in Mercosur countries, thus gaining new opportunities in strategic sectors. The text also includes clauses of exclusive preferential access to critical raw materials and "green" goods, thus strengthening the sustainable transition of the European economy and the resilience of its value chains. (European Commission, 2025)

On the Mercosur side, the treaty represents a historic opportunity to diversify exports and integrate into global value chains, helping to strengthen the economic resilience of economies heavily dependent on Chinese and US demand. Finally, on a geopolitical level, the agreement allows the EU to reaffirm its presence in a strategic area of the world that competes with the expansionist ambitions of China and the United States, marking an important reaffirmation of its trade policy as a lever of soft power (European Commission, "Factsheet: Opening Opportunities for European Farmers", 2024).

In conclusion, the EU-Mercosur agreement of December 2024 constitutes an advanced compromise between economic ambition and global responsibility. It not only revives Euro-Latin American interregionalism after decades of stalemate, but also introduces elements of regulatory innovation that could serve as a model for future multilateral trade agreements. However, the challenge of ratification remains open, which will depend on the ability of the European institutions and national governments to convince public opinion of the compatibility between trade openness, green transition and defence of the European social model. Only if this balance is perceived as effective can the agreement truly realize its transformative potential.

### *3.3. Positions of Mercosur Countries*

#### *3.3.1. Brazil*

Brazil played a central and decisive role in the long negotiation process that led to the conclusion of the trade agreement between the European Union and Mercosur, acting not only as one of the leading economies of the South American bloc, but also as a key political player in defining the posture of Mercosur as a whole. However, Brazil's attitude has not been monolithic over time, instead affected by significant internal political and ideological changes that have markedly influenced the country's negotiating positioning.

According to Aguiar's analysis (2022), two main phases can be identified in Brazil's conduct towards the agreement with the EU: the first, characterized by a pragmatic-multilateralist foreign policy approach during the governments of Fernando Henrique Cardoso (1995–2002) and Luiz Inácio Lula da Silva (2003–2010); the second, marked by a profound ideologization and misalignment with the traditional multilateral orientation under the presidency of Jair Bolsonaro (2019–2022).

During the initial phase of the negotiations, Brazil took a proactive and supportive stance on the agreement, seeing the partnership with the EU as a strategic opportunity to strengthen regional integration, diversify export markets and attract foreign investment. The Lula and Dilma Rousseff governments (2011–2016), while maintaining a certain protectionism in sensitive sectors, generally remained consistent with the Brazilian negotiating line oriented towards strengthening Mercosur and opening up trade to the EU, albeit with a discontinuous pace of negotiations (Aguiar, 2022: 4–6).

However, it was under Michel Temer's leadership that Brazil again accelerated contacts with the European Union, helping to formally reopen trade negotiations in 2016. Temer adopted a strongly market-oriented economic policy, in line with the expectations of the Brazilian private sector, and supported the EU–Mercosur agreement as a tool to boost Brazil's industrial competitiveness and attractiveness for foreign investment. This approach marked a transitional phase between the institutional pragmatism of previous governments and the radical ideologization of the Bolsonaro era (Ibid., 2022: 6).

The most significant turning point came with the election of Jair Bolsonaro in 2018, which introduced a new vision of foreign policy, strongly oriented towards unilateralism, environmental deregulation and a break with traditional Brazilian diplomatic multilateralism. The approach of Foreign Minister Ernesto Araújo and Minister of Economy Paulo Guedes was based on an ideological vision inspired by so-called "sovereignist globalism", which saw multilateral bodies and international agreements as a threat to national sovereignty (Ibid., 2022: 7). Despite this paradigm shift, the Bolsonaro government welcomed the signing of the agreement in principle with the EU in 2019, presenting it as a success of its liberal economic program. However, Brazil's commitment to implementing the environmental and social standards set out in the agreement was questioned internationally. The Bolsonaro government's climate change denial rhetoric and controversial handling of environmental policy – particularly the drastic increase in deforestation in the Amazon – fueled strong resistance in Europe, especially in countries such as France, Austria, and Ireland, which denounced the lack of binding sustainability guarantees (Ibid., 2022: 8–9; Sanahuja & Rodríguez, 2024)

The Brazilian ambiguity is also reflected in the tension between the government's official discourse – in favor of the agreement as an instrument of economic growth – and the unwillingness to respect the multilateral commitments made, first and foremost the Paris Agreement. This inconsistency was read by European partners as a sign of unreliability and contributed decisively to the stalling of the treaty's ratification process, despite the support shown by other Brazilian political and business actors (Aguar, 2022).

With Lula's return to the presidency in 2023, there has been a reorientation of Brazilian foreign policy towards more multilateral, inclusive and environmentally responsible positions, consistent with the country's diplomatic tradition. This change facilitated the resumption of negotiations with the EU and led to the signing of the new text of the agreement in December 2024, reworded to include binding environmental and social clauses. The Lula government has reaffirmed Brazil's commitment to sustainable development and regional cooperation, contributing decisively to the relegitimization of dialogue with the European Union and the revival of Mercosur as a unitary subject in the global context (Ibid., 2022: 11–12).

*“Sería el acuerdo más excepcional alcanzado al inicio de este siglo y una respuesta al unilateralismo. Queremos demostrar que el multilateralismo sobrevivirá y que es la razón por la que el mundo dio un salto cualitativo después de la Segunda Guerra Mundial”*

*“It would be the most exceptional agreement reached at the beginning of this century and a response to unilateralism. We want to show that multilateralism will survive and that is why the world made a quantum leap after the Second World War”*

*Luiz Inácio Lula da Silva, President of the Republic of Brazil, 07/06/2025, Paris.*

Brazil's position on the EU-Mercosur agreement has been profoundly influenced by the domestic political framework. While strategic continuity in pursuing the agreement has remained largely unchanged, the degree of adherence to international standards, respect for sustainability and the desire for regional integration have fluctuated greatly depending on the ideological orientation of the governments in office. The Brazilian case highlights how domestic dynamics can represent a critical variable in international trade policy, conditioning not only the direction of negotiations, but also their acceptability and legitimacy at the international level.

### *3.3.2. Argentina*

Argentina's position towards the trade agreement between the European Union and Mercosur has gone through alternating phases, reflecting the internal tensions in its economic and trade policy and, at the same time, the structural weakness of the bilateral relationship with the EU.

According to Pizzi, Salman and Gentiletti (2025), the relationship between Argentina and the European Union has historically been marked by a "systemic asymmetry" that has limited the possibility of building a truly shared and stable strategic agenda (p. 28). This imbalance was evident in the management of the EU-Mercosur agreement, in the face of which Argentina oscillated between moments of openness and willingness to negotiate, and phases of marked skepticism or opposition.

During the Kirchnerist governments (2003–2015), Argentina adopted a trade policy marked by marked protectionism and a selective international integration strategy, based on a strong appreciation of Mercosur and a preference for South American integration. In this context, the European Union was not a priority interlocutor, both because of Brussels' perception of a neoliberal trade approach and because of the belief that the European bloc did not fully recognize the structural asymmetries between the two regions (Pizzi et al., 2025: 30–31). This defensive approach resulted in a real slowdown in negotiations, aggravated by the lack of mutual trust and the lack of flexibility of positions.

The change of government in 2015, with the election of Mauricio Macri, represented a turning point. His administration adopted a foreign policy strongly oriented towards the "normalization" of relations with historical partners, including the European Union, and the full reintegration of Argentina into multilateral economic circuits. The agreement with the EU was interpreted as a useful tool to revive the country's international credibility and attract investment. It is in this context that Argentina's push towards the conclusion of the 2019 political agreement is placed, at a time when the other Mercosur partners also shared a more open trade agenda (Pizzi et al., 2025: 34–35).

However, with the election of Alberto Fernández to the presidency in December of the same year, the Argentine orientation underwent a new change. Although the agreement was not formally rejected, the new government adopted a much more cautious attitude. The main criticisms concerned the fear

that the proposed trade liberalization could compromise the fragile national production system, already put to the test by years of economic instability. The text negotiated in 2019 was considered inadequate in several respects: firstly, due to the absence of effective measures to protect sensitive industries, but also due to the lack of binding guarantees on an environmental, social and sustainable development level (Pizzi et al., 2025: 37–39).

Pizzi, Salman and Gentiletti (2025) point out that Argentina's position actually reflects a long-term tension between two approaches: on the one hand, the aspiration to strengthen international integration to access new markets and attract capital; on the other hand, the awareness of the structural vulnerability of the Argentine economy and the need to preserve its industrial and agricultural base from potentially asymmetric competition (2025: 39). This ambivalence, accentuated by domestic factors – including the debt crisis, political fragmentation and structural inflation – has prevented Argentina from developing a unified and coherent negotiating position, slowing down Mercosur's progress in the dialogue with the EU on several occasions.

Moreover, a central element in the redefinition of the relationship between Argentina and the European Union is the country's role as a strategic supplier of critical resources, in particular lithium and green hydrogen, resources that are essential for the European energy transition and for the construction of strategic autonomy in the current geopolitical context (Pizzi, Salman & Gentiletti, 2025: 42). In fact, Argentina holds about 21% of the world's lithium reserves, but at the same time emerges as a promising player in the development of renewable energy, thanks to its potential in the production of green hydrogen. However, as the authors point out, critical issues persist related to the absence of an internal industrial strategy that can guarantee the local transformation of resources, thus avoiding the perpetuation of extractive models that do not generate added value in the territory (Pizzi et al., 2025: 43–44). In this framework, the relationship with the EU also depends on Argentina's ability to negotiate fairer conditions that promote sustainable development and real technological cooperation, elements that could strengthen the bi-regional partnership in the long term (Pizzi et al., 2025: 47).

The recent election of the Argentine president has reopened questions about the country's role within Mercosur. Although the new head of state has repeatedly raised the possibility of an exit from the South American customs union, this possibility appears unlikely at the moment and does not represent a concrete threat to the survival of the bloc. More relevant, however, is the sceptical stance on climate issues taken by the new presidency, which has caused concern from both the European Union and Brazil. Both partners have in fact expressed their willingness to establish shared standards for the protection of the environment and the Amazon rainforest, elements considered essential for the

implementation of the EU-Mercosur Association Agreement (Palmieri, Amice, Amato & Verneau, 2024).

### *3.3.3. Uruguay*

Uruguay's position on the free trade agreement between the EU and Mercosur has been consistently characterised by convinced and pragmatic support, motivated by the need to strengthen the country's international projection and by the awareness of the risks of marginalisation in a global context marked by the proliferation of preferential agreements. Since 2019, the year in which the first political agreement between the blocs was reached, Uruguay has distinguished itself as one of the most active promoters of the agreement, recognizing the strategic importance of access to an integrated market of 500 million high-income consumers and the need to consolidate an export-oriented strategy in response to the limited negotiating capacities of a small state located in an asymmetrical regional area (Caetano & Pose 2020).

Cross-party support for the agreement involved both the main political parties and Uruguayan business organizations, which saw in the agreement a necessary response to the potential disadvantages deriving from exclusion from international preferential networks. Although some sectoral and distributional reservations have emerged, especially on the part of trade unions and civil society organizations sensitive to the issues of development, geographical indications and the protection of the residual national industry, these concerns have not affected the underlying support either within the political system or among the economic elites (Ibid., 2020).

Analyzing national economic interests, the negotiated agreement fully responds to Uruguayan priorities, guaranteeing better access to the European market for agri-food exports and maintaining flexibility on sensitive issues (such as temporary admission, drawback, regulation of strategic sectors and the absence of extensions on patent protections). In this way, Uruguay has protected spaces of political autonomy and some areas of strategic interest, within a compromise considered acceptable by the main political and business forces, which positively evaluate the agreement despite the inevitable effects on the industrial sector and on the tendency towards the "primarization" of the economy (Ibid., 2020).

The favourable framework towards the agreement has remained substantially unchanged even in the post-2019 phase. Even in the absence of a timely ratification of the original agreement, the Uruguayan government and its economic representatives have continued to urge the conclusion of the negotiations, a position also confirmed in the approval of the new text signed on December 6, 2024 and by the determination of the new President Yamandù Orsi to place the conclusion of this agreement among the priorities. The coherence of the Uruguayan line is explained both by the need not to be excluded from global value chains and by the intention to increase pressure on Mercosur's major

partners for a more predictable and transparent application of the common rules. Ultimately, the continuity of Uruguay's favourable attitude has helped to keep the prospect of ratification open, confirming the country's role as a staunch promoter of EU-Mercosur bi-regional integration (Caetano & Pose, 2020).

#### *3.3.4. Paraguay*

Paraguay's position towards the EU-Mercosur free trade agreement is structurally favorable and pragmatic, both with reference to the agreement reached in 2019 and with respect to the new text signed in December 2024. The positive attitude of the Paraguayan government derives from the perception of the agreement as a strategic lever to strengthen the country's participation in global value chains and diversify outlet markets, especially for agri-food products and raw materials, central sectors for the national economy. The government and leading business organizations support the agreement as an opportunity to expand exports and attract investment, reducing dependence on the regional market and bringing Paraguay closer to countries that adopt advanced production and sustainability standards (Enciso Cano and Castillo Quero, 2019).

However, even in the face of the new compromise reached in 2024, the internal debate continues to reflect concerns about the repercussions for the national production system. In particular, the fears already highlighted in previous years remain regarding the ability of local manufacturing, especially in low-tech sectors, to withstand competition with European products, considered more competitive both in terms of quality and price (Ibid., 2019). The analysis of tariff structures and trade dependencies highlights how a significant share of Paraguayan exports is highly dependent on Mercosur; in several cases (light manufacturing, processed agri-food products, wheat supply chain) the regional bloc is almost the only outlet market, making the risk of "trade diversion" and loss of relevance on a regional scale a sensitive element even in the current framework (Ibid., 2019).

The Paraguayan government, in the year of the signing of the new agreement, reaffirmed its commitment to support accompanying measures and competitive protection tools for the most exposed sectors, requesting a gradual opening and the application of temporary safeguards if significant distortions in trade flows occur. At the same time, there is a desire to use the EU-Mercosur partnership as a pressure factor to strengthen the multilateral rules of the South American bloc, increasing predictability and transparency in internal relations (Asociación Latinoamericana de Integración, 2002; Enciso Cano and Castillo Quero, 2019).

It is also important to underline that the stability of the Paraguayan position with respect to the agreement has been confirmed across the political spectrum and in the production sector, albeit with more critical nuances on the part of trade unions and civil society organizations, particularly attentive to the effects on workers and the risk of economic "primarization".

Ultimately, in the transition to the new 2024 treaty, Paraguay continues to perceive the agreement as a "necessary evil" but strategically essential to avoid isolation, maintaining a proactive and constructive position within the biregional logic of integration (Enciso Cano and Castillo Quero, 2019).

### *3.4. Positions of EU member states*

One of the main features of the EU-Mercosur agreement negotiation process was the lack of unanimous consensus among the EU member states. Different national positions have become entrenched in divergent economic interests, environmental concerns, public pressure and domestic political dynamics. While some governments actively supported the ratification of the agreement, others strongly opposed it, hindering its progress and contributing to some of the changes in the content of the negotiated text. The differences have emerged significantly since 2019, the year in which the agreement was concluded politically but not yet ratified.

The EU-Mercosur agreement is therefore configured as a historically divisive agreement on the European scene. Although there is general convergence in considering it a potential strategic opportunity for the Union, especially in order to contain the rise of economic powers such as China in the South American region, strong resistance persists from some Member States. The main criticisms made by the opposing countries concern environmental protection, in particular the deforestation of the Amazon, the competition perceived as unfair for European farmers, and the concern about lower sanitary and phytosanitary standards in the Mercosur countries. On the contrary, the states in favour of concluding the agreement emphasise the benefits deriving from the diversification of markets and the positive impact that the agreement could have on key sectors of the European economy, in particular the automotive sector.

In the next paragraphs we will introduce the positions of European countries, which will be explored deeper in the next chapter.

#### *3.4.1. Positions against the EU-Mercosur agreement*

The EU-Mercosur agreement has met with strong opposition from some Member States, who have mainly criticised its environmental impact, implications for the European agricultural sector and the insufficiency of binding sustainability mechanisms. Among the most critical countries are France, Austria, Ireland and the Netherlands, although others, such as Belgium and Poland, have also expressed reservations.

In particular, France has strongly opposed the agreement, considering it inconsistent with the Union's climate commitments. The French government has highlighted the unsustainability of Brazil's environmental policy during the Bolsonaro presidency, especially in relation to the deforestation of the Amazon, and has called for the introduction of "cláusulas espejo" (mirror clauses) that guarantee

symmetrical standards between contracting parties in agricultural, health and environmental matters (Ambec, 2024; Sanahuja & Rodríguez, 2024). According to a study by the European Parliament, French authorities also fear that the agreement could put downward pressure on European production standards, favoring less expensive but more environmentally harmful practices in Mercosur countries (Hagemejer et al., 2021). President Macron, on more than one occasion, has called the agreement "unacceptable in its current state", stressing that the agreement has not yet been ratified and that further commitments on sustainable development and health control are needed before it can be approved.

Austria has also adopted a strongly opposed position, voting in 2019 on a parliamentary resolution committing the government to refuse ratification of the agreement. Austria's motivations are mainly based on the defense of the agricultural sector and the insufficient environmental protection guaranteed by the negotiated text (Palmieri, Amice, Amato & Verneau, 2024). The government has also criticized the lack of effective enforcement mechanisms for sustainable development clauses (CEBRI Revista, 2025).

Ireland, although less explicitly opposed than France and Austria, has expressed similar fears, mainly related to the risk of unfair competition in the livestock sector, which is a pillar of the Irish rural economy. As pointed out in a study by Heyl, Ekardt, Roos, Stubenrauch, and Garske (2021), the main fear concerns the possibility that beef from Mercosur, produced at lower costs and with lower standards, may enter the European market in quantities that compromise the profitability of local farmers (Heyl et al., 2021). Irish Minister for Agriculture McConalogue told Agriland during the Irish Farmers' Association's Agriculture and Food Conference on October 31, 2024:

*"The Irish position in Europe has been and will continue to be that the same standards must apply, to anyone who is seeking to [export ] into the EU, that are applied to our own farmers. We have to absolutely protect our sectors, that's the bottom line, in terms of any asks coming into the EU...but also in terms of any small amount that would be agreed, that standards have to be applied and also verifiable."*

Finally, the Netherlands, while traditionally oriented towards free trade, has adopted a more cautious position, calling for the introduction of legally binding instruments to ensure compliance with environmental commitments by South American partners. The Dutch Parliament made the approval of the agreement conditional on the presence of clear monitoring and sanctioning mechanisms, which are considered essential to avoid institutional greenwashing (Hagemejer et al., 2021).

In summary, the positions against the agreement do not necessarily oppose economic integration with Mercosur as such, but highlight how the current structure of the agreement lacks substantial

guarantees for the protection of the environment, public health and European agriculture, elements that remain central to the internal debate in many EU Member States.

#### 3.4.2. *Positions in favour of the EU-Mercosur agreement*

Within the Council of the European Union, Germany and Spain stood out as two of the main supporters of the trade agreement between the EU and Mercosur. Although the two economies differ in their sectoral structure and strategic priorities, both converge in the vision that the agreement represents a fundamental lever to strengthen the economic and geopolitical projection of the Union, especially in a global context characterized by growing trade instability and systemic competition with actors such as China and the United States.

Germany, Europe's leading economy and one of the world's largest exporters, looks to Mercosur as an essential outlet market for its technology-intensive and manufacturing sectors, in particular automotive, mechanics and chemicals. The German support is part of a long-term strategy of multilateral trade opening, consistent with the economic foreign policy promoted by the Bundeskanzleramt (The Federal Chancellery), aimed at reducing dependence on Asian value chains and expanding access to growth markets, such as South American (Abreu, 2025).

Even Spain, despite having an economy less oriented towards industrial exports than Germany, has a consolidated strategic interest in the conclusion of the agreement. Its historical role as a cultural and linguistic bridge between Europe and Latin America has consolidated deep bilateral relations with many Mercosur countries, in particular with Argentina and Brazil. Madrid sees the agreement as both an economic and symbolic opportunity to reaffirm its leadership within the European trade architecture towards Latin America. The Spanish business fabric, which has a strong presence in the infrastructure, telecommunications, energy and agri-food sectors in Latin American countries, would benefit from the elimination of tariffs and the greater regulatory stability introduced by the agreement. (Abreu, 2025)

From an academic point of view, several authors have interpreted the joint support of Berlin and Madrid as the result of a Euro-Latin American strategic convergence, in which the two capitals operate as "diplomatic engines" of the agreement. As Abreu (2025) points out, the so-called *Spanish-German Axis* has played a key role in keeping the negotiations stalled, contrasting with the more cautious or hostile approaches of other member states such as France or Austria.

Official statements by government representatives confirm this reading. Former German Chancellor Olaf Scholz has repeatedly reiterated the strategic importance of the treaty, and was strongly committed to the agreement, calling it "of great geostrategic importance". Scholz also urged a rapid completion of the negotiations, stating that " *We need pragmatism and flexibility on all sides for the final metres of the negotiations, because the Mercosur agreement is groundbreaking for diversifying*

*and strengthening the resilience of our economy,"*" (Buenos Aires Times, 2024). Once signed last December, he said that the new free trade area brings "greater growth and competitiveness". (Handelsblatt, 2025)

On the Spanish front, the Minister of Agriculture Luis Planas spoke of an "unprecedented" opportunity for Spanish producers, particularly in the wine sector, where duties of up to 35% are now applied: "These tariffs will be progressively eliminated, offering European wine greater competitiveness" (La Moncloa, 2025). Planas also criticised the "mythologies" surrounding the agreement, pointing out that they do not correspond to the reality of the facts: "There are misconceptions about Mercosur that do not align with the reality of the agreement or the present context" (Eurotoday, 2024).

In conclusion, Germany and Spain's support for the EU–Mercosur agreement is based on a combination of structural, geoeconomic and ideological factors. Both countries see the treaty as an opportunity to strengthen the EU's position in global trade and to strengthen ties with a culturally and economically similar region, while countering the rise of alternative trade governance models.

### *3.5. Concerns of the European agricultural sectors*

The association agreement between the European Union and Mercosur has aroused numerous reactions of concern among European agricultural organizations, trade unions in the sector and the governments of several member states. In particular, the criticism focuses on the possible negative impact that the gradual elimination of tariffs and the expansion of tariff quotas for certain South American agri-food products could have on some segments of European agriculture, already in competitive difficulty on the global market.

One of the most exposed sectors is beef. Mercosur countries – particularly Brazil and Argentina – enjoy comparative advantages from much lower production costs than the EU, thanks to economies of scale, the size of agricultural land and less stringent regulations on the environment, animal health and traceability. According to Krzyzanowski (2025), the entry of 99,000 tonnes of beef with a reduced duty of 7.5%, provided for in the agreement, could create significant imbalances in regions such as France and Ireland, where the suckler cow sector represents an essential socio-economic and ecological component.

Similar concerns are emerging in the poultry, cereals, sugar, rice, maize and biofuels sectors. The EU granted tax-free entry for 180,000 tonnes of poultry, 1 million tonnes of cereals, 60,000 tonnes of rice and 200,000 tonnes of ethanol for energy use, all of which Mercosur has high production capacity and competitiveness (Krzyzanowski, 2025; Rabobank, 2025). European agricultural organizations fear that this liberalization could undermine the economic sustainability of many European family

farms, aggravating price pressure and leading to a reduction in agricultural income, which has already been steadily declining in recent years (Coldiretti, 2024; Copa-Cogeca, 2023).

A further element of concern concerns the risk of unfair competition. European producers are subject to strict standards in food safety, animal welfare, environmental protection and the use of chemicals, which imply higher production costs. In contrast, South American products can be obtained with the use of pesticides, growth hormones (such as ractopamine and rBGH) or GMOs banned in the EU, but allowed in Mercosur countries (Greenpeace, 2024; CAN Europe, 2024). In addition, the extension of transgenic crops, especially in maize and soybeans, and the massive use of herbicides such as atrazine and neonicotinoids – banned in the Union – have raised strong concerns among environmental associations and consumers (Krzyzanowski, 2025; Heinrich-Böll Stiftung, 2022).

The agricultural sector also fears that the agreement could lead to a progressive erosion of European standards, through mechanisms of mutual recognition or regulatory harmonization with partner countries. Regulatory convergence clauses – if not well controlled – could lead to a lowering of the environmental and health protection in force in the EU, putting at risk the European agricultural model, based on criteria of multifunctionality and sustainability (Friends of the Earth, 2023).

Agricultural and environmental organizations also denounce the weakness of the chapter on trade and sustainable development (TSD), accused of containing only generic and non-binding commitments, lacking effective sanctioning mechanisms in the event of violations (Greenpeace, 2024; Mileinomics, 2024). Finally, concerns have been raised that increased imports could incentivize further deforestation in the Amazon and the Gran Chaco, in contradiction with the climate goals of the European Green Deal (Krzyzanowski, 2025; CAN Europe, 2024).

Despite the vehemence of the opposition, several economic, institutional and independent studies underline that many of the fears expressed by the European agricultural sector are exaggerated or unfounded. First, the weight of imports granted through the agreement is relatively limited compared to total European production. For example, the share of beef imported from Mercosur would account for only 1.6% of European production (European Commission, 2024), and poultry imports would correspond to about 1.4% of EU consumption (Krzyzanowski, 2025). In addition, the quota system, introduced for sensitive products such as meat, cereals and sugar, aims to contain the impact on local agricultural economies.

Secondly, the agreement does not in any way imply the automatic acceptance of lower standards. EU legislation on animal health, food safety and environmental protection remains fully applicable to all imports. As reiterated in the SPS (Sanitary and Phytosanitary Standards) clause, every imported product must comply with EU standards, under penalty of exclusion from the European market (European Parliament, 2025).

In addition, the SPS chapter also provides for cooperation tools and regionalisation mechanisms that allow for the recognition of disease-free areas in exporting states, improving the traceability and health safety of imports. The system of bilateral safeguard clauses, provided for in the agreement, also allows the EU to temporarily suspend concessions if a sudden increase in imports threatens to harm a specific sector (European Commission, 2024).

From a trade point of view, the agreement offers important opportunities for some European agricultural sectors. Products such as wine, olive oil, dairy products and processed foods will benefit from the elimination of often prohibitive tariffs in Mercosur countries (Krzyzanowski, 2025; Rabobank, 2025). A significant increase in wine exports is expected – in particular for France, Spain and Italy – as well as a greater penetration of European cheeses in Brazil and Argentina, thanks to the gradual removal of duties up to 28% that currently exist. (Krzyzanowski, 2025)

A further element in favour of the agreement, as anticipated in the previous paragraphs, is the protection of European geographical indications (PGI and PDO): around 350 European products – including Parmigiano Reggiano, Prosciutto di Parma and Champagne – will be legally protected in Mercosur markets, combating counterfeiting and strengthening the reputation of European agri-food products (European Commission, 2024).

Finally, the agreement could also serve as a diplomatic and regulatory lever to gradually raise environmental and social standards in partner countries. While the sustainability clauses still need to be improved, they are a first step towards a stronger trade conditionality mechanism. In particular, the obligation to import only "deforestation-free" products, in force from 2025, will link agricultural imports to the new EU regulations on traceability and environmental sustainability (European Commission, 2024).

The debate on the agricultural impact of the EU-Mercosur agreement reflects the complexity of the trade-off between trade openness, protection of vulnerable sectors and the promotion of sustainable standards. The concerns of the European agricultural sector are not without foundation, especially in the sectors most exposed to international competition. However, numerous safeguards, economic opportunities and regulatory constraints show that the agreement has been calibrated to reduce risks and enhance the potential of the European agri-food system.

### *3.6. Environmental and sustainability issues*

The debate on the Free Trade Agreement between the European Union and Mercosur has progressively focused on the possible environmental and sustainability implications deriving from the elimination or reduction of trade barriers. Since 2019, the sharp increase in deforestation rates in the Amazon and the burning of large portions of primary forest in Brazil have ignited public and political debate, fueling fears that the agreement may be incompatible with the goals of the Paris

Agreement and the Convention on Biological Diversity (CBD) (Harrison & Paulini, 2024). The focus was mainly on trade flows of agricultural products such as beef, soybeans and sugar, considered among the main drivers of forest cover loss and conversion of ecosystems with high biodiversity value in South America (Heyl et al., 2021).

According to estimates reported in the academic literature and NGO reports, international trade contributes between 20% and 30% of global greenhouse gas emissions, including not only those deriving from production but also those related to land use change and the transport of goods (WTO, 2021 cited in Harrison & Paulini, 2024). In this context, several studies warn that the EU-Mercosur, by favoring preferential access of certain agricultural products to the European market, could incentivize further agricultural expansions in sensitive areas, accentuating environmental degradation phenomena (Greenpeace, 2023; ClientEarth, 2024). The concern is reinforced considering that, in Mercosur countries, environmental standards and enforcement procedures are often less stringent than in Europe, with the risk of a "race to the bottom" in regulation (Heyl et al., 2021; CAN Europe, 2025).

A critical element strongly pointed out concerns the weakness of the tools present in the *Trade and Sustainable Development* (TSD) chapter and the *Sustainability Impact Assessment* (SIA) developed by the European Commission. The SIA, published at an advanced stage of the negotiations, had limited ability to influence its contents and, according to NGOs and scholars, presents incomplete environmental analyses, in particular in the estimation of emissions related to deforestation (ClientEarth et al., 2019; Harrison & Paulini, 2024). The TSD chapter, while expressly recalling the obligation to implement the Paris Agreement and the CBD, does not provide for binding quantitative obligations to reduce emissions or stop deforestation, and dispute settlement mechanisms are limited to Panel of Experts without sanctioning powers (Harrison & Paulini, 2024).

Additional concerns arise from the interaction between the agreement and the EU Deforestation-Free Commodities Regulation (EUDR – Regulation (EU) 2023/1115). NGOs and legal analysts point out that some clauses of the agreement, in particular those relating to the "rebalancing" mechanism, could be interpreted as tools to challenge internal measures that affect the agreed commercial benefits. According to this reading, the possibility of raising disputes could create political or economic pressures that weaken the application of EUDR, thus reducing the EU's ability to act unilaterally against deforestation (Greenpeace, 2023; ClientEarth, 2024; Politico, 2024).

The debate is also fueled by a sense of perceived injustice: some commentators point out that, while the EU imposes strict environmental standards on its farmers, trade openness to Mercosur could allow the entry of products not subject to the same constraints, generating competitive asymmetries (Ambec, 2024).

Despite the critical issues highlighted, part of the literature and European institutions propose a less pessimistic view, emphasizing tools and principles that, if properly implemented, could mitigate the environmental risks of the agreement.

First, the text of the agreement includes binding references to international instruments such as the Paris Agreement and the CBD, and specific commitments to combat illegal logging (Heyl et al., 2021). International treaty law, through art. 31 of the Vienna Convention, requires an interpretation of agreements consistent with all existing international norms, thus providing a legal basis for preserving and strengthening the application of multilateral environmental standards (Heyl et al., 2021; Harrison & Paulini, 2024).

A second element is represented by the EUDR, which introduces stringent *due diligence* obligations for operators who place products such as soy, beef or cocoa on the European market. The regulation, together with the interpretative guidelines published by the Commission (European Commission, 2024), provides for traceability, geolocation and risk assessment mechanisms that, if applied correctly, reduce the margin for circumventing the rules through trade agreements (European Commission, 2023).

In addition, the TSD chapter, even in its current form, offers an institutional space for political dialogue and technical cooperation which, if strengthened with adequate resources and political will, could foster the adoption of higher common standards and support for sustainable production chains. The literature suggests that the effectiveness of the TSD depends not only on the text, but also on the ability of the parties to activate the Domestic Advisory Groups, finance transition projects and insert environmental conditionality clauses in high-impact sectors (ClientEarth, 2020; Harrison & Paulini, 2024).

A further topic concerns the role of the EU's unilateral policies as a complement to trade agreements. Regulations such as the EUDR, the Corporate Sustainability Due Diligence Directive and sectoral measures under the Green Deal can continue to impose high standards on economic operators, provided that regulatory consistency and support tools are provided to producers in partner countries for adaptation (Harrison & Paulini, 2024).

Finally, the 'right to regulate' clauses in the agreement preserve the possibility for the parties to introduce more ambitious environmental standards even if these affect trade, as long as they are non-discriminatory and justified by legitimate environmental or health protection objectives (Heyl et al., 2021). Combined with a systemic interpretation of international law, such clauses can constitute a formal guarantee against any downward pressure on standards.

In conclusion, the environmental issue of the EU-Mercosur agreement lies at the intersection between concrete risks and regulatory potential. NGOs and some of the scientific literature highlight the

dangers of deforestation, biodiversity loss and weakening of environmental governance, while the arguments in defence of the agreement are based on the possibility of exploiting complementary tools, consistent legal interpretations and cooperation mechanisms. Ultimately, the ability of the agreement to make a real contribution to sustainability objectives will depend not only on the text negotiated, but above all on the political will, resources and coherence with which the EU and the Mercosur countries implement the envisaged measures and integrate trade and environmental policies.

### *3.7. Conclusion*

The analysis developed in this chapter has shown how the trade agreement between the European Union and Mercosur is the result of a complex and multi-layered negotiation process, shaped over the course of more than two decades by a plurality of economic, political and regulatory factors. Well beyond the technical-commercial dimension, the agreement is configured as a paradigmatic case of multilevel governance, in which the divergent interests of the actors involved – be they national governments, interest groups or supranational institutions – have profoundly affected the evolution of the negotiating text and its (non-)implementation.

On the one hand, the positions of the Mercosur countries have been strongly influenced by internal transformations in their respective political systems, industrial policy priorities and the growing pressure for access to foreign markets in a global context marked by volatility and competition between powers. Brazil, Argentina, Uruguay and Paraguay have shown heterogeneous approaches to negotiations, reflecting a constant tension between trade openness, strategic protectionism and social and environmental sustainability. On the other hand, within the European Union, the negotiation process revealed deep fractures between member states, exacerbated by the lack of a fully harmonized trade policy and the emergence of new regulatory priorities related to the European Green Deal, food security and biodiversity protection.

In particular, it became clear that the blocking of the ratification of the 2019 agreement cannot be attributed solely to external or geopolitical factors, but must be understood in the light of internal resistance within the EU, fueled by public pressure, the mobilization of agricultural and environmental groups, and the growing centrality of climate policies in the European agenda. The lack of binding sustainability instruments, as well as the perception of regulatory asymmetries and unfair competition, have fuelled cross-party political opposition in countries such as France, Austria, Ireland and the Netherlands, hindering the consolidation of the consensus needed to proceed with ratification.

The new text of the agreement, signed in December 2024, can be read as an attempt to respond to these critical issues, incorporating strengthened clauses on the environment, labor and human rights, as well as more stringent conditionality and monitoring mechanisms. However, its final adoption

remains subject to the ability of European actors to reconcile the demands of international trade with the defence of the European social and environmental model, within a framework of democratic legitimacy and institutional transparency.

Overall, the EU-Mercosur case confirms that the EU's trade policy is increasingly subject to internal political, regulatory and social constraints, which affect its effectiveness and coherence. The chapter then provided the analytical basis for understanding how the divergent positions of the Member States have affected both the outcome of the negotiations and the structure and content of the agreement itself, foreshadowing future scenarios in which the construction of internal political consensus will be a necessary condition for the external credibility of European action on global trade.

## *4. Analysis of Member States' and political groups' position*

### *4.1. Introduction*

The adoption of the final text of the EU-Mercosur Partnership Agreement by the European Commission on 3 September 2025 represents a crucial step in a negotiation process that has lasted for over twenty-five years. After the political signing of the agreement in Montevideo on 6 December 2024, the agreement entered a complex institutional phase, marked by internal resistance, political compromises and a heated debate at both intergovernmental and parliamentary level. The fourth chapter of this research aims to analyse in depth the political and institutional dynamics that characterised this period, focusing on the positions taken by the Member States and the political groups of the European Parliament.

The objective is twofold. On the one hand, to understand how national governments have reacted to the agreement and what factors – economic, agricultural, environmental and geopolitical – have guided their respective positions. On the other hand, to highlight how these dynamics were reflected in the European Parliament, an institution called upon to express the final consensus on the treaty and, therefore, an essential arena for assessing the political stability of the agreement. The comparative analysis between the two levels allows us to highlight the dialectic between national interests and supranational logics, as well as the role of parliamentary coalitions in building or hindering a political consensus around the agreement.

The chapter is divided into several sections. Firstly, the negotiation and stalemate phase that preceded the formal adoption of the text is reconstructed, with particular attention to internal tensions within the European Union and the risk of a negotiation failure. Subsequently, the day of 3 September 2025 is analyzed as a turning point, examining the contents of the agreement and the introduction of the bilateral safeguard clause, an instrument designed to respond to the resistance of the European

agricultural sector. The central sections are dedicated to the study of the positions of national governments, before and after the introduction of the safeguard measures, in order to grasp the developments that have occurred and the conditions that have made it possible to start the ratification process. Finally, the role of the European Parliament is deepened, with an analysis of the positions of the main political groups, before and after the introduction of the clauses, highlighting the convergences and fractures that defined the parliamentary framework in view of the vote on ratification.

In doing so, the chapter aims to answer a central research question: how have the different positions of Member States shaped the content of the agreement and influenced the prospects of its ratification process? The focus will be not only on the economic elements, but also on the political and regulatory dimensions, showing how the legitimacy of a trade agreement of this magnitude depends on the Union's ability to balance strategic openings on global markets with adequate guarantees for the most vulnerable sectors and for the founding values of the European project.

#### *4.2. Negotiations and state of play of the ratification process (December 2024 – September 2025)*

The period between the political signing of the EU-Mercosur Partnership Agreement in Montevideo on 6 December 2024 and the formal adoption of the text by the College of Commissioners on 3 September 2025 was marked by deep political uncertainty and continuous postponements, reflecting the Union's internal divisions and the difficulty of balancing economic interests, agricultural and environmental issues. Despite the closure of the technical negotiations and the completion of the legal translations (legal scrubbing), the process stalled in the first half of 2025, with a de facto suspension of the submission procedures to the European co-legislators.

Confirming this stalemate was the news reported by Euronews, according to which some anonymous sources had confirmed that the agreement had been "set aside" without a precise date for its presentation (Euronews, 2025). The decision surprised observers and partners, since the texts had already been completed in their official versions. This postponement, formally motivated by the need to deepen the impact of the agreement and to consolidate internal positions, has fueled speculation about the Commission's real willingness to force its hand in the presence of significant resistance from some Member States.

An interviewed European Commission official<sup>1</sup> (Interview A, 2025) clarified that the hesitations were not so much technical, but rather political and institutional. The main question concerned the legal architecture of the agreement, i.e. whether it should be presented as a mixed agreement – and therefore

---

<sup>1</sup> Interview A, Commission Officer, DG Trade, interviewed on 14 August 2025

subject to ratification by national parliaments – or as an exclusively trade agreement, which could be approved supranationally by the Council and the European Parliament. This choice, still undefined until a few days before adoption, was perceived as decisive in determining the complexity of the ratification process and its timing (Interview A, 2025).

On the political level, the difficulties have mainly originated from the resistance of some Member States, led by France and followed by Poland, Austria and, to varying degrees, Italy. The reasons for opposition focused on two main axes: the defense of the European agricultural sector and environmental concerns, in particular related to deforestation in Brazil. As noted by an official<sup>2</sup> involved in the previous negotiations in 2019, the environmental factor had taken center stage during the Bolsonaro presidency, when the increase in deforestation had made any opening to Mercosur politically unsustainable (Interview B, 2025). However, with the 2024 review, which included the Paris Agreement as an "essential clause", this argument has lost some of its force, leaving the agricultural issue to emerge as the main political obstacle.

In this context, the debate on the so-called mirror clauses, promoted in particular by France, has further complicated the discussion. These clauses would have required Mercosur producers to apply standards identical to those of Europe in terms of pesticides and animal welfare, but they have come up against the legal and political impossibility of exporting European regulatory models in a symmetrical manner. As pointed out by an interlocutor close to the negotiations, mirror clauses have been perceived by many partners as a "protectionist ploy", aimed at masking resistance related to the defense of domestic agricultural sectors (Interview B, 2025).

At the same time, the favourable states – including Germany, supported by manufacturing industries and in particular by the automotive sector – exerted strong pressure to speed up the presentation, denouncing the risk that further delays would undermine the international credibility of the Union. German industry, caught between US tariffs, Chinese competition and the internal automotive crisis, saw the opening of the South American market as a "breath of fresh air" (Interview B, 2025). Other Nordic and liberal countries have also interpreted the agreement as a strategic tool to strengthen the EU's position in global trade and balance China's rise in Latin America.

The period between December 2024 and September 2025 was therefore configured as a phase of prolonged institutional uncertainty, in which the Commission preferred to wait for a favorable political window rather than risk an immediate rejection. As noted by a source within the Commission, reopening negotiations would have been practically impossible, because it would have required new concessions from South American partners and risked compromising years of work. The strategy was therefore to keep the text intact, possibly accompanying it with interpretative

---

<sup>2</sup> Interview B, Commission Officer, Trade Officer, Interviewed on 26 March 2025

statements or additional protocols, capable of reassuring the most skeptical states without formally reopening the negotiating table (Interview A, 2025).

A further element of tension was represented by the geopolitical dimension. The protectionist trade policies of the United States under the Trump administration have prompted many member states to reassess the strategic weight of an agreement with Mercosur as a form of partner diversification. However, this awareness was not sufficient to overcome internal vetoes, as the concentrated interests of the agricultural sector continued to prevail over the widespread interests of manufacturing and consumers. This imbalance, well known to political theory on trade agreements, explains how large but widespread benefits are often politically overshadowed by concentrated and perceived losses from specific sectors (Interview A, 2025).

The summer postponement of 2025, which culminated in the "stand-by" in July, therefore represented the most critical point of this phase. It highlighted the fragility of European cohesion in trade matters and the reputational risk for the Union: as observed by the Commission official interviewed, any failure to conclude the agreement, after more than twenty-five years of negotiations, would have constituted a "serious damage to the image" for the EU's ability to negotiate credible international agreements (Interview A, 2025).

The turning point came only in September 2025, when the Commission chose to present the text accompanied by a package of bilateral safeguards to protect the agricultural sector, with the aim of dissolving the last resistance and creating the political conditions for ratification (European Commission – Representation in Italy, 2025). This step, analysed in more detail in paragraph 1.2, has made it possible to overcome the impasse and formally start the institutional process, while leaving many unknowns open about the holding of the qualified majority in the Council and approval in the European Parliament.

#### *4.3. Adoption of the text of the agreement (3 September 2025)*

The day of 3 September 2025 represented a crucial step in the long and controversial process of the Partnership Agreement between the European Union and Mercosur. On that date, in fact, the College of Commissioners proceeded with the formal adoption of the legal text of the agreement, marking the transition from the political agreement reached in Montevideo on 6 December 2024 to the institutional phase of presentation to the European co-legislators (European Commission – Representation in Italy, 2025; EUNews, 2025). The "adoption" by the Commissioners does not yet imply the entry into force of the agreement, but the internal validation of the EU executive which allows the package to be transmitted to the Council of the European Union and the European Parliament for the start of the ratification process. This moment therefore has an eminently procedural and institutional

significance: it translates the political will of the Commission into a legislative proposal, formally basing the agreement in the regulatory framework of the Union.

The substantial content of the adopted text confirms the "hybrid" architecture already outlined in previous months. On the one hand, there is the EU-Mercosur Partnership Agreement (EMPA), which includes political, cooperation and trade pillars and which, as a "mixed" agreement, will require separate ratification by all member states in addition to the vote of the European Parliament (European Commission – Representation in Italy, 2025). On the other hand, the Commission has the Interim Trade Agreement (ITA) with Mercosur, which concerns only the provisions of exclusive competence of the EU. The latter can be ratified through the ordinary European procedure, i.e. by a decision of the Council by qualified majority and with the consent of the European Parliament, without requiring the approval of national parliaments (EUNews, 2025; Politico, 2025). This "two-track" architecture allows the Union to anticipate the economic benefits of the agreement through the provisional entry into force of the parts of exclusive competence, while preserving the integrity of the global agreement, which will remain subject to unanimous ratification by the Member States.

The adoption of 3 September has therefore opened an articulated institutional path. The next steps include, firstly, approval by the Council of the EU, where a qualified majority of at least 15 out of 27 member states representing at least 65% of the EU population will be required (ANSA, 2025). This threshold, which is far from obvious, places at the center of the debate the possibility of forming a blocking minority (at least 4 states representing more than 35% of the EU population), an indispensable condition for preventing the decision to sign or conclude the agreement (Euronews, 2025). Once this phase is over, the text will have to obtain the consent of the European Parliament, where the vote in plenary represents a second arena of potential conflict, as demonstrated by the critical positions taken by some political groups and the announcement of possible initiatives to refer to the Court of Justice of the EU to challenge the legitimacy of the split between ITA and the global agreement (Politico, 2025). Finally, for the "global" pillar of the agreement, ratification by all national (and in some cases regional) parliaments will be essential, with heterogeneous and potentially time-extended procedures (EUNews, 2025).

In summary, the date of 3 September 2025 marks the transition from political agreement to the institutional ratification process, through the adoption of the text by the European Commission and its transmission to the Council and the European Parliament. This step does not therefore represent the end of the process, but the start of a complex phase in which political support will depend on the ability to balance the promises of trade openness and diversification with the guarantees offered to the most vulnerable sectors. The definition of the safeguard clause, announced at the same time as its

adoption, is the main instrument for mediating between the divergent interests of the Member States and a determining factor for the success of the ratification process.

#### *4.3.1. Presentation of the agreement in the light of the new safeguard clause*

The adoption of the text of the EU-Mercosur Partnership Agreement on 3 September 2025 was not limited to the mere formalization of a political compromise reached in the previous months. As highlighted in paragraph 1.1, it represented the start of the institutional ratification process, but at the same time it marked the introduction of a substantial novelty destined to have a profound impact on the perception and acceptability of the agreement among the Member States and the main stakeholders: the integration of a bilateral safeguard clause (European Commission – Representation in Italy, 2025).

From a material and economic point of view, the presentation of 3 September reaffirmed the main objectives of the agreement: the creation of the largest free trade area in the world, covering a market of over 700 million consumers (European Commission – Representation in Italy, 2025; LUMSA News, 2025). EMPA envisages the elimination of tariffs on more than 90% of European exports to Mercosur, with a potential increase in annual exports of up to +39% (equal to about 49–50 billion euros) and the creation or preservation of over 440,000 jobs in Europe (European Commission – Representation in Italy, 2025; Milano Finanza, 2025; ANSA, 2025). European companies will also benefit from privileged access to public procurement in South American countries and to strategic raw materials essential for the green and digital transitions (Il Sole 24 Ore, Romano, 2025; EUNews, 2025). Particular importance has been given to the protection of European agri-food products, with the protection of about 350 geographical indications and the commitment to maintain the strict EU sanitary and phytosanitary standards (SPS) (European Commission – Representation in Italy, 2025; ANSA, 2025).

Despite the Commission's emphasis on the expected benefits, the day of 3 September made it clear that the continuation of the ratification process remains politically complex. Several European chancelleries – including France, Poland, Austria and, in part, Italy – have reiterated their concerns about competition in the agricultural sector and the risk of trade diversion resulting from US protectionist policy (Il Sole 24 Ore, Romano, 2025; LUMSA News, 2025). In this context, the Commission has accompanied the adoption of the text with a package of additional measures, anticipating the definition of a bilateral safeguard clause to protect the most sensitive agricultural sectors and to provide rapid and transparent tools for intervention in the event of market disruptions (Milano Finanza, 2025; European Commission – Representation in Italy, 2025). The issue of safeguarding immediately became central to the construction of consensus around the agreement, so

much so that it was "welcomed" by the Italian government as a precondition for a future positive decision on ratification (Palazzo Chigi, 2025; ANSA, 2025).

The structure of the bilateral safeguard clause is a set of political and procedural commitments aimed at ensuring a rapid and effective reaction by the Union in the event of market imbalances resulting from the implementation of the agreement.

This instrument, which is exceptional in nature, allows the Union to temporarily suspend the tariff concessions provided for in the Agreement or to reduce the preference granted up to the level of the most-favoured-nation (MFN) clause or the basic duty, where imports from Mercosur cause or threaten to cause material injury to European producers of similar or directly competing products. (Bilateral safeguard, 2025)

The European Commission is committed, first of all, to carry out continuous monitoring of the markets for the main sensitive products, analyzing trade flows, production dynamics, consumption, exports and prices (Bilateral safeguard, 2025, § 1). Secondly, there is a mechanism for the rapid assessment of the market situation, linking any increases in imports with the evolution of production, consumption, exports and prices (Bilateral safeguard, 2025, § 2), accompanied by a six-monthly report addressed to the Council and the European Parliament (Bilateral safeguard, 2025, § 3). It is also possible for Member States or associations representing the sector to request the opening of an investigation if there are indications of harm or threat of harm (Bilateral safeguard, 2025, § 4).

Particularly relevant are the presumptive thresholds introduced by the Annex: an annual increase of more than 10% in subsidized imports of a given product accompanied by an average price at least 10% lower than the domestic price (Bilateral safeguard, 2025, § 6), or an annual reduction in the average price of imports of more than 10% with a similar difference compared to the European price (Bilateral safeguard, 2025, § 7), constitute prima facie indications of serious injury or of its threat. These conditions oblige the Commission to examine cases of increased imports or falling prices as a matter of priority, even when the damage is geographically concentrated in one or more Member States (Bilateral safeguard, 2025, § 5).

In such situations, the Commission undertakes to intervene very quickly: within five working days in the case of an urgent request by a Member State (paragraph 8), by means of provisional measures within a maximum of 21 days (Bilateral safeguard, 2025, § 8), and with the conclusion of the investigations within four months (Bilateral safeguard, 2025, § 9), well before the annual ceiling initially provided for by the Treaty. Safeguard measures may have a maximum duration of four years if the justifying conditions persist (Bilateral safeguard, 2025, § 11).

Finally, the annex specifies that these commitments will have to be formalised through a Union legal act aimed at implementing the chapter dedicated to EMPA safeguards into European law.

The clause therefore introduces a "safety net" system that differs from the EU's ordinary trade defence instruments in terms of its speed of activation and the centrality of member states in the decision-making process. It is also accompanied by financial measures outside the agreement, such as the €6.3 billion Unity Safety Net and the €300 billion provided for by the post-2027 CAP, designed to compensate for any persistent damage to agricultural supply chains (Milano Finanza, 2025; European Commission – Representation in Italy, 2025).

From a political point of view, the introduction of the safeguard clause has contributed to changing the negotiating climate. Even the countries that have historically been strongly opposed to the agreement have recognized the Union's effort to overcome the critical issues raised in recent decades. However, some political groups in the European Parliament have expressed doubts about the effective ability of safeguards to protect European producers, denouncing the risk that they will result in overly discretionary tools by the Commission (Euronews, 2025).

In conclusion, the presentation of the final agreement on 3 September 2025 marks a step of extraordinary political and institutional importance. Alongside the economic and geopolitical benefits amply highlighted by the Commission, the introduction of the bilateral safeguard clause represents the key tool through which the European Union tries to reconcile the opening of markets with the protection of its sensitive agricultural supply chains. It is not only a technical but an eminently political device, destined to affect the possibility of building a qualified majority in the Council and a consensus in the European Parliament, and therefore to determine the very fate of the ratification of the EU-Mercosur Agreement.

#### *4.4. Positions of the Member States since the signing of the Agreement (6 December 2024)*

After the signing of the political agreement in Montevideo on 6 December 2024, the positions of European governments have progressively taken shape and have played a decisive role in determining the direction of the ratification process. Indeed, divergences between Member States continued to be the main source of uncertainty, fuelling a complex confrontation between national interests and the Commission's long-term strategic vision. In this context, the internal dynamics of key countries such as France, Germany, Italy, Spain, Poland, Ireland and Austria have proved to be particularly influential.

France has maintained a clear line of opposition, setting itself up as the main spokesperson for the concerns of the European agricultural sector. As early as December 2024, President Emmanuel Macron had declared on several occasions the unacceptability of the agreement in its then discussed form, stressing that the opening to Mercosur could not take place without strengthened environmental and social guarantees (*Le Monde*, 2024). This position was reiterated in the following months: the

French government continued to insist on the need to safeguard farmers' competitiveness and to prevent the agreement from becoming a "Trojan horse" for the entry into the European market of products with lower standards (*France24*, 2025). The conditions set by Paris included the full implementation of the so-called *mirror clauses*, i.e. the application of production criteria equivalent to those in Europe in terms of pesticides, animal welfare and deforestation (*Les Échos*, 2025). Although new safeguards were introduced in the 2024 version, including the inclusion of the Paris Agreement as an essential clause, France continued to consider the agreement unbalanced to the detriment of its agricultural interests, although there was no shortage of internal cracks in this line of rigid opposition, with some political and economic sectors in favor of greater openness (*Euronews*, 2025).

Germany, on the contrary, has taken a leading role in supporting the agreement. With the inauguration of Chancellor Friedrich Merz, Berlin has expressed its willingness to accelerate the ratification process, considering it a central element of the country's industrial and export-oriented strategy. Merz stressed that the completion of the agreement represents a direct benefit for the German and European economy, reiterating that "free and fair trade guarantees our prosperity" (*Table.Media*, 2025). For Germany, the opening of the Mercosur market is crucial for sectors such as automotive, mechanical engineering and chemicals, at a time when European companies are facing Chinese competition and US protectionist policy at the same time (*Mercopress*, 2025). It is not surprising, therefore, that Berlin has placed itself in direct opposition to Paris, accusing the French government of obstructing an agreement that could have strengthened European competitiveness and consolidated German leadership in non-EU markets.

Italy has placed itself in an intermediate position, oscillating between caution and openness. In the months immediately following the signing, the government led by Giorgia Meloni initially showed signs of openness to the agreement, recognizing its strategic and geopolitical value (*Il Foglio*, 2024). However, support was soon conditioned by the need to introduce effective safeguards for national agricultural sectors. At the end of June 2025, Italy declared that it was in favour of the treaty "provided that adequate instruments are guaranteed to protect European agriculture" (*Mercopress*, 2025). At the same time, Warsaw has sought to co-opt Rome into a common opposition front, as reported by *EURACTIV* (2025), highlighting Italy's pivotal role in shaping the European political balance. This ambivalence reflects the tension between the support of the industrial sector, which is interested in the opportunities offered by Latin America, and the resistance of the agri-food supply chains, which are particularly sensitive to South American competition.

In contrast to Italy's uncertainties, Spain has maintained a consistently favorable stance. Madrid has in fact described the agreement as "ambitious and balanced", highlighting its export opportunities for

the agri-food sector, while at the same time protected by tariff mechanisms for the most sensitive products (*MAPA.gob.es*, 2025). Spain has also enhanced the geopolitical dimension of the agreement, as a strengthening of Euro-Latin American relations and an instrument of multilateralism in an international context characterized by the re-emergence of protectionist policies (*Agenda Pública*, 2025). It is no coincidence that the Spanish government, together with Paraguay, has called for rapid ratification, interpreting the agreement as an opportunity to consolidate the European presence on the Latin American continent (*The Diplomat in Spain*, 2025).

Poland has adopted a position of clear opposition, sharing with France the concern about the effects on domestic agriculture. The Warsaw government has declared that it will not support the agreement in its current form, stressing that "European agriculture cannot be sacrificed in the name of global trade" (*Notes from Poland*, 2024). This line was also reiterated by the Minister of Agriculture Czesław Siekierski, who denounced the risk of unfair competition from Mercosur producers (*TVP World*, 2025). The Polish perspective, which is highly critical, has also found support in Austria, with which Warsaw has formed an opposition alliance, demonstrating the ability of smaller states to coalesce and influence European decision-making processes (*Okiem Rolnika*, 2025).

Ireland has also expressed strong opposition, mainly related to the defense of the beef sector. The Dublin government has repeatedly reiterated that the agreement represents a direct threat to farmers, as it would encourage the entry of South American meat at lower prices and with different quality standards than those in Europe (*Oireachtas.ie*, 2025). According to an analysis by the *Irish Times* (2025), Ireland is ready to oppose the agreement, although it fears that a qualified majority in the Council could still lead to its approval. Criticism has focused not only on economic aspects, but also on environmental coherence and the Union's ability to maintain high levels of food protection (*Environment Ireland*, 2025).

Finally, Austria, despite having a more limited political weight than France or Germany, confirmed its opposition, especially in alliance with Poland. Vienna justified its refusal with arguments similar to those in France, focused on the protection of domestic agricultural production and the defense of high standards (*Okiem Rolnika*, 2025). Although less central to the European public debate, Austria's position has helped to consolidate the critical front, increasing the risk of the formation of a blocking minority in the Council.

Overall, the positions of the Member States continued to reflect a deep cleavage between countries with a strong industrial and export-oriented vocation in favour of the agreement (Germany, Spain, partly Italy), and countries with politically sensitive, opposed or highly cautious agricultural sectors (France, Poland, Ireland, Austria). This scheme has fuelled the need for the Commission to introduce safeguard instruments and compensatory measures, without which the ratification process would have

been destined to an immediate block. The balance between these opposing positions constituted the negotiating ground on which the subsequent presentation of the final text with the safeguard clause, analyzed in the following paragraph, was built.

#### *4.4.1. Member States' positions following the addition of the safeguard clause*

The adoption of the final text of the EU-Mercosur agreement on 3 September 2025, accompanied by the introduction of a bilateral safeguard clause to protect the agricultural sector, marked a turning point in the debate among member states. If before this date the resistance of France, Poland, Ireland and Austria seemed to constitute a compact bloc, the presentation of additional protection measures has partly attenuated the opposition, favoring greater openness towards the ratification process.

Firstly, France, which had distinguished itself as the main opponent, acknowledged the progress made by the Commission. While remaining critical, Paris welcomed the commitment to introduce swift and binding tools to protect farmers from possible market disruptions (RFI, 2025). The French decision to "open" to ratification, although conditional, represents a significant change in attitude, a direct result of the internal pressure exerted by the agricultural sector and the political assurances obtained in Brussels (Politico, 2025; Euronews, 2025). However, internal fractures remain on the government and parliamentary front, signaling that French support is not without ambiguity.

Germany, on the other hand, has strongly confirmed its favourable position, interpreting the safeguards as a useful tool to consolidate the European consensus without reducing the economic scope of the agreement. Berlin argued that the agreement remains fundamental for German industry, in particular for the automotive and mechanical sectors, and that the protective measures do not affect its overall benefits (Il Sole 24 Ore, 2025; Devdiscourse, 2025).

As for Italy, the Meloni government welcomed the inclusion of safeguard clauses, stressing that they directly address the concerns expressed by the national agricultural sector. Foreign Minister Antonio Tajani reiterated that the treaty represents a strategic opportunity to diversify Italian exports and strengthen the presence of "made in Italy" in Latin America (Ministry of Foreign Affairs, 2025). At the same time, organizations such as Coldiretti have maintained a critical position, denouncing the risk that the protections provided will prove insufficient to compensate for the damage suffered by farmers (Il Fatto Quotidiano, 2025). The Italian position therefore appears to be an unstable balance between the openness of the government and the resistance of the main agricultural associations.

Spain has openly celebrated the step forward. Prime Minister Pedro Sánchez called the presentation of the text a "crucial moment", stressing the geopolitical importance of strengthening ties between Europe and Latin America in an international context marked by protectionism (European Newsroom, 2025; Democrata, 2025). Madrid has interpreted the safeguards not as a brake, but as an element of

guarantee capable of facilitating ratification, without affecting the expected benefits for Spanish agriculture and industry.

Poland has shown less openness than other states, maintaining a substantially critical position. Although the new measures have helped to partially reassure some sectors, Warsaw continues to denounce the risk of unfair competition for Polish farmers (EURACTIV, 2025). Poland, together with Austria, remains one of the most hostile actors, fearing the possibility of forming part of a blocking minority in the Council.

Ireland reiterated its reservations, stating that safeguard clauses were not sufficient to protect an already struggling beef sector. The Dublin government has announced that it will continue to oppose the agreement, while acknowledging the risk that a qualified majority in the Council could still guarantee the approval of the text (Irish Times, 2025). Ireland's position reflects a structural conflict between the European strategy of trade openness and the protection of a politically sensitive agricultural sector.

Finally, other countries such as Belgium and Austria have maintained a cautious line. Brussels signaled the possibility of abstaining in the vote, while Vienna reiterated its opposition, confirming its alignment with Warsaw (European Newsroom, 2025; Belga News Agency, 2025).

In summary, the inclusion of the safeguard clause has had a relaxing effect, reducing the most rigid resistance and allowing the Commission to formally start the ratification process. However, the positions of the Member States remain heterogeneous: while Spain, Germany and partly Italy have strengthened their support, France, Poland, Ireland and Austria continue to express significant reservations. This scenario confirms the political nature of the compromise reached, highlighting how the safeguard clause constitutes not only a technical tool for defending the market, but also a negotiating lever aimed at consolidating a minimum consensus that is indispensable to take the agreement to the next stage.

#### *4.5. Political group positions in the European Parliament (December 2024 – September 2025)*

Alongside the positions taken by national governments, the phase between the political signature on 6 December 2024 and the formal presentation of the agreement on 3 September 2025 was marked by intense debate in the European Parliament. This level of analysis is crucial, as Parliament is called upon to play a co-legislative role and, ultimately, to vote on the agreement. Ratification therefore depends not only on the orientation of the Council, but also on the ability to build a parliamentary majority, which reflects the ideological and electoral divisions within the Twenty-seven. Studying the positions of political groups allows us to understand how the tensions that have emerged between

the Member States are reflected and reworked at the supranational level, generating fractures that are partly overlapping, partly different.

Among the groups most strongly opposed to the agreement is the Group of the Greens/European Free Alliance (Greens/EFA). Since its political signing, the group has denounced the agreement as inconsistent with the EU's climate ambitions and the Green Deal. In a December 2024 statement, the Greens said that the agreement "reinforces an unsustainable agro-industrial model" and undermines European emission reduction efforts (Greens/EFA, 2024). A subsequent document, from 2025, reiterated the criticism, warning that the agreement would lead to "a dramatic increase in greenhouse gas emissions" and unfair competition to the detriment of European farmers (Greens/EFA, 2025). During the debate on February 13, 2025, figures such as Saskia Bricmont insisted that the agreement "is in total contradiction with European legislation on deforestation" and that, in the absence of binding clauses, it would legitimize unsustainable practices in Brazil and Argentina (European Parliament, 2025). This position reflects a consistent approach by the Greens to trade agreements, which are assessed as a priority in the light of their climate and ecological impacts.

Similar firmness was expressed by the Group of the European Left (The Left). In a 2024 document, the group denounced the agreement as an "unfair pact" that ignores "social rights, environmental justice and democratic scrutiny" (The Left, 2024). In 2025, a further report pointed out that the treaty would lead to "a bad trade for farmers, people & climate", aggravating the crisis in European agricultural supply chains and incentivising deforestation in the Amazon (The Left, 2025). In plenary, members of the group such as Manon Aubry accused the Commission of having "put social rights and climate justice on the back burner", interpreting the agreement as a symbol of the subordination of public policies to the interests of multinationals (European Parliament, 2025).

To confirm this line, the Hon. Antoci reiterated in an interview<sup>3</sup> that "Mercosur, as presented today, is not acceptable, because it jeopardizes European agriculture and workers' rights" (Interview C, 2025). The MEP stressed that "we cannot allow products that do not meet the same environmental, health and social standards that apply to our farmers to enter the European market", denouncing a clear lack of reciprocity. In particular, Antoci recalled the risks associated with the import of beef and poultry, noting that "additional quotas on these products mean unfair competition for Italian and European farmers, who are already under pressure today". He also cited a 2024 DG SANTE audit in Brazil that had found critical issues on traceability and hormone use, reiterating that "opening our markets to goods that do not meet our standards means weakening food safety and citizens' health."

---

<sup>3</sup> Interview C, Hon. Giuseppe Antoci, Member of the European Parliament, The Left, interviewed on 11 September 2025

According to Antoci, the position of the Left does not exclude a strengthening of relations with Latin America, but such cooperation must be based on radically different conditions: "an agreement is possible only if binding clauses on the environment, labor and social rights are introduced, not simple declarations of principle." His testimony therefore confirms the centrality of three dimensions in the position of The Left: the defense of small European farmers, the protection of the environment and indigenous peoples and the guarantee of a truly democratic decision-making process.

The Patriots for Europe (Pfe) have also expressed uncompromising opposition, but motivated by different arguments than the Greens and the Left. In an official statement on October 22, 2024, the group's leaders had called the agreement "unacceptable" for the future of European agriculture (Patriots for Europe, 2024). Subsequently, the Hon. Raffaele Stancanelli, coordinator of the AGRI Commission, said in an interview<sup>4</sup> that "on the agricultural and livestock level, the agreement represents a disaster for Europe" (Interview D, 2025). For Stancanelli, the central issue is reciprocity: without social, environmental and phytosanitary standards equivalent to those in Europe, any trade opening becomes a threat to food sovereignty. In plenary, Pfe representatives reiterated these positions, stressing that the agreement exposes European farmers to unsustainable competition from low-cost productions with lower standards (European Parliament, 2025). The Patriots' opposition is therefore distinguished by a sovereigntist and defensive approach, which focuses on the protection of the primary sector as a bulwark of European economic and social identity.

The Socialists and Democrats (S&D) Group has taken a more nuanced stance, oscillating between openness and caution. MEP Dario Nardella called the agreement "an opportunity" on a geopolitical and commercial level, but clarified that socialist support would depend on three conditions: "reciprocity in standards, strict customs controls and funds for the promotion of quality products" (Nardella, 2025a; 2025b). In plenary, several S&Ds reiterated this line, stressing the need for "binding instruments to ensure the protection of social and environmental rights" (European Parliament, 2025). In this way, the Socialists have placed themselves in an intermediate position, recognizing the strategic importance of the agreement but expressing the desire to condition it on precise guarantees. A critical, but less ideological, approach was expressed by the European Conservatives and Reformists (ECR) group. In a 2024 statement, the group stated: "the EU-Mercosur deal cannot receive a green light from us", denouncing the risks of unfair competition for farmers and the negative environmental implications (ECR Group, 2024). In plenary, several ECR MEPs insisted on the need to protect European productions and stressed that the agreement "puts food sovereignty at risk and does not offer sufficient guarantees of reciprocity" (European Parliament, 2025). Compared to the

---

<sup>4</sup> Interview D, Hon. Raffaele Stancanelli, Member of the European Parliament, Coordinator of the AGRI Committee, Patriots for Europe, interviewed on 3 September 2025

Patriots, ECR's position appears less radical, but converges in the rejection of the agreement in the absence of substantial correctives.

On the favorable front, the European People's Party (EPP) expressed the strongest support. In an official statement in January 2025, the group called the agreement "a much-needed boost for the EU's economy", insisting on the elimination of 91% of tariffs as "a historic opportunity to strengthen EU competitiveness and create jobs" (EPP Group, 2025). MEPs such as Gabriel Mato and Jörgen Warborn stressed that the agreement is crucial to strengthen the EU's economic resilience and reduce dependence on China and trade tensions with the United States. In the debate on 13 February 2025, several EPP members reiterated this vision, arguing that "Mercosur is not just a trade agreement, but a strategic choice to strengthen Europe's geopolitical role" (European Parliament, 2025).

The Renew Europe Group has maintained a position consistent with its liberal and centrist identity, supporting the treaty as an integral part of the vision of "open and sustainable" trade. Renew stressed the need to accompany the agreement with monitoring tools and safeguard clauses, but always interpreted Mercosur as a strategic opportunity to strengthen the EU's global presence. In plenary, Renew MEPs highlighted that "it is not just about trade, but about reaffirming Europe as a global player in a multipolar world" (European Parliament, 2025).

#### *4.5.1. The positions of the political groups after the introduction of the safeguard clause*

The formal adoption of the text of the EU–Mercosur agreement by the College of Commissioners on 3 September 2025 ushered in a new and decisive phase in the ratification process. The element of greatest political importance was, as mentioned above, the inclusion of an enhanced safeguard clause for sensitive agricultural sectors, operational through a specific legal act of the Union. This clause, as analyzed above, provides for regular monitoring mechanisms, the possibility of triggering investigations when imports exceed certain thresholds (+10% compared to the previous year or -10% in average prices) and the adoption of provisional measures within twenty-one days in urgent cases. To complement these instruments, the Commission announced the establishment of a "single safety net" with a capacity of €6.3 billion to deal with market crises and compensate for any losses in farm incomes. The introduction of this package has had a significant impact on the orientation of the parliamentary political groups: some have softened their position, others have strengthened the support already expressed, while the most critical groups have confirmed their opposition, judging the measures to be insufficient.

The European People's Party (EPP) welcomed the start of the ratification phase and the inclusion of safeguards, interpreting them as an instrument of political balance. Already a supporter of the

agreement, the group reiterated that the agreement represents "a much-needed boost for the EU's economy" and a "historic opportunity to strengthen EU competitiveness and create jobs" (EPP Group, 2025). After 3 September, the safeguards were presented as a demonstration that the Commission was able to take into account agricultural concerns without distorting the geopolitical scope of the agreement. The EPP has therefore seen its favourable position strengthened, legitimised by the fact that the most exposed sectors will now benefit from additional protection instruments.

A more significant development has been for the Socialists and Democrats (S&Ds). While the group had previously expressed conditional support, the introduction of safeguards has helped to consolidate a more positive orientation. MEP Dario Nardella said that "Mercosur represents an opportunity for European agriculture, provided that production standards are respected" (GEA, 2025). This statement reflects a shift from a cautious approach to pragmatic support, which is still linked to the need to verify compliance with the conditions set. The safeguards provided the group with a political argument to justify its openness to ratification, balancing pressures from the agricultural sectors with a strategic interest in strengthening Euro-Latin American relations.

Renew Europe also expressed satisfaction with the start of the legislative process. In an official statement, Renew MEPs hailed "the start of the ratification phase" as a signal that the EU intends to reaffirm its role as a global player in an unstable world (Renew Europe, 2025). The group stressed that the agreement not only expands trade opportunities, but contributes to strengthening Europe's capacity to diversify supply chains and reduce dependence on other strategic partners. The inclusion of safeguards has been interpreted as an additional guarantee that makes the political consensus for the agreement more solid. In this way, the EPP, S&D and Renew formed a favourable bloc broad enough to support the agreement in the subsequent stages of parliamentary ratification.

The European Conservatives and Reformists (ECR) Group has shown significant development. In the past highly critical, the ECR has recognized that the new safeguards constitute 'greater protections for farmers' (ECR Group, 2025). MEP Carlo Fidanza (FdI–ECR) said that the clauses represent "positive progress", but insisted on the need to "continue to be vigilant" so that they are fully applied and are effective in protecting European producers (FdI–ECR, 2025). This position reflects a significant softening: the group has not abandoned caution, but has adopted a more constructive attitude, positioning itself between those in favor and opponents. For the ECR, the central issue remains the Commission's ability to translate measures into concrete and timely tools.

While the EPP, S&D, Renew and ECR have to varying degrees welcomed the evolution of 3 September, the most critical groups have confirmed their opposition. The Greens/Greens-EFA reiterated that the safeguards do not solve the structural issues related to deforestation and the environmental impacts of the agreement. In subsequent statements, members of the group denounced

the measures as "palliative" and unable to align the agreement with European climate goals. For the Greens, the agreement therefore remains incompatible with the Green Deal and the EU's international commitments.

The European Left has adopted a similar position, confirming a radical opposition. In a statement on 3 September, the group called the agreement "a threat to the future of Europe, the environment and workers" (The Left, 2025a). MEPs considered the inclusion of safeguards irrelevant, arguing that they would not prevent an "invasion of cheap agricultural products" and would not guarantee conditions of reciprocity in standards. This scepticism is echoed by MEP Antoci, who stressed that "the safeguard package goes in the right direction only if measures are automatic, rapid and measurable", while at present "they do not solve the critical issues on sanitary and phytosanitary checks nor ensure full application of the EU deforestation regulation" (Interview C, 2025). In his view, products such as beef and poultry, but also Mediterranean crops like durum wheat and citrus fruits, remain exposed to unfair competition from countries that use pesticides and hormones banned in the EU. In addition, some left-wing parliamentarians have announced their intention to challenge the agreement before the Court of Justice of the EU, contesting the legality of the ratification procedure and denouncing a transparency deficit (Euronews, 2025; European Newsroom, 2025). This choice confirms the desire to maintain opposition on both a political and legal level.

The Patriots for Europe (PfE) have also reiterated their opposition. The group had previously denounced the treaty as "unacceptable" for European agriculture (Patriots for Europe, 2024), and after September 3, statements by representatives such as Raffaele Stancanelli confirmed this line. According to Stancanelli, the safeguards do not change the substance of an agreement that remains "a misfortune for European agriculture and animal husbandry" (Interview D, 2025). The Patriots interpret the agreement as a risk to food sovereignty and the competitiveness of European producers, insisting that the protection mechanisms provided cannot compensate for the costs deriving from Latin American competition.

A further element that emerged in the debate following the presentation of the agreement concerns the initiative of some MEPs to challenge the legitimacy of the agreement before the Court of Justice of the European Union. In particular, members of the Left and other critical groups have announced the possibility of a formal appeal, arguing that the Commission's decision to split the ratification process into two separate instruments – an interim trade agreement under the exclusive competence of the EU and the comprehensive partnership agreement subject to national ratification – would violate parliamentary prerogatives and risk limiting democratic control (Euronews, 2025; European Newsroom, 2025). This strategy highlights how, beyond the safeguard clauses introduced, there

remains strong political and legal resistance to the agreement, with the prospect of an institutional clash that could influence the timing of its final approval.

#### *4.6. Conclusion*

The analysis carried out during this chapter has shown that the phase between the political signing of the EU-Mercosur agreement in December 2024 and its formal adoption by the European Commission on 3 September 2025 was characterised by an intense political dialectic, both at intergovernmental and parliamentary level. The positions of the Member States, which are often divergent and motivated by specific economic and sectoral interests, have proved to be instrumental in shaping not only the ratification process, but also the content of the agreement itself.

On the one hand, countries such as Germany and Spain have pushed decisively towards the conclusion of the treaty, enhancing its geopolitical dimension and economic opportunities for European industry and exports. On the other hand, states such as France, Poland, Austria and, in a first phase, also Italy have raised resistance related to the protection of agricultural sectors, judged to be particularly vulnerable to competition from Mercosur. These divergences led to a stalemate that threatened to jeopardise the ratification process and which the Commission could only overcome by introducing a package of corrective measures.

The inclusion of the bilateral safeguard clause is therefore a direct result of these pressures. It was designed to respond to the concerns of the most critical national governments by making it possible to temporarily restrict imports of sensitive agricultural products and to take protective measures rapidly if the balance of the internal market is threatened. The agreement, in its final version, can therefore not only be read as the result of the Commission's negotiating strategy, but also as the result of a process of political mediation in which the positions of the Member States played a decisive role. At the same time, the debate within the European Parliament reflected and partly amplified these divisions. While groups such as the EPP and Renew have consistently supported the agreement, others – notably the Greens, the Left and the Patriots for Europe – have questioned its compatibility with the EU's climate and social priorities. The S&D Group and the ECR have taken intermediate positions, which have progressively evolved as safeguards have been added. The introduction of the latter has made it possible to partially heal the fractures, favoring the emergence of a parliamentary majority potentially in favor of ratification.

Ultimately, the experience of the EU-Mercosur agreement shows that the Union's trade policies are not only the result of economic calculations or geopolitical strategies, but also the product of a complex process of political negotiation between national interests, sectoral sensitivities and parliamentary dynamics. The positions of the member countries, even more than those of the parliamentary groups, had the ability to influence the final content of the treaty, requiring the

Commission to introduce corrective instruments such as the safeguard clause. This clause, far from being a marginal element, is a concrete example of how the European institutions are forced to mediate between opening up to global markets and the need to guarantee protection and internal legitimacy to their choices. It is therefore a testimony to the inherently political nature of the common commercial policy and to the crucial role that Member States play in defining its contours.

## Conclusion

The analytical path developed in this thesis had a clear objective: to explain why the Member States of the European Union have positioned themselves differently with respect to the EU-Mercosur agreement and how these national preferences have affected the final content of the treaty. The answer that emerges from the analysis is clear: the construction of internal consensus has required the inclusion of protective devices capable of reassuring the most critical countries, and in particular of the sectors at the center of public politicization. The bilateral safeguard clause is the normative concretization of this need; It represents the material imprint of the political compromise that made it possible for the text to reach the adoption phase, while preserving its liberalizing framework. In other words, the outcome is not the victory of one party over the other, but the legal translation of a balance of forces: the agreement remains a vehicle for economic openness and interregional integration, but incorporates regulatory "hinges" designed to withstand the impact of domestic pressures in the most exposed countries.

To reach this conclusion, the thesis followed a cumulative itinerary, in which each chapter played a necessary and non-surrogate function. The reconstruction of Mercosur as a regional actor has laid the foundations for understanding the logic of European cautions: the intergovernmental structure of the bloc, the use of decision-making consensus, the asymmetries between members, the presence of lists of exceptions and flexibility regimes have historically limited the deepening of the customs union and made credible engagement with the outside world more complex. This picture has an immediate impact on the EU's perception of risk: the more incomplete the governance structure of the other party, the more the Union tends to "armor" the outcome of the negotiations with clauses that allow it to react to shocks or deviations, without compromising internal political stability. Knowledge of these partner constraints was therefore essential to avoid monocausal explanations that would attribute issues deriving, in part, from the conditions of operation of Mercosur to intra-EU fractures alone.

The shift to EU trade policy has made it possible to map the channels through which national preferences and pressures from non-state actors become negotiating instructions and then text. The post-Lisbon institutional architecture, with the centrality of the Commission in conducting the

negotiations, the role of the Council in political direction and that of the European Parliament in monitoring and ratification, draws a system in which multiple "gateways" make the process permeable to organized interests, environmental sensitivities and sectoral demands. This permeability is not a defect, it is a constitutive feature of the democratic legitimacy of European trade policy; but in a highly politicized dossier, such as the EU-Mercosur, it increases the risk of stalemate until a credible compensation mechanism allows the costs and benefits perceived by the various domestic coalitions to be realigned. The legal instruments available — chapters on trade and sustainable development, sanitary and phytosanitary measures, protection of geographical indications, monitoring mechanisms and, above all, safeguard clauses — have thus become the operational lexicon with which the EU has tried to translate an internal political conflict into regulatory solutions compatible with the opening of markets.

The negotiation chronology then offered dynamic feedback on these mechanisms. In the different phases, from the launch of 1999 to the deadlocks of the early 2000s, from the relaunch of 2016 to the political agreement of 2019, up to the 2024-2025 reformulation, it is observed how external events and domestic pressures have repeatedly realigned the agenda. The environmental crises and the European debate on deforestation, the hardening of preferences in some agricultural sectors, the growing public salience of sanitary and phytosanitary standards, as well as the emergence of geoeconomic priorities related to value chains and raw materials, have produced "critical conjunctures" in which the continuation of the negotiations was only possible at the price of renaming the agreement with denser chapters in terms of conditionality and self-protection instruments. It is in this process of rewriting that the bilateral safeguard clause takes on central importance: it is designed as a reactive but predictable mechanism, anchored to thresholds and procedures, capable of signaling to governments and sceptical social groups that openness does not expose them to uncontrolled liberalization.

In the comparative comparison of national positions and European political families, the political origin of the clause is fully clarified. France has been the epicentre of opposition in the name of protecting the agricultural sector and environmental coherence; Italy, while not on the same side of intransigence, has constantly expressed reservations and fears related in particular to the protection of typical supply chains and the reciprocity of standards; other Member States have been in a more favourable position, driven by the pro-export structure of their economies and geoeconomic considerations. Coalition politics in the European Parliament reflected and amplified these fractures, with political groups and national delegations carrying different red lines. To put together the mosaic, the Commission had to take on the role of political entrepreneur as well as technical negotiator, seeking a minimum threshold of legitimacy in which it would be rational for the most exposed

governments to accept the agreement without paying an excessive reputational price domestically. The bilateral safeguard clause, in this context, does not appear as a cosmetic addition, but as the keystone that allows a potential and unstable majority to be transformed into an effective and sustainable majority.

The thesis thus contributes to a theoretical clarification: historical institutionalism and liberal intergovernmentalism are not, in the case at hand, competing frameworks, but pieces of a single multilevel explanation. Europe's institutional legacies — the historical protection of agriculture, the importance of codecision procedures, the memory of ratification crises — define the playing field and explain the resilience of certain preferences. Domestic coalitions and their ability to politicize the dossier then determine the intensity of the conflict and the form of its recomposition. The safeguard clause is the meeting point between these two registers: it is made possible by the EU's procedural and legal arsenal and, at the same time, it is made necessary by the configuration of the internal balance of forces. In this sense, the EU-Mercosur agreement becomes a paradigmatic case of how "new generation" agreements must incorporate, in their design, tools that speak directly to potential veto coalitions.

A further result concerns the Italian specificity. Italy has not played the role of main antagonist, but the persistence of reservations — especially in the agri-food sector and the protection of geographical indications — has helped to define the Commission's room for manoeuvre in the search for compromise. The Italian attitude, from "conditioned skepticism", proves to be analytically useful because it exemplifies an intermediate posture: not a pure veto, but a request for credible guarantees to accept openness. It is precisely on the basis of these intermediate demands that the bilateral safeguard clause fulfils its function, offering governments and sectors an insurer of last resort which makes it possible to limit the effects of sudden spikes in imports or sectoral disturbances, without jeopardising the general structure of the cartel.

The adoption of a methodological framework based on process tracing and triangulation between documentary sources and interviews has made it possible to avoid the risk of a purely conjectural narrative. The reconstructed junctions show consistent traceability: when politicisation intensifies in certain national arenas, the balance in the Council tends to shift towards requests for additional conditionalities; When these demands find a viable legal anchor, the negotiation regains momentum and resistance eases. Of course, the partial transparency of the negotiations and the composite nature of the sources suggest caution in formulating strong causality claims: what the thesis claims is the robust plausibility of an explanatory chain that connects domestic preferences, decision-making venues, and normative devices in the final text. The strength of the explanation does not lie in a single "decisive" document, but in the convergence of multiple evidences that point in the same direction.

From this reconstruction derive some more general implications for the study and conduct of European trade policy. On an analytical level, the case suggests that talking about the EU's "external action capacity" without incorporating, in the same definition, the problem of internal political sustainability risks being an abstract exercise. Agreements do not live in their economic rationality alone; they live in an ecosystem of rules, sensitivities and power relationships that condition their very practicability. On an operational level, the case highlights the usefulness of designing transparent adaptation mechanisms from the early stages of negotiations, with clear activation conditions and time horizons, to prevent safeguard clauses from being mere "last-minute correctives". The anticipation and communication of such instruments can lower the temperature of politicization, allowing for a more informed debate on the benefits and costs of the agreement. At the same time, an uncontrolled proliferation of defensive clauses risks undermining the incentives for adjustment and weakening the EU's international credibility: this is the governance dilemma that the institutions will have to watch carefully.

The scope of the solution adopted remains to be critically measured. Safeguard clauses function as safety valves: they are valuable in the event of extraordinary pressures, but they cannot replace more structured accompanying policies, especially when resistance stems from problems of systemic competitiveness or social expectations related to the ecological transition. In this sense, the EU-Mercosur agreement also shows the importance of combining trade policy instruments with industrial, agricultural and territorial policy instruments, so as to transform contingent protection into a medium-term adaptive capability. If the clause remains the only answer, the risk is that the compromise will limit itself to suspending the conflict; If the clause is embedded in a complementary policy trajectory, the compromise can evolve towards a more stable acceptance of openness.

The analysis does not end with the description of a case. It offers an interpretative matrix applicable to other dossiers in which the EU finds itself negotiating highly politicised agreements. In the digital chapters, in the supply chains of critical raw materials, in the sets of rules on sustainability, the same problem of incorporating mechanisms into the text that make liberalization politically viable will arise. In this perspective, the contribution of the thesis is twofold: on the one hand, it shows how to read agreements not only as lists of concessions, but as architectures of legitimation; on the other hand, it suggests a research agenda that investigates the optimal design of such "hinges", their empirical ex post effectiveness and distributional effects within and between Member States.

Finally, it is useful to return to the value of the analysis conducted. Without the reconstruction of the Latin American partner, we would have overestimated the intra-EU component; without the map of institutions and decision-making channels, we would have neglected the concrete mechanisms for translating preferences; without the chronology of the negotiating nodes, we would have lost the

causal sequence in which the nodes are linked to the text reformulations; Without the comparison of national and political positions, we would have missed the decisive transition from conflict to solution. The fact that the answer to the demand for research has materialized in the safeguard clause is not a formal detail: it is the confirmation that, in a union of democracies, openness is never a technocratic automatism, but a regulatory compromise that must incorporate into law the conditions of its own political acceptability. The clause is, for this reason, more than a commercial institution: it is an institution of legitimation.

In conclusion, this thesis showed that the trajectory of the EU-Mercosur agreement is intelligible only if traced back to the nexus between national preferences and regulatory design. The Commission was able to push the agreement towards adoption because it was able to build, in the text, an area of protection that would reduce the political hazard of the most exposed governments. The bilateral safeguard clause is the tangible sign of this construction: not an alibi for postponing adjustments, but a government device of openness, which makes it possible to move from the potential agreement to the concrete steps of ratification and implementation. The contribution of the thesis consists in having made this passage visible and explainable, showing how the law of commercial agreements has become a place of political mediation. It is in this welding, between analysis and norms, between institutions and interests, that the importance of the work lies: to provide a key to interpreting not only the EU-Mercosur case, but the structural condition of European trade policy in the twenty-first century, in which external credibility is inseparable from internal legitimacy and in which any sustainable opening requires a corresponding investment in institutional engineering.

## Interviews

Interview A, (2025), *Interview with author*, Commission Officer, DG Trade, interviewed on 14 August 2025.

Interview B, (2025) *Interview with author*, Commission Officer, Trade Officer, Interviewed on 26 March 2025.

Interview C, MEP Antoci, G. (2025) *Interview with author*, Brussels, Member of the European Parliament, The Left, interviewed on September 11, 2025. [the interviewee allowed the name to be mentioned transparently]

Interview D, MEP Stancanelli, R. (2025) *Interview with author*, Brussels, Member of the European Parliament, Coordinator of AGRI Commission for Patriots for Europe, interviewed on 3 September 2025. [the interviewee allowed the name to be mentioned transparently]

## Bibliography and sitography

Abreu, O., 2025. EU–Mercosur Free Trade Agreement: The Spanish–German Axis – A Strategic Driver of the EU–Mercosur Agreement, Friedrich Naumann Foundation for Freedom. Disponible su: <https://www.freiheit.org> [Acceso 7 agosto 2025].

Adkisson R. V., (2003) The Andean Group: Institutional Evolution, Intraregional Trade, and Economic Development. *Journal of Economic Issues* 37(2): 371–379.

Adriaensen, J. and Postnikov, E. (2022) ‘Geo-Economic Motives and the Negotiation of Free Trade Agreements: Introduction’. In Adriaensen, J. and Postnikov, E. (eds) *A Geo-Economic Turn in Trade Policy? EU Trade Agreements in the Asia-Pacific* (Cham: Palgrave), pp. 3–26.

Agenda Pública (2025) *Relaciones UE-América Latina: oportunidad geopolítica y multilateralismo*. Available at: <https://agendapublica.es/noticia/19851/relaciones-ue-america-latina-oportunidad-geopolitica-multilateralismo> [Accessed 6 September 2025].

Aguiar, R. (2022). Influencia ideológica de Brasil en la conclusión del acuerdo de principio entre el Mercosur y la Unión Europea. RedLat-EU Working Paper No. 3. Montevideo.

Akilatan, T. B. F. (2020), Liberal Intergovernmentalism: An Overview of Andrew Moravcsik's Contribution to International Relations.

Alvarez M. (2024) Exploring Mercosur-EU interregionalism: A multifaceted analysis of its past, present and future functions and dynamics. *Contemporary European Politics*, 2(2), 10.1002/cep4.12

Álvarez, M.V. y Zelicovich, J. (2020), “El acuerdo MERCOSUR-Unión Europea: un abordaje multicausal de la conclusión del proceso negociador”, *Relaciones Internacionales*, nº 44, pp. 107-125.

Ambec, S. (2024). Stefan Ambec: ‘While the European Union imposes restrictive standards on farmers, opening up to trade with Mercosur seems unfair’. [online] *Le Monde.fr*. Available at: [https://www.lemonde.fr/en/opinion/article/2024/11/19/stefan-ambec-while-the-european-union-imposes-restrictive-standards-on-farmers-opening-up-to-trade-with-mercosur-seems-unfair\\_6733266\\_23.html](https://www.lemonde.fr/en/opinion/article/2024/11/19/stefan-ambec-while-the-european-union-imposes-restrictive-standards-on-farmers-opening-up-to-trade-with-mercosur-seems-unfair_6733266_23.html) [Accessed 7 Aug. 2025].

Ambec, S., 2024. Tribune: Alors que l'Union européenne impose... *Le Monde*, 18 November 2024.

ANSA (2025) *Ue sblocca l'accordo col Mercosur ma con salvaguardie, Roma e Parigi aprono*, 3 September. Available at: [https://www.ansa.it/sito/notizie/mondo/2025/09/03/ue-sblocca-laccordo-col-mercosur-ma-con-salvaguardie-roma-e-parigi-aprono\\_2b3bc0d8-0ea5-4562-bf05-96989b863b90.html](https://www.ansa.it/sito/notizie/mondo/2025/09/03/ue-sblocca-laccordo-col-mercosur-ma-con-salvaguardie-roma-e-parigi-aprono_2b3bc0d8-0ea5-4562-bf05-96989b863b90.html) [Accessed 6 September 2025].

ANSA (2025) *Via libera all'accordo Ue-Mercosur, Palazzo Chigi: 'Valutazione sulle garanzie'*, 3 September. Available at: <https://www.ansa.it> [Accessed 6 September 2025].

Arana, A. G. (2014). Explaining the renewed push for an European Union association agreement with Mercosur. *Revista Española de Relaciones Internacionales*, (6), 136-158.

Asociación Latinoamericana de Integración (2002) Probable impacto que tendrían los acuerdos con la Unión Europea en el comercio intrarregional y en el comercio de los países miembros con los países de Europa. Disponible online.

Azevedo, A. F. Z. D. (2004). Mercosur: ambitious policies, poor practices. *Brazilian Journal of Political Economy*, 24(4), 594–612. <https://doi.org/10.1590/0101-35172004-1604>.

Bajo, C. S., (1999). The European Union and Mercosur: A case of inter-regionalism. *Third World Quarterly* [online]. 20(5), 927–941. [Consultato il 14 maggio 2025]. Disponibile da: doi: 10.1080/01436599913415

Baltensperger, M., & Dadush, U. (2019). The European Union-Mercosur Free Trade Agreement: prospects and risks. Retrieved from: <http://aei.pitt.edu/100982/>.

Bartesaghi, I. (2014). “La ASEAN y el MERCOSUR: similitudes, diferencias y potencialidades”. *Temas de Derecho Económico. Enfoque Nacional e Internacional*, 2.

Bartesaghi, I. (2023). La importancia del acuerdo Mercosur-Unión Europea en la relación de Europa con América Latina y el Caribe. En B. T. Luciano y C. Ortiz-Morales (Eds.), *Los desafíos globales de la Unión Europea: transformación digital, participación ciudadana y relaciones con América Latina* (vol. 15, pp. -189). Ediciones Universidad Cooperativa de Colombia y Editorial de la Universidad de Alcalá. <https://doi.org/10.16925/9789587604603>

Bartesaghi, I., (2020). *MERCOSUR: Su desarrollo normativo frente a las tendencias mundiales*. Montevideo: Grupo Magro Editores.

Belga News Agency (2025) *EU presents Mercosur deal for approval amid resistance from agricultural sector*, 2025. Available at: <https://www.belganewsagency.eu/eu-presents-mercotur-deal-for-approval-amid-resistance-from-agricultural-sector> [Accessed 6 September 2025].

Bergmann J., Erforth B. & Keijzer N., (2024)“The involvement of the private sector and other non-state actors in EU development policy: current ambitions and directions” in Grimm, S. (2024). *Transnational Cooperation - an Explorative Collection*.

Best, E., (2005), “Supranational institutions and regional integration.” Paper presented at a workshop on Experiences in Processes of Regional Integration and Impacts on Poverty, Lima, March 3–4, 2005.

Bouzas, R., da Motta Veiga, P., and Torrent, R., (2002) “In-depth analysis of MERCOSUR integration, its prospective and the effects thereof on the market access of EU goods, services and investment.” Report presented to the Commission of the European Communities, Observatory of Globalization, November 2002.

Bouzas, R., Veiga, P. D. M., & Torrent, R. (2002). In-depth analysis of Mercosur integration, its perspectives and the effects thereof on the market access of EU goods, services and investment. *Report presented to the Commission of the European Communities*.

Buckley, M. (n.d.). *Political Constructivism* / *Internet Encyclopedia of Philosophy*. [online] Internet Encyclopedia of Philosophy. Available at: <https://iep.utm.edu/political-constructivism/>.

Buenos Aires Times, 2024. Germany's Scholz urges swift conclusion to EU–Mercosur trade deal. Disponible su: <https://www.batimes.com.ar> [Acceso 7 agosto 2025].

Burrell, A., Ferrari, E., Mellado, A. G., Himics, M., Michalek, J., Shrestha, S., & Van Doorslaer, B. (2011). *Potential EU-Mercosur free trade agreement: impact assessment, Volume 1: Main results* (No. JRC67394). Joint Research Centre.

Bushnell, D., (1993) *The Making of Modern Colombia: A Nation in Spite of Itself*. University of California Press, Berkeley and Los Angeles.

BusinessEurope (2025) *The Confederation of European Business*. Available at: <https://www.businesseurope.eu> (Accessed: 20 July 2025).

Büthe, T. (2016). Historical Institutionalism and Institutional Development in the EU. *Oxford University Press eBooks*, [online] pp.37–67. doi:<https://doi.org/10.1093/acprof:oso/9780198779629.003.0002>.

Caichiolo, C.R. (2017). The Mercosur Experience and Theories of Regional Integration. *Contexto Internacional*, 39(1), pp.117–134. doi:<https://doi.org/10.1590/s0102-8529.2017390100006>.

Campos, G. L. (2016). From Success to Failure: Under What Conditions Did Mercosur Integrate? *Journal of Economic Integration*, 31(4), 855–897. <http://www.jstor.org/stable/44028249>

CAN Europe (2024) Stop the EU-Mercosur trade deal: Milei’s Argentina and climate denial. Climate Action Network Europe.

CAN Europe, 2025. Legal analysis – sustainability in the EU-Mercosur Agreement. CAN Europe. Available at: [https://caneurope.org/content/uploads/2025/04/Legal\\_analysis\\_sustainability\\_EU-Mercosur\\_Agreement.pdf](https://caneurope.org/content/uploads/2025/04/Legal_analysis_sustainability_EU-Mercosur_Agreement.pdf).

Cano, V. E., & Quero, M. C. (2019). Exportaciones del Paraguay al MERCOSUR: Sub partidas amenazadas por el Acuerdo UE-MERCOSUR. *Investigación agraria*, 21(1), 43-53.

Capoccia, G. (2015). "Critical junctures and institutional change", in *Advances in Comparative-Historical Analysis*, Cambridge University Press, pp. 147-179.

Cardoso, B., Burle, F., (2018), “ MERCOSUL: Manutenção das listas de exceções e o sonho da constituição de um mercado comum”. Rev. secr. Trib. perm. revis., Assunción, a. 6, n. 11, pp. 88-108, p. 103.

Cason, J.,(2000), “On the road to southern cone economic integration.” Journal of Interamerican Studies and World Affairs 42 (2000): 23–42. Accessed June 16, 2025. doi: 10.2307/166464.

Castañó, F. (2019, July 1). Cuatro razones para entender el acuerdo Mercosur-UE. L'Ombelico del Mondo, Periodismo Internacional. <https://ombelico.com.ar/2019/07/01/cuatro-razones-para-entender-el-acuerdo-mercosur-ue/>.

CEBRI Revista (2025). The Ratification of the EU-Mercosur Agreement from the European Perspective – Now or Never? [online] CEBRI Revista. Available at: <https://cebri.org/revista/en/artigo/85/the-ratification-of-the-eu-mercosur-agreement-from-the-european-perspective-now-or-never> [Accessed 7 Aug. 2025].

Christiansen, T. (2020) “Historical Institutionalism in the Study of European Integration”, Verdun, Amy.

Clapham, A. (2018). Non-state actors. *International human rights law*, 2, 531.

ClientEarth (2021) *The Special Committee on Agriculture: A sixty-year-old obstacle to an environmentally ambitious CAP*. Available at: <https://www.clientearth.org/media/jmckzevz/clientearth-brief-the-special-committee-on-agriculture-a-sixty-year-old-obstacle-to-an-environmentally-ambitious-cap-ce-en.pdf> (Accessed: 18 July 2025).

ClientEarth, (2020). The Trade and Sustainable Development Chapter in the EU-Mercosur Association Agreement — legal analysis. ClientEarth (July 2020). Available at: <https://www.clientearth.org/media/rs5enobx/the-trade-and-sustainable-development-chapter-in-the-eu-mercosur-association-agreement-ext-en.pdf>.

ClientEarth, (2024). Mercosur and EUDR: inconsistencies and legal conflicts. ClientEarth. Available at: [https://www.clientearth.org/media/tv0obqhn/mercosur-and-eudr\\_inconsistencies-and-legal-conflicts.pdf](https://www.clientearth.org/media/tv0obqhn/mercosur-and-eudr_inconsistencies-and-legal-conflicts.pdf).

COAG (2025) *Coordinadora de Organizaciones de Agricultores y Ganaderos*. Available at: <https://www.coag.org> (Accessed: 20 July 2025).

Coldiretti (2024) Mercosur, accordo inaccettabile che penalizza l'agricoltura europea, Coldiretti. Disponibile su: <https://www.coldiretti.it>

Commissione europea – Rappresentanza in Italia (2025) *La Commissione propone l'adozione di accordi con il Mercosur e il Messico*, 3 September. Available at: <https://italy.representation.ec.europa.eu> [Accessed 6 September 2025].

Conconi, P., Herghelegiu, C., & Puccio, L. (2020). EU Trade Agreements: To Mix or not to Mix, That is the Question.

Copa-Cogeca (2023) Farmers voice opposition to the EU-Mercosur deal. Disponibile su: <https://copa-cogeca.eu>

Copa-Cogeca (2025) *The Voice of European Farmers and Agri-Cooperatives*. Available at: <https://copa-cogeca.eu> (Accessed: 20 July 2025).

Cornejo A.R., (2024), 'Article: Reflections on the New Rules of Origin of Mercosur' 19, *Global Trade and Customs Journal*, Issue 11, pp. 757-768.

Costa, O. (2024) 'The European Parliament and the Qatargate', *Journal of Common Market Studies*, 62(S1), pp. 76–87.

De Ville, F. (2013). 'The Promise of Critical Historical Institutionalism for EU Trade Policy Analysis', *Journal of Contemporary European Research*. 9 (4), pp. 618-632.  
Declaración de Iguazú (1985)

Decode39 (2025a) *Italy backs the EU-Mercosur agreement*, 2025. Available at: <https://decode39.com/11715/italy-backs-the-eu-mercoshur-agreement/> [Accessed 6 September 2025].

Decode39 (2025b) *Italy pushes EU-Mercosur deal as strategic win*, 2025. Available at: <https://decode39.com/11769/italy-pushes-eu-mercoshur-deal-as-strategic-win/> [Accessed 6 September 2025].

Democrata (2025) *España celebra entrega oficial acuerdo comercio UE-Mercosur, paso crucial*, 2025. Available at: <https://www.democrata.es/economia/espana-celebra-entrega-oficial-acuerdo-comercio-ue-mercoshur-paso-crucial/> [Accessed 6 September 2025].

Devdiscourse (2025) *Final phase of EU-Mercosur free trade talks a boost for Europe*, 2025. Available at: <https://www.devdiscourse.com/article/politics/3614008-final-phase-of-eu-mercotur-free-trade-talks-a-boost-for-europe> [Accessed 6 September 2025].

Dür, A., & Gastinger, M. (2022). Spinning a global web of EU external relations: how the EU establishes stronger joint bodies where they matter most. *Journal of European Public Policy*, 30(6), 1072–1091. <https://doi.org/10.1080/13501763.2022.2079708>

Eckes, C. (n.d.). How Sustainable is the EU-Mercosur Agreement? [online] Available at: [https://caneurope.org/content/uploads/2025/04/Legal\\_analysis\\_sustainability\\_EU-Mercosur\\_Agreement.pdf](https://caneurope.org/content/uploads/2025/04/Legal_analysis_sustainability_EU-Mercosur_Agreement.pdf) [Accessed 14 May 2025].

ECR Group (2024) *No green light from us for EU-Mercosur deal*. Available at: [https://ecrgroup.eu/article/no\\_green\\_light\\_from\\_us\\_for\\_eu\\_mercotur\\_deal](https://ecrgroup.eu/article/no_green_light_from_us_for_eu_mercotur_deal) [Accessed 7 September 2025].

ECR Group (2025) *Week ahead, 8–12 September*. Available at: [https://ecrgroup.eu/article/week\\_ahead\\_8\\_12\\_september](https://ecrgroup.eu/article/week_ahead_8_12_september) [Accessed 10 September 2025].

El Acuerdo marco interregional de cooperación entre la Comunidad Europea y el Mercosur, (1999)

El País (2025) *Bruselas busca reforzar alianzas alternativas a Estados Unidos con los acuerdos comerciales de Mercosur y México*, 3 September. Available at: <https://elpais.com/internacional/2025-09-03/bruselas-busca-reforzar-alianzas-alternativas-a-estados-unidos-con-los-acuerdos-comerciales-de-mercotur-y-mexico.html> [Accessed 6 September 2025].

Environment Ireland (2025) Walsh, M. *The Mercosur trade deal is a risk for Irish farmers and standards*. Available at: <https://www.environmentireland.ie/maria-walsh-mep-the-mercotur-trade-deal-is-a-risk-for-irish-farmers-and-standards/> [Accessed 6 September 2025].

EPP Group (2025) *EU-Mercosur deal is a much-needed boost for the EU's economy*. Available at: <https://www.eppgroup.eu/newsroom/eu-mercotur-deal-is-a-much-needed-boost-for-the-eu-s-economy> [Accessed 7 September 2025].

EPP Group (2025) *EU-Mercosur deal is a much-needed boost for the EU's economy*. Available at: <https://www.eppgroup.eu/newsroom/eu-mercotur-deal-is-a-much-needed-boost-for-the-eu-s-economy> [Accessed 7 September 2025].

Estevaordal, A. and Krivonos, E. (2000). *Negotiating Market Access between the European Union and Mercosur: Issues and Prospects*. Instituto para la Integración de América Latina y el Caribe (INTAL), Banco Interamericano de Desarrollo, Occasional paper No. 7, December.

Euractiv (2025) *Member states soften opposition to EU-Mercosur deal*, 2025. Available at: <https://www.euractiv.com/section/agriculture-food/news/member-states-soften-opposition-to-eu-mercosur-deal/> [Accessed 6 September 2025].

Euractiv (2025) *Warsaw counts on Rome to block Mercosur deal*. Available at: <https://www.euractiv.com/section/politics/news/warsaw-counts-on-rome-to-block-mercosur-deal/> [Accessed 6 September 2025].

Euractiv, 2023. *Germany wants to persuade France over merits of EU–Mercosur deal*. Euractiv.com. Disponibile su: <https://www.euractiv.com> [Accesso 7 agosto 2025].

Euronews (2025) *France's united front against Mercosur deal starts to show cracks*, 15 April. Available at: <https://www.euronews.com/my-europe/2025/04/15/frances-united-front-against-mercosur-deal-starts-to-show-cracks> [Accessed 6 September 2025].

Euronews (2025) *Left-wing MEPs push to challenge Mercosur deal in EU Court*. Available at: <https://www.euronews.com/business/2025/09/03/left-wing-meps-push-to-challenge-mercosur-deal-in-eu-court> [Accessed 10 September 2025].

Euronews (2025) *Left-wing MEPs push to challenge Mercosur deal in EU Court*. Available at: <https://www.euronews.com/business/2025/09/03/left-wing-meps-push-to-challenge-mercosur-deal-in-eu-court> [Accessed 10 September 2025].

Euronews (2025) *Mercosur, avviato l'iter di ratifica: occhi puntati sulla Francia*, 3 September. Available at: <https://it.euronews.com/my-europe/2025/09/03/mercosur-avviato-liter-di-ratifica-occhi-puntati-sulla-francia> [Accessed 6 September 2025].

Europa.eu. (2023). *Trade and sustainable development in EU free trade agreements | Think Tank / Parlamento Europeo*. [online] [Accessed 25 Jul. 2025].

European Commission (2019). *L'Accordo UE-Mercosur*. Retrieved from [http://www.legacoop.coop/internazionale/wp-content/uploads/sites/9/2019/11/EU-Mercosur\\_IT-11-19.pdf](http://www.legacoop.coop/internazionale/wp-content/uploads/sites/9/2019/11/EU-Mercosur_IT-11-19.pdf).

European Commission (2025). *Factsheet: Enhancing Trade and Investment in Critical Raw Materials*. <https://policy.trade.ec.europa.eu/eu-trade-relationships-country-and-region/countries-and->

[regions/mercosur/eu-mercosur-agreement/factsheet-eu-mercosur-partnership-agreement-enhancing-trade-and-investment-critical-raw-materials\\_en](https://policy.trade.ec.europa.eu/eu-trade-relationships-country-and-region/countries-and-regions/mercosur/eu-mercosur-agreement/factsheet-eu-mercosur-partnership-agreement-enhancing-trade-and-investment-critical-raw-materials_en) .

European Commission (2025). Factsheet: EU-Mercosur Partnership Agreement – Opening Opportunities for European Farmers. [https://policy.trade.ec.europa.eu/eu-trade-relationships-country-and-region/countries-and-regions/mercosur/eu-mercosur-agreement/factsheet-eu-mercosur-partnership-agreement-opening-opportunities-european-farmers\\_en](https://policy.trade.ec.europa.eu/eu-trade-relationships-country-and-region/countries-and-regions/mercosur/eu-mercosur-agreement/factsheet-eu-mercosur-partnership-agreement-opening-opportunities-european-farmers_en) .

European Commission (2025). Factsheet: Respecting Europe’s Health and Safety Standards. [https://policy.trade.ec.europa.eu/eu-trade-relationships-country-and-region/countries-and-regions/mercosur/eu-mercosur-agreement/factsheet-eu-mercosur-partnership-agreement-respecting-europes-health-and-safety-standards\\_it](https://policy.trade.ec.europa.eu/eu-trade-relationships-country-and-region/countries-and-regions/mercosur/eu-mercosur-agreement/factsheet-eu-mercosur-partnership-agreement-respecting-europes-health-and-safety-standards_it) .

European Commission, 2023. Regulation (EU) 2023/1115 on the making available on the Union market and the export from the Union of certain commodities and products associated with deforestation and forest degradation. European Commission. Available at: [https://environment.ec.europa.eu/topics/forests/deforestation/regulation-deforestation-free-products\\_en](https://environment.ec.europa.eu/topics/forests/deforestation/regulation-deforestation-free-products_en).

European Commission, 2024. Guidance / legal text on EUDR (CELEX 52024XC06789). EUR-Lex. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52024XC06789&qid=1731687748447>.

European Newsroom (2025) *A group of MEPs announced a review of the agreement with Mercosur, did not rule out steps in the CJEU*. Available at: <https://europeannewsroom.com/a-group-of-meps-announced-a-review-of-the-agreement-with-mercosur-did-not-rule-out-steps-in-the-cjeu/> [Accessed 10 September 2025].

European Newsroom (2025) *A group of MEPs announced a review of the agreement with Mercosur, did not rule out steps in the CJEU*. Available at: <https://europeannewsroom.com/a-group-of-meps-announced-a-review-of-the-agreement-with-mercosur-did-not-rule-out-steps-in-the-cjeu/> [Accessed 10 September 2025].

European Newsroom (2025a) *Sánchez celebra el avance del acuerdo con Mercosur mientras otros se cierran*, 2025. Available at: <https://europeannewsroom.com/es/sanchez-celebra-el-avance-del-acuerdo-con-mercosur-mientras-otros-se-cierran-seguimos-abriendonos-al-mundo/> [Accessed 6 September 2025].

European Newsroom (2025b) *Belgium is heading towards abstention*, 2025. Available at: <https://europeannewsroom.com/mercosur-belgium-is-heading-towards-abstention/> [Accessed 6 September 2025].

European Parliament (2025) *Debate on the EU-Mercosur agreement, 13 February 2025*. Available at: [https://www.europarl.europa.eu/doceo/document/CRE-10-2025-02-13\\_IT.html#creitem3](https://www.europarl.europa.eu/doceo/document/CRE-10-2025-02-13_IT.html#creitem3) [Accessed 7 September 2025].

European Parliament (2025) EU-Mercosur Partnership Agreement: Trade Pillar, EPRS\_BRI(2025)769537\_EN

European Services Forum (2025) *European Services Forum – ESF*. Available at: <https://www.esf.be> (Accessed: 20 July 2025).

European Union. (2012) Consolidated version of the Treaty on European Union. Official Journal of the European Union, C 326, 26.10.2012

European Union. (2012) Consolidated version of the Treaty on the Functioning of the European Union. Official Journal of the European Union, C 326, 26.10.2012.

Eurotoday, 2024. Spain Supports the EU–Mercosur Agreement. Disponibile su: <https://eurotoday.org> [Accesso 7 agosto 2025].

Fabbrini, S. (2010) *Compound Democracies: Why the United States and Europe Are Becoming Similar*. Oxford: Oxford University Press.

Fabbrini, S. (2015) *Which European Union? Europe after the Euro Crisis*. Cambridge: Cambridge University Press.

Fabbrini, S. and Dibere Molutsi, P. (2011). Comparative Politics. *International Encyclopedia of Political Science*. doi:<https://doi.org/10.4135/9781412959636.n86>.

Farrell H. & L. Newman A., (2010) Making global markets: Historical institutionalism in international political economy, *Review of International Political Economy*, 17:4, 609-638, DOI: 10.1080/09692291003723672

FdI–ECR (2025) *Accordo EU-Mercosur, Fidanza (FdI-ECR): bene maggiori tutele ma continuiamo a vigilare*. Available at: <https://ecr-fratelliditalia.eu/accordo-eu-mercosur-fidanza-fdi-ecr-bene-maggiori-tutele-ma-continuiamo-a-vigilare/> [Accessed 10 September 2025].

Friends of the Earth Europe (2023) Legal Analysis of the leaked EU-Mercosur Joint Instrument. Disponibile su: <https://friendsoftheearth.eu>

Garcia, B., (2011) “The Amazon from an International Law Perspective”. Cambridge University Press, New York.

Gardini, G. L. (2011). MERCOSUR: What you see is not (always) what you get. *European Law Journal*, 17(5), 683-700.

Gardini, G. L., (2010). *Origins of Mercosur: Democracy and Regionalization in South America*. Palgrave Macmillan.

Gardini, G.L. (2010) ‘Proyectos de Integración Regional Sudamericana: hacia una teoría de convergencia regional’, *Relaciones Internacionales*, (15), octubre.

GEA (2025) *Mercosur, Nardella (PD): opportunità per l’agricoltura se standard produttivi rispettati*. Available at: <https://geagency.it/breaking-news/mercosur-nardella-pd-opportunita-agricoltura-se-standard-produttivi-rispettati/> [Accessed 10 September 2025].

Ghiotto L., Echaide J., (2019) Analysis of the agreement between the European Union and the Mercosur, <https://www.annacavazzini.eu/wp-content/uploads/2020/01/Study-on-the-EU-Mercosur-agree-ment-09.01.2020-1.pdf> [Accessed : 30.07.2025].

Gómez Arana A. (2017). *The European Union's Policy Towards Mercosur. Responsive Not Strategic*. Manchester: Manchester University Press. <https://library.oapen.org/bitstream/id/5bc3e64b-856f-4821-8d57-a68852bb08f6/626404.pdf>.

Gómez Arana, A. e García, M., (2022). *Latin America-European Union Relations in the Twenty-First Century*. Manchester University Press.

Gómez Arana, A. (2014). “Explaining the renewed push for a European Union association agreement with Mercosur”, *Revista Española de Relaciones Internacionales* 6, 136–58.

Greenpeace (2024) Want to do something good for farmers? Stop the EU-Mercosur trade deal. Greenpeace EU Unit.

Greenpeace EU, 2023. EU-Mercosur undermines EU efforts against deforestation: Policy briefing. Greenpeace. Available at: <https://www.greenpeace.org/.../policy-briefing-eu-mercosur-undermines-eu-efforts-against-deforestation.pdf>.

Greenpeace European Unit (2025) *Greenpeace European Unit*. Available at: <https://www.greenpeace.org/eu-unit/> (Accessed: 20 July 2025).

Greens/EFA (2024) *EU-Mercosur: The European Commission forces its way in*. Brussels: Greens/EFA.

Greens/EFA (2025) *EPP attack on Deforestation Regulation thwarted*. Brussels: Greens/EFA.

Grossman, G. and E. Helpman (1995), 'The politics of free trade agreements', *American Economic Review*, 85, 667-690.

Gstöhl, S. and Bièvre, D. D. (2017) *The Trade Policy of the European Union*. 1st edn. Bloomsbury Academic. Available at: <https://www.perlego.com/book/2996542> (Accessed: 21 July 2025).

Gstöhl, S. e Bièvre, D. D., (2017). *The Trade Policy of the European Union*. Red Globe Press.  
Hagemeyer, J., Maurer, A., Rudloff, B., Stoll, P.-T., Woolcock, S., Vieira, A., Mensah, K. and Sidło, K. (2021). Trade aspects of the EU-Mercosur Association Agreement. [online] Available at: [https://www.europarl.europa.eu/RegData/etudes/STUD/2021/653650/EXPO\\_STU\(2021\)653650\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2021/653650/EXPO_STU(2021)653650_EN.pdf).

Handelsblatt.com. (2025). Handelsblatt. [online] Available at: <https://www.handelsblatt.com/politik/international/freihandel-mit-suedamerika-eu-und-mercotur-staaten-beschliessen-freihandelszone/100093157.html> [Accessed 7 Aug. 2025].

Harrison, J. & Paulini, S., (2024). Reinventing trade, environment and development interlinkages: lessons from the EU–Mercosur Association Agreement. *Journal of International Economic Law*.

Harrison, J., Barbu, M., Campling, L., Richardson, B. and Smith, A. (2019) 'Governing Labour Standards through Free Trade Agreements: Limits of the European Union's Trade and Sustainable Development Chapters'. *Journal of Common Market Studies*, Vol. 57, No. 2, pp. 260–277. doi: 10.1111/jcms.12715.

Heinrich-Böll Stiftung (2022) Pesticide Atlas: Brazil. Disponibile su: <https://eu.boell.org>

Heyl, K., Ekardt, F., Roos, P., Stubenrauch, J. & Garske, B., (2021). Free Trade, Environment, Agriculture, and Plurilateral Treaties: The Ambivalent Example of Mercosur, CETA, and the EU–Vietnam Free Trade Agreement. *Sustainability*.

Heyl, K.; Ekardt, F.; Roos, P.; Stubenrauch, J.; Garske, B. (2021) Free Trade, Environment, Agriculture, and Plurilateral Treaties: The Ambivalent Example of Mercosur, CETA, and the EU–Vietnam Free Trade Agreement. *Sustainability* 2021, 13, 3153. <https://doi.org/10.3390/su13063153>

Hix, S., & Høyland, B. (2013). Empowerment of the European parliament. *Annual review of political science*, 16(1), 171-189.

Hummel, F., and Lohaus, M., (2012) “MERCOSUR: Integration through presidents and paymasters.” In *Roads to regionalism: genesis, design, and effects of regional organisations*, edited by Tanja Borzel., Lukas Goltermann, Mathis Lohaus, and Kai Striebinger, 59-80, Farnham: Ashgate Publishers, 2012.

Idriz, N., & Kassoti, E. (Eds.). (2022). *Global Europe: Legal and Policy Issues of the EU’s External Action*. <https://doi.org/10.1007/978-94-6265-655-0>

IE Insights. (2025). *The EU-Mercosur Agreement: Do We Have a Deal? | IE Insights*. [online] Available at: <https://www.ie.edu/insights/articles/the-eu-mercotur-agreement-do-we-have-a-deal/>.

Il Fatto Quotidiano (2025) *Accordo Ue-Mercosur: il governo Meloni apre, Coldiretti resta critica*, 3 September. Available at: <https://www.ilfattoquotidiano.it/2025/09/03/accordo-ue-mercotur-governo-meloni-coldiretti-news/8114353/> [Accessed 6 September 2025].

Il Foglio (2024) *Sorpresa: il governo Meloni apre all’accordo tra UE e Mercosur*, 10 December. Available at: <https://www.ilfoglio.it/politica/2024/12/10/news/sorpresa-il-governo-meloni-apre-all-accordo-tra-ue-e-mercotur-7230763/> [Accessed 6 September 2025].

Il Sole 24 Ore (2025) *EU-Mercosur, today the presentation of the trade agreement concluded last December*, 3 September. Available at: <https://en.ilsole24ore.com/art/eu-mercotur-today-presentation-of-trade-agreement-concluded-last-december-AHhssiQC> [Accessed 6 September 2025].

Il Sole 24 Ore (2025) Romano, B. *Ue-Mercosur, oggi la presentazione dell’accordo commerciale concluso nel dicembre scorso*, 3 September. Available at: <https://www.ilsole24ore.com> [Accessed 6 September 2025].

Informe de economía latinoamericana. Segundo semestre de 2024. (2025). doi:<https://doi.org/10.53479/39104>.

Irish Times (2025) *Government to oppose Mercosur trade deal but fears it will be passed*, 4 September. Available at: <https://www.irishtimes.com/politics/2025/09/04/government-to-oppose-mercosur-trade-deal-but-fears-it-will-be-passed/> [Accessed 6 September 2025].

Jarrín, M. T., & Aramayo, L. G. D. , (2023). *EU-MERCOSUR Interregionalism: Diplomatic and Trade Relations* (Vol. 21). Springer Nature.

Jarrín, M. T., & Aramayo, L. G. D. (2023). *EU-MERCOSUR Interregionalism: Diplomatic and Trade Relations* (Vol. 21). Springer Nature.

Josselin, D. and Wallace, W. (2001) *Non-State Actors in World Politics*. Palgrave Macmillan. Available at: <https://www.perlego.com/book/3506101> (Accessed: 21 July 2025).

Kaltenthaler, K. and Mora, F., (2002) “Explaining Latin American economic integration: the case of Mercosur.” *Review of International Political Economy* 9 (2002): 72-97.

Kleine M. and Pollack M., (2018) *Liberal intergovernmentalism and its critics*. *Journal of Common Market Studies*.

Krapohl, S., (2010), “Asymmetries and regional integration: The problems of institution- building and implementation in ASEAN, MERCOSUR, and SADC.” Last modified June 2010.

Krzyzanowski J. T., (2025). *The EU - Mercosur Agreement in Agriculture, Opportunities and Threats for European Producers*, *European Research Studies Journal* Volume XXVIII Issue 2, 272-294.

Krzyzanowski, J.T. (2025) *The EU - Mercosur Agreement in Agriculture, Opportunities and Threats for European Producers*, *European Research Studies Journal*, Vol. XXVIII, Issue 2, pp. 272–294.

Kutas, G. (2006). *Still the agricultural knot*. In A. Valladao & P. Guerrieri (Eds.), *EU-Mercosur relations and the WTO Doha Round. Common sectorial interests and conflicts*. Chaire Mercosur de Science-Po.

La Moncloa, 2025. *Planas: Agreement with Mercosur represents a great opportunity for Spanish wine producers*. Disponible su: <https://www.lamoncloa.gob.es> [Acceso 7 agosto 2025].

Le Monde, 2024. *EU–Mercosur agreement: Negotiations speed up to France’s dismay*. Disponible su: <https://www.lemonde.fr> [Acceso 7 agosto 2025].

Lewis, D. (2010). Nongovernmental organizations, definition and history. In H. K. Anheier, S. Toepler, & R. List (Eds.), *International encyclopedia of civil society* (pp. 1056–1062). New York: Springer.

López-Jacoiste Díaz E. (2015) ‘The Latin American Integration Association’ in M. Odello and F. Seatzu (eds.), *Latin American and Caribbean International, Institutional Law*, DOI 10.1007/978-94-6265-069-5\_2.

LSE Consulting (2020). *Sustainability Impact Assessment in Support of the Association Agreement Negotiations between the European Union and Mercosur*.

Mace G., (1988) ‘Regional Integration in Latin America: A Long and Winding Road’ 43(3) *International Journal*, pp. 404–427.

Mahruxh, Doctor. “Prospects for deepening Mercosur integration: Economic asymmetry and institutional deficits.” *Review of International Political Economy* 20 (2012): 515- 540. doi: 10.1080/09692290.2012.671763.

Mair, P. (2007). Political Opposition and the European Union. *Government and opposition*, 42(1), 1-17.

Majchrowska, E. (2022). EU-MERCOSUR TRADE RELATIONS – Challenges and Prospects in the light of the completed negotiations of the trade agreement. *Roczniki Administracji i Prawa*, 2(XXII), pp.103–122. doi:<https://doi.org/10.5604/01.3001.0016.0949>.

Majchrowska, E. (2022). EU-Mercosur Trade Relations–Challenges and Prospects in the Light of the Completed Negotiations of the Trade Agreement. *Roczniki Administracji i Prawa*, 2, 103-122.

Malamud, A., (2003) “Presidentialism and Mercosur: A hidden cause for a successful experience.” In *Comparative regional integration: Theoretical perspectives*, edited by Finn Laursen, 53-74. London: Ashgate, 2003.

Malamud, A., (2008) “The internal agenda of Mercosur: Interdependence, leadership and institutionalization.” In *Los nuevos enfoques de la integración: más allá del nuevo regionalismo*, edited by Grace Jaramillo, 115-136. Quito: FLACSO, 2008.

Malamud, A., (2013) *Overlapping Regionalism, No Integration: Conceptual Issues and the Latin American Experiences*. EUI Working Paper, RSCAS – 2013/20, European University Institute, San Domenico di Fiesole.

Malamud, A., and Gardini, G.L., (2012) ‘Has Regionalism Peaked? The Latin American Quagmire and its Lessons’, *International Spectator Italian Journal of International Affairs*, 47(1): 116–133.

MAPA – Ministerio de Agricultura, Pesca y Alimentación (2025) *El acuerdo UE-Mercosur es ambicioso y equilibrado: crea oportunidades de exportación para el sector agrario y protege los productos más sensibles*. Available at: [https://www.mapa.gob.es/es/prensa/ultimas-noticias/detalle\\_noticias/el-acuerdo-ue-mercosur-es-ambicioso-y-equilibrado--crea-oportunidades-de-exportacion-para-el-sector-agrario-y-proteger--los-productos-m-s-sensibles/d54888a1-b458-473f-ac68-98db293364b1](https://www.mapa.gob.es/es/prensa/ultimas-noticias/detalle_noticias/el-acuerdo-ue-mercosur-es-ambicioso-y-equilibrado--crea-oportunidades-de-exportacion-para-el-sector-agrario-y-proteger--los-productos-m-s-sensibles/d54888a1-b458-473f-ac68-98db293364b1) [Accessed 6 September 2025].

Matthews, A. (2025). Limited impact of Mercosur Partnership Agreement on the EU beef market. [online] Capreform.eu. Available at: <http://capreform.eu/very-limited-impact-of-mercosur-partnership-agreement-on-the-eu-beef-market/> .

Mattli, W., (1999), “The logic of regional integration. Europe and beyond”. Cambridge: Cambridge University Press, 1999.

Mecham, M., (2003) “Mercosur: A failing development project?” *Royal Institute of International Affairs* 79 (2003): 369-387.

Meissner, K. L., (2018). *Commercial Realism and EU Trade Policy: Competing for Economic Power in Asia and the Americas*. Routledge.

Melville, R. (2010). Umbrella organizations. In H. K. Anheier, S. Toepler, & R. List (Eds.), *International encyclopedia of civil society* (pp. 1577–1582). New York: Springer.

Mercopress (2025a) *Italy favors EU-Mercosur FTA provided Europe’s agriculture’s interests are protected*, 28 June. Available at: <https://en.mercopress.com/2025/06/28/italy-favors-eu-mercosur-fta-provided-europe-s-agriculture-s-interests-are-protected> [Accessed 6 September 2025].

Mercopress (2025b) *New German Chancellor wants EU-Mercosur deal expedited*, 8 May. Available at: <https://en.mercopress.com/2025/05/08/new-german-chancellor-wants-eu-mercosur-deal-expedited> [Accessed 6 September 2025].

Mercosur. MERCOSUR Report number 6 : 1999-2000 (Subregional Integration Report Series MERCOSUR = Informes Subregionales de Integración MERCOSUR = Série Informes Subregionais de Integração MERCOSUL. Brasilia: BID-INTAL, 1999.

Milano Finanza (2025) Valente, S. *Ue, siglato l'accordo con il Mercosur: previsto aumento dell'export europeo del 40% verso l'America Latina*, 3 September. Available at: <https://www.milanofinanza.it> [Accessed 6 September 2025].

Ministero degli Affari Esteri e della Cooperazione Internazionale (MAECI) (2025) *Tajani: con l'accordo Mercosur diversifichiamo l'export italiano*, 3 September. Available at: [https://www.esteri.it/en/sala\\_stamp/archivionotizie/approfondimenti/2025/09/tajani-con-laccordo-mercosur-diversifichiamo-llexport-italiano-il-sole-24-ore-2/](https://www.esteri.it/en/sala_stamp/archivionotizie/approfondimenti/2025/09/tajani-con-laccordo-mercosur-diversifichiamo-llexport-italiano-il-sole-24-ore-2/) [Accessed 6 September 2025].

Moniz Bandeira, L.A. (1992) 'Argentina y Brasil: regímenes políticos y política exterior, 1930-1992', *Ciclos en la historia, la economía y la sociedad*, 2(3), pp. 161-172.

Moravcsik A. and Schimmelfennig F. (2018). "Liberal Intergovernmentalism" in *European Integration Theory*, Oxford University Press, pp.64-84.

Moravcsik, A. (1995). Liberal intergovernmentalism and integration: a rejoinder. *J. Common Mkt. Stud.*, 33, 611.

Motta Veiga, P., (2004), "Mercosur: In search of a new development agenda". Buenos Aires: Inter-American Development Bank Working Paper, 2004.

Mukhametdinov, M. (2007). Mercosur and the European Union. *Cooperation and Conflict*, 42(2), pp.207–228. doi:<https://doi.org/10.1177/0010836707076690>.

Mukhametdinov, M., (2018). MERCOSUR and the European Union: Variation and Limits of Regional Integration. Palgrave Macmillan.

Nardella, D. (2025a) *Mercosur è un'opportunità ma servono reciprocità, controlli e fondi*. Eurodeputati PD, 30 January. Available at: <https://eurodeputatipd.eu/2025/01/30/nardella-mercosur->

[e-unopportunita-ma-agricoltura-servono-reciprocita-controlli-e-fondi-la-promozione](#) [Accessed 7 September 2025].

Nardella, D. (2025b) *Mercosur, un'opportunità per l'Italia*. CuiProdest Online. Available at: <https://www.cuiprodestonline.it/dario-nardella-2/> [Accessed 7 September 2025].

Neuman, M. (2021). Historical institutionalism and the European Union's post-Cold War Foreign Policy Development. *Journal of International Analytics*, 12(3), 72-86.

Notes from Poland (2024) *Poland will not support EU-Mercosur free trade deal in current form*, 26 November. Available at: <https://notesfrompoland.com/2024/11/26/poland-will-not-support-eu-mercosur-free-trade-deal-in-current-form/> [Accessed 6 September 2025].

O'Keefe, T.A., (1996) How the Andean Pact transformed itself into a friend of Foreign Enterprise, *Int'l Lawyer* 30: 811–824.

Oireachtas (2025) *Parliamentary Question No. 174*, 29 May. Available at: <https://www.oireachtas.ie/en/debates/question/2025-05-29/174/> [Accessed 6 September 2025].

Okiem Rolnika (2025) *Polska i Austria łączą siły przeciwko umowie UE-Mercosur*. Available at: <https://www.okiemrolnika.pl/polska-i-austria-lacza-sily-przeciwko-umowie-ue-mercosur> [Accessed 6 September 2025].

Olarreaga, M. and I. Soloaga (1998), 'Endogenous tariff formation: The case of Mercosur', *World Bank Economic Review*, 12, 297-320.

Olsen, J. (2020) *The European Union*. 7th edn. Routledge. Available at: <https://www.perlego.com/book/2194125> (Accessed: 7 July 2025).

Open (2025) *Si sblocca dopo 25 anni di trattative l'intesa sul libero commercio con Brasile, Argentina, Uruguay e Paraguay*, 3 September. Available at: <https://www.open.online> [Accessed 6 September 2025].

Palmieri, R., Amice C., Amato M., and Verneau F., (2024). Beyond the Finish Line: Sustainability Hurdles in the EU–Mercosur Free Trade Agreement. *SocialSciences13*: 362. <https://doi.org/10.3390/socsci13070362>

Palmieri, R., Amice, C., Amato, M. and Fabio Verneau (2024). Beyond the Finish Line: Sustainability Hurdles in the EU–Mercosur Free Trade Agreement. *Social Sciences*, [online] 13(7), pp.362–362. doi:<https://doi.org/10.3390/socsci13070362>.

Patriots for Europe (2024) *Patriots leaders press statement*. 22 October. Available at: <https://patriots.eu/patriots-leaders-press-statement/> [Accessed 7 September 2025].

Patriots for Europe (2024) *Patriots leaders press statement*. 22 October. Available at: <https://patriots.eu/patriots-leaders-press-statement/> [Accessed 10 September 2025].

Pedersen, T., (2002) “Cooperative hegemony: power, ideas and institutions in regional integration.” *Review of International Studies* 28 (2002): 677-696. doi: 10.1017/ S0260210502006770.

Phillips, N., and G. Prieto (2011) ‘The Demise of the New Regionalism: Reframing the Study of Contemporary Regional Integration in Latin America’, in Alex Warleigh-Lack, N. Robinson and Ben Rosamond (eds) *New Regionalism and the European Union: Dialogues, Comparisons and New Research Directions*. Abingdon: Routledge-ECPR.

Pizzi, T., Salman, A., & Gentiletti, J. (2025). La endeble relación entre Argentina y la Unión Europea: Perspectivas para una agenda renovada. *Revista Integración y Cooperación Internacional*, (40), 27–50.

Politico (2025) *EU internal fix: Mercosur trade deal appeasing France, 2025*. Available at: <https://www.politico.eu/article/eu-internal-fix-mercosur-trade-deal-appeasing-france/> [Accessed 6 September 2025].

Politico (2025) *Not so fast: Friedrich Merz says Emmanuel Macron can't just block Mercosur trade deal, 2025*. Available at: <https://www.politico.eu/article/not-so-fast-friedrich-merz-emmanuel-macron-cant-just-back-mercosur-trade-deal/> [Accessed 6 September 2025].

Politico, 2024. Guillot, L. & Gijs, C., 20 December 2024. ‘Mercosur deal risks weakening EU anti-deforestation rules’. POLITICO. Available at: <https://www.politico.eu/article/mercosur-trade-deal-eu-anti-deforestation-regulation-environment-agriculture/>.

Porrata-Doria R A Jr et al (2005) *Mercosur: The Common Market of the Southern Cone*. Carolina Academic Press, Durham.

Pose-Ferraro, N., (2024). *Political Economy of Industry Organizations and Mercosur's North-South Trade Negotiations: The Cases of Brazil and Argentina*. Palgrave Macmillan.

Pose-Ferraro, N. (2025). Between Geopolitics and Political Economy: The European Union–Mercosur Negotiation to Form a Trade Agreement. *JCMS: Journal of Common Market Studies*.

Preusse, H. (2001), 'Mercosur – Another failed move towards regional integration?', *World Economy*, 24,911-931.

Protocolo de Ouro Preto, (1994)

Quindimil López J A (2006) *Instituciones y Derecho de la Comunidad Andina*, Tirant Lo Blanch/IUEE Universidad de La Coruña, Valencia.

Rabinovych, M., (2021). *EU Regional Trade Agreements: An Instrument of Promoting the Rule of Law to Third States*. Routledge.

Rabobank (2025) EU-Mercosur Agreement: Implications for food and agribusiness. Rabobank Report.

Rawls, J. (1971, 1999a). *A Theory of Justice*. Harvard University Press.

Renew Europe (2025) *EU-Mercosur Partnership Agreement: Renew Europe MEPs welcome the start of the formal ratification process*. Available at: <https://www.reneweuropengroup.eu/news/2025-09-03/eu-mercoshur-partnership-agreement-renew-europe-meps-welcome-the-start-of-the-formal-ratification-process> [Accessed 10 September 2025].

RFI (2025) *EU Commission endorses Mercosur deal despite French reservations*, 3 September. Available at: <https://www.rfi.fr/en/international/20250903-eu-commission-endorses-mercoshur-deal-despite-french-reservations> [Accessed 6 September 2025].

Riggiozzi, P. et al. (2017) *Handbook of South American Governance*. 1st edn. Routledge. Available at: <https://www.perlego.com/book/1561030> (Accessed: 16 June 2025).

Rixen, Thomas. (2016). *Historical Institutionalism and International Relations Explaining Institutional Development in World Politics*. Oxford University Press.

Rodríguez. Mendoza M and Kotschwar B, Low P (eds) (1999) *Trade Rules in the Making: Challenges in Regional and Multilateral Negotiations*, Organization of American States and Brookings Institution Press, Washington, DC pp. 89–105.

Russell, R., and Tokatlian, J., (2016) "Contemporary Argentina and the rise of Brazil." *Bulletin of Latin American Research* 35 (2016): 20-33. doi: 10.1111/blar.12414.

Russo, S. (2023). Proyectos de integración argentinos para con Brasil. Cambios y continuidades entre la Declaración de Foz de Iguazú (1985) y el Tratado de Asunción (1991). *Relaciones Internacionales*, 32(65), 171, <https://doi.org/10.24215/23142766> e171.

Sanahuja Perales, J. A., & Damián Rodríguez, J. (2019). Veinte años de negociaciones Unión Europea-Mercosur: Del interregionalismo a la crisis de la globalización. Fundación Carolina.

Sanahuja, J. A., & Rodríguez, J. D. (2024). Unión Europea y Mercosur: cuatro nudos¿ y un desenlace?. *Nueva Sociedad*, (311), 17-26.

Sbragia, A. (2010) ‘The EU, the US, and Trade Policy: Competitive Interdependence in the Management of Globalization’. *Journal of European Public Policy*, Vol. 17, No. 3, pp. 368–382. doi: 10.1080/13501761003662016.

Schoenefeld, J.J. (2021), “Interest Groups, NGOs or Civil Society Organisations? The Framing of Non-State Actors in the EU.” *Voluntas* 32, 585–596 <https://doi.org/10.1007/s11266-020-00283-w>

Squeff, T.C. (2023) ‘MERCOSUR, Still a Customs Union by 2022: History and Motives’, *Macau Journal of Brazilian Studies*, 6(II), October.

Staes, B. (2001) Written Question E-4034/00 to the Council. *Official Journal of the European Communities*, C 261E, 18 September, pp. 20–21.

Stop EU-Mercosur (2025) *Stop EU-Mercosur Campaign*. Available at: <https://stopeumercosur.org> (Accessed: 20 July 2025).

Sustainability in Business, 2025. A look at the sustainability aspects of the EU-Mercosur Free Trade Agreement. Blog post (Jan 2025). Available at: <https://www.sustainabilityinbusiness.blog/2025/01/a-look-at-the-sustainability-aspects-of-the-eu-mercosur-free-trade-agreement/>.

Suzeley, M., Guzzi, A., and Giannini, R., “Aspectos da integracao regional em defesa no Cone Sul.” *Revista Brasileira de Politica Internacional* 51 (2008): 70-86.

Table.Media (2025) *Merkel's successor Merz sees great willingness to conclude Mercosur agreement*, 8 May. Available at: <https://table.media/en/europe/feature/mercosur-agreement-merz-sees-great-willingness-to-conclude-agreement> [Accessed 6 September 2025].

The Diplomat in Spain (2025) *España y Paraguay abogan por una ratificación rápida del acuerdo UE-Mercosur*, 24 July. Available at: <https://thediplotainSpain.com/2025/07/24/espana-y-paraguay-abogan-por-una-ratificacion-rapida-del-acuerdo-ue-mercosur/> [Accessed 6 September 2025].

The Irish Times (2025) *Government to oppose Mercosur trade deal but fears it will be passed*, 4 September. Available at: <https://www.irishtimes.com/politics/2025/09/04/government-to-oppose-mercosur-trade-deal-but-fears-it-will-be-passed/> [Accessed 6 September 2025].

The Left (2024) *5 things the EU Commission doesn't want you to know about the EU-Mercosur deal*. Brussels: The Left.

The Left (2025) *EU-Mercosur Free Deal: A bad trade for farmers, people & climate*. Brussels: The Left.

The Left (2025a) *Mercosur, a threat to our future*. Available at: <https://left.eu/mercosur-a-threat-to-our-future/> [Accessed 10 September 2025].

Toscano-Valle, A. (2021). *El Acuerdo Unión Europea – Mercosur: análisis de sus implicaciones económicas, políticas y sociales*. Red de Estudios Estratégicos y Diplomáticos. Acceso: link (último acceso: 15/05/2025).

Tratado de Asunción (1991)

Tussie, Diana (2009) 'Latin America: Contrasting Motivations for Regional Projects', *Review of International Studies*, 35(1): 169–188.

TVP World (2025) *EU-South America trade deal must not sacrifice agriculture, says Polish agriculture minister Czesław Siekierski*. Available at: <https://tvpworld.com/87476897/eu-south-america-trade-deal-must-not-sacrifice-agriculture-says-polish-agriculture-minister-czeslaw-siekieski> [Accessed 6 September 2025].

Vaidya, A., (2006), "Globalisation: encyclopedia of trade, labour, and politics". London: ABC-CLIO Ltd, 2006.

Weiß, W. (2018) 'Delegation to Treaty Bodies in EU Agreements: Constitutional Constraints and Proposals for Strengthening the European Parliament'. *European Constitutional Law Review*, Vol. 14, No. 3, pp. 532–566. doi: 10.1017/S1574019618000305.

Williams Andrew (2024) "Constructivism in Political Philosophy", *The Stanford Encyclopedia of Philosophy* (Spring 2024 Edition).

Windhoff-Héritier A., Meissner, K.L., Moury, C. and Schoeller, M.G. (2019). *European Parliament ascendant : parliamentary strategies of self-empowerment in the EU*. Cham, Switzerland: Palgrave Macmillan.

World Bank Data

Wrobel, P.S. (1999) 'From Rivals to Friends: The Role of Public Declarations in Argentina-Brazil Rapprochement', in Krepon, M., Drezin, J.S. and Newbill, M. (eds.) *Declaratory Diplomacy: Rhetorical Initiatives and Confidence Building*. Washington, DC: The Henry L. Stimson Center, Report No. 27, pp. 135-151. Available at: <https://www.jstor.org/stable/pdf/resrep10909.10.pdf> (Accessed: 24 June 2025).

Xenias A (2006) Andean Community. In: Vaidya A K (ed), *Globalization: Encyclopedia of Trade, Labor, and Politics*, vol. 1. ABC-CLIO, Santa Barbara (US), pp. 453–459.

Zelicovich J., Cortese V., (2025) *The Palgrave Handbook of EU-Latin American Relations*. 379.