Supplementary file

This is the supplementary file for Baccini, Dür and Elsig (2014) The Politics of Trade Agreement Design: Revisiting the Depth-Flexibility Nexus, *International Studies Quarterly*.

Operationalizing depth

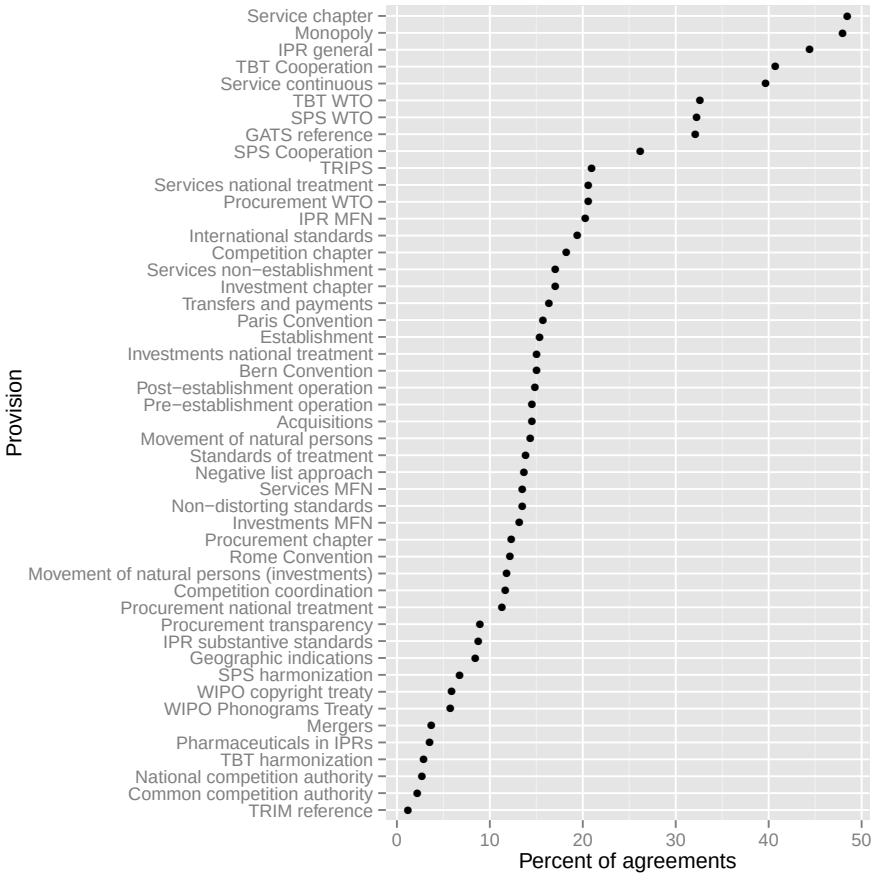

Figure A-1: The items included in *Depth*.

Services

[**Service chapter**] Does the agreement contain a reference to the liberalization of trade in services?
[**GATS reference**] Does the agreement contain a reference to the General Agreement on Trade in Services (GATS)?
[**MFN treatment**] Does the agreement contain an MFN clause for services?
[**Negative list approach**] Does the agreement foresee a negative list approach to services liberalization?

[**Services national treatment**] Does the agreement contain a national treatment clause for services?
[**Services non-establishment**] Does the agreement grant the right of non-establishment for service provision (that is, does it allow the provision of services without local presence)?
[**Movement of natural persons**] Does the agreement allow the movement of natural persons in the provision of services?
[**Service continuous**] Does the agreement contain a review provision for the services provisions?

Investments

[**Investment chapter**] Does the agreement contain substantive investment provisions?
[**Standards of treatment**] Does the agreement contain provisions that grant compensation to investors in case of strife and/or expropriation?
[**TRIM reference**] Does the agreement contain a reference to the WTO agreement on trade-related investment measures?
[**Pre-establishment operation**] Does the agreement contain non-discrimination provisions in relation to pre-establishment operations?
[**Establishment**] Does the agreement contain non-discrimination provisions in relation to establishment (e.g. greenfield investments)?
[**Post-establishment operation**] Does the agreement contain non-discrimination provisions in relation to post-establishment operation (e.g. the free movement of capital and resale)?
[**Mergers**] Does the agreement contain non-discrimination provisions in relation to acquisition (e.g. mergers)?
[**Investments MFN**] Does the agreement grant MFN treatment on investments?
[**Investments national treatment**] Does the agreement grant national treatment on investments?
[**Transfers and payments**] Does the agreement mention specific restrictions regarding transfers and payments?
[**Movement of natural persons (investments)**] Does the agreement mention restrictions related to the temporary movement of business or natural persons?

Intellectual Property Rights

[**IPR general**] Does the treaty contain a provision on intellectual property rights (IPRs)?
[**IPR MFN**] Does the treaty contain an MFN provision for IPRs?
[**Rome Convention**] Does the treaty contain specific deadlines for acceding to the Rome Convention?
[**Paris Convention**] Does the treaty contain specific deadlines for acceding to the Paris Convention?
[**Bern Convention**] Does the agreement contain specific deadlines for acceding to the Bern Convention?
[**TRIPS**] Does the agreement mention the TRIPS agreement?

[**WIPO Copyright Treaty**] Does the agreement contain specific deadlines for acceding to the World Intellectual Property Organization (WIPO) copyright treaty?
[**WIPO Phonograms Treaty**] Does the agreement contain specific deadlines for acceding to the WIPO Phonograms treaty?
[**IPR substantive standards**] Does the agreement contain specific provisions in relation to substantive standards of protection?
[**Pharmaceuticals in IPRs**] Does the agreement contain references to pharmaceuticals?
[**Geographic indications**] Does the agreement contain references to geographical indications?

Public Procurement

[**Procurement chapter**] Does the agreement contain substantive provisions on public procurement?
[**Procurement national treatment**] Does the agreement guarantee national treatment with respect to public procurement?
[**Procurement transparency**] Does the chapter on public procurement include a transparency provision?
[**Procurement WTO**] Does the agreement contain a reference to the WTO/GATT procurement agreements?

Technical Barriers to Trade

[**TBT WTO**] Does the agreement contain a reference to the WTO Agreement on technical barriers to trade (TBTs) (the GATT standards code)?
[**TBT cooperation**] Does the agreement call for cooperation and/or information exchange on TBTs?
[**Non-distorting standards**] Does the agreement contain a requirement for standards to be least trade-distorting?
[**International standards**] Does the agreement encourage the use of international standards?
[**SPS cooperation**] Does the agreement contain provisions calling for information exchange and technical cooperation on sanitary and phytosanitary (SPS) measures?
[**SPS WTO**] Does the agreement contain a reference to the WTO SPS agreement?
[**TBT harmonization**] Does the agreement contain provisions that stipulate the harmonization of standards?
[**SPS harmonization**] Does the agreement contain provisions that stipulate the harmonization of SPS provisions?

Competition

[**Competition chapter**] Does the agreement contain a competition chapter?
[**National competition authority**] Does the agreement contain a provision stipulating the establishment of a national competition authority?
[**Competition coordination**] Does the agreement contain a provision stipulating coordination among national authorities?

[**Common competition authority**] Does the agreement contain a provision stipulating the creation of a common authority/institution on competition?
[**Monopoly**] Does the agreement contain a provision on monopolies and cartels?
[**Acquisitions**] Does the agreement contain a provision on mergers and acquisitions?

Operationalizing escape flexibility and flexibility strings

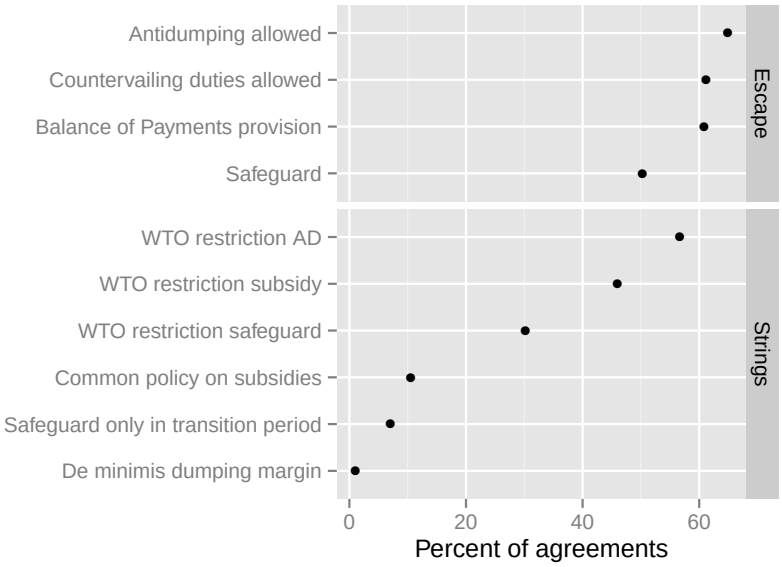

Figure A-2: The items included in *Escape flexibility* and *Flexibility strings*.

Escape flexibility

[**AD allowed:**] Does the agreement allow anti-dumping with specific provisions?
[**CV allowed:**] Does the agreement mention the use of countervailing duties?
[**Safeguard:**] Does the agreement foresee special safeguard provisions?
[**BOP provision:**] Does the agreement include BOP provisions?

Flexibility strings

[**WTO restriction AD:**] Does the agreement make a reference to GATT/WTO anti-dumping provisions?
[**WTO restriction subsidy:**] Does the agreement make a reference to GATT/WTO subsidy provisions?
[**WTO restriction safeguard:**] Does the agreement make a reference to GATT/WTO safeguard provisions?
[**Common policy on subsidies:**] Does the agreement foresee a common policy of parties on subsidies?
[**Safeguard only in transition period:**] Does the agreement allow parties to use safeguard measures only during the transition period?
[**De minimis dumping margin:**] Does the agreement foresee a de minimis dumping margin (or dumped volume) that differs from the GATT/WTO?

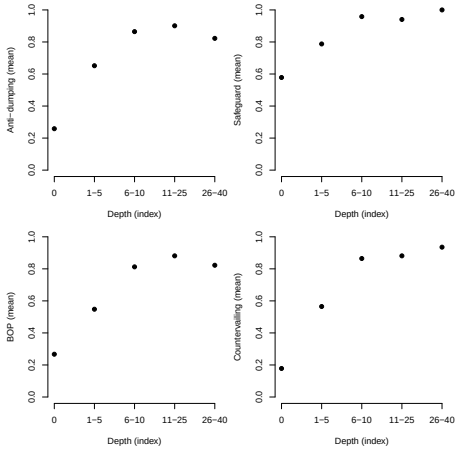

Figure A-3: *Depth* and the items included in *Escape flexibility*.

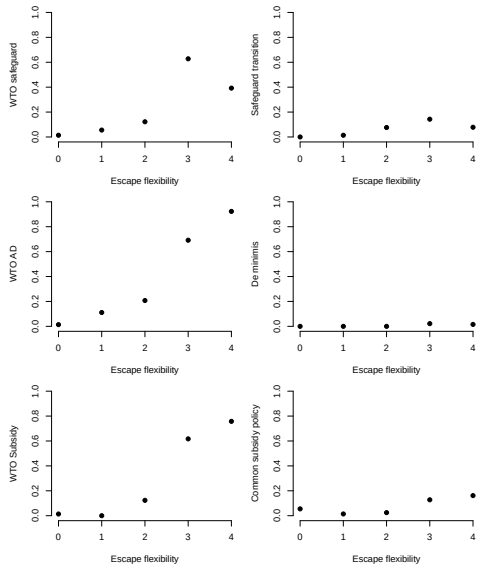

Figure A-4: *Escape flexibility* and the items included in *Flexibility strings*.

Results from robustness checks

Table A-1: Models with variables operationalized using item response analysis (Models A1, A3, and A5 are OLS regressions. Models A2 and A4 are ZINB.).

VARIABLES	(A1) EscapeFlexibilityFA	(A2) TransitionalFlex	(A3) EscapeFlexibilityFA	(A4) TransitionalFlex	(A5) FlexibilityStringsFA
DepthFA	0.28***	0.18***	0.36***	0.13**	0.45***
	(0.03)	(0.04)	(0.05)	(0.06)	(0.03)
EscapeFlexibilityFA					0.27***
					(0.03)
Regime Dummy			0.28***	0.02	
			(0.06)	(0.11)	
Regime Dummy * DepthFA			-0.14**	0.11	
			(0.06)	(0.08)	
GDP	-0.04*	-0.06	-0.05*	-0.07*	0.06***
	(0.02)	(0.04)	(0.02)	(0.04)	(0.02)
GDPpc	0.07**	-0.18***	0.08**	-0.13**	-0.00
	(0.04)	(0.05)	(0.04)	(0.05)	(0.03)
Trade	-0.04***	0.07***	-0.04***	0.08***	-0.02**
	(0.01)	(0.02)	(0.01)	(0.02)	(0.01)
Regime	0.02***	0.01*			-0.00
	(0.00)	(0.01)			(0.00)
GATTWTO	-0.06	-0.09	-0.05	-0.02	0.18***
	(0.06)	(0.11)	(0.06)	(0.11)	(0.05)
NoMembers	-0.00	0.01	-0.00	0.01	-0.01**
	(0.00)	(0.01)	(0.00)	(0.01)	(0.00)
Democratization	0.04	-0.26**	0.05	-0.22**	-0.16***
	(0.06)	(0.11)	(0.06)	(0.11)	(0.05)
Constant	0.28	4.40***	0.25	4.22***	-1.08***
	(0.47)	(0.74)	(0.47)	(0.74)	(0.37)
Alpha		-1.86***		-1.86***	
		(0.20)		(0.20)	
Vuong		8.84***		8.61***	
Non zero obs.		208		208	
Zero obs.		263		263	
Observations	565	471	565	471	565
R-squared	0.26		0.26		0.61

Standard errors in parentheses *** p<0.01, ** p<0.05, * p<0.1

Table A-2: Non-linearity and dropping shallow PTAs.

Variables	(A6) Escape Flexibility	(A7) Flexibility String	(A8) Escape Flexibility	(A9) Escape Flexibility	(A10) TransitionalFlex
1.Depth	1.00***				
	(0.13)				
2.Depth	1.91***				
	(0.17)				
3.Depth	2.25***				
	(0.23)				
4.Depth	1.86***				
	(0.31)				
5.Depth	1.32***				
	(0.30)				
6.Depth	1.84***				
	(0.27)				
7.Depth	2.02***				
	(0.30)				
8.Depth	1.33***				
	(0.35)				
Depth		0.06***	0.03***	0.05***	0.02***
		(0.01)	(0.01)	(0.01)	(0.00)
1.EscapeFlexibility		0.53			
		(0.33)			
2.EscapeFlexibility		1.19***			
		(0.31)			
3.EscapeFlexibility		2.56***			
		(0.31)			
4.EscapeFlexibility		2.77***			
		(0.30)			
Regime Dummy				0.82***	
				(0.19)	
Regime Dummy * Depth				-0.04***	
				(0.01)	
GDP	0.02	0.16***	-0.03	-0.02	-0.05
	(0.05)	(0.05)	(0.06)	(0.06)	(0.04)
GDPpc	0.07	-0.04	0.14*	0.11	-0.14**
	(0.07)	(0.07)	(0.08)	(0.08)	(0.06)
Trade	-0.05*	-0.06**	-0.05*	-0.05*	0.06***
	(0.03)	(0.03)	(0.03)	(0.03)	(0.02)
Regime	0.03***	-0.00	0.04***		0.01
	(0.01)	(0.01)	(0.01)		(0.01)
GATTWTO	-0.03	0.36***	-0.08	-0.08	-0.07
	(0.12)	(0.12)	(0.14)	(0.14)	(0.11)
NoMembers	-0.004	0.0004	-0.01	-0.01**	0.002
	(0.01)	(0.01)	(0.01)	(0.01)	(0.01)
Democratization	-0.30**	-0.26*	-0.30**	-0.28*	-0.18
	(0.13)	(0.13)	(0.15)	(0.15)	(0.11)
cut1	0.27	4.76***	-1.07	-0.97	
	(0.92)	(1.02)	(1.12)	(1.11)	
cut2	0.89	5.64***	-0.64	-0.55	
	(0.92)	(1.03)	(1.12)	(1.11)	
cut3	1.51	6.65***	-0.13	-0.02	
	(0.92)	(1.03)	(1.12)	(1.11)	
cut4	2.11**	8.25***	0.53	0.64	
	(0.92)	(1.05)	(1.12)	(1.11)	
cut5		9.52***			
		(1.07)			
Constant					3.87***
					(0.79)
Alpha					-0.30**
Vuong					8.38***
Non zero obs.					178
Zero obs.					169
Pseudo R-squared	0.17	0.34	0.06	0.07	
Observations	559	543	422	422	347

Standard errors in parentheses: *** p<0.01, ** p<0.05, * p<0.1

Table A-3: Power asymmetry.

Variables	(A11) N-N&S-S PTAs EscapeFlexibility	(A12) N-S PTAs EscapeFlexibility	(A13) N-N&S-S PTAs EscapeFlexibility	(A14) N-S PTAs EscapeFlexibility	(A15) N-N&S-S PTAs TransitionalFlex	(A16) N-S PTAs TransitionalFlex	(A17) N-N&S-S PTAs FlexibilityStrings	(A18) N-S PTAs FlexibilityStrings
Depth	0.06***	0.04***	0.22***	0.04***	0.02***	0.02***	0.07***	0.05***
	(0.01)	(0.01)	(0.03)	(0.02)	(0.01)	(0.00)	(0.01)	(0.01)
EscapeFlexibility							0.69***	0.76***
							(0.06)	(0.13)
Regime Dummy			1.02***	0.47				
			(0.17)	(0.37)				
Regime Dumy * Depth			-0.18***	-0.01				
			(0.03)	(0.02)				
GDP	-0.09*	0.18*	-0.13**	0.19*	0.04	-0.19***	0.07	0.42***
	(0.05)	(0.11)	(0.05)	(0.11)	(0.05)	(0.04)	(0.06)	(0.10)
GDPpc	0.04	-0.01	0.10	-0.02	-0.16**	-0.12**	-0.04	0.08
	(0.08)	(0.14)	(0.08)	(0.15)	(0.07)	(0.05)	(0.09)	(0.14)
Trade	0.003	-0.21***	0.0003	-0.22***	0.02	0.09***	-0.01	-0.13***
	(0.03)	(0.05)	(0.03)	(0.05)	(0.03)	(0.02)	(0.03)	(0.05)
GATTWTO	0.06	0.05	-0.05	0.07	-0.05	-0.27**	0.45***	0.32
	(0.13)	(0.26)	(0.13)	(0.26)	(0.12)	(0.13)	(0.14)	(0.23)
NoMembers	-0.004	-0.005	-0.01	-0.01	0.03***	-0.01	-0.02	0.01
	(0.01)	(0.01)	(0.01)	(0.01)	(0.01)	(0.01)	(0.01)	(0.02)
Democratization	-0.04	0.13	0.00	0.10	-0.23*	0.07	-0.42***	0.84
	(0.13)	(0.72)	(0.13)	(0.73)	(0.12)	(0.24)	(0.15)	(0.63)
Regime	0.04***	0.03*			0.02	0.02**	-0.02	0.01
	(0.01)	(0.02)			(0.01)	(0.01)	(0.01)	(0.01)
cut1	-2.27**	1.02	-2.27**	1.48			2.69**	11.21***
	(1.01)	(2.32)	(1.01)	(2.33)			(1.18)	(2.23)
cut2	-1.77*	2.16	-1.74*	2.64			3.46***	12.42***
	(1.01)	(2.30)	(1.01)	(2.32)			(1.18)	(2.26)
cut3	-1.26	2.75	-1.19	3.22			4.52***	13.36***
	(1.00)	(2.31)	(1.01)	(2.32)			(1.19)	(2.29)
cut4	-0.74	3.36	-0.64	3.83			6.26***	15.00***
	(1.00)	(2.31)	(1.01)	(2.33)			(1.20)	(2.34)
cut5							7.68***	16.26***
							(1.24)	(2.36)
Constant					2.13***	6.78***		
					(1.00)	(2.34)		
Alpha					-1.86***			
					(0.24)			
Vuong					7.63***	6.64***		
Non zero obs.					147	66		
Zero obs.					206	73		
Pseudo R-squared	0.09	0.11	0.12	0.11			0.34	0.31
Observations	413	146	413	146	353	139	397	146

Standard errors in parentheses: *** p<0.01, ** p<0.05, * p<0.1

Table A-4: Relying on data from Kucik (2012).

	(A19)	(A20)	(A21)	(A22)
	Ordered Probit	Ordered Probit	OLS	OLS
VARIABLES	EscapeFlexibility (Kucik)	EscapeFlexibility (Kucik)	FlexibilityString (Kucik)	FlexibilityString (Kucik)
Depth	0.09***	0.10***	0.08***	0.06***
	(0.01)	(0.01)	(0.02)	(0.02)
EscapeFlexibility (Kucik)			3.07***	3.60***
			(0.13)	(0.17)
Regime Dummy		1.07***		
		(0.25)		
Regime Dummy * Depth		-0.03		
		(0.02)		
GDP	0.01	-0.02	0.26**	0.22*
	(0.07)	(0.07)	(0.11)	(0.12)
GDPpc	-0.03	-0.07	0.19	0.22
	(0.11)	(0.11)	(0.17)	(0.18)
Trade	-0.05	-0.03	-0.04	-0.03
	(0.04)	(0.04)	(0.06)	(0.06)
GATTWTO	0.58***	0.61***	0.42	0.42
	(0.18)	(0.18)	(0.29)	(0.29)
NoMembers	0.00	0.00	0.00	0.01
	(0.01)	(0.01)	(0.02)	(0.02)
Democratization	-0.18	-0.15	-0.81***	-0.87***
	(0.18)	(0.18)	(0.29)	(0.30)
Regime	0.06***		-0.02	-0.01
	(0.01)		(0.02)	(0.02)
cut1	-1.11	-1.49		
	(1.43)	(1.45)		
cut2	-0.53	-0.91		
	(1.43)	(1.44)		
cut3	0.04	-0.32		
	(1.43)	(1.44)		
cut4	1.86	1.52		
	(1.43)	(1.44)		
Constant			-7.97***	-9.16***
			(2.34)	(2.47)
Observations	272	272	271	250
Pseudo R-squared	0.24	0.25		
R-squared			0.86	0.83

Standard errors in parentheses *** p<0.01, ** p<0.05, * p<0.1

Table A-5: Including a time trend variable.

VARIABLES	(A23) Escape Flexibility	(A24) Transitional Flex	(A25) Escape Flexibility	(A26) Transitional Flex	(A27) FlexibilityString
Depth	0.04***	0.02***	0.06***	0.02***	0.04***
	(0.01)	(0.00)	(0.01)	(0.01)	(0.01)
EscapeFlexibility					0.70***
					(0.06)
Regime Dummy			0.67***	-0.25	
			(0.14)	(0.19)	
Regime Dummy * Depth			-0.03***	0.01	
			(0.01)	(0.01)	
GDP	-0.04	-0.04	-0.05	-0.04	0.10**
	(0.04)	(0.04)	(0.04)	(0.04)	(0.05)
GDPpc	0.10	-0.18***	0.10	-0.17***	0.13
	(0.07)	(0.05)	(0.07)	(0.05)	(0.08)
Trade	-0.06**	0.06***	-0.06**	0.06***	-0.04
	(0.03)	(0.02)	(0.03)	(0.02)	(0.03)
GATTWTO	0.01	-0.11	0.00	-0.11	0.48***
	(0.11)	(0.10)	(0.11)	(0.10)	(0.12)
NoMembers	0.0004	0.01	-0.003	0.01	0.004
	(0.01)	(0.01)	(0.01)	(0.01)	(0.01)
Democratization	-0.15	-0.18*	-0.13	-0.17	-0.43***
	(0.12)	(0.11)	(0.12)	(0.11)	(0.14)
Regime	0.04***	0.01**		0.02*	-0.01
	(0.01)	(0.01)		(0.01)	(0.01)
Time Trend	0.02***	-0.01**	0.02***	-0.01**	0.04***
	(0.00)	(0.00)	(0.00)	(0.00)	(0.01)
cut1	-0.39		-0.30		6.64***
	(0.90)		(0.89)		(1.07)
cut2	0.17		0.26		7.58***
	(0.90)		(0.89)		(1.08)
cut3	0.69		0.79		8.72***
	(0.90)		(0.89)		(1.09)
cut4	1.23		1.32		10.37***
	(0.90)		(0.89)		(1.11)
cut5					11.62***
					(1.13)
Constant		-2.02***		-2.04***	
		(0.21)		(0.22)	
Pseudo R-squared	0.11		0.11		0.34
Observations	559	471	559	471	482

Standard errors in parentheses *** p<0.01, ** p<0.05, * p<0.1

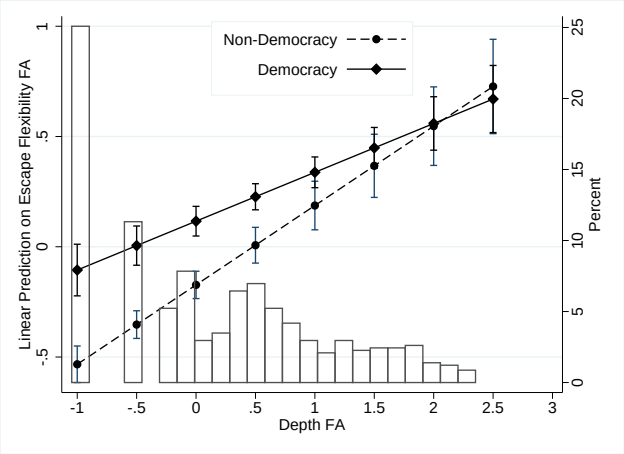

Figure A-5: The effect of *DepthFA* on *Escape flexibility FA* for democracy and autocracy (Model A1).

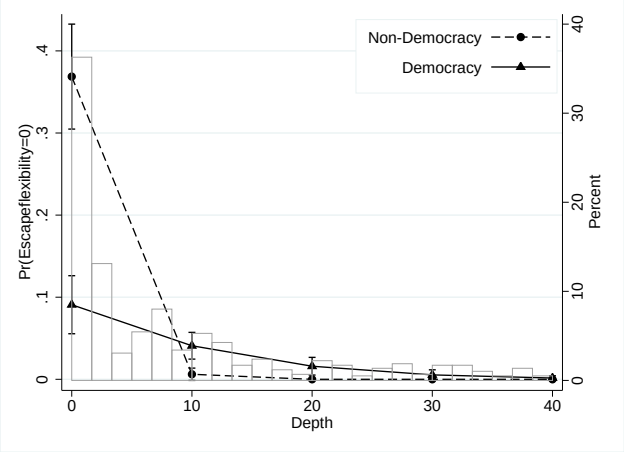

Figure A-6: N-N & S-S: The effect of *Depth* on the probability of *Escape flexibility* equalling zero for democracy and autocracy (Model A3).

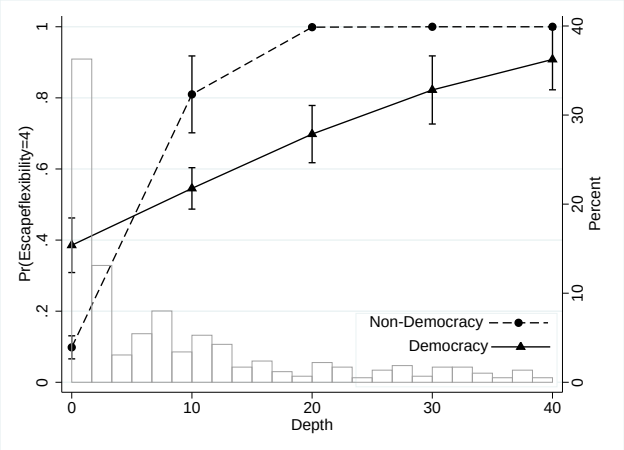

Figure A-7: N-N & S-S: The effect of *Depth* on the probability of *Escape flexibility* equalling four for democracy and autocracy (Model A3).

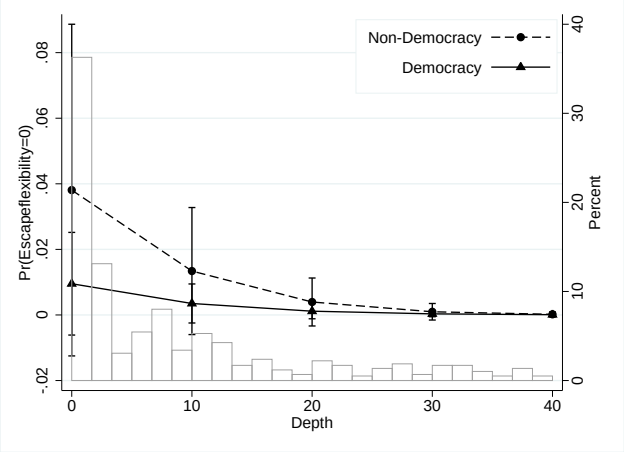

Figure A-8: N-S: The effect of *Depth* on the probability of *Escape flexibility* equalling zero for democracy and autocracy (Model A3).

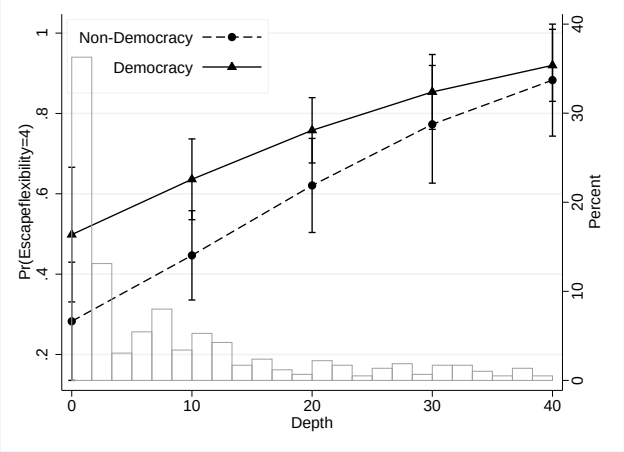

Figure A-9: N-S: The effect of *Depth* on the probability of *Escape flexibility* equalling four for democracy and autocracy (Model A3).

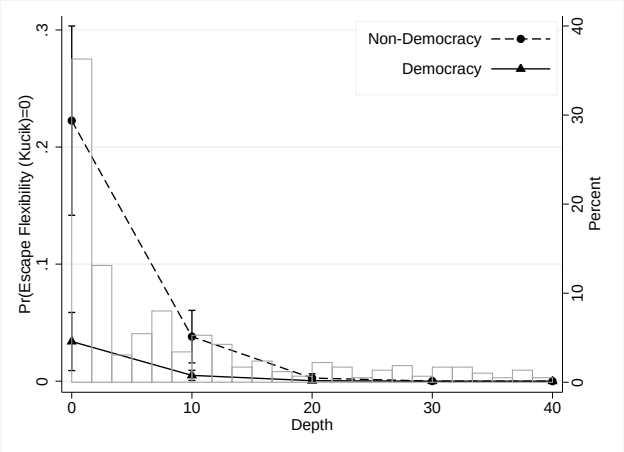

Figure A-10: The effect of *Depth* on the probability of *Escape flexibility (Kucik)* equalling zero for democracy and autocracy (Model A4).

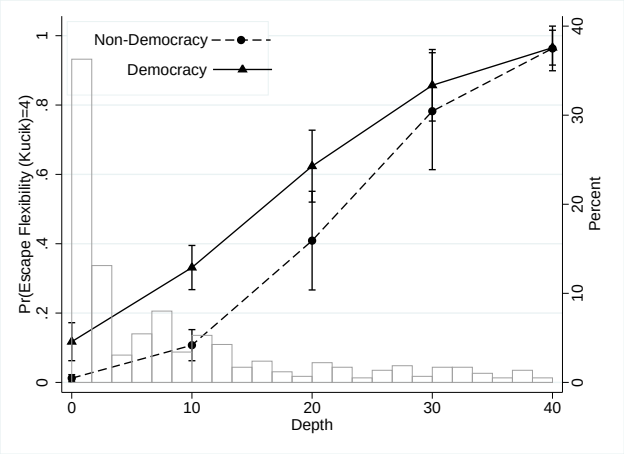

Figure A-11: The effect of *Depth* on the probability of *Escape flexibility (Kucik)* equalling four for democracy and autocracy (Model A4).