



International  
Academy  
Europe Faculty

## ***Working with Europe and the EU – A New Context***

# 3.1

Practitioner training for UK civil servants  
organised by the European Institute of Public Administration  
(EIPA), Maastricht on behalf of  
the Foreign, Commonwealth and Development Office (FCDO)

London, 26-28 June 2023



© EIPA 2023 1

## **Outline – morning session**

- 1 **EU external competences (interactive exercise)**
- 2 From peace project to geo-political player
- 3 EU relations with third countries and their side effects on the UK
- 4 Beyond trade



© EIPA 2023 2

## Competences in EU external action

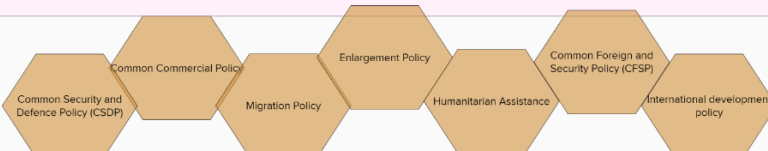
**Exclusive competence:** only the EU can act  
Member States cannot act individually

**Shared competence:** Member States can act as long as EU has not acted

**Parallel competence:** Both EU and Member States can act

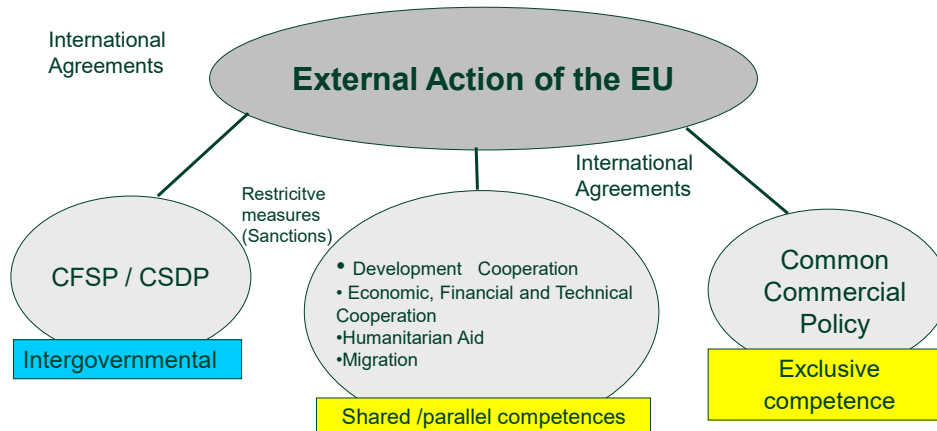
**Intergovernmental policy:** Transfer of competences is excluded. Member states can act within EU framework if decided by unanimity

Which policies fall under which competences? Drag and drop them to the right space.



© EIPA 2023 3

## The different dimensions of EU External Action



1 EU external competences (interactive exercise)

2 **From peace project to geo-political player**

3 EU relations with third countries and their side effects on the UK

4 Beyond trade

## From peace project to geo-political player



Presidents Herman Van Rompuy, José Manuel Barroso and Martin Schulz receiving the Nobel Prize medal and diploma for the European Union (EU) during the Nobel Peace Prize Award Ceremony at the Oslo City Hall in Norway, 10 December 2012. Copyright © The Nobel Foundation 2012 Photo: Ken Opprann

## The objectives of EU External Action

**„In its relations with the wider world, the Union shall uphold and promote its values and interests** and contribute to the protection of its citizens. It shall contribute to peace, security, the sustainable development of the Earth, solidarity and mutual respect among peoples, free and fair trade, eradication of poverty and the protection of human rights, in particular the rights of the child, as well as to the strict observance and the development of international law, including respect for the principles of the United Nations Charter.“

(TEU Art. 3(5))

## The 2003 European Security Strategy

### A SECURE EUROPE IN A BETTER WORLD

#### EUROPEAN SECURITY STRATEGY

Brussels, 12 December 2003

#### Introduction



Europe has never been so prosperous, so secure nor so free. The violence of the first half of the 20th Century has given way to a period of peace and stability unprecedented in European history.

# The EU Global Strategy (June 2016)

Foreword by Federica Mogherini

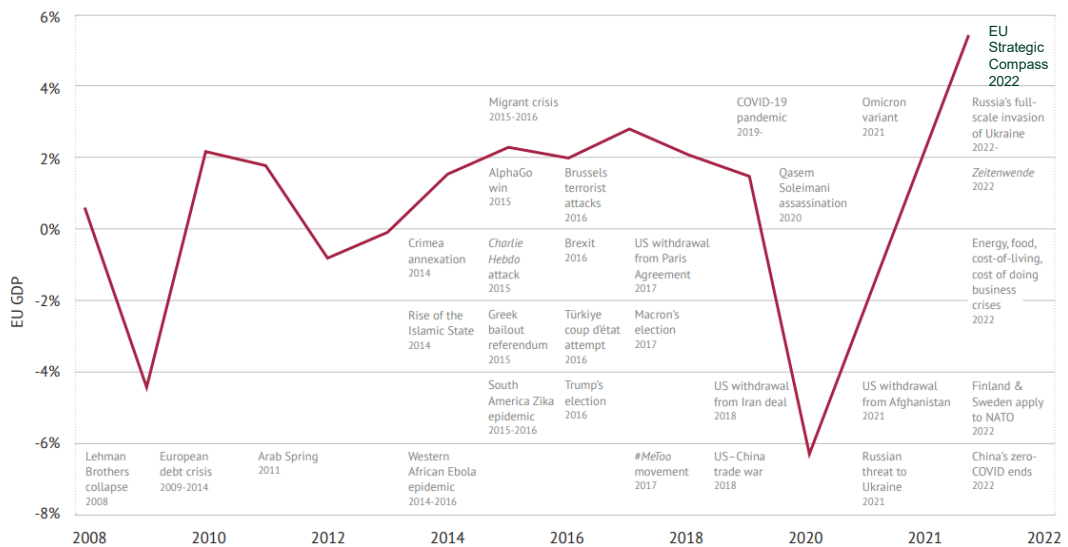
High Representative  
of the Union for Foreign Affairs and Security Policy  
Vice-President of the European Commission



The purpose, even existence, of our Union is being questioned. Yet, our citizens and the world need a strong European Union like never before. Our wider region has become more unstable and more insecure.

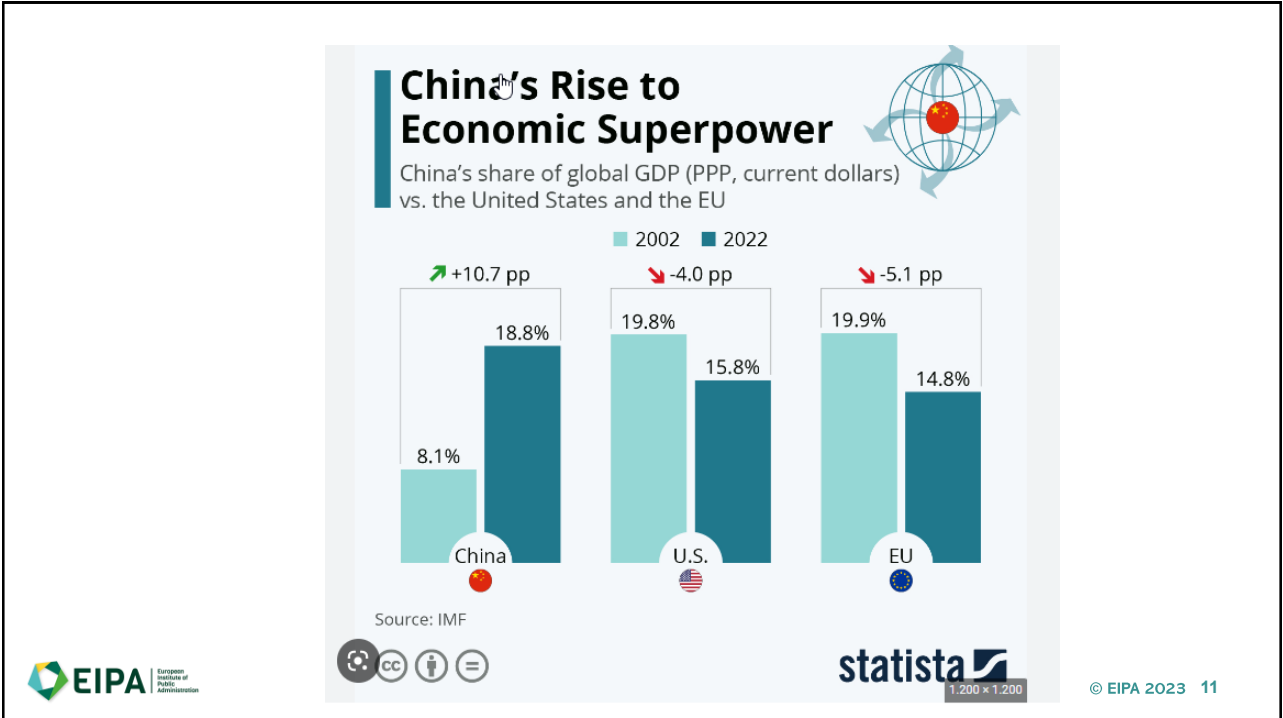
Figure 1

EUROPE IN AN ERA OF GLOBAL PERMACRISIS (2010-22)<sup>4</sup>



Source: EPC, based on World Bank

Key global events



## Principled Pragmatism

'The EU should remove its rose-tinted glasses and pragmatically look at the world as it is, not as it would like to see it.'

Nathalie Tocci, 2017



© EIPA 2023 14

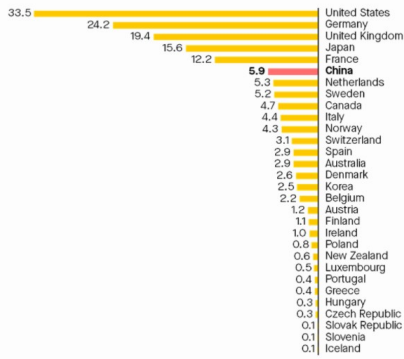
## Dealing with “systemic rivals”



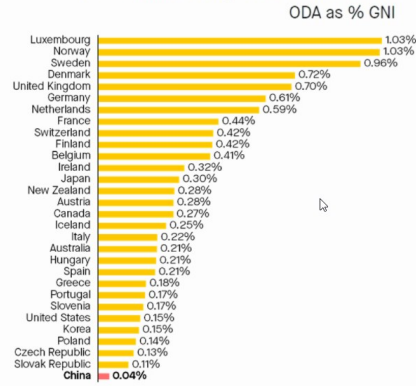


# Dealing with “systemic rivals”

**Figure 4: China’s ‘ODA-like’ disbursements in ranking of DAC donors, 2019**  
US\$ billions



**Figure 5: China’s ‘ODA-like’ disbursements as % of GNI in ranking of DAC donors, 2019**  
ODA as % GNI



Source: OECD CRS, Gross disbursements: Kitano, N. & Miyabayashi Y. 2020. 'Estimating China's Foreign Aid: 2019-2020 Preliminary Figures'. Ogata Sadako Research Institute for Peace and Development, JICA. Figures based on OECD's grant equivalent methodology, US\$ conversions based on current prices.

## Norm makers and norm takers





## EU slams China as 'systemic rival' as trade tension rises

Brussels also slaps down Italy for looking to engage too closely with Beijing.

POLITICO

Enter keyword



Juan-Claude Juncker is greeted by China's President Xi Jinping | Greg Rieber/AFP via Getty Images

BY HANG VON DER BURCHARD

March 12, 2020 | 7:38 pm

[f](#) [t](#) [in](#) [e](#) [m](#)

Europe dramatically sharpened its political stance against China on Tuesday by slamming Beijing as a "systemic rival" for the first time.

In a strategic communication mapping out 10 proposals for dealing with Beijing, the European Commission also slapped down

## Dealing with "Systemic Rivals"



**BBC** Sign in Home News Sport Reel Worklife Travel Futu

**NEWS**

Home | Queen Elizabeth II | War in Ukraine | Coronavirus | Climate | Video | World | UK | Business | Tech | Science

World | Africa | Asia | Australia | Europe | Latin America | Middle East | US & Canada

## EU awards Ukraine and Moldova candidate status

By Jessica Parker, Joe Inwood & Steve Rosenberg  
In Brussels, Kyiv and Moscow

23 June

Russia-Ukraine war



**EIPA** European Institute of Public Administration © EIPA 2023 20


Today's the day to declare Ukrain... x +

https://euobserver.com/opinion/154406

SECTION / OPINION

**OPINION**

## Today's the day to declare Ukraine an EU candidate country



Kyiv in the winter - could it become a member state capital? (Photo: Mariusz Kluzniak)

By **WOLFGANG KOETH**  
MAASTRICHT, 22. FEB, 11:46

© EIPA 2023 21

- HEADLINE NEWS
- UKRAINE
- EU POLITICAL
- RULE OF LAW
- GREEN ECONOMY
- HEALTH & SOCIETY
- MIGRATION
- DIGITAL
- EU & THE WORLD
- NORDICS
- OPINION
- MORE
- MY ACCOUNT
- LOGOUT
- NEWSLETTER
- ABOUT US
- PRIVACY POLICY
- ADVERTISEMENTS

# EU to officially examine Ukraine, Moldova and Georgia's bids to join the bloc

While the move is just a technical step, it still carries significant symbolic value.



The prime ministers of Moldova, Ukraine and Georgia at the European Commission on November 30, 2021 | Pool photo by Stephanie Lecocq/EPA-EFE

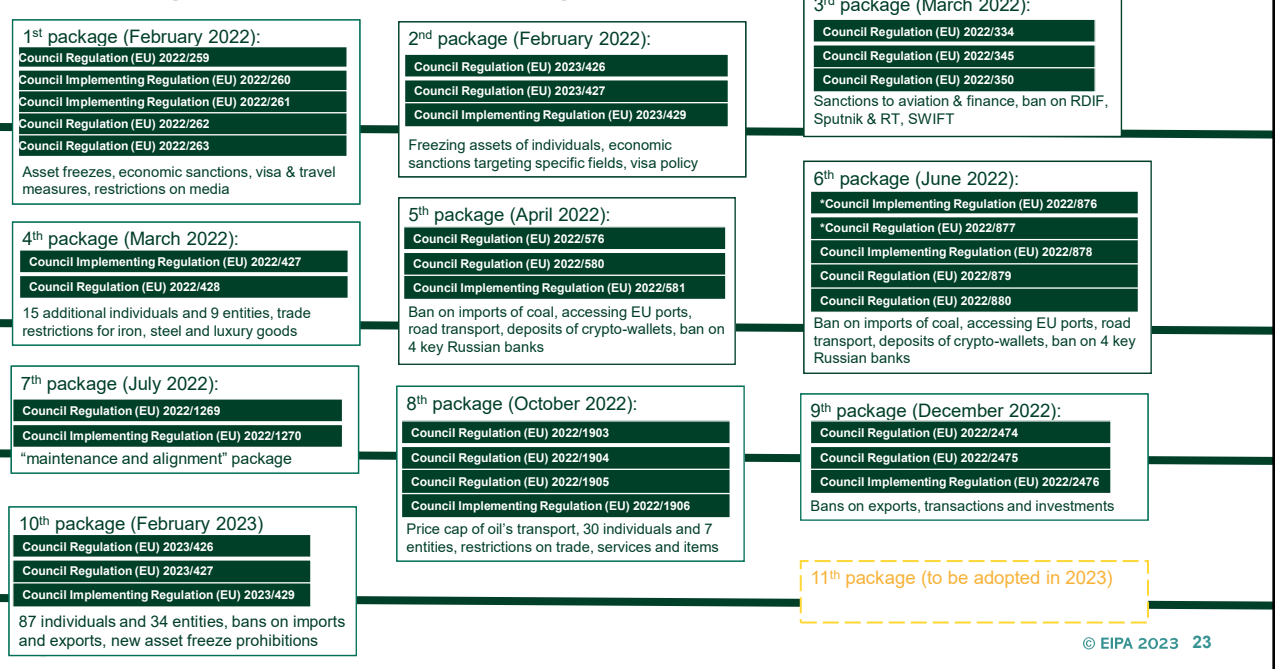


BY JACOPO BARIGAZZI  
March 7, 2022 | 7:23 pm

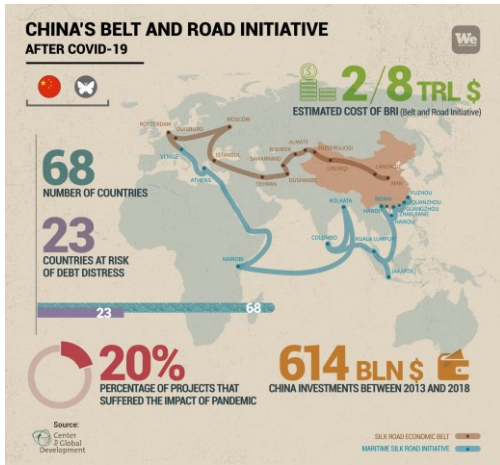
© EIPA 2023

## 10 packages of EU sanctions against Russia

\*sanctions only targeted Belarus



© EIPA 2023 23



## THE GLOBAL GATEWAY

Connecting goods, people and services around the world in a sustainable way

**€ 300 billion** in investments (2021-2027)  
Through a Team Europe approach

Global Gateway is Europe's offer to build more resilient connections with the world through investments and partnerships

### INVESTMENT PRIORITIES

- Digital Networks and Infrastructures
- Climate Resilience and Clean Energy
- Green Smart and Safe Transport
- Health Systems and Supply Chains
- High Quality Education and Research

### KEY GUIDING PRINCIPLES FOR INVESTMENTS

- Democratic values and high standards
- Good governance and transparency
- Equal partnerships
- Catalysing private sector investment
- Security focused
- Green and clean infrastructures

[Download](#)

© EIPA 2023

## What does the future hold?



And how does it affect EU-UK relations?

slido



**Over the next decade, what would you consider the biggest foreign policy challenge to the UK? (please rank - highest above)**

① Start presenting to display the poll results on this slide.

slido



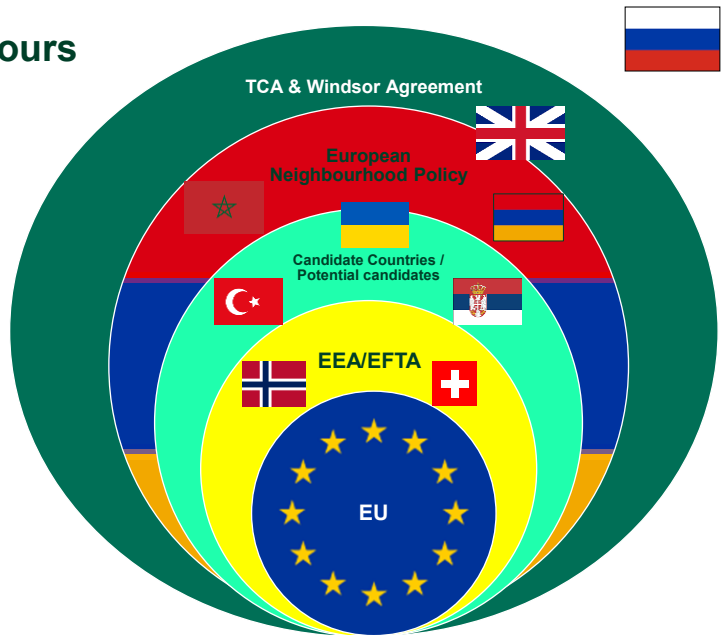
**In which part of the world do you see the biggest opportunities for a joint approach between the UK and the EU? (please rank - biggest opportunities above)**

① Start presenting to display the poll results on this slide.



- 1 EU external competences (interactive exercise)
- 2 From peace project to geo-political player
- 3 **EU relations with third countries and their side effects on the UK**
- 4 Beyond trade

## The Neighbours





## EU – China relations



- Relations EEC - PRC established in 1975
- 1985 Trade and Cooperation Agreement
- Trade volume multiplied by 10 since 1989 (EUR 180bn in 2020), both sides now each others biggest trading partners
- After global financial crisis : changing attitudes in Beijing towards market liberalisation
- 2019: “**negotiation partner, economic competitor systemic rival**”
- 2020: Bilateral Investment Agreement (CAI) (ratification frozen by EP)
- China major policy driver behind EU trade policy/external action (“strategic autonomy”)

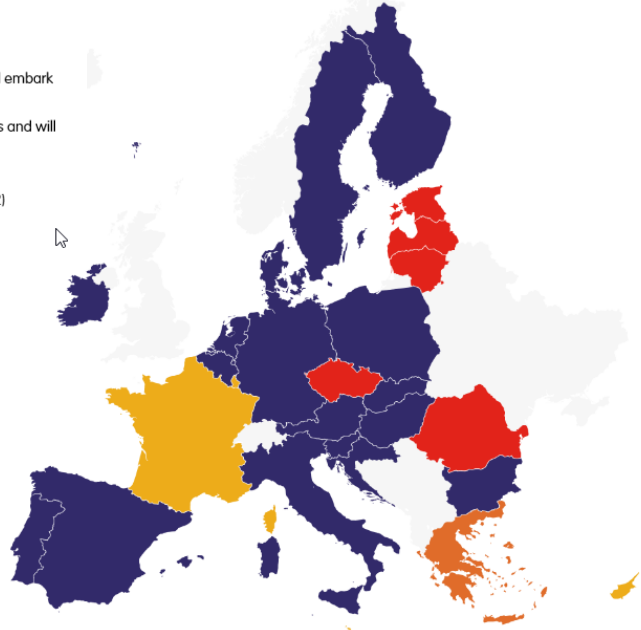
## EU – Russia relations



- No formal relations EEC-USSR
- 1994: Partnership and Cooperation Agreement
- 2004: EU “Eastern” Enlargement / Russia rejects invitation to ENP
- 2007: Russia turning its back on EU, West
- 2008: Military intervention in Georgia
- 2014: Russian aggression of Ukraine I : End of European Security Order
- 2022: Russian aggression of Ukraine II: End of illusions

### Did the war in Ukraine come as a shock to your country?

- Yes. We heard the warnings of US intelligence, but we still did not think Russia would embark on such a large-scale war. (17)
- We have always known that Putin's Russia has not abandoned its imperial ambitions and will seek to subjugate its neighbours if it sees a chance. (5)
- We have long thought the stalemate in Donbas might lead to another war. (3)
- We did not expect it otherwise, but the intelligence shared by the US convinced us. (2)



## EU – US relations

- Relationship based much on historic ties
- Post WWII: US support for European security and reconstruction (Marshall Plan), pushing Europeans towards integration
- EU off US strategic radar after 1991
- Biggest trading partner (until 2020)
- Two failed attempts to conclude FTAs (TAFTA and TTIP)
- New impetus under Biden (TCC), but dividing issues persist (and are even growing...)
- Revival of transatlantic security alliance after Russian aggression



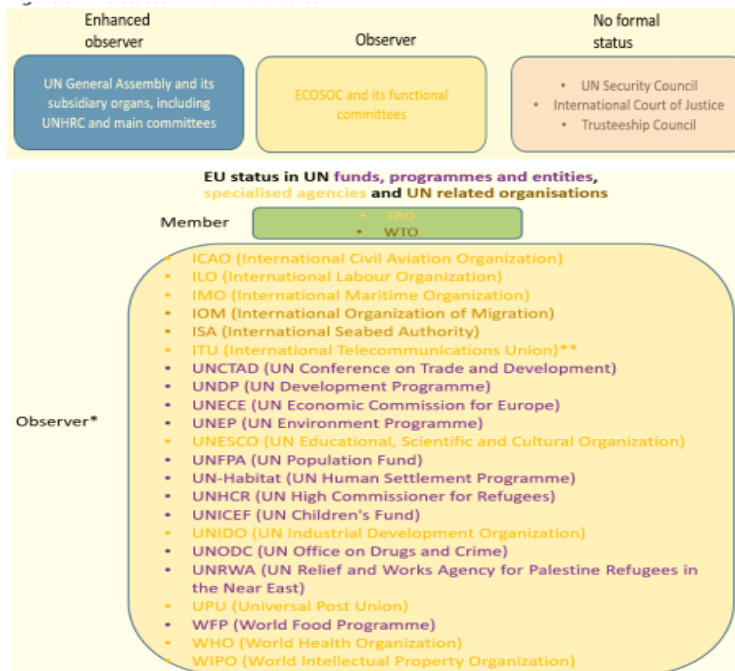
## EU – Turkey relations

- Association agreement with EEC (1963)
- Customs Union 1995 (EU FTA impact!)
- Application to join the EEC 1987
- Candidate Country 1999
- Start of accession negotiations 2005
- EU Turkey deal 2016 – “principled pragmatism”
- Standstill of relations after July 2016 putsch attempt
- Migration, NATO key issues



## The EU in a multilateral context

- UN: EU not a “peace loving nation”; enhanced observer status at GA with enhanced participation rights
- Different membership status in UN agencies (full member of FAO; simple observer at ECOSOC)



Source: EPRS

## The EU in a multilateral context

- UN: EU not a “peace loving nation”; enhanced observer status at GA with enhanced participation rights
- Different membership status in UN agencies (full member of FAO; simple observer at ECOSOC and specialized agencies)
- Full member of WTO; speaks on behalf of MS
- Simple observer at WHO (competences...)
- World Bank/IMF: no formal status, but financial framework partnership agreements
- Key challenge: coordination of MS positions

1 EU external competences (interactive exercise)

2 From peace project to geo-political player

3 EU relations with third countries and their side effects on the UK

4 **Beyond trade**

## Beyond trade



### TITLE II COMMON COMMERCIAL POLICY

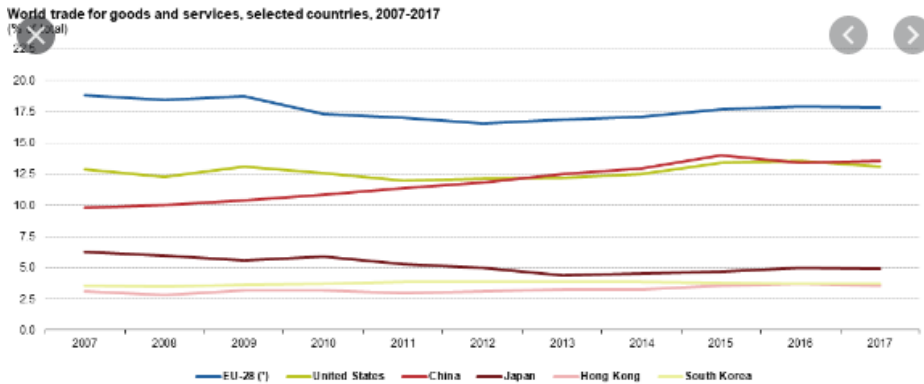
*Article 206*  
(ex Article 131 TEC)

By establishing a customs union in accordance with Articles 28 to 32, the Union shall contribute, in the common interest, to the harmonious development of world trade, the progressive abolition of restrictions on international trade and on foreign direct investment, and the lowering of customs and other barriers.

*Article 207*  
(ex Article 133 TEC)

1. The 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.

## The EU's share in world trade (pre-2020)

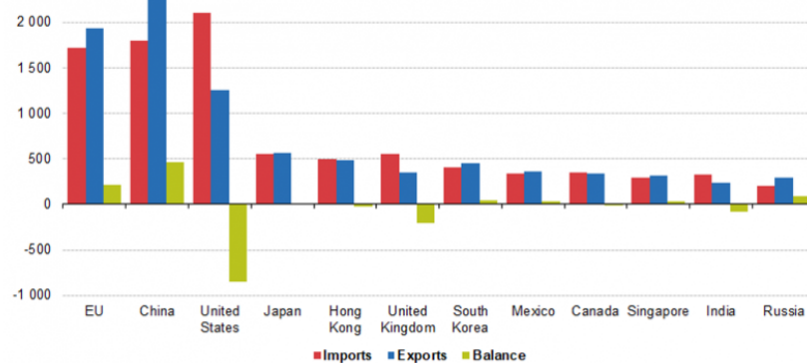


Note: the figure shows developments for the top six countries/geographic aggregates with the highest combined values of exports and imports in 2017. The total value of exports and imports for the world excludes intra-EU trade. United Arab Emirates: not available.  
(\*) Extra-EU trade.  
Source: Eurostat (online data code: bop\_eu6\_q) and International Monetary Fund (Balance of Payments and International Investment Position Statistics)

eurostat

## The EU's share in world trade

Imports, exports and trade balance by country, 2020  
(EUR billion)



Source: Eurostat (online data code: ext\_it\_introeu27\_2020) and UNCTAD

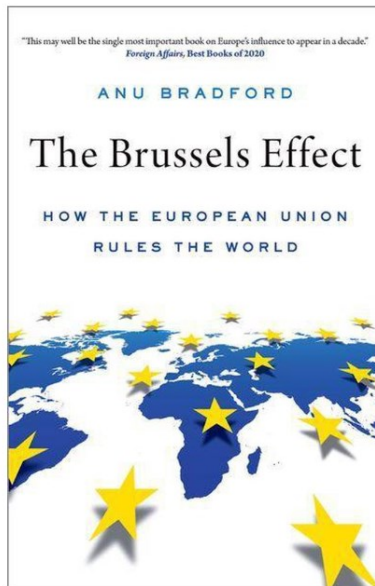
eurostat



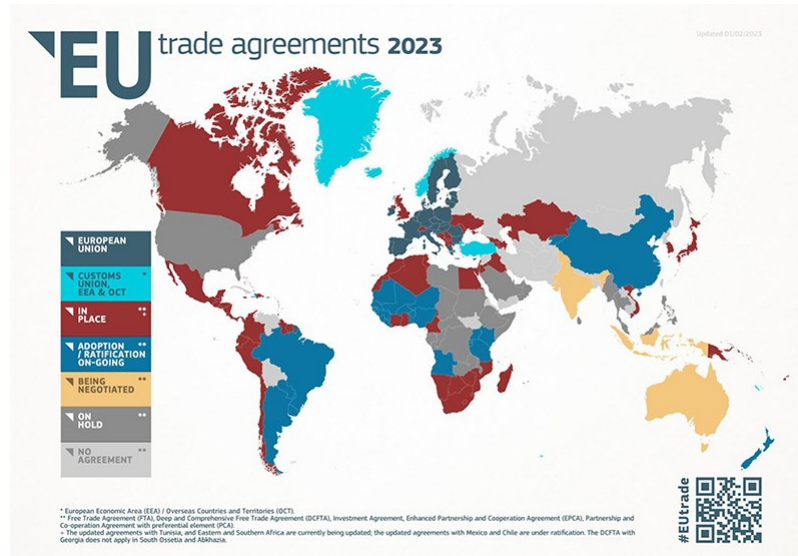
## Size matters!



## The “Brussels effect”



## Exporting norms (and values?) through Free Trade Agreements?

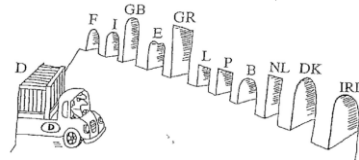


## EU Free Trade Agreements: what's in them?

- Tariffs / Quotas / Rules of Origin
- Non-Tariff Barriers / Technical Barriers to Trade / "Behind the Border" Issues / Regulatory issues
  - **Sanitary and phytosanitary issues**
  - **Intellectual property** (geographical denominations)
  - Public procurement
  - Investment & Investment protection
  - Competition
  - Commercial instruments
  - Energy and raw materials
  - Environment & Labor rights

## TBTs, NTMs, “behind-the border issues”

- Governments rely on **Non-Tariff Measures** to achieve public policy goals, including the protection of human health and the environment
- Regulators and law-makers translate collective preferences into binding rules
- Trade is affected is a normal and legitimate consequence of such regulation.
- But NTMs can be used to shield domestic producers from foreign competitors



## Regulatory cooperation in EU FTAs

- Impact on citizens / consumers
- undermining democratic processes?
- The “Right to regulate”
- Actual undermining of legitimate social and environmental objectives?
- Race to the bottom?



## Norm makers and norm takers



**Quiz: In which EU agreement can we find these provisions?**

- A) TCA
- B) EU-Ukraine DCFTA
- C) EU-China Comprehensive Agreement on Investment (CAI)

6. If a Party considers that a subsidy<sup>6</sup> granted by the other Party has or could have a negative effect on its investment interests under this Agreement, the former Party may express its concern in written form to the other Party, indicating how the subsidy has or could have such negative effect, and request consultations on the matter. The Parties shall enter into consultations with a view to resolving the matter.
7. If the requesting Party, after the consultations have been held, considers that the subsidy concerned has or could have a significant negative effect on the requesting Party's investment interests under this Agreement, the requested Party shall use its best endeavours to find a solution with the requesting Party. Any solution must be considered feasible and acceptable by both Parties.

## Norm makers and norm takers



**Quiz: In which EU agreement can we find these provisions?**

- A) TCA
- B) EU-Ukraine DCFTA
- C) EU-China Comprehensive Agreement on Investment (CAI)

1. The Parties may engage in regulatory cooperation activities on a voluntary basis, without prejudice to the autonomy of their own decision-making and their respective legal orders. A Party may refuse to engage in or it may withdraw from regulatory cooperation activities. A Party that refuses to engage in or that withdraws from regulatory cooperation activities should explain the reasons for its decision to the other Party.

# Norm makers and norm takers



Quiz: In which EU agreement can we find these provisions?

- A) TCA
- B) EU-Ukraine DCFTA
- C) EU-China Comprehensive Agreement on Investment (CAI)

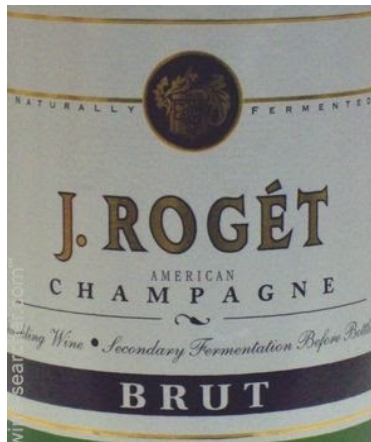
Article 114

## Regulatory approximation

1. The Parties recognise the importance of the approximation of [redacted]'s existing legislation to that of the European Union. [redacted] shall ensure that its existing laws and future legislation will be gradually made compatible with the EU *acquis*.
2. Such approximation will start on the date of signing of this Agreement, and will gradually extend to all the elements of the EU *acquis* referred to in Annex XVII to this Agreement.

# Norm makers and norm takers

## Case study : Geographical indications



## Norm makers and norm takers

### Case study : Geographical indications

Home > Food, Farming, Fisheries > Food safety and quality > Certification > Quality labels > Geographical Indications register

#### eAmbrosia

the EU geographical indications register



eAmbrosia is a legal register of the names of agricultural products and foodstuffs, wine, aromatised wine products and spirit drinks that are registered and protected across the EU.

It provides a direct access to information on all registered geographical indications, including the legal instruments of protection and product specifications. It also displays key dates and links for applications and publications before the geographical indications are registered.

You can also find information about the traditional terms for wine and the traditional specialities guaranteed in the section [Related links](#) below.

[Wine register](#)

[Food register](#)

[Spirit drinks register](#)

[Aromatised wine register](#)

## Norm makers and norm takers

### Case study : Geographical indications

11.5.2011

EN

Official Journal of the European Union

L 122/67

#### COMMISSION IMPLEMENTING REGULATION (EU) No 449/2011

of 6 May 2011

entering certain names in the register of protected designations of origin and protected geographical indications (陕西苹果 (Shaanxi ping guo) (PDO), 龙井茶 (Longjing Cha) (PDO), 琚溪蜜柚 (Guanxi Mi You) (PDO), 蠡县麻山药 (Lixian Ma Shan Yao) (PGI))

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and

(2) As no statement of objection under Article 7 of Regulation (EC) No 510/2006 has been received by the Commission, these names should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:



# Norm makers and norm takers

## Case study : Geographical indications

Geographical Indications Identifying a Product Originating in the European Union

Indication	Transliteration (for information purposes only)	Product Class	Place of Origin (Territory, Region or Locality)
Ceské pivo		beer	Czech Republic
Žatecký Chmel		hops	Czech Republic
Hopfen aus der Hallertau		hops	Germany
Nürnberger Bratwürste**		fresh, frozen meats	Germany
Nürnberger Rostbratwürste		fresh, frozen meats	Germany
Schwarzwälder Schinken		fresh, frozen	Germany
		Spreewälder Gurken	Germany
		Danablu	Denmark
		Ελιά Καλαμάτας	Elia Kalamatas
		Μαστίχα Χίου	Masticha Chiou
		Φέτα*	Feta
		fresh and processed vegetable products	Germany
		cheeses	Denmark
		table and processed olives	Greece
		natural gums and resins — chewing gum	Greece
		cheeses	Greece



FROM POLITICO.PRO

## Halloumi cheese puts EU's Canada trade deal to the test

Cypriot vote against Canada accord will test whether EU countries' parliaments can torpedo big deals.



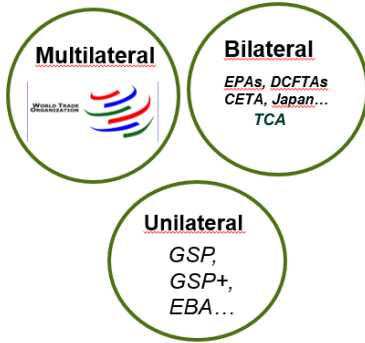
Halloumi on a shop shelf in the northern part of Nicosia | Florian Chobik/AFP via Getty Images



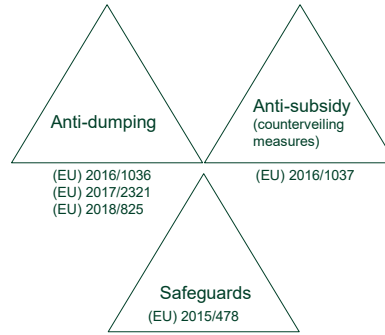
BY BARBARA MOENS, GIORGIO LEALI AND ELEANOR MEARS  
August 4, 2020 | 4:45 pm

# The Instruments of the Common Commercial Policy

## Trade Liberalisation Free Trade Agreements

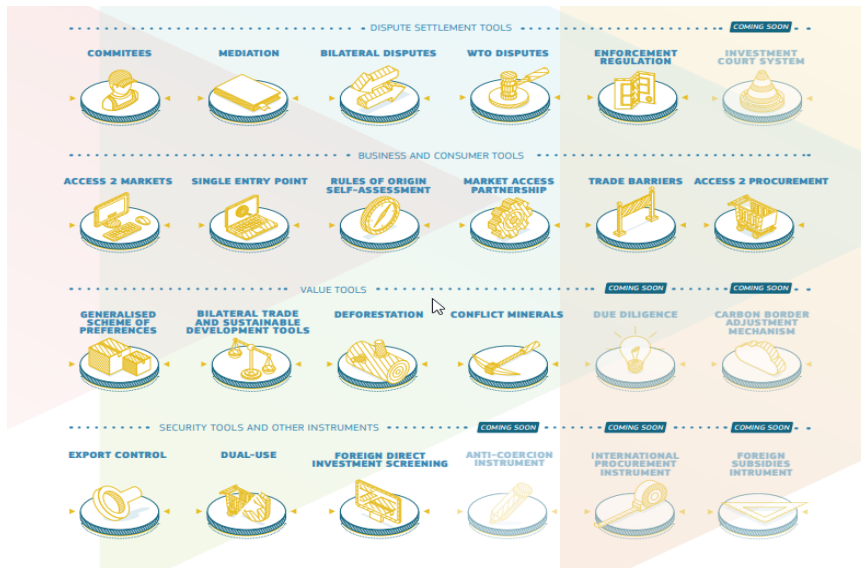


## Trade Defence Trade Defence Instruments



Other trade enforcement tools:  
Enforcement regulation (EU) 2021/167  
FDI screening regulation (EU) 2019/452  
Anti-coercion instrument (under preparation)

# From liberalisation towards enforcement and protection



slido



**Compared to the EU, the conclusion of bilateral Free Trade Agreements is for the UK...**

① Start presenting to display the poll results on this slide.

slido



**What is the biggest advantage the UK has over the EU, when it comes to concluding bilateral Free Trade Agreements with third countries?**

① Start presenting to display the poll results on this slide.

slido



**and the biggest disadvantage?**

① Start presenting to display the poll results on this slide.