



International  
Academy  
Europe Faculty

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

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, 30 September – 2 October 2024



# 1.1

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

30 September – 2 October 2024

### ***Day 1***

**Introduction, review of essentials and framing questions**

**Who does what in the EU institutional system?**

Group exercise and debriefing

**Case study on EU decision-making**

**How can non-EU countries try to influence EU policies?**

**Workshop: How to work with the EU and Europe in practice**



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## Framing questions

- What are the UK's main interests and priorities ref. the EU?
- What can the EU actually do?
- How do EU policies affect the UK?
- **How can the UK try to shape EU policies?**
- **Which EU and other European actors are most relevant?**
- How does the new UK-EU bilateral relationship work? – Day 2
- How can the UK and the EU best work together in the world? = Day 3

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## Framing questions (1)

- **SLIDO RANKING EXERCISE – SELECT 5 IN ORDER OF IMPORTANCE**
- **What are the UK's main interests and priorities ref. the EU?**
  - cooperation in security and defence
  - partnership in leading on climate action
  - joint defence of democratic values
  - controlling migration to the UK
  - competitive advantage for UK in new technologies
  - market access to the EU
  - ensuring UK benefits from international regulatory norms

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slido



**What are the UK's main interests and priorities regarding the EU?**

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

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## Dimensions of UK-EU relations: continua of cooperation



**Regulation**

alignment v. divergence

**Functional cooperation**

association v. alternative

**Foreign and security policy**

ad hoc cooperation (same values and interests?)

**Global goals (climate, SDGs)**

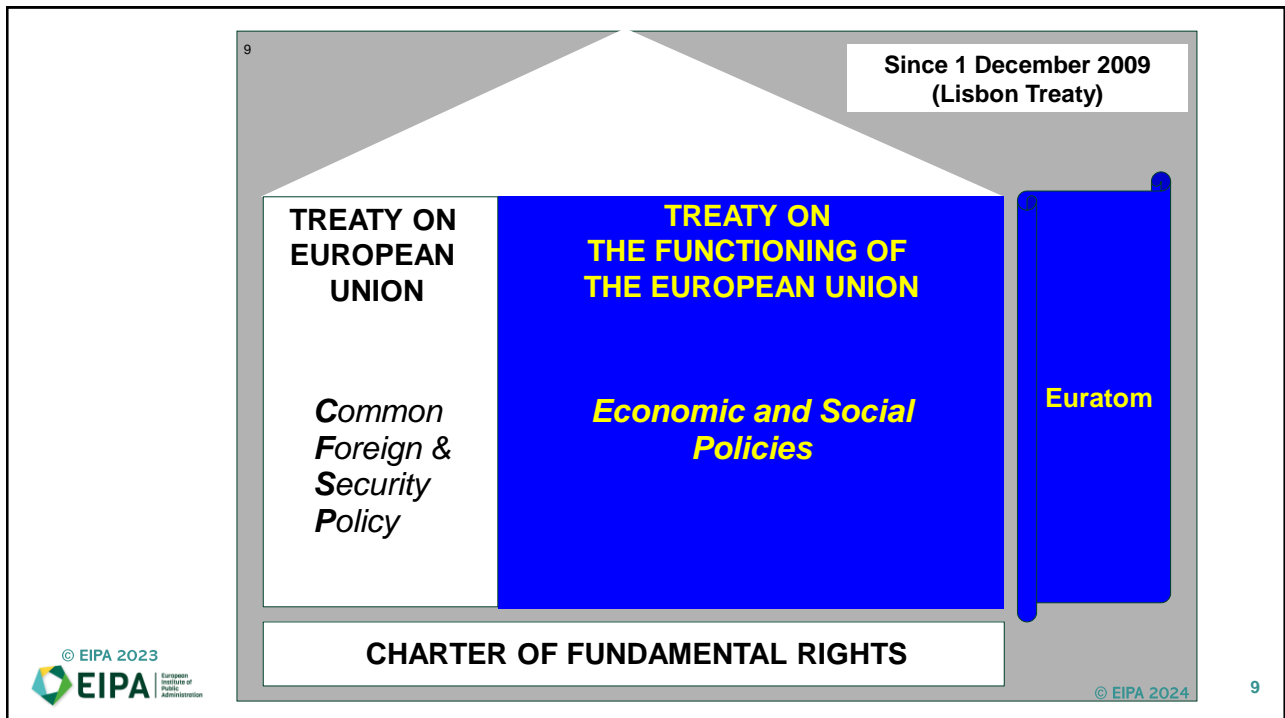
parallel action (different means to same ends?)

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## Framing questions (2)

- What are the UK's main interests and priorities ref. the EU?
- **What can the EU do?** *EU law and other modes of governance*

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## Competences: what can the EU do? (1)

European Union				Member States
Exclusive competences	Shared competences	Supporting competences	Coordination of national policies	Cooperation EU/ Member States
Only the EU can legislate and adopt binding acts.	If an EU norm is in force, Member States cannot exercise national competence.  Exceptions = 'parallel' competences	The EU cannot harmonise national laws. EU support does not affect national competence.	Member States shape their policies around common objectives and guidelines.	Member States agree to take joint actions and positions.

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## Exercise

NB – non-exhaustive list of policy areas

Exclusive EU COMPETENCE	Shared	'Parallel'	Supporting	Coordination of national policies	EU-MS cooperation

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## Exclusive competences

**Article 3 TFEU**

- Customs union
- Competition rules for internal market
- Monetary policy
- Conservation of marine biological resources
- Common commercial policy

- International agreements\*

*\* when provided for in a legislative act, necessary to exercise internal competence, or if its conclusion may affect common rules*

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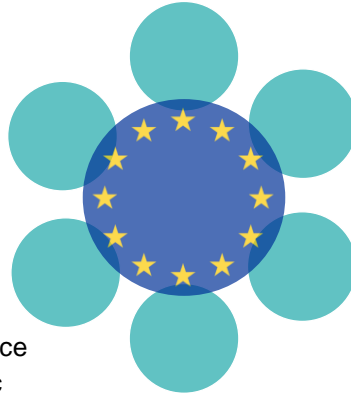
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## Shared competences

*While EU is acting,  
MS cannot act*

- Internal Market
- Social policy
- Economic, social and territorial cohesion
- Agriculture and fisheries
- Environment
- Consumer protection
- Transport
- Trans-European networks
- Energy
- Area of freedom, security and justice
- Common safety concerns in public health matters

### Article 4 TFEU



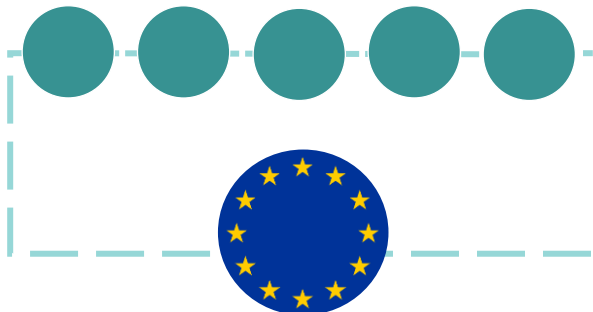
*EU & MS can act  
in parallel*

- Research
- Technological development
- Space
- Development policy
- Humanitarian aid

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## Competences to support, coordinate or supplement

### Article 5 TFEU



- Protection and improvement of human health
- Industry
- Culture
- Tourism
- Education, training, youth, sport
- Civil protection
- Administrative cooperation

*no harmonisation of Member States' laws or regulations*

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## Policy coordination, convergence and reform

### The European Semester

Stability and Growth Pact (debt, deficit...)

Macroeconomic Imbalance Procedure

Employment Guidelines

Social Pillar

Structural Reform Support

Recovery and Resilience Facility

*Recommendations*

*Opinions*

*Guidelines*

*Incentives*

*Funding*

*Linkages and conditionalities*

## EU – Member State cooperation

Political commitment by Member States

main area = **Common Foreign and Security Policy**

- ‘The Member States shall support the Union's external and security policy actively and unreservedly in a spirit of loyalty and mutual solidarity and shall comply with the Union's action.’
- ‘identification of questions of general interest’ and ‘ever-increasing degree of convergence of Member States' actions’
- Member States decide by unanimity
- no powers for the supranational institutions

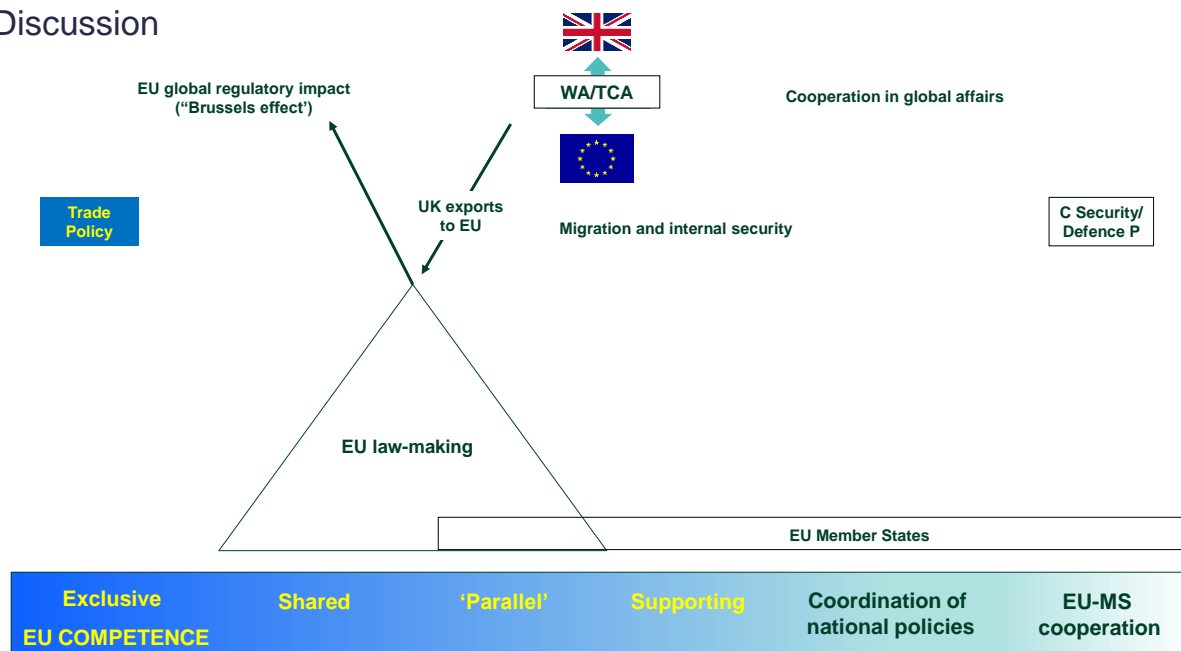


## Framing questions (3)

- What are the UK's main interests and priorities ref. the EU?
- What can the EU do?
- **How do EU policies affect the UK?**

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## Discussion



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## Trends in the UK-EU regulatory relationship

		2023			2024
		Q2	Q3	Q4	Q1
<b>Divergence</b>	<b>active</b> (new UK rules that diverge from EU)	11	6	9	5
	<b>passive</b> (UK does not adapt to new EU rules)	8	9	10	15
<b>Convergence</b>	<b>active</b> (UK adapts to new EU rules)	0	5	4	3
	<b>passive</b> (EU adopts new rules similar to new UK rules)	2			
<b>NI divergence</b>					1

See *UK in a Changing Europe, Regulatory Divergence Tracker, 8th through 11th eds.*

<https://ukandeu.ac.uk/> . Reports

## The broader context of the UK – EU regulatory relationship

**International norms and requirements for business**  
(EU rules often set global norms)

Bilateral limits –  
Level Playing Field



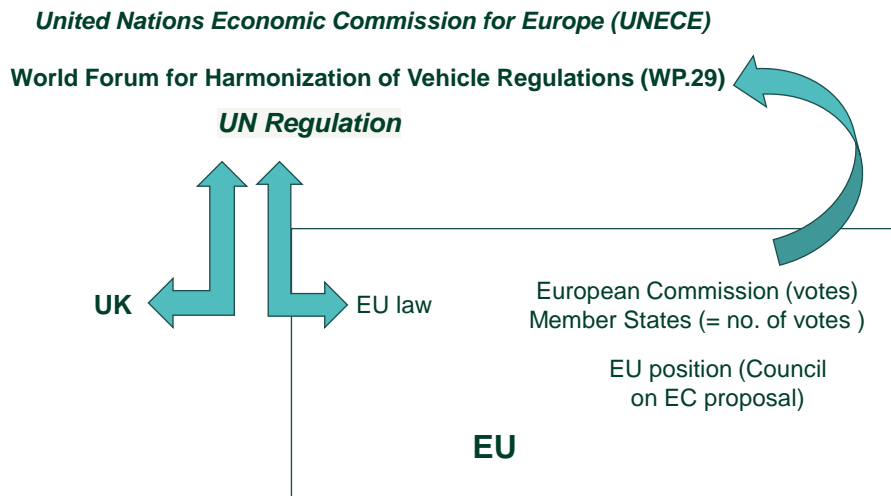
Standards  
Conformity

**Internal impact in UK**  
(managing intra-UK divergence )

## Potential technical barriers to trade

### Technical regulations

## Example: vehicle regulations – new EU measures on Automated Vehicles, 2022



# Potential technical barriers to trade

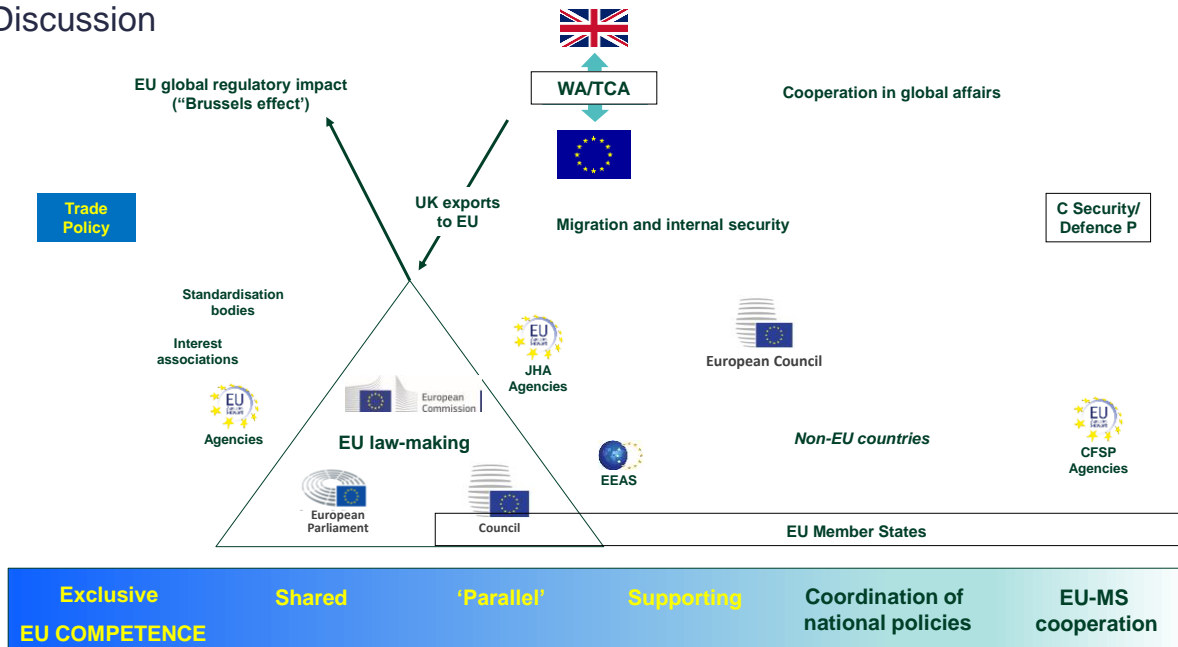
**Technical regulations**

**Standards**

**Conformity assessment**

- no Mutual Recognition Agreement (MRA)

## Discussion



## Framing questions (a reminder)

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