



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)

FCDO, 28-30 January 2025



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Day 1

- 09.30-11.00 **Welcome and Introduction**
- 11.00-11.15 Break
- 11.15-12.30 **EU institutional system**
Group exercise
- 12.30-13.30 Lunch
- 13.30-14.30 **EU institutional system *Cont.***
- 14.30-14.45 Break
- 14.40-15.20 **How can non-EU countries try to influence EU policy?**
- 15.30-15.45 Break
- 15.45-16.45 **Workshop**
- 16.45-17.00 **Recap of the day**

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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?)

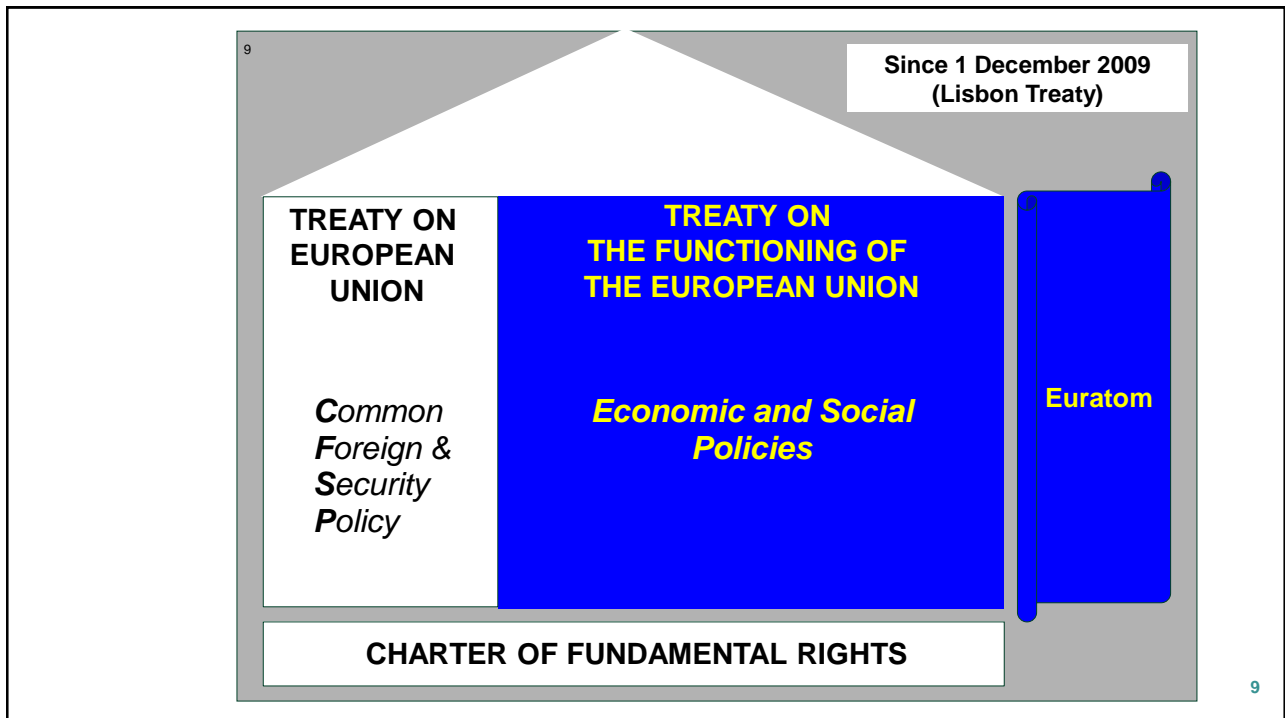


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Framing questions (2)

- 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*

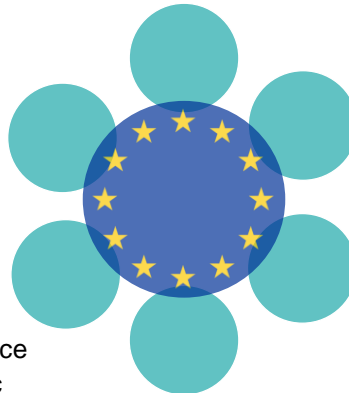
**when provided for in a legislative act, necessary to exercise internal competence, or if its conclusion may affect common rules*

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

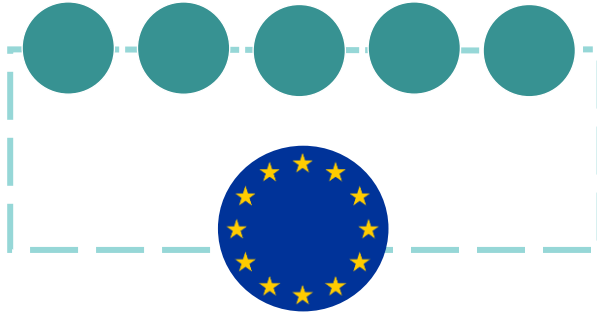


EU & MS can act in parallel

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

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

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**

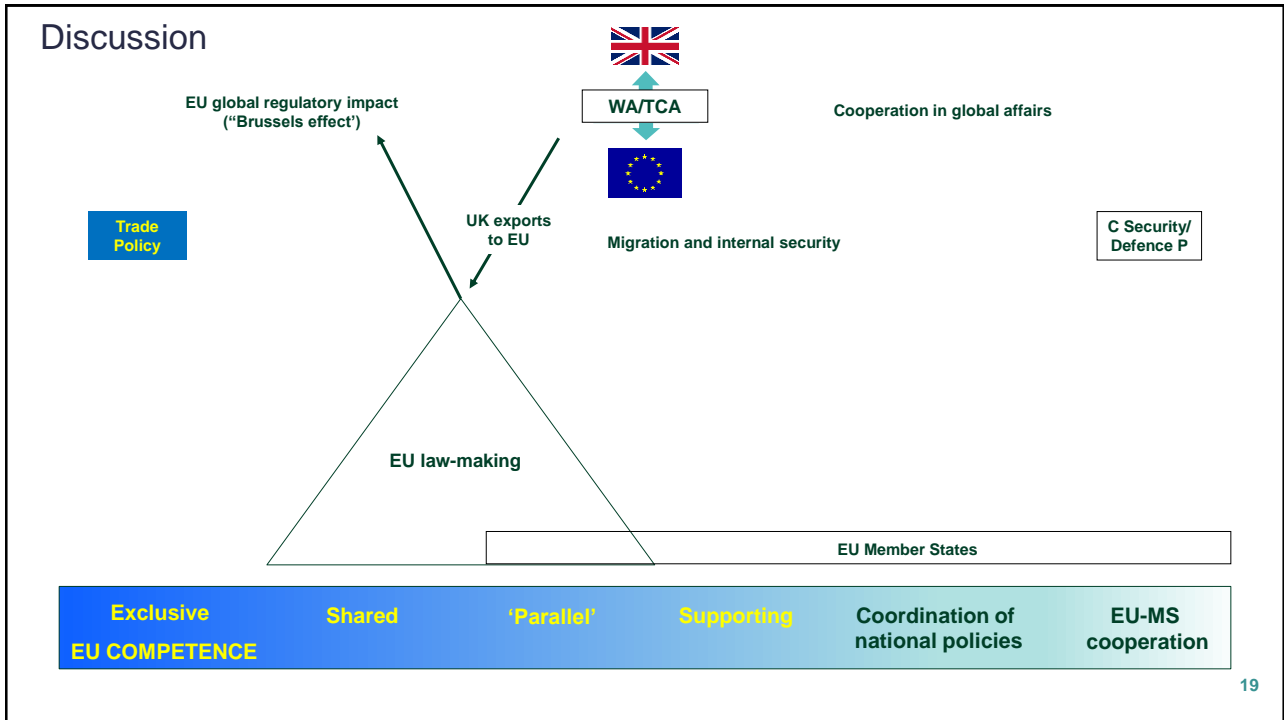
- ‘The Member States shall support the Union's external and security policy actively and unreservedly in a spirit of loyalty and mutual solidarity and shall comply with the Union's action.’
- ‘identification of questions of general interest’ and ‘ever-increasing degree of convergence of Member States' 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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Trends in the UK-EU regulatory relationship

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

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

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

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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

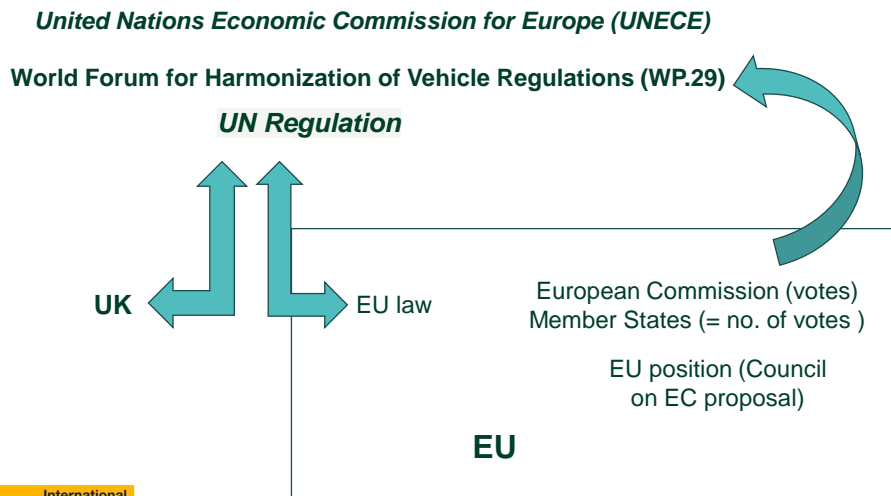


Standards
Conformity

Internal impact in UK
(managing intra-UK divergence)



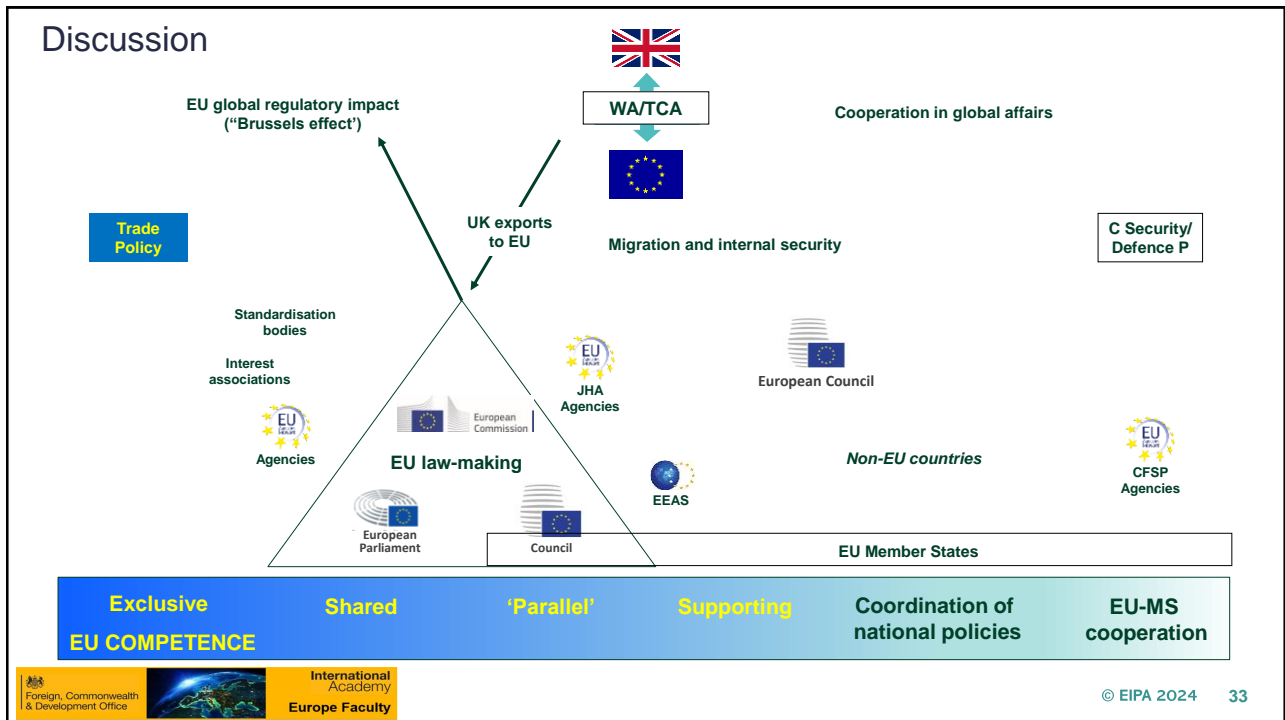
Example: vehicle regulations – new EU measures on Automated Vehicles, 2022



‘the UK appears to have already fallen behind the EU and its Member States in providing the requisite legal certainty for the manufacture of advanced AVs’

- first, EU vehicle legislation—including in relation to automated vehicles—remains applicable in Northern Ireland (NI) under the terms of the Northern Ireland Protocol;
- second, by the Department for Transport’s own admission, the EU has significant influence over international vehicle standards through the United Nations Economic Commission for Europe (UNECE), which the Government says will underpin technical UK legislation in this area;¹¹ and
- third, the UK and EU automotive industries are closely interconnected and the EU is the largest export market for British manufacturers of vehicles and their components.¹² The automotive sector itself has explicitly expressed a preference for the UK and EU rules to remain convergent, to avoid the need for separate manufacturing requirements when selling AVs in both Great Britain and the EU.¹³

House of Commons, European Scrutiny Committee, 11 January 2023



Framing questions (a reminder)

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