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Jean Monnet
Center of Excellence
University of Florida

EU in Practice: Negotiating with the EU*

EUS 4932
1-credit, 1 week intensive

Room: TBD
Date & Time: TBD

Instructor: Árni Páll Árnason
Email:
Office:
Office Hours:

Course Description:

Negotiating with the EU focuses on how to negotiate with the EU from the outside. The EU as a negotiating partner – the different actors (different institutions, MS) and how positions are formed. The EU as a living form of continuous negotiation with internal ongoing negotiations. Membership negotiations – those that lead to membership and those that stall. Negotiations of a separate relationship – continuous ones (EEA) or one off (CETA) and those that evolve (Brexit). Negotiations from the standpoint of business dealing with the EU as regulator (Microsoft, Apple) – where the EU historically took a much more active role than the US, but is now increasingly relying on regulation.

Note about intensive seminars:

This is a one-week intensive course. Students will meet in person with the faculty 3 hours a day M-F for the one week. However, the class is a semester-long course and students are expected to complete the readings in the weeks leading up to the seminar and work on any final assignments for the class after the class meetings. Students are required to attend all classes, so please make sure to take note of the dates and time, and plan to clear your schedule that week.

Course Objectives:

At the end of the course, students will be able to:

- Understand how the EU is in a continuous state of internal negotiation
- Analyze how the EU operates in preparing negotiations and formulating positions
- Summarize how the EU builds negotiating priorities
- Construct a strategy for a mock negotiation and execute that

Assignments:

- Attendance (15 %)
- Active Participation (15%)
- Simulation (40%)
- Simulation Assessment Paper (30%)

Required Readings:

- Readings will be provided to students on Canvas

* The European Commission support for this program does not constitute an endorsement of the contents which effect the views of the presenter, and the Commission cannot be held responsible for any use which may be made of the information given.

Outline

Day 1 – The EU as negotiator

Topics: The basic institutional framework of the EU. The EU as a forum for continuous negotiation – the role of different actors – how external negotiating positions are formed

Required Readings

- Hagermann, Sara and Stefanie Bailer. 2019. "Signals to Their Parliaments? Governments' Use of Votes and Policy Statements in the EU Council." *Journal of Common Market Studies* 57(3): 634-650
- Tallberg, Jonas. 2010. "Explaining the Institutional Foundations of European Union Negotiations." *Journal of European Public Policy* 17(5): 633-647
- Lavadoux, Frank & Marion-Valérie Grasset. 2013. *Strategic Planning Tools for European Negotiators to Defend their National Interests in the Council of the European Union*. European Institute of Public Administration, Working Paper Series: pp. 40-100
- <https://www.euractiv.com/section/eu-council-presidency/opinion/how-to-stop-orban-from-running-the-council-scrap-the-rotating-presidency/>
- https://www.lemonde.fr/en/international/article/2022/07/13/more-isolated-than-ever-viktor-orban-uses-his-veto_5989953_4.html

Recommended Readings

- Guggenbühl, Alain. 2018. "Bargaining in the European Union: Theoretical and Practice Perspectives on Multilateral Negotiation Processes." *Studia Europaea* 63(2): 339-380.

Day 2-3 – The reality of negotiations

Topics: Membership negotiations – successful ones and the unsuccessful ones. Special relationships - The EEA and Brexit, – the endless negotiations and the limits of the possible. The relationship with the US and trade agreements

Required Readings

- Dabrowski, Marek. 2020. "Can the EU Overcome its Enlargement Impasse?" LaptrinhX. <https://laptrinhx.com/news/can-the-eu-overcome-its-enlargement-impasse-4K3aNEJ/amp/>
- Kusko-Sönmez, Eda and Selin Türkes-Kiliç. 2018. "Dynamics of Technical Progress Towards the EU Accession: New Rules, Vetoes and Power Asymmetries." *European Foreign Affairs Review* 23(2): 263-280.
- Video: "Vladimir Drobnjak on Croatia: 28th Member of the EU." 2011. Institute of International and European Affairs. 25 November.
- Schade, Daniel. 2020. *The EU in Association Agreement Negotiations: Challenges to Complex Policy Coordination* (Oxon, UK: Routledge), read Chapter 1 & 3 (p. 3-14; 49-86)
- Elgström, Ole. 2007. "Outsiders' Perceptions of the European Union in International Trade Negotiations." *Journal of Common Market Studies* 45(4): 949-967
- Standing Committee of the EFTA States. 2013. "The Basic Features of the EEA Agreement." 1 July. <https://www.efta.int/eea/eea-agreement/eea-basic-features>
- Video: "The European Economic Area and European Free Trade Association: A Different Approach to Trade and a Possible Post-Brexit Path?" 2019. Center for Strategic & International Studies. 27 September.
- https://www.huffingtonpost.co.uk/entry/michel-barnier-killer-graphic-brexit-theresa-mays-red-lines-on-bespoke-model_uk_5a39497ce4b0fc99878f2058
- Eechhout, Piet. 2021 "Brexit After the Negotiation of the Trade and Cooperation Agreement: Who Takes Back Control of What?" *Revista de Derecho Comunitario Europeo* 68(1): 11-22..

- Dooley, Neil. 2023. "Frustrating Brexit? Ireland and the UK's Conflicting Approaches to Brexit Negotiations." *Journal of European Public Policy* 30(5): 807-827.
- Figueira, Filipa and Benjamin Martill. 2021. "Bounded Rationality and the Brexit Negotiations: Why Britain Failed to Understand the EU" *Journal of European Public Policy* 28(12): 1871-1889.
- Balfour, Rosa. 2022. "Transatlantic Woes: Neither Side Can Have it All." Carnegie Europe.

Recommended Readings

- Fouéré, Erwan. 2021. "The EU's Enlargement Agenda is No Longer Fit for Purpose." Center for European Policy Studies. 12 January
- Murray-Evans, Peg. 2019. "The Evolving Rules and Practice of Trade with Developing Countries: Lomé to Cotonou" in *Power in North-South Trade Negotiations: Making the European Union's Economic Partnership Agreements* (Oxon, UK: Routledge): 40-67
- Sevinç, Kader. 2010. "How to Negotiate with the EU? Theories and Practice" *Turkish Policy Quarterly* 9(3): 95-99.
- Coen, David & Alexander Katsaitis. 2021. "Lobbying Brexit Negotiations: Who Lobbies Michel Barnier?" *Politics and Governance* 9(1): 37-47

Day 4 – Negotiation Simulation

Students will be assigned a role in a simulated negotiation earlier in the week, with defined tasks and negotiating aims

- Students should come prepared to represent their interest and having reviewed their negotiating mandate.

Day 5 – Debrief and In the business of messing with business

Topics: One hour debrief of the negotiations the day before. Then an overview of the EU as regulator, governing competition and state aid often in an intrusive manner towards big business. Earlier case studies

Required Readings

- The Economist. 2006. "Microsoft on Trial" *The Economist*. 28 April.
- Business. 2016. "The €13 Billion Bite." *The Economist*. 3 September.
- Straetmans, Anneleen. 2008. "The EU Microsoft Case – Not as Soft a Case." *Jura Falconis* 44(4): 563-586.

Recommended Readings

- European Parliament. 2018. "Facebook CEO Mark Zuckerberg Testifies Before the European Union Parliament." PBS NewsHour. 22 May. <https://www.youtube.com/watch?v=Y70LrlzrkNk>