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European Negotiations

Course 2

Prof.univ.dr. Melania-Gabriela Ciot

Professor Jean Monnet

Chair Green Deal and European Negotiations



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GREEN DEAL AND EUROPEAN NEGOTIATIONS GRE DEN

JEAN MONNET CHAIR

Professor Dr. Melania-Gabriela Ciot

PROJECT ID: 101126710-GREDEN-ERASMUS-JMO-2023-HEI-TCH-RSCH

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CONTACT US

projectgreden@gmail.com



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Jean Monnet Chair - Green Deal and European Negotiations

18 aprecieri • 33 urmăritori

Jean Monnet Chair Project
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Mesaj Îți place ...

Postări Despre Fotografii Menționări

Detalii

i **Pagină** · Site web educațional

★ **Neevaluat(ă)** (0 recenzii)

... **Vezi secțiunea Despre a lui Jean**



Content:



A. The Contemporary International System



B. International Negotiation



C. European Negotiations



D. Accession Negotiations to the EU



Where are we, Europeans?

- <https://www.youtube.com/watch?v=VusKGzmXInY>



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A. The Contemporary International System (I):

- After the fall of the Berlin Wall and the end of the “bipolar world”, the contemporary international system entered a prolonged transitional phase;
- The phenomenon of globalization itself is a contributor to the delay of clearly coding the characteristics of the current international system;
- An intense, accelerated and diversified process of interactions and interdependences has developed between societies over the last two decades.



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- we are facing a multi-level structure of international and transnational activities,



with a multi-centric system, based on multi-layered, multi-dimensional and multi-actor formations (global governance point of view)



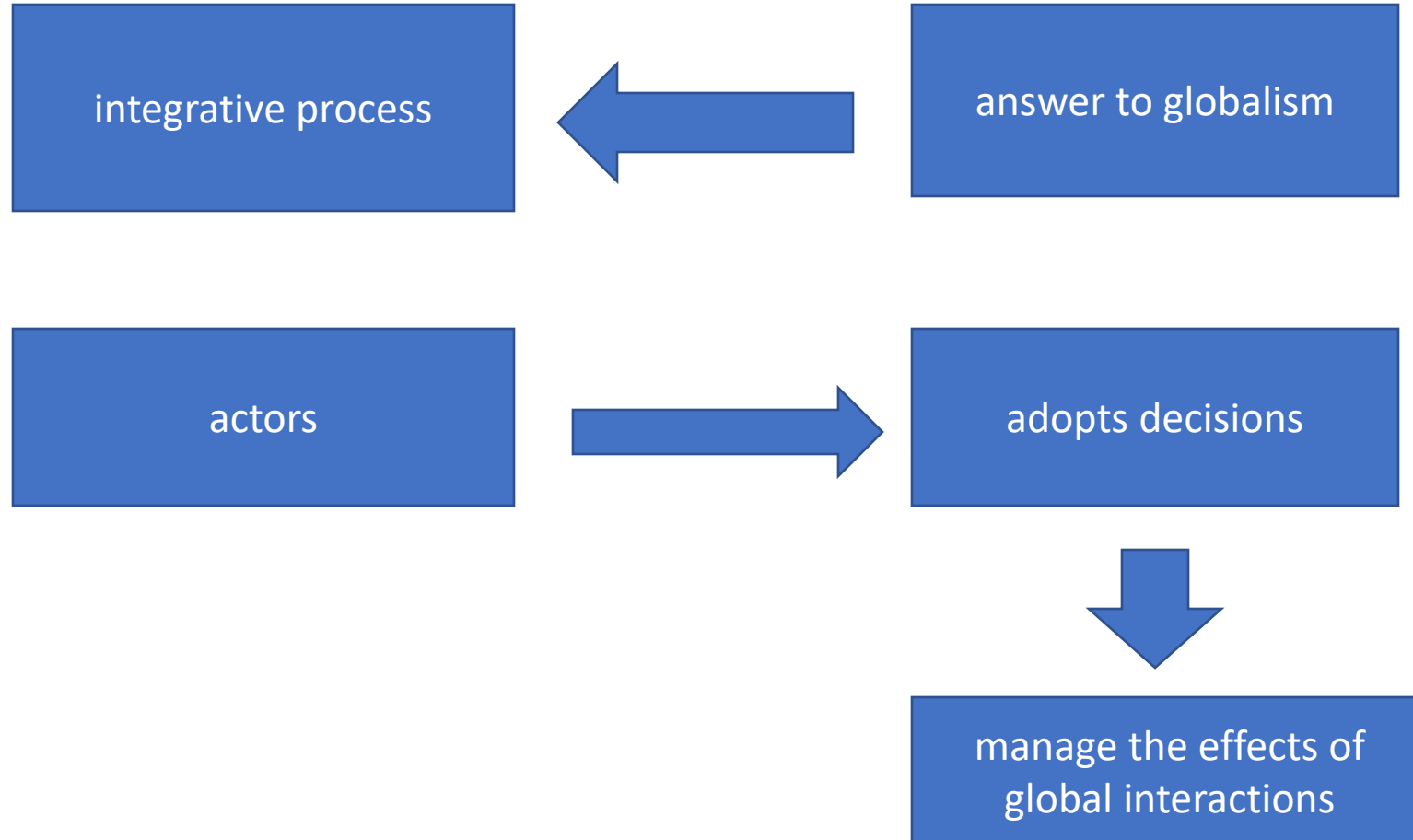
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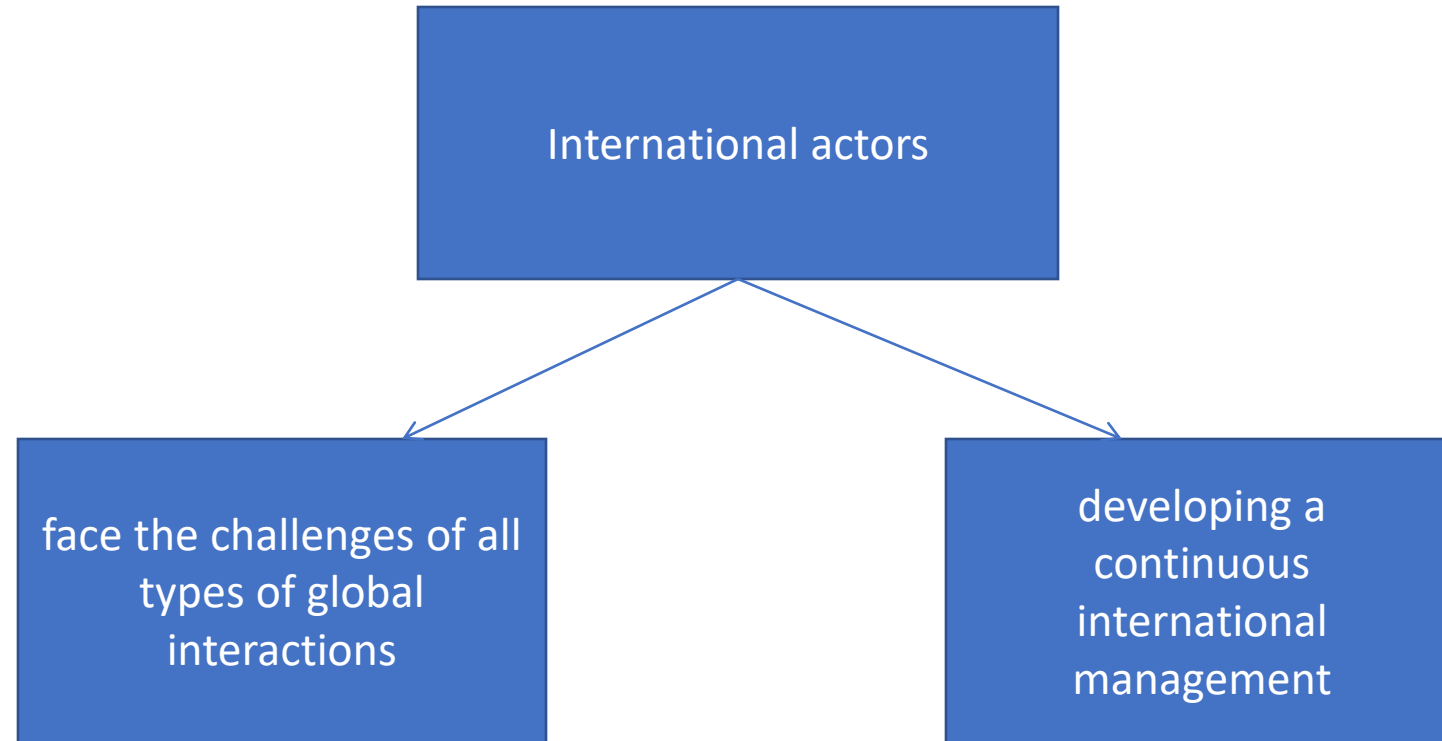
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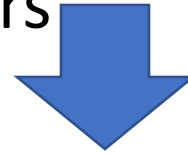


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International management has imposed itself as:

- an incentive to “think internationally”
- and to “manage across-borders”



Negotiation is one of the most useful tools in the decision making process



International negotiation has become an almost daily concern of every international actor

B. International Negotiation:

- **Negotiation** = intergroup, inter-organizational, international “management of differences.”
- **international environment** = political and legal pluralism, international economy, bureaucracy, foreign governments, state of the actors, ideology, culture;
- **international context** = the relative power of negotiation, the levels of conflict/cooperation, the relations between negotiators, the expected results, the supporters/deciders





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C. European Negotiations (I):



European Union is the result of institutional, legal, political, economic and cultural construction that took place in the second half of the 20th century;



The *Schuman Declaration* (9 May 1950) marked the negotiation path, to establish “the basis for a broader and deeper community among people long divided by bloody conflicts”;



From the very start of what we can refer to as **European negotiation**, Schuman suggests a multi-party formula (the invitation by the French and German parties of an arbitrator “appointed by common agreement”), and, in addition, the **international environment** characteristic (requesting evaluation from the UN).



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C. European Negotiations (II):

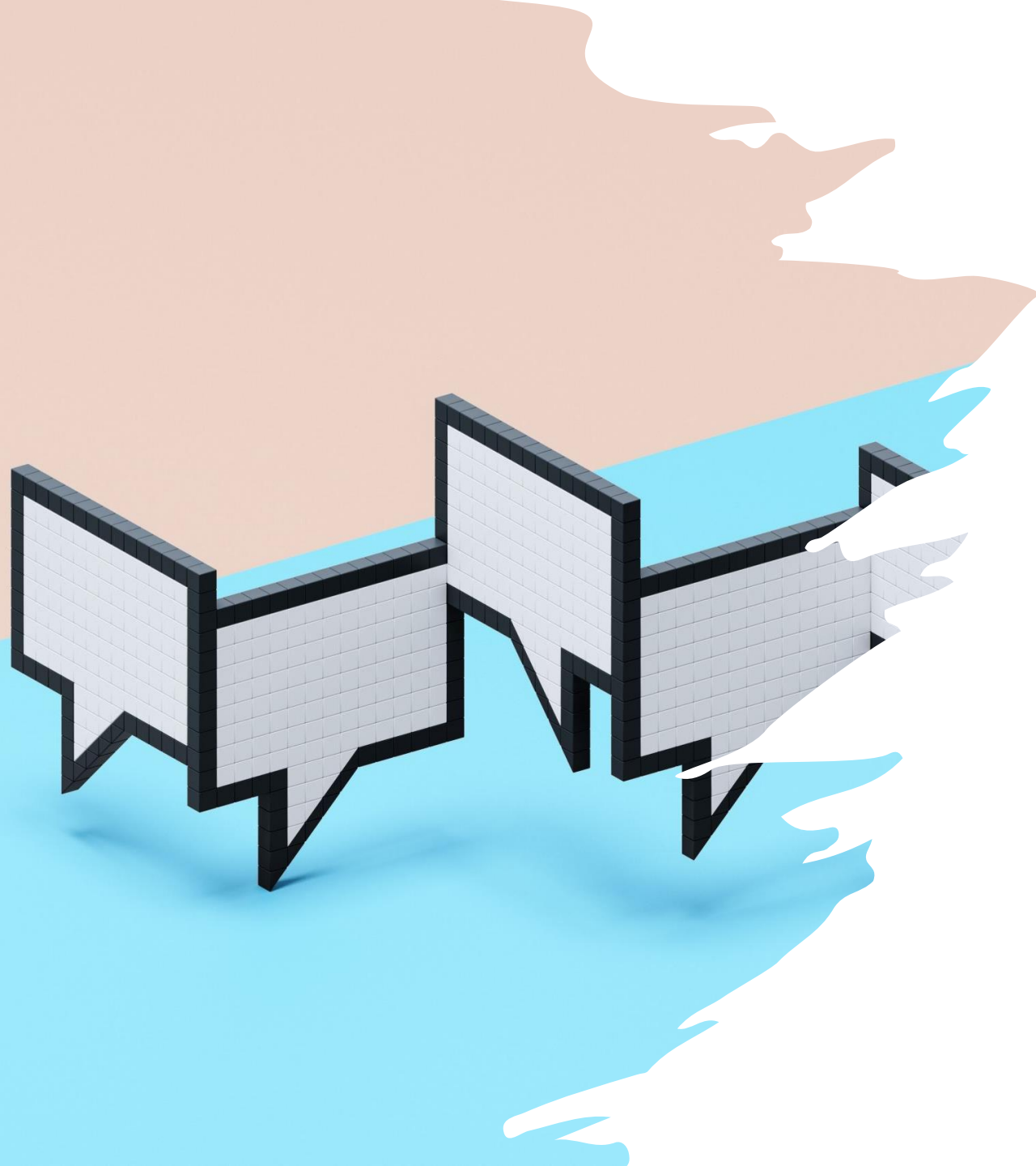
- Professor Paul Meerts noted that today's European Union is “an enormous international negotiation process”, within a multilateral framework



Negotiation is defined as “a process in which two or more parties try to obtain a solution on matters of common interest, in the situation where the parties are in an actual or potential disagreement or conflict”

C. European Negotiations (III):

- Fred Charles Iklé: -“a process in which clear proposals are made in order to reach an agreement, through an exchange or through the achievement of the common interest, in situations where conflicting interests are present” ;
- the negotiation for European construction has developed some unique characteristics, in a multilateral framework, and even though we can't talk about an European style of negotiation, we believe that a certain specificity or individuality of European negotiation can be sustained.





C. European Negotiations (IV):

- the most applied academic and political discussion on the subject of European negotiation was due to the internal reforming tendencies of the European Union (institutional and political), as well as the project of its extension in Central and South-Eastern Europe.
- Elgström and Christer Jönsson approached the concept and the practices of European negotiation from a procedural perspective, that of networks and institutions



C. European Negotiations (V):

- In recent years, the focus was on the **descriptive and procedural analysis** of the European negotiations, such as the intergovernmental conferences and treaties;
- **the role of European/accession negotiations is very important in the European politics;**
- a new “era of negotiations”, which means a very different world from the one in which H. Kissinger used the term for the first time (in the ‘70s).



C. European Negotiations (VI):

“Three worlds” that compose the European arena of negotiations:

- (a) borders (spaces and territories);
- (b) layers (different objectives and various authorities);
- (c) networks (connections, communications).

C. European Negotiations (VII):

- “the new European space of negotiation”;
- European negotiation must not be seen only as a *process*, but also as a *system* of negotiation;
- European negotiation is not only international, but also strongly conservative ;
- European negotiation is a continuous activity, an inter-bureaucratic and political multilateral marathon;
- European negotiation is “a process of communication where the actors send signals from one to the other to influence the expectations and/or the values of another party”



C. European Negotiations (VIII):

- the diversity of contexts and negotiation opportunities,
- the diversity of actors and preferences,
- the diversity of systemic analysis.



C. European Negotiations (IX):

- the interdependence of actors,
- the regularity of interaction and
- the (formal or informal) presence of rules and institutions.



D. Accession Negotiations to the EU (I):

- For the Member States, the accession negotiations had a significantly different form, as compared to the other negotiations of the European Union on the international stage;
- The states that aspired to European Union membership considered the accession negotiation period to be a trust building process between the negotiating parties, so that a mutual perception is established regarding the way each candidate will be capable to cope with the accession challenges.



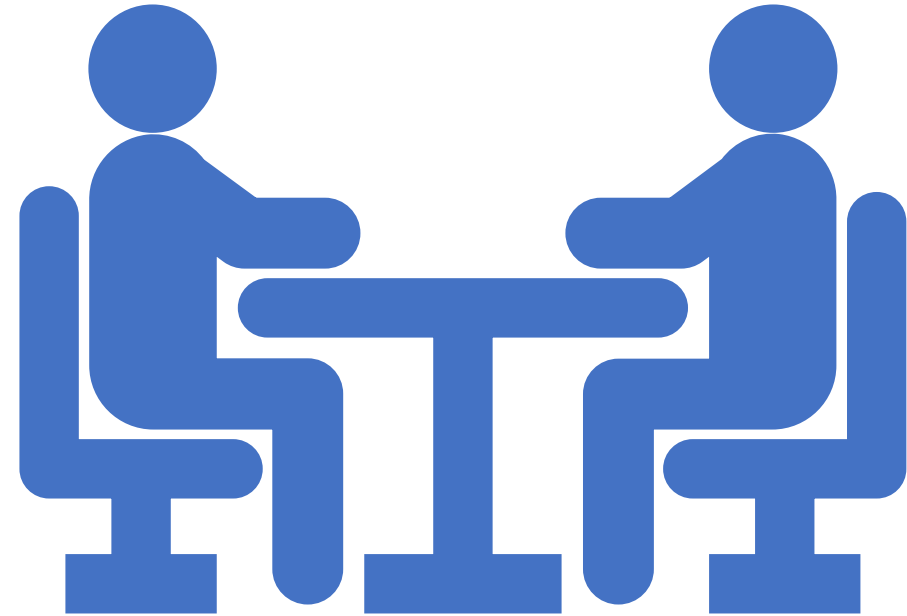
D. Accession Negotiations to the EU (II):

- The “discovery” and “rediscovery” of the meaning of the accession negotiations also generated very different opinions, interpretations, suggestions;
- **political context = international, European, sub-regional**
- **the institutional framework = European and state-** the object of systematic analysis



D. Accession Negotiations to the EU (III):

- Intergovernmental Conference (IGC) shows that negotiations have an intergovernmental nature and that they are bilateral, between each candidate state and Member States, in a multilateral framework;
- Formal negotiation sessions take place in IGC, but the most significant sessions are between the Chief Negotiator and the representatives of the Member States, but also between other officials, including ones from other candidate states.



D. Accession Negotiations to the EU (IV):

- Between the working groups of the Council of Ministers of European Union and the negotiation team of the candidate states, position papers (negotiating positions) are exchanged.
- The European Commission is the one preparing the draft common position for the Council, in response to the position documents of the candidate state.
- The Commission is also preparing the technical documents about the implications of the negotiating positions.



D. Accession Negotiations to the EU (V):

- With the Commission, the candidate state has more informal negotiations about the means of implementing the *acquis communautaire*.
- The European Parliament has assumed an increased role in the accession negotiation process, not only by endorsing the Accession Treaty, but also by raising certain issues and submitting opinions regarding the elements of negotiation.



D. Accession Negotiations to the EU (VI):

- The structures and the institutions involved in the accession negotiations, from the candidate countries, are different, varying by tradition and, sometimes, even by the domestic political context.
- All candidate states have a Chief Negotiator, but his position differs from country to country.
- The coordinating role of the Chief Negotiator is essential and his capacity to exert influence increases in the final stages of negotiations and in the elaboration of the Accession Treaty phase.



D. Accession Negotiations to the EU (VII):

- The Chief Negotiator works intensely with the ministries involved in the “working groups” on the *aquis* chapters, arbitrates between different governmental agencies, advocates for the opinions stated by the negotiation team in front of the government.
- He argues the content of the position documents before the European institutions and Member States, defending the objectives of the accession negotiation and the national interest of the candidate state.





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D. Accession Negotiations to the EU (VIII):

- In the accession process, the phases of the negotiation of the *acquis* chapters represent a significant part of the preparation for the accession moment.





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The accession negotiation steps are:

- *screening,*
- preparing the position documents,
- negotiation based on position documents,
- Accession Treaty
- Ratification of the Accession Treaty.





- The principles and procedures of accession negotiation consider both the objectives of the accession process and the technical characteristics of European negotiation.
- Professor Mayhew mentions the “conditionalities” and “conditions” imposed by the European Union for starting the accession negotiations, without necessarily making a distinction between the two .
- It must be emphasized that the accession criteria are reformulated for each accession wave, depending on the *acquis*'s stage of evolution, on the development of European policies and on the European and international context.



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the accession criteria – political, economic, institutional, administrative and the capacity of the European Union to integrate new members - were defined in such a manner, in Copenhagen (1993) and afterwards, so that it could leave the possibility of multiple and different interpretations to the European authorities and Member States.



The essence of the accession negotiations is the acquis, which - for operational reasons - is divided into “chapters” (there were 31 for the fifth wave of enlargement; there are 35 for the current accession negotiations).



- the European Union claimed not only the transposition of the *acquis*, but also its implementation, within a determined period and as much as possible until the accession date.
- for technical reasons, the candidate states have unilaterally indicated certain dates for the accession moment (e.g. Hungary – 2002, Romania - 2007).



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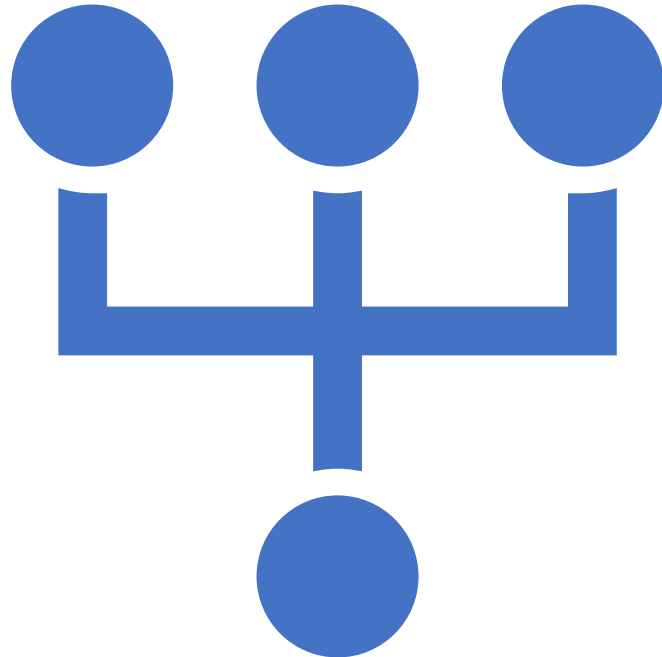
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Fundamental characteristics of accession negotiations:




- 1.) it is a **process of discovery** = the two parties inform each other about what they want, what they intend, what they offer (information is, therefore, an essential negotiation instrument);
- 2.) it is a **strategic interaction** = the parties seek to influence each other, to shape their behaviors to obtain the best possible results;
- 3.) it is an **exchange process** = each party tries to configure the behavior of the other by offering something or making certain concessions.



The entire accession negotiation machinery includes:

(a) the technical level = the topics are resolved by referring to a clear set of rules, criteria, without crossing to the complex environment of interdependencies;

(b) the political level = the problems in a certain area are solved without appealing to rules, but by entering in a zone of interactions, of complex interdependencies of more subjects and fields, the final solution being a “package” which includes also the possible technical themes.



The final formula can be influenced by the following means:

(a) legal/technical arguments (implies the existence of a set of rules and criteria clearly defined and accepted by the negotiating parties, but also the abilities to use certain techniques);

(b) promotion of the common interest, starting from the win-win aspiration and continuing with the effort of all parties to find the best formula;

(c) use of power capacity, which does not mean the use of force, but the ability to impose conditions to the other party, and also the capacity to reject something desired by the other party, without taking into account the legal or technical considerations.



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To be remembered !!!

the contemporary international system entered a prolonged transitional phase;

the international actors have to face the challenges of all types of global interactions;

the international negotiation become an almost daily concern of every international actor, one of the most efficient means of attaining optimal solutions for the increasingly complex problems that we are facing under the circumstances of the globalization phenomenon;

the European negotiation must not be regarded only as a *process*, but also as a *system* of negotiation;

the accession negotiation could be considered a trust building process between the negotiating parties, so that a mutual perception is established regarding the way each candidate will be capable to cope with the accession challenges.