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OUTCOME OF PROCEEDINGS

From: General Secretariat of the Council
To: Delegations
Subject: Working Party on Information on 10 July 2014

1. Adoption of the agenda

The agenda was adopted as set out in document CM 3473/14. The following items have been added to point 4 (Any Other Business):

- b) European Year for Development 2015 (EYD 2015) : language of working documents (as requested by the French delegation), and
- c) Judgement of the Court of Justice in Case C-350/12 P - Council v. Sophie In 't Veld (information from the Council Legal Service).

2. Communication / Information policy

a) Former Greek Presidency's communication activities

The former Greek Presidency outlined the results of the first semester of this year ¹, highlighting specific agreements and significant progress reached during its mandate in important domains such as economy, trade interests, the area of freedom, security and justice, social policy and health, competitiveness, transports and telecommunications, agriculture and environment.

¹ http://www.gr2014.eu/sites/default/files/Scoreboard_New_Eng.pdf

A representative of the web team of the former Greek Presidency gave an overview of their engagement through the social media. She delivered statistics on the content of website, social networking and the popularity of the newsletter, showcasing relevant infographics on the Presidency's web portal and its twitter account.

The Chair emphasised the value of the many lessons learnt from the GR Presidency, in particular:

- weekly teleconferences/exchanges of views between the communication teams of the Permanent Representation, Athens and GSC;
- sharing of content;
- the development of platform-neutral content, taking into account the fast increasing use of mobile devices.

b) Italian Presidency, second semester 2014

The Italian Presidency outlined the main elements of their communication strategy:

- strategic objectives: high-level institutional communication, coordinated government communication, increase awareness on EU benefits, mobilise public opinion around the priorities of the Presidency, and give a new positive impetus to the European debate;
- logo (symbol of friendship, and representing hope and freedom). For the first time, the Presidency logo is "co-branded" with the new logo of the Council;
- the website (<http://italia2014.eu/en>) which provides information in three languages: IT, EN and FR; and the Twitter account @IT2014EU.

c) **Communicating Europe**

i) **Partnerships**

The Commission informed delegations about the state of play with regard to existing partnerships and on-going negotiations to conclude new agreements with interested Member States.

DG COMM representative:

- highlighted a number of projects being implemented in some Member States (e.g. SE, FI) under the Management Partnerships (MPAs) budget 2013;
- reiterated that, in the on-going tri-partite cooperation, the Commissions is taking on board the recommendations stemming from the horizontal evaluation of the MPAs;
- indicated that the EC representations in the Member States are well aware that there is a need for joint effort with the EP offices and the MS' authorities to plan communication activities;
- new SPs have been recently concluded with BE and FR; HU has recently concluded an ad hoc ("one off") partnership; and on-going negotiations for an "ad hoc partnership agreement" at regional level are ongoing in France.

The Commission concluded its intervention by referring to new ways of cooperation such as planning communication activities not only with the "central" Ministry (usually the Ministry of Foreign Affairs) in the Member States but also with the "specific" ministries (e.g. labour ministry) competent for the specific topic(s).

Delegations' interventions:

- DE, FR, IT, PT, PL, LV and LT reiterated that partnership agreements are considered an interinstitutional subject with clear implications for the communication agenda of the institutions. In their view, the WPI is the ideal forum to discuss guidelines and practical modalities to enable Member States to be closely associated with the implementation of the cooperation mechanisms and play a true partner's role.
- DE reiterated that the transitional period offers the possibility to think about the future way of cooperation in the field of communication. The conclusions of the horizontal evaluation of the management partnership agreements (MPAs) would be a good basis to prepare guidelines for this cooperation.
- FR specified that France has not signed a strategic partnership but an administrative agreement, for the period of one year.
- PL is also implementing a communication project (TV programme) which was foreseen in the framework of the MPA's budget 2013.
- LT expressed once again its support for the MPAs..

The Commission indicated that they are keen on continuing the tri-partite cooperation and agreed that this transitional year should be used to exchange best practices. Moreover, she was of the opinion that, instead of applying the partnership concept to a specific format (strategic, ad hoc or other) with rigidity, it would be advisable to pay more attention to joint tri-partite planning and to enhancing activities focusing on joint priorities.

In conclusion, the Chair:

- acknowledged that the issue of relevance to the Council, and that delegations are hence expecting the WPI to pursue discussion on guidelines and other related horizontal aspects of the tri-partite partnerships;
- explained that, before focusing on activities and resources, the partnership process ought to start with the identification of common communication priorities;
- reminded that, in its meeting on 27 June 2014, the European Council approved its strategic agenda for the Union which contains a number of overarching political priorities for the years to come;
- while awaiting the identification of priorities by the other institutions, the GSC will consult with the Italian Presidency with a view to come back to this issue at the WPI meeting on 11 September.

The European Parliament representative, agreeing with the Chair's approach :

- informed that the President designate of the Commission will address the Parliament on 15 July, where most probably he will give indications about the Commission's priorities;
- explained that the Parliament will also prepare a list of priorities which will be submitted to the Commission in due course;
- suggested to prepare a draft common list of communication priorities at administrative level which would enable to make progress in autumn.

ii) **Corporate communication pilot project**

The Commission (DG COMM) presented a new "corporate communication pilot project", which aims to introduce the use of new clauses on communication (including corporate/institutional communication) in the legal bases of the new generation of Multi-annual Financial Framework Programmes. Those clauses would facilitate pooling resources together to fund corporate communication actions and implement more effectively joint plans shared among different Directorate-Generals of the Commission.

The objective is to raise public awareness of the EU as a whole to be complemented with a number of specific objectives. The presentation has been made available to delegations through the InfoNet platform.

3. **Transparency / Access to documents**

a) **Council Open Sessions - Statistics on Open Sessions during the Greek Presidency (January - June 2014)**

- Information from the General Secretariat of the Council

Doc. 11508/14

The General Secretariat made a presentation on statistics related to Council Open Sessions held during the Greek Presidency.

b) **Confirmatory application No 17/c/01/14**

Docs. 11043/14

11044/14 (document to be issued)

The General Secretariat informed delegations of the background and handling of this request. Following finalisation of the draft reply, the Working Party will be consulted by informal written procedure in order to establish whether there is agreement on the proposed reply. It was recalled that the subsequent adoption of the draft reply would have to take place by a formal written procedure.

c) **Confirmatory application No 18/c/01/14**

Doc. 11059/14

The Council Legal Service presented the draft reply and explained the approach proposed in the draft reply (doc. 11059/14), i.e. to confirm the decision taken by the GSC at the initial stage to refuse access to the requested documents pursuant to Article 4 (2), second indent (protection of legal advice) and Article 4 (1) (b), protection of the privacy and the integrity of the individual).

Following the announcement by a large tobacco product company that it has instituted proceedings against the Tobacco Directive at a national court, it was considered that there is a reasonably foreseeable and not purely hypothetical risk that a release of the documents covered by the request would undermine the protection of legal advice by seriously undermining the defence of the legality of the Directive in legal proceedings before national courts and/or before the Court of Justice. Furthermore, in the light of the pending litigation and the fact that issues concerning the Tobacco Directive have been subject to large media attention, it was considered that disclosure of the personal data found in the correspondence in question would put the individuals concerned under undue pressure by exposing those individuals in the media, to the detriment of their integrity and right to privacy.

FI asked whether the annexes attached to three of the five requested documents setting out intermediate draft versions of Article 24 and related parts of the proposal were also considered to be covered by the request. The representative of the Council Legal Service confirmed that this was the case.

As many delegations had not yet indicated their position vis-à-vis the draft reply, delegations were given until Monday 14 July 2014 midday to do this. Consequently, it was envisaged to submit the draft reply to Coreper II on 15 July in view of its adoption by the General Affairs Council on 23 July 2014.

d) Confirmatory applications No 19/c//01/14, No 20/c/02/14, No 21/c/01/14, No22/c/02/14 and No 23/c/03/14

Docs 11384/14

11408/14

11542/14

11547/14

11561/14

The Chair informed the Working Party on a number of confirmatory applications in relation to the restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine listed in the Council Decision 2014/119/CFSP of 5 March 2014 and Council Regulation (EU) No 208/2014 of 5 March 2014.

A formal written procedure will be launched with a view to the adoption of the replies to these requests by Coreper and Council.

4. Any Other Business

a) Keynote event in the framework of the pilot project "The Promise of Europe", Rome, 12/13 September 2014

The Commission (DG COMM) presented "The Promise of Europe", project which is articulated around:

- a Qualitative Eurobarometer survey and
- a keynote event co-organised by the Commission and the IT Presidency of the Council.

The survey will be conducted in six Member States (DE, IT, DK, PT, FI, PL) using focus groups and interviews with experts to gather the European citizens' opinions on what membership of the EU means to them personally, both now and for the future.

The programme of the keynote event (Rome, 12/13 September) includes the presentation of the final results of the survey, followed by working group discussions based on the results.

b) European Year for Development 2015 (EYD 2015) : language of working documents

FR, supported by DE, informed the Working Party that the working documents which the Commission distributed to the Member States to prepare for the submission of a National Work Programme (NWP) by 1st September 2014 in the framework of the EYD 2015, have been drafted in only one language. FR believes that this approach is contrary to the rules of multilingualism and asks therefore the Commission what it is planning to do to remedy to this problem. FR intends to submit its NWP in French.

The Chair took note of this matter which will be reported to the relevant Commission's Directorate-General.

c) Judgement of the Court of Justice in Case C-350/12 P - Council v. Sophie In 't Veld

The Council Legal Service informed the Working Party on the Judgement mentioned above, as set out in doc. 11788/14.
