

Brussels, 25 March 2015  
(OR. en)

7478/15

API 33  
INFO 2

## OUTCOME OF PROCEEDINGS

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From:	General Secretariat of the Council
To:	Delegations
Subject:	Working Party on Information on 13 March 2015

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### 1. Adoption of the agenda

The agenda was adopted as set out in document CM 1819/15, with the addition of two points under "Any Other Business":

- item 4 a) - strategic communication
- item 4 b) - TTIP questionnaire.

### 2. Communication / Information Policy

#### a) Investment Plan for Europe - communication aspects

The member of V.-P. Katainen's Cabinet explained the three main strands of the Investment Plan:

- the creation of a European Fund for Strategic Investments (EFSI);

- the establishment of a credible project pipeline and a one-stop-shop advisory service to help identify, prepare and finance projects (in particular to promote job creation);
- an ambitious roadmap to make Europe more attractive for investment (by deepening/widening the single market).

While welcoming the general approach reached by the ECOFIN Council on the draft EFSI Regulation, he expressed his appreciation to the Member States which have already contributed to the Fund.

The GSC representative explained that the first two main strands are covered by the proposed EFSI Regulation, whilst the investment environment is covered by the Commission's Green Paper "Building a Capital Markets Union" of 18 February 2015, for which an Action Plan will be presented in September. Furthermore, he informed the group on the rapid and recent adoption of a General Approach by Council, with a view to entering into informal trilogues with the European Parliament in due course so as to allow for a conclusion of negotiations by June.

The Commission DG COMM representative focused on the Commission's representations' mobilisation, explaining their tailor-made communication activities on the ground to support Vice President Katainen's roadshow and underlining that their work does not end after Vice President Katainen's visits. Follow-up discussions on the Plan are needed with all stakeholders and communication will accordingly continue, also through full coverage and interaction in the social media.

Delegations welcomed the presentations and expressed general support for the investment plan. Their contributions focused on different elements of the file :

- The Italian delegation gave a brief account on V.-P. Katainen's visit to Italy on 15-16 January, referred to its recent decision to contribute to the EFSI and drew attention on the need of transparency in the selection of the investment projects.

- The German delegation informed the Group that the German Ministry of Finance published a leaflet on the investment plan which will be available to the public electronically and in paper.
- The Finnish delegation will roll out its communication campaign when the Plan will be implemented.

In reply to a question from the Polish delegation, the Commission confirmed that its Representations are in close contact with local EIB experts to step up collaboration in communicating this topic and indicated that key-target audiences of the roadshows are SME's and Chambers of Commerce.

Concluding the debate, the Chair suggested that the WPI return to communication aspects of the Investment Plan at one of its next meetings.

#### **b) Information and communication on EU Climate Action**

The Commission DG CLIMA representative outlined the main elements of the communication strategy on climate action.

She referred in particular to recent policy initiatives:

- the Commission communication "[The Paris Protocol – A blueprint for tackling global climate change beyond 2020](#)" presented at the Environment Council on 6 March 2015;
- the international negotiations in the run-up to the UNFCCC Climate Change Conference (COP 21) conference foreseen in Paris in December 2015;

- the decisions on a 2030 Framework for Climate and Energy adopted by the European Council in October 2014 and the "Energy Union package" presented by the Commission on 25 February 2015, the latter including the above communication;
- the communication campaign put in place in view of Paris Conference (focus on the multilingual communication tools available on the dedicated website: <http://ec.europa.eu/clima/>);
- a new Eurobarometer survey on climate action which should be ready by Autumn (for the first time, this survey will contain specific fact sheets per Member State).

While cooperation with national authorities is being reinforced through its Representations on the ground, the Commission invited delegations to use and share the available communication tools to enhance outreach on climate action in all Member States.

The French delegation gave an overview of the communication campaign being launched as host of the Paris Conference. France will mobilise in particular civil society and youth. Communication will be based on positive messages suggesting concrete solutions to climate change and in support of competitiveness and innovation, conveyed also through a dedicated website (<http://www.cop21.gouv.fr>). Delegations were invited to share the official video clip produced for the event (<https://www.youtube.com/watch?v=EdeE-8SZMXQ>).

The Luxembourg delegation explained that during its upcoming Presidency, it will focus its communication on COP-21 through "classical" media channels (e.g. interviews, participation at discussion panels).

The Swedish delegation informed the Group that the Swedish government will collaborate closely with all stakeholders to inform the public on climate action. This Member State will also strengthen cooperation with less developed countries.

The UK delegation referred to a number of actions taken (e.g. publication concerning a global climate agreement, collaboration with civil society and NGOs).

The Cyprus delegation suggested to establish a list of contact points in MS' capitals with the aim to facilitate future communication activities on climate action. This delegation is of the opinion that this approach would enable all MS to timely share best practice and draw inspiration from concrete initiatives in this field.

In reply to a question raised by the Belgian delegation, the Commission's representative reiterated that all communication material in the dedicated website should be available in all languages by May this year.

In conclusion, the Chair welcomed increased cooperation between MS and EU institutions on communication in this area and suggested to come back to this issue once the EU has adopted its position ahead of the Paris Conference.

### **3. Transparency / access to documents**

#### **a) Confirmatory application No. 04/c/01/15**

Docs. 6391/15 INF 24 API 21

6392/15 INF 25 API 22 (to be issued)

The Chair informed delegations that it had not been possible to finalise the draft reply to this confirmatory application before the WPI meeting, since consultations with the authors of one of the documents covered by this request were still ongoing. In order to enable the Council to reply within the legally binding deadline, it would therefore be necessary to consult the WPI as regards the draft reply to this request by e-mail.

The Chair also informed delegations that due to the European Council meeting on 19/20 March as well as the Easter break, it would not be possible to submit the draft reply to Coreper and the Council before that deadline. Consequently, the draft reply would have to be adopted by a formal written procedure to be launched after the written consultation of the WPI.

**b) Confirmatory application No. 05/c/01/15**

Docs. 6500/15 INF 27 API 24  
6501/15 INF 28 API 25

The Chair explained the approach proposed in the draft reply (doc. 6501/15). Delegations agreed with the draft reply and with the publication of the votes.

For the reasons referred to above, the draft reply to this confirmatory request would also have to be adopted by a formal written procedure. This procedure would be launched on 16 March 2015.

**c) Confirmatory application No. 06/c/01/15**

Docs. 6522/15 INF 30 API 27  
6523/15 INF 31 API 28

The Chair explained the approach proposed in the draft reply (doc. 6523/15). Delegations agreed with the draft reply and with the publication of the votes.

For the reasons referred to above, the draft reply to this confirmatory request would also have to be adopted by a formal written procedure. This procedure would be launched on 16 March 2015.

**d) Annual report 2014 on access to documents**

- Presentation of the draft annual report by the General Secretariat of the Council  
Doc. 6725/15 INF 33 API 30

The General Secretariat briefly presented the draft annual report. It contains an analysis of the requests for public access received and processed during 2014 as well as a summary of case-law and of decisions taken by the European Ombudsman with regard to the implementation of the access to documents rules by the Council.

The Chair informed delegations that the report would be available in all language versions as from 27 March 2015.

Delegations were invited to submit their comments by Monday 13 April in view of the WPI meeting on 17 April 2015. Following the examination by the WPI, the report would be submitted to Coreper on 13 May in view of its final approval by the Council (General Affairs) on 19 May 2015.

#### **4. Any Other Business**

##### **a) TTIP questionnaire**

The Chair reminded delegations to send their replies within the suggested deadline (20 March 2015) to the questionnaire drawn up by DG TRADE to collect MS feedback on their TTIP-related communication activities.

##### **b) Eastern Neighbourhood - strategic communication**

The Lithuanian delegation drew attention to the planned inclusion of language on strategic communications in the March European Council conclusions.

The Chair reported on discussions in this regard and indicated that the WPI stands ready to come back to this issue and facilitate cooperation as appropriate.

##### **c) Publication of preparatory documents related to the EU Charter of Fundamental Rights (Charter documents)**

Doc. 6933/15 INF 45 API 31

The General Secretariat informed the WPI that it had collected all preparatory documents of the Convention (Charter documents) and had processed them for publication in the Council's public register.

The Dutch delegation suggested that a specific link be created to the Charter documents in order to give more visibility to their publication and facilitate their consultation on the Council's web site.

**d) Follow-up to the judgment of the Access Info ruling (Case C-280/11) and Coreper decision of 15 May 2014 - evaluation after one year**  
- On request from the Netherlands

The Dutch delegation referred to the Coreper decision of 15 May 2014 and asked the General Secretariat how the evaluation would be done.

The Chair recalled that Coreper had not decided to introduce a uniform reporting procedure, but had invited the General Secretariat to continue to assist the Presidency and the Working parties by adjusting its work to the specific needs of the relevant file and subject-matter as well as to the specificity of the on-going negotiations.

The Chair pointed out that as no benchmark exists, the outcome of any statistical inquiry would only be indicative, but added that in the light of internal consultations held with GSC services and on-going monitoring of incoming requests for documents relating to legislative files, no change had been detected.

The Chair also invited delegations to contribute to the process of evaluation by informing the General Secretariat if the current reporting procedure corresponds to its needs or if a change of practice is needed.

The Finnish delegation stated that it had not noticed any change of practice and it was ready to contribute to the evaluation process.



**e) Applicability of Regulation (EC) No 1049/2001 to Eurojust**  
- On request from Sweden

The Swedish delegation referred to the opinion of the Legal Service regarding the applicability of Regulation (EC) 1049/2001 to Eurojust. It considered that Regulation (EC) 1049/2001 should be fully applicable to all documents held by Eurojust and not just to documents concerning its administrative tasks.

The Finnish delegation supported SE and referred in particular to case-law and to Article 15 (3) of the Treaty on the Functioning of the EU (TFEU). In the same line, NL referred to the need for "lisbonisation" of Regulation (EC) 1049/2001, which should be fully applicable to all EU agencies, including Eurojust.

**f) Release of a document by the General Secretariat**  
- On request from UK

The UK delegation raised the issue of the release of a document by the General Secretariat following an initial request for public access. This document had been requested before and access had been refused by the General Secretariat at those occasions. The UK wondered why it had now been released.

The Council Legal Service informed delegations that the requested document containing a Legal Service opinion had been requested at different stages of the decision-making process. At the time of the first requests, the decision-making process was still on-going and the General Secretariat considered that it needed to protect this process as well as the legal advice and, therefore, had only granted partial access to the document, while refusing full release<sup>1</sup>.

When processing the latest request for public access to the same document submitted some months later, the General Secretariat examined the document again and concluded that, with due regard to its content as well as to the fact that the negotiations related to the file had been closed in the meantime, full access could now be granted.

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<sup>1</sup> Pursuant to Article 4(2), second indent (protection of court proceedings and legal advice), and Article 4(3), first subparagraph (protection of the Council's decision-making process) of Regulation (EC) 1049/2001.