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'I/A' ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: Joint statement of the second meeting of the European Union - Japan Digital Partnership Council and Memorandum of Cooperation on Digital Identities and Trust services to implement Data Free Flow with Trust between the Digital Agency of Japan and the European Commission on behalf of the European Union
- Approval of non-binding instruments

1. On 9 December 2021, the Working Party on Telecommunications and Information Society was informed by the European Commission, in a note¹, of its intention to start discussions with Japan, the Republic of Korea and Singapore with a view to establishing cooperation on the digital transformation of the economy and society. Three Digital Partnerships were signed, in the form of non-binding instruments,² by early 2023³.

¹ WK 15233/21

² Arrangements on non-binding instruments concluded by the Secretaries General of the Commission, the Council and the EEAS in December 2017 (ST 15367/17).

³ The first Digital Partnership was launched at the Japan-EU Summit on 12 May 2022. The EU and the Republic of Korea signed their Digital Partnership on 28 November 2022, and the Digital Partnership between the EU and Singapore was signed on 1 February 2023.

2. On 26 February 2024, the Commission informed the Working Party on Telecommunications and Information Society of its intention to start exploratory talks in view of concluding Joint Statements with the Republic of Korea and Japan in the context of the second meetings of the EU-Republic of Korea and the EU-Japan Digital Partnership Councils. ⁴ The Joint Statement of the second meeting of the EU-Republic of Korea Digital Partnership Council was signed on 26 March 2024.⁵

3. At the meeting of the Working Party on Telecommunications and Information Society on 16 April, the Commission presented the draft Joint Statement of the second meeting of the EU-Japan Digital Partnership Council⁶ and the draft Memorandum of Cooperation on Digital Identities and Trust services to implement Data Free Flow with Trust, which will be signed on the same occasion by the Digital Agency of Japan and the European Commission on behalf of the European Union⁷. The drafts received broad support. Delegations' proposals for amendments were taken into account and the Commission submitted to the Council revised drafts on 22 and 24 April⁸.

4. With a view to signing the Joint Statement and the Memorandum of Cooperation at the EU-Japan Digital Partnership Council on 30 April 2024 in Brussels, the Permanent Representatives Committee is invited to recommend that the Council:

⁴ WK 3086/24

⁵ WK 3811/1/24 REV 1

⁶ WK 5280/24

⁷ WK 5329/24

⁸ WK 5280/1/24 REV 1, 5329/1/24 REV1 and WK 5280/2/24 REV 2

- approves the text of the draft Joint Statement of the second meeting of the EU-Japan Digital Partnership Council, as set out in document WK 5280/2/24 REV 2, and the text of the Memorandum of Cooperation on Digital Identities and Trust services to implement Data Free Flow with Trust, as set out in document WK 5329/1/24 REV1 as an A item during its AGRIFISH session on 29 April 2024, and

 - agrees that, if further adjustments of the texts are required in order to ensure agreement by the EU and Japanese sides, the texts may be adapted accordingly, provided that the changes do not affect the substance and intent of the EU positions.
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