COUNCIL OF THE EUROPEAN UNION	Brussels, 10 March 2014 (OR. en)

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RELEX 210
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OUTCOME OF PROCEEDINGS

From:	General Secretariat of the Council
On:	24 February 2014
To:	Friends of the Presidency Group on Cyber Issues
Subject:	Summary of discussions

1. Adoption of the agenda

The agenda was adopted as set out in doc. CM 1490/1/14 REV 1 with the addition of information points by the ES, IT, NL and FR delegation as well as EEAS, COM and EDA.

2. Information from the Presidency, Commission & EEAS

The Presidency informed about the outcome of the first cyber attaches meeting and about the latest developments with regard to the 7th round of mutual evaluation dedicated to cybercrime. In view of the upcoming Cyberspace Conference in Athens delegations were requested to contact the organisers in case they encounter registration problems.

COM reported about the EC3 first anniversary event where the EC3 annual report was presented and where some trends and future challenges were discussed. It also explained that a review of the national implementation of the Child Exploitation Directive was in preparation and that a meeting of the informal group on Internet Governance in preparation for the GAC meeting of ICANN took place recently.

3. **Industry & Technology**

– **Approval of the priorities**

The Presidency briefly presented the state-of-play of doc. 5491/1/14 REV 1 explaining that the revised version was prepared on the basis of the discussions at the cyber attaches meeting and the subsequent written comments received within the set deadline.

12 delegations took the floor requesting additional amendments in the revised text, some further improvements, clarifications and rewordings. One of them asked the Presidency on the follow up of this file and suggested to send the final outcome to the relevant Council preparatory body which is dealing with this field. The Presidency took note of these suggestions and set 10 March 2014 as new deadline for written comments.

– **Mapping Horizon 2020**

COM made a presentation, explaining the main features of Horizon 2020 stressing on the fact that it was quite different from the 7th framework programme as it was offering new possibilities for support of SMEs and starters. Furthermore Horizon 2020 aimed at addressing users and ICT industries needs in a broader sense covering a wide range of aspects including security ones, providing in such way incentives to increase security and support compliance in a complementary way to legal instruments. Strong accent, similarly as in the EU Cyber security Strategy, was put on the R&D policy. With regards to its structure it was explained that Horizon 2020 was built on 3 pillars (LEIT, excellence and societal challenges) and that cyber security elements form part of each one of these pillars. So far there were two round of calls on secure society.

4. **International Cyber Space Cooperation - orientation debate**

– **"The future of the Internet - countering the push for intergovertalism"**

The SE delegation briefly referred to the presentation of their non-paper (DS 1976/13) done at the last FOP and expressed its readiness to discuss it in the light of the COM Communication on Internet Governance and the EEAS paper on Cyber Diplomacy.

–   **Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: Internet Policy and Governance Europe's role in shaping the future of Internet Governance (IG)**

COM explained that the Communication on IG was adopted on 12 February 2014 by the College and it was well received by the stakeholders. COM defined the Communication as a milestone which was coming at a crucial moment when the IG map was being redrafted. Delegations were informed that the Communication was already presented to the High Level Group on IG and the Telecom WG. COM also explained that the surveillance concerns were not part of the Communication rationale but rather the fears for Internet fragmentation which would be destructive for Europe's recovery from the economic crisis and it was in a way rethinking the Internet's technical architecture. As key elements COM mentioned the need for an EU approach, enhanced inclusiveness with a well-defined role of public authorities, strengthened multi-stakeholder model, real globalisation of Internet functions through globalisation of ICANN and IANA and a coherent set of norms over Internet without setting new legal instruments. In conclusion COM also underlined the importance of coming to an agreement with regard to the political objectives on IG now, just a few months before the Sao Paulo Conference which would be dedicated on that issue.

Delegations welcomed the COM Communication, supporting in general the reasoning and the need for strong EU involvement in the reshaping of the current IG model and expressing their concerns regarding the lack of influence over the ICANN decisions, the need for accountability of the ICANN decision-making process, for globalisation of the IANA functions as well as inclusiveness and participation of the emerging countries. A number of delegations underlined the importance of having a uniform EU position (not only of COM) supported at the appropriate political level for the Sao Paulo Conference. Some delegations also proposed to dedicate another FOP meeting to the examination of the matter in view of which several MS raised the question which Council WG would deal with the follow-up on the Communication. Presidency ensured MS that a commonly acceptable way together with the TELECOM WG would be found and that they would be informed about this in due time.

Presidency advised delegations to liaise with their TELECOM delegate and send their written comments on the Communication by 28 February 2014 to the TELECOM WG.

–   **"Further strengthening European Cyber Diplomacy"**

The EEAS presented their food-for-thought paper (DS 1081/14 + COR 1) explaining that cyber diplomacy includes a broad range of issues such as protection of human rights online, strategic engagement with key partners, norms of behaviour, cyberspace and development, capacity building and IG, stressing the need for higher involvement of diplomats in these discussions to retain success. EEAS echoed COM on the need of coherence and coordination of the EU position on IG at the various international events planned in this regard, underlining the value of maintaining the holistic approach. Also EEAS informed that it was continuing the dialogue with strategic partners and was working on opening new ones with other countries.

Delegations welcomed the paper and underscored the need for EU coordination when participation at international fora was concerned. They also underlined the necessity for joining efforts in order to obtain better results and get some value of thereof. One delegation requested more information about the EU-Brazil Summit taking place the same day, which EEAS promised to keep delegations informed and two more stated they would appreciate to be consulted on preparations of cyber issues of EU bilateral dialogues.

The Presidency set 10 March 2014 as deadline for written comments on the EEAS paper

–   **"The EC3 approach to Internet Governance"**

EC3 explained that among the main questions was the one related to the control ownership, explaining that one of the main challenges for the law-enforcement community was the change to ipv6.

5.   EC3 one year after launch

EC3 first annual report was distributed to delegations together with the presentation of EC3 achievements during the first year of their existence. ENISA briefly talked about their collaboration with EC3, insisting on the fact that their relationship started informally before the official launch of EC3 and it was built on the trust they established. Furthermore, ENISA underlined the important role of the Memorandum of Understanding concluded between ENISA and EUROPOL as well as of the EC3 Programming Board in ensuring that there were no overlaps or gaps.

6. **AOB**

- ES, IT and LV informed about the recent adoption of their national cyber security strategies, explaining their key features and main elements of the national cyber security coordination.

- EEAS informed about the developments in the Asian Regional Forum (DS 1088/14), where UK and DE would participate representing the EU. Both UK and DE drew delegations' attention to the draft set of key messages which was distributed. Comments on that draft were to be sent to the Presidency and cyber@consilium.europa.eu by 10 March 2014.

- EDA presented the Chairman's report on the Cyber Defence Team project, which was circulated to delegations (DS 1089/14).

- FR referred to the recently adopted cyber defence package and called EEAS to report at the next FoP meeting on the state of play of the preparation of the proposal for the EU Cyber Defence Policy Framework as tasked by the European Council last December.

- NL updated on the preparations of the 2015 Hague Conference on Cyber Space which would follow-up the London and Seoul ones, explaining that new themes would be added to the list and expressed the hope to have concrete deliverables.

- COM (DG Connect) recalled the High Level Conference that would take place on 28 February 2014 and which would take stock of the EU Cyber Security Strategy implementation.

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