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API 98  
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## OUTCOME OF PROCEEDINGS

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From: General Secretariat of the Council  
To: Delegations  
Subject: Working Party on Information on 24 September 2015

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### 1. Adoption of the agenda

The agenda was adopted as set out in document CM 3286/15 REV 2.

### 2. Transparency/Access to documents

#### a) Confirmatory applications

- Confirmatory application 17/c/01/15  
docs 11230/1/15 REV 1 INF 139 API 74  
11231/15 INF 140 API 75

The Chair explained the approach proposed in the draft reply (doc. 11231/15). Delegations agreed with the draft reply and with the publication of the votes.

The draft reply will be listed on the agenda of Coreper II on 1 October 2015 in view of its adoption by the Council on 5 October 2015.

- Confirmatory application 18/c/01/15  
docs 11526/15 INF 142 API 78  
11527/15 INF 143 API 79

The Legal Service informed delegations that the draft reply regarding this request had not been issued in time for its examination by the Working Party on Information at the meeting. It would however be issued shortly, and delegations would be consulted by e-mail. The draft

reply will be listed on the agenda of Coreper II on 30 September 2015 in view of its adoption by the Council on 1 October 2015.

- Confirmatory application 19/c/02/15

docs 11682/15 INF 150 API 85  
11684/15 INF 151 API 86

The Chair explained the approach proposed in the draft reply (doc. 11684/15). Delegations agreed with the draft reply and with the publication of the votes.

The draft reply will be listed on the agenda of Coreper II on 1 October 2015 in view of its adoption by the Council on 5 October 2015.

- Confirmatory application 20/c/03/15

docs 11687/15 INF 153 API 88  
11688/15 INF 154 API 89

The Chair explained the approach proposed in the draft reply (doc. 11688/15). Delegations agreed with the draft reply and with the publication of the votes.

The draft reply will be listed on the agenda of Coreper II on 1 October 2015 in view of its adoption by the Council on 5 October 2015.

- Information on a new confirmatory application 21/c/01/15

The Chair informed delegations that the General Secretariat had received a new confirmatory application (21/c/01/15). In order to meet the legally binding deadline for replying to this request, it will be necessary to consult delegations on the draft reply by e-mail within the next few weeks.

- b) Information by the Legal Service on the handling of requests for public access to certain categories of documents held by the Secretariat General of the Council  
doc 12258/15 JUR 608 API 96 INST 331 CIG 1 COUR 43 POLMIL 80 UEM 349

The Legal Service presented an Information Note to delegations, which is set out on 12258/15. The note concerns the Interpretation of Article 3(a) of Regulation 1049/2001 and more specifically the handling of requests for public access to certain categories of documents that are held by the Secretariat General of the Council, but relate to the performance of tasks of support to bodies or entities other than the Council itself.

c) Information on the requests for inspection by the Ombudsman of documents held by the Council in the framework of her inquiries

- Complaint 1011/2015/TN to the European Ombudsman  
doc 11637/15 OMBUDS 6 INST 301 INF 145 API 81
- Complaint 916/2015/OV to the European Ombudsman  
doc 11668/15 OMBUDS 8 INST 306 INF 148 API 83

The General Secretariat informed delegations about the two complaints and indicated that, in accordance with the established practice, the "I" Item Notes concerning the authorisation of the inspections of the documents concerned by the complaints will be submitted to Coreper for approval on 30 September 2015.

d) Presentation by the European Ombudsman and exchange of views with the WPI

In her presentation, Ms. O'Reilly stressed that the relations and the co-operation between the Council and the Ombudsman's Office had been good ever since the Ombudsman's Office was set up in 1995. Ms. O'Reilly moreover presented the role of her office and the work it accomplishes.

In reply to comments made by the Chair, Ms. O'Reilly indicated that she appreciated the efforts made by the Council to ensure transparency and democratic accountability at EU level, and commended on the new Council website and public register of documents.

Ms. O'Reilly added that there is still more work to be done and, mentioned that it is essential to continue reflecting on the citizens' demands for transparency and accountability. In this context, she referred to the need for a review of Regulation 1049/2001. She considered that a good coordination between institutions as well as "joined-up thinking" would bring added value to transparency reflection, also including the "1049 review".

### **3. Info Policy/Communication**

#### **a) European Neighbourhood/StratCom (communication aspects)**

The representative of the European External Action Service (EEAS) recalled the main objectives of StratCom: communicating the EU's added value to the Eastern Neighbours; working with key partners to strengthen the Eastern Partnership and contribute to media's pluralism and independence; countering disinformation and anti-EU propaganda.

The EEAS' representative provided an update on work in progress, outlining organisational aspects and future orientations. He underlined that StratCom's business plan requires a continuous engagement and that effectiveness will depend on how closely EU Member States and institutions will collaborate.

Accordingly, the StratCom Expert Team looks forward to cooperating with its EU's institutional and Member States' partners and international organizations.

EEAS is in the process of gathering, researching and analysing information and media trends and developments in the Eastern Neighbourhood and is grateful for the Council's press service expertise, social media capacities and audio-visual resources to support this process.

The Commission DG NEAR representative outlined the recent developments on the ground and indicated that the strategic framework is now fully in place, implementation being closely coordinated with the Commission's representations. In order to facilitate cooperation, a DG NEAR liaison officer has joined the EEAS-chaired StratCom meetings.

The Commission has adopted an operational approach consisting of the following strands:

- a media hub (network building and continuous training for journalists);
- a communication campaign towards East (in the local languages);
- general media support (resources to use in the six countries of the region).

Finally, DG NEAR announced a number of Commission's policy documents on Eastern Neighbourhood for October and November, which will contain elements on strategic communication, and a conference in Brussels to be focused on media freedom.

Delegations' feedback and exchange of views can be summarised as follows:

- LV gave an update on the MS' replies to the questionnaire launched under its presidency on national media monitoring activities (doc. 8137/15), as well as on the International StratCom Conference held in Riga on 20-21 August and on the activities of the European Endowment for Democracy (EED).
- CZ, EE, FR, LT, NL, PL and UK welcomed the progress made by the EEAS with a view to reinforcing the EU's strategic communication efforts in this field and drew attention to the following elements:
  - the extensive input given by the EEAS' Action Plan and its potential value, not only as coordinating platform for Member States, but also as catalyst for the relations among them and civil society;
  - the need to push forward the EU's message together with the local players, to well identify the target audiences and tailor narrative;

- the need for the EU's response to focus primarily on ensuring that the citizens in the Eastern Partnership countries have access to pluralistic information sources;
- the added value of the platform "European Endowment for Democracy" (EED) through its recommendations . Moreover, two delegations explicitly welcomed the EED donors' Conference hosted in Warsaw on 10 September and called for concrete follow-up;
- the need to concentrate on initiatives supporting independent media already underway and to ensure that this process is well coordinated;
- the need for the EEAS and the Council to keep the WPI informed on progress in this matter on a regular basis.

The Chairman highlighted the need for EEAS and DG NEAR to keep the WPI regularly informed of StratCom developments. This will enable all competent MS' authorities to provide input and to use their communication channels to disseminate messages and communication products.

#### **b) Transatlantic Trade and Investment Partnership (TTIP)**

Commission DG TRADE gave a short overview of the current state of play of the negotiations and latest developments (the end of the 10<sup>th</sup> round in July; bilateral talks in September between Commissioner Malmström in the USA; the introduction of new negotiating matters such as anti-corruption and sustainable development; the American partner's parallel negotiations for a similar agreement with the Asian countries).

The Commission's representatives drew delegations' attention to a number of elements which are likely to have an impact on the institutional and governmental communication approach:

- the Commission's new proposal for an investment court system, as one of the most debated elements under negotiations;
- the current state of public opinion (new comparative EuroBarometer data);
- increasing transparency efforts undertaken to release documents on the negotiating positions (textual proposals, position papers and explanatory factsheets);
- the collaborative approach of all 28 MS' authorities, which replied to the questionnaire launched by DG TRADE in early spring providing feedback on the TTIP-related national communication activities;
- the Commissioner's visits to the MS and the public meetings and seminars for media representatives;
- the ad hoc on line platform "CIRCA" set up by the Commission and liaising with all MS' competent authorities;

- comprehensive information in all languages being disseminated to the general public (publications, web portals and social media content); increasing story-telling activity and explanation of the potential benefits from TTIP for SMEs, employment, etc.

Delegations (CZ, DE, FR, NL, PL and UK) welcomed the Commission's efforts towards more transparency and the increased multilingual approach in its information activities on TTIP and highlighted the following issues:

- transparency and inclusiveness are key elements to enhance communication with all stakeholders (civil society at large, big companies and SMEs, trade unions, etc.); one delegation expressed the view that the European Ombudsman could become involved in support of the Commission's approach in this regard;
- national authorities, including members of national parliaments, should be granted wider and better access to the negotiating documents and more advance information regarding the negotiating partner's communication strategy;
- one delegation expressed its concerns about the growing criticism in the civil society and public opinion in general and another drew attention to anti-TTIP demonstrations announced for the 10th of October;
- the usefulness of ongoing national communication campaigns, including awareness-raising activities, regional seminars and interaction through the social media;
- one delegation observed a nationalisation of the TTIP debate, reported the results of a national survey which revealed citizens' lack of information on this topic and highlighted the need for citizens' dialogues.

The EP's representative recalled the EP's resolution of 8 July 2015 and its very positive opinion about the Commission's increased transparency and confirmed the EP's engagement in open debates, on media platforms and by producing audio visual products and infographics.

The Commission confirmed its commitment to more transparency and to an enhanced dialogue with the general public and the SMEs, and reiterated that progress in the communication strategy on TTIP will only be possible with the MS' support.

The Chairman indicated that all players are well aware of the different sensitivities on this issue and the long standing efforts being made to achieve a reasonable and balanced trade agreement and that, having regard to the complex nature of TTIP, information should be particularly clear and objective.

In this context, new steps in the negotiations can underpin an open and constructive communication approach, supported by enhanced cooperation between the institutions and MS in the field of communication and increased transparency towards the public audiences.

The WPI looks forward to coming back to this topic in its future meetings.

#### 4. AOB

**a) Club of Venice (Milan, 22-23 October 2015)**

The Italian delegation outlined the programme of the next plenary of the informal network of the MS' communications directors, to be hosted in Milan. The meeting will focus on:

- national referenda, analysis and monitoring as instruments to detect public opinion trends;
  - the impact of social and political trends on media freedom and the crisis of confidence in media and political communication;
  - communication strategy for the Milan Universal Exhibition and interconnections among EXPO, COP-21 and the EYD 2015.
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