



EUROPEAN COMMISSION
DIRECTORATE-GENERAL COMMUNICATION

Director-General

Brussels, **15 OCT. 2015**
COMM.DG.01/AJ/MFC/acg

Mr.Sven GIEGOLD
Parlement européen
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*By registered letter with
acknowledgment of receipt*

**Subject: Your application for access to documents – Ref GestDem No 2015/5049 –
DG COMM**

Dear Mr. Giegold,

I refer to your e-mail dated 23 September 2015 in which you make a request for access to documents, registered on 24 September 2015 under the above mentioned reference number.

Your request refers to 'documents which contain the following information: Communication Strategy on Transatlantic Investment Partnership in Austria 2015/16 as submitted by the Representation of the EC in Austria on March, 31 2015'.

My services have identified the following document, which fall within the scope of your request:

- Transatlantic Investment Partnership - Communication Strategy in Austria 2015/2016 (issued by the Representation of the European Commission in Austria, dated 31/03/2015).

Having examined the document requested under the provisions of Regulation (EC) No 1049/2001 regarding access to documents, I have come to the conclusions that the document may only be partially disclosed. Some parts of this document have been blanked out as their disclosure is prevented by exceptions to the right of access laid down in Article 4(3) of this Regulation.

According to Article 4(3) of Regulation (EC) No 45/2001, access to a document, drawn up by an institution for internal use or received by an institution, which relates to a matter where the decision has not been taken by the institution, shall be refused if disclosure of the

document would seriously undermine the institution's decision-making process, unless there is an overriding public interest in disclosure.

Access to a document containing opinions for internal use as part of deliberations and preliminary consultations within the institution concerned shall be refused even after the decision has been taken if disclosure of the document would seriously undermine the institution's decision-making process, unless there is an overriding public interest in disclosure.

We consider that the disclosure of these parts would curtail the "space to think", i.e. the possibility of Commission staff to freely submit uncensored advice. In this manner, public access to these parts of documents would impair the quality of the decision-making process. Disclosure of these parts would also seriously undermine the right of Members of the Commission to the frankly-expressed and complete views of their own services and would carry a risk of self-censorship by Commission staff.

The exceptions laid down in Article 4(3) of Regulation (EC) 1049/2001 apply unless there is an overriding public interest in disclosure of the documents. Having carefully examined your request in the light of Article 4(3) of Regulation (EC) 1049/2001, I have been unable to identify in this particular case the existence of an overriding public interest which could justify the disclosure of these parts of documents. I also note that you have not put forward any arguments demonstrating the existence of a public interest capable of overriding the public interest protected by Article 4(3) of Regulation (EC) 1049/2001.

In case you would disagree with this assessment, you are entitled, in accordance with Article 7(2) of Regulation 1049/2001, to make a confirmatory application requesting the Commission to review this position.

Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the Secretary-General of the Commission at the following address:

European Commission
Secretary-General
Transparency unit SG-B-4
BERL 5/327
B-1049 Bruxelles

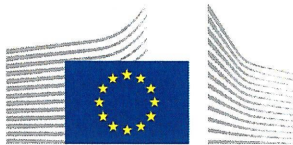
or by email to: sg-acc-doc@ec.europa.eu

I trust you will find this information helpful.

Yours sincerely,

A handwritten signature in black ink, consisting of a stylized 'T' followed by a long horizontal line.

Timo Pesonen



TRANSATLANTIC INVESTMENT PARTNERSHIP Communication Strategy in Austria 2015/2016

1. Scene setter – Political situation

According to a national survey, commissioned by the Austrian Society for European Politics (ÖGfE), **56 percent of the Austrians explicitly oppose the free trade agreement**, while only 9 percent of the respondents support TTIP. **69 percent of respondents said that they lack information** to make up their mind. Eurobarometer (EB82, autumn 2014) shows that **53 percent of the Austrian population are against TTIP**.

The TTIP-debate in Austria is highly politicised. In September 2014, the coalition parties SPÖ (S&D) and ÖVP (EPP), together with opposition parties Greens (G/EFA) and NEOS (ALDE) (making up 68% of the overall votes) adopted a **resolution in the Austrian Parliament**, according to which, ISDS was not needed in TTIP. Furthermore, the resolution calls for the preservation of social and environmental standards and the protection of the right to regulate. The parliamentary resolution requests TTIP and CETA to be qualified as mixed agreements. In November 2014, Social democratic congress adopted a resolution calling for the exclusion of ISDS from TTIP.

Pervasive initiatives of the **strong anti-TTIP movement** and the **negative media coverage by the tabloid Kronen Zeitung (2,3 million readers)** have resulted in a high level of scepticism and **deep-rooted anti-TTIP sentiments** among large segments of the society. The opponents do not involve only globalisation-sceptic NGOs but also institutionalised opinion leaders [

not releasable under article 4.3

.] Vice-Chancellor and Minister of Economy Mitterlehner (ÖVP/EPP) reiterated at a public event with Commissioner Malmström in January his **support for TTIP**. [

not releasable under article 4.3

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2. The key arguments dominating the debate:

- Investor-to-state-dispute-settlement (ISDS): seen as undemocratic and granting special rights to companies
- Protection of standards and of the "Austrian values and way of living": the key issue for *Kronen Zeitung*
- Privatisation of public services and the right to regulate: a key issue for trade unions and for (regional) parliament(s).
- Labour, food and environmental standards: U.S. needs to sign the ILO conventions, Protection of "Geographic Indicators" is under threat
- Mixed agreement: the government and parliament state that the treaty covers also national aspects and therefore requires ratification by national parliaments
- Transparency: the success of the transparency initiative has been generally recognised but it remains an issue
- Provisional application: seen as an attempt to push through the controversial TTIP behind the back of the public and to circumvent national parliaments

3. Stakeholders' Analysis:

Below: not releasable under article 4.3

4. The communication strategy of the Representation of the European Commission in Austria

Below: not releasable under article 4.3

5. Action Plan by Representation of the European Commission in Austria (20 January 2015 – 31 December 2016)

- Meeting of President Juncker with Chancellor Faymann and Vice-Chancellor/Minister of Economy Mitterlehner in Vienna (21 April 2015)
- Visit of First Vice-President Timmermans to Vienna: Citizens Dialogue with about 500 people to inform on recent developments on EU level, bilateral meeting with Chancellor Faymann (02 July 2015)

Below: not releasable under article 4.3

5. Conclusion

Below: not releasable under article 4.3

Vienna, 31 March 2015

[name]

(signed)

Acting Head of the Representation
of the European Commission in
Austria

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