



Council of the European Union
General Secretariat

Directorate-General Communication and Information - COMM
Directorate Information and Outreach
Information Services Unit / Transparency
Head of Unit

Brussels, 25 August 2023

[REDACTED]

Ref. 23/2112-ADD-vl/vk

Request made on: 12.07.2023

Dear Ms Deleja-Hotko,

As a complement to our initial reply on 3 August 2023, please find here below the conclusion reached by the General Secretariat on the remaining three documents concerned by your request.

I regret to inform you that access to documents **WK 2690/2023**, **WK 4656/2018** and **WK 5498/2018** cannot be granted, for the reasons set out below.

Document **WK 2690/2023**, drawn up by the European Commission for the Council's Working Party on Dual-Use Goods, concerns Israel's request for a dialogue concerning Export Controls.

Document **WK 4656/2018** contains comments submitted by a Member State to the abovementioned Working Party as regards the European Commission's proposal for a Regulation setting-up a Union regime for control of experts, transfer, brokering, technical assistance and transit of Dual-Use items.

Document **WK 5498/2018** contains information shared by a Member State with the abovementioned Working Party's delegations focusing on Export Licenses for Mobile Telecommunications Interception Equipment.

Following our consultations, the General Secretariat considers that the release of these documents to the public cannot be granted, since their disclosure would reveal confidential information on sensitive matters that could be used by EU's adversaries to cause prejudice to its strategy for the exports control of the dual-use items and to its cooperation, internal and with third countries, in this field. This would undermine public interest as regards defence and military matters and international relations.¹

We have also looked into the possibility of releasing parts of these three documents.² However, as the information contained therein forms an inseparable whole, the General Secretariat is unable to give partial access.

Pursuant to Article 7(2) of Regulation (EC) No 1049/2001, you may ask the Council to review this decision within 15 working days of receiving this reply. Should you see the need for such a review, you are invited to indicate the reasons thereof.

Yours Sincerely,

Fernando FLORINDO

¹ Article 4(1)(a), second and third indent of Regulation (EC) No 1049/2001.

² Article 4(6) of Regulation (EC) No 1049/2001.