



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, 27 April 2023

Mr Emilio De Capitani
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Ref. 23/0736-ws-lk-mj-em-rh-mw-adb/vk - ADD

Request made on: 13.03.2023

Dear Mr De Capitani,

Further to our reply of 3 April 2023, please find attached, as requested, the following documents:

- WK 843/2023
- WK 843/2023 ADD 1
- WK 843/2023 ADD 2
- WK 1629/2023
- WK 1629/2023 ADD1
- WK 1814/2023
- WK 1814/2023 ADD1
- WK 1899/2023
- WK 1141/23
- WK 1141/23 ADD 1
- WK 4366/2023

Please note that document **WK 1505/23** was requested by your request 23/0669 and that we replied to it.

No documents **WK 1629/2023 COR1**, **WK 1706/2023** and **WK 1877/2023** have ever been issued. The competent services had reserved these numbers for documents they had planned to issue but finally never drafted. This is how the numbers was mentioned on the list we have sent you; please accept our apologies for the inconvenience.

Please find attached a partially accessible version of document **WK 1912/23**.¹ However, I regret to inform you that full access cannot be given for the reasons set out below.

¹ Article 4(6) of Regulation (EC) No 1049/2001.

Document **WK 1912/23** of 9 February 2023 is a working document from the General Secretariat of the Council to delegations containing presentations made at the Working Party on JHA Information Exchange (IXIM) of 8 February 2023 by the European Commission and the Finnish Border Guard and the Finnish Police.

Whereas the presentation made by DG MOVE of the European Commission can be released in its entirety, the presentation made by Finnish law enforcement authorities contains operational security information on the practical implementation of protection measures at the external borders of the European Union. Knowledge of such internal working methods of EU security authorities is in no case suitable for a release into the public domain as it would aid criminal organisations to disrupt the ongoing EU actions.

Therefore, having consulted with the originating sources of the documents, the General Secretariat of the Council is of the opinion that full disclosure would undermine the protection of the public interest as regards public security. As a consequence, the General Secretariat has to refuse full access to this document.² You may, however, have a large partial access to it.

Please find also attached a partially accessible version of document **WK 1899 2023 ADD1**.³ I regret to inform you that full access to this document cannot be given for the reasons set out below.

Document WK 1899 2023 ADD1 contains contributions received from several delegations, with a view to the meeting of 13th February of the Social Questions Working Party, regarding the proposal for a Directive of the European Parliament and of the Council on improving working conditions in platform work. A paragraph contained therein includes legal advice which concerns an issue that is part of a core political discussion in the file in question. The legal issue referred to in this passage is of a sensitive nature in the context of the examination of this proposal, in particular in relation to the necessity for delegations to find a compromise on this text. Consequently, this passage falls within the scope of Article 4(2), second indent, of Regulation 1049/2001 (protection of legal advice).

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

Enclosures: 13

² Article 4(1)(a), first indent, of Regulation (EC) No 1049/2001.

³ Article 4(6) of Regulation (EC) No 1049/2001.