

Luisa Izuzquiza

Email: [ask+request-4716-40cb1f48@asktheeu.org](mailto:ask+request-4716-40cb1f48@asktheeu.org)

Our ref: CGO/LAU/23238a/2017  
Please quote when replying.

Warsaw, 8 November 2017

#### **Request for access to Frontex documents**

Dear Ms Izuzquiza,

With reference to your application received on 16 October 2017, requesting a list of all meetings held by the working group established to develop a new Triton operational plan for 2018, as agreed in the "Technical meeting on possible revision of concept Joint Operation Triton" (11 July 2017) and, for each of the working group's meetings, requesting:

- any record of the aforementioned meeting including, but not necessarily limited to, minutes of the meeting, verbatim reports of the meeting, transcripts etc that would provide a record of the proceedings of the meeting;
- a list of the participants in the meeting, or any document which contains the names and (EU or Member State) agency or institution the participants represent;
- the agenda of the meeting;
- any documents used and/or exchanged during the course of the meeting including, but not necessarily limited to, documents containing proposals or evaluations by Member States;
- any documents produced by Frontex for the purpose of - or in preparation for - the meeting;
- any draft for the new operational plan that has been produced to date.

I regret to inform you that access to some documents you requested must be refused pursuant to Article 4(1)(a) of Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents.

This refusal is justified by the fact that those documents contain sensitive operational information such as modus operandi, tasks and responsibilities of authorities involved, as well as operational areas and other information necessary for the conduct of operations. Disclosing such information concerning future operations would jeopardize the effective control and surveillance of the external sea borders of the EU as well as the fight against cross-border crime, and would benefit the smuggling networks that would alter their modus operandi accordingly, thus putting the life of migrants in danger. All this would ultimately undermine the protection of the public interest as regards public security.

Nevertheless, I am pleased to inform you that Frontex agrees to grant you access to the rest of the documents identified. You may find these documents in the attachments. Please note, however, that limited parts of the materials you have requested fall under an exception to public access to documents provided for in Regulation (EC) No 1049/2001 of 30 May 2001, and have therefore been redacted. You will find detailed justifications for the redactions in the relevant documents.

I would like to remind you that the copyright of the documents rests with Frontex and that the existing rules on copyrights may limit your right to reproduce or exploit the released documents.

Yours sincerely,

**signed**

Hervé Caniard  
*Head of Transparency Office*

**Annexes:**

1. Documents relevant for the WG held on 24.07.2017
2. Documents relevant for the WG held on 6.09.2017
3. Documents relevant for the WG held on 27.09.2017

Pursuant to Article 7(2) of Regulation (EC) No 1049/2001, you may present a confirmatory application. This confirmatory application, in which you may ask for reconsideration of your original request is to be made within 15 working days of receiving our reply. If you make such an application, within 15 working days you will either be granted access to the documents or our intention to refuse access, as explained above, will be confirmed. The confirmatory application can be sent by post or electronically.