

Arne Semsrott

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Please quote when replying

Warsaw, 25 July 2017

Confirmatory Application - access to Frontex documents

Dear Mr Semsrott,

In response to your confirmatory application received on 4 July 2017, confirming the initial request for access regarding a list of all vessels currently deployed by Frontex in the Central and Eastern Mediterranean in the operations Poseidon and Triton containing basic information about the fleet, including vessel names, callsign, MMSI, flag, port of registry, service speed, vessel type and fuel capacity, I regret to inform you that access to the requested document must be, again, refused.

This refusal is justified by the fact that disclosing information on any details related to technical equipment deployed in the current and ongoing operations would undermine public security.

Indeed, based in the information contained in the requested documents, it would be possible, combining it with information publically available such as on www.marinetraffic.com to become aware of the current position of the patrolling vessels.

In possession of this information, criminal networks involved in migrant smuggling and trafficking of human beings would be aware of the patrolling areas and patrolling schedules of the law enforcement vessels. This will allow these criminal networks to adapt their *modus operandi* accordingly in order to circumvent border surveillance and consequently cross the external border and access, irregularly the territory of an EU Member State.

Border surveillance aims at combating illegal immigration and trafficking in human beings and to prevent any threat to the Member States' internal and public security.

Making available documents containing information that will, not theoretically, but effectively allow criminal networks to circumvent border surveillance, as explained above, undermines the protection of the public interest as regards public security.

Therefore, access is refused pursuant to Article 4(1)(a) of the Regulation 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents.

In accordance with Article 8(1) of the Regulation 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents you are entitled to institute Court proceedings and/or make a complaint to the European Ombudsman, under the relevant provisions of the TFEU.

pp  Yours sincerely,
Sakari Vuorensoja
Director Corporate Governance