

Ms Luisa Izuzquiza and Mr Arne Semsrott
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Our ref: CGO/LAU/19660/2017
Please quote when replying.

Warsaw, 8 September 2017

Request for access to Frontex documents

Dear Ms Izuzquiza,
Dear Mr Semsrott,

This letter is to respond to your application received on 1 September 2017, requesting for the period starting 1 June 2017 to 30 August 2017, both inclusive, for all vessels deployed by Frontex in the Central Mediterranean under Joint Operation Triton:

- Name of each vessel;
- Flag; and
- Vessel type.

I regret to inform you that access to the requested document must be refused. This refusal is justified by the fact that disclosing information on any details related to technical equipment deployed in the current and ongoing operation would undermine public security.

Indeed, based in the information contained in the requested document, 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.

Thank you for your understanding and your interest to Frontex activities.

Yours sincerely,

signed

Hervé Caniard
Head of Legal Affairs Unit

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 document or our intention to refuse access, as explained above, will be confirmed. The confirmatory application can be sent by post or electronically.