

Mr Giacomo Battiston

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Our ref: CGO/LAU/19765a/2017

Please quote when replying.

Warsaw, 14 September 2017

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

Dear Mr Battiston,

On 3 September you submitted an application for access to documents under the regime of Regulation (EC) No 1049/2001. In particular you asked for documents containing JO Triton (2014 - 2017) data from JORA, precisely: operation/year; detection date; search and rescue involved; incidents; total number of irregular migrants; death cases; irregular migrants in SAR cases; type of detected by; latitude detection; longitude detection; latitude interception; longitude interception; detection by Frontex financed/deployed asset; type of intercepted by; interception by Frontex financed/deployed asset; operational area; transport type; reference to op.area; Frontex financed/deployed asset during an incident.

I am pleased to inform you that Frontex agrees to grant you access to the relevant document. You may find it in attachment.

Please note however that some limited parts of the document fall under an exception to public access to documents as stipulated in Article 4 of Regulation (EC) No 1049/2001 and have therefore been blanked out. The non-disclosed text contains the exact coordinates of the incidents occurred within the operational area. Disclosing these data would hamper the course of the ongoing operations, by depriving them of any strategy and element of surprise during border surveillance, ultimately obstructing their purpose to counter and prevent cross-border crime as well as prevent unauthorized border crossings. Furthermore, there is a real risk that disclosing this information contained therein would be of benefit for the smuggling networks who would change their modus operandi accordingly, thus putting the life of migrants in danger. In this light, the disclosure of such information would undermine the protection of the public interest as regards public security, in the sense of Article 4(1)(a) of the Regulation.

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

Yours sincerely,

**signed**

Hervé Caniard  
Head of Transparency Office

**Attachments:**

- An excel file containing selected data from JORA related to JO Triton (2014 - 2017)

Pursuant to Article 7(2) of Regulation 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.