

Mrs Luisa Izuzquiza

Email: ask+request-4717-e99ee19f@asktheeu.org

Our ref: CGO/LAU/23239a/2017
Please quote when replying.

Warsaw, 19 October 2017

Request for access to Frontex documents

Dear Mr Izuzquiza,

In response to your application of 15 October 2017, asking for access to "*Joint Operation Triton Operational Plan for 2017, including: - Main part of the Operational Plan; - all annexes; and - the Handbook to the Operational Plan*", I regret to inform you that access to the requested documents 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 the operations. Disclosing the operational plans of ongoing operations would jeopardize the effective control and surveillance of external sea borders of the EU and the fight against cross-border crime and would benefit the smuggling networks that would change 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.

Yours sincerely,

signed

Hervé Caniard
Head of Transparency Office

cc:
[Casehandler(s) of Joint Operations Unit]
[HoJOU]

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.