

Mr Arne Semsrott

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Our ref: CGO/LPU/TK/27943/2017

Please quote when replying.

Warsaw, 3 January 2018

Request for access to Frontex documents

Dear Mr Semsrott,

In response to your application of 4 December 2017, asking for access to

all contracts, agreements and/or contractual statements signed with Norway, Spain, Sweden, Denmark and Finland in regards to Joint Operation Triton 2017.

These documents may be related – but not limited – to the cession or contribution by Member States of assets to be deployed in the operation, or other kind of material or financial contributions from the states to Frontex and vice versa in relation to Operation Triton,

I regret to inform you that access to the requested documents must be refused pursuant to the first indent of 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 the Joint Operation Triton 2017 has been extended until 31 January 2018 and is thus still ongoing. Disclosing information in regard to an ongoing operation would be tantamount to disclosing the exact type, capabilities and weaknesses of the equipment and possibly opening way for abuse. The result of this would only be to hamper the course of the ongoing and also of future similar operations, ultimately obstructing their purpose to counter and prevent cross-border crime and unauthorized border crossings.

In light of these considerations, the disclosure of information in regard to the ongoing Joint Operation Triton 2017 would undermine the protection of the public interest as regards public security pursuant to the first indent of Article 4(1)(a) of Regulation (EC) No 1049/2001.

Thank you for your understanding.

Yours sincerely,

ON BEHALF OF 
Hervé Caniard
Head of Transparency Office

Pursuant to Article 7(2) of Regulation 1049/2001, you may submit 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.