

Our ref: TO/PAD-2022-00387  
Please quote when replying.

Mr/Ms Anas Ambri

Email: ask+request-11903-2b53af9d@asktheeu.org

Warsaw, 24 November 2022

## Your application for access to European Border and Coast Guard Agency (Frontex) documents

Dear Mr/Ms Ambri,

In reference to your application registered on 11 October 2022 for which the time limit has been extended by 15 working days on 3 November 2022<sup>1</sup>, asking for access to

*In the 2020 discharge fact sheet dated 2022.09.14, Frontex announced a re-assessment of its HR strategy for the years up to 2024. Under the right of access to documents in the EU treaties, as developed in Regulation 1049/2001, I am requesting documents which contain the following information*

- documents generated as part the formulation of this new HR strategy.
- document containing the job profile description, used for the appointment of the new Diversity Officer.

With regard to the second indent of your application, please be informed that Frontex can grant you access to the attached documents, with some limited parts being redacted as they contain personal data, such as names of individuals and other features which could lead to the identification of individuals. Their disclosure would undermine the protection of privacy and the integrity of the individuals, in particular in accordance with European Union legislation regarding the protection of personal data and therefore had to be precluded pursuant to Article 4(1)(b) of Regulation (EC) No 1049/2001.

With regard to the first indent of your application, please be informed that Frontex has identified 26 documents, to which access must be refused pursuant to Article 4(3) of Regulation (EC) No 1049/2001 as their disclosure would seriously undermine internal decision-making processes regarding current and future activities of Frontex. The ongoing discussions taking place within Frontex and under its auspices and involving numerous stakeholders require special protection. Namely, disclosing these documents would enable third parties to draw preliminary conclusions and to unduly influence these processes and thus to hamper such decision-making processes. No overriding public interest that is objective and general in nature and not indistinguishable from individual or private interests for the release of these documents is ascertainable in the present case.

<sup>1</sup> In accordance with Article 7(3) of Regulation (EC) No 1049/2001 of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

A partial release of these documents could not be undertaken, as their redaction would be disproportional in relation to the parts that are eligible for disclosure, simultaneously undermining the principle of sound administration. More specifically, the administrative burden necessary to identify and redact the releasable elements would be disproportionate to the interest in the disclosure exercise itself, while the released documents would not convey any informative value due to their significantly reduced form. Consequently, a partial disclosure of the documents at issue must be refused owing to the particular circumstances of the present case.

Subject to any intellectual property rights of third parties, the documents may be reused provided that the source is acknowledged and that the original meaning or message of the documents is not distorted. Frontex is not liable for any consequence resulting from the reuse of these documents.

Pursuant to Article 7(2) of Regulation (EC) No 1049/2001, within 15 working days of the receipt of this reply, you may submit a confirmatory application.

A confirmatory application, indicating the reference of your initial application, may be submitted

electronically to: <https://pad.frontex.europa.eu/padrequests/create>,

by mail to: European Border and Coast Guard Agency, Transparency Office,  
pl. Europejski 6, 00-844 Warsaw/Poland

or by email to: [pad@frontex.europa.eu](mailto:pad@frontex.europa.eu) or [frontex@frontex.europa.eu](mailto:frontex@frontex.europa.eu).

Based on Article 8 of Regulation (EC) No 1049/2001, Frontex will reply within 15 working days from the registration of such application.

Yours sincerely,

[Decision signed electronically]  
*Case Handler of the Transparency Office*