

Ms Luisa Izuzuiza

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Our ref: CGO/LPU/CMS-2018-00005-0343
Please quote when replying.

Warsaw, 22 May 2018

Your application for access to Frontex documents

Dear Ms Izuzuiza,

In response to your application of 17 May 2018 - which has been registered on 17 May 2018 - asking for access to

all Biweekly Analytical Updates for JO EPN Triton produced for the period starting 9 October 2017 to 31 December 2017, both inclusive,

Please be informed that access to the requested documents must be refused pursuant to Article 4(1)(a) first indent of Regulation (EC) No 1049/2001¹.

While Joint Operation Triton 2017 was concluded on 31 January 2018 only, on 1 February 2018 the evaluation of the operation has commenced. After the conclusion of the evaluation, the reports are going to be shared with all States participating in Joint Operation Triton 2017.

When joint operations conclude, immediately afterwards the evaluation of the operation commences. After the conclusion of the evaluation, the reports are going to be shared with all States participating in these operations.

As findings of these evaluations will flow into the adjustment of other joint operations, granting access to the documents you applied for in relation to joint operations of the year 2017 at this stage would not only hamper their evaluation but would eventually jeopardize the effective control and surveillance of external sea borders of the EU and the fight against cross-border crime. This would benefit the smuggling networks that would change their modus operandi accordingly, thus putting the life of migrants in danger. Consequently, releasing the *all Biweekly Analytical Updates for JO EPN Triton produced for the period starting 9 October 2017 to 31 December 2017* would ultimately undermine the protection of the public interest as regards public security.

Only after the conclusion of the evaluations, the release of documents of this Joint Operation can be reconsidered.

Yours sincerely,

signed

Hervé Caniard
Head of Transparency Office

¹ 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).

Pursuant to Article 7(2) of Regulation (EC) No 1049/2001, within 15 working days of the receipt of this letter, you may submit a confirmatory application to Frontex to reconsider its position. Based on Article 8 of Regulation (EC) No 1049/2001, Frontex will reply to you within 15 working days from registration of such application. You can submit your confirmatory application by post or electronically.