

**PAD**

---

**From:** PAD  
**Sent:** 06 August 2020 13:07  
**To:** 'Peter Burt'  
**Subject:** RE: PAD-2020-00136: Evaluation of Frontex drone operations

Dear Mr Burt,

Thank you for your email. Frontex always answers to the email address provided by applicants. This email address forms one of the variables to enter your case.

" FOI #8406 email" does not constitute an email address and it is not the email address provided by you in all your pieces of correspondence, including the present one, in which you stated again:

Please use this email address for all replies to this request:  
[ask+request-8406-98bf6665@asktheeu.org](mailto:ask+request-8406-98bf6665@asktheeu.org)

For your convenience, our reply repeated your email address "[ask+request-8406-98bf6665@asktheeu.org](mailto:ask+request-8406-98bf6665@asktheeu.org)" as part of all the necessary access information to securely access your case.

As Frontex cannot be held accountable for malfunctions of a medium, as advised before, kindly contact your email service provider for further assistance.

Yours sincerely,

Transparency Office

-----Original Message-----

**From:** Peter Burt [<mailto:ask+request-8406-98bf6665@asktheeu.org>]  
**Sent:** 06 August 2020 12:46  
**To:** [REDACTED]  
**Subject:** RE: PAD-2020-00136: Evaluation of Frontex drone operations

Dear [REDACTED]

Thank you for your message responding to my further enquiry about this request for information.

I have once again tried to access your reply via your Public Access to Documents Case Token using the login details you provided and email code [FOI #8406 email]. When I try to enter this code to access the documents I receive the error message 'The email field is not a valid email address'.

The Public Access to Documents Case Token arrangement does not meet my access abilities and I would prefer to receive the requested information via the online portal 'Ask The EU' ([asktheeu.org](http://asktheeu.org)) rather than your own website. I draw your attention to the European Ombudsman's recent decision in case 104/2020/EWM, which states:

"Fulfilling requests via online portals is an effective means of complying with this obligation. Where an applicant has specifically stated that this is their preferred medium for receiving the response to their request and any documents to which public access is granted, institutions should comply with that request unless there is very good reason (which

should be explained) for them not to do so. This is a matter of good administration as well as a means of complying with the legal obligation to give the widest possible public access."

I conclude that in failing to provide me with the requested information in the format I have requested via the Ask The Eu web portal Frontex is in breach of the Ombudsman's decision and Frontex's obligations as an Agency.

I would prefer to resolve this matter amicably, rather than waste the time of Frontex officials by asking for a confirmatory application (internal review) of this case and, if necessary, referring the matter to the Ombudsman. I will therefore request one final time that you provide me with a response to my request for information through my preferred medium, namely a pdf attachment response via the asktheeu.org online portal. I must warn you, however, that if you fail to do so I will commence an appeal over this matter using the confirmatory application procedure.

Yours sincerely,

Peter Burt

-----Original Message-----

Dear Mr Burt,

The email address for logging in is the email address referred to in your emails to Frontex (including the present one):

"Please use this email address for all replies to this request:

[1][FOI #8406 email]"

The access information sent to you thus includes the email address "[2][FOI #8406 email]"

Please contact your email service provider regarding any further queries in this regard.

Yours sincerely,

Transparency Office

---

Please use this email address for all replies to this request:

ask+request-8406-98bf6665@asktheeu.org

This message and all replies from European Border and Coast Guard Agency will be published on the AsktheEU.org website. For more information see our dedicated page for EU public officials at <https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.asktheeu.org%2Fen%2Fhelp%2Fofficers&amp;data=02%7C01%7CTimo.Knaebe%40frontex.europa.eu%7Ceb6738d500b147588b2b08d839f5e3f0%7C1a17d6bf51554e22bf292ba5da77f037%7C0%7C0%7C637323075557995254&amp;sdata=v0nf2qscs5ExlEnFI%2FyBuJQ9afilsPVrXK%2FYqpdjH5I%3D&amp;reserved=0>

Please note that in some cases publication of requests and responses will be delayed.

-----

