

Ms Luisa Izuzquiza

Email: 'ask+request-7435-242a93ef@asktheeu.org'

Our ref: TO/ CMS-2019-00011-0190
Please quote when replying.

Warsaw, 29 November 2019

Your application for access to Frontex documents

Dear Ms Izuzquiza,

Similar to your application CMS-2019-00009-0036, your application registered on 7 November 2019,

For the year 2015:

all Monthly Reports on the Composition and deployment of equipment from the Technical Equipment Pool. Please note that from these documents I am only interested in the section/chapter "Composition of the Technical Equipment Pool in [Month Year]".

Was processed by creating extracts of the documents indicating the corresponding months. I am pleased to inform you that Frontex can grant you access to the documents, which you may find herewith attached. Please note however that some parts of the document had to be expunged as they refer to technical equipment deployed in the operational area. Disclosing such information would be tantamount to disclosing the exact type and capabilities of the equipment and permit conclusions regarding its usual position. This would open way for abuse, as numbers and types of equipment used in previous operations are indicative of similar numbers and types for succeeding years. Releasing such information would benefit terrorist organizations and criminal networks, enabling them to change their modus operandi and consequently result in hampering the course of ongoing and future similar operations. This would ultimately obstruct the purpose of such operations: to counter and prevent cross-border crime and unauthorized border crossings. In this light, the disclosure of information regarding the technical equipment deployed would undermine the protection of the public interest as regards public security in the sense of Article 4(1)(a) first indent of Regulation (EC) No 1049/2001¹.

Kindly be reminded that the copyright of the document/s rests with Frontex and making this/these work/s, available to third parties in this or another form without prior authorisation of Frontex is prohibited. Please also note that Frontex does not assume liability stemming from the use of the document/s.

¹ 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 (OJ L 145, 31.5.2001, p. 43).

Pursuant to Article 7(2) of Regulation (EC) 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) 1049/2001, Frontex will reply to you within 15 working days from the registration of such application. You can submit your confirmatory application by post or electronically.

Yours sincerely,

signed

Hervé Caniard
Head of Transparency Office

Attachments: 12 documents, 12 pages