

Our ref: 611 a/01.02.2016

Warsaw, 01.02.2016

**Request for access to Frontex documents**

Dear Ms Peretti,

With reference to your request received on 13.01.2016 requesting copies of Operational Plans for Operation Triton 2014 and 2015, I would like to inform you that:

Frontex agrees to provide you with Operational Plans for Operation Triton 2014. Please be informed that some limited parts of the documents you have requested however fall under exceptions to public access to documents as stipulated in Regulation (EC) No 1049/2001 of 30 May 2001. As a consequence, these parts of the documents have been blanked out with the detailed explanation of the reasons next to them. I hope you will find these documents useful.

I would also like to remind you that the copyright of the document rests with Frontex and that the existing rules on copyrights may limit your right to reproduce or exploit the released documents.

As regards the Operational Plan for Operation Triton 2015, please note that this operation has been prolonged into the course of 2016 and thus that operation is still ongoing. The requested document contains operational information such as modus operandi, tasks and responsibilities of authorities involved, as well as operational areas and other information necessary for the conduct of the joint operation.

Disclosing the operational plan for an ongoing operation would jeopardize the effective control and surveillance of external sea borders of the EU Member States and the fight against cross border crime, and would benefit the smuggling networks who would change their modus operandi accordingly, thus putting the life of migrants in danger. All this ultimately would undermine the protection of the public interest as regards public security.

Frontex therefore has decided to refuse access to the Operational Plan for Operation Triton 2015 pursuant to Article 4(1)(a) of Regulation No 1049/2001.

Yours sincerely,



Hervé Caniard

Head of Legal Affairs Unit

Attachments: Operational Plan Triton 2014- Main part and Annexes

According to Regulation 1049/2001 you may present a confirmatory application pursuant to Article 7(2) of the aforementioned Regulation. 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.