

Mr/Ms Judith Doleschal

Email: [REDACTED]

Our ref: TO/PAD-2022-00087
Please quote when replying.

Warsaw, 31 March 2022

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

Dear Mr/Ms Doleschal,

Further to the consensus reached on 26 January 2022 re your application PAD-2021-00358, your application is divided into 16 applications with approximately 15 SIRs each to be considered consecutively with Regulation (EC) No 1049/2001¹ being applicable to each.

This application was registered on 10 March 2022, asking for access to

Application 3 - 15 SIRs

All Serious Incident Reports (SIRs) filed between August 2020 and now.

Please find 12 of the 15 documents herewith attached. Kindly note however, that some limited parts thereof fall under exceptions under Article 4 of Regulation (EC) No 1049/2001 and had to be expunged with detailed justifications in the attached legend.

Three documents could not be released as in addition to the fact that all exceptions as explained in the legend do apply, the information contained in the documents is subject to ongoing investigations and its disclosure at the present stage would jeopardize the ability of Frontex and Member States to evaluate any irregularities and to verify facts and information with a view to make a decision. Consequently, access to the documents has to be refused based on Article 4(2) third indent of Regulation (EC) No 1049/2001 as its disclosure would undermine the protection of the purpose of investigations. No overriding public interest that is objective and general in nature and not indistinguishable from individual or private interests for the release of this document is ascertainable in the present case. It is thus that no partial release is possible.

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

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

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).



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 or 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