



European Ombudsman

Directorate of Inquiries

Ms Melek Bazgan

Melek.bazgan@ofkn.de

Strasbourg, 17/05/2022

Decision concerning complaint 956/2022/SF against the European Border and Coast Guard Agency (Frontex)

Dear Ms Bazgan,

You recently submitted a complaint to the European Ombudsman about how the European Border and Coast Guard Agency (Frontex) dealt with your requests for public access to documents.

In January 2022, you, together with a co-applicant, made three requests¹ for public access to documents to Frontex. Frontex acknowledged receipt of these requests and asked your co-applicant for proof of identification. You were not asked to provide such a proof, as you had already done so in the context of a previous request. On 28 January 2022, your co-applicant sent a copy of his passport to Frontex. It seems, however, that Frontex has not received this email.

In February 2022, you asked Frontex to confirm that it was processing your request. When Frontex informed you that it had not yet received the requested proof of identification for your co-applicant you offered to send proof of the email he had sent at the end of January. However, Frontex did not reply.

In April 2022, Frontex stated that it had still not received your co-applicant's proof of identification and offered to process the three requests for public access under your name only.

Dissatisfied with this reply, you turned to the Ombudsman. You consider that Frontex should no longer delay the processing of your requests and register them under both names, as your co-applicant had provided proof of identification on 28 January 2022.

¹ PAD-2022-00020, PAD-2022-00021 and PAD-2022-00022.



After careful analysis of all the information submitted to us, we regret to inform you that there are insufficient grounds to open an inquiry into your complaint².

While we agree that Frontex could have replied and asked you for a copy of the email your co-applicant had sent with his passport, we consider that Frontex's offer to process the requests in your name only is reasonable. Please note, should you wish Frontex to process the requests also under your co-applicant's name, it is still possible to re-send your co-applicant's proof of identification to Frontex.

I appreciate this may not be your desired outcome but I hope you find these explanations useful. Thank you for having contacted the European Ombudsman.

Yours sincerely,

Rosita Hickey
Director of Inquiries

² Full information on the procedure and rights pertaining to complaints can be found at <https://www.ombudsman.europa.eu/en/document/70707>