



Mr/Ms Luisa Izuzquiza

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Our ref: TO/PAD-2021-00261
Please quote when replying.

Warsaw, 7 October 2021

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

Dear Mr/Ms Izuzquiza,

In reference to your former application PAD-2020-00221, for which a commonly acceptable solution was found as part of PAD-2021-00192, and application 6 (PAD-2021-00261) was registered on 17 September 2021, asking for access to

Application 8: SIRs 26/05/2018 - 30/06/2019

11 Serious Incident Reports

Please find ten documents herewith attached. Kindly note that some limited parts of these documents fall under exceptions under Article 4 of Regulation (EC) No 1049/2001¹ and therefore had to be expunged with detailed justifications in the attached legend.

Access to one document has to be refused as it contains information falling under all exceptions in the attached legend. Furthermore, this document is subject to an ongoing decision-making process, which would be seriously undermined. The ongoing discussions taking place within Frontex and under its auspices and involving numerous stakeholders require special protection. Releasing this document would enable third parties to draw preliminary conclusions and thus hamper this process. As 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, it cannot be released based on Article 4(3) of Regulation (EC) No 1049/2001. Due to this, no partial release is possible.

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Pursuant to Article 7(2) of Regulation (EC) No 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) No 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,



Timo Knaebe
Senior Legal Officer

¹Regulation (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).
