

Legend of justifications of non-disclosure

Personal data

The non-disclosed parts contain personal data, such as names of individuals and/or characteristic features which could lead to the identification of individuals. Their disclosure would undermine the protection of privacy and the integrity of the individual, in particular in accordance with European Union legislation regarding the protection of personal data and therefore have to be precluded pursuant to Article 4(1)(b) of Regulation (EC) No 1049/2001¹.

Reporting tools and methods used by law enforcement officials

The non-disclosed part contains detailed information related to reporting tools and methods used by law enforcement officials to conduct border control tasks and counter criminal activities. Its disclosure would jeopardize the implementation of ongoing and future operations, and thus facilitate irregular migration and trafficking in human beings as the effectiveness of law enforcement measures would be significantly reduced. As disclosing this information would undermine the protection of the public interest as regards public security, these parts are not disclosed pursuant to Article 4(1)(a) first indent of Regulation (EC) No 1049/2001².

Commercial interest

The non-disclosed parts cannot be released as their disclosure would undermine the protection of the commercial interests of legal persons - Frontex and other market actors - including intellectual property. If released, these pieces of information would impede especially Frontex future ability to participate in the market. As no overriding public interest that is objective and general in nature and not indistinguishable from individual or private interests for the release of these documents is ascertainable in the present case, these parts cannot be released based on Article 4(2) first indent of Regulation (EC) No 1049/2001³.

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).

² 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).

³ 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).