

## **Letter from the European Ombudsman to the European Border and Coast Guard Agency's (Frontex) on its refusal to give public access to documents concerning the 'European Border and Coast Guard Day'**

Correspondence - 15/06/2021

**Case** 1062/2021/ABZ - **Opened on** 15/06/2021 - **Decision on** 07/12/2021 - **Institution concerned** European Border and Coast Guard Agency ( Solution achieved ) |

Head of the Inspection and Control Office

European Border and Coast Guard Agency

(Frontex)

Dear Mr Y,

The Ombudsman has received a complaint from Mr X against the European Border and Coast Guard Agency (Frontex).

The complaint concerns Frontex's refusal to provide public access to documents concerning expenses incurred in relation to the 'European Border and Coast Guard Day'. The complaint is a follow-up to case 540/2021/ABZ.

We have decided to open an inquiry into the complaint against Frontex's decision to refuse full public access to the requested documents under Regulation 1049/2001.

Regulation 1049/2001 states that applications for access should be handled promptly. It is in line with this principle that the Ombudsman also seeks to deal with cases such as this as quickly as possible.

As a first step, I consider it necessary to review the documents at issue in the complainant's request. I would be grateful if Frontex could provide us with a non-redacted version of the documents it identified as falling under the scope of the complainant's request, preferably in electronic format through encrypted e-mail, [1] by **22 June 2021** .



The documents subject to the public access request will be treated confidentially, along with any other material Frontex chooses to share with us that it marks confidential. Documents of this kind will be handled and stored in line with this confidential status and will be deleted from the Ombudsman's files shortly after the inquiry has ended.

Frontex's position has been set out in its confirmatory response. However, should Frontex wish to provide additional views, to be taken into account by the European Ombudsman during this inquiry, I would be grateful if they could be provided to us within fifteen working days from the receipt of this letter, that is, by **6 July 2021** .

If you have any questions, the responsible case-handler is Ms Anna Zejc.

Yours sincerely,

Rosita Hickey Director of Inquiries

Strasbourg, 15/06/2021

[1] Encrypted emails can be sent to our dedicated mailbox.