

The refusal by the European Border and Coast Guard Agency (Frontex) to give public access to documents concerning a search and rescue operation

Case 1610/2021/MIG - **Opened on** 16/09/2021 - **Decision on** 31/01/2022 - **Institution concerned** European Border and Coast Guard Agency (No maladministration found) |

The complainant, a journalist, requested that the European Border and Coast Guard Agency (Frontex) grant public access to documents concerning a search and rescue operation that took place off the Italian coast in May 2021. Frontex identified 13 documents as falling under the request but refused access, invoking an exception under the EU's rules on public access to documents and arguing that disclosing the documents could undermine public security, in particular, by providing operational information about Frontex activities, which could be used by criminal organisations, like traffickers. The Ombudsman inquiry team inspected the documents at issue and found that, while Frontex was justified in refusing access to the documents, it could reconsider whether it could disclose certain photographs contained in the documents. Frontex agreed to the suggestion, and the Ombudsman closed the inquiry, welcoming Frontex's response.