



## The time taken by the European Border and Coast Guard Agency (Frontex) to deal with requests for public access to documents

**Case** OI/4/2022/PB - **Opened on** 15/07/2022 - **Recommendation on** 15/03/2024 - **Decision on** 13/03/2024 - **Institution concerned** European Border and Coast Guard Agency ( Maladministration found ) |

The Ombudsman opened an own-initiative inquiry to look into how the European Border and Coast Guard Agency (Frontex) deals with requests for public access to documents. The inquiry stemmed from information raised in a complaint to the Ombudsman about systematic delays and other issues in how Frontex handles public access requests.

The Ombudsman's inquiry found issues with two practices used by Frontex when dealing with requests that it considers imprecise or that concern a large amount of documents or large documents. (i) When a request concerns a large amount of documents or very large documents, and Frontex tries to find a 'fair solution' in accordance with the EU legislation on public access to documents (Regulation 1049/2001) Frontex decides not to apply the statutory time-limit for dealing with request until after a fair solution has been found. (ii) Where Frontex considers that a request is imprecise, it may also decide to suspend the statutory time-limit for dealing with the request.



The Ombudsman considered that this amounts to maladministration and made a recommendation to Frontex that it discontinue the practices. Frontex failed to accept the recommendation, and the Ombudsman closed the inquiry, confirming her [finding of maladministration \[Link\]](#).