



The right to public access to Frontex documents

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13 April 2011

EXISTING SITUATION



1. Article 28 of the Frontex Regulation

- Frontex is subject to Regulation (EC) No 1049/2001 as regards documents in Frontex

2. Frontex MB Decision of 21 September 2006

- Lays down the practical arrangements for the application of Regulation (EC) No 1049/2001
- Will be updated according to Frontex needs and in the light of the new provisions

PRACTICAL EXPERIENCE



1. **In general**: Frontex does not have significant problems

2. **Some particular** issues:
 - Access to a document or access to information?
 - Article 4(5); documents originating from Member States
 - Article 4(6); partial release of a document
 - Article 9; sensitive documents

FRONTEX and COMMISSION'S PROPOSAL



- 1. In general: Commission's proposal raises no particular issues for Frontex**
- 2. Some specific areas of the most interest of Frontex:**
 - protection of public security including the safety of natural or legal persons (as an exception);
 - protection of the objectivity and impartiality of selection procedures;
 - documents requested can not be identified;
 - rules on payment for documents made available to the public on demand;
 - the relation between the Regulations on public access and on the protection of personal data



Thank you for your attention !

