



## European Ombudsman

**Emily O'Reilly**  
European Ombudsman

Statewatch  
represented by Chris Jones

chris@statewatch.org

Strasbourg, 08/12/2020

Complaint 2273/2019/MIG

**Subject:** Proposal of the European Ombudsman for a solution in the above case on the European Border and Coast Guard Agency's (Frontex) public register of documents

Dear Mr Jones,

Please find enclosed, for your information, a copy of the assessment and proposal for a solution that I sent to Frontex in relation to your complaint, as well as a copy of Frontex's reply to that proposal. The proposed solution was that Frontex should:

- 1) update its register of documents, taking into account the principles of good administrative practice set out in paragraphs 26 to 30 of the proposal, and**
- 2) in future, and as far as possible for 2019, publish the number of sensitive documents it holds that are not included in its register of documents.**

I am pleased to inform you that Frontex has now drawn up a road map detailing the steps it will take regarding a public register of documents. Frontex also agreed to publish the number of sensitive documents it holds.

If you wish to make any comments on the proposal for a solution and/or Frontex's reply thereto, please send them to us **by 8 January 2021**.

As regards your concerns about Frontex's requirement for applicants to provide proof of their identity when making a request for access, I would like to refer to the admissibility decision sent to you on 14 January 2020. As explained then, there were no grounds to inquire into this aspect of your complaint



because my Office was already looking into two identical complaints<sup>1</sup> at the time. The inquiry into those complaints has been closed in the meantime. You can find the closing decision at the following link:

<https://www.ombudsman.europa.eu/en/decision/en/125796>

I look forward to hearing from you. Please note that I hope to update you on your complaint against Europol in the coming weeks.

Yours sincerely,

Emily O'Reilly  
European Ombudsman

Enclosures:

- Copy of the proposal for a solution sent to Frontex
- Copy of Frontex's reply to the proposal for a solution

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<sup>1</sup> Joint inquiry into cases 1500/2019/TM and 1600/2019/TM.