

EUROPEAN COMMISSION  
SECRETARIAT-GENERAL

Directorate C - Smart Regulation and Work Programme  
The Director

SG/C.3 JDB/zk

Mr Vinzenz Zinser  
by e-mail: klauszinser@posteo.eu

**Subject: Your request under Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents – Ref. GestDem 2015/881**

Dear Mr Zinser,

Thank you for your e-mail dated 12/02/2015 [GESTDEM 2015/881], requesting access to documents which contain specific information about complaints under Regulation (EC) No 1049/2001<sup>1</sup> regarding public access to European Parliament, Council and Commission documents.

First of all, I would like to apologize for the late reply.

We have looked attentively into your request.

Your request for information is about submitted and processed complaints between 2010 and now. You list a number of criteria and ask for *«access to a database (webpage) to make a detailed...analysis»*.

Given the high amount of information you are interested in, the Head of Unit 'Application of EU law' in the Secretariat general of the Commission, Mr Karl von Kempis, invited you by mail of 20 March 2015 to examine if you could be more precise in your request. This would have allowed my services to try to check what kind of information could be helpful for you. This message had remained unanswered. Notwithstanding, you have informed a member of the unit that you insist on your initial request.

In that regard, I have to inform you that there is no document available with the information requested. As specified in Article 2, (3) of Regulation (EC) 1049/2001, I must draw your attention here to the fact that the right of access as defined in that Regulation applies only to existing documents in the possession of the institution.

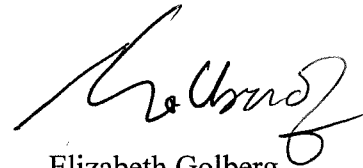
---

<sup>1</sup> OJ L145, 31.05.2001, page 43.

In closing, I would like to refer you to the information on the main decisions taken by the Commission on breaches of EU law that can be accessed at the following website address:  
[http://ec.europa.eu/atwork/applying-eu-law/infringements-proceedings/index\\_en.htm](http://ec.europa.eu/atwork/applying-eu-law/infringements-proceedings/index_en.htm)

The information on the website referred to above should not be reproduced or disseminated for commercial purposes unless the Commission has first given its approval.

Yours faithfully,



Elizabeth Golberg