

**From:** [REDACTED] (FISMA)  
**Sent:** 20 July 2015 18:26  
**To:** [REDACTED] (FISMA)  
**Subject:** FW: Written Question E-005574/2015: Notification under Directive 98/34/EC

**Od:** REDA Julia <[xx@xx](mailto:xx@xx)>  
**Data:** 18 Jul 2015 17:22:19 CEST  
**Do:** "BIENKOWSKA Elzbieta (EC)"  
<[Elzbieta.BIENKOWSKA@ec.europa.eu](mailto:Elzbieta.BIENKOWSKA@ec.europa.eu)>  
**Dw:** Réponses QE <[xx@xx](mailto:xx@xx)>  
**Temat:** Written Question E-005574/2015: Notification under Directive 98/34/EC

Dear Commissioner Bieńkowska,

I am referring to your reply to my Written Question E-005574/2015.

After careful examination, I have decided to reject your letter for the following reasons:

Your reply does not answer any of the questions and insofar as it touches the topic raised in my Written Question, the information given is inaccurate and incomplete.

Sub-question 1 asked for any information the Commission holds or is aware of relating to the topic of Directive 98/34/EC with respect to the German law in question. This question remains unanswered. Any summarisation made in your reply of the position of the German Government cannot be considered an answer to this sub-question. Through a successful request for documents, I was recently made aware of a correspondence between the Commission and the German Government in February of 2013. Chances are that there is more information available to the Commission.

Sub-question 2 asked for past, present and planned action by the Commission. Your reply stating that "[t]here are currently no specific Commission actions concerning the application of Directive 98/34/EC to the law in question" is overly specific on current and specific action. Given that at least the February 2013 correspondence was initiated by the Commission, I ask for a full answer to what was actually asked without an unwarranted narrowing of the scope of the question. The answer from paragraph two and three of your reply might be contradictory, as

a proper monitoring of the implementation of a law and its legal consequences would certainly be considered an action by the Commission.

Sub-question 3 remains fully unanswered.

With this reasons in mind, I would like you to submit a proper answer to these questions as this is the most appropriate course of action rather than re-filing the same questions over. I note that the time limits for answers to Written Questions under Rule 130 of the Rules of Procedure of the European Parliament are quite comfortable and there is little to no recourse for delayed responses. While your reply to my Written Question tabled in April 2015 arrived on July 14, 2015, journalists in Germany were provided an almost verbatim response on the same topic as early as July 10. It would be a source of duplicate efforts and a considerable redundancy if the logical consequence of an insufficient answering to Written Questions had to be the automatic filing of access to document requests under Regulation 1049/2001 in addition to the Written Questions.

Yours sincerely,  
Julia Reda

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