



Handling of the complainant's infringement complaint alleging that Germany has not properly implemented Directive 2002/58 on privacy and electronic communications - Handling of his request for access to the German authorities' response to the Commission

Case 995/2011/KM - **Opened on** 06/06/2011 - **Recommendation on** 21/05/2014 - **Decision on** 30/06/2015 - **Institutions concerned** European Commission (Critical remark) | European Commission (Draft recommendation partly accepted by the Institution) |

Allegation(s)

- 1) The Commission failed properly to handle the complainant's infringement complaint of 19 February 2010.
- 2) The Commission handled the complainant's request for access to the opinion submitted by Germany in the framework of the Commission's initial investigation wrongly.

Claim(s)

- 1) The Commission should either commence infringement proceedings against Germany or provide sufficient reasons for its decision not to do so.
- 2) The Commission should (i) deal with the request under Regulation 1049/2001 and (ii) grant the complainant access to the requested document.