



P. NIKIFOROS DIAMANDOUROS

Mr Walter Keim
Torshaugv. 2 C
7020 Trondheim
Norvège

Strasbourg, 07-06-2004

Complaint Nr 1054/2004/MHZ

Dear Mr Keim,

I am writing in reply to your e-mail of 16 April 2004 in which you complained that the European Commission did not answer exhaustively to your request for information.

The Treaty establishing the European Community and the Statute of the European Ombudsman set precise conditions as to the admissibility of a complaint. The Ombudsman can only start an inquiry if these conditions are met.

One of these conditions is :

Art. 195 of the Treaty establishing the European Community:

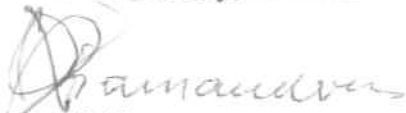
"In accordance with his duties, the European Ombudsman shall conduct inquiries for which he finds grounds (...)"

After a careful examination of your complaint, I have concluded that there are not sufficient grounds for opening an inquiry on this matter because the reply of the Commission seems reasonable.

You may, however, bring your concerns about the access to public documents in Germany to the attention of the Council of Europe, whose Committee of Ministers adopted Recommendation Rec (2002) on Access to Official Documents on 21 February 2002, at the following address:

Avenue de l' Europe
67075 Strasbourg
France
e-mail: cm@coe.int

Yours sincerely, _____

A handwritten signature in dark ink, appearing to read 'P. Nikiforos DIAMANDOUROS', written over a horizontal line.

P. Nikiforos DIAMANDOUROS