European Union

“Donau Chemie”

Treaty on the Functioning of the European Union,
Art. 101 – *Bundeswettbewerbsbehörde v. Donau Chemie AG et al.*

Decision of the European Court of Justice (First Chamber)
6 June 2013 – Cases No. C-536/11

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European Union law, in particular the principle of effectiveness, precludes a provision of national law under which access to documents forming part of the file relating to national proceedings concerning the application of Article 101 TFEU, including access to documents made available under a leniency programme, by third parties who are not party to those proceedings with a view to bringing an action for damages against participants in an agreement or concerted practice is made subject solely to the consent of all the parties to those proceedings, without leaving any possibility for the national courts of weighing up the interests involved.

Official headnotes.

Available at <http://curia.europa.eu>.