



EUROPÄISCHES PARLAMENT

Mitglied des Europäischen Parlaments

To  
Vice-President  
Joaquín Almunia  
BRU-BERL 11/238  
European Commission  
1049 Brussels

Ramon Tremosa MEP  
European Parliament  
ASP 08G154  
60, rue Wiertz  
B-1047 Brussels  
ramon.tremosa@europarl.europa.eu

Andreas Schwab MEP  
European Parliament  
ASP 15E130  
60, rue Wiertz  
B-1047 Brussels  
andreas.schwab@europarl.europa.eu

Brussels, 18. Februar 2014

Dear Vice-President,  
Dear Commissioner, *dear Mr. Almunia,*

We are writing to you again with regard to the on-going antitrust investigation against Google, following your announcement on 5 February 2014 that their improved commitments proposal can address the Commission's competition concerns adequately.

Given the importance of this case, we would like to kindly ask you to come back to the Parliament's ECON Committee to explain the details of these commitment proposals to the Members of European Parliament and especially why you believe that they are an improvement of the current situation. Such a political exchange is essential for the Members to not only understand why the proposed commitments solve the identified competition concerns and restore competitive conditions to online search and search advertising, but also if they benefit consumers as required under European Law. To better comprehend the process, we would also like to be informed about the next legal and political steps of procedure.

We strongly welcome that the Commission has reached the final stage of this crucial investigation and praise the excellent work carried out by your services. However, some points made in your announcement and recent press reports indicating disagreement within the College of Commissioners are rather unsettling as are also the serious criticisms from several industry stakeholders and consumers on both sides of the Atlantic.

In particular, we are concerned by the current lack of comprehensive feedback with respect to the agreed commitments. We would like to reiterate our view that the only way to verify the effectiveness and impact of Google's proposals is to subject them to

the kind of expert scrutiny that previously accurately helped revealing the weaknesses of the proposed sets of commitments. We respectfully submit that in our opinion the Commission should listen to feedback not only from the formal complainants, which we understand is your intention, but also from the third parties which have been actively involved in the investigation, such as the European Consumer's Association (BEUC). We believe that failure to do so might not only compromise the outcome of the investigation, but also undermine its legitimacy, at a time when the European project and its institutions are facing enormous challenges.

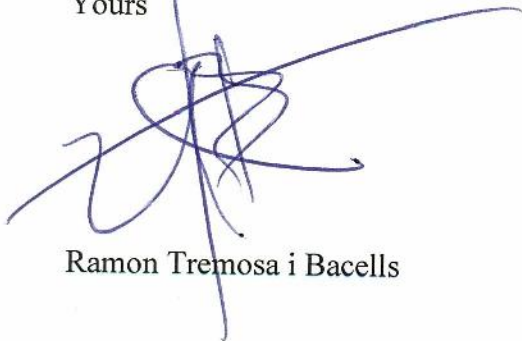
In the EP Resolution on the Annual Report on EU Competition Policy (2013/2075(INI)), adopted by the Plenary on 11 December 2013, the Parliament explicitly called on the Commission to market-test the proposals put forward by Google. While this Resolution was adopted at the time of the second set of proposed commitments and the Commission followed the Parliament's call at this point in time, the fundamental principles and the idea behind this provision and the points we expressed in our previous letter of 14 October 2013 remain entirely valid.

We acknowledge your efforts in bringing Google to the negotiating table and extracting concessions from them. This is certainly not an easy task and the way online search and the internet work is complex. However, up to now, what Google has offered has twice proven to be insufficient and inadequate to address the problems caused by its practices. Therefore, nothing should be taken for granted with regard to this third, and hopefully last, package of remedies. Additionally, we should also analyse the broader spectrum of Google's services, which are not touched upon by the current settlement efforts and evaluate as to whether the unbundling of the search engine from the other commercial services would not be an adequate long-term solution.

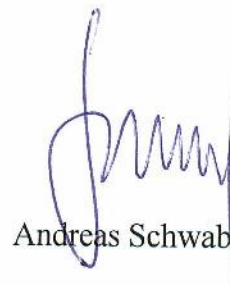
There is no doubt that the outcome of this case will have a broad economic and political impact. We understand the urgency of finding a speedy solution in such a fast moving market, but we all agree that adopting significant and long lasting remedies that truly benefit consumers, internet users and online businesses is the number one priority, regardless of the time it takes to get there.

Last but not least, we would like to thank you once again for the excellent cooperation with the European Parliament that has characterised your term as Competition Commissioner. We have no doubt that this will continue to be the case until the end of your mandate. Therefore, we sincerely hope that you will be able to accept this invitation and look forward to welcoming you at ECON at your earliest convenience.

Sincerely,  
Yours



Ramon Tremosa i Bacells



Andreas Schwab