

Member of the European Parliament

ANDERSDOTTER Amelia
ASP 6 E 264, Rue Wiertz 60
1047 Brussels, Belgium

February 11, 2014

Dear Honorable President of the European Commission Mr Barroso;

Dear Honorable Commissioners;

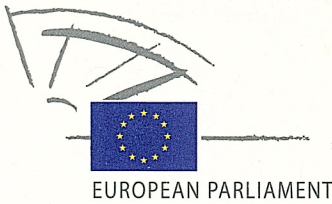
Last week on February 5th 2014, Commissioner Almunia made the announcement that a voluntary settlement agreement has been reached with Google in relation to the investigations into anti-competitive behavior on the search engine market. I write to you with the strongest concerns of how this decision was reached, and what it implies for the trust in the European institutions.

Since his speech at the IBA annual competition conference on 16th September 2011, Commissioner Almunia has been repeatedly stressing the fast-moving markets in ICT as a reason for closing the case quickly. While it is true that competition investigations take time, I am sure that the Honorable President and all the Commissioners will agree that the treaties should be applied and that the speed of such application, or the speed of ICT innovation, is irrelevant. It appears to me that of the European companies that claim to have suffered for years from the practices that Google stands accused of, few would sympathize with the idea that such an argument as is brought forth by Commissioner Almunia is a reason to not properly investigate Google's conduct.

In response to my parliamentary question E-011600-13 to Commissioner Almunia on October 10th 2013, the Commissioner opted not to reply to my question as to whether he was rushing the case to get it closed. He also failed to respond whether this rush impeded him from giving the case the close scrutiny it warranted. This refusal to respond to a clear question is worrisome in light of the complaints voiced by both competitors of Google and consumer groups about the decision announced by the Commissioner on February 5th.

Much attention has been given – thanks in part to the Commissioner himself holding and then issuing press releases about them - to the private meetings between the Commissioner and the Google executive chairman, including commentary on the non-public text message correspondence between the two. My confidence in the Commissioner's judgment is further shaken by criticisms on lack of transparency in the final proceedings from both consumer groups and companies in international press, as well as his unwillingness to discuss the extent to which he has interacted with Eric Schmidt.

The Honorable President and the Commissioners may recall that when the European Commission handed a record fine to Microsoft for engaging in anti-competitive practices, Microsoft had no public



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affairs offices of their own in Brussels. Google has had an office in Brussels for the duration of the Commission investigation. The European public will wonder whether there is a correlation between these facts.

The circumstances are piling up in an unfortunate way, making it appear as if the Commission may be compromised in its exercise of its duties to uphold the Framework Agreement by the amount of attention a company is able to devote to the responsible Commissioner.

In the run-up to the European Parliament elections of May 2014, Parliament Vice-Presidents Anni Podimata and Othmar Karas compiled information for all the Members about the wide-spread distrust in the European institutions by our own citizens. Never before, with record low turnouts for European Parliament elections and record high poll numbers for Eurosceptic political parties, has the European Commission been less able to afford such an apparently slipshod treatment of such an important investigation. Now more than ever, it should be a priority for all the institutions to ensure the correct application of European Union Framework Agreement and laws.

I call therefore on the Honorable President and the Commissioners not to accept the decision as proposed by Commissioner Almunia. Under the above described circumstances, it should not be acceptable for the Collegium to put this case behind them. The risk of irrevocably damaging the confidence in the institutions of the European Union is too large.

I trust that the Collegium will see the wisdom in ensuring European citizens, enterprises and innovators that the competition articles of the Framework Agreement will be upheld even for very large companies, even in the presence of a public relations office in Brussels, and even if it takes time.

Thank you for your kind attention,

Best regards,

A handwritten signature in black ink, which appears to read "Amelia Andersdotter". The signature is fluid and cursive, written in a professional style.

Amelia Andersdotter

Brussels