

**Question for written answer E-001664/2023
to the Commission**

Rule 138

Manon Aubry (The Left)

Subject: Conflict of interests – RBB Economics (consultant for Google inter alia) hired by the Commission to give advice on merger control

In 2021 Directorate-General (DG) for Competition awarded a contract (COMP/2021/OP/0003) to evaluate European merger control tools to RBB Economics. This consultancy has been involved 'in hundreds of the most high-profile competition cases around the world', has worked on mergers on behalf of Google, Amazon, Intel, Booking.com, Dow and Dupont, and the controversial Veolia/Suez merger. RBB Economics' very business model is to profit from advising clients on how to go through merger control unscathed. It has also lobbied against key provisions of the Digital Markets Act (DMA).

This is another clear conflict of interest. The Commission has already faced well-founded and intense criticism for hiring the 'Big Four' accounting firms as consultants on fiscal policy, and BlackRock on sustainable finance.

In an earlier decision, the Ombudsman called on the Commission to strengthen its procedures on conflicts of interest when awarding tenders. This seems not to have happened. A freedom of information request from Corporate Europe Observatory shows that the vademecum on public tenders has not since been updated.

1. Why has the Commission not changed the vademecum on conflicts of interest following the Ombudsman's decision?
2. Will the Commission cancel its contract with RBB Economics considering the conflict of interest it generates?
3. Why was this conflict of interest not taken into account when awarding the contract?

Submitted: 24.5.2023