



The Consumer Voice in Europe

European Commission
DG COMP
Mr Olivier Gersent

BE – Brussels

By email

BEUC-X-2025-060

Brussels, 17 June 2025

Subject: BEUC's concerns about lack of transparency in competition policy discourse

Dear Mr Guersent,

We are increasingly concerned by the opaque nature of lobbying on competition issues in Brussels which has become much more prevalent in recent years, notably as a result of the failure by authors and speakers in competition policy discourse to disclose whose interests they represent.

While the Commission alone cannot solve this transparency problem, there are things that DG COMP can do to ensure disclosure of interests both in DG COMP events and in events in which DG COMP officials participate.

Lack of transparency leads to a distortion of public discourse on competition law and policy. It is important that those who have the financial (and other) means to pay for multiple voices – whether these are lawyers¹, economists, academics² or (astroturfing) associations or think tanks whose funding is not fully disclosed while claiming to be independent, cannot create the impression that their voices represent a general consensus or an objectively based majority. This is particularly so when those who stand to benefit from more effective public policies generally have far more limited resources to make their voices heard.

While we obviously do not take issue with anyone's right to express their views and represent whom they wish, we do take issue with not disclosing this transparently. Hidden or deceptive corporate influence is rarely likely to be legitimate.

Disclosure of interests will not solve the differences in lobbying resources and power to disproportionately shape policy and decision-making, but the following are simple steps that DG COMP, and potentially other members of the ECN, could take to counteract lack of transparency.

Commission Conferences and Consultation Workshops

- **DG COMP should make it compulsory for speakers to make proper disclosures when it organises its own events.**

Proper disclosure does not mean something vague like "I have represented companies on both sides". Proper disclosure instead requires something along the lines of "On the issue of "X" I have represented/been paid to write "Y".

¹ See for example: [Exclusive | Lawyers urging 'caution' on antitrust remedies in Google search trial have cozy ties to Big Tech](#)

² The ASCOLA Declaration of Ethics for example shows that competition law academics have recognised the problem and have tried to address it. See: [Declaration of Ethics – ASCOLA](#).

Conference participants and journalists should be able to judge the circumstances in which a speaker's comments are made.

If a potential speaker does not agree to disclose their interests, they should not be included in a panel. If they fail to disclose at the beginning of their intervention, this should be called out by the chair or other panellists.

- **All contributors to DG COMP consultations should be asked to make proper disclosures.**

This is particularly important when consultations are part of the legislative process. Disclosures should be required when registering for workshops and when speaking. This appears to have been "honoured in the breach" in recent workshops such as those on the DMA, the review of Regulation 1/2003 and the draft Article 102 Guidelines.

The distortive momentum, or paid for group-think effect in the room which can be created by lack of disclosure, is compounded if Commission staff summarise the day with statements along the lines of "the majority/many expressed the view that...", "the general consensus was..." This risks giving undue deference to a particular paid-for view, however attentive DG COMP is to not being influenced by mere numbers. The same is true of statistics included in subsequent summary reports on consultations.

Similar principles could be applied to the written stages of consultations, though the distortive momentum effect at this stage is likely less pronounced.

Third party conferences

- **DG COMP should apply a policy of not participating in conferences where the organisers fail to require proper disclosures.**

Some organisations require disclosure of interests to participate in conference panels or in their publications, but many do not. The value of conferences without regulators will be diminished. Therefore, the Commission could be influential in changing attitudes and policies on lack of transparency concerning interests represented.

While freedom of expression is essential, in today's world of spurious "facts" we strongly believe that the Commission should endeavour to do all within its power to uphold transparency and fairness in relation to policy debates that are critical for the well-functioning of our society and ultimately for our democracy.

Yours sincerely,

Agustín Reyna
Director General