



# Management plan 2022

DG COMPETITION

**Contents**

INTRODUCTION ..... 3

PART 1. Delivering on the Commission’s priorities: main outputs for 2022 ..... 5

    General objective 1: A European Green Deal ..... 5

    General objective 2: A Europe fit for the digital age..... 8

    General objective 3: An Economy that works for people ..... 18

PART 2. Modernising the administration: main outputs for 2022..... 22

    A. Human resource management ..... 22

    B. Sound financial management ..... 24

    C. Fraud risk management ..... 25

    D. Digital transformation and information management..... 26

    E. Sound environmental management..... 31

    F. Initiatives to improve economy and efficiency of financial and non-financial activities ..... 34

ANNEX I: Performance tables ..... 35

ANNEX II: Digital Transformation indicators calculation ..... 40

## INTRODUCTION

EU competition policy and enforcement protects the EU Single Market, benefiting consumers, businesses and society alike. It also fosters competition values in the pathway to recovery from the pandemic and economic crisis to achieve a greener, more digital and more resilient EU economy, in line with the Commission's priorities.

The mission of DG Competition is to enable **the Commission to make markets deliver more benefits to consumers, businesses and the society as a whole by protecting competition on the market and promoting a competition culture in the EU and worldwide**. DG Competition does this by enforcing competition rules and through actions aimed at ensuring that regulation takes competition duly into account among other public policy interests. Competition policy is an indispensable element of a functioning Single Market ensuring that all companies compete fairly on their merits and on equal terms, making markets more competitive and resilient, while generating higher productivity, innovation, growth, and lower prices.

This [management plan](#) defines the most important outputs DG Competition will deliver in 2022 to achieve the objectives set out in its [strategic plan 2020-2024](#). It follows the structure of the Strategic Plan. [Part I](#) reflects the priority policy actions identified in the [2022 Commission Work Programme](#) and includes the main outputs for the year.

The planned outputs contribute to the General Objectives “[A European Green Deal](#)”, “[A Europe fit for the digital age](#)” and “[An economy that works for people](#)” as set by President von der Leyen<sup>1</sup>. EU competition policy also strives to strengthening international cooperation in competition enforcement and making steps towards increased convergence of competition rules across different jurisdictions.

Competition policy continues to play an important role in the Union's crisis response toolbox, demonstrating its in-built ability to react swiftly to sudden changes in the economy. [The State aid Temporary Framework](#)<sup>2</sup>, now prolonged until 30 June 2022, will continue enabling necessary and proportionate support by Member States to businesses in need, while ensuring equal treatment and limiting undue distortions to competition that would undermine the Single Market. [The Antitrust Temporary Framework](#) adopted in April 2020 provides guidance and legal certainty to companies, e.g. when cooperating to preserve supply chains to address shortages of critical medicines and medical equipment or bottlenecks. Across different areas, competition policy works seamlessly with other social

---

(<sup>1</sup>) Ursula von der Leyen, "A Union that strives for more. My agenda for Europe" Political Guidelines for the next European Commission 2019-2024, Opening Statement in the European Parliament Plenary Session, 16 July 2019. See [https://ec.europa.eu/commission/sites/beta-political/files/political-guidelines-next-commission\\_en.pdf](https://ec.europa.eu/commission/sites/beta-political/files/political-guidelines-next-commission_en.pdf).

(<sup>2</sup>) Temporary Framework to support the economy in the context of the coronavirus outbreak, OJ C 91I, 20.3.2020, p. 1-9. Amendments were adopted on 3 April, 8 May, 29 June, 13 October 2020, 28 January and 18 November 2021.

and economic policies of the Union to support the most affected sectors and workers and cushion the impact of the crisis for companies, including SMEs and start-ups.

The [EU economy is currently at a crossroads](#). To secure the recovery, green and digital transitions, its future competitiveness and open strategic autonomy in a global context, the EU economy needs to make profound changes in business models and make massive long-term investments.

[Competition stimulates businesses to innovate and invest](#) to succeed in the market place. The Commission also seeks to fill gaps by creating [new instruments](#) aimed at tackling emerging challenges in the Single Market – such as the distortive effects of [foreign subsidies](#) or digital gatekeepers. The European Parliament and the Council will adopt the [Digital Markets Act \(DMA\)](#) in 2022.

As recently encapsulated in the [Commission Communication Competition policy fit for new challenges](#)<sup>3</sup>, the Commission is currently pursuing an unprecedented review of more than 20 of its competition rules and guidelines, making sure that all competition instruments – mergers, antitrust and State aid control – remain fit for the future. This [policy review](#), which takes into account the EU's green, digital, recovery, and resilience priorities, will continue in 2022. [External communications actions](#) will support competition policy advocacy and focus on highlighting the benefits of competition policy to a wide range of audiences.

In 2022, the extensive support of the Commission in the economic recovery from the pandemic will continue through [COVID-19 related State aid cases](#). DG Competition will assess all State aid notifications received from Member States in the context of the implementation of the [Recovery and Resilience Facility \(RRF\)](#) without delay. In addition, DG Competition will pursue [vigorous enforcement](#) of competition rules in all sectors.

Finally, DG Competition will also continue to implement its [digital strategy](#) and upgraded case management system and support its operations under the [Competition Programme](#) under [the Single Market Programme](#).

DG Competition's [Communications Strategy](#) supports the Executive Vice President's goal of pursuing pro-active communication that is clear, consistent and continuous. Given EVP Vestager's wider role as EVP for A Digital Europe, the external communications activities of DG Competition support and complement the Commission's overall communications strategy, particularly in the realm of Digital, but not exclusively.

Consequently, the year ahead will be another challenging year for DG Competition, significantly stretching its capacities and human resources.

---

<sup>(3)</sup> See Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions A competition policy fit for new challenges of 18 November 2021 COM(2021) 713 final.

## **PART 1. Delivering on the Commission’s priorities: main outputs for 2022**

### **General objective 1: A European Green Deal**

All instruments of EU competition policy – antitrust, merger control and State aid – contribute to the European Green Deal and 2030 as well as 2050 climate targets.

#### **Updating rules and policy guidance in support of the European Green Deal**

The [General Block Exemption Regulation \(GBER\)](#)<sup>4</sup> was prolonged until the end of 2023 and evaluated. The ongoing amendment of the GBER will provide new rules for State aid to promote the green transition. It complements the parallel revisions of the Guidelines on regional aid, on aid for research, development and innovation, on risk finance aid and on aid for environmental protection and energy, by amending the relevant parts of the GBER. The Commission plans to adopt the amendment to the GBER by the first half of 2022.

#### **Strengthening competition enforcement in support of the European Green Deal**

##### *State aid control*

On 21 December 2021, the Commission endorsed [the Climate, Environmental Protection and Energy Aid Guidelines \(CEEAG\)](#)<sup>5</sup> which align the assessment of State support measures with EU legislation in the areas of energy and environment, in particular, by extending the scope of the guidelines to new areas (industry, clean mobility, circularity and biodiversity), covering all technologies and market developments that facilitate the European Green Deal (e.g. renewable and low carbon hydrogen, energy storage). Moreover, the new CEEAG discourage aid to projects involving the most polluting fossil fuels while facilitating an early phase-out. The new guidelines were formally adopted on 27 January 2022 and apply from the date of adoption.

Moreover, the Commission will assess Member States’ notifications for indirect cost compensation of electro-intensive users under the [State aid guidelines accompanying the 2021 to 2030 Emission Trading System](#).

In 2022, the Commission will continue several formal investigations opened in 2021, for example the planned closure-aid to lignite-fired power plants.

In 2022, the Commission will continue assessing and authorising State aid, provided certain conditions are fulfilled, in the areas of [agriculture, forestry and fisheries](#) with a view to supporting Member States in their effort to promote greener production methods in

---

(<sup>4</sup>) Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty.

(<sup>5</sup>) See: [https://ec.europa.eu/competition-policy/public-consultations/2021-ceeag\\_en](https://ec.europa.eu/competition-policy/public-consultations/2021-ceeag_en).

agriculture, to enhance the ecological value of forests, to limit the impact of fishing on the maritime environment, to adapt fishing to the protection of species, etc.

Finally, DG Competition will continue to accompany and facilitate the implementation of the green transition<sup>6</sup> in the context of the [Recovery and Resilience Plans](#).

### *Antitrust enforcement*

In 2022, the Commission will continue its ongoing investigations in the energy sector. In view of the recent increase in [energy prices](#), particularly in the second half of 2021, DG Competition will continue closely [monitoring](#) related developments in the EU gas and ETS markets to identify and address possible breaches of the EU competition rules.

Moreover, the Commission will continue its in-depth investigation into alleged predatory pricing by the Greek electricity incumbent PPC in the [Greek wholesale electricity market](#). PPC's behaviour may have resulted in an increased use of lignite-fired power plants, which are among the most polluting energy sources.

The Commission will also continue to investigate an alleged abuse of a dominant position by the power exchange EPEX in the market for the provision of [intraday trading facilitation services in Central Western Europe](#).

In the environment sector, in 2022, the Commission will in particular focus on ensuring effective competition in [circular economy](#) industries to help improve the reuse, recovery and recycling of resources, thus fostering a more sustainable economy.

The 2021 decision on [the car emission cartel](#)<sup>7</sup> against a number of car manufacturers that restricted competition on emission cleaning technology for diesel cars, shows how competition enforcement can prevent companies from slowing down the rollout or developing the full potential of environment-friendly technologies or products. Building on this experience, the Commission will continue to investigate suspected cartels that may compromise the European Green Deal. The Commission will thus work towards concluding its investigation of an alleged cartel among European [ethanol producers](#).

Antitrust enforcement also supports the European Green Deal objective of developing a competitive [passenger rail transport](#) sector attractive for consumers. For that purpose, the Commission will continue its ongoing investigations including Czech Rail case concerning suspected predatory pricing on the Prague-Ostrava passenger railway route, which is the backbone of the Czech rail network.

---

<sup>(6)</sup> Target of at least 37% of the expenditure of the national reforms and investments related to green transition.

<sup>(7)</sup> Antitrust: Commission fines car manufacturers €875 million for restricting competition in emission cleaning for new diesel passenger cars, press release, 8.7.2021.

## *Merger control*

In 2022, DG Competition will remain vigilant when it comes to protecting green innovation, avoiding creation of excessive market power, foreclosure and elimination of promising emerging entrants. It will continue scrutinising mergers in sectors that are central to the green transition, such as renewables, recycling infrastructure, transport infrastructure for gas and electricity, as well as e-mobility assets and services.

### **Supporting major initiatives forming part of the European Green Deal**

In 2022 the Commission will continue providing guidance to Member States and assess pre-notified or notified large cross border projects under the [Important Project of Common European Interest \(IPCEI\)](#) instrument. Such EU wide projects are designed to support innovation and important open infrastructures in strategic sectors for the greening of the economy like renewable hydrogen technologies.

DG Competition will also promote pro-competitive rules and outcomes across a range of legislative initiatives that the Commission will adopt in 2022, such as the forthcoming initiative on the [right to repair](#)<sup>8</sup> or the [Zero-pollution Action Plan](#).<sup>9</sup> The Commission will also continue using its antitrust and state aid expertise to support the implementation of measures outlined in the [2020 Strategy for sustainable and smart mobility](#).<sup>10</sup>

---

(<sup>8</sup>) According to the 2022 Commission work programme, the legislative proposal on the right to repair is expected in the third quarter of 2022.

(<sup>9</sup>) Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Pathway to a Healthy Planet for All EU Action Plan: 'Towards Zero Pollution for Air, Water and Soil', COM(2021) 400, 12.5.2021. See: [https://ec.europa.eu/environment/pdf/zero-pollution-action-plan/communication\\_en.pdf](https://ec.europa.eu/environment/pdf/zero-pollution-action-plan/communication_en.pdf).

(<sup>10</sup>) Communication from the Commission Strategy for sustainable and smart mobility COM(2020) 789 final 09.12.2020.

## General objective 2: A Europe fit for the digital age

### Updating rules and policy guidance in support of A Europe fit for the digital age

As part of its unprecedented review of the competition policy tools, DG Competition will also organise a [stakeholder conference](#) on the contribution of competition policy making markets work for people. In parallel, the Commission also seeks to equip itself with new instruments aimed at tackling emerging challenges in the Single Market, such as digital gatekeepers or the distortive effects of foreign subsidies.

#### *Policy initiatives to strengthen the single market and the digital economy*

The Commission proposal for [Digital Markets Act \(DMA\)](#)<sup>11</sup> aims to ensure contestable and fair markets in the digital sector. It is based on a set of narrowly defined objective criteria for qualifying a large online platform as a “gatekeeper” and set up specific obligations, “do’s” and “don’ts”, that they must comply with in their daily operations. The European Parliament and the Council will start trilogues in 2022 and are expected to adopt the DMA in 2022. Preparing for the implementation of the DMA will become a major work stream for DG Competition in 2022. The Commission will have to prepare and adopt a number of implementing decisions. It will also need to set up IT systems and a case registry. Necessary staff will need to be allocated to this work stream.

In 2022, the Commission will continue to support the negotiations on the Commission proposal for a [Foreign Subsidies Regulation](#)<sup>12</sup> in Council and in Parliament. In parallel, the Commission will prepare the implementation of the regulation, notably by preparing guidance documents on specific elements of the regulation<sup>13</sup>. As for the DMA, the Commission will also need to set up digital solutions to support notifications and case handling as well as a case registry.

#### *Review of antitrust rules and guidance*

In 2022, the Commission will finalise its review of the [Vertical Block Exemption Regulation](#) and the accompanying [Vertical Guidelines \(VBER review\)](#)<sup>14</sup> with a view to having revised rules in place before the expiry of the current rules in May 2022.<sup>15</sup>

---

(<sup>11</sup>) See Commission proposal COM/2020/842 final of 15 December 2020.

(<sup>12</sup>) See: Commission proposal COM(2021) 223 final of 5 May 2020.

(<sup>13</sup>) The final version of the guidance documents will be based on the final wording of the regulation.

(<sup>14</sup>) Commission Regulation (EU) No 330/2010 of 20 April 2010 on the application of Article 101(3) of the Treaty on the Functioning of the European Union to categories of vertical agreements and concerted practices, OJ L 102, 23.4.2010, p. 1. Commission Notice – Guidelines on Vertical Restraints, OJ C 130, 19.05.2010, p. 1.

(<sup>15</sup>) The initiative concerns the review of the competition rules applying to vertical agreements (between companies operating at different levels of the supply chain) providing a safe harbour to vertical agreements for which it can be assumed with sufficient certainty that they generate economic



Following the publication on 6 May 2021 of the results of its evaluation of the [Research and Development](#) and the [Specialisation Block Exemption Regulations](#) and the accompanying [Horizontal Cooperation Guidelines](#) (HBERs review), the Commission will continue its review<sup>16</sup> with a view to having revised rules in place before the expiry of the current rules in December 2022. The review aims at ensuring that the guidance provided takes into account new market developments such as the more frequent use of data pools, the increase in research and development cooperation and in sustainability agreement.

The Commission will continue in 2022 its revision of the [Motor Vehicle Block Exemption Regulation \(MVBER\)](#) following up on the Evaluation Report and the Inception Impact Assessment published in 2021. The revision concerns both the block exemption regulation and the related guidelines. The Commission plans to complete the revision by 31 May 2023 when the current MVBER expires. Stakeholders will be consulted during this process.

In 2022, DG Competition will continue to work on revising the [Market Definition Notice](#), reflecting the findings of the evaluation, published in 2021.<sup>17</sup>The initiative aims to ensure that the Notice remains fit-for-purpose and is updated to reflect latest market developments.

The initiative on [collective bargaining for the self-employed](#)<sup>18</sup> aims at ensuring that EU competition law does not stand in the way of collective agreements for solo self-employed who have a weak bargaining position. Following earlier consultations, draft guidelines were published for public consultation in December 2021. The adoption of the guidelines is planned for the first half of 2022.

---

efficiencies and therefore satisfy the conditions for an exemption under Article 101(3) TFEU, and the accompanying Vertical Guidelines.

(<sup>16</sup>) Commission Regulation No 1217/2010 of 14 December 2010 on the application of Article 101(3) of the Treaty on the functioning of the European Union to categories of research and development agreements, OJ L 335, 18.12.2010 Commission Regulation No 1218/2010 of 14 December 2010 on the application of Article 101(3) of the Treaty to categories of specialisation agreements, OJ L 335, 18.12.2010, p. 43. Communication from the Commission - Guidelines on the applicability of Article 101 of the Treaty on the Functioning of the European Union to horizontal co-operation agreements, OJ C11, 14.1.2011, p. 1. The initiative concerns the review of the competition rules applying to cooperation agreements between competitors, namely: two block exemption regulations of 2010 providing safe harbours to certain categories of research and development agreements and to certain categories of specialisation (production) agreements, and the accompanying guidelines on the application of competition rules to various types of cooperation agreements (information exchange, research and development, joint production, joint commercialisation, joint purchasing, standardisation).

(<sup>17</sup>) Commission Staff Working Document, Evaluation of the Commission Notice on the definition of relevant market for the purposes of Community competition law of 9 December 1997, SWD (2021) 199 final, 12.7.2021, [https://ec.europa.eu/competition-policy/system/files/2021-07/evaluation\\_market-definition-notice\\_en.pdf](https://ec.europa.eu/competition-policy/system/files/2021-07/evaluation_market-definition-notice_en.pdf).

(<sup>18</sup>) See:<https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12483-Collective-bargaining-agreements-for-self-employed-scope-of-application-EU-competition-rules>.

The current [Consortia Block Exemption Regulation \(CBER\)](#)<sup>19</sup> expires on 25 April 2024 and stipulates that a review must be carried before it expires. An evaluation and possible impact assessment will allow the Commission to decide whether to let the CBER expire, or prolong it, and under which conditions.

In 2020, the Commission published a report<sup>20</sup> on the impact of the [Interchange Fees Regulation \(IFR\)](#) for card-based payment transactions. Given the initial positive impact of the IFR and the need for more time to assess its full effects, the IFR was not revised. In 2022 the Commission will continue monitoring market developments in this area, including submissions from stakeholders.

### *Review of EU merger control rules and guidance*

As a follow-up to the [evaluation of selected procedural and jurisdictional aspects of EU merger control](#)<sup>21</sup>, the Commission started working on further simplifying the EU merger control procedures to (i) better target the merger review process, allowing the Commission to focus its investigations on the cases that merit a more detailed review and (ii) reduce the administrative costs and burdens of the merger review process for companies. An impact assessment has been launched on policy options for further simplification of merger procedures. In 2022, the Commission plans to adopt a new [Notice on the simplified procedure for treatment of certain mergers](#)<sup>22</sup> and a [revised implementing Regulation](#).<sup>23</sup>

### *Review of State aid control rules and guidance*

In 2022, the Commission will continue to work on the amendment of the [State Aid Block Exemption Regulation \(GBER\)](#)<sup>24</sup> to provide new rules for State aid to promote the digital transition. The GBER and the [State aid de minimis regulation](#) will expire at the end of 2023.

---

(<sup>19</sup>) Commission Regulation (EU) 2020/436 of 24 March 2020 amending Regulation (EC) No 906/2009 as regards its period of application, Official Journal L 90, 25.3.2020, p. 1–2.

(<sup>20</sup>) Report on the application of Regulation (EU) 2015/751 on interchange fees for card-based payment transactions, of 29 June 2020 SWD(2020) 118 final.

(<sup>21</sup>) Commission Staff Working Document, Evaluation of procedural and jurisdictional aspects of EU merger control, SWD (2021) 66 final, 26.3.2021, [https://ec.europa.eu/competition/consultations/2021\\_merger\\_control/SWD\\_findings\\_of\\_evaluation.pdf](https://ec.europa.eu/competition/consultations/2021_merger_control/SWD_findings_of_evaluation.pdf).

(<sup>22</sup>) Commission Notice on simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004, OJ C 366, 14.12.2013, p.5.

(<sup>23</sup>) Commission Regulation (EC) No 802/2004 implementing Council Regulation (EC) No 139/2004 on the control of concentrations between undertakings, OJ L 133, 30.4.2004, p. 1.

(<sup>24</sup>) Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty. See: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32020R0972&from=EN>.

To decide on their future orientation, the Commission will in 2022 start<sup>25</sup> assessing those rules in line with the Better Regulation framework.

A public consultation on draft revised [Guidelines for State aid to Broadband](#)<sup>26</sup> was launched on 19 November 2021, with a view to the adoption of revised Broadband Guidelines in 2022. The revision aims to update the Broadband Guidelines in line with the technological and economic developments and to take into account the evolving connectivity objectives of the EU.

The Commission is in the process of reviewing the State aid rules applying to the agricultural and forestry sectors and in rural areas as well as those applying to the fisheries and aquaculture sectors. The review aims to ensure that these rules are aligned with the Common Agriculture Policy, the European Maritime, Fisheries and Aquaculture Fund (EMFAF) and to the European Green Deal. The Commission envisages adopting them by the end of 2022. The rules consist of an [ABER](#)<sup>27</sup>, a [FIBER](#)<sup>28</sup>, [Guidelines for State aid to the agricultural and forestry sectors and in rural areas](#)<sup>29</sup> and [Guidelines on State aid in the fisheries and aquaculture sector](#)<sup>30</sup>. Moreover, each of these sectors is governed by its own [de minimis regulation](#). The [de minimis regulation](#) applicable to the fisheries sector<sup>31</sup> will be reviewed in 2022.

---

(<sup>25</sup>) ANNEX to the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions A competition policy fit for new challenges, p.4, COM(2021) 713 final/2, 19.11.2021.

(<sup>26</sup>) State aid: Commission invites comments on State aid rules for the deployment of broadband networks, available at: [https://ec.europa.eu/competition/consultations/2020\\_broadband/index\\_en.html](https://ec.europa.eu/competition/consultations/2020_broadband/index_en.html) and <https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12398-Evaluation-of-State-Aid-rules-for-broadband-infrastructure-deployment>.

(<sup>27</sup>) Commission Regulation (EU) No 702/2014 of 25 June 2014 declaring certain categories of aid in the agricultural and forestry sectors and in rural areas compatible with the internal market in application of Articles 107 and 108 of the Treaty on the Functioning of the European Union, OJ L 193, 1.7.2014, p. 1. See: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02014R0702-20201210&qid=1636383391203>.

(<sup>28</sup>) Commission Regulation (EU) No 1388/2014 of 16 December 2014 declaring certain categories of aid to undertakings active in the production, processing and marketing of fishery and aquaculture products compatible with the internal market in application of Articles 107 and 108 of the Treaty on the Functioning of the European Union, OJ L 369, 24.12.2014, p. 37. See: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02014R1388-20201210&qid=1636383287694>.

(<sup>29</sup>) European Union Guidelines for State aid in the agricultural and forestry sectors and in rural areas 2014 to 2020, OJ C 304, 1.7.2014, p. 1. See: <https://eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX%3A52014XC0701%2801%29>.

(<sup>30</sup>) Communication from the Commission — Guidelines for the examination of State aid to the fishery and aquaculture sector, OJ C 217, 2.7.2015, p. 1. See: [https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=uriserv:OJ.C\\_.2015.217.01.0001.01.ENG](https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=uriserv:OJ.C_.2015.217.01.0001.01.ENG).

(<sup>31</sup>) Commission Regulation (EU) No 717/2014 of 27 June 2014 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid in the fishery and aquaculture sector, OJ L 190, 28.6.2014, p. 45. See: <https://eur-lex.europa.eu/legal->

After evaluating the [State aid Railway Guidelines](#) in 2020, which facilitate support to the modal shift to more sustainable transport modes, the Commission concluded that they need a comprehensive review. In 2022, the Commission continues to work on the initiative to update the State aid rules applicable to rail transport. This includes codification of existing case practice, in particular in supporting the shift to more sustainable transport modes. The initiative also includes the possibility for a block exemption from prior notification of aid measures in the field of land and intermodal transport.

## **Strengthening competition enforcement in support of A Europe fit for the digital age**

### *Antitrust enforcement*

In 2022, the Commission will continue to expand its [proactive ex-officio strategy](#) to pursue a rigorous cartel and antitrust enforcement in all sectors, including digital ones.

The Commission will further develop [digital investigation methodologies](#) to detect and prosecute competition infringements and [strengthen its cooperation](#) with other national non-competition enforcers, like police forces and prosecutors investigating economic and financial matters.

Following the adoption of a large number of cartel decisions in 2021,<sup>32</sup> the Commission will continue in 2022 its efforts to detect and investigate different types of cartel behaviour including in commodities and basic industries, such as the ongoing investigations in the Styrene Monomer and Metal Packaging sectors<sup>33</sup>.

In the [electronic communications sector](#), in 2022 the Commission will continue its investigation into a mobile network-sharing agreement between the two largest operators in Czechia, O2/CETIN and T-Mobile<sup>34</sup>. The Commission will also assess a number of informal complaints relating to the electronic communications sector to verify whether opening proceedings is warranted. In this sector, one of the objectives in 2022 is ensuring that

---

[content/EN/TXT/?uri=CELEX%3A02014R0717-20201210&qid=1636383712633](#). The De minimis regulation applicable to the agricultural sector was revised in 2019.

(<sup>32</sup>) See, Case AT. 40178 *Car emissions*, [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_21\\_3581](https://ec.europa.eu/commission/presscorner/detail/en/ip_21_3581), Case AT.40324 *European Governments Bonds*, [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_21\\_2565](https://ec.europa.eu/commission/presscorner/detail/en/ip_21_2565), Case AT.40346 *Sovereign and Agency bonds*, [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_21\\_2004](https://ec.europa.eu/commission/presscorner/detail/en/ip_21_2004), Case AT.40330 *Rail cargo*, [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_21\\_1843](https://ec.europa.eu/commission/presscorner/detail/en/ip_21_1843), Case AT.40127 *Canned vegetables*, [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_21\\_6164](https://ec.europa.eu/commission/presscorner/detail/en/ip_21_6164), Case AT.40135 *Forex Sterling Lads*, [https://ec.europa.eu/commission/presscorner/detail/en/IP\\_21\\_6548](https://ec.europa.eu/commission/presscorner/detail/en/IP_21_6548).

(<sup>33</sup>) See Case AT. 40547 *Styrene Monomer*, [https://ec.europa.eu/commission/presscorner/detail/en/STATEMENT\\_18\\_4101](https://ec.europa.eu/commission/presscorner/detail/en/STATEMENT_18_4101), Case AT.40522 *Metal packaging*, [https://ec.europa.eu/commission/presscorner/detail/en/MEMO\\_18\\_3662](https://ec.europa.eu/commission/presscorner/detail/en/MEMO_18_3662).

(<sup>34</sup>) Case AT. 40305 *Network sharing – Czechia*. See: [https://ec.europa.eu/competition/elojade/isef/case\\_details.cfm?proc\\_code=1\\_40305](https://ec.europa.eu/competition/elojade/isef/case_details.cfm?proc_code=1_40305).

companies do not engage in behaviour that would restrict competition in a 5G and fibre-to-the-home (FTTH) market environment.

In 2022, the Commission will continue to investigate potential anti-competitive agreements and practices in [the e-commerce sector](#) that could be detrimental to the internal market and competition and follow up on concerns about "dual-role" platforms.

The Commission will continue its investigation of Google's business practices across the chain of supply of [online display advertising](#) (the so called "ad tech chain"). These practices may reinforce Google's market power on several levels of that chain. The Commission will also continue its investigation of Facebook Marketplace, including the way Facebook uses data from its advertising business to favour that product in competition with other advertisers.

The Commission will continue in 2022 its investigations of Apple's rules for app developers on the [distribution of apps via the App Store](#) to users of Apple's smart mobile devices (i.e. iPhones and iPads), including the investigation relating to music streaming apps. The Commission will follow up on the concerns it raised in its Statement of Objections of April 2021.

It will also continue its antitrust investigation into Apple's conduct regarding [Apple Pay](#). The investigation concerns Apple's terms, conditions and other measures for integrating Apple Pay in merchant apps and websites, Apple's limitation of access to the Near Field Communication (NFC) functionality on iPhones for payments in stores, and alleged refusals of access to Apple Pay.

The Commission will continue its investigation and follow up on the concerns it raised in its 2020 Statement of Objections against Amazon. The concerns regard [Amazon's use of non-publicly available third-party seller listings and sales data](#) to optimise Amazon's own retail operations, which compete with the third-party sellers. The Commission will also continue its investigation into the conditions and criteria that Amazon applies for the identification of the offer that will prominently feature in its [Buy Box](#), and for the selection of Prime eligible sellers and offers.

In 2022, the Commission will monitor developments in [electronic payments markets](#) to ensure competition on fair and equal terms. The Commission will also continue to monitor the different markets for [financial market data feeds](#) and [the platforms](#) generating, collecting and distributing such (raw or consolidated) feeds.

Data pooling is often desirable as they may enable entry and enhance effective competition. Yet, [data pools](#) could restrict competition if they allow for the sharing of competitively sensitive information or if the conditions of access and participation place certain companies at a competitive disadvantage. In 2021 the Commission issued a Statement of Objections against Insurance Ireland – an association of insurance companies – regarding the access conditions imposed on certain [motor insurance](#) companies wishing to participate in a claims data pool. The Commission will continue its investigation in 2022 with a view to adopt a decision before the end of the year.

In line with the objectives of the Commission's new [Pharmaceutical Strategy for Europe](#)<sup>35</sup>, antitrust enforcement in 2022 will continue to contribute to ensuring consumers' access to effective, innovative and affordable medicines, both conventional and biologic. Following its first excessive pricing decision in the pharmaceutical sector in February 2021<sup>36</sup>, the Commission will continue to monitor the implementation of the commitments made by *Aspen Pharma*. Regarding potentially anticompetitive unilateral practices hindering the entry or expansion of cheaper generic products, in March 2021 the Commission opened a new investigation into a potential abuse of a dominant position by *Teva* due to a suspected misuse of the patent system as well as a disparagement campaign to foreclose generic competitors.<sup>37</sup> In addition, the Commission carried out unannounced inspections in the animal health sector<sup>38</sup> and is investigating complaints and market information regarding, in particular, conduct that hinders the entry or uptake of competing products.

### *Sector Inquiry into the Internet of Things*

In July 2020, the European Commission launched [an antitrust inquiry into the sector of Internet of Things \(IoT\)](#)<sup>39</sup> for consumer-related products and services in the European Union and published a preliminary report for consultation in June 2021. The sector inquiry focusses on products and services related to digital voice assistants, smart home devices and wearables. Knowledge about the functioning of these markets gained through the inquiry will contribute to the Commission's enforcement of competition law in this sector. The Commission expects to publish the final report in 2022.

### *Merger control*

In 2022, the Commission will remain vigilant to ensure that markets are kept open and competitive in the Single Market. Merger control underpins the Commission's key priorities. Following the publication of the [Guidance on Article 22 of the EU Merger Regulation to certain categories of cases](#),<sup>40</sup> the Commission has accepted the referral of the proposed *Illumina/Grail* merger, currently undergoing a Phase II investigation. The objective of the guidance is to capture potentially problematic transactions falling below the turnover-based notification thresholds in the Merger Regulation. In 2022, DG Competition services will continue engaging in discussions with stakeholders and the national competition authorities on the best use of Article 22.

---

<sup>(35)</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions *Pharmaceutical Strategy for Europe* COM (2020) 761 final 25.11.2020.

<sup>(36)</sup> Case AT.40394. See: [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_21\\_524](https://ec.europa.eu/commission/presscorner/detail/en/ip_21_524).

<sup>(37)</sup> Case AT.40588. See: [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_21\\_1022](https://ec.europa.eu/commission/presscorner/detail/en/ip_21_1022).

<sup>(38)</sup> See [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_21\\_5543](https://ec.europa.eu/commission/presscorner/detail/en/ip_21_5543).

<sup>(39)</sup> See: [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_20\\_1326](https://ec.europa.eu/commission/presscorner/detail/en/ip_20_1326).

<sup>(40)</sup> Commission Guidance on the application of the referral mechanism set out in Article 22 of the Merger Regulation to certain categories of cases, C (2021) 1959 final, 26.3.2021.

## *State aid control*

The Commission has set out its ambitions for Europe's digital transformation by 2030 in the [Digital Compass Communication](#)<sup>41</sup> where connectivity is one of four cardinal points for digital transformation. Investments in electronic communications network deployment come primarily from private operators with public support complementing these private initiatives. State aid control in the [electronic communications sector](#) plays an important role in developing a co-ordinated investment strategy.

Member States will also benefit from the extension of the scope of the [General Block Exemption Regulation \(GBER\)](#), which covers, among others, certain State aid measures that support the digital transition and are, at the same time, relevant for the recovery from the economic effects of the coronavirus pandemic.

In 2022, the Commission will continue its policy work to sustain a free and independent [media sector](#). Similarly, aid to film production remains an important tool to conserve the cultural diversity of the EU. Certain aid to the media may also be granted under the Recovery and Resilience Facility. In 2022, the Commission will therefore continue to provide guidance and specific templates to the Member States also when subsidising film production.

Following the adoption of the Commission's Decision on the first IPCEI on microelectronics (a key enabling technology), in line with the Commission's new and revised Industrial and Digital strategies for Europe, discussions for designing a second innovation-driven, large cross-border integrated [IPCEI on microelectronics and connectivity](#) as well as on next generation [cloud infrastructure and services](#) are intensifying. Member States could pre-notify such projects to the Commission under the specific IPCEI instrument early in 2022.

The new [Risk Finance Guidelines](#), the new [Regional Aid Guidelines](#)<sup>42</sup>, and the new [Short-term export credit communication](#) entered in force on 1 January 2022. Notifications of new schemes under the new rules are expected in 2022.

In 2022, State aid control will also accompany and facilitate the digital transition in the implementation of the [Recovery and Resilience Facility](#) and the Member States' Recovery and Resilience Plans as well as State aid aspects of the implementation of the InvestEU programme.

The Commission will continue its efforts for [the recovery of incompatible aid](#) in 2022. The Commission will monitor schemes and individual aid measures by Member States, in particular in the areas where the implementation of State aid rules raise particular issues.

---

(41) See: <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A52021DC0118>.

(42) See: [https://ec.europa.eu/commission/presscorner/detail/en/IP\\_21\\_1825](https://ec.europa.eu/commission/presscorner/detail/en/IP_21_1825).

## **Cooperation within the European Competition Network and international cooperation in the area of competition policy**

### *The European Competition Network*

The Commission and the national competition authorities in all EU Member States cooperate with each other in the [European Competition Network \(ECN\)](#).<sup>43</sup> In 2022, DG Competition will continue to foster, organise and animate multilateral work in the European Competition Network at different levels in the context of investigations and policy issues.

It will also continue cooperating with national competition authorities in the ECN Working Group on Digital Investigations and Artificial Intelligence. DG Competition will also assist national competition authorities towards making digital solutions for requests for information, management of confidentiality claims and leniency statements reusable via the Common Services Platform, an initiative promoted by the Digital Europe Programme. In 2022, DG Competition also intends to organise regular meetings of the ECN advocacy working group.

The Commission also helps [national courts](#) to enforce the EU competition rules, for example by providing case-related information, opinions or by intervening as *amicus curiae* in cases before national courts. In 2022, with the aim of contributing to an effective and coherent application of EU competition law, DG Competition will continue to support the implementation of [training activities for national judges](#) focussing on the application EU competition. In addition, DG Competition will continue to support the activities of the Association of European Competition Law Judges (AECLJ). The Competition Programme will enable further strengthening the cooperation between the Commission and the Member States' competition authorities in all areas of EU competition law.

### *Multilateral relations*

In 2022, the Commission will continue its endeavours to [improve international rules for subsidies](#). Reforming the subsidy rules is one of the EU's main priorities for the modernisation of WTO trade rules. The Commission will also continue the work with EU Member States in the International Subsidy Policy Group, exchanging views and coordinating initiatives concerning international subsidy policies at multilateral and bilateral level.

In 2022, DG Competition will continue its active engagement in competition-related international fora such as the [OECD Competition Committee](#), the [International Competition Network \(ICN\)](#), and the Intergovernmental Group of Experts on Competition Law and Policy of the United Nations Conference on Trade and Development ([UNCTAD](#)). In particular, DG Competition is co-chairing the ICN Unilateral Conduct Working Group, where it is notably co-responsible for the multi-annual project on market dominance in the digital era.

---

<sup>(43)</sup> See: [https://ec.europa.eu/competition-policy/european-competition-network\\_en](https://ec.europa.eu/competition-policy/european-competition-network_en).



## *Bilateral relations*

In 2022, the Commission will continue its close cooperation with the [United States](#) under the 1991 Cooperation Agreement and the 1998 Positive Comity Agreement. The Commission will continue holding regular meetings with the US competition agencies under the EU-US Joint Technology Competition Policy Dialogue.

As regards the draft Second Generation Cooperation Agreement between the EU and [Canada](#), in 2022 DG Competition will remain in regular contact with the Competition Bureau of Canada to ensure that the provisions on data protection align with the standards established by the Opinion of the Court of Justice on the 2014 EU Canada Passenger Name Record Agreement. In 2022, DG Competition will also continue the negotiations with Japan on a Second Generation Cooperation Agreement with a view to updating the existing cooperation agreement.

In 2022, the Commission will engage with [African national and regional competition authorities](#) to develop cooperation in the competition field. The Commission will continue its technical cooperation on competition policy and enforcement with the EU's main trading partners with which the Commission has signed Memoranda of Understanding (currently the [BRICS countries](#) and [Mexico](#)). Similarly, the Commission will continue its close cooperation in competition policy and in cases with [China's State Administration for Market Regulation \(SAMR\)](#). DG Competition's technical cooperation with the [Japanese, Korean, Indian, Chinese and ASEAN](#)<sup>44</sup> competition authorities will continue in 2022.

With regard to the [neighbourhood and enlargement candidate countries](#), the Commission will continue to assist these countries to create legislative frameworks with well-functioning operationally independent competition authorities that build up a solid enforcement record. The Commission will also continue to monitor the compliance of these countries with their commitments under the respective Stabilisation, Association and Enhanced Partnership and Cooperation agreements.

The Commission will continue its monitoring and assessment of UK subsidies under Art. 10 of the Ireland/Northern Ireland Protocol and the subsidy provisions in the EU-UK Trade and Cooperation Agreement.

Finally, the Commission aims at including provisions on competition and State aid control when negotiating [Free Trade Agreements \(FTAs\)](#). In 2022, the Commission will continue FTA negotiations with [Australia, Indonesia and New Zealand](#) as well as negotiations for an [Enhanced Partnership Agreement](#) with [Uzbekistan](#) and for a new Comprehensive Agreement with [Azerbaijan](#).

---

<sup>(44)</sup> Association of Southeast Asian Nations

## **Supporting major initiatives and objectives forming part of A Europe fit for the digital age**

DG Competition will ensure that major legislative and non-legislative initiatives of the Commission are fully aligned with the competition rules. DG Competition will contribute to the work on the envisaged [European Data Act](#)<sup>45</sup>, the [European Cyber Resilience Act](#)<sup>46</sup>, the planned [European Chips Act](#)<sup>47</sup>, the [European Media Freedom Act](#)<sup>48</sup> and a [Single Market Emergency Instrument](#).<sup>49</sup> The Commission also plans to adopt an [EU Space-based Global Secure Communication System](#)<sup>50</sup> and a [Roadmap on Security and Defence Technologies](#)<sup>51</sup>. These and other initiatives have potential competition implications and will therefore have to be in line with the EU competition rules.

## **General objective 3: An Economy that works for people**

### **Updating rules and policy guidance in support of An Economy that works for people**

In 2022, the Commission will finalise its [evaluation](#) in the area of [Services of General Economic Interest \(SGEI\)](#) in the health and social services sectors. A Staff Working Document will summarise the results of the evaluation which was carried out to determine whether the rules on health and social services of general economic interest meet their objectives under the 2012 services package<sup>52</sup>.

---

(<sup>45</sup>) See: [https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13045-Data-Act-&-amended-rules-on-the-legal-protection-of-databases\\_en](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13045-Data-Act-&-amended-rules-on-the-legal-protection-of-databases_en).

(<sup>46</sup>) In its 2022 Work Programme, the Commission states that it will publish a proposal for a a European cybersecurity resilience act in the third quarter of 2022.

(<sup>47</sup>) In its 2022 Work Programme, the Commission states that it will publish a proposal for a European Chips Act in the first half of 2022.

(<sup>48</sup>) In its 2022 Work Programme, the Commission states that it will publish a proposal for a European Media Freedom Act.

(<sup>49</sup>) In its 2022 Work Programme, the Commission states that it will publish a proposal for a Single Market Emergency Act.

(<sup>50</sup>) See: [https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13189-EU-space-policy-space-based-secure-connectivity-initiative\\_en](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13189-EU-space-policy-space-based-secure-connectivity-initiative_en).

(<sup>51</sup>) In their letter of intent of 15 September 2021 to European Parliament President David Maria Sassoli and Prime Minister Janez Janša, Ursula von der Leyen and Maroš Šefčovič announced that a roadmap on security and defence technologies would be among the key new initiatives of the European Commission for 2022.

(<sup>52</sup>) See: [https://ec.europa.eu/competition/state\\_aid/legislation/sgei.html](https://ec.europa.eu/competition/state_aid/legislation/sgei.html).

In 2022, the Commission will also launch an [evaluation of the State aid rules for banks](#)<sup>53</sup>. The results of the evaluation will indicate whether a future revision of the State aid rules for banks is needed, taking into account the outcome of the review of the wider bank crisis management framework that started in 2021.

## **Strengthening competition enforcement in support of An Economy that works for people**

### *State aid control facilitates aid in the common interest*

In 2022, the Commission will continue to examine evaluations of the impact of large national aid schemes involving [horizontal objectives in the common interest](#), which, to a large extent falls under the General Block Exemption Regulation (GBER). Numerous State aid instruments, such as the IPCEI communication, the R&D&I framework, the SGEI rules, or the R&R guidelines for companies in difficulty can contribute to these objectives and the economy working for people.

Preliminary discussions with a group of Member States for designing a potential IPCEI in the area of health related innovations, commenced in the latter part of 2021. It is expected that these discussions will intensify in 2022, once the specific market failures affecting the sector are clearly identified and agreed among the participating Member States. The Commission will continue to support, facilitate and guide such discussions.

### *Banking aid necessary to safeguard financial stability, while protecting competition*

In 2022, the Commission will continue assessing [public support in the financial sector](#), either for ailing banks to exit the market or for solvent banks to overcome a temporary liquidity strain or potential capital challenges under adverse scenarios.

### *State aid enforcement in the area of taxation: Taking actions against selective tax advantages*

The fight against [tax avoidance and tax evasion](#) remains high on the Commission's agenda, fair tax competition is essential for the integrity of the Internal Market and for keeping the level playing field for European companies.

The Commission will in 2022 finalise its pending formal investigations into the alleged aid granted by the Netherlands to Inter IKEA<sup>54</sup> and alleged aid granted by Luxembourg to Huhtamäki<sup>55</sup>. The Commission also intends continuing its investigations initiated in 2019,

---

(<sup>53</sup>) ANNEX to the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions A competition policy fit for new challenges, p.4, COM(2021) 713 final/2, 19.11.2021.

(<sup>54</sup>) See IP/17/5343 of 18 December 2017, [http://europa.eu/rapid/press-release\\_IP-17-5343\\_en.htm](http://europa.eu/rapid/press-release_IP-17-5343_en.htm).

(<sup>55</sup>) See IP/19/1591 of 7 March 2019, [https://ec.europa.eu/commission/presscorner/detail/en/IP\\_19\\_1591](https://ec.europa.eu/commission/presscorner/detail/en/IP_19_1591).

namely as regards alleged aid granted by the Netherlands to Nike<sup>56</sup>, as well the Starbucks case, which is still pending after the General Court annulled the Commission Decision<sup>57</sup>.

The Commission will also continue its [inquiry into all 27 Member States' ruling practices](#) for the years 2014 to 2018 as well as changes to Member States' national tax legislation.

Beyond the area of aggressive tax planning, the Commission will remain vigilant ensuring that Member States do not use [fiscal tools](#) to unduly favour certain companies/economic sectors or shelter national companies from international competition. For example, after having ensured that ports in the Netherlands, Belgium, France, Spain and Italy are subject to corporate income taxation, the Commission intends continuing its investigations in the remaining Member States where ports seem to benefit from corporate tax exemptions or mitigations.

The Commission will also continue to [provide guidance](#) to Member States and help them design tax measures that comply with State aid rules and limit discrimination and effects on competition to the minimum necessary. This will be done on the basis of the most recent case law in the area on corporate taxation<sup>58</sup> and beyond<sup>59</sup>.

### *Temporary support of the economy through COVID-19 aid*

In 2022, the Commission will continue to apply the [Temporary Framework for State aid](#)<sup>60</sup> to help target support to the economy in the context of the coronavirus outbreak, when and where necessary, while limiting negative effects for the Single Market. On November 18 2021, the Commission prolonged the Temporary Framework for State Aid until 30 June 2022 and allowed for the conversion of repayable instruments into other forms of aid until 30 June 2023.

State aid control in the [aviation sector](#) will continue to ensure that Member States are sufficiently equipped to make full use of the flexibility allowed under State aid rules in order to support the sector, which has been one of the most heavily impacted by the coronavirus outbreak. To ensure that specific remedies and behavioural commitments by two major airline companies who benefitted from recapitalisation aid (Lufthansa, Air France) will be honoured, the Commission will continue to monitor these commitments.

---

<sup>(56)</sup> See: IP/19/322 of 10 January 2019, [https://ec.europa.eu/commission/presscorner/detail/en/IP\\_19\\_322](https://ec.europa.eu/commission/presscorner/detail/en/IP_19_322).

<sup>(57)</sup> Joined Cases T-760/15, T-636/16, Kingdom of the Netherlands and Others v European Commission, ECLI:EU:T:2019:669.

<sup>(58)</sup> Cases C-51/19 P and C-64/19 P World Duty Free Group SA v Commission.

<sup>(59)</sup> See e.g. Case C-562/19 P, Commission v. Poland.

<sup>(60)</sup> Communication from the the Commission Temporary Framework for State aid measures to support the economy in the current COVID-19 outbreak, dopted on 19 March 2020 (C(2020) 1863) and its amendments C(2020) 2215 of 3 April 2020, C(2020) 3156 of 8 May 2020, C(2020) 4509 of 29 June 2020, C(2020) 7127 of 13 October 2020, C(2021) 564 of 28 January 2021, and C(2021) 8442 of 18 November 2021.

The Commission is dealing as a matter of priority with COVID-19 cases as well as with [rescue and restructuring aid](#) for companies whose difficulties pre-date the outbreak of the pandemic but have been aggravated by it.

As the EU is moving towards economic recovery, State aid control will also continue to accompany and facilitate the implementation of the national [Recovery and Resilience Plans \(RRPs\)](#) under the [Recovery and Resilience Facility \(RRF\)](#) to ensure that supported investment and reform projects are compatible with State aid rules. Member States will notify to the Commission measures that may entail State aid, and that do not fall under the General Block Exemption Regulation (GBER) or under an existing authorized scheme. To that end, DG Competition has published a Practical guidance to Member States for a swift treatment of State aid notifications in the RRF framework and will continue to provide guidance and templates to the Member States<sup>61</sup>.

### **Supporting major initiatives and objectives forming part of An Economy that works for people**

DG Competition will contribute to several major initiatives and objectives forming part of An Economy that works for people, building on the general market understanding stemming from competition cases and policy initiatives. This will include both legislative initiatives on [facilitating SMEs' access to capital through public listing, instant payments](#), as well as implementing the [OECD global agreement on re-allocation of taxing rights](#).

---

<sup>(61)</sup> [https://ec.europa.eu/competition/state\\_aid/what\\_is\\_new/practical\\_guidance\\_to\\_MS\\_for\\_notifications\\_under\\_RRF.pdf](https://ec.europa.eu/competition/state_aid/what_is_new/practical_guidance_to_MS_for_notifications_under_RRF.pdf)

## **PART 2. Modernising the administration: main outputs for 2022**

This part explains how DG Competition envisages to deliver in 2022 the planned outputs and results explained in the preceding part. In the last few years, DG Competition has invested in centralized support units and teams, which have become the backbone of the DG providing an essential service to the enforcement and policy-making parts of the DG.

Effective [human resource management](#) as well as [digital transformation](#) and [information management](#) are crucial functions in DG Competition supporting and securing the effective enforcement of competition policy and development of competition tools. Therefore, [the Digital Solutions Modernisation Plan](#), the significant upgrade of the case management systems and digital tools, supported by the Competition Programme, remain the highest priorities and major challenges for DG Competition in 2022.

In 2022, [the Competition Programme](#), under the Single Market Programme, will enable the Commission to modernise EU competition policy enforcement by investing in state-of-the-art IT tools (including AI) to better deter and detect infringements of competition rules. Moreover, the Competition Programme will allow investing in knowledge and expertise, strengthening the cooperation between the Commission and the Member States' competition authorities in all areas of EU competition law, ensuring strong global presence, and raising stakeholder awareness of EU competition policy.

[External communications actions](#) in 2022 will enhance competition policy advocacy and focus on highlighting the benefits of competition policy to a wide range of audiences through events with stakeholders and citizens, surveys, audio-visual, print, and internet media and by strongly integrating communications in the DG's policy processes.

In 2022, DG Competition will continue to perform its [sound environmental activities](#) in line with the Commission's objectives, laid down in the European Green Deal for its own administration and according to the Eco-Management and Audit Scheme (EMAS).

The [internal control framework](#)<sup>62</sup> supports sound management and decision-making. It notably ensures that risks to the achievement of objectives are taken into account and reduced to acceptable levels through cost-effective controls. DG Competition has established an internal control system tailored to its particular characteristics and circumstances now also including the Competition Programme. The effective functioning of the service's internal control system will be assessed on an ongoing basis throughout the year and be subject to a specific annual assessment covering all internal control principles.

### **A. Human resource management**

DG Competition will elaborate on the main actions for 2022 to improve human resource management. As a priority, DG Competition will ensure that its resources are effectively allocated to the priorities set, especially in view of the new work streams on the Digital

---

<sup>(62)</sup> [Communication C\(2017\)2373 - Revision of the Internal Control Framework](#)

Market Act and the Foreign subsidies, as well as on the ongoing work streams related to the implementation of the Recovery and Resilience Facility, notably the assessment of reforms and investments included in the national Recovery and Resilience Plans and requiring State aid notifications, the COVID-19 related enforcement work, and the numerous competition policy initiatives. To achieve an effective resource allocation, DG Competition and its senior management will continue to use the matrix structure of DG Competition which allows for a flexible and effective allocation of resources across units, directorates and instruments.

Further to its adoption in 2021, DG Competition will continue to implement the action plan of the local HR strategy in 2022, in coordination with the upcoming indications flowing from the corporate HR strategy as well as the results from the 2021 staff survey. The main actions to be implemented in 2022 will be:

- Career development and guidance: conducting entrance, career development and exit interviews as well as to relaunch the career guidance pool;
- Career development: organise internal job shadowing programme as well as exchange programmes with interested DGs;
- 180° feedback development exercise for DG Competition’s senior management and respective follow-up courses; and
- Local fit@work and well-being activities, tailor-made to the DG’s need.

Moreover, in addition to the Female Talent Development Programme organised at corporate level, DG Competition will be launching its own talent development programme for female colleagues who aspire to move to a managerial position at some time in their career.

Finally, also in 2022 and beyond, DG Competition is committed to giving all staff members the same opportunities independent of their background and undertakes to respect the principle of non-discrimination in all its forms and at all stages of human resources management. In this regard DG Competition will develop an Equality Mainstreaming Workplan which will include inter alia trainings on awareness raising.

**Objective:** DG Competition employs a competent and engaged workforce and contributes to gender equality at all levels of management to effectively deliver on the Commission’s priorities and core business.

**Main outputs in 2022:**

Output	Indicator	Target
Entrance, career development and exit interviews	Percentage of the respective staff interviewed	100%
180° feedback development exercise for DG Competition’s senior management	Participation level of senior managers	100%

<b>Output</b>	<b>Indicator</b>	<b>Target</b>
Implementation of initiatives aimed at increasing the number of female candidates to middle management position	First female appointments to middle management	DG Competition was assigned a quota of two first female appointments by 2022 <sup>63</sup> . Baseline: 20 women out of 44 middle managers (45%) on 1 December 2019

## **B. Sound financial management**

Since 2021, the Multiannual Financial Framework includes a dedicated programme for competition (Competition Programme), within the Single Market Programme. In addition, DG Competition has a modest administrative budget that covers administrative costs in support of DG Competition’s operations, such as missions and advisory committees.

Both the operational and the administrative budget (together around 23 million euro) will be under direct centralised management and procurement is the main spending mode. Therefore, financial management will continue not to be a critical challenge for the DG’s operations.

The Competition Programme is implemented through actions directly linked to competition policy initiatives and enforcement (including procurement for studies, expert support, meetings, workshops and conferences), to Member State cooperation and international cooperation, as well as through cross cutting support actions (such as investments in digital business solutions, information and data purchases, and communication actions). As spending under the programme is inherently linked to the policy and enforcement objectives (outlined in the first part of this Management Plan), DG Competition will focus on matching those strategic objectives and the programme objectives in the spending actions. In implementing the Competition Programme DG Competition will ensure that it maintains the required legality and regularity of transactions, effective budget execution, and payment times within the contractual limits and that the share of estimated cost of controls does not increase.

---

<sup>(63)</sup> The target will be reviewed for the period 2023-2024 by January 2023.



**Objective:** The authorising officer by delegation has reasonable assurance that resources have been used in accordance with the principles of sound financial management and that cost-effective controls are in place which give the necessary guarantees concerning the legality and regularity of underlying transactions.

**Main outputs in 2022:**

<b>Output</b>	<b>Indicator</b>	<b>Target</b>
Effective controls: Legal and regular transactions	Risk at payment	remains < 2% of relevant expenditure
	Estimated risk at closure	remains < 2% of relevant expenditure
Efficient controls	Time-to-pay	remains >90% of payments (in value) on time
Economical controls	Overall estimated cost of controls	remains < 8% of funds managed
Safeguarded assets	Value of the rights concerned (Commission decisions)	Error rate remains 0
Safeguarded information	Staff awareness of security rules: % of active staff confirm being aware of confidentiality obligations.	100%

**C. Fraud risk management**

In 2022, DG Competition will continue implementing its Anti-Fraud Strategy, which covers both spending and non-spending activities. Particular attention will be devoted to maintaining a robust ethical culture and applying the Commission ethics guidance, so that staff understands fraud risks and is able to detect and report potential fraud. This will be done through training newcomers and providing relevant information to all staff on ethics, anti-fraud and security matters. Anti-fraud risk will be assessed as part of the internal control risk assessment exercise. DG Competition will also continue to participate in the Commission’s Fraud Prevention and Detection Network.

**Objective:** The risk of fraud is minimised through the application of effective anti-fraud measures and the implementation of the Commission Anti-Fraud Strategy (CAFS)<sup>64</sup> aimed at the prevention, detection and correction<sup>65</sup> of fraud.

**Main outputs in 2022:**

Output	Indicator	Target
Anti-fraud risks and controls are assessed	The fraud risk assessment is made as part of the annual risk assessment exercise.	[Y]
All newcomers follow ethics training	% of newcomers that attended the corporate or specific DG Competition training on ethics	100%

## D. Digital transformation and information management

The section on digital transformation and information management will detail the expected actions for 2022 in accordance with the four clusters defined in DG Competition’s Digital Modernisation Plan: case management solutions, digital interactions with external stakeholders, data and artificial intelligence solutions. These activities are based on concrete and specific needs of DG Competition and are selected based on their potential to increase enforcement capacity and efficiency in general. This will help us in our enforcement work but also in evaluating and reviewing EU competition rules to ensure that competition rules remain fit for purpose and fully able to deal with the green and digital transition and global challenges.

### ***Document and information management, including data protection***

Document and information management is essential to the mission of DG Competition since competition enforcement must be based on solid factual evidence. DG Competition will continue investing in centralized support to business users/case teams and on a gamut of work streams. Improvements in document management will continue being implemented, notably within the electronic Case Management Information systems.

In 2022, the processing of large volume submissions (millions of documents) collected in the context of Competition investigations will continue to be a big challenge for the DG. Improvement of the technical capacity to process those submissions has already started at the end of 2021 with a view to absorbing the ever-growing inflow. At the beginning of 2022 an in-depth analysis of the whole process from submission to ingestion into eDiscovery tools will be carried out in order to further develop state of the art tools (see

<sup>(64)</sup> Communication from the Commission ‘Commission Anti-Fraud Strategy: enhanced action to protect the EU budget’, COM(2019) 196 of 29 April 2019 – ‘the CAFS Communication’ – and the accompanying action plan, SWD(2019) 170 – ‘the CAFS Action Plan’.

<sup>(65)</sup> Correction of fraud is an umbrella term, which notably refers to the recovery of amounts unduly spent and to administrative sanctions.

also the section on Digital transformation below) and to accelerate the speed and efficiency of investigations.

Maintaining compliance in 2022 of its data processing operations with the Commission data protection rules (Regulation 2018/1725), Data Protection Action Plan (C(2018)7432) and DG Competition specific Decision concerning competition files (C(2018)8109) is a priority for the DG.

In 2022, DG Competition will continue to monitor data processing activities in the DG to ensure that compliance. For this purpose, the data protection coordination team will pursue awareness raising actions with DG Competition staff, including information points during management and/or Directorate/unit meetings, inclusion of data protection in the internal training sessions for newcomers or experienced staff, and, where relevant, integration of personal data protection elements in DG Competition manuals of procedure.

### ***Advocacy and outreach supporting competition policy***

DG Competition's external communications Strategy aims to support the Executive Vice President's goal of pursuing pro-active communication that is clear, consistent and continuous. In 2022, DG Competition will intensify its outreach activities explaining how competition policy contributes to the recovery of the EU economy and to the green and digital transitions, as well as other priorities of the von der Leyen Commission.

These outreach activities include the Young Experts conference "Taking Competition Policy into the Future" that will take place on 3 February 2022 and the conference "Making markets work for people" in the autumn of 2022.

DG Competition will also commission Eurobarometer flash reports on citizens' and businesses' perception on the relevance of competition policy for the recovery, a vibrant EU economy and for a just and fair society. These reports will feed into the debate that, amongst other, will take place at the autumn 2022 conference "Making markets work for people".

In preparation, support and follow up of the two conferences mentioned above, DG Competition's senior managers will increase their presence at major industrial and political fora, as well as their interaction with major stakeholders. These will lead to an increase in the number of missions.

Finally, DG Competition will increase and enhance its audio-visual production capabilities and the scope of its current activities on social media by modernising the existing audio-visual equipment, outsourcing the most complex audio-visual productions and launching DG Competition's LinkedIn account in January 2022.

### ***Knowledge management***

In 2022, DG Competition will continue investing in knowledge management, that is to say methods to share knowledge and preserve the "institutional memory" of the institution. The

centre-piece of DG Competition's knowledge management is COMPWiki, DG Competition's knowledge-sharing platform.

In 2022, a new section on outreach will be created in COMPWiki. This section will group the resources available that are relevant to the preparation of outreach missions: speeches of the Executive Vice-President and the Director General, country specific information and practical information on the steps to follow for the internal approval and organisation of missions. The existing section on databases will also be significantly revamped in order to ensure that the data available is easily accessible and efficiently used across the Directorate General. The section on policy projects will be further developed in order to preserve and share the knowledge acquired through the unprecedented policy review that started in 2022. Finally, the production of Lessons Learnt notes at the end of every significant case and Court Flash reports on significant rulings of the European Courts will be incentivised.

### ***Digital transformation***

DG Competition considers digital transformation as one of the key priorities for 2022 and works on the implementation of its Digital Solutions Modernisation Plan. In addition, digital transformation contributes to the implementation of a number of crosscutting initiatives namely: i) enhancing the effectiveness of antitrust enforcement; ii) simplifying Merger procedures; iii) updating guidelines in the State Aid area; and, iv) implementing forthcoming legislation concerning Foreign Subsidies control and the Digital Markets Act. In 2022, DG Competition will concentrate its efforts on actions to increase enforcement capacity as follows:

#### ***Increase efficiency of case handling with a one-stop-shop digital solution, CASE@EC***

DG Competition is leading the work to modernise the Case Management business domain at the Commission by delivering a new digital solution, CASE@EC. At DG Competition, this solution will progressively replace the patchwork of legacy case and document management applications. Building on the rollout of CASE@EC State Aid in 2021, the focus will shift to implementing CASE@EC for Horizontal Projects and all Antitrust/Cartels cases and analyse Merger processes. Also, support for Digital Markets Act and Foreign Subsidies will be added for the entry into force of these two new instruments.

Overall, it is expected that CASE@EC will provide efficient support to case teams' handling of case documents and related tasks.

#### ***Digital exchanges with Member States' administrations, companies and citizens***

To better support and digitise communication and collaboration processes with its external stakeholders, DG Competition continues to improve its ecosystem of digital solutions that enable compliance with, and enforcement of, EU competition rules. In 2022, DG Competition will:

- Improve the State Aid digital solutions (GENIS), the platform to communicate securely with the European Competition Network in the context of Antitrust and Mergers proceedings (ECN2) and the digital solution for leniency applications (eLeniency).
- Digitise negotiations on confidentiality claims (eConfidentiality) and Requests for Information (eRFI). It is expected that both new systems, eConfidentiality and eRFI, will bring net benefits to Mergers and Antitrust/Cartel case teams by reducing the time spent on interactions with external stakeholders, reduce the error rate and increase the quality of information processing;
- Progress on the revamp the publication of case data on EUROPA to increase openness towards citizens and other external stakeholders, and;
- Kick-off the implementation of a new Notification portal, starting with Merger Notifications, in support to the Merger Simplification package.

### ***Contribute to increase the speed and efficiency of investigations and proceedings***

In 2022, DG Competition will continue to implement the Commission corporate data governance and data policies with the pilot in the State aid area. DG Competition will also continue to actively participate as a member of the corporate governance board IMSB (Information and Management Steering Board) and the network of Local Data Correspondents (LDCs).

By extracting relevant data quickly, providing digital tools and processes to review large amounts of evidence more efficiently, identifying potentially important pieces of information first, and visualising information in a user-friendly way, DG Competition will develop further its capacity using open-source intelligence and other intelligence-gathering tools.

DG Competition faces an exponential increase in the volume of electronic communications with parties, of electronic evidence, as well as more complex and demanding IT in a data driven world. In order to increase its enforcement capacity, DG Competition needs innovative artificial intelligence-based solutions to serve all instruments and competition policy. In 2022, DG Competition will deliver:

- A basic data space for competition enforcement, making high-value data sets available (i) for operational units to address competition enforcement needs, and (ii) enabling the effective application of innovative new solutions for all instruments. DG Competition's data space will run on a combination of powerful, secure data infrastructure on premise and in the cloud;
- A revamped eDiscovery (document review solution) with advanced search/filtering functions and classification using machine learning. This will improve the accuracy of the document review processes and reduce the time and resources involved in the process;
- The advanced data/machine learning (ML) and Technology Assisted Review (TAR) services cell will work with case and policy teams to solve specific or particularly complex data tasks for all instruments;

- Maintain and enhance Forensic IT and investigative capabilities to detect and sanction anticompetitive conduct; and,
- Dashboards to improve the visualisation of complex information for decision-making.

In 2022, DG Competition will analyse sustainable solutions to reform the handling of large volume case related submissions, oral statements and access to file on-premise processes. The Commission will also start a reflection to assess whether the Commission's investigative measures could be further optimised for a more effective competition enforcement in the digital age.

DG Competition will reinforce its data governance in line with Commission-wide principle, gearing at improved data standardisation, a harmonised description and overview of data assets to foster usability and interoperability.'

DG Competition will continue to invest into the **protection of its digital assets from cyber-attacks and further bolster IT security**. Given its highly sensitive and confidential nature, DG Competition's information, its staff and digital solutions constitute a prized target for cyberattacks. In order to address and mitigate this risk, DG Competition in 2022 will continue to develop and update security plans for all new and existing digital solutions and implement the necessary safety measures and monitoring.

**Objective:** DG Competition is using innovative, trusted digital solutions for better competition enforcement, information management and administrative processes to forge a truly digitally transformed, user-focused and data-driven Commission in the competition domain and beyond

**Main outputs in 2022:**

Output	Indicator	Target
CASE@EC: digital solution for State Aid, Horizontal Projects, Digital Market Act and Foreign subsidies cases	Degree of implementation of the digital solutions modernisation plan: case management solutions (CASE@EC)	68,75%
Solutions for confidentiality claims (eConfidentiality) and requests for information (eRFI) Improvements to State Aid solutions, secure exchange platform for Mergers and Antitrust and Leniency statements solution Merger Notification Portal	Degree of implementation of the digital solutions modernisation plan: exchanges with external stakeholders (aggregated)	73%
Data tools and support for case teams to speed up investigations and proceedings,	Degree of implementation of the digital solutions modernisation plan: data analytics/artificial intelligence (aggregated)	62,5%

Enhanced eDiscovery solutions: advanced search and document review (NLP, machine learning), Dashboards for management, Basic data space for competition enforcement		
Data governance for State aid	Percentage of DG Competition key data assets for which corporate principles for data governance have been implemented	25%
New information systems (going into production in a given year) have a security plan and/or a security risk assessment to safeguard information <sup>66</sup>	Percentage of new information systems (going into production in a given year) having a security plan and/or a security risk assessment	100%
All newcomers follow data protection training	Percentage of newcomers attending awareness raising activities on data protection compliance	100%
Implementation of the corporate principles for data governance for (the service's) key data assets	Percentage of implementation of the corporate principles for data governance for (the service's) key data assets	Interim milestone by 2022: 50%

## E. Sound environmental management

In 2022, DG Competition will continue to perform its sound environmental activities in line with the Commission's objectives, laid down in the European Green Deal for its own administration and according to the Eco-Management and Audit Scheme (EMAS). It shall contribute to reduced building's energy consumption, CO<sub>2</sub> emissions, waste generation, water use and office paper consumption.

In line with the Commission's strategy to be climate neutral by 2030 DG Competition shall use the channels for internal communication and work to:

- Encourage general waste reduction through making its staff aware of the proper use of the waste sorting stations; promote waste-sorting events and practices;
- Leverage the successfully deployed use of videoconferencing and collaborative platforms to organise online or hybrid meetings whenever possible;
- Promote greener means of transport, use of public transport and green mobility for commuting staff, and the VeloWalk initiative;

<sup>(66)</sup> Contained in IT Risk file. IT Risks and mitigating actions are discussed by the DG Competition governance body for IT (DIT) and documented in the IT Risk Register.

- Endorse paperless collaboration using the COMPcollab platform and, when adapted to the sensitivity of the documents of DG Competition, encourage the use of the fully functional M365 suit; and,
- Contribute to the circular economy through co-organising actions supporting the circular economy and e-waste reduction in cooperation with OIB, IAS and other DGs.

**Objective:** DG Competition takes account of its environmental impact in their actions and actively promotes measures to reduce the related day-to-day impact of the administration and its work, with the support their respective EMAS Correspondents/EMAS Site Coordinators.

**Main outputs in 2022:**

**DG Competition specific actions**

Output	Indicator	Target
Functional DG Competition EMAS Team.	Further fostering of the DG Competition EMAS Green Team with volunteers and ambassadors in the DG Competition ecosystem	(1) Two meetings per year (2) Defining responsibilities and fields of action of the team members
Promote the EMAS corporate campaigns – Development and implementation of a DG Competition EMAS action plan.	(1) Adoption of the DG Competition EMAS plan (2) Implementation of the DG Competition EMAS plan by the volunteers and ambassadors	(1) Adoption of the plan: Q1 2022 (2) Implementation of at least 50% of the defined actions by the end of 2022

**I. More efficient use of resources (energy, water, paper):**

Output	Indicator	Target
Staff awareness actions to reduce energy use in the framework of EMAS corporate campaigns and/or awareness actions about DG's total energy consumption.	Number of actions <sup>67</sup>	2
Participation in the end of the year energy saving action, by closing down DG's buildings during the Christmas and New Year's holiday period.	% of buildings participating	80%
Paperless working methods at DG level (such as paperless working: e-signatories, financial circuits, collaborative working tools) and staff awareness actions to reduce office paper use in the framework of EMAS corporate campaigns and/or raise awareness about DG's office paper use.	Number of actions	2
	Number or % of staff informed	100%
	Number of new actions introduced	2
	Reducing the prints per person	40%

<sup>(67)</sup> Indicative actions include local staff awareness actions (e.g. info-fairs) and messages by senior management.



## II. Reducing CO<sub>2</sub>, equivalent CO<sub>2</sub> and other atmospheric emissions

Output	Indicator	Target
Staff awareness actions on reducing GHG emissions (such as actions on sustainable commuting during EU Mobility week and VeloWalk corporate events) and raise staff awareness on sustainable commuting in collaboration with OIB (e.g. availability of bike parking facilities, lockers and showers, promote the reduction of parking spaces' use amongst staff).	Number or % of staff informed	100%
	% of staff participating in VeloWalk <sup>68</sup>	100% increase of staff participating in VeloWalk
Gradual increased use (and number of) VC <sup>69</sup> meeting rooms for meetings with stakeholders (avoiding business trips) in the DG, in collaboration with DG SCIC and OIB.	Number of VC meeting rooms	14
Staff awareness on digital pollution and gradual change of behaviours avoiding heavy emails, encouraging the use of ICT platforms, avoiding unnecessary storage of data.	Number of events promoted/organised	1

## III. Reducing and management of waste

Output	Indicator	Target
Staff awareness actions about waste reduction and sorting in the framework of EMAS corporate campaigns and staff awareness actions about DG's waste generation. In collaboration with OIB issuing a satisfactory survey for staff, analysing its results and reflecting on them.	% of staff informed	100%
	Reduce waste generation	40%
	Number of actions promoted/organised	2

## IV. Supporting biodiversity

Output	Indicator	Target (2019 as baseline)
Staff awareness actions on supporting biodiversity (for example for urban sites, sponsor	Number of actions promoted/organised	1

<sup>(68)</sup> Scope of the indicator changed in 2021 (new baseline 2021).

<sup>(69)</sup> VC (Videoconferencing) room

<b>Output</b>	<b>Indicator</b>	<b>Target (2019 as baseline)</b>
the creation and maintenance of urban gardens, insect hotels and green roofs within EC-premises with the support of volunteers)	Assess feasibility for such action in the premises of DG Competition	Defined feasibility and scope in dialog with OIB and IAS

## **F. Initiatives to improve economy and efficiency of financial and non-financial activities**

The Commission recognises digital transformation as one of the key political priorities both in terms of driving change in markets and enabling public sector modernisation, where the Commission itself needs to lead by example. In line with the Commission DataStrategy@EC to harness data-related or data-dependent capability, including access to new data sources, DG Competition plans to conclude, in 2022, a targeted cooperation with ESTAT in the form of a Memorandum of Understanding (MoU), setting out a framework for future cooperation, the technical areas of co-operation and the type of service by ESTAT to which it would apply and the procedures to be followed.

## ANNEX I: Performance tables


### General objective 1: European Green Deal

#### **Specific objective 1: State aid control contributes to environmental protection, renewables and energy savings**

*Related to spending programme: Programme for single market, competitiveness of enterprises, including small and medium-sized enterprises, and European statistics*

#### Main outputs in 2022:

#### Initiatives linked to regulatory simplification and burden reduction

Output	Indicator	Target
Revision of the State Aid General Block Exemption Regulation (GBER) in light of the Green Deal 	Adoption	Q2 2022
Enforcement actions		
Output	Indicator	Target
State aid expenditure to environmental protection, renewables and energy savings	Total State aid expenditure for environmental protection, renewables and energy savings as a percentage of total State aid in the EU	Increasing trend
Enforcement of EU State aid control	Number of opening decisions per year	No target




### General objective 2: A Europe fit for the digital age





#### **Specific objective 2.1: Updated rules and policy guidance in support of A Europe fit for the digital age, including tackling systemic competition in the platform economy and beyond**

*Related to spending programme: see above under 1*

#### Main outputs in 2022:

#### New initiatives

Output	Indicator	Target
Regulation on Digital Markets Act 	Adoption	Q2 2022
Initiatives linked to regulatory simplification and burden reduction		
Output	Indicator	Target
Revision of the Vertical Block Exemption Regulation and of the vertical guidelines 	Adoption	Q2 2022
Revision of the horizontal block exemption regulations and of the horizontal guidelines 	Adoption	Q4 2022

Output	Indicator	Target
Revision of certain procedural aspects of EU merger control 	Adoption	Q4 2022
Revision of the Notice on market definition 	Adoption	Q4 2022
Guidelines for State aid to the Agricultural and Forestry Sectors and in Rural Areas and Agricultural Block Exemption Regulations (ABERs) 	Adoption	Q4 2022
Fisheries Guidelines, Block Exemption Regulation (FIBER) and Regulation on de minimis 	Adoption	Q4 2022

### Evaluations and fitness checks

Output	Indicator	Target
Sector inquiry on IoT	Publication of final report	Q2 2022
Evaluation SGEI Rules for health and social services	Publication of evaluation results Staff Working Document	Q1 2022

### External communication actions


Output	Indicator	Target
ECN Advocacy and Communication Meeting Advocating for Competition in a Time of Transitions	Number of Member States participating in the meeting	27 Member States
Conference of Young Experts	Number of registered participants	400 registered participants
Conference on “Making markets work for people”	Number of registered participants	1000 registered participants
Eurobarometer Surveys on citizens’ and businesses’ perception on the relevance of competition policy for the recovery and a vibrant EU economy	Uptake of the results publication	Q4 2022 3000 visits to the COMP website referring to the results of the survey

### **Specific objective 2.2: State aid State aid control contributes to high performant broadband network**

*Related to spending programme: see above under 1*

### **Main outputs in 2022:**

#### **Initiatives linked to regulatory simplification and burden reduction**

Output	Indicator	Target
Revised State aid guidelines for broadband networks 	Adoption	Q2 2022

<b>Enforcement actions</b>		
<b>Output</b>	<b>Indicator</b>	<b>Target</b>
Commission decisions authorising State aid for broadband measures	Number of the Commission decisions per year	Stable trend
<b>External communication actions</b>		
<b>Output</b>	<b>Indicator</b>	<b>Target</b>
Commission giving trainings within the Broadband Competence Offices (BCO) network.	Number of trainings given per year	Stable trend
<b>Specific objective 2.3: Strengthening competition enforcement in support of A Europe fit for the digital age</b>		
<i>Related to spending programme: see above under 1</i>		
<b>Main outputs in 2022:</b>		
<b>Enforcement actions</b>		
<b>Output</b>	<b>Indicator</b>	<b>Target</b>
Enforcement of antitrust rules	Number of the Commission decisions per year (intervention rate) <sup>70</sup>	No target
Effective support to NCAs on individual cases with a view to ensure coherent and effective application of Articles 101 and 102 TFEU	Number of envisaged enforcement decisions and similar case consultations in the European Competition Network (ECN)	No target
	Implementation rate of comments on envisaged decisions received from the NCAs pursuant to article 11.4 of Regulation (EC) No 1/2003.	No target
	Time to reply to NCAs pursuant to article 11.4 of Regulation (EC) No 1/2003	Within 30 days or as otherwise agreed with the NCA
Enforcement of EU merger control	Number of the Commission decisions per year	No target
	Number of the Commission decisions per year in a simplified procedure per year	No target
	Intervention rate <sup>71</sup>	No target

<sup>(70)</sup> Intervention rate consists of antitrust interventions (decisions) by the Commission. In 2021, 18 interventions by the Commission included 7 antitrust decisions (1 commitment decision, 5 cooperation decisions, and 1 prohibition decision), 11 cartel prohibition decision (4 settlement decisions and 7 prohibition decision).

<sup>(71)</sup> Intervention rate indicator includes the Commission's prohibition decisions and mergers approved subject to commitments, as well as withdrawals during second phase investigation (in-depth investigation by the Commission).

Output	Indicator	Target
	Ratio of the Commission merger decisions adopted in a simplified procedure	Stable trend
Enforcement of EU State aid control	Number of opening decisions per year	No target
	Adoption of Commission decisions in the field of State aid in accordance with EU State aid rules	No target
Monitoring of schemes in the field of State aid	Number of aid schemes subject to ex-post monitoring	Around 50
Prevention and recovery of incompatible aid	Adoption of recovery decisions in the field of State aid in accordance with EU State aid rules	No target

### General objective 3: An Economy that works for people

#### **Specific objective 3.1: State aid control facilitates aid in the common interest**

*Related to spending programme: see above under 1*

#### **Main outputs in 2022:**

##### **Enforcement actions**

Output	Indicator	Target
State aid falling under the GBER	State aid scoreboard value	Increasing trend

#### **Specific objective 3.2: Banking aid necessary to safeguard financial stability, while protecting competition**

*Related to spending programme: see above under 1*

#### **Main outputs in 2022:**

##### **Enforcement actions**

Output	Indicator	Target
State aid enforcement in the financial sector	Number of Commission decisions adopted	No target

#### **Specific objective 3.3: Temporary support of the economy through COVID-19 aid**

*Related to spending programme: see above under 1*

#### **Main outputs in 2022:**

##### **Enforcement actions**

Output	Indicator	Target
Commission decisions adopted based on the State aid Temporary Framework to support the economy in the context of the COVID-19 outbreak, based on Article 107(3)(b) of the Treaty on the Functioning of the European Union	Number of Commission decisions adopted in 2022	No target

<b>Output</b>	<b>Indicator</b>	<b>Target</b>
Commission guidance provided to the market participants in the field of antitrust in the context of the COVID-19 outbreak	Number of comfort letters adopted per year in 2022	No target
Amount of COVID-19 aid	Aid granted under the Temporary Framework (Article 107(3)(b)) and Article 107(2)(b)	Decreasing (2022)
Commission decisions related to reforms and investments included in Member States' recovery and resilience plans	Number of Commission decisions adopted	Increasing (2022)

## ANNEX II: Digital Transformation indicators calculation

### 1. Calculation for Case management solutions (CASE@EC)

ID	Principle	Baseline 2019	2021	Interim milestone 2022	Target 2024
5.3	Agile	0	0	1	1
5.2	Data driven	0	1	1	2
5.1	User centric	1	1	1	2
4.2	Cross border	N/A	N/A	N/A	N/A
4.1	Interoperability	0	1	2	2
3.2	Transparency	N/A	N/A	N/A	N/A
3.1	Openness	N/A	N/A	N/A	N/A
2.2	Privacy	1	1	2	2
2.1	Security	1	1	2	2
1.2	Once only	0	1	1	2
1.1	Digital by default	0	1	1	2
	<b>Average</b>	<b>18,75%</b>	<b>43,75%</b>	<b>68,75%</b>	<b>95%</b>

### 2. Calculation for Digital interactions with external stakeholders

ID	Principle	Baseline 2019	2021	Interim milestone 2022	Target 2024
5.3	Agile	1	1	1	2
5.2	Data driven	1	1	1	2
5.1	User centric	1	2	2	2
4.2	Cross border	1	1	1	2
4.1	Interoperability	1	1	2	2
3.2	Transparency	1	1	1	2
3.1	Openness	1	1	1	2
2.2	Privacy	1	1	2	2
2.1	Security	1	1	2	2



ID	Principle	Baseline 2019	2021	Interim milestone 2022	Target 2024
1.2	Once only	1	1	1	2
1.1	Digital by default	1	2	2	2
	<b>Average</b>	<b>50%</b>	<b>68,18%</b>	<b>73%</b>	<b>100%</b>

### 3. Calculation for data and artificial intelligence for competition enforcement

ID	Principle	Baseline 2019	2021	Interim milestone 2022	Target 2024
5.3	Agile	0	1	1	2
5.2	Data driven	1	1	1	2
5.1	User centric	0	1	1	2
4.2	Cross border	N/A	N/A	N/A	N/A
4.1	Interoperability	0	0	1	2
3.2	Transparency	N/A	N/A	N/A	N/A
3.1	Openness	N/A	N/A	N/A	N/A
2.2	Privacy	1	1	2	2
2.1	Security	1	1	2	2
1.2	Once only	0	0	1	2
1.1	Digital by default	0	0	1	2
	<b>Average</b>	<b>18,75%</b>	<b>37,5%</b>	<b>62,5%</b>	<b>100%</b>