



Management Plan 2023

DG COMPETITION

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Introduction

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 competition culture in the EU and worldwide***. DG Competition does this by enforcing EU competition rules and by ensuring that other regulatory initiatives take competition policy duly into account among other public policy interests. Competition policy is an indispensable element of a well-functioning Single Market ensuring that all companies compete fairly on their merits and on equal and non-discriminatory 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 2023 to achieve the objectives set out in DG Competition's Strategic [Plan 2020-2024](#). These outputs will contribute to the Commission's headline ambitions 'A European Green Deal', 'A Europe fit for the digital age', and 'An economy that works for people'¹.



In 2023, DG Competition will also continue to work towards convergence of competition rules and their enforcement in jurisdictions across the world. The bilateral and multilateral cooperation and enforcement of EU competition rules reinforces the EU's overall support and promotion of a rules-based international world order.

The year ahead will be another challenging year for DG Competition, significantly stretching its capacities and human resources. While the impact of the COVID-19 pandemic in the EU is subsiding and the phasing out of the [Temporary Framework for State aid measures](#)² will continue in 2023, DG Competition will continue to request up-to-date information from Member States about their use of the COVID-19 related State aid measures and their opinion on the Temporary Framework. The relationship between COVID-19 State aid spending and its impact on GDP shows that Member States' intervention in the economy was proportionate to the economic losses incurred by the pandemic, minimising distortions of competition across Member States.

¹ As set by Ursula von der Leyen, "A Union that strives for more. My agenda for Europe" Political Guidelines for the next European Commission 2019-2024. See https://ec.europa.eu/commission/sites/beta-political/files/political-guidelines-next-commission_en.pdf.

² Communication from the Commission: Temporary framework for State aid measures to support the economy in the current COVID-19 outbreak (OJ C 91I, 20.3.2020, p. 1), as amended by Commission Communications C(2020) 2215 (OJ C 112I, 4.4.2020, p. 1), C(2020) 3156 (OJ C 164, 13.5.2020, p. 3), C(2020) 4509 (OJ C 218, 2.7.2020, p. 3), C(2020) 7127 (OJ C 340I, 13.10.2020, p. 1), C(2021) 564 (OJ C 34, 1.2.2021, p. 6) and C(2021) 8442 (OJ C 473, 24.11.2021, p. 1).

To mitigate the economic impact of [Russia's aggression against Ukraine](#) and to support severely impacted companies and sectors, the Commission will continue to enable Member States to use the flexibility of the State aid rules to tackle the unprecedented situation, while protecting competition on fair and equal terms in the Single Market. Following the adoption of amendments to the [Temporary Crisis Framework](#)³, the Commission will remain vigilant and continue to adapt these rules, where necessary, as the situation evolves in 2023.

A major task for DG Competition in 2023 is the implementation of the [Digital Markets Act \(DMA\)](#)⁴. This new instrument complements the regulatory toolbox of the Commission in the digital sector and grants enforcement and investigative powers to the Commission. Therefore, the DMA will be a major new work stream for DG Competition in 2023, and beyond, requiring a new operational directorate tasked with enforcing the Act as well as preparing the adoption of a number of implementing decisions. In 2023, DG Competition will also continue to prepare for the enforcement of the [Foreign Subsidies Regulation](#)⁵, including guidance documents on specific elements of the regulation.

In 2023, the Commission will continue its [unprecedented policy review](#) making sure that all competition instruments – mergers, antitrust and State aid control – remain fit for the future and take account of the EU's green, digital, recovery, and resilience priorities.⁶ DG Competition will also continue its [vigorous enforcement](#) of the competition rules in all sectors by using all enforcement instruments at its disposal. [External communication](#) and [outreach activities](#) will support competition policy advocacy highlighting the benefits of a strong and effective competition policy and enforcement to a wide range of audiences, including the other EU Institutions, Member States, and other stakeholders.

One of DG Competition's main enforcement challenges in 2023 and beyond is to keep pace with rapid technological developments. In 2023, DG Competition will create the position of [Chief Technology Officer \(CTO\)](#) to head a centre of excellence for digital tools and data science. Competition policy enforcement and market monitoring are increasingly data driven and resource consuming over time. Under the leadership of the CTO, DG Competition will continue to apply and develop its [digital strategy](#) and continue to upgrade its case management systems and support policy projects financed by the [competition policy component](#) included in the overall Single Market Programme.

³ Communication from the Commission Temporary Crisis Framework for State Aid measures to support the economy following the Aggression against Ukraine by Russia, (OJ C 131 I, 24.3.2022, p.1), as amended by Commission Communications C(2022) 5342 (OJ C 280, 21.7.2022, p.1) and C(2022) 7945 (OJ C 426, 9.11.2022, p.1). See State of the Union address 14.9.2022, p. 8 by President von der Leyen. https://state-of-the-union.ec.europa.eu/system/files/2022-09/SOTEU_2022_Address_original_version.pdf.

⁴ Regulation (EU) 2022/1925 of the European Parliament and of the Council of 14 September 2022 on contestable and fair markets in the digital sector and amending Directives (EU) 2019/1937 and (EU) 2020/1828 (Digital Markets Act), OJ L 265, 12.10.2022, p. 1-66.

⁵ Commission proposal COM(2021) 223 final of 5 May 2020.

⁶ Commission Communication of 18 November 2021 "A competition policy fit for new challenges" COM(2021) 713 final.

PART 1. Delivering on the Commission's priorities: main outputs for 2023

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 as well as the climate targets for 2030 and 2050.

Updating rules and policy guidance supporting the European Green Deal

Review of State aid control rules and guidance

The [General Block Exemption Regulation \(GBER\)](#) for State aid⁷ is currently being prolonged and revised to facilitate the green and digital transitions. The amendments will complement the revisions to the Guidelines on regional aid⁸, on aid for research and development and innovation⁹, on risk finance aid¹⁰, on aid for the deployment of broadband networks¹¹, on Important Project of Common European Interest¹² and on aid for environmental protection and energy¹³. The Commission plans to adopt the amendment to the GBER in 2023.

Review of antitrust rules and guidance

[Regulation 1308/2013 on establishing a common organisation of the market in agricultural products](#)¹⁴ allows agricultural producers and other operators in the agri-food supply chain to agree on stricter sustainability standards than those in existing EU and national legislation. This possibility concerns certain environmental, health or animal welfare

⁷ 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.

⁸ Communication from the Commission Guidelines on regional State aid, OJ C 153, 29.4.2021, p. 1-46.

⁹ Communication from the Commission Guidelines on aid for research and development and innovation C(2022)7388, 19 October 2022.

¹⁰ Communication from the Commission Guidelines on State aid to promote risk finance investments, OJ C 508, 16.12.2021, p. 1-36.

¹¹ See link which contains the draft revised Guidelines on State aid for broadband networks and updates on the review process [2021 broadband \(europa.eu\)](#).

¹² Communication from the Commission Criteria for the analysis of the compatibility with the internal market of State aid to promote the execution of important projects of common European interest OJ C 528, 30.12.2021, p. 10–18 (IPCEI communication).

¹³ Communication from the Commission Guidelines on State aid for climate, environmental protection and energy 2022, OJ C 80, 18.2.2022, p. 1-89.

¹⁴ Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulation (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) 1234/2007, OJ L 347, 20.12.2013, p. 671-854.

standards. In 2023, the Commission will work on [guidelines](#) for this exemption and will launch a public consultation on the draft guidelines.

Strengthening competition enforcement supporting the European Green Deal

State aid control

In 2023, the Commission will continue to apply [the Climate, Environmental Protection and Energy Aid Guidelines \('CEEAG'\)](#)¹⁵ adopted in 2022. The Guidelines align State support measures with EU legislation in the areas of energy and environment. In 2023, many State aid cases falling under the CEEAG are likely to concern the development of renewable energies, hydrogen and other measures supporting the decarbonisation of energy generation and of industry, as well as low emission mobility. Moreover, the Commission will continue assessing indirect cost compensation schemes for firms in electricity-intensive industries.

Following the approval by the Commission in 2022 of two [Important Projects of Common European Interest \('IPCEI'\) in the hydrogen value chain](#)¹⁶, which contribute to the objectives of the European Green Deal and the REPowerEU Plan, the Commission will continue to assess in 2023 all proposed IPCEIs.

Antitrust enforcement

In 2023, the Commission will continue investigating cases in the energy sector. It is expected that the [major disruptions of EU energy markets](#) that occurred in 2022 due to Russia's non-provoked aggression against Ukraine, will continue into 2023. DG Competition will continue to closely monitor disruptive developments in EU energy markets. In this context, the Commission also carried out unannounced inspections at the premises of several companies in Germany active in the supply, transmission and storage of natural gas.¹⁷

In 2023, the Commission will continue its in-depth investigation into alleged predatory pricing by the Greek electricity incumbent PPC in the [Greek wholesale electricity market](#)¹⁸. Moreover, the Commission will continue to investigate an alleged abuse of a dominant position by the power exchange EPEX in the market for the provision of [intra-day trading facilitation services in Central Western Europe](#)¹⁹.

¹⁵ See https://ec.europa.eu/competition-policy/public-consultations/2021-ceeag_en.

¹⁶ See [IPCEI \(europa.eu\)](#).

¹⁷ See the press release of 31.3.2022 https://ec.europa.eu/commission/presscorner/detail/en/IP_22_2202.

¹⁸ See [Antitrust: PPC - Greek wholesale electricity market \(europa.eu\)](#).

¹⁹ See [EPEX Spot \(europa.eu\)](#).

The Commission is conducting [a study on green mobility](#), gathering expert input on the competitive conditions in the market for the provision of publicly accessible recharging infrastructure and related services for electric vehicles. The work on this study will continue in 2023.

The Commission will continue its cartel investigation of ethanol producers' suspected collusion to influence the [ethanol benchmarks](#) published by the price-reporting agency S&P Global Platts. In 2023, the Commission will follow up on the concerns raised in its Statement of Objections of July 2022.

In the environment sector, in 2023, the Commission will in particular focus on ensuring effective competition in circular economy industries to help improve the reuse, recovery and recycling of resources, creating a more sustainable economy.

Merger control

In 2023, DG Competition will remain vigilant when protecting 'green innovation', identifying firms with excessive market power, foreclosure and protecting market entry. The Commission will continue scrutinising mergers in priority "green" sectors such as renewables, recycling infrastructure, transport infrastructure for gas and electricity, as well as e-mobility services.

Supporting major initiatives forming part of the European Green Deal

In 2023 the Commission will continue providing guidance to Member States and assess major cross-border projects under the [Important Project of Common European Interest \(IPCEI\)](#) instrument²⁰.

In 2023, DG Competition will contribute to the Commission's ongoing work on a range of initiatives scheduled for adoption in 2023, for example [revision of the EU's internal electricity market rules](#)²¹, an [EU Hydrogen Bank](#)²², targeted [amendments of the Regulation on the Registration, evaluation and authorisation of chemicals \('REACH'\)](#),²³ as well as various initiatives related to sustainable food and transport. The Commission will further use its antitrust and State aid expertise to support the inter-institutional negotiations and implementation of the [REPowerEU/RRF package](#)²⁴.

²⁰ See [EUR-Lex - 52021XC1230\(02\) - EN - EUR-Lex \(europa.eu\)](#).

²¹ Expected in the first quarter of 2023 according to the 2023 Commission work programme.

²² Expected in the third quarter of 2023 according to the 2023 Commission work programme.

²³ Expected in the fourth quarter of 2023 according to the 2023 Commission work programme.

²⁴ See https://ec.europa.eu/commission/presscorner/detail/en/IP_22_3131.

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

In 2023, the Commission will continue to proceed with its major review of the competition policy tools. In parallel, the Commission also seeks to effectively implement the new instruments aimed at tackling emerging challenges in the Single Market, such as digital gatekeepers or the distortive effects of foreign subsidies.

In 2023, DG Competition will carry out outreach activities targeting a broader set of audiences without specialist knowledge of competition policy. The main objective is to stimulate the debate and promote the benefits of competition policy. For example, DG Competition will launch an outreach initiative in 2023 with the objective to continue the debate initiated by “Making Markets Work for People” conference in 2022.

Policy initiatives to strengthen the Single Market and the digital economy

The [Digital Markets Act \(DMA\)](#) aims to ensure contestable and fair markets in the digital sector. It is based on a set of narrowly defined objective criteria for designating large online platforms as “gatekeepers”. Designated gatekeepers will be subject to a series of specific obligations (‘do’s’ and ‘don’ts’). The DMA entered into force on 1 November 2022 and will become fully applicable on 2 May 2023. In 2023, the Commission will adopt an Implementing Regulation for the enforcement of the DMA and set up a registry and digital solutions to support notifications and case handling.

In 2023, the [Foreign Subsidies Regulation](#) will close a regulatory gap, tackling foreign subsidies that distort competition in the Single Market. The Commission will be able to investigate and redress – when appropriate – the distortive effects caused by such foreign State support with a specific focus on concentrations and public procurement procedures²⁵. In 2023, the Commission will prepare the implementation of the Foreign Subsidies Regulation that is expected to become applicable mid-2023. In particular, it will adopt an Implementing Regulation setting out the procedural rules guiding the Regulation.

²⁵ The Regulation includes three tools: (i.) proposed concentrations where the target company has an EU turnover of at least EUR 500 million and the foreign financial contribution exceeds EUR 50 million, will have to be notified to the Commission; (ii.) bids in EU public procurement procedures involving foreign financial contributions where the value of the procurement is at least EUR 250 million will have to be notified to the Commission; and (iii.) the Commission will be empowered to investigate ex-officio other market situations, including smaller concentrations and smaller public procurement procedures. The Commission will have exclusive competence to enforce the Regulation. When the negative effects of the foreign subsidy outweigh its positive effects, the Commission will have the power to impose redress measures or accept commitments to remedy the distortion. Such measures and commitments include a range of structural or behavioural remedies, such as the divestment of certain assets or the prohibition of a certain market behaviour. The Commission will also have the power to prohibit a subsidised concentration or the award of a public procurement contract to a subsidised bidder.

Review of antitrust rules and guidance

In 2023, the Commission will finalise its revision of the [Research and Development and the Specialisation Block Exemption Regulations](#) and the accompanying [Horizontal Cooperation Guidelines](#) (HBERs review)²⁶. The revised legislation will be adopted before the current rules expire in June 2023. The review aims at ensuring that the guidance provided takes into account new market developments such as the more frequent use of data pools and sustainability agreements, as well as the increase in research and development cooperation.

In 2023, DG Competition will finalise the [evaluation](#) of the [Consortia Block Exemption Regulation](#) launched in 2022. The evaluation will serve as a basis for the Commission to decide whether it should be allowed to lapse or be extended with or without modifications. The current Consortia Block Exemption Regulation expires in April 2024. In 2023, the Commission will finalise its revisions of the [Motor Vehicle Block Exemption Regulation](#) (MVBER)²⁷ and the [Supplementary Guidelines](#).²⁸ The revised MVBER is scheduled for adoption in 2023.

In 2023, DG Competition will continue its [evaluation](#) of [Regulation 1/2003](#) and its implementing regulation, [Regulation 773/2004](#).²⁹ The evaluation will determine if the antitrust procedural framework remains fit for purpose. In this context, DG Competition will organise [a conference](#) in June 2023 to celebrate 20 years of Regulation 1/2003. The conference will host discussions between enforcers and stakeholders on the effectiveness of EU antitrust procedures.

²⁶ 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, 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).

²⁷ Commission Regulation (EU) No 461/2010 of 27 May 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 in the motor vehicle sector, OJ L 129, 28.5.2010, p. 52.

²⁸ Commission notice — Supplementary guidelines on vertical restraints in agreements for the sale and repair of motor vehicles and for the distribution of spare parts for motor vehicles, OJ C 138, 28.5.2010, p. 16.

²⁹ Council Regulation (EC) No 1/2003 of 16 December 2002 on the implementation of the rules on competition laid down in Articles 81 and 82 of the Treaty, Official Journal L 1, 4.1.2003, p. 1–25; Commission Regulation (EC) No 773/2004 of 7 April 2004 relating to the conduct of proceedings by the Commission pursuant to Articles 81 and 82 of the EC Treaty, Official Journal L 123, 27.4.2004, p. 18–24.

In 2023, DG Competition will continue its [evaluation of the Technology Transfer Block Exemption Regulation \('TTBER'\)](#)³⁰ started in 2022. The current TTBER will expire on 30 April 2026.

Review of EU merger control rules and guidance

Following an impact assessment in 2022 on policy options for further [simplification of merger procedures](#) - including the introduction of electronic notification as the default way of notifying merger transactions, the Commission will finalise the revision of the respective rules on the simplified procedure, that is to say the Implementing Regulation³¹ and the Simplified Notice³² in 2023.

As regards referrals of mergers under Article 22 of the EU Merger Regulation³³, in 2022, the General Court upheld³⁴ the Commission's approach, laid out in [Article 22 Guidance, as applied in the Illumina/Graill case](#)³⁵. It outlines the criteria for referrals of potentially anticompetitive merger cases from Member States to the Commission, even in instances where transactions fall below mandatory notification thresholds at the national level. In 2023, the Commission will continue applying Article 22 Merger Regulation when warranted. The Commission will then invite the relevant Member State(s) to refer such cases to the Commission for review.

In 2023, the Commission intends to finalise the revision of [the Market Definition Notice](#),³⁶ following up on the findings of the evaluation.³⁷ The main objective of the draft revised Market Definition Notice is to offer more guidance, transparency and legal certainty for

³⁰ Commission Regulation (EU) 316/2014 of 21 March 2014 on the application of Article 101(3) of the Treaty on the Functioning of the European Union to categories of technology transfer agreements, Official Journal L 93, 28.3.2014, p. 17–23.

³¹ Commission Implementing Regulation (EU) No 1269/2013 of 5 December 2013 amending Regulation (EC) No 802/2004 implementing Council Regulation (EC) No 139/2004 on the control of concentrations between undertakings, OJ L 336, 14.12.2013, p.1.

³² Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004, OJ C 366, 14.12.2013, p. 5.

³³ Council Regulation (EC) No 139/2004 of 20 January 2004 on the control of concentrations between undertakings (the EC Merger Regulation), OJ L 24, 29.1.2004, p.1-22.

³⁴ Judgement of the General Court of 13.7.2022, Case T-227/21, Illumina v European Commission, EU:T:2022:447.

³⁵ Communication from the Commission Guidance on the application of the referral mechanism set out in Article 22 of the Merger Regulation to certain categories of cases, OJ C 113, 31.3.2021, p.1-6.

³⁶ See [2022 market definition notice \(europa.eu\)](#), which contains a link to the draft revised Market Definition Notice and updates on the review process.

³⁷ 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.

businesses to facilitate compliance with the competition rules. The revised Market definition Notice will include concrete examples.

Review of State aid control rules and guidance

In 2023, the Commission will continue to revise the [De Minimis Regulation](#)³⁸ with a view for the Commission to adopt a new Regulation by the end of 2023. Current rules allow exemptions from State aid control for amounts up to EUR 200 000 over a three-year period. Such small amounts are not deemed to have an impact on competition and trade in the Single Market. The draft Regulation proposes a ceiling of EUR 275 000 that a single undertaking may receive over a period of three years. The proposal also strengthens the transparency requirements by introducing a mandatory public register at national or EU level. The rules are set to expire on 31 December 2023. DG Competition will also continue and finalise in 2023 its [evaluation](#) and revision of the [Fisheries De Minimis Regulation](#)³⁹.

Following the adoption of the Council Regulation enabling the Commission to exempt from prior notification certain categories of aid under Article 93 TFEU, in 2023 the Commission will start the work on [a Transport Block Exemption Regulation \(TBER\)](#)⁴⁰ and conduct a public consultation. The new TBER will simplify and facilitate the granting of aid to promote a green, efficient and interconnected multimodal transport system, which is a necessary step towards the EU goal of climate neutrality by 2050.

The COVID-19 pandemic and accompanying travel restrictions heavily affected the aviation sector and led to a sharp decrease in traffic at EU airports. [The Aviation Guidelines](#)⁴¹ include a transitional period (ending in April 2024), during which operating aid to airports with less than three million passengers per year can be declared compatible with the Single Market. In June 2022, the Commission consulted stakeholders on a possible prolongation of the transitional period⁴². In 2023, the Commission will continue its reflections on this matter.

In 2023, the Commission will continue to revise [the State aid Railway Guidelines](#)⁴³.

³⁸ Communication Regulation (EU) No 1407/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid, OJ L 352, 24.12.2013, p. 1-8.

³⁹ 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.

⁴⁰ See <https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13153-Greener-land-transport-simplified-state-aid-rules-New-Land-Transport-Enabling-Regulation-en>.

⁴¹ Communication from the Commission – Guidelines on State aid to airports and airlines, OJ C 99, 4.4.2014, p. 3-34.

⁴² See <https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13428-Aviation-guidelines-prolongation-of-operating-aid-to-regional-airports-COVID-19-response-en>.

⁴³ Communication from the Commission – Community Guidelines on State aid for railway undertakings, OJ C 184, 22.7.2008, p. 13-31.

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

Antitrust enforcement

In 2023, DG Competition will continue its efforts to detect and investigate [cartels](#) in a variety of sectors, including the ongoing investigations into basic industries, defence, food and consumer goods⁴⁴.

Anti-cartel enforcement is an important competition policy tool in normal times but it plays a crucial role in times of crises, when companies may be tempted to collude. In 2023, DG Competition will intensify its efforts to investigate cartels relevant for the green and digital transitions, such as the suspected collusion between firms treating [vehicles at the end of their life-cycles](#)⁴⁵.

DG Competition will continue in 2023 to develop its [digital investigation methodologies](#) for detecting and prosecuting suspected cartels. It will also take steps to incentivise cartel members to apply for leniency. To further increase transparency, predictability and accessibility for potential leniency applicants, a Frequently Asked Questions document was published on DG Competition's website in 2022⁴⁶.

In 2023, DG Competition will continue to assess complaints in [the electronic communications sector](#). In this sector, one of the main 2023 objectives is preventing that companies restrict competition in a 5G and fibre-to-the-home environment. It will also continue to [monitor market developments](#) in the area of [standard essential patents](#) ('SEPs') to ensure that they are not used to foreclosure competitors or reduce innovation by competing firms.

In 2023, DG Competition will continue to investigate potential anti-competitive agreements and practices in the [e-commerce sector](#) follow up on competitive concerns about dual-role platforms. In 2023, DG Competition will also continue to [monitor cloud computing markets](#) as well as metaverse-related developments.

⁴⁴ See Case 40763 – Wood pulp, https://ec.europa.eu/commission/presscorner/detail/en/ip_21_5223; Defence sector, https://ec.europa.eu/commission/presscorner/detail/en/ip_21_6241; Case 40606 – Farmed Atlantic Salmon, https://ec.europa.eu/commission/presscorner/detail/en/STATEMENT_19_1310; Fashion sector, https://ec.europa.eu/commission/presscorner/detail/en/ip_22_3134, and the Online Food Delivery sector, https://ec.europa.eu/commission/presscorner/detail/en/ip_22_4345.

⁴⁵ See Case 40669 – End-of-life vehicles recycling, https://ec.europa.eu/commission/presscorner/detail/en/ip_22_1765.

⁴⁶ See [Frequently Asked Questions \(FAQs\) on Leniency](#) and the accompanying press release https://ec.europa.eu/commission/presscorner/detail/en/ip_22_6373.

DG Competition will continue its investigation of Google's business practices across the supply chain for [online display advertising](#) (the 'ad tech chain'). These practices may reinforce Google's market power on several levels in this chain.

Moreover, DG Competition will also continue its investigation of the [Facebook Marketplace](#), for example the tying of Facebook Marketplace to the Facebook social network and the way Meta uses data from its advertising business to favour Facebook Marketplace when competing with other classified ads services. The Commission will follow up on the concerns raised in its 2021 Statement of Objections against Apple. The competitive concerns regard Apple's [rules for app developers for distributing competing music streaming apps via the App Store](#) to users of smart mobile devices, for example iPhones and iPads.

DG Competition will continue with monitoring of the implementation and compliance with commitments offered by Amazon⁴⁷, addressing the DG Competition's competition concerns on Amazon's use of non-publicly available third-party seller listings and sales data to optimise Amazon's own retail operations competing with third-party seller. The commitments will remain in force for seven years in relation to [Prime](#) and the display of the second competing [Buy Box](#) offer, and five years for the remaining parts of the commitments.

The Commission will continue its antitrust investigation into [Apple Pay](#), focusing on Apple limiting access to the Near Field Communication functionality on iPhones for payments in stores. In 2023, the Commission will follow up on the concerns raised in its Statement of Objections of May 2022.

The Commission will continue its antitrust investigation(s) into [food delivery services](#) concerning a possible market sharing between providers of online intermediary services for food.⁴⁸

DG Competition will continue to [monitor the different media markets](#) to identify potential anti-competitive agreements and practices that could be detrimental to competition in the Single Market.

In 2023, DG Competition will continue monitoring developments in [electronic payments markets](#) to ensure competition on fair and equal terms. It will also continue to monitor the different markets for financial market data feeds and the platforms generating, collecting and distributing such feeds.

In addition, DG Competition will continue monitoring the implementation of the [Interchange Fee Regulation](#)⁴⁹. Therefore, DG Competition launched a study on new developments in

⁴⁷ Case AT.40462, Amazon Marketplace and Case AT.40703, Amazon Buy Box, Commission decision of 20 December 2022, See: https://ec.europa.eu/commission/presscorner/detail/en/ip_22_7777.

⁴⁸ See https://ec.europa.eu/commission/presscorner/detail/en/IP_22_4345.

card-based payment markets in October 2022, which will examine general market trends and provide a detailed assessment of developments in the fees merchants have to pay for the acceptance of card payments by users (Merchant Service Charges).

In 2022, the Commission adopted a decision in case [Insurance Ireland](#), where it accepted commitments regarding the access conditions imposed on certain motor insurance companies wishing to participate in a claims [data pool](#). In 2023, the Commission will continue monitoring the implementation of the commitments via a monitoring Trustee.

In line with the objectives of the Commission's new [Pharmaceutical Strategy for Europe](#)⁵⁰, antitrust enforcement in 2023 will continue to contribute to ensuring consumers' access to effective, innovative and affordable medicines.

In 2023, DG Competition will continue its investigations into potential anticompetitive behaviours by [Teva](#) and [Vifor Pharma](#). In October 2022, the Commission adopted a Statement of Objections against Teva and took the preliminary view that Teva had abused its dominant position by misusing the patent system, hindering the entry or expansion of cheaper generic medicines. Moreover, Teva had carried out a disparagement campaign against generic competitors⁵¹. In June 2022, the Commission initiated proceedings and launched an in-depth investigation into Vifor Pharma's alleged disparagement campaign intended to stifle competition from a competing innovative product⁵².

In 2023, DG Competition will continue its investigations into potential parallel trade restrictions by [Mondelez](#)⁵³ and into the grocery retail alliance between [Casino & Intermarché](#)⁵⁴. It will continue looking into international alliances of grocery retailers.

In 2023, DG Competition will continue its investigation into potential anticompetitive agreements and practices in the [clothing sector](#)⁵⁵.

In the proposed [Council Regulation on enhancing solidarity in gas procurement](#)⁵⁶ the Commission proposed to facilitate demand aggregation and joint purchasing. In particular,

⁴⁹ Regulation (EU) 2015/751 of the European Parliament and of the Council of 29 April 2015 on interchange fees for card-based payment transactions.

⁵⁰ 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.

⁵¹ See [Antitrust: Commission sends Statement of Objections to Teva \(europa.eu\)](#).

⁵² See [Antitrust: Commission opens investigation \(europa.eu\)](#).

⁵³ See https://ec.europa.eu/commission/presscorner/detail/en/IP_21_281.

⁵⁴ See https://ec.europa.eu/commission/presscorner/detail/it/ip_19_6216.

⁵⁵ See AT.40642 - Pierre Cardin https://ec.europa.eu/commission/presscorner/detail/en/ip_22_682.

⁵⁶ Proposal for a Council Regulation Enhancing solidarity through better coordination of gas purchases, exchanges of gas across borders and reliable price benchmarks, COM(2022) 549 final, 18.10.2022.

the Commission stated that it stands ready to accompany companies in designing necessary consortia and to issue decisions under Article 10 of Regulation 1/2003, which states that Articles 101 and 102 TFEU may be inapplicable provided that relevant safeguards restricting competition to the minimum needed to achieve the defined objectives are included and respected by market participants. In 2023, DG Competition will continue to provide [informal guidance](#) how to assess consortia and joint purchasing arrangements under EU competition rules.

Merger control

In 2023, DG Competition will remain vigilant to ensure that markets are kept open and competitive across the Single Market. Merger control underpins the Commission's key priorities when it comes to digital innovation and transformation, avoiding creation of excessive market power, foreclosure and elimination of promising emerging entrants.

State aid control

The Commission has set out its ambitions for Europe's digital transformation by 2030 in the [Digital Compass Communication](#)⁵⁷ where connectivity is one of four central points for the digital transformation. Investments in the deployment of electronic communications networks deployment are primarily made by private operators with public support complementing these initiatives. State aid control in the [electronic communications sector](#) will continue to play an important role in developing co-ordinated investment strategies.

In 2023, the Commission will apply the [Guidelines for State aid to Broadband](#)⁵⁸ that were revised 2022 in line with technological and economic progress and take into account the EU connectivity objectives of the EU. In 2023, the Commission will examine aid to broadband investments under the revised guidelines.

[IPCEIs](#) for microelectronics and communication technologies and next-generation cloud infrastructure are currently in development. In 2023, the Commission will continue assessing such projects.

In 2023, the Commission will continue its work to sustain a free, independent and viable media. Media, film productions and, increasingly, also the development of video games, preserve cultural diversity in the EU.

⁵⁷ See <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A52021DC0118>.

⁵⁸ See https://ec.europa.eu/commission/presscorner/detail/en/ip_22_7595.

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 in the [European Competition Network \(ECN\)](#).⁵⁹ In 2023, DG Competition will continue its work in the ECN on investigations and policy issues. DG Competition will continue assisting national competition authorities developing digital solutions for their enforcement activities, for example confidentiality claims and handling leniency applications statements on the Common Services Platform⁶⁰, an initiative promoted by the Digital Europe Programme.

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 2023, 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](#) in the context of enforcing EU competition rules. In addition, DG Competition will continue to support the activities of the Association of European Competition Law Judges. 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 2023, the Commission will continue its efforts to [improve international rules for subsidies](#). Reforming the subsidy rules is one of the EU's main priorities for modernising 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 2023, DG Competition will continue its 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](#)). DG Competition is co-chairing the ICN Merger Working Group. During the 2022-2023 ICN working year, it will lead the project updating the ICN Recommended Practices with a new chapter on non-horizontal mergers and be co-responsible for a new project on digital mergers where the aim is to share best practices amongst ICN members.

⁵⁹ See https://ec.europa.eu/competition-policy/european-competition-network_en.

⁶⁰ See [The Digital Europe Programme | Shaping Europe's digital future \(europa.eu\)](#).

Bilateral relations

In 2023, 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. The Commission will also rely on competition expertise in the framework of the EU-US Trade and Technology Council (TTC) to continue fostering cooperation on global trade and technology issues, as well as within the US-EU Task Force on the Inflation Reduction Act.

As regards the negotiations of Second Generation Cooperation Agreements, the EU will, for example, continue negotiations with [Canada](#), with a view to ensuring 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 2023, the Commission will engage with [African national and regional⁶¹ 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 (Brazil, India, China South Africa and [Mexico](#))⁶². Similarly, the Commission will continue its technical cooperation with the [Japanese, Korean, Indian, Chinese and ASEAN⁶³ competition authorities](#).

The Commission will continue to assist the [neighbourhood and enlargement candidate 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.

Finally, the Commission aims at including provisions on competition and State aid control when negotiating [Free Trade Agreements \(FTAs\)](#). In 2023, the Commission will continue FTA negotiations with [Australia, India and Indonesia](#).

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

DG Competition will continue to ensure that major legislative and non-legislative initiatives of the Commission are fully aligned with the competition rules. DG Competition will

⁶¹ The COMESA Competition Commission.

⁶² The Commission has signed a Memorandum of Understanding with Russia but cooperation has been suspended due to Russia's invasion of Ukraine.

⁶³ Association of Southeast Asian Nations.

contribute to the work on the envisaged [European critical raw materials act](#)⁶⁴, the [Single Market at 30 Communication](#)⁶⁵, an [initiative on virtual worlds, such as the meta-verse](#)⁶⁶, an initiative on SME relief⁶⁷, the mobility package⁶⁸ and the [patent licencing package](#)⁶⁹. DG Competition will further use its antitrust and State aid expertise to support the inter-institutional negotiations of the [Chips Act](#)⁷⁰, the [Data Act](#)⁷¹, and the [Single Market Emergency Instrument \(SMEI\)](#)⁷².

General objective 3: An Economy that works for people

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

Review of State aid control rules and guidance

In 2023, the Commission will follow up on the [evaluation of the Services of General Economic Interest \(SGEI\)](#)⁷³ rules. The evaluation was conducted from June 2019 to December 2022 and covers the 2012 SGEI rules applicable to the health and social services sectors⁷⁴. The Commission will continue to reflect on the issues identified in the evaluation.

In 2023, DG Competition aims to finalise its [evaluation of the State aid rules for banks](#)⁷⁵. The results of the evaluation will indicate whether a future revision of the State aid rules

⁶⁴ Expected in the first quarter of 2023 according to the 2023 Commission work programme.

⁶⁵ Expected in the first quarter of 2023 according to the 2023 Commission work programme.

⁶⁶ Expected in the second quarter of 2023 according to the 2023 Commission work programme.

⁶⁷ Expected in the third quarter of 2023 according to the 2023 Commission work programme.

⁶⁸ Expected in the second quarter of 2023 according to the 2023 Commission work programme.

⁶⁹ Expected in the second quarter of 2023 according to the 2023 Commission work programme.

⁷⁰ Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing a framework of measures for strengthening Europe's semiconductor ecosystem (Chips Act).

⁷¹ Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on harmonised rules on fair access to and use of data (Data Act).

⁷² Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing a Single Market emergency instrument and repealing Council Regulation No (EC) 2679/98.

⁷³ Communication from the Commission on the application of the European Union State aid rules to compensation granted for the provision of services of general economic interest, OJ. C 8, 11.1.2012, p. 4-14.

⁷⁴ See [State aid modernisation SGEI evaluation – Competition – European Commission \(europa.eu\)](#).

⁷⁵ 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.

for banks is needed, taking into account the outcome of the review of the wider bank crisis management framework that started in 2021.

In 2023, the evaluation on how Member States have used the 2008 Guarantee Notice⁷⁶ will continue in order to assess whether it has worked well and remains fit for purpose.

In the light of their expiry on 31 December 2023, DG Competition will evaluate the [Guidelines on State aid for rescuing and restructuring non-financial undertakings in difficulty](#)⁷⁷. The process will take into account the outcome of the 2020 Fitness check, which was based on a wide range of data sources and inputs, including a public consultation to gather input from a broad range of stakeholders⁷⁸.

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

State aid control facilitates aid in the common interest

In 2023, DG Competition will launch an assessment of the effectiveness of State aid instruments to counter the COVID-19 crisis and instruments adopted in response to the disturbance of the economy caused by Russia's attack on Ukraine. DG Competition will continue to examine evaluations of the impact of large national aid schemes in the common interest. To a large extent, these national aid schemes fall 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 objectives of common interest and an economy that works for people.

Banking aid necessary to safeguard financial stability, while protecting competition

In 2023, 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.

⁷⁶ Commission Notice on the application of Articles 87 and 88 of the EC Treaty to State aid in the form of guarantees (OJ C 155, 20/06/2008, P. 0010 - 0022).

⁷⁷ Communication from the Commission — Guidelines on State aid for rescuing and restructuring non-financial undertakings in difficulty, OJ C 249, 31.7.2014, p. 1, as prolonged by Commission Communication of 8 July 2020, OJ C 224, 8.7.2020, p. 2.

⁷⁸ See https://ec.europa.eu/info/sites/default/files/fitness_check_-_main_report_-_part1_en.pdf.

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

The Commission will in 2023 continue its pending formal investigations into the possible aid granted by the Netherlands to Inter IKEA⁷⁹, Nike⁸⁰, and Starbucks⁸¹ and by Luxembourg to Huhtamäki⁸² as well as the investigation resumed in 2022 in the Gibraltar case⁸³.

The Commission will also endeavour to conclude its [inquiry into all 27 Member States' tax ruling practices](#) for the years 2014 to 2018. 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 or economic sectors or shelter national companies from international competition. The Commission will also continue to [provide guidance](#) to Member States and help them design tax measures that comply with State aid rules and which limit discrimination and affect competition to the minimum necessary.

Temporary support of the economy through COVID-19 aid

The [Temporary Framework for State aid](#)⁸⁴ to help target support to the economy in the context of the coronavirus outbreak expired on 30 June 2022 with some exceptions. In particular, investment and solvency support measures may still be put in place until 31 December 2023. In addition, the Temporary Framework already provides for a flexible transition under clear safeguards, in particular for the conversion and restructuring options of debt instruments, such as loans and guarantees into other forms of aid, such as direct grants, until 30 June 2023.

State aid control accompanying the implementation of the Recovery and Resilience Facility

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

⁷⁹ See [State aid: investigation into Dutch tax treatment of IKEA \(europa.eu\)](#).

⁸⁰ See https://ec.europa.eu/commission/presscorner/detail/en/IP_19_322.

⁸¹ After the final decision was annulled by the General Court in Joined Cases T-760/15, T-636/16, Kingdom of the Netherlands and Others v European Commission, ECLI:EU:T:2019:669.

⁸² See [State aid: Luxembourg's tax treatment of Huhtamäki \(europa.eu\)](#).

⁸³ After the final decision was partially annulled by the General Court in Case T-508/19 Mead Johnson Nutrition (Asia Pacific) and Others v Commission, ECLI:EU:T:2022:217.

⁸⁴ Communication from the the Commission Temporary Framework for State aid measures to support the economy in the current COVID-19 outbreak, adopted 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.

existing authorized scheme. To this end, the Commission has published a Practical guidance to Member States for a swift treatment of State aid notifications under the RRF framework and will continue to provide guidance and templates to the Member States⁸⁵.

Temporary Crisis Framework to support the economy in context of Russian aggression against Ukraine

Following Russia's invasion of Ukraine, the Commission adopted on 23 March 2022, a [Temporary Crisis Framework \('TCF'\)](#)⁸⁶ to support the economy allowing Member States to use the flexibility built into the State aid rules to support negative impacts on their economies following Russia's invasion of Ukraine. The TCF allows flexible support on a limited basis to all companies affected by the crisis and includes provisions to compensate for high energy prices, to accelerate the rollout of renewable energy and measures to facilitate the decarbonisation of industrial processes. The Framework was amended twice, on 20 July 2022 and on 28 October 2022. In 2023, the Commission will continue to assess notified measures by Member States as crosscutting support to economic sectors, where companies have been negatively impacted by the war in Ukraine.

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. This will include initiatives on the [Economic governance review](#)⁸⁷, [the creation of a new European Sovereignty Fund](#)⁸⁸, and the [revision of the airport slot Regulation](#)⁸⁹. Moreover, DG Competition will contribute further to initiatives on the [Digital Euro](#), [Open Finance frameworks](#) and the [review of the second Payment Services Directive](#).⁹⁰

⁸⁵ See https://ec.europa.eu/competition/state_aid/what_is_new/practical_guidance_to_MS_for_notifications_under_RRF.pdf.

⁸⁶ Communication from the Commission Temporary Crisis Framework for State Aid measures to support the economy following the Aggression against Ukraine by Russia, OJ C 131 I, 24.3.2022, p.1.

⁸⁷ Expected in the first quarter of 2023, according to the 2023 Commission work programme.

⁸⁸ As mentioned in the 2023 Commission work programme.

⁸⁹ Expected in the third quarter of 2023, according to the 2023 Commission work programme.

⁹⁰ The three initiatives are expected in the second quarter of 2023, according to the 2023 Commission work programme.

PART 2. Modernising the administration: main outputs for 2023

This part explains how DG Competition intends to deliver in 2023 the planned outputs and results laid out in the preceding part.

As set out in Part 1, 2023 will be a challenging year for DG Competition. Therefore, DG Competition continues to modernise its administration to support its policy and enforcement actions and the execution of new tasks, such as the effective implementation of the Digital Markets Act (DMA)⁹¹ and the Foreign Subsidies Regulation⁹², including adopting digital solutions for notifications and case handling as well as setting up a dedicated case registry. The DMA and Foreign Subsidies instrument will be a major new work stream for DG Competition in 2023 and beyond, requiring sufficient staff allocation and announced reorganisation in DG Competition.

DG Competition sees human resource management as a crucial function supporting and securing the effective enforcement of competition policy. It remains in very strong focus in 2023, as organisational changes will be carried out and human resources attentively allocated to priorities to accommodate ongoing and new work streams alike.

The operations of DG Competition are financed through a dedicated operational budget embedded in the Single Market Programme of the Multiannual Financial Framework 2021-2027 and a moderate administrative budget. Through the Competition Programme, DG Competition can fund data gathering and market analysis in niche, emerging and innovative markets, as well as important evaluation work. In 2023, the programme will continue to invest as a priority in innovative and modernised digital solutions to increase the speed and efficiency of competition enforcement and policy work through data and artificial intelligence solutions. In 2023, DG Competition will continue to deploy its full set of communication tools and channels to inform stakeholders and the general public on competition policy and enforcement.

The internal control framework⁹³ 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. 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.

⁹¹ See Regulation (EU) 2022/1925 of the European Parliament and of the Council of 14 September 2022 on contestable and fair markets in the digital sector and amending Directives (EU) 2019/1937 and (EU) 2020/1828 (Digital Markets Act) (Text with EEA relevance), OJ L 265, 12.10.2022, p. 1–66.

⁹² See Commission proposal COM(2021) 223 final of 5 May 2020.

⁹³ See [Communication C\(2017\)2373 - Revision of the Internal Control Framework](#).

A. Human resource management

In 2023, DG Competition will elaborate on and develop further initiatives to improve its human resource management. DG Competition will ensure that its resources are allocated to and in line with the set priorities. The recently adopted Digital Markets Act and Foreign Subsidies Regulation are two major work streams that will be particularly challenging.

The implementation of the Recovery and Resilience Facility, the impact on the EU economy of the Russian aggression against Ukraine and the operation of the Temporary Crisis Framework for State aid will put a strain on DG Competition's resources. Work on developing and adopting additional Important Projects of Common European Interest ('IPCEI'), and other competition policy initiatives will also have serious resource implications.

To ensure a successful implementation of the Digital Markets Act, DG Competition will set up a new enforcement structure with a new directorate divided into three units. In addition, the appointment in 2023 of a Chief Technology Officer ('CTO') will lead the work to support DG Competition's increasingly data-driven enforcement and market monitoring tasks. To secure a continued flexible and effective resource allocation across units, directorates and instruments, DG Competition will keep and refine the matrix organisation that has served well over the years.

DG Competition will continue to promote gender balance in middle management positions. DG Competition was assigned a quota of two first female appointments to middle management positions by 2022. Following the achievement of this quota on 16 December 2020, DG Competition has continued and will continue in 2023 its efforts to achieve gender balance. On 1 October 2022, 46 Head of Unit posts were occupied by 21 female and 25 male Head of Units which means a female representation of over 45%.

In addition to the Female Talent Development Programme organised at corporate level, DG Competition will continue in 2023 its cross-DG female talent development programme together with DGs GROW, ECFIN and FISMA, launched for the first time in 2022. It is targeted at female employees, who aspire to move to a managerial position at some time in their career.

In order to maintain its staff engagement at the current high level or even increase it, DG Competition will continue to implement the action plan for the local HR strategy in 2023, in coordination with corporate HR strategy as well as the results from the 2021 staff survey. The main initiatives to be implemented in 2023 are:

- Career development and guidance: conducting entrance, career development and exit interviews as well as relaunching the career guidance pool;
- Exchange programmes with other DGs;
- Redefining the Senior Expert career track within DG Competition;
- Follow-up courses to the 180° feedback development exercise for DG Competition's senior management;

- Training and development courses, for example training courses on the various competition policy instruments, economics, corporate finance and financial analysis; and
- Local fit@work and well-being activities, tailor-made to the DG's needs (for example, continuation of the resilience course started in 2022).

Finally, in 2023 and beyond, DG Competition is committed to giving all staff members the same opportunities independently of their background. It undertakes to respect the principle of non-discrimination in all its forms and at all stages in human resources management, based on the Equality Mainstreaming Work Plan adopted by DG Competition. The COMP Equality Network established in 2022 is composed of colleagues from different backgrounds under the guidance of a Senior Manager. DG Competition will further develop the internal dimension of equality. This will include fact-finding and other activities, such as trainings on awareness raising.

Timely and well-structured internal communication will support the above initiatives ensuring visibility and staff awareness. In particular, these initiatives will be promoted through DG Competition's internal webpage and newsletter, weekly video debriefs of senior management meetings, staff events and the Director General's staff messages, when appropriate.

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 2023:		
Output	Indicator	Target
Entrance, career development and exit interviews	Percentage of the respective staff invited	100%
180° feedback development exercise for DG Competition's senior management	Participation level of senior managers	100%
Implementation of initiatives aimed at increasing the number of female candidates to middle management position	First female appointments to middle management	Sending the maximum number of female colleagues to the corporate female development programme as a preparation to become Head of Unit. Continuing for a second year the cross-DG (COMP; GROW, ECFIN, FISMA) female talent development programme in 2023 (subject to available budget authorised by DG HR) in order to build a pipeline of female Deputy Head of Units as candidates for future Head of Unit positions. Continue encouraging female colleagues to participate in management trainings.

Output	Indicator	Target
Internal communication	Number of news items posted on the internal webpage	794
	Number of internal newsletters	45
	Number of Senior Management Video debriefs	21
	Number of all staff events	one event for all DG staff, one event/Directorate ⁹⁴

B. Sound financial management

Since 2021, the Multiannual Financial Framework includes within the Single Market Programme a dedicated programme for competition: the Competition 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.

The operational and the administrative budget together total around 23 million euro and will mainly be implemented through direct centralised management with procurement as the main spending mode.

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.

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 2023:

Output	Indicator	Target
Effective controls: Legal and regular transactions	Risk at payment	remains < 2% of relevant expenditure

⁹⁴ The actual number of events may be smaller due to budget or other constraints.

Output	Indicator	Target
	Estimated risk at closure	remains < 2% of relevant expenditure
Efficient controls	Timely payments	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 2023, DG Competition will review 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's ethics guidance, so that staff understand fraud risks and is able to detect and report potential fraud. This will be done by training newcomers and information to staff on ethics, anti-fraud and security matters. Fraud risks will continue to 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)⁹⁵ aimed at the prevention, detection and correction⁹⁶ of fraud.

Main outputs in 2023:

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%

⁹⁵ 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'.

⁹⁶ Correction of fraud is an umbrella term, which notably refers to the recovery of amounts unduly spent and to administrative sanctions.

D. Digital transformation and information management

Digital transformation

In line with its IT strategy for 2023-2024 and the principles and goals of the EC Digital Strategy, DG Competition continues handling digital transformation as one of the key priorities for 2023 and will work on the implementation of its Digital Solutions Modernisation Plan. The IT strategy supports the enforcement of competition instruments and associated policy actions, including:

- State aid control, including the update of various State aid guidelines and support in monitoring the temporary crisis frameworks;
- Implementation of IT support for parts of new legislation (Digital Markets Act and Foreign Subsidies Regulation) that are implemented by DG Competition;
- Antitrust and Cartel enforcement;
- Mergers control including the Mergers simplification package.

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

DG Competition is leading the modernisation of the Case Management business domain at the Commission by developing and operating a new digital solution, CASE@EC. DG Competition is committed to support CASE@EC as a corporate platform for case management at the Commission. The corporate and DG Competition priorities combined enlarge the scope of CASE@EC in several dimensions in 2023:

- Supporting **multi-DG teamwork**: Since October 2022, CASE@EC allows DG Competition and DG CNECT colleagues to collaborate and work together on Digital Markets Act cases. These capabilities will be enhanced in 2023;
- Implementing a **Corporate Case Management Platform**: Multiple releases in the business domains of other DGs relying on this common platform are scheduled for 2023;
- As leader of the case management domain, supporting the **implementation** of new **instruments of other DGs** with case management needs: Several processes for other DGs to on-board or further build on the CASE@EC programme will be simultaneously active in 2023. At Commission level, the CASE@EC solution is currently used by DGs BUDG, SANTE, and CNECT, while more partnerships are planned for 2023.

After migrating the State aid instrument to CASE@EC in 2021 and releasing the first version supporting the Digital Markets Act in 2022, the focus for 2023 will be to migrate Horizontal Projects to CASE@EC, enhance the support for Digital Markets Act (including support for Large Volume Submissions and Access to File packages), and release the functionality required for supporting activities of DG Competition in implementing the Foreign Subsidies Regulation. In addition, work on implementing functionality for

Antitrust/Cartels continues and the migration of these instruments to CASE@EC is expected for the second half of 2023.

Digital exchanges with Member States' administrations, companies and citizens

To better support and digitalise 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 2023, DG Competition will:

- Improve the State aid solutions enabling Member States to notify and report on aid expenditure, aligning with changes in legislation, as well as potentially develop a new solution for a central register of de minimis aid awards if the forthcoming revision of Commission Regulation (EU) No 1407/2013 ("De minimis Regulation") requires such a register;
- Extend the platform to communicate securely with the European Competition Network in the context of Antitrust and Mergers proceedings (ECN2) to support State aid, the Digital Markets Act, and Foreign Subsidies activities implemented by DG Competition;
- Further improve digital solutions supporting interactions with the private sector stakeholders for negotiating on confidentiality claims (eConfidentiality), requests for information (eRFI) and leniency applications (eLeniency) in cartel and merger cases;
- Roll out the new digital solution for the publication of decisions and for searching public competition data on EUROPA. This will make it easier for citizens and other stakeholders to find and retrieve information on competition proceedings;
- Progress with the implementation of an eNotification portal for Merger notifications.

Contribute to increasing the speed and efficiency of investigations and proceedings

DG Competition's data and Artificial Intelligence (AI) related initiatives aim to use data more efficiently, to find relevant insights quickly and thereby contribute to speeding up investigations and procedures. In 2023, there are two priorities given the context of ever increasing influx of very large data sets submitted to the Commission: (1) Providing state-of-the-art and AI-capable tools to assist case teams in reviewing large volumes of documents submitted by parties. (2) Strengthening DG Competition's specialised data-processing teams by providing them with a modern, secure and scalable IT environment to performing data processing and analysis.

In 2023, DG Competition will invest in the efficient exploitation of big data in order to gain relevant insights quickly. To this end, it will continue to modernise the handling and storage of large volume submissions and its document review tools, as well as to strengthen specialised data teams with the help of new infrastructure and tools. DG Competition will develop its data warehouse and business intelligence reporting services towards interactive dashboards. Furthermore, it will strengthen its investigative, analytical and forensic IT capabilities by investing in state-of-the-art hardware, software and security features, as

well as tools and workflows supporting open source intelligence. In addition, it strives to refine the forensic IT approach for inspections as regards companies' use of cloud computing.

Information and IT security rules

DG Competition will continue to invest into the protection of its digital assets from cyber-attacks and further bolster IT security. In order to address and mitigate the risk of cyberattacks, in 2023 DG Competition will complete the coverage with IT security plans in line with corporate requirements, for all (non-legacy) digital solutions, further improve their compliance with IT security controls for DG Competition's internal and externally-facing systems, incorporating the best practices in secured development within the development lifecycle and, in collaboration with DG DIGIT, increase staff's cyber skills and awareness.

In addition, Multi-Factor Authentication ("MFA") has been rolled-out for all external (internet-facing) information systems handling Sensitive Non-Classified ("SNC") data with the exception of eRFI (following a reasoned decision by the system owner). Non-internet facing systems using EU Login are now also considered compliant with MFA requirements.⁹⁷ In 2023, internal legacy case management applications will be upgraded to use EU Login.

Data, information and knowledge management

In 2023, DG Competition will further align with the Commission's corporate data governance and data policies by further improving the data management (gearing at improved data standardisation, a harmonised description and overview of data assets to foster usability and interoperability) of additional instruments e.g. Digital Markets Act, Antitrust, Foreign Subsidies Regulation, as well as horizontal projects; (Mergers are foreseen for 2024). DG Competition will also continue to actively participate as a member of the IMSB (Information and Management Steering Board) and the network of Local Data Correspondents (LDCs).

In 2023, DG Competition will assess alternatives to the software platform underlying the knowledge management tool COMPWiki, given changes in the latter's licensing terms as from 2024.

For the two additional instruments e.g. Digital Markets Act and Foreign subsidies, enforcement activities will fully start in 2023 and registry support will be provided by two dedicated teams which will have to be progressively set up and developed at the same pace as the enforcement activities. Similar to other DG Competition instruments, registry services will be provided in a centralised way (including document registration, processing of large submissions, first level IT/Case@EC user support, trainings). For DMA, DG

⁹⁷ DIGIT S.1 confirmed that the Commission network and the VPN connection can be regarded as second authentication factor on top of EU Login, thereby eliminating the need for other second factor authentication such as the use of a smartphone.

Competition will provide this same support to users from DG CNECT who will be part of joint case teams.

Data protection

Maintaining compliance in 2023 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 2023, DG Competition will continue to monitor data processing activities in the DG to ensure 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. Particular attention will be given in 2023 to the data protection aspects related to the investigations under of the new instruments, Digital Markets Act and Foreign subsidies. Exchanges of experiences with National Competition Authorities on the interaction between data protection rules and our investigative powers in competition investigations within the European Competition Network will continue in 2023 in order to agree to common approach.

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 2023:		
Output	Indicator	Target
CASE@EC: new digital solutions for Horizontal Projects, Foreign subsidies cases and Antitrust; upgrades to solutions for Digital Markets Act and State Aid.	Degree of implementation of the digital solutions modernisation plan: case management solutions (CASE@EC)	81,8%
Solution for Publication of Competition Public Data (ODSE) Improvement to solutions for <ul style="list-style-type: none"> Interactions with private sector stakeholders: <ul style="list-style-type: none"> Negotiation on confidentiality claims (eConfidentiality); Requests for information (eRFI); Leniency statements (eLeniency); Collaboration with NCAs (ECN2); State Aid notification and reporting (SANI2/SARI2); 	Degree of implementation of the digital solutions modernisation plan: exchanges with external stakeholders (aggregated)	81,8%

<ul style="list-style-type: none"> Secure document exchanges (eTrustex); Kick-off of Merger Notification Portal		
Data tools and support for case teams to speed up investigations and proceedings: In alignment with EC data strategy, focus on tools and use of AI for document review; dashboards; modern and secure data infrastructure (secure cloud)	Degree of implementation of the digital solutions modernisation plan: data and artificial intelligence (aggregated)	66,7%
New information systems (going into production in a given year) have a security plan and/or a security risk assessment to safeguard information ⁹⁸	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	60%

E. Sound environmental management

In 2023, 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, CO2 emissions, waste generation, water use, and office paper consumption.

In line with the Commission's strategy to be climate neutral by 2030 and the already effective steps in that direction made in 2022, 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 use of videoconferencing and collaborative platforms to organise online or hybrid meetings whenever possible.
- Promote greener means of transport for missions, especially those under 500 km., use of public transport and green mobility for commuting staff, and the VeloWalk initiative.
- Endorse paperless collaboration through COMPcollab and the use of the adapted to DG Competition sensitive nature of work M365 suit.

⁹⁸ 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.

- 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 and services.

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 Correspondent.

Main outputs in 2023:

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

Output	Indicator	Target (2019 as baseline, as appropriate)
Priority action to support the Greening the Commission Communication and action plan		
Participation in corporate energy saving actions, by closing down DG's buildings during the Christmas and New Year's and optimisation of the temperature in EC buildings.	The DG building participates in: - end and beginning of year energy saving action - optimisation of comfort hours and/or comfort temperature	100% of DG building participating in - end and beginning of year energy saving action - optimisation of comfort hours and/or comfort temperature
Other recommended actions		
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 in collaboration with OIB where appropriate.	Number of new actions introduced in relation to paperless working methods	1
	% of staff informed related to paperless working methods	100%
	Prints per person per DG	Reduced prints per person (%), in line with the Commission's average
II. Reducing CO₂, equivalent CO₂ and other atmospheric emissions		
Output	Indicator	Target (2019 as baseline)
Priority action to support the Greening the Commission Communication and action plan		
Analysis of DG's missions trends/patterns (based on corporate EC-staff's and experts' professional trips (missions ⁹⁹),	Signed the EC DG Travel Pledge	Yes

⁹⁹ Data provided by PMO/MiPs.

Output	Indicator	Target (2019 as baseline)
optimise and gradually reduce CO2 emissions (e.g. by reducing the number of participants in the same mission, promoting more sustainable travelling options, promoting videoconferencing/ virtual events as an alternative).	CO2 (t) emissions from DG's missions	Reduce DG's CO2 emissions from missions ¹⁰⁰⁾ with 50% (2019 as baseline)
Other recommended actions		
Staff awareness actions 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 organised	1
III. Reducing and management of waste		
Output	Indicator	Target (2019 as baseline)
Priority action to support the Greening the Commission Communication and action plan		
Implementation of the EC Guidelines for sustainable meetings and events, e.g. sustainable catering, reduce/eliminate single-use plastics, gadgets/gifts.	Number of green events	1
Other recommended actions		
Staff awareness actions about waste reduction and sorting in the framework of EMAS corporate campaigns and/or staff awareness actions about DG's waste generation in collaboration with OIB where appropriate (for example, promote and label the waste sorting schemes in place).	100% of staff informed	100% of staff informed
	Waste generation per DG/service building (kg/person)	Reduce waste generation (%), below the Commission average
		Increase waste sorting (%) ¹⁰¹⁾ , in line with the Commission average
IV. Promoting green public procurement (GPP)		
Output	Indicator	Target (2019 as baseline)
Other recommended actions		
Staff awareness actions on the promotion of "green" items among EC office supplies' catalogue (for	Number of actions	2

¹⁰⁰ Overall reduction of CO2 emissions from missions for the DG/service from 2019 to 2023 (%).

¹⁰¹ Overall reduction of waste generation for the DG/service (all buildings) from 2019 to 2023 (%).

Output	Indicator	Target (2019 as baseline)
example, introduce a DG-specific office supplies' catalogue, including only 100% "green" items).	Number or % of staff informed	100% of staff informed

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

The ongoing IAS audit on CASE@EC will be an opportunity for identifying further improvements to registry processes alongside existing automation elements brought in by CASE@EC. The IAS findings could bring efficiency gains and further improve the capacity of the registry to cope with the continuously increasing document and information flows linked to competition investigations. Those efficiency gains could be translated into further automation of manual tasks and improvements in the quality or speed of treatment of the information collected in the context of competition investigations. At this stage, it is premature to give a precise estimate of the expected gains.

G. Communication

DG Competition generates news like few other Commission departments on a daily basis. Specialised and mainstream media often report and comment on the Commission's competition enforcement decisions, as well as the policy reforms referred to in President von der Leyen's mission letter to EVP Vestager. Output on both fronts will continue apace in 2023, and DG Competition will continue to deploy its full set of communication tools and channels to inform stakeholders and the general public. In addition, DG Competition will continue to conduct outreach actions notably at EVP and senior management level.

A more strategic approach

DG Competition will seek to strengthen and update its external communication strategy for the three instruments: Antitrust, merger control and State aid. In addition to informing on the stream of decisions and policy initiatives, efforts will be made to deliver such information in a more comprehensive and strategic fashion, and to weave communication aspects more closely into the workflows of operational units across the DG. The goal is to systematise and improve on the already remarkable impact of our communication actions.

Leveraging the newsworthiness of DG Competition's action

To this end, DG Competition will hone the communication practices and tools it uses to interact with media organisations. It can be safely predicted that also in 2023 the Commission will publish a very high number of press releases, together with a number of major announcements delivered by EVP Vestager in the press room.

Introducing more nonverbal content

DG Competition will continue its push for more visual communication to explain and highlight major cases and policy initiatives. In 2023 DG Competition plans to add a number of animated clips, commissioned from external audio-visual providers, to the traditional visuals produced in-house. In the same vein, DG Competition will continue to update and upgrade its digital channels. It will continue to invest in making the external [europa.eu](https://european-council.europa.eu/europa) site a valued information source for specialist and non-specialist audiences. The audio-visual content also is designed to illustrate how competition policy supports the Commission's priorities and the ultimate significance of individual enforcement and policy actions for consumers, businesses and society.

More extensive use of social-media channels, but preserving a balanced mix

Graphical and audio-visual content will also support DG Competition's efforts to enhance the use of social media in 2023. DG Competition's Twitter account, as well as the recently opened LinkedIn account, have proven to be the most agile channels. DG Competition will work towards further extending their use and sustain the constant growth of followers (over 22,300 on Twitter and over 10,000 on LinkedIn at the latest count). These initiatives will come in addition to formal publications. DG Competition will continue to publish the regular bulletins for specialised stakeholders and to put out papers to share the findings of studies and for discussing complex and/or novel policy and enforcement topics.

Dedicated initiatives for special projects and new implementation tasks

Major studies on the benefits of competition and on the state of competition in the EU have been launched in 2022. Those studies will yield findings in 2023 and 2024. DG Competition will set up initiatives to share those findings widely and effectively across all communication channels during 2023. The same is true for the findings of the continuous monitoring of the public funds granted by Member States under the State aid temporary framework introduced to respond to the economic disturbance created by Russia's invasion of Ukraine. These initiatives are conceived as dedicated campaigns devoted to special projects. DG Competition is gearing up for similar efforts to cover the implementation of ground-breaking regulation such as the Digital Markets Act, and the Foreign Subsidies Regulation.

Outreach to specialist audiences, and beyond

DG Competition is planning to hold several outreach events during 2023. These include in-presence conferences and workshops, special consultations and online events.

Finally, DG Competition will launch a broad and innovative outreach initiative in 2023 with the objective to continue the debate initiated by "Making Markets Work for People" conference on 27 October 2022. This initiative will bring this broad debate to non-specialist settings and locations, contributing to the Commission's efforts to engage with the public

opinion on the ultimate significance of the EU in general, and of competition policy in particular.

Objective: Raise awareness of the heightened importance of competition policy and enforcement as a means to sustain the green and digital transitions, to tackle the cost-of-living crisis and high energy costs, and to improve the resilience of Europe's social market economy

Main outputs in 2023:

Output	Indicator	Target
Media relations	Number of online views of press releases	700.000
	Number of press conference attendees	80/press conference
Social media posts	New followers	+8.000 LinkedIn +1.500 Twitter
Videos	Number of views per item	15.000 including all channels (Twitter, LinkedIn, YouTube)
Infographics	Number of views per item	15.00 including Twitter, LinkedIn
Outreach (major events)	Number of participants	1000

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 2023:

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	Q1 2023
Enforcement actions		
Output	Indicator	Target ¹⁰²
Enforcement of EU State aid control	Number of opening decisions per year	No target
Enforcement of EU State aid control	Number of Commission decisions adopted	No target
GBER schemes under Section 7	Number of GBER schemes implemented under Section 7	Increasing number

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 2023:

Initiatives linked to regulatory simplification and burden reduction

Output	Indicator	Target
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¹⁰² It is usually not meaningful to set numerical targets for competition policy enforcement. On-going Commission investigations are always without prejudice to the final decision to be taken by the Commission in the case. However, DG Competition, like most competition authorities, provides the number of decisions (or intervention rate) to indicate the level of activity and output for the preceding year, also for deterrence purposes. As regards antitrust and cartel enforcement, a target would also depend on factors beyond the Commission's control (decisions of the parties or other market players to disclose infringements through the leniency programme, whistleblowing, complaints or the availability of information to the Commission to detect infringements ex officio). In each and every case, the Commission must fully respect the rights of defence of the parties.

Output	Indicator	Target
Revision of the horizontal block exemption	Adoption	Q2 2023
Revision of the Supplementary Guidelines to the Motor Vehicle Block Exemption	Adoption	Q2 2023
Guidelines on the antitrust derogation for sustainability agreements in agriculture	Adoption	Q4 2023
Revision of the Notice on market definition	Adoption	Q3 2023
Revision of the Notice on a Simplified procedure and revised Implementing Regulation	Adoption	Q3 2023
Revision of the de minimis aid Regulation	Adoption	Q3 2023
Revision of the Fisheries de minimis Regulation	Adoption	Q4 2023
Digital Markets Act, Implementing Regulation	Adoption	Q2 2023
Foreign Subsidies Regulation, Implementing Regulation	Adoption	Q2 2023

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 2023:

Enforcement actions

Output	Indicator	Target
Commission decisions authorising State aid for broadband measures	Number of the Commission decisions per year	Stable trend

External communication actions

Output	Indicator	Target
Commission giving trainings within the Broadband Competence Offices (BCO) network	Number of trainings given by year	Stable trend

Specific objective 2.3: Strengthening competition enforcement in support of A Europe fit for the digital age

Related to spending programme: see above under 1

Main outputs in 2023:

Enforcement actions

Output	Indicator	Target ¹⁰³
Enforcement of antitrust rules	Number of the Commission decisions per year (intervention rate) ¹⁰⁴	No target
Enforcement of Digital Markets Act (DMA)	Number of the Commission decisions per year	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 ¹⁰⁵	No target

¹⁰³ It is usually not meaningful to set numerical targets for competition policy enforcement. On-going investigations by the Commission are always without prejudice to the final decision to be taken by the Commission in the case. However, DG Competition, like most competition authorities, provides the number of decisions (or intervention rate) to indicate the level of activity and output for the preceding year, also for deterrence purposes. As regards antitrust and cartel enforcement, a target would also depend on factors beyond the Commission's control (decisions of the parties or other market players to disclose infringements through the leniency programme, whistleblowing, complaints or the availability of information to the Commission to detect infringements ex officio). In each and every case, the Commission must fully respect the rights of defence of the parties.

¹⁰⁴ Intervention rate consists of antitrust interventions (decisions) by the Commission. Intervention rate indicator includes the Commission's antitrust decisions (prohibition decisions, commitment decisions, cooperation decisions) and cartel prohibition decisions and settlement decisions.

¹⁰⁵ 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 ¹⁰³
	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
Enforcement of Foreign Subsidies Regulation	Number of the Commission decisions per year	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(s): See above under 1

Main outputs in 2023:

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 2023:

Evaluations and fitness checks

Output	Indicator	Target
Evaluation of State aid rules for banks in difficulty	Publication of evaluation results Staff Working Document	Q4 2023

Enforcement actions

Output	Indicator	Target ¹⁰⁶
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¹⁰⁶ It is usually not meaningful to set numerical targets for competition policy enforcement. On-going investigations by the Commission are always without prejudice to the final decision to be taken by the Commission in the case. However, DG Competition, like most competition authorities, provides the number of decisions (or intervention rate) to indicate the level of activity and output for the preceding year, also for deterrence purposes. As regards antitrust and cartel enforcement, a target would also depend on factors beyond the Commission's control (decisions of the parties or other market players to disclose infringements through the leniency programme, whistleblowing, complaints or the availability of

Output	Indicator	Target ¹⁰⁶
State aid enforcement in the financial sector	Number of Commission decisions adopted in 2023	No target
Specific objective 3.3: Temporary support of the economy through COVID-19 aid <i>Related to spending programme: see above under 1</i>		
Main outputs in 2023: Enforcement actions		
Output	Indicator	Target ¹⁰⁷
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 2023	No target
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 2023	No target
Amount of COVID-19 aid	Aid granted under the Temporary Framework (Article 107(3)(b)) and Article 107(2)(b)	Decreasing (2023)
Commission decisions related to reforms and investments included in Member States' recovery and resilience plans	Number of Commission decisions adopted in 2023	Increasing (2023)
Commission decisions related to Crisis Temporary Framework (CTF)	Number of Commission decisions adopted in 2023	No target

information to the Commission to detect infringements ex officio). In each and every case, the Commission must fully respect the rights of defence of the parties.

¹⁰⁷ It is usually not meaningful to set numerical targets for competition policy enforcement. On-going investigations by the Commission are always without prejudice to the final decision to be taken by the Commission in the case. However, DG Competition, like most competition authorities, provides the number of decisions (or intervention rate) to indicate the level of activity and output for the preceding year, also for deterrence purposes. As regards antitrust and cartel enforcement, a target would also depend on factors beyond the Commission's control (decisions of the parties or other market players to disclose infringements through the leniency programme, whistleblowing, complaints or the availability of information to the Commission to detect infringements ex officio). In each and every case, the Commission must fully respect the rights of defence of the parties.

ANNEX II: Digital Transformation indicators calculation

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

ID	Principle	Baseline 2019	2021	Interim milestone 2022	Interim milestone 2023	Target 2024
5.3	Agile	0	0	1	1	1
5.2	Data driven	0	1	1	2	2
5.1	User centric	1	1	1	1	2
4.2	Cross border	N/A	N/A	N/A	N/A	N/A
4.1	Interoperability	0	1	2	2	2
3.2	Transparency	N/A	N/A	N/A	N/A	N/A
3.1	Openness	N/A	N/A	N/A	N/A	N/A
2.2	Privacy	1	1	2	2	2
2.1	Security	1	1	2	2	2
1.2	Once only	0	1	1	1	2
1.1	Digital by default	0	1	1	2	2
	Average	18,75%	43,75%	68,75%	81,25%	95%

2. Calculation for Digital interactions with external stakeholders

ID	Principle	Baseline 2019	2021	2022	Interim milestone 2023	Target 2024
5.3	Agile	1	1	1	2	2
5.2	Data driven	1	1	1	1	2
5.1	User centric	1	2	2	2	2
4.2	Cross border	1	1	1	2	2
4.1	Interoperability	1	1	2	2	2
3.2	Transparency	1	1	1	1	2
3.1	Openness	1	1	1	1	2
2.2	Privacy	1	1	2	2	2
2.1	Security	1	1	2	2	2

ID	Principle	Baseline 2019	2021	2022	Interim milestone 2023	Target 2024
1.2	Once only	1	1	1	1	2
1.1	Digital by default	1	2	2	2	2
	Average	50%	68,18%	73%	81,8%	100%

3. Calculation for data and artificial intelligence for competition enforcement

ID	Principle	Baseline 2019	2021	Interim milestone 2022	Interim milestone 2023	Target 2024
5.3	Agile	0	1	1	2	2
5.2	Data driven	1	1	1	1	2
5.1	User centric	0	1	1	1	2
4.2	Cross border	N/A	N/A	N/A	N/A	N/A
4.1	Interoperability	0	0	1	1	2
3.2	Transparency	N/A	N/A	N/A	N/A	N/A
3.1	Openness	N/A	N/A	N/A	N/A	N/A
2.2	Privacy	1	1	2	2	2
2.1	Security	1	1	2	2	2
1.2	Once only	0	0	1	1	2
1.1	Digital by default	0	0	1	2	2
	Average	18,75%	37,5%	62,5%	66,7%	100%