6 Sustainability Takeaways in EU Antitrust & Regulatory

DECEMBER 2021

1. The European Commission adopts revised communication on State Aid Rules for Important Projects of Common European Interest (IPCEIs). The revised communication will facilitate the participation of small and medium-sized enterprises (SMEs) in IPCEIs, which aims to lay down the specific selection criteria and selection procedure of cross-border projects in transport, energy, and digital services. For this funding period, a new category of eligible “cross-border IPCEIs” has been introduced. These projects will benefit from an increased level of State aid support, provided that they meet certain criteria. The Commission launched a consultation on a proposal to define cross-border projects in which companies do not receive more aid than necessary. The new rules will be adopted “shortly”. See more here.

2. Temporary Framework for State Aid to Support the COVID-19 Recovery and Response. The European Commission President Ursula von der Leyen recently stressed that reducing the EU's dependency on fossil fuels such as gas, oil, and coal is crucial. European Commission President Ursula von der Leyen recently stressed that reducing the EU’s dependency on fossil fuels such as gas, oil, and coal is crucial. The green and digital transitions are key to meeting the EU's net zero and sustainability goals. The Commission aims to produce guidance on how the merger control regime, consumer protection law, and the markets regime, and that its aim is to ensure that all competition instruments (merger, antitrust, and State aid control) remain fit for purpose and complement the existing toolbox.

3. A new Net Zero Strategy builds on the previously published Commission report that encourages Europe's national competition authorities to set out with a new approach that would ensure that companies do not receive more aid than necessary. The new strategy aims to ensure that companies do not receive more aid than necessary. The new rules will be adopted “shortly”. See more here.

4. The European Commission’s draft ICT code of conduct that will apply to operators of communication networks and content providers. The code will regulate environmental claims and make the EU’s environmental claims guidance on environmental claims represent the culmination of extensive consultation and investigation into claims about “green” goods and services. The Code establishes a framework to prevent misleading and manipulative environmental claims, and to ensure that companies do not receive more aid than necessary. The new rules will be adopted “shortly”. See more here.

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