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COMMISSION STAFF WORKING DOCUMENT

Accompanying the document

**REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE
COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE
COMMITTEE OF THE REGIONS**

Report on Competition Policy 2025

{COM(2026) 180 final}

CONTENTS

INTRODUCTION	4
I. POLICY DEVELOPMENTS AND ENFORCEMENT TRENDS	4
1. Antitrust and cartels.....	4
1.1. Recent enforcement trends in antitrust and cartel enforcement	5
1.2. The fight against cartels remains a top priority	6
1.3. Modernising and simplifying antitrust rules and guidance	7
1.4. Significant judgments by EU Courts in antitrust and cartels	9
1.5. Cooperation within the European Competition Network (ECN) and with national courts	14
2. Merger control.....	15
2.1. Recent enforcement trends	15
2.2. Modernising and simplifying the Merger Guidelines	17
2.3. Significant judgments by EU Courts in merger control	17
3. State aid control.....	18
3.1. Recent enforcement trends in State aid control.....	19
3.2. Modernising and simplifying State aid rules and guidance.....	20
3.3. Significant judgments by EU Courts in State aid.....	26
3.4. Monitoring, recovery and cooperation with national courts	29
4. The Foreign Subsidies Regulation.....	30
4.1. Context	30
4.2. Developments on rules and guidance	31
4.3. Enforcement	32
5. The Digital Markets Act.....	34
5.1. Context	34
5.2. Enforcement	35
5.3. Developments on rules	36
5.4. Regulatory cooperation and transparency	37
6. Developing the international dimension of EU competition policy.....	37
6.1. Multilateral relations	37
6.2. Bilateral relations.....	39
7. Benefits of EU competition policy for consumers and citizens	40
7.1. Benefits of EU competition for consumers and citizens	40
7.2. <i>Ex post</i> evaluation.....	42

II. SECTORAL OVERVIEW	43
1. ENERGY & ENVIRONMENT	43
1.1. Overview of key challenges in the sectors	43
1.2. Contribution of EU competition policy to tackling the challenges in the green economy	44
1.3. Contribution of EU competition policy to tackling the challenges in energy markets	54
2. INFORMATION, COMMUNICATION, TECHNOLOGIES & MEDIA	55
2.1. Overview of key challenges in the sectors	55
2.2. Contribution of EU competition policy to tackling the challenges	56
3. FINANCIAL SERVICES	63
3.1. Overview of key challenges in the sector	63
3.2. Contribution of EU competition policy to tackling the challenges	64
4. TAXATION & STATE AID	69
4.1. Overview of key challenges on tax evasion and avoidance, and fiscal aid	69
4.2. Contribution of EU competition policy to tackling the challenges	71
5. BASIC INDUSTRIES & MANUFACTURING	71
5.1. Overview of key challenges in the sectors	71
5.2. Contribution of EU competition policy to tackling the challenges	72
6. AGRI-FOOD & FISHERIES	76
6.1. Overview of key challenges in the sectors	76
6.2. Contribution of EU competition policy to tackling the challenges	77
7. PHARMACEUTICAL & HEALTH SERVICES	83
7.1. Overview of key challenges in the sectors	83
7.2. Contribution of EU competition policy to tackling the challenges	83
8. TRANSPORT, POST, HOUSING & OTHER SERVICES	86
8.1. Overview of key challenges in the sectors	86
8.2. Contribution of EU competition policy to tackling the challenges	87
III. SUPPORTING EU COMPETITION ENFORCEMENT	96
1. DIGITAL TRANSFORMATION	96
1.1. Case Management modernisation	96
1.2. Improving digital exchanges with Member States, consumers and citizens	96
1.3. Advanced data support and digital solutions for competition investigations	97
2. SINGLE MARKET PROGRAMME	97
3. EXTERNAL COMMUNICATION & ADVOCACY	98

INTRODUCTION

This Staff Working Document (SWD) consists of three parts. Part I presents the policy developments and enforcement trends in 2025 across the three competition instruments: State aid, antitrust and cartels and merger control. It also includes developments regarding the Digital Markets Act (DMA)¹ and the Foreign Subsidies Regulation (FSR)²: two Single Market instruments complementing the EU competition policy framework. Part II focuses on specific sectoral policy developments and enforcement actions in 2025, while Part III discusses activities supporting competition enforcement³.

I. POLICY DEVELOPMENTS AND ENFORCEMENT TRENDS

EU competition policy strengthens the integrity of the Single Market. Its primary objective is to promote and maintain fair and efficient competition contributing to predictable market conditions for companies to grow and invest in the EU. By keeping markets open and dynamic, a robust competition policy acts as a key enabler of competitiveness and sustainable and inclusive growth. It also increases companies' resilience as it enables strong and diversified supply chains and addresses behaviours undermining the Single Market. Complementing traditional competition instruments, the DMA increases market contestability in the digital sector and addresses unfair behaviour by proactively tackling issues arising from digital gatekeepers, while the FSR addresses market distortions caused by subsidies from non-EU governments - ensuring a genuinely level playing field across all markets.

In 2025, the European Commission (Commission) continued to modernise and simplify EU competition policy to ensure that it fully supports a clean, just and competitive transition. This modernisation and simplification effort combined with robust enforcement of the EU competition rules, the DMA and the FSR contributes to bringing down remaining barriers to the Single Market, promotes competitive and affordable clean technologies and the free flow of products and capital and ensures that digital markets remain contestable and fair.

1. ANTITRUST AND CARTELS

Articles 101, 102 and 106 TFEU

According to Article 101 of the Treaty on the Functioning of the European Union (TFEU), anti-competitive agreements are prohibited as incompatible with the internal market. Article 101 TFEU prohibits agreements with an anti-competitive object or effect where companies coordinate their behaviour instead of competing independently. However, an agreement that restricts competition may be exempted from the prohibition under Article 101(3) TFEU if it ultimately fosters competition (for example by promoting technical progress or by improving distribution, while allowing consumers a fair share of the resulting benefit).

Article 102 TFEU prohibits the abuse of a dominant position. It is not in itself illegal for an undertaking to be in a dominant position or to acquire such a position. Dominant undertakings, as any other undertaking in the market, are entitled to compete on the merits. However, Article 102 TFEU prohibits behaviours by dominant undertakings that, for example, directly or indirectly imposes unfair purchase or selling prices or other unfair trading conditions, or limits production, markets or technical development.

In relation to public undertakings and undertakings to which Member States grant special or exclusive rights, Article 106(1) TFEU prevents Member States from enacting or maintaining in force measures contrary to the Treaty rules.

¹ 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.

² Regulation (EU) 2022/2560 of the European Parliament and of the Council of 14 December 2022 on foreign subsidies distorting the internal market, OJ L 330, 23.12.2022, p. 1-45.

³ See also Directorate-General for Competition Infograph '2025 at a glance' of 6.1.2026 https://competition-policy.ec.europa.eu/document/download/43bc2a9e-7172-4163-bc7c-d4b1afadd150_en?filename=2025_at_a_glance.pdf

1.1. Recent enforcement trends in antitrust and cartel enforcement

The figures below provide an overview of the number and type of antitrust decisions in the past ten years, including decisions rejecting complaints, and letters informing complainants of the Commission’s intention to reject their complaint in the last six years. In parallel, based on the possibility for stakeholders to request individual guidance when facing genuine uncertainty about the legality of their actions⁴, in 2025, the Commission issued its first two guidance letters. One addressed an agreement for the joint purchasing and setting of minimum technical specifications for electric container-handling equipment used in ports, and the second one the creation of a licensing negotiation group in the automotive sector for the licensing of standard essential patents (see below Part II, section 8.2.6 and 5.2.3 respectively).

Figure 1: Antitrust and cartel decisions 2016-2025

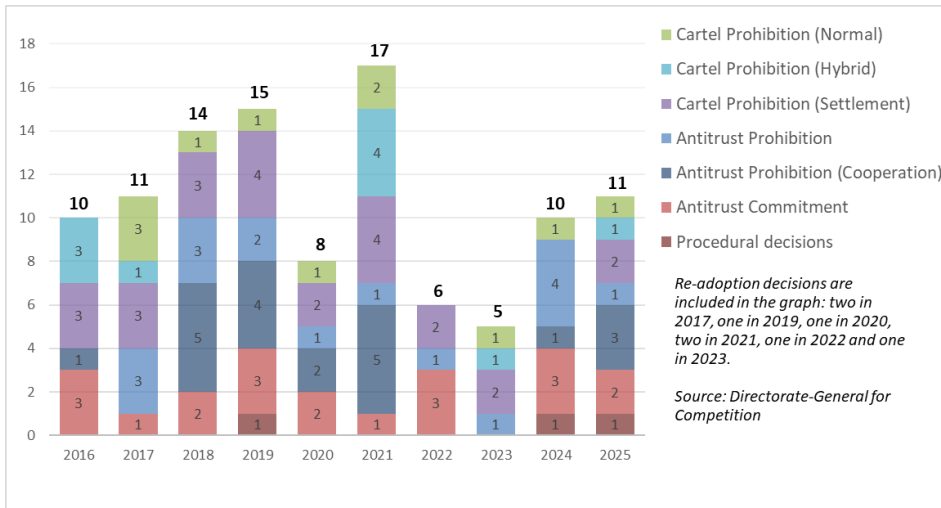
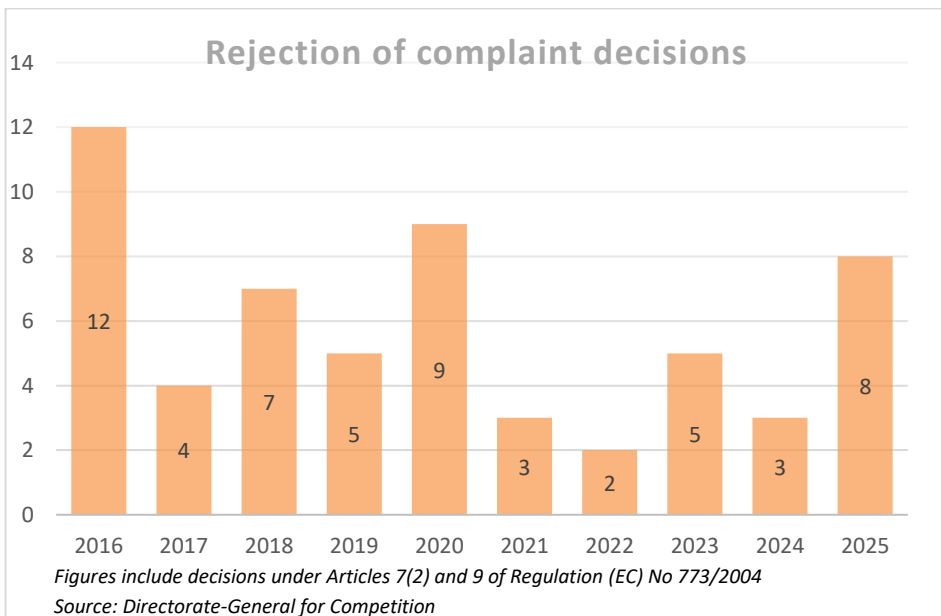
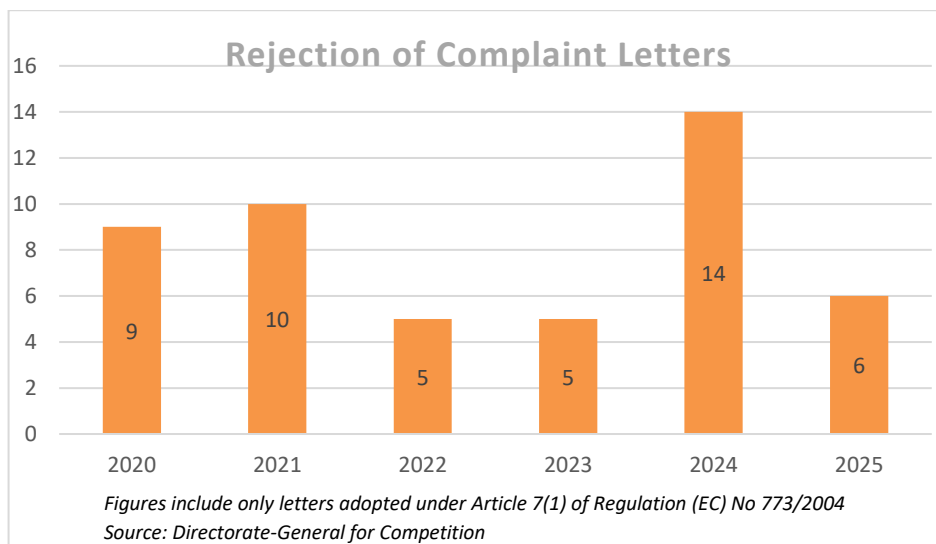


Figure 2: Rejection of complaint decisions 2016-2025



⁴ Commission Notice on informal guidance relating to novel or unresolved questions concerning Articles 101 and 102 of the Treaty on the Functioning of the European Union that arise in individual cases (guidance letters), OJ C 381, 4.10.2022, p. 9.

Figure 3: Rejection of complaint letters⁵ 2020-2025



1.2. The fight against cartels remains a top priority

Cartels cause an immense damage to the EU economy and harm businesses and consumers. Detecting and sanctioning cartels therefore remains a core mission for the Commission. Cartel enforcement is even more important at a time when companies are adjusting to new market realities, as the temptation to collude risks increasing.

In 2025, the Commission continued to build up a diversified portfolio of cartel cases, covering different sectors and behaviours, based either on leniency applications or leads obtained from its own *ex officio* activities which resulted in new dawn raids⁶.

The Commission's *ex officio* strategy enables the detection of new cartel cases outside the leniency regime. Building on its experience and lessons drawn from recent investigations, the Commission is constantly refining methods to proactively identify suspicious patterns of behaviour. This strategy combines the use of pro-active market screening with intelligence gathered through market contacts and cooperation with other authorities and ensures that the Commission is able to act even in the absence of leniency applications. This approach also enables the Commission to safeguard the deterrent effect of EU competition policy by maintaining a credible enforcement presence across markets, including those where incentives to cooperate under the leniency programme may be weaker.

The *leniency programme* also continues to play an important role in the detection and investigation of cartels. The Commission receives a significant number of leniency applications covering a broad spectrum of collusion scenarios stretching across a wide range of sectors. Potential leniency applicants frequently use practical arrangements to improve this programme, including the option to reach out to designated Leniency Officers within the Directorate General for Competition (DG Competition) for informal guidance and to discuss potential leniency applications on a 'no-names' basis. The Commission's online platform - *eLeniency tool*⁷ - remains the primary means to submit applications and access leniency materials, the use of oral statements being less frequent.

⁵ The figures included in *Figure 3* include rejection of complaint letters (Article 7(1)) which have been followed by a decision rejecting the complaint (Article 7(2)) mentioned in *Figure 2*.

⁶ See for instance unannounced inspections in the ski equipment sector https://ec.europa.eu/commission/presscorner/detail/en/ip_25_2430

⁷ See https://competition-policy.ec.europa.eu/antitrust-and-cartels/leniency/eleniency_en

In 2025, the Commission adopted several cartel decisions. On 1 April 2025, the Commission imposed fines totalling approximately EUR 458 million on 15 major car manufacturers and the European Automobiles Manufacturers' Association (ACEA) for participating in a *long-lasting cartel concerning end-of-life vehicle recycling*⁸. So far, this is the largest case (in terms of number of addressees) concluded under the Commission's Cartel Settlement Procedure (see below Part II, section 1.2.10.2).

On 2 June 2025, the Commission fined Delivery Hero and Glovo, two major food delivery companies, a total of EUR 329 million for participating in a *cartel in the online food delivery sector*⁹. This is the first time the Commission has sanctioned a cartel in the labour market (so-called no-poach arrangement) and the use of a minority shareholding to collude (see below Part II, section 6.2.2).

On 4 July 2025, the Commission also fined Alchem International Pvt. Ltd. and its subsidiary Alchem International (H.K.) Limited EUR 489 000 for their participation, for more than 12 years, in a *cartel affecting an important pharmaceutical ingredient* necessary to produce abdominal antispasmodic drugs¹⁰ (see below Part II, section 7.2.2).

On 15 December 2025, the Commission fined several automotive starter batteries manufacturers as well as the trade association Eurobat a total of around EUR 72 million for engaging in a *long-running cartel concerning automotive starter batteries*¹¹. The decision clarifies that while a surcharge is in general a legitimate tool which contract partners can use to reflect changes in raw material costs in product prices, it is clearly illegal for suppliers to secretly coordinate to introduce and use such a surcharge as an industry-wide standard (see below Part II, section 5.2.3).

The Commission remains dedicated to investigating possible anticompetitive conduct that impacts the clean, just and competitive transition.

1.3. Modernising and simplifying antitrust rules and guidance

In 2025, the Commission continued to modernise and simplify EU antitrust rules to ensure that they fully support a clean, just and competitive transition. The developments outlined below concern rules of horizontal nature. The developments on sectoral rules and guidance are included in the relevant sections of Part II.

1.3.1. Revision of Regulations 1/2003 and 773/2004 ongoing

Regulation 1/2003¹² and its implementing act, Regulation 773/2004¹³, establish a procedural framework aimed at ensuring the effective and uniform application of Articles 101 and 102 TFEU.

The evaluation of the two Regulations concluded in 2024 shows that they have generally achieved their objective of effective, efficient and uniform application of EU competition rules and remain relevant. That evaluation also identifies several areas for further reflection¹⁴. The evidence gathered in the evaluation indicated that the effectiveness and efficiency of some of the Commission's investigative tools, in particular requests for information and inspections, is increasingly affected by digitalisation as

⁸ Case AT.40669 – *End-of-life vehicle recycling*.

⁹ Case AT.40795 – *Food delivery services*.

¹⁰ Case AT.40636 – *SNBB*.

¹¹ Case AT.40545 – *Automotive starter batteries*.

¹² 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, OJ L, 4.1.2003, p. 1.

¹³ 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, OJ L 123, 27.4.2004, p. 18.

¹⁴ See https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13431-EU-antitrust-procedural-rules-evaluation_en

these tools were conceived for 'paper world' investigations with less data. The evaluation has shown that certain other aspects of the Commission's procedures are also not optimally efficient. For example, the interim measures power, while intended for urgent situations where harm to competition is imminent, is procedurally intensive, meanwhile commitment procedures, while generally regarded as an efficient alternative to prohibition decisions, remain relatively lengthy. Finally, the procedures for granting access to file and for rejecting formal complaints were found to be resource-intensive and not optimally efficient. All these elements also stand in the way of having faster investigations. In addition, by decentralising enforcement, the Regulations have allowed national competition authorities (NCAs) to become effective enforcers of Articles 101 and 102 TFEU. This has been supported by the creation of the European Competition Network (ECN) which has been pivotal to achieving a uniform and effective application of EU competition rules. Still, the evaluation indicated that the cooperation within the ECN could be enhanced further, in particular by avoiding unnecessary parallel investigations and further improving the interplay between EU and national competition laws to ensure the coherent enforcement of all available legal instruments.

As a follow-up, the Commission launched the revision process on 10 July 2025. It seeks to keep up with transformative changes, such as the digitalisation of the economy and its impact on the Commission's enforcement tools, speed up investigations, and optimise the system of parallel enforcement by the Commission and the NCAs. The process began with a stakeholders' consultation via a call for evidence and a public consultation questionnaire to gather feedback on options for revising the rules, running from July to October 2025¹⁵. On 15 December 2025, the Commission organised a reality check to engage further with stakeholders on their perspectives regarding the various policy options outlined in the call for evidence. The reality check was organised around four breakout sessions covering the following topics: (i) the Commission's evidence-gathering toolbox (inspections, preservation orders and interviews); (ii) convergence and cooperation in the ECN, the handling of complaints, and third-party participation in proceedings; (iii) granting access to the file: confidentiality rings; and (iv) the Commission's decision-making procedures: interim measures, commitments and remedies. The discussion also collected views on simplifying the rules and on the practical implications of the proposed policy options, to ensure they are well-targeted and achieve the intended benefits.

1.3.2. Work on Guidelines on exclusionary abuses ongoing

Exclusionary abuses harm consumers and citizens; they lead to higher prices, reduced innovation, limited choice, and poorer quality of goods and services.

In 2025, the Commission continued working on the future Guidelines on exclusionary abuses of dominance. The purpose of the initiative is to codify the case-law on Article 102 TFEU, ensuring legal certainty and predictability of the legal framework while providing operational guidance to companies. The initiative also aims to contribute to the modernisation of the EU's competition policy by strengthening and making more effective and efficient the enforcement of Article 102 TFEU, thereby keeping markets open, encouraging investments and enabling the development of innovative products and services.

Following the public consultation on the draft Guidelines in 2024¹⁶, the Commission organised a workshop in February 2025 to continue the dialogue with stakeholders. The topics discussed were as follows: single and collective dominance; capability to produce exclusionary effects; evidentiary burden and substantive legal standard; departure from competition on the merits (notion and practical

¹⁵ See https://ec.europa.eu/commission/presscorner/detail/en/ip_25_1795

¹⁶ See https://competition-policy.ec.europa.eu/public-consultations/2024-article-102-guidelines_en

application); objective necessity and efficiencies; predatory pricing and margin squeeze; exclusive dealing and conditional rebates; tying; self-preferencing, and refusal to supply and access restrictions.

The review of the draft Guidelines is ongoing, incorporating feedback from stakeholders and recent developments in the case-law of the EU Courts. The Commission aims to adopt the Guidelines in 2026.

1.3.3. Revision of rules on technology transfer agreements ongoing

In 2025, the Commission launched the impact assessment phase of the review of the Technology Transfer Block Exemption Regulation (TTBER)¹⁷ and the accompanying Guidelines (TTGL)¹⁸. This builds on the results of the evaluation completed on 22 November 2024 with the publication of a staff working document.

The evaluation showed that the TTBER and TTGL have been largely successful in ensuring the effective, efficient and uniform application of EU competition rules to technology transfer agreements. Specifically, both instruments have successfully assisted companies in self-assessing the compliance of their technology transfer agreements with EU competition rules.

However, the evaluation also indicated areas for improvement to increase legal certainty (for example, to address stakeholders' practical difficulties in calculating market shares on technology markets) and that the rules could be updated to reflect recent market developments (for example, in relation to the growing importance of the licensing of certain types of data, which are not addressed by the current rules).

In light of the results of the evaluation, the impact assessment seeks to review possible policy options for those areas of the rules that could be improved to ensure that the framework remains fit for purpose in light of evolving technologies and market dynamics.

In 2025, the Commission gathered evidence through several means, including an external expert study on data licensing, a call for evidence, and a public consultation on the proposed options for revising the rules. A public consultation on drafts of a revised TTBER and Guidelines was held in September and October. A reality check was organised on 12 November 2025 to test the practical implications of proposed changes regarding data licensing, licensing negotiation groups and technology pools. More than 80 stakeholders participated in the reality check. Their feedback will inform the finalisation of the revised TTBER and Guidelines, which are expected in 2026.

1.4. Significant judgments by EU Courts in antitrust and cartels

1.4.1. Antitrust

In 2025, the EU Courts adopted significant judgments and preliminary rulings on various aspects of antitrust enforcement.

1.4.1.1. Anticompetitive agreements under Article 101 TFEU

The Court of Justice's preliminary ruling of 8 May 2025 in *Beevers Kaas*¹⁹ clarified the conditions under which an exclusive distribution system could benefit from an exemption under the 2010 Vertical Block Exemption Regulation²⁰. The Court confirmed for the first time that one of the conditions for an active

¹⁷ Commission Regulation (EU) No 316/2014 of 21 March 2014 on the application of Article 101(3) TFEU to categories of technology transfer agreements, OJ L 93, 28.3.2014, p. 17.

¹⁸ Communication from the Commission — Guidelines on the application of Article 101 TFEU to technology transfer agreements, OJ C 89, 28.3.2014, p. 3.

¹⁹ Judgment of the Court of Justice of 8 May 2025 in Case C-581/23, *Beevers Kaas*, ECLI:EU:C:2025:323.

²⁰ Commission Regulation No 2790/1999 of 22 December 1999 on the application of Article 81(3) TFEU to categories of vertical agreements and concerted practice, OJ L 336, 29.12.1999, p. 21.

sales ban imposed to protect an exclusive distribution system to benefit from the 2010 Vertical Block Exemption Regulation is that the supplier must obtain the (express or implicit) acceptance of the sales ban by all its other distributors in the European Economic Area (EEA). That condition is included in the definition of exclusive distribution systems in the 2022 Vertical Block Exemption Regulation²¹.

On 23 October 2025, the Court of Justice dismissed the appeal lodged by *Teva and Cephalon* against the General Court's judgment²² upholding a Commission decision which fined those companies for having entered into an anticompetitive pay-for-delay agreement²³. On 26 November 2020, the Commission established that Teva and Cephalon had infringed Article 101 TFEU by concluding a settlement agreement under which Teva agreed to delay the entry of its generic product in exchange for a value transfer from Cephalon²⁴. Unlike in previous pay-for-delay cases (Fentanyl²⁵, Lundbeck²⁶ and Servier²⁷), the payment (value transfer) to Teva was made predominantly through a package of commercial deals, which were all very lucrative for Teva, rather than as a straightforward cash payment. By establishing that these side deals would not have been concluded (or at least not on the same terms) under normal market conditions, i.e. had Teva not agreed to the non-compete and no-challenge clauses in the settlement agreement, the Commission concluded that the side deals indeed represented an illegal value transfer. The Court rejected the appeal in its entirety thus confirming the Commission's decision that the settlement agreement constituted an infringement of Article 101 TFEU by both object and effect.

1.4.1.2. Abuses of dominance under Article 102 TFEU

On 25 February 2025, the Court of Justice delivered a preliminary ruling in *Alphabet/Autorità Garante della Concorrenza e del Mercato (Android Auto)*²⁸. The Court clarified that, where a dominant company has developed a digital platform intended for use by third parties, refusing to grant interoperability between that platform and a third-party app may constitute an abuse of dominant position. The Court also emphasised that this refusal can be an abuse even if access to that platform is not indispensable for the commercial operation of the third-party app, but is such as to make that app more attractive to consumers. Furthermore, the Court of Justice clarified that the fact that the third-party app and other competitors remained on the market or even grew their position despite not having access to the dominant company's platform does not mean that the refusal of interoperability did not have anti-competitive effects and was therefore not abusive. Such refusal can still be considered abusive if it has the potential to hinder competition on the market. This judgment is significant as it provides clarity when a refusal to grant interoperability may be abusive under Article 102 TFEU.

In *Cluj Airport*²⁹, the Court of Justice clarified on 27 February 2025 in a preliminary ruling that the Council Directive 96/67/EC on access to the ground handling market at Union airports does not exclude the application of EU competition law's prohibition of abusive conduct in situations where the airport provider refuses access to the airport infrastructure necessary for the provision of ground handling

²¹ Commission Regulation 2022/720 of 10 May 2022 on the application of Article 101(3) TFEU to categories of vertical agreements and concerted practices, OJ L 134, 11.5.2022, p. 4.

²² Judgment of the General Court of 18 October 2023 in Case T-74/21, *Teva Pharmaceutical Industries and Cephalon v Commission*, ECLI:EU:T:2023:651.

²³ Judgment of the Court of Justice of 23 October 2025 in Case C-2/24 P, *Teva Pharmaceutical Industries and Cephalon v Commission*, ECLI:EU:C:2025:825.

²⁴ Case AT.39686 – *Cephalon*.

²⁵ Case AT.39685 – *Fentanyl*.

²⁶ Case AT.39226 – *Lundbeck*.

²⁷ Case AT.39612 – *Perindopril (Servier)*.

²⁸ Judgment of the Court of Justice of 25 February 2025 in Case C-233/23, *Alphabet/Autorità Garante della Concorrenza e del Mercato (Android Auto)*, ECLI:EU:2025:110.

²⁹ Judgment of the Court of Justice of 27 February 2025 in Case C-220/24, *Cluj Airport*, ECLI:EU:C:2025:124.

services at EU airports. The judgment confirms that the mere existence of sectoral rules does not mean that the conduct in question is exempted from the competition rules laid down by the Treaties, irrespective of whether or not those sectoral rules are applicable to that conduct.

On 10 December 2025, the General Court dismissed *Intel's*³⁰ application for annulment of the Commission's 2023 decision imposing on Intel a fine of EUR 376 million for infringing Article 102 TFEU by imposing so-called naked restrictions on HP, Acer and Lenovo concerning the use of AMD processors. The 2023 decision followed a legal battle between Intel and the Commission regarding a 2009 decision by which the Commission fined Intel EUR 1.06 billion for infringing Article 102 TFEU by means of exclusivity rebates and payments granted to certain customers (so-called naked restrictions). Together, those two types of conducts were considered to form a single and continuous infringement as part of a strategy aimed at excluding a competitor from the market for microprocessors. In 2022, the General Court annulled the Commission's 2009 decision as regards the part of the single and continuous infringement relating to exclusivity rebates but annulled the fine in full, since it was not in a position to identify the amount of the fine relating solely to the naked restrictions part of the decision that was upheld. Consequently, in 2023, the Commission re-adopted a decision imposing a fine on Intel of EUR 376 million only for the naked restrictions. Intel again challenged that decision. In its judgment of 10 December 2025, the General Court fully endorsed the Commission's decision to re-adopt a fine for the naked restrictions but, at the same time, reduced that fine by 37% to EUR 237 million in view of the lower gravity of the naked restrictions in the exercise of its unlimited jurisdiction.

1.4.1.3. Antitrust procedure

On 30 January 2025, the Court of Justice delivered a preliminary ruling in *Caronte & Tourist*³¹. It concluded that the ECN+ Directive³² and Article 102 TFEU, read in light of the principle of effectiveness of EU law, preclude national legislation from imposing a 90-day time limit on a national competition authority to initiate proceedings concerning a competition law infringement in a case such as the one pending before the referring court. The underlying national legislation provides such a 90-day time limit starting from the moment the competition authority gained knowledge of the essential elements of the alleged infringement, and sanctions the failure to observe that period with the annulment of that authority's final decision and the revocation of the authority's power to initiate new infringement proceedings regarding the same practice.

1.4.2. Cartels

In 2025, the EU courts dealt with several actions for annulment of cartel decisions and appeals and clarified the Commission's inspection powers.

In *Replacement Tyres*³³, the General Court upheld on 9 July 2025 the Commission's inspection decision as regards the 'main period' of the suspected infringement. The Court confirmed that the Commission can launch inspections purely based on information obtained through the screening of publicly available information, and that the inspection decision was sufficiently reasoned. It also noted that the Commission can use its inspection powers even in a scenario where the evidence may be limited to publicly available information - in the present case, regular public calls with investors (so-called earnings calls) - and

³⁰ Judgment of the General Court of 10 December 2025 in Case T-1129/23, *Intel v Commission*, ECLI:EU:T:2025:1091.

³¹ Judgment of the Court of Justice of 30 January 2025 in Case C-511/23, *Caronte & Tourist*, ECLI:EU:C:2025:42.

³² Directive (EU) 2019/1 of the European Parliament and of the Council of 11 December 2018 to empower the competition authorities of the Member States to be more effective enforcers and to ensure the proper functioning of the internal market, OJ L 11, 14.1.2019, p. 3.

³³ Judgment of the General Court of 9 July 2025 in Case T188/24, *Compagnie générale des établissements- Michelin v Commission*, ECLI:EU:T:2025:686.

rejected the claim that a request for information would have been more appropriate in such a scenario. The Court however annulled the part of the decision regarding to the ‘earlier period’ of the suspected infringement, finding that the Commission did not show sufficiently serious indicia to support the suspicions for those few years in the more distant past. The judgment is final.

On 30 April 2025 in *Symrise*³⁴, the General Court fully upheld the legality of the inspection in the *ex officio* Consumer Fragrance investigation. The Court confirmed that the Commission had sufficient indicia of a possible infringement to justify its actions. Importantly, the Court also upheld the Commission’s right to protect the confidentiality of its sources and investigation methods at this stage of the proceedings, recognizing that disclosing their identity or the precise origin of the information could undermine the effectiveness of cartel detection. The judgment is final.

In *EGB (European Government Bonds)*, the General Court dismissed all six actions for annulment of the Commission’s decision on 26 March 2025³⁵. In particular, the Court confirmed that the conduct constituted a single and continuous infringement. It further held that the exchanges of commercially sensitive information, price-fixing arrangements, market sharing and customer allocation - on both the primary and secondary market for EGBs - were particularly harmful to competition. Furthermore, the Court confirmed the Commission’s legitimate interest in finding an infringement with regard to Bank of America and Natixis, both of which were not fined because their infringement fell outside the limitation period. The Court also upheld the Commission’s methodology for calculating the fines but made marginal corrections. Five investment banks have since appealed against the judgment³⁶.

In *FOREX*, the General Court partly upheld the application for annulment by Credit Suisse - now UBS - of the Commission’s decision of 2 December 2021 that imposed a fine of EUR 83 million on Credit Suisse for its participation in 2012 in one of the FOREX cartels³⁷. All other banks had settled their case with the Commission for a total of EUR 1.4 billion. The Court confirmed that Credit Suisse participated in the cartel and rejected all arguments in that regard but reduced the amount of the fine to EUR 28.9 million. The Commission had calculated the value of sales on the basis of a proxy that contained a uniform reduction factor, while Credit Suisse had provided the Commission with more granular individual data. The Court found that the Commission was obliged to use this ‘best available data’ when it applied its own Fining Guidelines³⁸. Neither the Commission, nor UBS, have appealed the judgment and the Commission has adapted and further individualised its fining methodology in financial cartel cases.

The judgments above are in line with previous case-law predominantly upholding the Commission’s decisions sanctioning investment banks for the anticompetitive conduct of their traders through the exchange of commercially sensitive information in a network of contacts between competitors, and endorsing - albeit sometimes with corrections - the fines calculations in the Commission’s financial cartel cases.

³⁴ Judgment of the General Court of 30 April 2025 in Case T-263/23, *Symrise AG v Commission*, ECLI:EU:T:2025:417.

³⁵ Judgments of the General Court of 26 March 2025 in Cases T-441/21, T-449/21, T-453/21, T-455/21, T-456/21, T-462/21, *UBS Group and UBS v Commission*, ECLI:EU:T:2025:337.

³⁶ Cases C-370/25 P – *UniCredit*, C-375/25 P – *Nomura*, C-376/25 P – *Portigon*, C-379/25 P – UBS and C-384/25 P – *Natixis*.

³⁷ Judgment of the General Court of 3 July 2025 in Case T-84/22, *UBS Group and Others v Commission*, as successor *Credit Suisse v Commission*, ECLI:EU:T:2025:752.

³⁸ Guidelines on the method of setting fines imposed pursuant to Article 23(2)(a) of Regulation No 1/2003, OJ C 210, 1.9.2006, p. 2.

1.4.3. Private enforcement of EU competition law

In 2025, the Court of Justice issued several significant rulings regarding private enforcement in EU competition law.

The Court of Justice's preliminary ruling of 28 January 2025 in *ASG 2*³⁹ concerned a stand-alone action where several sawmills, which allegedly suffered losses following an infringement of Article 101 TFEU, assigned their damages claims to a legal person that brought a bundled action for damages on behalf of the sawmills. The Court clarified that the principles of effectiveness and effective judicial protection preclude national law which has the effect of preventing persons allegedly harmed by competition law infringements from assigning their claims for compensation on a fiduciary basis to a provider of legal services, provided that: (i) there are no equivalent legal or contractual possibilities for consolidating claims; and (ii) the bringing of individual actions for damages is, having regards to all the circumstances, impossible or excessively difficult. The judgment is significant as it states that national legislation preventing a group action to claim damages may infringe EU law.

In its preliminary ruling of 13 February 2025 in *Athenian Brewery and Heineken*⁴⁰, the Court of Justice clarified that a parent company and its subsidiary can be jointly sued at the place where one of them is domiciled if the parent company exercises decisive influence on the economic activity of the subsidiary. Where the parent company holds all or almost all the shares of its subsidiary, a rebuttable presumption applies that the parent exercises such decisive influence over that subsidiary for the purpose of determining jurisdiction.

In its preliminary ruling of 4 September 2025 in *Nissan Iberia*⁴¹, the Court of Justice found that Article 101 TFEU, read in the light of the principle of effectiveness and the Damages Directive⁴², must be interpreted as meaning that the limitation period under national law for bringing an action for damages - allegedly arising from an infringement of EU competition law found in a decision by a national competition authority - cannot begin to run until that decision is no longer susceptible to appeal. The Court also emphasised that judgments in which such a decision has been definitively upheld must be officially published, freely accessible to the public, and have a clearly specified date of publication.

The Court of Justice's preliminary ruling of 30 October 2025 in *FL und KM Baugesellschaft and S*⁴³ clarified that EU law does not grant an absolute protection to leniency statements and settlement submissions (i.e. the voluntary self-incriminating statements made by parties subject to a competition law investigation to obtain immunity or a fine reduction). In particular, the Court held that EU law does not preclude mechanisms for administrative assistance that would require a national competition authority to transmit its files, including leniency statements and settlement submissions and the information obtained from them, to the national criminal authorities, upon request, provided that such mechanisms do not jeopardize the effectiveness of leniency programs and settlement procedures as tools to detect and establish competition law infringements. The Court however clarified that once leniency statements and settlement submissions end up in criminal files, pursuant to Article 31(3) of the ECN+

³⁹ Judgment of the Court of Justice of 28 January 2025 in Case C-253/23, *ASG 2, Ausgleichsgesellschaft für die Sägeindustrie Nordrhein-Westfalen GmbH v Land Nordrhein-Westfalen*, ECLI:EU:C:2025:40.

⁴⁰ Judgment of the Court of Justice of 13 February 2025 in Case C-393/23, *Athenian Brewery SA and Heineken NV v Macedonian Thrace Brewery SA*, ECLI:EU:C:2025:85.

⁴¹ Judgment of the Court of Justice of 4 September 2025 in Case C-21/24, *CP v Nissan Iberia SA*, ECLI:EU:2025:659.

⁴² Directive 2014/104/EU of the European Parliament and of the Council of 26 November 2014 on certain rules governing actions for damages under national law for infringements of the competition law provisions of the Member States and of the European Union, OJ L 349, 5.12.2014, p. 1.

⁴³ Judgment of the Court of Justice of 30 October 2025 in Case C-2/23, *FL und KM Baugesellschaft and S*, ECLI:EU:C:2025:848.

Directive⁴⁴, access to these statements and submissions can only be granted to persons under investigation for the purposes of exercising their rights of defence, in particular where complaints against those persons are based on information contained therein. Access cannot be granted to other parties, in particular injured parties who seek compensation for the harm caused by the competition law infringement. The Court further clarified that this access limitation does not extend to documents and information provided in order to explain, specify in detail and prove the content of leniency statements or settlement submissions.

1.5. Cooperation within the European Competition Network (ECN) and with national courts

1.5.1. Cooperation with the national competition authorities (NCAs) within the ECN

Along with the Commission, NCAs and national courts enforce EU antitrust rules (Articles 101 and 102 TFEU) within their respective jurisdiction. The cooperation with NCAs takes place through the ECN⁴⁵ ensuring effective and consistent application of these rules. This unique joint enforcement has not only significantly contributed to fair competition in the Single Market, but also reinforced the relevance and credibility of EU law.

Two key mechanisms safeguard the effective and consistent application of Articles 101 and 102 TFEU: (i) the NCAs' obligation to inform the Commission of a new investigation at the stage of the first formal investigative measure, and (ii) the NCAs' obligation to notify the Commission of their envisaged national decisions applying those provisions. In 2025, the Commission and the NCAs launched 154 new investigations, and the NCAs notified 71 envisaged decisions to the Commission.

In addition to these formal cooperation mechanisms, the ECN members meet regularly to inform each other of new investigations, and to discuss ongoing investigations, case-law developments and various competition policy-related issues. For instance, the Commission and several NCAs pooled their data scientists to work on common detection projects within the ECN Digital Investigations and AI working group. In 2025, 37 ECN meetings took place.

1.5.2. ECN+ Directive

The ECN+ Directive aims to ensure that NCAs have effective enforcement tools and the necessary resources to detect and sanction companies infringing EU antitrust rules. It also aims to ensure that the NCAs can take their decisions in full independence.

In March 2025, the Commission closed the infringement proceedings which had been opened against 15 Member States for the late transposition of the Directive⁴⁶. On 23 January 2025, the Court of Justice imposed a lump sum and periodic penalty payment on Estonia for lack of transposition⁴⁷. Early July 2025, Estonia notified to the Commission the full transposition of the Directive. The Commission closed the infringement proceeding against Estonia on 11 December 2025⁴⁸.

⁴⁴ Directive (EU) 2019/1 of the European Parliament and of the Council of 11 December 2018 to empower the competition authorities of the Member States to be more effective enforcers and to ensure the proper functioning of the internal market, OJ L 11, 14.1.2019, p. 3.

⁴⁵ The functioning of the ECN is governed by the Notice on Cooperation within the ECN, the Joint Statement of the Council and the Commission on the Functioning of the Network of Competition Authorities as well as the ECN+ Directive.

⁴⁶ See https://competition-policy.ec.europa.eu/antitrust-and-cartels/european-competition-network/ecn-directive_en

⁴⁷ Judgment of the Court of Justice of 23 January 2025 in Case C-77/23, *Commission v Estonia (Directive ECN +)*, ECLI:EU:C:2025:38.

⁴⁸ The closure of infringement proceedings for non-communication of the transposition measures is without prejudice to the Commission's ability to address transposition issues it identifies.

1.5.3. Cooperation with national courts

In addition to cooperating with the NCAs within the ECN, the Commission also cooperates with national courts. The Commission supports national courts in enforcing the EU competition rules in an effective and consistent manner by providing case-related information or opinions on matters of substance, or by intervening as *amicus curiae* in proceedings pending before national courts.

1.5.4. Private enforcement

The Damages Directive aims to simplify the process for those harmed by an infringement of EU antitrust rules to exercise their right to compensation before national courts. Since its adoption in 2014, the number of damages actions before national courts increased significantly, and such actions have become much more widespread across the EU. In light of this trend, DG Competition launched a study in summer of 2024 to examine the development of antitrust damages actions in the EU. This study, which is being conducted by an external consortium, seeks to take stock of the quantitative and qualitative development of private antitrust damages actions across various EU jurisdictions, including their interplay with public competition law enforcement. Work on the study is currently ongoing.

2. MERGER CONTROL

The purpose of **EU merger control** is to ensure that market structures remain competitive while enabling smooth restructuring of the industry. This applies not only to EU-based companies, but also to any company active on the EU markets. The Commission assesses the transactions under the EU Merger Regulation (EUMR)⁴⁹. While industry restructuring is an important way of fostering the efficient allocation of production assets, consolidation can, in certain situations, give rise to harmful effects on competition. EU merger control ensures that changes in the market structure which would lead to such harmful effects on competition are prevented.

EU merger control ensures that companies active on EU markets can compete on fair and equal terms. Proposed transactions which are likely to distort competition are subject to close scrutiny by the Commission. If necessary to protect competition, the Commission can give merging companies the opportunity to dispel competition concerns by offering commitments. If sufficient commitments cannot be found or agreed upon, the Commission may prohibit the transaction. In its assessment, the Commission considers the efficiencies brought about by mergers. Such efficiencies may have positive effects on costs and innovation, provided they are verifiable, merger-specific, and likely to be passed on to consumers.

2.1. Recent enforcement trends

In 2025, the Commission received 384 notifications and adopted 370 decisions. This represents a slight decrease compared to the previous year and is broadly in line with the ten-year average. Moreover, in 2025 the Commission received 31 reasoned submissions from notifying parties during pre-notification, requesting the referral of a case either from the Commission to an NCA or *vice versa*. The Commission agreed to examine one transaction following a referral pursuant to Article 22 EUMR⁵⁰ and did not refer

⁴⁹ Council Regulation (EC) No 139/2004 of 20 January 2004 on the control of concentrations between undertakings, OJ L 24, 29.1.2004, p. 1.

⁵⁰ Case M.11956 – *UMG / Downtown*.

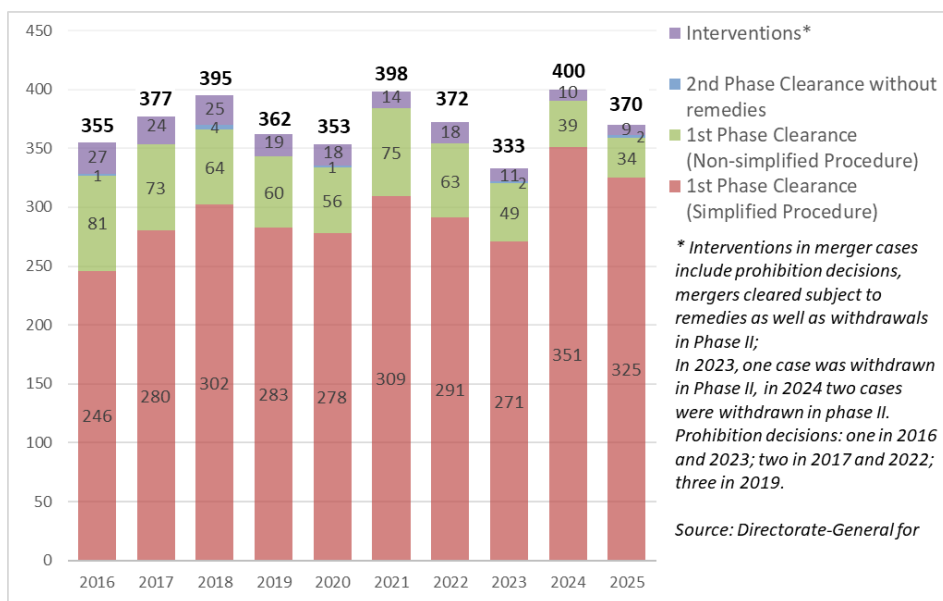
any transaction to NCAs for examination under Article 9 EUMR⁵¹.

The vast majority of mergers notified in 2025 did not raise competition concerns and were reviewed speedily. The simplified procedure was applied in 88% of all decisions: the Commission adopted 325 merger decisions under this procedure. Nevertheless, merger enforcement remained intensive due to the complexity of a significant number of cases. The Commission intervened in nine cases, all of which were approved subject to conditions. The Commission did not prohibit any transaction in 2025.

A significant number of non-simplified transactions concerned already concentrated industries. Reviewing these required the Commission to assess their potential impact on competition carefully, employing sophisticated quantitative techniques and comprehensive qualitative investigative tools.

In 2025, the Commission opened in-depth investigations (Phase II) in four cases, concerning the wholesale markets for branded food⁵², the wholesale market for the distribution of recorded music⁵³, the market for low-carbon ferronickel⁵⁴, and the market for container terminal services⁵⁵.

Figure 4: Merger outcome 2016-2025



All remedies accepted by the Commission in 2025 consisted of divestitures of tangible or intangible assets. This confirms the Commission’s general preference for structural remedies in merger cases, as they are best suited to address competition concerns arising from a concentration in a durable manner.

In the nine instances where the Commission cleared transactions subject to remedies, the notifying parties offered comprehensive remedy packages already in Phase I. This includes transactions in which the divestment business from a previous transaction once again constituted the remedy package, as seen in *Safran’s acquisition of part of Collins Aerospace*⁵⁶. In this case, clearance was conditional upon Safran’s divestment of its North American trimmable horizontal stabiliser actuator systems business, which fully

⁵¹ One Article 9 EUMR referral request was sent by Italy in M.11830 *UNICREDIT / BANCO BPM* and rejected on 19 June 2025.

⁵² Case M.11753 – *Mars / Kellanova*.

⁵³ Case M.11956 – *UMG / Downtown*.

⁵⁴ Case M.11944 – *MMG / Anglo American Nickel*.

⁵⁵ Case M.11811 – *TIL / Hutchinson Ports / TERCAT*.

⁵⁶ Case M.11253 – *Safran / part of Collins Aerospace’s actuation and flight control activities*.

addressed the competition concerns identified by the Commission.

2.2. Modernising and simplifying the Merger Guidelines

In 2025, DG Competition launched the review of the EU Merger Guidelines, a key policy initiative in line with the Executive Vice-President Ribera's Mission Letter⁵⁷.

Both a public and a targeted consultation were held simultaneously and ran from 8 May until 3 September 2025. The Commission received 243 responses in total, out of which 106 were replies to the public consultation. On 29 October 2025, the Commission published a factual summary of the feedback received from the public consultation⁵⁸ showing that a majority is in favour of updating the Guidelines and to replace the currently separate Guidelines by one single document. The Commission also published an overview of the main trends from the consultation⁵⁹.

On 4 December 2025, DG Competition organised the first stakeholder workshop on the review of the Guidelines. Around 120 participants discussed topics such as scale, market power, resilience, competitiveness and efficiencies in six interactive break-out sessions. The second workshop will be held in January 2026. The revised EU Merger Guidelines are expected in 2026.

2.3. Significant judgments by EU Courts in merger control

In *E.ON*⁶⁰, on 26 June 2025, the Court of Justice dismissed the appeal of five German public sector undertakings against judgments of the General Court⁶¹ upholding a Commission decision that authorised a transaction between German energy companies RWE and E.ON⁶². E.ON and RWE announced in March 2018 a complex asset swap by means of three transactions. One of the questions addressed before the Court of Justice was whether those three transactions formed part of a 'single concentration' and that, therefore, they ought to have been examined in the context of a single merger control procedure and not through three separate procedures as was the case here⁶³. The Court of Justice dismissed this ground of appeal on the basis that the concept of a 'single concentration' does not apply where independent undertakings gain control of different targets, as is the case with this asset swap.

In *Brasserie Nationale and Munhowen*, the General Court dismissed an action for annulment of a Commission decision on 2 July 2025. The contested decision had granted a referral request under Article 22 EUMR, submitted by the Luxembourgish Competition Authority, regarding the acquisition of Boissons Heintz by Brasserie Nationale⁶⁴. The action for annulment was brought, in particular, on the grounds that the applicants considered the referral request to be submitted out of time. They argued this

⁵⁷ Mission letter to EVP Teresa Ribera Rodríguez https://commission.europa.eu/document/download/5b1aace5-681f-470b-9fd5-ace14e106196_en. The revision of the Merger Guidelines was also indicated in the Competitiveness Compass and the Clean Industrial Deal Communication.

⁵⁸ See https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/14596-Merger-guidelines-review/public-consultation_en

⁵⁹ See https://competition-policy.ec.europa.eu/document/download/5a34ea69-5876-4cd9-a9ff-bc475cd6150e_en?filename=merger-guidelines-review-consultations-2025_overview-of-main-trends.pdf

⁶⁰ Judgment of 26 June 2025, in Joined Cases C-464/23 P, C-465/23 P, C-467/23 P, C-468/23 P and C-470/23 P, *EVH v Commission*, ECLI:EU:C:2025:478.

⁶¹ *EVH v Commission* (T-312/20), *Stadtwerke Leipzig v Commission* (T-313/20), *TEAG v Commission* (T-315/20), *EnergieVerbund Dresden v Commission* (T-317/20), *GGEW v Commission* (T-319/20) (together, 'the judgments under appeal').

⁶² Case M.8871 – *RWE / E.ON Assets*.

⁶³ Two transactions were examined by the Commission (M.8871 – *RWE/E.ON Assets* and M.8870 – *E.ON/Innogy*) and one by the German Federal Competition Authority (Case B8-28/19).

⁶⁴ Judgment of the General Court of 2 July 2025, in Case T-289-24, *Brasserie Nationale and Munhowen*, ECLI:EU:T:2025:655.

constituted a breach of the second subparagraph of Article 22(1) EUMR, which states that a referral request must be submitted within 15 working days of the date on which the concentration was ‘made known’ to the Member State. The General Court ruled that the ‘making known’ of a concentration must consist of an active transmission - by the undertakings concerned, third parties or any other source - of relevant and sufficient information to the competent authority of the Member State concerned.

3. STATE AID CONTROL

State aid control is an integral part of EU competition policy and a necessary safeguard to preserve effective competition and free trade within the Single Market.

The Treaty establishes the principle that State aid which distorts, or threatens to distort, competition is prohibited insofar as it affects trade between Member States (Article 107(1) TFEU). However, certain types of State aid may be considered compatible with the internal market (for example, under Article 107(3) TFEU).

The objectives of the Commission’s control of State aid are to ensure that aid is growth-enhancing, efficient and effective, and better targeted in times of budgetary constraints and that aid does not unduly restrict competition. In addition to this, the Commission acts to prevent and recover State aid that is incompatible with the Single Market.

In the area of State aid control, several policy initiatives advanced the EU economy on its route to competitiveness, growth and resilience. Most significantly, the Commission adopted the Clean Industrial Deal State Aid Framework (CISAF)⁶⁵ to accompany the Clean Industrial Deal (CID)⁶⁶, the EU’s plan for competitiveness and decarbonisation launched on 26 February 2025. The Commission also adopted a new Services of General Economic Interest (SGEI) Decision, introducing important new rules for affordable housing SGEIs (see below Part II, section 8.2.1.1), and published guidance on how Strategic Projects - as defined in the Critical Medicines Act proposal - can receive financial support from Member States while complying with State aid rules⁶⁷ (see below Part II, section 7.2.1).

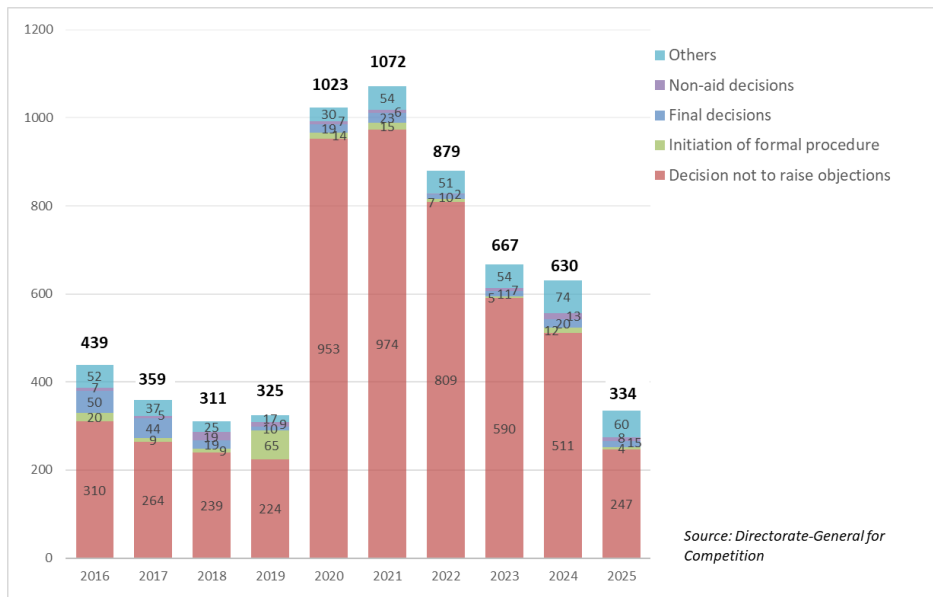
⁶⁵ Communication from the Commission – Framework for State Aid measures to support the Clean Industrial Deal (Clean Industrial Deal State Aid Framework), C/2025/7600, OJ C, C/2025/3602, 4.7.2025.

⁶⁶ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – The Clean Industrial Deal: A joint roadmap for competitiveness and decarbonisation, COM(2025) 85 final, 26.2.2025.

⁶⁷ See https://competition-policy.ec.europa.eu/document/download/a51c37be-2f9f-4d92-bdf5-ac38bfa91908_en

3.1. Recent enforcement trends in State aid control

Figure 5: State aid decisions 2016-2025



2025 saw several Commission decisions approving aid measures in key policy areas, such as investments in the transition towards a net-zero economy, and in digital infrastructure and technologies.

Under the new CISAF, the Commission adopted eight decisions approving nine national measures notified by five Member States. The total budget notified by Member States under these State aid measures amounted to approximately EUR 18.43 billion. In particular, the Commission approved six investment aid schemes to support investment projects adding manufacturing capacity for clean technologies, key components, and related critical raw materials, based on section 6.1 CISAF, with a total budget of around EUR 6.68 billion (see below Part II, section 1.2.11). It also approved one EUR 11.3 billion scheme, under section 4.1 CISAF regarding the rollout of renewable energy (see below Part II, section 1.2.4), as well as a EUR 408 million scheme under section 5 CISAF (decarbonisation) (see below Part II, section 1.2.9).

Under the Temporary Crisis and Transition Framework (TCTF)⁶⁸, which remained applicable until 25 June 2025⁶⁹, the Commission adopted eight decisions (including two amendment decisions), approving six national measures notified by seven Member States⁷⁰. The overall budget that Member States notified to the Commission under such State aid measures amounted to around EUR 2.78 billion. In particular, the Commission approved strategic investment aid schemes based on sections 2.5 and 2.8. For example, aid was approved for the deployment of large-scale energy storage to foster the transition to a net-zero economy (see below Part II, section 1.2.4).

⁶⁸ Communication from the Commission on the Temporary Crisis and Transition Framework for State Aid measures to support the economy following the aggression against Ukraine by Russia, OJ C 101, 17.3.2023, p. 3. This TCTF replaced the TCF adopted on 28 October 2022, which had replaced the previous TCF adopted on 23 March 2022, as amended on 20 July 2022. The TCF was withdrawn with effect from 9 March 2023.

⁶⁹ Member States could grant aid through existing aid schemes under the sections covering the possibility to accelerate the roll-out of schemes for renewable energy, energy storage and decarbonisation of industrial production processes (sections 2.5 and 2.6 TCTF) and adopt measures further accelerating investments supporting transition towards a net-zero economy (section 2.8) until the end of 2025, while the other sections had already expired in the previous year.

⁷⁰ For instance, case SA.117292 – Czechia - TCTF: Strategic investments for a climate neutral economy, by which the Commission approved a scheme set by Czechia with a budget of EUR 960 million.

Additionally, based on Article 107(2)(b) TFEU, the Commission adopted two decisions related to the COVID-19 crisis in 2025⁷¹. It also adopted decisions in at least 13 cases for which the Member States had indicated that RRF⁷² funding will be used⁷³.

3.2. Modernising and simplifying State aid rules and guidance

The developments outlined below relate to rules of horizontal nature (for developments on sectoral rules and guidance, see below Part II).

3.2.1. *New State aid framework supporting the CID (CISAF) adopted*

On 25 June 2025 the Commission adopted the CISAF to enable Member States to accelerate the development of clean energy, industrial decarbonisation and clean technology. The CISAF will be in place until 31 December 2030, replacing the TCTF which had been in place since 2022.

CISAF simplified State aid rules in five main areas:

- i. the roll-out of renewable energy and low-carbon fuels and new rules on non-fossil flexibility measures and on capacity mechanisms following a target model;
- ii. temporary electricity price relief for energy-intensive users to ensure the transition to low-cost clean electricity;
- iii. the decarbonisation of existing production facilities;
- iv. the development of clean tech manufacturing capacity in the EU, and
- v. the de-risking of investments in clean energy, decarbonisation, clean tech, energy infrastructure projects and projects supporting the circular economy.

Other State aid rules relevant to the CID, such as the Climate, Environmental protection and Energy Aid Guidelines (CEEAG)⁷⁴, continue to apply in parallel and may be used by Member States for different and more complex support measures. Member States will also continue to implement State aid measures in this field under the General Block Exemption Regulation (GBER)⁷⁵ without the need for prior notification to the Commission. On 4 November 2025, the Commission published a staff working document accompanying the CISAF, which outlines policy rationale and the evidence base considered when adopting the CISAF⁷⁶.

3.2.2. *State aid for horizontal and other objectives*

As in previous years, Member States continued to award a substantial part of aid under block-exempted measures in 2025. The block exemption regulations – the GBER, the Agriculture Block Exemption

⁷¹ Cases SA.113257 – Finland – COVID-19: *Traficom damage compensation scheme to passenger car ferry companies*, and SA.57982 – Greece – COVID-19: *Compensation to ELTA for damage suffered as a direct result of the COVID-19 pandemic*.

⁷² See https://commission.europa.eu/business-economy-euro/economic-recovery/recovery-and-resilience-facility_en

⁷³ See below Part II. Sectoral Overview for examples of RRF cases.

⁷⁴ Communication from the Commission – Guidelines on State aid for climate, environmental protection, and energy, OJ C 80, 18.2.2022, p.1.

⁷⁵ Commission Regulation 2023/1315 of 23 June 2023 amending Regulation 651/2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty and Regulation 2022/2473 declaring certain categories of aid to undertakings active in the production, processing and marketing of fishery and aquaculture products compatible with the internal market in application of Articles 107 and 108 of the Treaty, OJ L 167, 30.6.2023.

⁷⁶ See https://competition-policy.ec.europa.eu/document/download/d960b2f1-d699-45c5-ad80-6e82700da393_en?filename=CISAF_staff-working-doc_C_2025_850_en.pdf

Regulation (ABER)⁷⁷, and the Fisheries Block Exemption Regulation (FIBER)⁷⁸ - allow Member States to implement a wide range of public support measures without prior notification to the Commission. This reduces the administrative burden for public authorities and accelerates the delivery of public support.

While the ABER and FIBER are sector-specific, measures can be implemented under the GBER in various areas, such as research and development, environmental protection, broadband connectivity, regional development, employment, or support for small and medium-sized enterprises (SMEs). As illustrated by the figures below, the vast majority of horizontal aid falls under the GBER.

Figure 6: State aid expenditure 2014-2024, in EUR billion, in constant prices

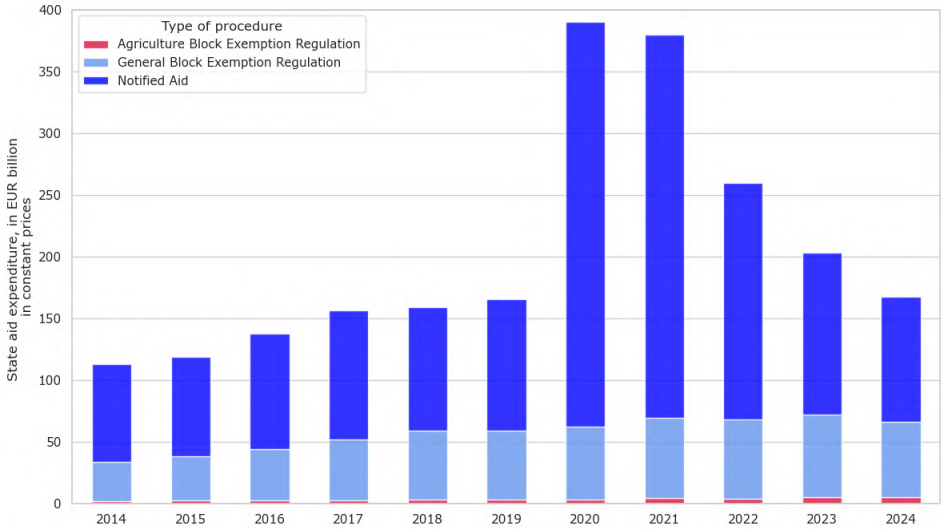
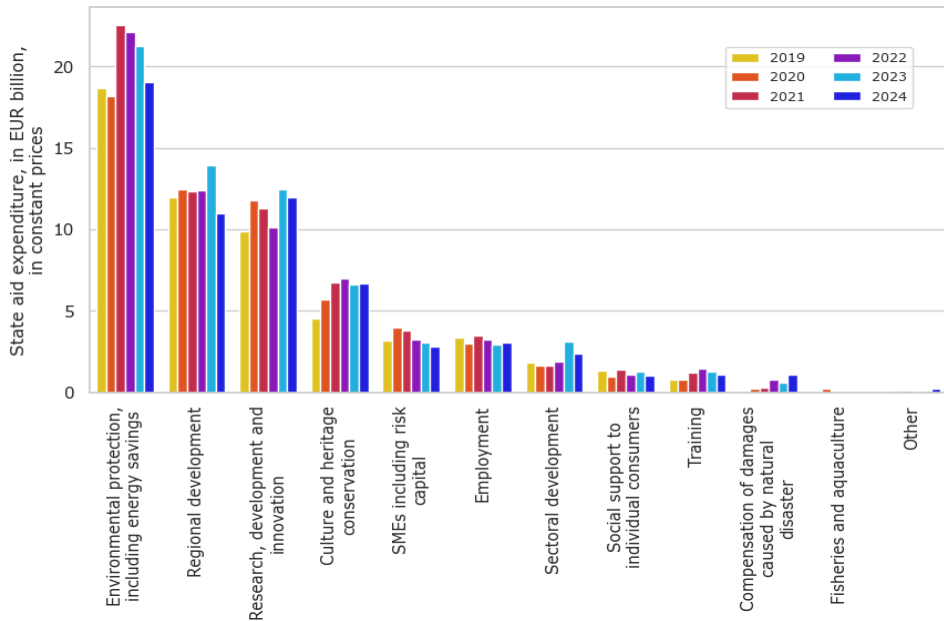


Figure 7: GBER State aid expenditure by objective in the EU 2019-2024, in EUR billion, in constant prices



⁷⁷ Commission Regulation (EU) 2022/2472 of 14 December 2022 declaring certain categories of aid in the agricultural and forestry sectors and in rural areas compatible with the internal market in application of Articles 107 and 108 of the Treaty on the Functioning of the European Union, OJ L 327, 21.12.2022, p. 1.

⁷⁸ Commission Regulation (EU) 2022/2473 of 14 December 2022 declaring certain categories of aid to undertakings active in the production, processing and marketing of fishery and aquaculture products compatible with the internal market in application of Articles 107 and 108 of the Treaty on the Functioning of the European Union, OJ L 327, 21.12.2022, p. 82.

3.2.2.1. Evaluation of aid schemes

The *ex post* evaluation of aid schemes was introduced by the 2012 State Aid Modernisation (SAM)⁷⁹. The aim is to gather the necessary evidence to identify the impact - both positive and negative - of the aid and to provide input for future policy-making by the Member States and the Commission. Since 1 July 2014, *ex post* evaluation has been required for large block-exempted aid schemes in certain aid categories under the GBER, as well as for a selection of notified schemes approved by the Commission under State aid guidelines⁸⁰. Under the ABER and FIBER, evaluation has also been required for certain aid categories since 1 January 2023⁸¹.

For an aid scheme subject to the evaluation obligation, Member States must first notify an evaluation plan and subsequently submit an evaluation report in line with the plan approved by the Commission. By the end of 2025, the Commission had in total approved 163 evaluation plans, covering 20 Member States⁸² and the United Kingdom (the UK).

Most of the approved plans concerned notified energy and broadband schemes, alongside large regional aid and research, development, and innovation projects under the GBER. In total, these schemes account for over EUR 130 billion in annual State aid budgets⁸³. By the end of 2025, the Commission services had reviewed a total of 67 interim and 57 final evaluation reports, which were considered to be of average to good quality - particularly the final reports⁸⁴.

By assessing these reports, the Commission seeks to: (i) provide appropriate feedback to Member States; (ii) make sure that results are used for more effective policy-making; and (iii) provide evidence to assist Member States when considering future legal developments.

3.2.2.2. Review of the State aid GBER ongoing

On 14 July 2025, the Commission launched a call for evidence and public consultation⁸⁵ seeking input on the scope and content of the review of the GBER. The review aims at reducing the administrative burden of Member States and undertakings, resolving implementation difficulties or errors, and providing Member States with greater flexibility in designing support measures.

⁷⁹ See https://competition-policy.ec.europa.eu/state-aid/legislation/modernisation_en

⁸⁰ Evaluation can apply to notified aid schemes with large budgets, containing novel characteristics or when significant market, technology or regulatory changes are foreseen, and with a total duration that exceeds three years, starting from 1 January 2022.

⁸¹ Aid schemes for certain aid categories under ABER and FIBER are subject to an *ex post* evaluation if they have a State aid budget or accounted expenditures over EUR 150 million in any given year or EUR 750 million over their total duration, that is the combined duration of the scheme and any predecessor scheme covering a similar objective and geographical area, starting from 1 January 2023. *Ex post* evaluations are required for aid schemes the total duration of which exceeds three years, starting from 1 January 2023.

⁸² Austria, Belgium, Croatia, Czechia, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Lithuania, The Netherlands, Poland, Portugal, Romania, Slovakia, Spain, and Sweden.

⁸³ This figure corresponds to the sum of the average annual budgets of all State aid schemes subject to evaluation, including schemes that have already expired.

⁸⁴ All the submitted evaluation reports are reviewed by the JRC within the framework of the Administrative Arrangement established between DG Competition and the JRC on the: ‘Support to the quality assessment of evaluation reports in the area of State Aid, 2018-2020’. The JRC has continued to support DG Competition under the new Administrative Arrangements for the ‘Support to the quality assessment of evaluation plans and reports in the area of State Aid, 2021-2023 (EVALSA II)’ and for the ‘Support to the quality assessment of evaluation plans and reports in the area of State Aid, 2024-2026 (EVALSA III)’.

⁸⁵ See https://ec.europa.eu/commission/presscorner/detail/en/ip_25_1814

This includes a review of the current rules for social enterprises, training and employment aid, following up on the ‘Action Plan for the Social Economy’ (2021)⁸⁶ and the ‘Union of Skills’ (2025)⁸⁷, as well as a review of aid rules for affordable and energy-efficient housing. The latter is intended to be complementary to the new State aid rules on the SGEI adopted on 16 December 2025⁸⁸ (see below, Part II, section 8.2.1.1).

Both the questionnaire-based public consultation and the call for evidence closed on 6 October 2025. In essence, respondents to the public consultation found that the GBER aligns, to some extent, with certain policy objectives, such as legal certainty, promoting green and digital transitions, fostering resilience, promoting R&D, and economic and social cohesion. However, they emphasised the need to reduce administrative burden, improve user-friendliness and legal certainty, simplify compatibility conditions, and adapt to current political, economic, technical, and social changes. Contributions to the call for evidence also expressed keen interest in simplifying the GBER, reducing administrative burdens, and ensuring alignment with current EU policy priorities.

Overall, the Commission received 217 replies to the public consultation and 282 contributions to the call for evidence from a wide variety of stakeholders, including public authorities, business associations, individual companies, NGOs, trade unions, academic and research organisations, and citizens⁸⁹. The adoption of the revised GBER is planned for the end of 2026, before the current GBER expires on 31 December 2026.

3.2.2.3. Aid for research, development, and innovation (R&D&I)

R&D&I is a key driver of economic growth and is necessary to achieving a variety of policy objectives, including those of the European Green Deal and the Digital Strategy. Where there is a market failure due to a high risk related to investment, and this market failure leads to suboptimal R&D&I activities, State aid for such activities can be necessary and appropriate.

The vast majority of all R&D&I State aid measures are implemented under the GBER, which does not require prior notification to the Commission. Prior authorisation under the framework for State aid for research, development and innovation (R&D&I Framework)⁹⁰ is, however, possible for large aid amounts.

3.2.2.4. Important Project of Common European Interest (IPCEI)

In 2025, the Commission approved one new IPCEI: *the IPCEI Tech4Cure*⁹¹. This is the second health-related IPCEI and it supports cross-border research, innovation, and the first industrial deployment of a new generation of medical devices. These devices incorporate advanced and novel digital/AI solutions to support the concept of predictive, preventive, and personalised medicine (‘3P medicine’) (see below Part II, section 7.2.4).

⁸⁶ See https://employment-social-affairs.ec.europa.eu/policies-and-activities/eu-employment-policies/social-economy-and-inclusive-entrepreneurship/social-economy-action-plan_en

⁸⁷ See https://commission.europa.eu/topics/competitiveness/union-skills_en

⁸⁸ See https://competition-policy.ec.europa.eu/state-aid/legislation/sgei_en#targeted-revision-of-the-sgei-rules-for-affordable-housing

⁸⁹ See https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/14772-General-revision-of-the-General-Block-Exemption-Regulation_en

⁹⁰ Communication from the Commission – Framework for State aid for research and development and innovation, OJ C 7388, 19.10.2022, p. 1.

⁹¹ Cases SA.113212 – France; SA.117899 – Hungary; SA.117859 – Italy; SA.117793 – Slovakia; SA.117849 – Slovenia – *Important Project of Common European Interest – Innovative medical devices and support software (IPCEI Tech4Cure)*.

Throughout 2025, the Commission also continued to work in close partnership with Member States through the *Joint European Forum for IPCEIs (JEF-IPCEI)*. The JEF-IPCEI provides a platform for close and flexible cooperation between Commission services and Member State authorities; where relevant, they may also invite representatives from candidate countries, industry, academia, and other stakeholders. Jointly led by DG Competition and the Directorate General for Internal Market, Industry, Entrepreneurship and SMEs (DG GROW), the JEF IPCEI covers the entire IPCEI life cycle, from identification of areas of strategic interest for potential future IPCEIs, to the design, assessment and implementation of IPCEIs at national level. Its objectives include improving speed and efficiency of the IPCEI process by streamlining procedures and aligning potential new IPCEIs with the EU industrial strategy and other relevant EU strategies.

The dedicated JEF-IPCEI website⁹² provides regular updates on the forum's activities, including technologies currently being identified as potential new IPCEI candidates as well as those currently in the design phase, thus ensuring visibility and transparency of efforts and results. By publishing streamlined IPCEI templates, factsheets, reports and recommendations, the website also provides guidance to Member States and interested stakeholders. There are currently two ongoing working groups identifying potential future IPCEI: clean, connected, and autonomous vehicles, and critical raw materials.

Since its creation in 2023, the JEF-IPCEI's work has enabled eight IPCEI candidates to enter the design phase, including four in 2025 (innovative nuclear technologies, biobased chemicals, biobased materials, biotechnologies for food and feed), and has led to the publication of 12 recommendations covering the entire IPCEI life-cycle and enabling Member States to streamline, simplify and speed up the set-up and the implementation of IPCEIs.

Following the adoption of the CID, the Commission launched the *IPCEI Design Support Hub*⁹³ on 9 April 2025. The Hub aims to provide dedicated support to the Member States involved in the design phase, streamlining the process, increasing efficiency and better preparing the subsequent assessment phase. It comprises a team led by DG Competition, in close collaboration with relevant experts across the Commission, including, whenever relevant, the Joint Research Centre (JRC). Currently, all eight IPCEI candidates in the design phase are being supported by the Hub⁹⁴.

3.2.2.5. Aid to support EU semiconductor ecosystem

Since outlining the principles of support for capacity building in the semiconductor industry in the Chips Act Communication⁹⁵, the Commission has approved 11 cases, authorising up to EUR 13.8 billion in public support. Of the measures supporting new semiconductor manufacturing facilities, six were approved in 2025⁹⁶, with a combined budget of approximately EUR 2.3 billion.

3.2.2.6. Regional aid

In 2025, the Commission adopted several decisions concerning regional investment aid

⁹² See https://competition-policy.ec.europa.eu/state-aid/ipcei/joint-european-forum-ipcei_en

⁹³ See https://competition-policy.ec.europa.eu/state-aid/ipcei/design-support-hub_en

⁹⁴ See https://competition-policy.ec.europa.eu/state-aid/ipcei/design-support-hub_en#ipcei-candidates-in-the-design-support-hub

⁹⁵ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – A Chips Act for Europe, COM(2022) 45 final, 8.2.2022.

⁹⁶ Cases SA.106117 – Germany – *Infineon MEGAFAB-DD project*; SA.113428 – Austria - *ams OSRAM*; SA.117987 – Italy – *Aid to Ephos for project Fab-2*; SA.117291 – Czechia – *Aid for ON SEMICONDUCTOR CZECH REPUBLIC's investment in the manufacturing of silicon carbide semiconductor devices*; SA.118843 – Germany – *Aid to GlobalFoundries for project SPRINT*; SA.119086 – Germany – *X-FAB MEMS FOUNDRY GMBH - FAB4MICRO*.

Specifically, it approved aid to: *PCC for the setting up of a chemical plant in Poland*⁹⁷ (see below Part II, section 5.2.5.); *Envision for the construction of an electric vehicle battery factory* in France⁹⁸ (see below Part II, section 1.2.11); *Sunwoda for the construction of an electric vehicle battery factory in Hungary*⁹⁹ (see below Part II, section 1.2.11); and to *Vetter Pharma for the construction of a production facility in the pharmaceutical sector in Germany*¹⁰⁰ (see below Part II, section 7.2.4).

The Commission also approved an *amendment to a tax scheme that aims at supporting investments in French outermost regions*¹⁰¹. In another instance, the Commission found that *aid granted by Germany to Abalon Hardwood Hessen* was, at least in part, incompatible with State aid rules because the aid granted exceeded the maximum allowed in that specific assisted area and called for recovery of this part of the aid¹⁰². Furthermore, the Commission opened a formal investigation into *planned aid by Poland to Man Trucks*. In this case, the Commission expressed doubts as to both the incentive effect of the aid and its proportionality¹⁰³.

3.2.2.7. Infrastructure support measures

In 2025, the Commission dealt with several infrastructure support measures. In particular, it approved a *Greek support measure for the construction of two sections of the motorway on the island of Crete, called BOAK*, under Article 107(3)(c) TFEU¹⁰⁴. The Commission also approved *changed Lithuanian support for the construction of a multifunctional complex in Vilnius*¹⁰⁵. Moreover, the Commission approved *aid for the set-up of an infrastructure dedicated to the gaming industry in a Just Transition area in Poland*. This project, co-financed by the Just Transition Fund (JTF), combines the rehabilitation of a former coal mine with the construction of a multifunctional technological facility¹⁰⁶ (see below Part II, section 2.2.3.2).

3.2.3. EU environmental and State aid law – access to justice in relation to State aid decisions

The EU and its Member States are parties to the United Nations Economic Commission for Europe (UNECE) Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (the Aarhus Convention). To address the findings of the Aarhus Convention Compliance Committee in case ACCC/C/2015/128¹⁰⁷, the Commission established an internal review mechanism covering certain State aid decisions. This mechanism was introduced by an

⁹⁷ Case SA.38330 – Poland – LIP – *Alleged unlawful regional investment aid to PCC MCAA Sp. z o.o. (PCC)*.

⁹⁸ Case SA.109228 – France – LIP – *Aide régionale à Envision AESC France*.

⁹⁹ Case SA.114496 – Hungary – LIP – *Regional investment aid for Sunwoda Automotive Energy Technology Kft*.

¹⁰⁰ Case SA.118989 – Germany – LIP – *Regional aid for large investment project - Vetter Pharma*.

¹⁰¹ Case SA.114320 – France – *Amendements au régime d'aide fiscale à l'investissement productif dans les outre-mer*.

¹⁰² Case SA.24030 – Germany – *Investment loan and working capital loan guarantees in favour of Abalon Hardwood Hessen GmbH*.

¹⁰³ Case SA.114436 – Poland – *Aid to Man Trucks*.

¹⁰⁴ Case SA.107691 – Greece – RRF: *Northern Road Axis of Crete (BOAK) - Kissamos-Chania and Chania-Hersonissos sections*.

¹⁰⁵ Case SA.113357 – Lithuania – *Multifunctional health, education, culture and business support complex in Vilnius - Additional State aid to SA.62831*.

¹⁰⁶ Case SA.114301 – Poland – JTF – *Aid to the "New Technology District – Katowice Gaming and Technology Hub"*.

¹⁰⁷ The Aarhus Convention Compliance Committee had found that by failing to provide access to administrative or judicial procedures for members of the public to challenge decisions on State aid measures taken by the Commission under Article 108(2) TFEU that contravene EU law relating to the environment, the EU fails to comply with Articles 9(3) and 9(4) of the Aarhus Convention.

amendment of the Implementing Regulation¹⁰⁸ and of the Best Practices Code¹⁰⁹ adopted on 12 May 2025.

This mechanism enables eligible non-governmental organisations (NGOs) to request an internal review of certain Commission final State aid decisions that close a formal investigation procedure under Article 108(2) TFEU, on the grounds that the activity subject to State aid and/or any of the aspects of the State aid measure approved by that decision that are indissolubly linked to the object of the aid, contravene a specific rule or rules of Union environmental law.

The first Aarhus review request concerned the 2024 Commission's decision on the PALLAS project, which involved aid for the construction of a research reactor and of an isotope processing facility in Petten for cancer diagnosis and treatment¹¹⁰. The Dutch NGO Stichting Laka requested the Commission to review the compliance with EU environmental law of its decision which found the Dutch authorities' measures in favour of the PALLAS project compatible with the internal market. The request was rejected as inadmissible¹¹¹.

3.3. Significant judgments by EU Courts in State aid

In 2025, the EU Courts adopted several important judgments in the field of State aid, concerning in particular the notions of 'advantage' and 'selectivity', the assessment of other provisions of EU law, damages actions, as well as the national implementation of aid schemes.

3.3.1. Notions of advantage and beneficiary

In *European Gaming and Betting Association (EGBA)*¹¹², the Court of Justice confirmed the annulment by the General Court of the Commission's decision approving the extension of lottery licences in the Netherlands. The Court of Justice held that the Commission could not have excluded serious difficulties in its assessment that the measure at issue was no aid without looking into whether it conferred an indirect advantage to some of the charitable entities that would be remitted funds from certain licence holders. Given that the remittance of part of the proceeds generated by the activity of the licence holders to bodies designated by those licences constituted one of the main features of the legislation at issue, the Commission could not have excluded the existence of serious difficulties in this case.

3.3.2. Selectivity

In *Prezydent Miasta Mielca*¹¹³, the Grand Chamber of the Court of Justice delivered a preliminary ruling considering that general and abstract tax exemptions are presumed to be inherent to the normal tax system (i.e. the reference system) and do not - as a general rule - confer a selective advantage unless a consistent category of beneficiary undertakings is formed. Accordingly, the Court of Justice considered that the

¹⁰⁸ Commission Regulation (EC) No 794/2004, as modified inter alia by Commission Implementing Regulation (EU) 2025/905 of 12 May 2025 amending Regulation (EC) No 794/2004 as regards an internal review mechanism to follow up on the findings of the Aarhus Convention Compliance Committee in Case ACCC/C/2015/128 and other procedural updates, OJ L, 2025/905, 13.6.2025.

¹⁰⁹ Communication from the Commission – Code of Best Practices for the conduct of State aid control procedures, C/2025/2823, OJ C, C/2025/2810, 13.6.2025.

¹¹⁰ Case SA.103925 and SA.103926 – The Netherlands – *PALLAS project: Aid for the construction of a research reactor and of an isotope processing facility in Petten*.

¹¹¹ Case SA.103925.AR| SA.103004_NL_VWS_Medical isotopes_NewCo: PALLAS-programme - Aarhus review.

¹¹² Judgment of the Court of Justice of 16 October 2025 in Case C-59/24 P, *The Netherlands v European Gaming and Betting Association*, ECLI:EU:C:2025:798.

¹¹³ Judgment of the Court of Justice (Grand Chamber) of 29 April 2025 in Case C-453/23, *E. sp. z o.o. v Prezydent Miasta Mielca*, ECLI:EU:C:2025:285.

Polish real estate tax exemption for land and structures forming part of railway infrastructure in question did not appear to confer a selective advantage.

3.3.3. *Assessment of other provisions of EU law*

In its judgment of 23 January 2025 in *Neos v Ryanair*¹¹⁴, the Court of Justice set aside the judgment by which the General Court had annulled the Commission's 2020 decision approving an Italian damage compensation scheme for airlines during the COVID-19 pandemic for lack of reasoning as regards certain requirements (for example minimum remuneration). The Court of Justice noted that given the extremely large number of provisions and principles of EU law that could have been infringed by the grant of aid in question, the Commission could not be required to provide specific reasoning concerning each one of them, but could disregard those provisions and principles that were either not relevant with respect to the measure at hand or, in any event, had not been infringed. On this basis, the Court of Justice considered that the Commission had sufficiently explained its assessment of the minimum remuneration requirement.

On 11 September 2025, in *Paks II*¹¹⁵, the Court of Justice (Grand Chamber) annulled the Commission's 2017 decision approving aid for two nuclear reactors in Hungary. The Court held that the Commission should have ascertained whether the direct award of the contract for the construction of the nuclear reactors to a Russian undertaking complied with EU public procurement rules. The Court of Justice considered that the public procurement procedures for the construction of the nuclear reactors in question were inextricably linked to the State support of the electricity production from these reactors, and that the direct award was a pre-condition for the financing of the construction project.

3.3.4. *State aid in the aviation sector*

On 13 February 2025, the Court of Justice annulled the General Court's judgment of 8 February 2023 in *Carpatair*¹¹⁶. This judgment concerned a Commission decision finding that agreements signed between Wizz Air and Timisoara airport for the use of the airport infrastructure were in line with the Market Economy Operator (MEOP) test, based on an *ex post* reconstruction of the financial analysis with the information available to the airport prior to the conclusion of the contracts. In its judgment, the General Court had considered that the Commission could not demonstrate the compliance with the MEOP test based on evidence reconstructed entirely after the conclusion of the agreements, even if that evidence is based on information that was available and on developments foreseeable at the time when the agreements were signed. The Court of Justice annulled the General Court's judgement, finding that the General Court had not substantiated its conclusion that Carpatair's action for annulment of the Commission's decision was admissible. The Court of Justice did not take a position on the application of the MEOP test but referred the case back to the General Court.

On 2 April 2025 in *Ryanair (LOT)*¹¹⁷, the General Court upheld the Commission's decision of 22 December 2020, which had approved a Polish State aid measure to the airline LOT under the Temporary Framework for State aid measures to support the economy during the COVID-19 pandemic. Two points of particular interest were addressed: (i) the identification of the beneficiary of the aid measure. Specifically, the necessity to assess the respective roles of a parent undertaking and its affiliates within a

¹¹⁴ Judgment of the Court of Justice of 23 January 2025 in Case C-490/23 P, *Neos v Ryanair*, ECLI:EU:C:2025:32.

¹¹⁵ Judgment of the Court of Justice (Grand Chamber) of 11 September 2025 in Case C-59/23 P, *Austria v Commission*, ECLI:EU:C:2025:686.

¹¹⁶ Judgment of the Court of Justice of 13 February 2025 in Joined Cases C-244/23 P to C-246/23 P, *Commission and Others v Carpatair SA*, ECLI:EU:C:2025:87.

¹¹⁷ Judgment of the General Court of 2 April 2025 in Case T-398/21, *Ryanair DAC and Ryanair Sun S.A. v Commission*, ECLI:EU:T:2025:357.

group; and (ii) the issue of eligibility for aid, since the Temporary Framework established that, for recapitalisation measures, the beneficiary must be unable to find financing on the markets at affordable terms.

In its judgment of 25 June 2025 in *Condor II*¹¹⁸, the General Court confirmed the 2021 Commission's decision approving approximately EUR 145 million of damage compensation to the airline Condor for the damage suffered between March and December 2020 due to the COVID-19 pandemic.

In a judgment of 10 December 2025 in *Restructuring aid for TAP*¹¹⁹, the General Court dismissed in full Ryanair's challenge of the legality of the Commission's decision of 21 December 2021, which approved a EUR 2.55 billion restructuring aid for TAP. The Court confirmed the Commission's findings relating to the eligibility of TAP to receive the restructuring aid and the role the company plays in the connectivity of Portugal and in the Portuguese economy. The Court also confirmed that the restructuring plan presented by Portugal for TAP was realistic, coherent, far-reaching and that it ensured company's return to long-term viability. The Court confirmed the proportionality of the aid amount. It rejected Ryanair's arguments that the compensatory measures proposed by Portugal were insufficient or inadequate to limit distortive effects of the restructuring aid on competition and internal market. Those measures included a divestiture of 18 daily slots at the Lisbon airport, a limitation of the size of TAP's fleet until end 2025 and a divestiture of TAP SGPS's stakes in Cateringpor and Groundforce.

3.3.5. Damages actions

In *Kargins*¹²⁰, the General Court confirmed the lawfulness of the possibility for the Commission to submit *amicus curiae* in national proceedings concerning State aid¹²¹. The Court also clarified that an invitation by one of the parties to intervene does not affect the Commission's impartiality. On this basis, the General Court dismissed the action seeking damages from the EU in relation to an allegedly unlawful intervention by the Commission as *amicus curiae* within the context of a national dispute.

3.3.6. National implementation of an aid scheme

In *Toode*¹²², the Court of Justice delivered a preliminary ruling on the effect of an unlawful refusal of an aid application by the Latvian authorities. The Court considered that, in the case at hand, the right to an effective remedy under Article 47 of the European Charter of Fundamental Rights precluded an interpretation of national law whereby the date of the grant could not correspond to the date of the unjustified refusal. This applies specifically where the refusal occurred within the time-limit set by the Commission's decision, but a judicial finding of unlawfulness was only reached after that time-limit had expired.

¹¹⁸ Judgment of the General Court of 25 June 2025 in Case T-366/22, *Ryanair DAC v Commission (Condor II; COVID-19)*, ECLI:EU:T:2025:637.

¹¹⁹ Judgment of the General Court of 10 December 2025, T-458/22 – *Ryanair DAC v Commission (Restructuring aid for TAP)*, ECLI:EU:T:2025:1094.

¹²⁰ Judgment of the General Court of 23 January 2025 in Case T-350/23, *Kargins v Commission*, ECLI:EU:T:2025:312 (under appeal).

¹²¹ As foreseen under Article 29(2) of Regulation 2015/1589 of 13 July 2015 laying down detailed rules for the application of Article 108 of the Treaty on the Functioning of the European Union, OJ L 248, 24.9.2015, pp. 9–29 (Procedural Regulation).

¹²² Judgment of the Court of Justice of 3 July 2025 in Case C-653/23, *Toode SIA v Valsts ieņēmumu dienests*, ECLI:EU:C:2025:517.

3.4. Monitoring, recovery and cooperation with national courts

3.4.1. Increased monitoring of existing State aid to ensure competition on fair and equal terms

As in previous years, the majority of the new State aid measures implemented in 2025 were covered by a block exemption regulation, such as the GBER¹²³. It is essential for the Commission to verify that Member States apply State aid schemes correctly and that they only grant aid when all conditions are met.

The Commission monitoring consists of regular *ex post* controls based on a sample of existing aid schemes, both block-exempted and approved measures. This serves as a necessary complement to the approval of State aid schemes by the Commission, and acts as a counterweight to the ‘self-assessment’ performed by Member States resulting from the exemption from the notification obligation.

As part of the monitoring process, the Commission follows up on irregularities and uses the tools at its disposal to address the competition distortions that those irregularities may have caused. In some instances, Member States offer to rectify detected problems voluntarily, for example by amending national legislation or recovering aid granted in excess of the permitted levels. In other cases, the Commission may need to take formal action.

In 2025, the Commission launched a new monitoring cycle of block exempted and approved aid granted in 2022 and 2023. The selected sample includes aid granted to support the economy during the COVID-19 pandemic, as well as aid schemes introduced in response to the Russian war of aggression against Ukraine.

3.4.2. Restoring competition by recovering State aid granted in breach of the rules

To ensure the integrity of the Single Market, Member States must take all necessary measures to recover unlawful and incompatible aid. The purpose of recovery is to restore the situation that existed in the internal market prior to the granting of the aid. This is necessary to maintain effective competition.

In 2025 the Commission adopted three new recovery decisions¹²⁴. By the end of the year, 25 recovery cases - resulting from previously adopted negative decisions with recovery - were pending.

As of 31 December 2025, the total amount of unlawful and incompatible aid recovered from beneficiaries stood at EUR 39.8 billion¹²⁵. At the same point in time, the outstanding amount pending recovery was EUR 6.2 billion.

Figure 8: Recovery Decisions in 2025

Recovery decisions adopted in 2025	3
Pending recovery cases on 31/12/2025	25

In 2025, the Commission imposed penalties on Greece and Italy based on Court judgments condemning

¹²³ See the State Aid Scoreboard: https://competition-policy.ec.europa.eu/state-aid/scoreboard_en

¹²⁴ Cases SA.24030 – Germany – *Investment loan and working capital loan guarantees in favour of Abalon Hardwood Hessen GmbH*; SA.51051 – Czechia – *Aid for insurance premium for large enterprises*; SA.33962 – France - *Mesures en faveur de la chambre de commerce et d’industrie de Carcassonne, Aéroport de Carcassonne, de Ryanair et d’Airport Marketing Services*.

¹²⁵ The reference period is 1 January 1999 to 31 December 2025. This amount includes also the amount of aid registered in pending insolvency proceedings. In addition, the amount of EUR 5 billion could not be recovered from concluded insolvency proceedings because of the lack of mass from the liquidation of assets which did not allow satisfying the State aid claims.

these two Member States for having infringed EU State aid rules¹²⁶.

3.4.3. Cooperation with national courts to ensure the effectiveness of State aid rules

The Commission cooperates with national courts under Article 29 of Regulation 2015/1589¹²⁷ and in accordance with the Notice on the enforcement of State aid rules by national courts (the Notice)¹²⁸. This cooperation includes direct case-related assistance, where national courts and tribunals may request information from the Commission or seek an official opinion on the application of State aid rules. Additionally, the Commission may submit *amicus curiae* observations on its own initiative. To ensure transparency, the Commission publishes these opinions and *amicus curiae* observations, as well as observations to other bodies, such as arbitration tribunals, on its website¹²⁹.

The Commission also reaches out to national judges by providing training on State aid rules and on the practical implications of the Notice. In this context, the Commission encourages national judges to utilise the Notice to promote the coherent enforcement of State aid rules at national level across the EU. Past studies on the enforcement of State aid law at national level indicate a relatively limited number of State aid cases being brought before national courts¹³⁰.

Since national courts can play a crucial and complementary role in enforcement of State aid rules, the Commission has recently stepped up its efforts to reach out to judges with more tailored training sessions. For instance, following a general tender for the training of national judges¹³¹, the Commission is cooperating with the Vrije Universiteit Brussel (VUB) to provide trainings through the SUNAJUST programme. This programme is designed to: (i) develop accessible and engaging course materials; and (ii) organise numerous training events for judges, prosecutors, apprentice national judges, and national court staff. On 3 December 2025, the Commission hosted a reality check on State aid private enforcement and the use of State aid rules in national courts to gather insights from judges, lawyers, academics and other stakeholders on the practical challenges and opportunities in enforcing State aid rules at national level.

4. THE FOREIGN SUBSIDIES REGULATION

The FSR is a Single Market legislation that aims at addressing possible distortions of competition in the Single Market when subsidies granted by non-EU governments benefit economic activities in the EU. It started to apply in July 2023.

4.1. Context

The FSR fills a regulatory gap by tackling distortive effects created in the EU Single Market in situations where undertakings benefitting from foreign subsidies have an advantage when acquiring undertakings active in the Single Market, participating in public procurement processes or more generally when they

¹²⁶ Cases SA. 34572 – Greece – *State aid to Larko General Mining & Metallurgical Company S.A.*; and SA.9398 – Italy – *Employment measures*.

¹²⁷ Council Regulation (EU) 2015/1589 of 13 July 2015 laying down detailed rules for the application of Article 108 of the Treaty on the Functioning of the European Union (codification) (Text with EEA relevance), OJ L 248, 24.9.2015, pp. 9–29.

¹²⁸ Communication from the Commission – Commission Notice on the enforcement of State aid rules by national courts, OJ C 305, 30.7.2021, p. 1.

¹²⁹ See https://ec.europa.eu/competition-policy/state-aid/national-courts_en

¹³⁰ Final Study on the enforcement of State aid rules and decisions by national courts (COMP/2018/001), Publications Office of the European Union, Luxembourg, 2019.

¹³¹ Training of National Judges in EU Competition Law, see https://competition-policy.ec.europa.eu/about/single-market-programme-smp/calls-proposals-grants_en

invest and make commercial decisions in the EU Single Market. Such distortive foreign subsidies, including below-market interest rate loans, unlimited State guarantees, favourable tax agreements or dedicated State funding, would be problematic if granted by an EU Member State when assessed under EU State aid rules.

Considering the challenge to find a multilateral solution to subsidies within a reasonable timeframe, the Commission committed, as part of the New Industrial Strategy for Europe, to explore how best to strengthen the EU's anti-subsidies mechanisms and tools. As a result, the FSR was adopted on 14 December 2022. This set of rules enables the Commission to address distortions caused by foreign subsidies and allows the EU to ensure a level playing field for all companies operating in the Single Market, while remaining open to trade and investment.

Under the FSR, the Commission has the power to examine any foreign subsidy granted to an undertaking engaging in an economic activity in the Single Market. It may act on its own initiative (*ex officio*) or through the review of compulsory notifications for large concentrations and large public procurement procedures. Within the Commission, DG Competition is in charge of concentration notifications and *ex officio* investigations, while DG GROW deals with public procurement procedures and related *ex officio* cases.

4.2. Developments on rules and guidance

To provide legal clarity regarding the implementation of the FSR and ensure transparency on the Commission's action, DG Competition's and DG GROW's websites provide regularly updated [Q&As providing clarifications on a number of procedural, jurisdictional and implementation issues](#)¹³². In 2025, clarifications were added regarding: (i) which foreign financial contributions should be taken into account for the purpose of calculating the relevant notification thresholds (Q9); (ii) whether a third country's collateral to a loan granted to it by a financial institution constitutes a separate foreign financial contribution (Q18); (iii) which parts of a loan need to be reported where such a loan is provided by a third country or to a third country or both (Q19); and (iv) how passive investments by limited partners attributable to a third country should be notified in case of acquisitions of control or creation of joint ventures by a private investment fund (Q26).

In 2024, the Commission provided initial clarifications on several key concepts of the Regulation, including the distortion caused by a foreign subsidy on the internal market (Article 4(1) FSR), the application of the balancing test (Article 6 FSR), and the assessment of a distortion in a public procurement procedure (Article 27(1) FSR)¹³³.

In 2025, the Commission worked on additional clarifications provided as [Guidelines](#) to be adopted by 13 January 2026 as laid down in Article 46 FSR. In this context, the Commission launched a call for evidence in March 2025. Following a pre-consultation phase with targeted stakeholders, a public consultation on the draft guidelines was held between 18 July 2025 and 12 September 2025. Around 60 stakeholders provided input, ranging from EU industry associations (20%), consultants (27%), EU public authorities (16%), undertakings (14%), third countries' authorities and associations (14%), academia (2%)¹³⁴. These Guidelines intend to cover the: (i) application of the criteria for determining the existence of a distortion (Article 4(1)); (ii) application of the balancing test (Article 6); (iii) application of the Commission's power to request the prior notification of any concentration (Article 21(5)) or of foreign

¹³² See https://competition-policy.ec.europa.eu/foreign-subsidies-regulation/questions-and-answers_en and on https://single-market-economy.ec.europa.eu/single-market/public-procurement/foreign-subsidies-regulation/questions-and-answers_en

¹³³ Initial clarifications on the application of Article 4(1), Article 6 and Article 27(1) of Regulation (EU) 2022/2560 on foreign subsidies distorting the internal market - Commission Staff Working document.

¹³⁴ See https://competition-policy.ec.europa.eu/public-consultations/guidelines-foreign-subsidies_en

financial contributions received by an economic operator in a public procurement procedure (Article 29(8)); and (iv) assessment of a distortion in a public procurement procedure (Article 27).

In parallel, the Commission launched the *FSR Review* in August 2025. The process started with the publication of a call for evidence and a public consultation¹³⁵. The review focuses on the: (i) assessment of foreign subsidies that distort the internal market; (ii) application of the balancing test (that is to say whether positive effects of the foreign subsidy counterbalance its distortive effects); (iii) review of foreign subsidies with a possible distortive effect in the internal market on the Commission's own initiative; (iv) notification thresholds; and, (v) level of complexity of the rules and the costs incurred by businesses. Interested stakeholders submitted their views until November 2025. An external study has also been commissioned to provide a factual overview of the Commission's case practice and identify potential aspects of the FSR implementation for simplification. The FSR Review report is scheduled for publication by 14 July 2026, as set out in the Regulation.

On 15 October 2025, the Directorate-General for Trade & Economic Security (DG TRADE), DG GROW and DG Competition held a joint reality check. This event sought technical feedback from practitioners on the implementation of the trade anti-dumping and anti-subsidies regime¹³⁶ (TDI) and the FSR. The Commission services presented the various activities under these instruments and answered questions from stakeholders.

4.3. Enforcement

Under the FSR, the Commission reviews notified proposed concentrations and participation in public procurement procedures. It also carries out *ex officio* investigations if information suggests a foreign subsidy is distorting the internal market. DG Competition is tasked with concentration notification cases and *ex officio* procedures: those activities are described below. FSR enforcement benefits from the support of the intelligence and digital forensic teams of the Chief Technology Officer (CTO) Unit in DG Competition.

In 2025, 99 concentrations were notified under the FSR.

In the case of the *acquisition by Abu Dhabi National Oil Company PJSC (ADNOC) of sole control of Covestro AG (Covestro)*, ADNOC notified the transaction on 15 May 2025. ADNOC, headquartered in the UAE, is a State-owned oil and gas producer and the national oil company of Abu Dhabi. Covestro (formerly Bayer MaterialScience AG), a publicly listed company incorporated in Germany, is a chemical producer that focuses on the supply of high-performance polymers and components for such polymers. The Commission opened the in-depth investigation on 28 July 2025. ADNOC offered commitments in the early phase of this investigation, in the interest of addressing the Commission's concerns. Therefore, while carrying out a detailed in-depth investigation, the Commission was able to adopt the decision well ahead of the legal deadline, without needing to formalise its concerns in a Statement of Grounds. On 14 November 2025¹³⁷, the Commission adopted a decision with commitments. This is the second final Commission decision under the FSR.

The Commission identified foreign subsidies in the form of an unlimited State guarantee and tax benefits to ADNOC, as well as a committed capital increase by ADNOC into Covestro. It assessed the possible distortive effects of the foreign subsidies both in the acquisition process and, looking forward, in the activities of the combined entity. The decision concludes that, in view of the unduly favourable

¹³⁵ See https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/14760-Foreign-subsidies-review-report_en

¹³⁶ Anti-dumping Regulation (EU) 2016/1036, OJ L 176, 30.6.2016, p. 21 (codification); Anti-subsidies Regulation (EU) 2016/1037, OJ L 176, 30.6.2016, p. 55 (codification).

¹³⁷ Case FS.100156 – ADNOC / Covestro.

conditions - including the capital increase which directly facilitated the acquisition, and the seemingly unduly inflated price - offered by ADNOC for the acquisition of Covestro, which may have deterred other investors from making an offer, the foreign subsidies could have potentially led to negative effects on competition in the acquisition process. As to distortions in the activities of the combined entity in the internal market, the decision concludes that the foreign subsidies would have artificially improved the capacity of the combined entity to finance its activities in the internal market and increased its indifference to risk. In the specific context of the chemical sector, this would likely have affected its investment strategies - such as capital expenditures, future acquisitions, etc. - to the detriment of competition and other market players. The commitments offered by ADNOC provide that ADNOC will adapt its articles of association so that they no longer deviate from ordinary UAE insolvency law, thereby removing the unlimited State guarantee. They also provide that Covestro's sustainability patents will be shared within the internal market at transparent terms and conditions set in advance, benefitting those companies that are particularly reliant on Covestro's sustainability technology. ADNOC appointed a trustee who will monitor compliance with the commitments.

In 2025, the Commission also continued working on its *ex officio* investigations in the fields of security equipment for airports and ports and wind energy.

In the field of security equipment, the Commission adopted a decision on 11 December 2025 to *open an in-depth investigation into Nuctech*. This was based on sufficient indications that the company had been granted foreign subsidies distorting the internal market¹³⁸. These subsidies reportedly take the form of grants, preferential tax measures or loans on preferential terms. The Commission holds preliminary concerns that the foreign subsidies may have improved Nuctech's competitive position in the internal market, allowing it to offer prices and conditions that cannot be reasonably matched by other market players, thereby distorting competition in the internal market. The Commission will investigate these concerns in detail during the in-depth investigation. Should they be confirmed, the Commission may impose redressive measures or accept commitments from the company to effectively address the concerns.

Regarding the court proceedings related to this case, on 21 March 2025, the Vice-President of the Court of Justice upheld the order of the President of the General Court, which had *rejected Nuctech's application for interim measures concerning the Commission's inspection decision*¹³⁹. In his order, the Vice-President of the Court of Justice confirmed that the Commission is entitled to address an inspection decision to an undertaking incorporated outside the EU, provided it operates within the EU, and may inspect the EU premises of such undertaking. It was further confirmed that Commission must be able to inspect information accessible from a business' EU premises, even when that information is stored outside of the EU. Nuctech's appeal against the Commission's decision to carry out unannounced inspections at its two EU entities on 23 April 2024 remains pending¹⁴⁰.

Furthermore, the Commission continued its *preliminary review into the conditions for the development of a number of wind parks in some Member States*. This review is based on indications that some wind manufacturers and other companies active in the internal market may benefit from foreign subsidies, granting them an unfair competitive advantage¹⁴¹. This investigation followed the 'European Wind

¹³⁸ Case FS.100068 – *Nuctech*.

¹³⁹ Order of the Vice-President of the Court of Justice of 21 March 2025 in Case C-720/24 P (R), *Nuctech Warsaw Company Limited and InsTech Netherlands v Commission*, ECLI:EU:C:2025:205.

¹⁴⁰ Case T-284/24, *Nuctech Warsaw Company Limited and InsTech Netherlands v Commission*.

¹⁴¹ See https://ec.europa.eu/commission/presscorner/detail/en/speech_24_1927

Power Action Plan'¹⁴² through which the Commission committed to closely monitoring potential foreign subsidies that create distortions of competition. The preliminary review is based on Articles 9 and 10 FSR, which empower the Commission to examine information from any source regarding alleged distortive foreign subsidies on its own initiative. Under these provisions, where the available information indicates the possibility of a distortive foreign subsidy, the Commission may seek all information necessary to assess, on a preliminary basis, whether the financial contribution constitutes a foreign subsidy and whether it distorts the internal market.

5. THE DIGITAL MARKETS ACT

The DMA is a Single Market legislation that harmonises the obligations of gatekeepers - large digital platforms that provide services that are an important gateway for business users to reach end users - across the EU. It contributes to a well-functioning Single Market by laying down rules that ensure contestability and fairness in digital markets. The DMA therefore opens ecosystems, creates real opportunities for businesses to enter and expand into new markets, and provides end users with more and genuine choice. As one of the centrepieces of the European Digital Strategy¹⁴³, the DMA complements EU competition rules, which continue to apply to digital platforms. The DMA entered into force on 1 November 2022 and became applicable on 2 May 2023.

5.1. Context

The DMA is the first regulatory tool in the world to comprehensively regulate the gatekeeper power of the largest digital companies. Currently, the DMA applies to seven gatekeepers together operating 23 regulated platforms. The Commission (with DG Competition and DG Communications Networks, Content and Technology (DG Connect) in the lead) is the sole enforcer of the DMA. It works in close cooperation with the NCAs within the ECN in accordance with Articles 37 and 38 DMA.

Following the first designation decisions in September 2023, which triggered the six-month deadline for gatekeepers' compliance, the Commission moved into the implementation and enforcement stage in March 2024. Throughout 2025, the Commission continued an intense regulatory dialogue with all designated gatekeepers to implement the DMA obligations effectively. It organised public compliance workshops to provide a forum for third parties to engage with the gatekeepers on their compliance solutions. The Commission also continued the non-compliance investigations opened in March 2024 and concluded three of them. Moreover, the Commission issued two specification decisions, the first-of-their-kind, which provide guidance to gatekeepers on how to comply with certain obligations.

The Commission's efforts have led to very tangible changes to the benefit of both businesses active in Europe as well as European consumers. These include for example: opening up mobile ecosystems by allowing developers to offer alternative app stores on iOS and iPadOS to contest Apple's own App Store, allowing eSIMs transfer from an Android phone to an iPhone and *vice versa*, enabling greater interoperability across services and devices (for instance by granting device manufacturers and app developers improved access to iPhone features that interact with such devices), and offering a choice screen for users to select their preferred default browser on iOS devices. These changes, which directly

¹⁴² Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – European Wind Power Action Plan, COM/2023/669 final.

¹⁴³ See A Europe fit for the digital age, https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/europe-fit-digital-age_en

benefit consumers, were acknowledged by the European consumer organisation, BEUC, in its November 2025 report, ‘First Bloom: Increased Consumer Choice After Eighteen Months of the DMA’¹⁴⁴. The report underscores that these outcomes represent early but meaningful progress under the DMA.

5.2. Enforcement

5.2.1. Gatekeeper designations

In 2025 no new Core Platform Services (CPSs) were designated by the Commission.

On 23 April 2025, following a market investigation, the Commission concluded that *Meta’s online intermediation service Facebook Marketplace* should no longer be designated as a CPS under the DMA¹⁴⁵. The decision follows a request submitted by Meta on 5 March 2024 to reconsider the designation in September 2023 of Facebook Marketplace as an online intermediation service. Following an assessment of Meta’s arguments and market investigation, the Commission found that the changes Meta brought to the service resulted in a reduction of business users in Facebook Marketplace below the designation thresholds.

5.2.2. Formal proceedings

On 19 March 2025, the Commission adopted two decisions specifying the measures that *Apple must take to comply with its interoperability obligation (Article 6(7) DMA) for hardware and software features controlled by its operating systems iOS and iPadOS*¹⁴⁶. The first case concerns nine iOS connectivity features, predominantly used for connected devices. This covers for example the display of iPhone notifications on a smartwatch. The second case concerns request process put in place by Apple, which developers must follow to obtain interoperability with iOS and iPadOS. The measures implemented are based on technical input from Apple as well as feedback from third parties gathered during the public consultations and bilateral exchanges. The first measures have been implemented in the iOS 26 version and are already delivering concrete improvements for users. Apple has appealed both specification decisions¹⁴⁷.

On 23 April 2025, the Commission concluded its investigation into *Apple’s anti-steering practices* by finding that Apple breached Article 5(4) DMA and imposing a EUR 500 million fine on Apple¹⁴⁸. The Commission imposed a cease and desist order, forcing Apple to remove all technical and commercial restrictions on steering within 60 days subject to periodic penalty payments. The decision has been appealed by Apple. On 26 June 2025, Apple rolled out updated terms for the App Store and revised contractual terms for app distribution on iOS. The Commission continues monitoring Apple’s compliance with its decision of April 2025.

On 23 April 2025, the Commission also concluded its investigation into *Meta’s ‘consent or pay’ advertising model* finding that Meta breached Article 5(2) DMA and imposing a EUR 200 million fine¹⁴⁹. In addition, the Commission imposed a cease and desist order, forcing Meta to bring the non-compliance of its ‘consent or pay’ model effectively to an end within 60 days subject to periodic penalty payments. The decision has been appealed by Meta. Following a close dialogue with Meta, the Commission took note on 8 December 2025 of Meta’s undertaking to offer users in the EU an alternative, free version of

¹⁴⁴ See https://www.beuc.eu/sites/default/files/publications/BEUC-X-2025-101_Increased_consumer_choice_after_eighteen_months_of_the_DMA.pdf

¹⁴⁵ Case DMA.100044 – Meta – online intermediation services – marketplace.

¹⁴⁶ Case DMA.100203 – Article 6(7) – Apple – iOS – SP – Features for Connected Physical Devices and Case DMA.100204 – Article 6(7) – Apple – SP – Process.

¹⁴⁷ Cases T-354/25 and T-359/25, *Apple and Apple Distribution International v Commission*.

¹⁴⁸ Case DMA.100109 – Apple – AppStore.

¹⁴⁹ Case DMA.100055 – Meta – Article 5(2).

its social networks using less personal data for an experience with less targeted advertising, based on a specific choice interface and flow for users. Following its implementation, the Commission will seek feedback and evidence from Meta and other relevant stakeholders on the impact and uptake of this new ad model.

On 23 April 2025, the Commission closed the investigation into *Apple's user choice architecture* and its compliance with the obligations to easily uninstall software applications and change default settings on iOS¹⁵⁰. This closure follows a constructive dialogue between the Commission and Apple. Among the results, Apple changed its browser choice screen, streamlining the user experience of selecting and setting a new default browser on iPhone.

On 6 November 2025, the Commission launched proceedings into *potential breach by Google of Article 6(12) and 6(5) DMA obligations through demoting media publishers' content in search results*¹⁵¹. The Commission's investigation focuses specifically on Google's 'site reputation abuse policy' and the extent to which its application complies with the obligations set out in Articles 6(12) and 6(5) DMA to ensure transparent, fair and non-discriminatory conditions to Google Search's ranking.

On 18 November 2025, the Commission opened *three market investigations in relation to cloud computing services*. Two market investigations seek to assess whether Amazon and Microsoft should be qualitatively designated as gatekeepers for their cloud computing services, Amazon Web Services and Microsoft Azure¹⁵². The third market investigation will examine if the existing DMA obligations can effectively tackle practices that may limit competitiveness and fairness in the cloud computing sector in the EU¹⁵³. The investigations opened on 25 March 2024, against Alphabet with regard to its anti-steering rules¹⁵⁴ and self-preferencing on Google Search¹⁵⁵ are still ongoing.

The investigation opened on 23 April 2024 against Apple concerning Apple's contract terms¹⁵⁶ in relation to third party app stores is also ongoing.

5.3. Developments on rules

In addition, as required by Article 53 DMA, the Commission initiated the *first review of the DMA* in 2025.

The Commission consulted a broad set of stakeholders to gather input that will feed into its report. On 3 July, the Commission launched a public consultation, seeking feedback from any interested parties, including citizens, SMEs, business organisations, and other stakeholders, on the impact and effectiveness of the DMA and its readiness to face emerging challenges, such as the rollout of Artificial Intelligence (AI)-powered services¹⁵⁷.

In June 2025, the Commission also invited the members of the Digital Markets Act Advisory Committee (DMAC)¹⁵⁸ to reflect on their possible contribution to this exercise and provide their input for the purposes of the first DMA review. Member States have also been informed of this process at a meeting of the Council Working Party on Competition in June 2025. Based on the input received, the Commission will prepare a review report assessing the impact of the DMA so far, which will also be shared with

¹⁵⁰ Case DMA.100185 – *Apple – Operating systems – iOS – Article 6(3)*.

¹⁵¹ Case DMA.100231 – *Alphabet – Google Search – Site reputation abuse policy*.

¹⁵² Cases DMA.100032 – *Microsoft – cloud computing services* and DMA.100033 – *Amazon – cloud computing services*.

¹⁵³ Case DMA.100236 – *Cloud – Article 19*.

¹⁵⁴ Case DMA.100075 – *Alphabet - Online Intermediation services - app stores - Google Play - Art.5(4)*.

¹⁵⁵ Case DMA.100193 – *Alphabet - Online Search Engine - Google Search - Art. 6(5)*.

¹⁵⁶ Case DMA. 100206 – *Apple – new business terms*.

¹⁵⁷ See https://digital-markets-act.ec.europa.eu/consultation-first-review-digital-markets-act_en

¹⁵⁸ The Digital Markets Act Advisory Committee supports the Commission in the adoption of implementing acts under the DMA. It is classified as a committee under Regulation (EU) No 182/2011 and functions in accordance with its Rules of Procedure.

Member States. The Commission is required to complete its review of the DMA by 3 May 2026. The resulting report will be presented to the European Parliament (Parliament), the Council and the European Economic and Social Committee.

5.4. Regulatory cooperation and transparency

The DMA provides for close cooperation between the Commission, as the sole enforcer, and NCAs. It also established a *High-Level Group* comprising the European bodies and networks identified within the Regulation. The primary objective of the High-Level Group is to support the coherent and effective implementation of the DMA alongside other sector-specific regulations applicable to gatekeepers. The Group convenes several times a year to discuss and coordinate on current topics of regulatory relevance¹⁵⁹. On 7 March 2025, the High-Level Group held its fourth plenary session in Brussels. Additionally, three sub-group meetings took place in 2025, focusing on data-related obligations, Article 7 (interoperability), and AI.

The Commission also cooperated regularly with NCAs under the DMA's specific mechanism to coordinate the complementary application of the DMA and national competition law, as well as by participating in multilateral fora such as the G7 Competition Summit¹⁶⁰.

In accordance with its transparency obligations, the Commission publishes a DMA annual report¹⁶¹ which details the state of implementation and the progress made towards achieving the DMA's objectives.

Finally, in 2025, the Commission received information about 36 transactions pursuant to Article 14 DMA, which requires gatekeepers to inform the Commission of intended acquisitions within the digital sector. The summaries of these transactions are regularly published on the DMA website¹⁶².

6. DEVELOPING THE INTERNATIONAL DIMENSION OF EU COMPETITION POLICY

Given the current geopolitical challenges and the fact that many markets extend far beyond the EU, the Commission - as a competition policymaker and enforcer - is committed to remaining a leading and respected international actor. Through global cooperation, the Commission contributes to a 'Global Europe' that leverages the EU's power and partnerships. Fostering a level playing field and the rule of law abroad contribute to advance the interests and competitiveness of EU firms. Such interests can only be safeguarded through a combination of effective trade rules and fair, transparent and non-discriminatory competition regimes in foreign jurisdictions, supported by sustained investment in bilateral and multilateral relations.

6.1. Multilateral relations

In 2025, the Commission continued to engage actively in international competition-related fora, including the Organisation for Economic Cooperation and Development (OECD) Competition Committee, the International Competition Network (ICN), the G7 Competition Summit and the United Nations Conference on Trade and Development (UNCTAD).

¹⁵⁹ See https://digital-markets-act.ec.europa.eu/high-level-group-digital-markets-act-agrees-coordinate-efforts-ensure-ai-development-aligns-dma-2024-05-23_en

¹⁶⁰ See, for example https://digital-markets-act.ec.europa.eu/g7-competition-summit-effective-international-cooperation-contributing-fair-open-and-contestable-ai-2024-10-04_en

¹⁶¹ See https://digital-markets-act.ec.europa.eu/about-dma/dma-annual-reports_en

¹⁶² See <https://digital-markets-act-cases.ec.europa.eu/acquisitions>

At the *OECD Competition Committee* meeting in June 2025, the Commission participated in exchanges regarding cloud computing services, corporate influence; efficiencies in merger control; mobile payment services; detection tools and on the assessment of the impact of competition authorities' activities¹⁶³. In December 2025, Executive Vice-President Ribera delivered a keynote speech¹⁶⁴ at the *OECD Global Forum on Competition*. During this forum, the Commission served as one of the lead examiners in the OECD Peer Review of Kenya's competition framework and contributed to the roundtable on competition and the healthcare sector¹⁶⁵. Additionally, the Commission intervened in roundtables held by the Competition Committee and its Working Parties No. 2 and No. 3. These discussions focused on market studies and other market analysis tools; cooperative antitrust in remedy design; competition in AI infrastructure, and experiences with the use of AI by competition authorities¹⁶⁶.

The Commission continued to serve as co-chair of the *ICN Merger Working Group* until May 2025. In this capacity, it worked on the revision of the chapters on unilateral and coordinated effects for the ICN Recommended Practices for Merger Analysis¹⁶⁷. These two updated chapters were adopted at the ICN annual conference in May 2025¹⁶⁸. The unilateral effects chapter was revised to include new theories of harm, additional factors relevant for the assessment, non-price parameters of competition and updated guidance on evidence. The coordinated effects chapter was updated with guidance on the various dimensions and forms of coordination, factors to assess the incentives to coordinate as well as potential disruption. In May 2025, the Commission was appointed co-chair of the *ICN Unilateral Conduct Working Group*. In that capacity, it organised a webinar in November 2025 on the use of evidence in antitrust enforcement against unilateral conduct. In May 2025, the Commission also participated in the *ICN annual conference*, with the Deputy-Director General for mergers speaking on the Merger Working Group plenary panel, and other Commission speakers contributing to several breakout sessions¹⁶⁹. Throughout the year, the Commission moderated and facilitated sessions at several key international workshops: (i) the ICN unilateral conduct workshop which took place in March 2025 in Brazil¹⁷⁰; (ii) the ICN merger workshop held in October 2025 in Mauritius¹⁷¹; and (iii) in the ICN cartel workshop in November 2025 in South Korea¹⁷². In October 2025, the Commission was appointed co-chair of the *Interest Group Use of AI by Competition Agencies* within the *ICN Technologist Working Group*. In this context, it hosted a knowledge sharing event on applied AI tools in competition enforcement.

At the October 2025 *G7 Competition Summit* in Ottawa¹⁷³, the discussions focused on digital competition concerns, specifically algorithmic pricing, and their impact on competition and the economy. Participating authorities and agencies exchanged views on enforcement experiences and detection strategies, alongside emerging policy issues related to conduct in digital markets. At the request of Canada, the OECD presented a new scoping note focusing on algorithmic pricing and competition¹⁷⁴.

¹⁶³ See https://www.oecd.org/en/publications/oecd-roundtables-on-competition-policy-papers_20758677.html

¹⁶⁴ See https://ec.europa.eu/commission/presscorner/detail/en/speech_25_2869

¹⁶⁵ See <https://www.oecd.org/en/events/2025/12/global-forum-on-competition-2025.html>

¹⁶⁶ See https://www.oecd.org/en/publications/oecd-roundtables-on-competition-policy-papers_20758677.html

¹⁶⁷ See <https://www.internationalcompetitionnetwork.org/portfolio/recommended-practices-for-merger-analysis/>

¹⁶⁸ See <https://icn25cma.co.uk/>

¹⁶⁹ See <https://icn25cma.co.uk/agenda/>

¹⁷⁰ See <https://www.gov.br/cade/en/matters/news/icn-workshop-discusses-unilateral-conducts-in-brazil>

¹⁷¹ See <https://competitioncommission.mu/the-icn-merger-workshop-2025-in-mauritius/>

¹⁷² See <https://www.icn2025korea.com/>

¹⁷³ See <https://www.autoritedelaconurrence.fr/en/press-release/canada-hosts-g7-summit-discussing-competition-issues-related-algorithmic-pricing>

¹⁷⁴ See https://www.oecd.org/en/publications/algorithmic-pricing-and-competition-in-g7-jurisdictions_f36dacf8-en.html

The summit culminated in the publication of an updated version of the compendium of approaches to improve competition in digital markets¹⁷⁵, reflecting the shared views of competition authorities

In July 2025, the Commission attended the *9th UN Conference on Competition and Consumer Protection*¹⁷⁶. Participants discussed competition and consumer protection issues at the national, regional and international levels, to continue enhancing consumers welfare through open, fair, dynamic and inclusive markets. The Commission intervened in sessions on ‘Competition and regional economic organisations’ and ‘Investigative techniques and digital tools in a modern enforcement world’.

6.2. Bilateral relations

In 2025, the Commission continued cooperate bilaterally with *the UK* as provided for in the EU/UK Trade Cooperation Agreement (TCA)¹⁷⁷ and the Withdrawal Agreement¹⁷⁸. The Commission’s work focused on controlling potentially competition distorting subsidy schemes in the UK; this includes monitoring and reporting on subsidy, competition legislation and enforcement. The Commission also represented the EU in the formal committees established under the TCA and Withdrawal Agreement. In addition, following the joint announcement by the EU and UK of a ‘New Strategic Partnership’ at the Summit on 19 May 2025¹⁷⁹, the Commission engaged in discussions with the UK on several topics, including State aid and energy cooperation. In May 2025, the Commission also adopted proposals for Council decisions to sign and conclude the competition cooperation agreement between the EU and the UK¹⁸⁰.

In 2025, the Commission continued the negotiations on a competition cooperation agreement between the EU and *Canada*, which is intended to replace the current agreement of 1999¹⁸¹.

Moreover, the Commission continued its cooperation on competition policy with the *Korean* and the *Japanese Fair Trade Commissions* and *China's State Administration for Market Regulation*. DG Competition's multilateral technical cooperation continued as well with an activity with the *Association of Southeast Asian Nations (ASEAN) competition authorities*. DG Competition and DG Connect signed a Cooperation Arrangement with the Japan Fair Trade Commission regarding cooperation in the field of digital platform regulation¹⁸².

The Commission aims to include provisions on competition and subsidy control when negotiating Free Trade Agreements (FTAs). In 2025, the Commission concluded *FTA negotiations with Indonesia and*

¹⁷⁵ See <https://www.gov.uk/government/publications/compendium-of-approaches-to-improving-competition-in-digital-markets-2025>

¹⁷⁶ See <https://unctad.org/meeting/9th-united-nations-conference-competition-and-consumer-protection>

¹⁷⁷ Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part, OJ L 149, 30.4.2021, pp. 10–2539.

¹⁷⁸ Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community 2019/C 384 I/01, OJ C 384I, 12.11.2019, pp. 1–177.

¹⁷⁹ See https://www.consilium.europa.eu/media/1ed1a1hi/eu-uk_joint-statement.pdf ; https://ec.europa.eu/commission/presscorner/detail/en/statement_25_1267

¹⁸⁰ Proposal for a Council Decision on the signing, on behalf of the European Union, of the Agreement between the European Union and the United Kingdom of Great Britain and Northern Ireland regarding cooperation on the application of their competition laws, COM/2025/232 final, and Proposal for a Council Decision on the conclusion, on behalf of the European Union, of the Agreement between the European Union and the United Kingdom of Great Britain and Northern Ireland regarding cooperation on the application of their competition laws, COM/2025/233 final.

¹⁸¹ Agreement between the European Communities and the Government of Canada regarding the application of their competition laws, OJ L 175, 10.7.1999, p. 50.

¹⁸² See https://digital-markets-act.ec.europa.eu/commissions-services-sign-arrangement-japan-fair-trade-commission-common-goal-promoting-2025-07-23_en

continued *FTA negotiations with India, Malaysia, Philippines, Thailand* and *ESA5*¹⁸³. The Commission increasingly engaged with the *Middle East* and started negotiations with the *United Arab Emirates* on a FTA, which includes a chapter on competition.

As regards *(potential)*¹⁸⁴ *candidate countries*¹⁸⁵, the Commission's primary objective regarding competition law is to support the setting up of legislative frameworks ensuring well-functioning and operationally independent competition and State aid authorities that will build up solid enforcement records in these countries. In 2025, the Commission continued to monitor national reforms, enforcement of competition rules and the overall compliance of the (potential) candidate countries with their commitments under the Association Agreements to ensure the legal alignment of their national rules with the EU acquis. The Commission also followed and assessed the progress made in relation to the implementation of support facilities for *Ukraine* and *Moldova* and for *the Western Balkan countries* that aim to assist the candidate and potential candidate countries with their legal, administrative and economic integration with the EU internal market. In 2025, the screening meetings and consequent screening reports including about competition policy were conducted and concluded for Ukraine and Moldova. This compulsory step in the EU accession negotiations process paves the way for further alignment and formal negotiations under the chapters relating to competition policy¹⁸⁶.

In 2025, the Commission also engaged actively with several African national and regional authorities to strengthen their policy frameworks and support continental and regional economic integration. The Commission cooperated with three African regional economic communities - the West African Economic and Monetary Union (WAEMU); the East African Community (EAC); and the Common Market for Eastern and Southern Africa (COMESA) - and the authority supporting the implementation of the African Continental Free Trade Area (the AfCFTA Secretariat) at continental level, to support competition and consumer welfare in Sub-Saharan Africa. The Commission also cooperated on a bilateral basis with few competition authorities on the continent (for instance Egypt, Kenya, South Africa) and has assisted Gambia in setting up its merger control rules.

7. BENEFITS OF EU COMPETITION POLICY FOR CONSUMERS AND CITIZENS

7.1. Benefits of EU competition for consumers and citizens

The Commission's enforcement in the fields of antitrust and mergers generate direct benefits for citizens. DG Competition measures the impact of its enforcement activities in the areas of antitrust (cartels and non-cartel antitrust) and merger control in several complementary ways.

An important measure is 'direct customer savings', that is to say likely direct price effects for customers in markets where the Commission has intervened. Based on a simplified OECD method, the estimated direct customer savings from Commission interventions in 2025 were in the range of EUR 12.4 - 21.9 billion. This amounted to EUR 12 - 20 billion on average per year over the period 2012-2025. In relative terms, this corresponded to savings of around EUR 60 - 100 per EU household per year.

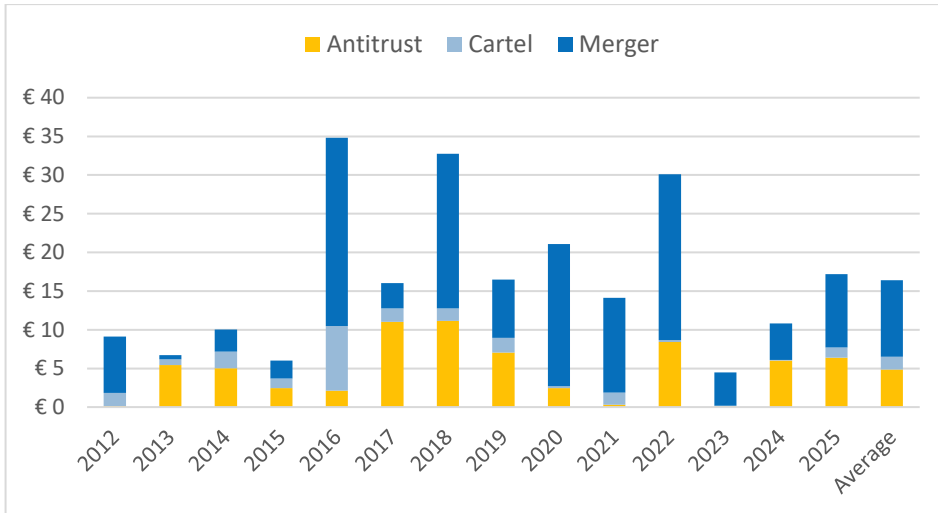
¹⁸³ Five Eastern and Southern Countries: Comoros, Madagascar, Mauritius, Seychelles and Zimbabwe.

¹⁸⁴ Potential candidate for EU membership: Kosovo.

¹⁸⁵ Countries granted candidate country status by the European Council on the basis of a recommendation by the European Commission: Albania, Bosnia and Herzegovina, Georgia, Moldova, Montenegro, North Macedonia, Serbia, Türkiye and Ukraine.

¹⁸⁶ See https://enlargement.ec.europa.eu/2025-communication-eu-enlargement-policy_en

Figure 9: Customer savings by instrument (2012-2025) in billion EUR (midpoints)



The Commission is not the only enforcer of the EU competition rules. Its partners in the ECN also play an active role. In 2025, DG Competition and participating NCAs within the ECN continued to work on measuring additional customer savings generated by enforcement action taken by these NCAs. For the period 2020-2024, the analysis indicates that the combined customer savings (Commission and NCAs) sum up to a range of EUR 18 - 30 billion per year. This means that the NCAs contribute at least another 50% of direct savings on top of those generated by the Commission. The total amount of direct customer savings (Commission and NCAs) corresponds to some EUR 100 - 160 per household per year for this period.

Interventions by competition authorities not only aim to stop anticompetitive behaviour by market participants in specific cases ('direct effects'), they also deter future anticompetitive behaviour by other market participants ('deterrent effects'). It is well known that this type of indirect effects is difficult to measure, which is why the Commission has launched a survey study to obtain further knowledge on the magnitude and main drivers of deterrence effects.

Beyond direct and indirect price effects, the Commission's enforcement activities also have positive effects on innovation and quality. Economists tend to agree that such 'dynamic effects' are significant and important for productivity growth and competitiveness, but they also agree that their magnitude is very difficult to measure. In 2025, the Commission and the OECD continued their collaborative effort to gain further insights into the impact of innovation on competition and competition enforcement¹⁸⁷. In addition, DG Competition commissioned and published two studies for this purpose¹⁸⁸.

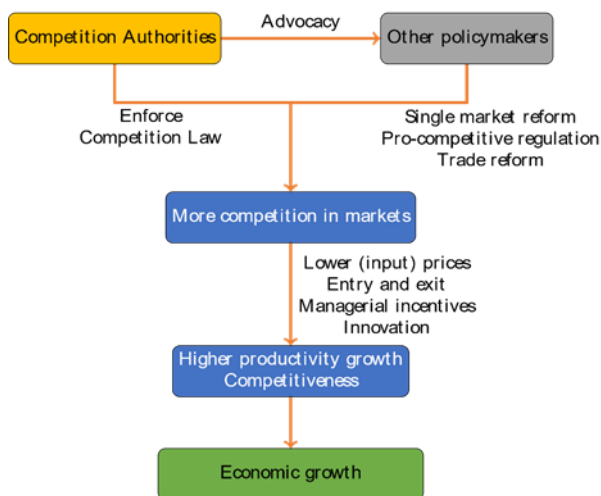
Competition policy enforcement does not only have a positive economic impact at microeconomic level; it also serves as an important driver of welfare and growth at macroeconomic level. Estimated price reductions resulting from competition policy interventions (both directly and indirectly, via deterrence effects) can be used to improve economy-wide performance indicators on investment, employment,

¹⁸⁷ Contribution Agreement COMP/2025/CA/0001, Activity 2: *The impact of M&A on innovation, business dynamism and technology diffusion*.

¹⁸⁸ Study on dynamic merger effects, Contract notice 59/2025 191698-2025, published in the Official Journal on 25/03; Study on the impact of mergers reviewed by the Commission on markups and innovation, EC-COMP-2025-MVP-0044.

prices, productivity and ultimately on gross domestic product (GDP)¹⁸⁹. The impact of competition and competition enforcement was the subject of the OECD Working Party meeting on 16 June 2025¹⁹⁰, where DG Competition contributed to the update of the OECD Factsheet on Competition and Macroeconomic Outcomes of 2014.

Figure 10: Competition enforcement contributing to economic growth



Using QUEST III, the Commission’s basic macro-economic forecasting tool modelling by the JRC, suggests that the Commission’s competition enforcement activities may trigger an increase of real EU GDP relative to the baseline in the range of 0.6% - 1.1% in the medium to long term (the equivalent of an uplift of EUR 100-180 billion in GDP), a 0.3% - 0.7% reduction in the overall price level and an increase in consumption (0.5 - 1.0%) and investment (1.1 - 1.7%)¹⁹¹. These results indicate that competition policy directly supports GDP growth, investment and consumption across the EU economy.

7.2. Ex post evaluation

On 20 February 2025, DG Competition published a first-of-its-kind study assessing the effectiveness of antitrust remedies imposed or accepted by the Commission over the past 20 years under Articles 7 and 9 of Regulation 1/2003¹⁹². While the effectiveness of the Commission’s antitrust remedies seems to have improved over the last 20 years, the study also shows that: (i) past antitrust remedies have not always been implemented; moreover, fewer than half in the selected sample were fully effective in achieving their goal; (ii) purely behavioural remedies were less likely to be both fully implemented and effective, than other forms of remedies; and (iii) implementation and effectiveness seem to have improved over

¹⁸⁹ Economic literature shows that competition enforcement – alongside other procompetitive market policies (single market policy, trade policy) – contributes to higher productivity and economic growth. For references, see for example OECD (2014), *Factsheet on competition and macro-economic outcomes*, 2014, https://www.oecd.org/content/dam/oecd/en/publications/reports/2014/10/factsheet-on-competition-and-macro-economic-outcomes_24994985/660b93ab-en.pdf

¹⁹⁰ See <https://www.oecd.org/en/events/2025/06/assessing-the-impact-of-competition-authorities-activities.html>

¹⁹¹ European Commission: Directorate-General for Competition, Directorate-General for Economic and Financial Affairs, Joint Research Centre, Dierx, A., Fedotenkov, I. et al., *Modelling the macroeconomic impact of competition policy – 2023 update and further development*, Publications Office of the European Union, 2024, <https://data.europa.eu/doi/10.2763/959314>

¹⁹² Grimaldi Alliance and NERA, *Ex post evaluation of the implementation and effectiveness of EU antitrust remedies*, Final report prepared for the European Commission, Publications Office of the European Union, 2025, <https://data.europa.eu/doi/10.2763/4894234>

time. On 27 March 2025, DG Competition hosted an expert online workshop with the authors of the study and leading experts.¹⁹³

Also in 2025, the findings of the *ex post* evaluation study into ‘killer acquisitions’ in the pharma sector were discussed with economic and legal experts in a workshop¹⁹⁴.

II. SECTORAL OVERVIEW

1. ENERGY & ENVIRONMENT

1.1. Overview of key challenges in the sectors

The European electricity market - the largest integrated market in the world - has become a cornerstone of the clean energy transition. The continued integration of the EU electricity market enhances resilience, reduce consumer costs, and supports investment in renewable generation¹⁹⁵.

In 2025, the situation in the energy markets continued to stabilise across both electricity and gas sectors following the energy crisis of 2021-2023. This stability, although at levels above historical averages, was achieved thanks to the rapid deployment of clean energy, the diversification of supply, the availability of energy interconnections and the solidarity demonstrated across Member States. However, price volatility persists, and energy prices are still significantly higher than outside the EU, and they vary considerably across EU Member States. These high prices and the disparity remain a major concern for European consumers and many industries. As highlighted in the Draghi report, high energy costs are at the core of the challenges currently facing the European economy.

On 26 February 2025, the Commission published the CID to support industry and companies through the transition towards a carbon-neutral economy. The CID outlines a series of actions to lower energy prices and create quality jobs and the right conditions for companies to thrive. In parallel and as part of the CID, the Commission presented the ‘Action Plan for Affordable Energy’ (AEAP)¹⁹⁶, introducing both short-term and structural measures to deliver stable and predictable energy costs, increase energy efficiency, and expand renewable generation, ensuring that businesses can remain competitive while consumers benefit from affordable energy. Together the CID and the AEAP underline how a cleaner and independent energy system helps boost the economy while also contributing significantly to Europe's decarbonisation ambitions. Complementing these strategies, the Commission presented a Roadmap towards ending Russian energy imports in May 2025¹⁹⁷. This plan aims to fully eliminate dependence on Russian energy by stopping the import of Russian gas and oil and phasing out Russian nuclear energy,

¹⁹³ A video recording of the workshop and further materials are available: https://competition-policy.ec.europa.eu/about/reaching-out/online-expert-workshop-antitrust-remedies_en

¹⁹⁴ Workshop held on 10 April, 2025 on the report by Lear (2024), *Ex-post evaluation: EU competition enforcement and acquisitions of innovative competitors in the pharma sector leading to the discontinuation of overlapping drug research and development projects*, Final report prepared for the European Commission, November 2024 (<https://data.europa.eu/doi/10.2763/3714497>). A video recording of the workshop and further materials are available: https://competition-policy.ec.europa.eu/about/reaching-out/online-expert-workshop-killer-acquisitions_en

¹⁹⁵ European Commission: ACER, *Progress of EU electricity wholesale market integration - Monitoring Report 2025*, <https://www.acer.europa.eu/sites/default/files/documents/Publications/ACER-2025-Electricity-market-integration.pdf>

¹⁹⁶ Communication from the commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – Action Plan for Affordable Energy Unlocking the true value of our Energy Union to secure affordable, efficient and clean energy for all Europeans, COM(2025) 79 final, 26.2.2025.

¹⁹⁷ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – Roadmap towards ending Russian energy imports, COM(2025) 440 final/2, 12.5.2025.

while simultaneously ensuring stable energy supplies and prices across the EU.

In this context, competition and State aid policy play a crucial role in shaping a conducive environment for green investments, driving efficiency in public support for a competitive European economy. To achieve the ambitions of the CID and assist Member States in designing measures that support its objectives, the Commission adopted the CISAF on 25 June 2025 (see above Part I, section 3.2.1).

The CISAF also introduces simplified compatibility criteria for aid schemes making use of the ‘Grants-as-a-service-tool’ under the Innovation Fund ‘regular’ grants calls (GaaS)¹⁹⁸. This mechanism builds upon the synergies existing between Innovation Fund requirements and State aid rules. A guidance on the GaaS possibility has been published in November 2025¹⁹⁹ and notification forms for CISAF, including GaaS are available on the Commission website²⁰⁰.

1.2. Contribution of EU competition policy to tackling the challenges in the green economy

In 2025, competition policy and enforcement continued to contribute to the EU environmental objectives through the application of the State aid, antitrust and merger rules.

1.2.1. Revised State aid EU Emission Trading System (ETS) Guidelines adopted

On 23 December 2025, the Commission adopted targeted amendments of the ETS State aid Guidelines²⁰¹.

The ETS Guidelines aim at reducing the risk of ‘carbon leakage’ - where companies move production to countries outside the EU with less ambitious climate policies - leading to less economic activity in the EU and no reduction in greenhouse gas emissions globally. They enable Member States to compensate companies in at-risk sectors for part of the higher electricity prices resulting from the carbon price signals created by the EU ETS (so-called indirect emission costs). Hence, the ETS Guidelines also contribute to the competitiveness of European industries. They are complementary to the measures allowed under CISAF, if overcompensation is excluded.

The ETS Guidelines were adopted for the full duration of the current EU ETS phase - running from 2021 until 2030 - to ensure predictability, with a possible update of certain technical parameters in 2025 to be in line with the most recent available data, if deemed necessary. Against this background, the Commission has adopted the following amendments to the current ETS Guidelines:

- i. the extension of the list of industrial sectors eligible for compensation to include 20 new sectors and two new subsectors. This includes the manufacture of organic chemicals and certain activities in the ceramic, glass, and batteries sectors;
- ii. an increase in the aid intensity from 75% to 80% for sectors that were already eligible before the amendment to cater for their increased risk of carbon leakage;
- iii. the option for Member States to notify sectors or subsectors that are not included in the amended list of eligible sectors, if they can demonstrate these are at genuine risk of carbon leakage;

¹⁹⁸ GaaS relates to the possibility offered under the Innovation Fund to Member States to allocate a support budget dedicated to support projects which have met minimum qualification requirements in the Innovation Fund evaluation and have therefore received a STEP seal. In such situation, the Member State saves administrative resources by directly taking over the quality evaluation already carried out under the Innovation Fund, in particular on the decarbonisation and innovativeness potential of the project.

¹⁹⁹ See https://climate.ec.europa.eu/document/download/74cf1aca-e062-4fd7-9c77-580ffa900634_en?filename=Grants%20as%20a%20Service%20concept%20note.pdf

²⁰⁰ See https://competition-policy.ec.europa.eu/about/contribution-clean-just-and-competitive-transition/clean-industrial-deal-state-aid-framework-cisaf_en

²⁰¹ Communication from the Commission amending the Guidelines on certain State aid measures in the context of the system for greenhouse gas emission allowance trading post-2021, C/2025/9298, OJ C, C/2026/196, 5.1.2026.

- iv. the requirement for large beneficiaries to contribute to the green transition by, among others, investing a share of the aid in projects that contribute to reducing the costs of the electricity system.

The CO₂ emission factors and geographic areas are also updated for 2026-2030, based on the most recent data available. The CO₂ emission factors reflect the CO₂ emission content of fossil fuels used for electricity production in a given geographic area and are used to determine the amount of compensation. The amendment allows Member States to apply a gradual transition from 2026 to 2030, where the decrease in the applicable maximum regional CO₂ emission factor compared to the previous factor for 2021-2025 is particularly large.

The ETS Guidelines are expected to be further supplemented with electricity efficiency benchmarks for the newly eligible sectors.

1.2.2. Guidance on two-way contracts for difference and other guidance

On 10 December 2025, the Commission adopted the *Guidance on the design of two-way contracts for difference (2w-CfD)*²⁰². The ‘2w-CfD’ are defined as contracts between a power-generating installation operator and a counterpart, usually a public entity, that provides both minimum remuneration protection and a limit to excess remuneration. The Electricity Regulation²⁰³ mandates that direct price support for certain types of renewable electricity generation facilities²⁰⁴ and for new nuclear electricity generation facilities, take the form of ‘2w-CfD’. The Guidance provides interpretation and clarification on the design principles to help Member States design their support schemes in line with the Electricity Regulation. It also provides examples of best practices that can be applied by Member States in the ‘2w-CfD’ support schemes.

In parallel, the Commission continued to provide *guidance to stakeholders to facilitate the interpretation and application of the rules and guidelines as well as to harmonise their application among the Member States*. For instance, the Commission participated in several sectoral conferences to present the CISAF (see above Part I, Section 3.2.1) and provide explanations on its scope and provisions. The Commission also participated in several technical presentations and meetings, for example a webinar for Member States and national regulatory authorities (NRAs) on non-fossil flexibility support schemes co-organised by DG ENER and DG Competition on 1 December 2025.

Furthermore, the Commission provided hands-on support to Member States regarding the *interpretation of the Net-Zero Industry Act (NZIA) Regulation*²⁰⁵ and the implementation of the NZIA criteria. These criteria will become mandatory for a minimum of 30% in terms of volume, or 6 GW, of renewable energy source auctioned each year per Member State, as from 30 December 2025. Specifically, the Commission provided guidance to several Member States on the design of the NZIA non-price criteria related to the supply chain resilience within the Renewable Energy Sources (RES) schemes.

These communication and outreach activities aim to enhance transparency and provide greater legal certainty in the implementation of the State aid rules across the EU.

²⁰² Commission guidance on the design of two-way contracts for difference, (C/2025/6701), OJ C, 19.12.2025.

²⁰³ Regulation (EU) 2024/1747 of the European Parliament and of the Council of 13 June 2024 amending Regulations (EU) 2019/942 and (EU) 2019/943 as regards improving the Union’s electricity market design, OJ L, 2024/1747, 26.6.2024.

²⁰⁴ The obligation for direct price support schemes to take the form of 2w-CfD applies to the following renewable generation technologies: wind, solar, geothermal and hydropower without reservoir.

²⁰⁵ Regulation (EU) 2024/1735 of the European Parliament and of the Council of 13 June 2024 on establishing a framework of measures for strengthening Europe’s net-zero technology manufacturing ecosystem and amending Regulation (EU) 2018/1724, OJ L, 2024/1735, 28.6.2024.

1.2.3. Supporting hydrogen production

In 2025, under the CEEAG, the Commission approved three State aid schemes totalling EUR 836 million to support the production of renewable hydrogen through the European Hydrogen Bank²⁰⁶'s 'Auctions-as-a-Service'²⁰⁷ tool.

These three measures include a EUR 400 million *Austrian State aid scheme*²⁰⁸ and a EUR 36 million *Lithuanian State aid scheme*²⁰⁹, both approved in March 2025, as well as a EUR 400 million *Spanish State aid scheme*²¹⁰ approved in April 2025. The schemes support the production of up to 112 000 tonnes of renewable hydrogen in Austria, 13 000 tonnes in Lithuania, and 221 000 tonnes in Spain, potentially avoiding up to 1.6 million tonnes of CO₂ emissions in total. The companies planning to construct new electrolysers in Austria, Lithuania and Spain must comply with EU criteria for producing renewable fuels of non-biological origin (RFNBOs), including contributing to the deployment or financing of additional renewable electricity needed to support hydrogen production under the scheme²¹¹. The 'Auctions-as-a-Service' model provides several advantages, notably in terms of cost-efficiency in awarding support, unlocking private investment and combining national and European support schemes, while supporting the CID's goal of accelerating EU industry decarbonisation and bolstering competitiveness.

1.2.4. Encouraging the deployment of renewable energy sources

In 2025, the Commission approved several State aid schemes supporting the deployment of renewable energy sources, having assessed their compatibility under specific State aid guidelines, in particular section 2.5 TCTF, section 4.10 CEEAG, and section 4.1 CISAF. These approved measures include investment aid for constructing new renewable energy production capacity or storage, as well as direct price support schemes providing aid for the production of electricity or heat from renewable energy sources.

For instance, on 28 February 2025, the Commission approved under section 4.10 CEEAG, a EUR 103 million *Czech State aid scheme to support the production of heat from biomass in existing district heating installations*²¹². The scheme promotes the use of renewable energy sources in heat production, in line with the objectives of the REPowerEU Plan²¹³. The aid will take the form of a green bonus, which consists of a subsidy granted for each gigajoule of heat from biomass supplied to the heat distribution system. The bonus will be determined by the Czech Energy Regulatory Office on an annual basis. The

²⁰⁶ The Hydrogen Bank is a financing instrument to accelerate the establishment of a full hydrogen value chain in Europe. The Commission's executive agency, the European Climate, Infrastructure and Environment Executive Agency (CINEA) is running 'Auction-as-a-Service' under the Innovation Fund (IF https://commission.europa.eu/strategy-and-policy/eu-budget/performance-and-reporting/programme-performance-statements/innovation-fund-performance_en) for projects supporting the production of renewable hydrogen. These projects are assessed and ranked in the competitive auction procedure. If the IF budget is insufficient to cover all eligible projects, Member States can contribute with financial resources to support additional non-awarded projects located on their territory. See https://energy.ec.europa.eu/topics/eus-energy-system/hydrogen/european-hydrogen-bank_en

²⁰⁷ See https://climate.ec.europa.eu/document/download/b0316108-0e2b-402d-8e16-bb46ac813332_en?filename=policy_funding_innovation_concept_paper_aaas_en.pdf

²⁰⁸ Case SA.116277 – Austria - *Austria's Participation in EU Hydrogen Bank Auction*.

²⁰⁹ Case SA.116745 – Lithuania – *European Hydrogen Bank Auctions-as-a-Service 2024*.

²¹⁰ Case SA.116676 – Spain – *European Hydrogen Bank Auctions-as-a-Service 2024*.

²¹¹ See EU criteria for the production of renewable fuels of non-biological origin (RFNBOs), https://ec.europa.eu/commission/presscorner/detail/en/ip_23_594

²¹² Case SA.113882 – Czechia – *Maintenance support of heat from renewable energy sources with a nominal heat output above 1 MW burning biomass*.

²¹³ Communication from the Commission - REPowerEU Plan, COM(2022) 230 final, <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52022DC0230>

aid amount will be equal to the cost difference of producing heat from biomass compared to producing heat from coal. Eligible beneficiaries are owners of existing heat installations using biomass with a heat output above 1 MW.

On 17 March 2025, the Commission approved, under section 2.5 TCTF, a EUR 699 million *Spanish State aid scheme to support investments in energy storage* to facilitate the transition to a net-zero economy²¹⁴. The objective of the scheme is to provide investment aid for the deployment of large-scale energy storage, which will reduce reliance on fossil fuel imports and allow for a higher penetration of variable renewable energy sources in the Spanish electricity system. The aid - provided as direct grants and partially financed by the European Regional Development Fund (ERDF) - supports the construction of 1.8 GWh of new electricity storage capacity. The aid is granted through a competitive bidding process open to all storage technologies connected to either the transmission network or distribution network.

On 5 August 2025, the Commission approved, under section 4.1 CISAF, a EUR 11 billion *French scheme to support offshore wind energy and boost this clean tech industry in the EU* in line with the objectives of the CID²¹⁵. This aid measure will support the construction and operation of three floating offshore wind farms of 500 MW capacity each, that will generate around 2.2 TWh of electricity, equivalent to the annual consumption of 450 000 French households. The support will be provided as direct price support, through a ‘2w-CfD’ over a 20-years period, awarded via a transparent and non-discriminatory competitive bidding process. Resilience has been included as tender prequalification and award criterion to diversify wind turbine and main specific components supply chains, to reduce dependency on imports from China, in line with the NZIA criteria.

1.2.5. Consolidating nuclear-based energy

For some Member States, nuclear energy is an important component of decarbonisation, industrial competitiveness, and security of supply strategies. Acknowledging Member States’ right to determine their energy mix, the Commission continued in 2025 to assess the compatibility of State aid for nuclear energy generation under Article 107(3)(c) TFEU, which enables Member States to support the development of certain economic activities. Several significant measures were approved or were under investigation in 2025.

On 21 February 2025, following an in-depth investigation, the Commission approved a *Belgian support measure for the lifetime extension of two nuclear reactors, Doel 4 and Tihange 3*²¹⁶. In June 2024, Belgium notified the Commission of its plan to extend the lifetime of these two nuclear reactors - which have a combined capacity of approximately 2 GW - to reduce Belgium’s dependency on fossil fuels and preserve the security of electricity supply in Belgium and neighbouring countries. In July 2024, the Commission opened an in-depth investigation to assess the compatibility of the proposed aid measure with the internal market, with a focus on the assessment of the financial arrangements and the proportionality of the nuclear waste liabilities. The reactors are majority-owned by Engie's Belgian unit Electrabel with 89.9% share, while Luminus (an EDF subsidiary) holds a 10.1% minority share. A new 50-50 joint-venture between the Belgian State and Electrabel, BE-NUC, was created to cover the necessary capital cost of the extension. A ‘2w-CfD’ ensures stable revenues for a period of 10 years and limits excess remuneration. Additional financial protective mechanisms, such as a loan and an operating cashflow guarantee, are also part of the financial set-up. To address the Commission’s concerns, Belgium clarified that those financial arrangements are complementary, covering different risks related to the

²¹⁴ Case SA.116836 – Spain – TCTF – *Support for energy storage*.

²¹⁵ Case SA.115764 – France – EPIP – *Régime de soutien à trois parcs éoliens en mer, l'un au large du Sud de la Bretagne et deux autres en Méditerranée*.

²¹⁶ Case SA.106107 – Belgium – *Lifetime extension of two nuclear reactors (Doel 4 and Tihange 3)*.

project, and thus necessary to ensure its long-term financial viability. The measure also includes Electrabel transferring liabilities related to the storage and disposal of nuclear waste and spent fuel, to the Belgian state for a lump sum payment of EUR 15 billion which will be managed and controlled by a dedicated national body, Hedera. Moreover, the measure ensures risk-sharing and legal protection in the event of future legislative changes.

On 9 December 2025, following an in-depth investigation, the Commission approved *aid measures for the first nuclear power plant in Poland*²¹⁷. In September 2024, Poland notified the Commission of its plan to support State-owned company Polskie Elektrownie Jądrowe sp. z o.o (PEJ) in the construction and operation of a new nuclear power plant in Lubiatowo-Kopalino. The project consists of three new nuclear reactors, each with a capacity of 1250 MW. Under the aid measures, the beneficiary will benefit from direct price support in the form of ‘2w-CfD’ running for 40 years to provide stable revenues to the nuclear power plant. In addition to the CfD, the support package includes an equity injection covering approximately 30% of the project’s costs and State guarantees covering 100% of the debt taken by PEJ to finance the investment project. The plant is expected to increase the security of electricity supply for Poland and its neighbouring countries, contributing to the decarbonisation of the energy sector and the diversification of the Polish energy mix. This decision followed the opening of a formal investigation in 2024, which focused on the appropriateness and proportionality of the aid, potential distortions in electricity markets, and the measure’s compliance with relevant provisions of EU law. To address the Commission’s concerns raised during the investigation, Poland adjusted the measures, notably by changing the design of the CfD and shortening its duration.

On 22 December 2025, the Commission opened a formal investigation regarding the *support for the construction and operation of two new nuclear units at the Dukovany site*²¹⁸. In April 2024, the Commission approved aid for the construction and operation of a single new nuclear reactor in Dukovany²¹⁹. In October 2025, Czechia notified the Commission of its plan to extend the investment in nuclear capacities and support the construction and operation of two new nuclear units in Dukovany, with an electricity generation capacity of up to 976 MWe each. This project serves Czechia’s plan to decarbonise its electricity sector and address an identified gap in electricity supply. The beneficiary of the aid measure is Elektrárna Dukovany II (EDU II), owned by the Czech state (80%) and ČEZ (20%), the only nuclear power plant operator in Czechia. Under the aid measure, the beneficiary will benefit from direct price support in the form of a ‘2w-CfD’ with a duration of 40 years. The beneficiary will also benefit from a low-interest repayable State loan of an initial amount currently estimated between EUR 23 billion and EUR 30 billion, which will cover the full construction costs, and of a protection mechanism against unforeseen events or policy changes that may make the realisation of the project impossible. Based on its preliminary assessment, the Commission has doubts on the compatibility of the aid measure with the internal market, namely regarding its appropriateness and proportionality, its impact on competition in the market, as well as its compliance with other provisions of EU law (in particular with the design principles set out in Article 19d(2) of the Electricity Regulation as regards the CfD).

Following the annulment by the Court of Justice of the Commission’s decision declaring the State aid for the construction of two new reactors on the *Paks site in Hungary* compatible with the State aid rules (see above Part I, section 3.3.3), the Commission is again assessing the compatibility of the measure following its decision to initiate the formal investigation procedure under Article 108(2) TFEU.

²¹⁷ Case SA.109707 – Poland – *Aid measures for the first nuclear power plant in Poland*.

²¹⁸ Case SA.117794 – Czechia – *Support for the construction and operation of two new nuclear units at the Dukovany site*.

²¹⁹ Case SA.58207 – Czechia – *Support for Dukovany II, a new nuclear power plant in Czechia*.

1.2.6. Ensuring security of supply

On 29 July 2025, the Commission approved, under section 4.8 CEEAG, a EUR 300 million *Swedish strategic electricity reserve to safeguard security of electricity supply in emergency situations*²²⁰. On 28 October 2025, also under section 4.8 CEEAG, the Commission approved a EUR 750 million *Estonian strategic reserve to support security of electricity*²²¹. The strategic reserves²²² in Sweden and Estonia will be in place until 2035 and must be open to all projects that can contribute to achieving the security of supply objective, including electricity generation, demand-side response and storage. The projects that will benefit from the aid in both these cases will be selected through a transparent, non-discriminatory competitive bidding process. Capacity funded through these measures will not participate in electricity markets while held in the reserve. This restriction is designed to minimise the distortion of competition within these markets.

On 6 October 2025, the Commission approved, under section 4.8 CEEAG, an *Austrian scheme to safeguard security of electricity supply and network stability*²²³ for a period of 5 years. This scheme is an extension and update of the existing network reserve that was approved in 2021 and that will end in 2026²²⁴. Several technical changes were introduced to, among other things, increase the participation of smaller resources, in particular electricity consumers that can provide demand response by reducing energy use. The scheme will also be open to electricity storage facilities and demand-response providers. The subsidised capacity must remain available and be located in parts of Austria or neighbouring countries where it can help manage transmission congestion. The aid will take the form of direct grants paid per MW of available capacity held in the reserve, as well as payments to cover operating costs when capacity is activated. The costs of the aid scheme will be recovered from consumers in locations where there is a capacity shortfall, via network charges on consumer bills.

On 22 December 2025, the Commission approved a *French capacity mechanism*²²⁵ with an estimated budget of EUR 20 billion. The scheme, approved for a period of 10 years under section 4.8. CEEAG, represents an extension and update of the capacity mechanism originally approved in 2016. Various design changes were introduced to simplify its functioning (from a decentralised to a market-wide design) and to promote the development of a sufficient amount of non-fossil flexibilities. The scheme will also be open to all technologies emitting less than 550gCO₂/kWh of electricity produced, and fossil fuel technologies will not be granted long-term contracts under the aid measure. The subsidised capacity must remain available during the delivery periods (November to March) and be located in France or in interconnected Member States having signed a cross-border agreement with France (for instance Belgian capacities may participate as of the first auction). The aid will take the form of direct grants paid per MW of available capacity. The costs of the scheme will be recovered from consumers based on their consumption during hours when a risk on security of supply exists.

1.2.7. Addressing electricity costs for energy-intensive industries

On 24 April 2025, the Commission approved, under section 4.11 CEEAG, a *Portuguese scheme providing aid for energy intensive users* (EIUs)²²⁶. The scheme concerns a reduction for EIUs in the

²²⁰ Case SA.112968 – Sweden – *Electricity Strategic Reserve*.

²²¹ Case SA.112459 – Estonia – *Electricity Strategic Reserve*.

²²² The strategic reserve is a type of capacity mechanism that remunerates resources held outside the market and used in cases of emergency when the electricity demand exceeds the available supply, which in Sweden occur in winter months. Under the strategic reserve, projects need to comply with the CO₂ emission limits set out in the EU Electricity Regulation.

²²³ Case SA.113090 – Austria – *Austrian Electricity Network Reserve 2026*.

²²⁴ Case SA.52263 – Austria – *Austrian Network Reserve*.

²²⁵ Case SA.117564 – France – *Réforme du mécanisme de capacité français*.

²²⁶ Case SA.111450 – Portugal – *Electricity levy reduction for energy-intensive users in Portugal*.

payment of levies aimed at financing: (i) electricity production from renewable energy sources; (ii) support for energy efficiency; and (iii) social tariffs and promotion of electricity generation in isolated regions. The scheme will run until 22 April 2035 and has an estimated budget of EUR 612 million. The beneficiaries are required to conduct energy audits, as defined by Article 8 of Directive 2012/27/EU²²⁷. They also must commit to at least one of the following actions: (i) implement certain energy audit recommendations; (ii) cover at least 30% of electricity consumption with renewable energy sources; or (iii) invest at least 50% of the aid in projects leading to significant reductions of the installation's greenhouse gas emissions. The scheme intends to reduce the risk that activities, in certain economic sectors particularly exposed to international trade and relying heavily on electricity for their value creation, will relocate outside the EU where environmental policies are absent or less ambitious. In parallel, it maintains incentives for an effective decarbonisation. The scheme is in line with the CID, which recognises that European industries need urgent support to decarbonise, electrify, to confront high energy costs, unfair global competition, and complex regulations, harming their competitiveness.

1.2.8. *Supporting the shift to clean mobility*

In 2025, the Commission continued to provide guidance to Member States on the use of Articles 36a and 36b GBER on clean mobility. A growing number of schemes for clean mobility are implemented by Member States under those GBER provisions.

On 29 July 2025, the Commission approved, under the CEEAG, a EUR 36 million (DKK 268 million) *Danish measure aimed at reducing greenhouse gas emissions in the domestic aviation sector*²²⁸. The scheme is designed to incentivise the use of sustainable aviation fuel (SAF) for domestic flights. The primary objective of the scheme is to support at least one domestic air route using 40% SAF, which approaches the current technical limit of 50%. This exceeds the minimum set by the ReFuelEU Aviation Regulation²²⁹, which requires fuel suppliers to achieve a minimum share of 2% during the scheme period. The aid level will be determined through a competitive bidding process, ensuring cost-effectiveness and efficiency. The scheme also includes rules to prevent overcompensation, namely by ensuring that supported SAF is excluded from parallel support measures under the ReFuelEU Aviation regulation and the EU ETS Directive²³⁰, and by prohibiting the use of SAF that has already received subsidies from Denmark, other EU Member States, or third countries.

On 17 December 2025, the Commission approved, under the CEEAG, a German EUR 1.6 billion *scheme to support the deployment of publicly accessible fast-charging stations for electric heavy-duty vehicles (e-HDVs) at non-serviced rest sites along the German motorways*²³¹. This measure contributes to the objectives of the European Green Deal and the 'Fit for 55' package²³². In particular, it supports the development of a cross-border charging network and facilitates the shift from diesel trucks or buses to electric ones, providing them with the recharging infrastructure at spots where this infrastructure is not

²²⁷ Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC, OJ L 315, 14.11.2012, p. 1.

²²⁸ Case SA.102731 – Denmark – *Aid scheme for Sustainable Aviation Fuels (SAF) in domestic aviation*.

²²⁹ Regulation 2023/2405 of the European parliament and of the Council of 18 October 2023 on ensuring a level playing field for sustainable air transport (ReFuelEU Aviation), OJ L 2405, 31.10.2023, p. 1.

²³⁰ Directive 2023/959 of the European Parliament and of the Council of 10 May 2023 amending Directive 2003/87/EC establishing a system for greenhouse gas emission allowance trading within the Union and Decision (EU) 2015/1814 concerning the establishment and operation of a market stability reserve for the Union greenhouse gas emission trading system, OJ L 130, 16.5.2023, pp. 134–202.

²³¹ Case SA.114664 – Germany – *Network for fast charging infrastructure of heavy-duty vehicles on the German motorways*.

²³² Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions 'Fit for 55': delivering the EU's 2030 Climate Target on the way to climate neutrality, COM/2021/550 final.

yet supplied by the market. The beneficiaries will be companies with experience in the construction and operation of recharging infrastructure, to be selected following a competitive bidding process. All participating charging point operators will offer different pricing options: an *ad hoc* pricing model (without the need for a subscription), a contract-based pricing model, and a ‘pass-through’ pricing mode (where the drivers can use the pricing of their own energy supplier). These models increase choice at charging points, which ensures sufficient price competition.

1.2.9. Reducing industrial emissions

In 2025, under the CEEAG, section 2.6 TCTF and section 5 CISAF, the Commission approved almost EUR 12 billion of aid for the decarbonisation of the industry, either through aid schemes or aid to specific projects²³³.

One *Finnish aid scheme*²³⁴ took the form of a tax credit assessed under section 2.6 TCTF to support (next to the production of renewable energy and the production of strategic equipment assessed respectively under sections 2.5 and 2.8 TCTF) the decarbonisation of industrial production processes by helping companies reduce greenhouse gas emissions from their production processes by at least 40% and/or reduce their energy consumption by at least 20%. Three additional German, Danish and French aid schemes presented similarities with carbon CfDs and were based on competitive bidding processes. While the *German scheme* focused on undertakings subject to the ETS²³⁵ and was open to all technologies, including Carbon Capture and Storage (CCS), the *Danish scheme* focused more specifically on incentivising the switch to cleaner fuels by industries²³⁶. The *French scheme* was focusing on undertakings subject to the ETS and open to all technologies, except those already subsidised through already existing support schemes such as support for renewable energy generation, including support for renewable hydrogen²³⁷.

On 15 December 2025, the Commission approved, under section 5 CISAF, a *Spanish aid scheme for the decarbonisation of manufacturing industry*²³⁸. The scheme will support investments into technologies such as electrification, shifting to renewable or low-carbon hydrogen, recovery of waste heat, carbon capture, storage and utilisation, in a wide range of sectors including chemicals, ceramics, paper and metallurgy. Under the scheme, the aid will take the form of direct grants determined based on pre-defined aid intensities. The measure will be open to enterprises of all sizes, and to installations and sectors within and outside of the Emission Trading System.

1.2.10. Stimulating the circular economy

1.2.10.1. State aid enforcement

The Commission also approved aid schemes aimed at incentivising projects promoting a more circular economy in 2025.

On 3 February 2025 the Commission approved, under section 4.4 CEEAG, a EUR 500 million *French scheme to support the chemical recycling of certain types of plastic waste*, such as trays, films, non-

²³³ Concerning aid for specific projects, see for instance Case SA.104899 – Greece, RRF – *Aid to Motor Oil Hellas for green hydrogen project*; Case SA.105083 – Germany – *Project CHESS – Uniper Hydrogen GmbH*.

²³⁴ Case SA.114934 – Finland – TCTF – *Tax credit scheme for investments aiming at climate-neutral economy*.

²³⁵ Case SA.116065 – Germany – “Förderprogramm Klimaschutzverträge” – *Second auction of the Climate Protection Contracts scheme*.

²³⁶ Case SA.113683 – Denmark – *State aid for decarbonisation of industrial processes in Denmark*.

²³⁷ Case SA.120297 – France – *Appel d’offres 2026 en faveur de Grands Projets Industriels de Décarbonation*.

²³⁸ Case SA.119880 – Spain – CISAF/RRF - *Aid scheme for the decarbonisation of manufacturing industry*.

beverage bottles and textile materials with a certain amount of polyester content²³⁹. The scheme aims to support chemical recycling technologies that convert mixed and/or contaminated plastic waste back into ‘virgin-like’ raw materials. The maximum amount of aid is 40% of the extra investment costs calculated by comparing the total investment costs of a project of chemical recycling of plastic waste with those of less environmentally friendly projects.

On 20 May 2025, the Commission approved a EUR 1.2 billion *Dutch scheme to support companies in their efforts to improve resource efficiency and the circular economy* by using secondary or bio-based raw materials instead of primary or fossil-based raw materials²⁴⁰. Given that such projects can reduce lifecycle greenhouse gas emissions - in addition to the environmental benefit of a more circular economy - they will compete within the same bidding process as decarbonisation projects (reducing direct emissions). However, they will be evaluated and compared on the basis of their total emission reductions.

1.2.10.2 Antitrust enforcement

On 1 April 2025, the Commission fined 15 major car manufacturers and one association a total of EUR 458 million for participating in a *long-lasting cartel concerning end-of-life vehicle recycling*²⁴¹. Mercedes-Benz was not fined as it revealed the cartel to the Commission under the leniency programme. For over 15 years, these car manufacturers coordinated their behaviour to avoid paying for recycling services. Furthermore, they agreed not to compete on advertising, the extent to which their cars could be recycled, and to remain silent on the recycled materials used in their new cars. High quality recycling in key sectors such as the automotive plays a crucial role for meeting the EU’s circular economy objectives, not only to cut waste and emissions, but also to reduce dependencies, lower production costs and create a more sustainable and competitive industrial model in Europe. This decision illustrates the Commission’s readiness to investigate novel types of anticompetitive conduct that may have an adverse impact on the clean transition. This case also marks a new record for the settlement procedure, with all 17 parties involved agreeing to acknowledge their participation in exchange of a 10% reduction in fines.

Furthermore, the Commission continued its investigation into the *synthetic turf industry* in several Member States to determine whether the companies active in this sector have infringed EU competition rules. In this context, the Commission imposed *finances on Eurofield SAS and Unanime Sport SAS*, the ultimate parent of Eurofield at the time of the infringement, of a total of around EUR 172 000 for providing an *incomplete reply to a request for information* issued in the context of the Commission’s investigation²⁴². This is the first time that the Commission used its powers under Article 23(1)(b) of Regulation 1/2003 to ensure that companies do not compromise its antitrust investigation by not providing full and complete replies to information requests.

The Commission also *finalised its ex officio preliminary investigation initiated in 2024 into possible anti-competitive conduct in breach of Articles 101 and 102 TFEU by the Irish Farm Film Plastics Group (IFFPG)*, a non-profit association operating the only licenced extended producer responsibility (EPR) scheme for farm plastic waste recovery in Ireland. The Commission’s preliminary investigation under Article 102 TFEU focused on whether the design and remunerative structure of IFFPG’s EPR scheme is capable of producing exclusionary effects towards independent waste collectors and whether certain elements of IFFPG’s constitutive documents and its contracts with authorised waste collectors may be contrary to Article 101 TFEU and the ‘polluter pays’ principle. Following the Commission’s preliminary investigation, IFFPG made modifications to its EPR scheme. These modifications will lead to a shared responsibility for the financing of IFFPG’s EPR scheme between IFFPG’s members and Irish farmers.

²³⁹ Case SA.108044 – France – *Régime relatif aux aides en faveur du recyclage chimique de plastiques*.

²⁴⁰ Case SA. 103901 – The Netherlands – *Nationale Investeringsmodule Klimaatprojecten Industrie (NIKI)*.

²⁴¹ Case AT.40669 – *End-of-life vehicle recycling*.

²⁴² Case AT.40966 – *Synthetic Turf (Procedure)*.

They will also increase competition on the level of collectors of farm plastic waste, as well as on each level of the farm plastics supply chain. The Commission's investigation has now been closed.

Moreover, the Commission continued its investigation into the *collection and recovery of packaging waste in Czechia* under Article 106 in conjunction with Article 102 TFEU following up on the Letter of Formal Notice addressed to Czechia in June 2024²⁴³.

1.2.11. Investments in clean tech manufacturing

In 2025, the Commission approved six schemes based on section 6.1 CISAF, *incentivising investment projects that add manufacturing capacity in clean technologies*. On 22 October 2025, the Commission approved a EUR 61 million aid *scheme for Emilia Romagna*²⁴⁴ and on 3 November 2025, a EUR 219 million aid *scheme for Lazio*²⁴⁵. On 6 November, the Commission approved a EUR 700 million aid *scheme for Spain*²⁴⁶. On 9 December 2025, the Commission approved a EUR 1 500 million aid *scheme for Italy*²⁴⁷ and on 12 December 2025, a EUR 100 million aid *scheme for Austria*²⁴⁸. On 17 December 2025, the Commission approved a EUR 4 100 million *aid scheme for Hungary*²⁴⁹.

The Commission also approved State aid for individual projects adding manufacturing capacity in clean technologies under the Regional Aid Guidelines (RAG)²⁵⁰. On 31 January 2025, the Commission approved a EUR 48 million *French State aid measure to support Envision AESC France's production of batteries for electric vehicles*²⁵¹ in Douai, Hauts-de-France, which is an area eligible for regional aid under Article 107(3)(c) TFEU. The project will create about 1 000 direct jobs, as well as additional indirect jobs. On 14 August 2024, the Commission approved a EUR 264 million *Hungarian State aid to support the electric vehicles battery plant of Sunwoda* in Nyíregyháza²⁵². The project is eligible for regional aid under Article 107(3)(a) TFEU. It is expected that 2 500 direct and 470 indirect jobs will be generated.

1.2.12. Coal phase-out

The phasing out of coal-fired power plants is a vital component of the transition towards a climate-neutral economy, in alignment with the European Green Deal. In 2025, the Commission continued examining aid measures to support the phase-out of coal-fired power generation.

On 18 November 2025, the Commission adopted a final positive decision to allow Germany to grant up to EUR 1.75 billion in favour of Lausitz Energie Kraftwerke AG (LEAG)²⁵³, concluding its in-depth investigation into the *German lignite phase-out* under section 4.12.1 CEEAG. The aid will compensate LEAG for the early phase-out of its lignite-fired power plants in the Lusatian mining area by 2038. LEAG's plants will be permanently decommissioned over a ten-year period, with closures set for 2028, 2029, 2035 and 2038. The measure compensates LEAG for additional fixed costs of the early closure of plants, including social costs to support employees when transitioning to new work, and forgone profits

²⁴³ See https://ec.europa.eu/commission/presscorner/detail/en/ip_24_3188

²⁴⁴ Case SA.118614 – CISAF – *Regional Framework scheme to support investment projects to ensure sufficient manufacturing capacity in clean technologies (Emilia-Romagna)*.

²⁴⁵ Case SA.120013 – CISAF – *Regional Framework scheme to support investment projects to ensure sufficient manufacturing capacity in clean technologies (Lazio)*.

²⁴⁶ Case SA.119884 – CISAF – *Strengthening of the industrial value chain of clean technologies and components (IDAE)*.

²⁴⁷ Case SA.120488 – RRF – CISAF – *Framework scheme for manufacturing capacity related to clean technologies*.

²⁴⁸ Case SA.120165 – CISAF – *Special Directive for the TWIN Transition Support Programme of the Federal Minister for Economic Affairs, Energy and Tourism*.

²⁴⁹ Case SA.120705 – CISAF – Hungary – *Aid to ensure sufficient manufacturing capacity in clean technologies*.

²⁵⁰ Communication from the Commission Guidelines on regional State aid 2021/C 153/01, OJ C 153, 29.4.2021, p. 1.

²⁵¹ Case SA.109228 – France – LIP – *Aide régionale à Envision AESC France*.

²⁵² Case SA.114496 – Hungary – LIP – *Regional investment aid for Sunwoda Automotive Energy Technology Kft*.

²⁵³ Case SA.53625 – Germany – *Lignite phase-out*.

to be determined based on an approved formula. According to the German coal phase-out law, the use of coal to produce electricity will have to be phased out by 2038. Germany decided to enter into agreements with the main producers of lignite-fired electricity, LEAG and RWE Power AG (RWE), to encourage the early closure of lignite-fired power plants. In 2021, Germany notified the Commission of its plan to compensate these operators with EUR 4.35 billion: EUR 1.75 billion for the LEAG installations in Saxony and Brandenburg and EUR 2.6 billion for the RWE lignite installations located in the Rhineland. In March 2021, the Commission opened an in-depth investigation to assess whether Germany's plans constituted State aid. In 2023, the Commission adopted a final positive decision to allow Germany to grant RWE aid in the amount of EUR 2.6 billion.

1.2.13. Arbitration

On 24 March 2025, the Commission concluded that an *arbitration award in which Spain is ordered to pay compensation to Antin Infrastructure Services Luxembourg S.à.r.l. and Antin Energia Termosolar B.V. (Antin) for the modification of a renewable electricity support measure*, constitutes illegal and incompatible State aid²⁵⁴. The proceedings were brought based on the investor-State dispute resolution provisions of the Energy Charter Treaty (ECT). In line with the judgments in *Achmea*²⁵⁵ and *Komstroy*²⁵⁶, the ECT's arbitration clause does not apply intra-EU, i.e. in a dispute brought against a Member State by an investor established in another Member State, in the same way as intra-EU investor-State arbitration mechanisms based on Bilateral Investment Treaties (BITs) are contrary to EU law. The Commission therefore considered that the arbitration award, and in any event, its implementation, payment, or execution, infringes Article 19(1) TEU and Articles 267 and 344 TFEU, as well as the general principle of autonomy of the EU legal order, and that it cannot be found compatible with the internal market. In its decision, the Commission instructed Spain not to pay any compensation based on the award. The decision further required Spain to ensure that no payment, execution, or implementation otherwise occurs. Furthermore, the decision recalled the obligation of national courts to assist Spain in ensuring compliance with the Commission's decision, including by taking all necessary measures to prevent the recognition, execution, or enforcement of the arbitration award in third countries.

Reliable and transparent legal frameworks regarding investments to produce electricity from renewable energies are important to ensure investor confidence and enable investments necessary for the CID and to reach the Union's decarbonisation objectives. The fact that EU law precludes intra-EU investment arbitration under BITs or the ECT does not mean that investors do not enjoy investment protection in the EU. Actions by individual investors seeking the annulment of national measures or claiming financial compensation are of the competence of national courts. Investors from Member States benefit from the protection afforded under the fundamental freedoms and relevant secondary legislation, the EU Charter of Fundamental Rights, and the general principles of Union law.

1.3. Contribution of EU competition policy to tackling the challenges in energy markets

In 2025, the Commission worked within the framework of the *Gas Market Task Force (GMTF)*, established under the CID, to assess the functioning of EU natural gas and gas derivatives markets with a view to ensuring their proper operation. To this end, extensive analytical work was undertaken within the GMTF to identify potential inefficiencies or shortcomings. This included a structural mapping of the EU wholesale gas supply markets. The results of this work will be published in a forthcoming report.

²⁵⁴ Case SA.54155 – Spain – *Arbitration award to Antin*.

²⁵⁵ Judgment of the Court of Justice (Grand Chamber) of 6 March 2018 in Case C-284/16, *Slowakische Republik v Achmea BV*, ECLI:EU:C:2018:158.

²⁵⁶ Judgment of the Court of Justice (Grand Chamber) of 2 September 2021 in Case C-741/19, *République de Moldavie v Komstroy LLC*, ECLI:EU:C:2021:655.

1.3.1. Antitrust enforcement

On 31 July 2025, the Commission welcomed the measures proposed by France to settle the investigation in the *French hydropower concessions case*²⁵⁷. The case concerned the French State's direct award of most of hydropower concessions (approximately 85% of France's total hydropower capacity) to the electricity incumbent EDF, without competitive tendering and for very long duration (up to 75 years). In its Letter of Formal Notice²⁵⁸, the Commission took the view that this situation created an inequality of opportunity in the French electricity market, thereby reinforcing EDF's dominance on this market in breach of Articles 106 and 102 TFEU. France's proposal consisted in a reform of the legal regime for the hydropower sector, accompanied by remedial measures. These measures are designed to grant EDF's competitors and final electricity consumers access to a significant share of EDF's hydropower production via the sale of wholesale products replicating the production of the hydropower assets. Pending the adoption of the necessary measures by France, the case remains open.

Finally, the Commission continued its investigation into the *Greek wholesale electricity market* under Article 102 TFEU following up on the statement of objections addressed to the Greek electricity incumbent Public Power Corporation (PPC) in February 2024²⁵⁹.

1.3.2. Merger control

The energy sector saw a slight decrease in the total number of cases in 2025 relative to 2024. The overwhelming majority of these cases were dealt with under the simplified procedure, with a large proportion relating to electricity generation from renewable sources.

The most notable of these was the *planned acquisition of Techem by TPG*²⁶⁰. The Commission's review focused on the transaction's potential impact on the management and allocation of utility and energy costs in residential buildings, as well as the monitoring of household energy consumption. After the parties failed to address the Commission's preliminary concerns with suitable commitments, they ultimately abandoned the transaction. The Commission also reviewed several cases involving emerging markets for the liquefaction, transport and storage of CO₂²⁶¹.

2. INFORMATION, COMMUNICATION, TECHNOLOGIES & MEDIA

2.1. Overview of key challenges in the sectors

Markets in the information, communication, technologies and media sectors (ICT) continue to be key drivers for a smart, sustainable and inclusive growth. Digital services have increased consumer choice, and improved efficiency and competitiveness. Large platforms providing digital services represent key structural elements of today's economy.

At the same time, certain features of ICT markets, such as access to critical inputs, network effects and increasing returns to scale, render them particularly susceptible to consumer lock-in and entrenchment of positions of dominant undertakings. Furthermore, some dominant undertakings impose unfair trading conditions that are detrimental to their business partners or consumers. These risks have been identified as being equally acute within the AI ecosystem and virtual worlds.

Digital services based on generative AI developed dynamically across platforms in 2025. The

²⁵⁷ Case AT.40276 – *French hydropower concessions*.

²⁵⁸ C(2015) 7207 final.

²⁵⁹ Case AT.40278 – *Greek wholesale electricity market*.

²⁶⁰ Case M.11751 – *TPG / Techem*.

²⁶¹ For example, cases M.11782 – *Air Liquide / Fluxys / JV* and M.12164 – *GIM / Eni / Eni CCUS JV*.

Commission continued to follow closely the activities of several companies in the industry to monitor whether any anticompetitive practices are taking place in the related fast-moving markets. For example, the Commission looked into possible vertical or other concerns relating to investments and partnerships between large digital players and generative AI developers, and whether agreements between Google and original equipment manufacturer (OEMs) (such as Samsung) for the pre-installation of Google's small AI model 'Gemini Nano' on mobile devices may raise anticompetitive problems²⁶². The Commission also expressed concerns about the growing use of AI-powered summaries of news and other content, often used without consent or payment, and potentially in risk of breaching copyright laws²⁶³.

The Commission also has preliminary investigations ongoing into markets that are crucial for the development of generative AI and virtual worlds, like cloud or different types of specialised chips (such as GPUs and other AI accelerators) and related equipment and software²⁶⁴. Further, the Commission is actively monitoring different IT markets.

As regards *mergers*, the Commission continued to monitor closely the partnerships between AI startups and established firms, as well as the structure of these transactions. In recent years several transactions have raised questions regarding the boundaries of merger control, notably whether certain investments into, or the hiring of staff of, small AI developers by large companies constitute a concentration under the EUMR. The Commission is committed to ensuring that no transaction avoids effective merger control.

With respect to *State aid*, the Commission continued its activity aimed at: (i) modernising State aid rules in the field of broadcasting; (ii) assessing State aid measures in the audiovisual and press sectors; and (iii) supporting the broadband sector through measures of deployment of networks and take-up of broadband services by consumers.

2.2. Contribution of EU competition policy to tackling the challenges

2.2.1. Technology markets

2.2.1.1. Antitrust enforcement

2025 was characterised by several Commission decisions finding that large dominant digital players had imposed unfair trading conditions. These practices were found to be liable to prejudice the interests of both consumers and the dominant players' business partners.

For instance, the Commission finalised its investigation into *Google's advertising technology and data-related practices (Google Adtech)* and, on 5 September 2025, adopted a decision finding that Google had breached EU competition rules by distorting competition in the adtech industry²⁶⁵. The Commission concluded that Google had leveraged its dominance on both the publisher-facing and advertising-facing ends of the adtech supply chain, to favour its own ad exchange in the middle, to the detriment of competing providers of advertising technology services, advertisers, and online publishers. The Commission fined Google EUR 2.95 billion and ordered the company to implement measures to cease its inherent conflicts of interest along the adtech supply chain. In late 2025, the Commission started

²⁶² Competition Policy Brief, Issue 3, September 2024, Competition in Generative AI and Virtual Worlds, see https://competition-policy.ec.europa.eu/publications/competition-policy-briefs_en

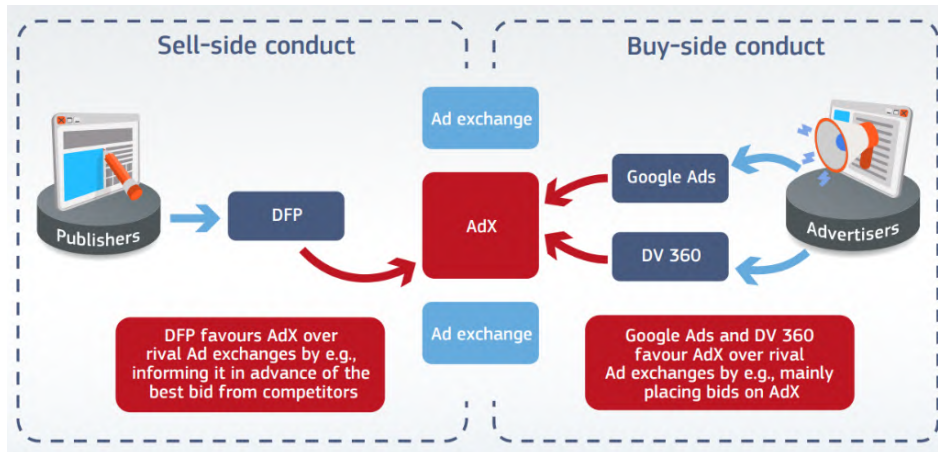
²⁶³ 'The decision to impose a fine on Google: defending press and media freedom in the EU' - Opening commission statement delivered by Executive Vice-President Teresa Ribera, see https://ec.europa.eu/commission/presscorner/detail/en/speech_25_2460

²⁶⁴ See op. cit. Competition Policy Brief, Issue 3, September 2024.

²⁶⁵ Case AT.40670 – *Google – Adtech and Data-related practices*.

analysing Google’s proposed measures to comply with the decision of 5 September 2025 and gathering market intelligence from third parties.

Figure 11: Google Adtech



Source: European Commission

Moreover, following a market test, on 12 September 2025, the Commission adopted a decision rendering binding the commitments offered by *Microsoft to address its competition concerns relating to Microsoft’s popular team collaboration platform Teams*²⁶⁶. These commitments address the competition concerns related to the tying of Microsoft Teams to the company’s popular productivity applications Word, Excel, PowerPoint, Outlook, included in its Office 365 and Microsoft 365 suites for business customers. Under the commitments, Microsoft will: (i) make versions of these suites without Teams available at a reduced price; (ii) allow customers with long-term licenses to switch to suites without Teams; (iii) provide interoperability for key functionalities between communication and collaboration tools that compete with Teams and certain Microsoft products; and (iv) allow customers to move their data out of Teams to facilitate the use of competing solutions. The commitments will be in place for seven years, except the interoperability and data portability commitments that will have a duration of ten years. In this context, Microsoft also unilaterally decided to align its worldwide suites offers and pricing with these commitments.

On 25 September 2025, the Commission also opened a formal investigation against SAP SE (SAP) regarding an alleged infringement of Article 102 TFEU concerning *SAP’s conduct in the aftermarket for maintenance and support services of its on-premises Enterprise Resource Planning software*²⁶⁷. The Commission has concerns that SAP’s conduct may limit its customers’ choice to procure maintenance and support services from third parties and may increase the costs paid by those customers for such services. The Commission sent its preliminary assessment to SAP on the day of the opening of the investigations. In response to the preliminary assessment, SAP submitted a formal commitments proposal to address the Commission’s concerns. On 17 November 2025 the Commission invited all interested parties to submit their views on the commitments until 17 December 2025.

On 4 December 2025, the Commission opened a formal antitrust investigation to assess whether *Meta’s new policy on AI providers’ access to WhatsApp* may breach EU competition rules²⁶⁸. Meta’s new policy, announced in October 2025, prohibits AI providers from using a tool that allows businesses to communicate with customers via WhatsApp, the ‘WhatsApp Business Application Programming

²⁶⁶ Cases AT.40721 – *Microsoft Teams*, and AT.40873 – *Microsoft Teams II*.

²⁶⁷ Case AT.40823 – *SAP ERP aftermarket support services*.

²⁶⁸ Case AT.41034 – *Exclusion of AI competitors from WhatsApp*.

Interface’, when AI is the primary service offered. Businesses may still use AI tools for ancillary or support functions, such as automated customer support offered via WhatsApp. The Commission is concerned that such new policy may prevent third party AI providers from offering their services through WhatsApp in the EEA, while Meta's own AI service ‘Meta AI’ would remain accessible to users on the platform. The formal investigation will cover the EEA, except Italy. This is to avoid an overlap with the Italian Competition Authority's parallel proceedings for the imposition of interim measures concerning Meta's conduct which, by decision of 24 December 2025, led to ordering Meta to immediately suspend the WhatsApp Business Solution Terms in Italy to preserve access to the WhatsApp platform for Meta AI’s competitors.

On 8 December 2025, the Commission opened a formal antitrust investigation into *possible anticompetitive conduct by Google in the use of online content for AI purposes*²⁶⁹. The investigation intends to assess whether Google has breached EU competition rules by using the content of web publishers, as well as content uploaded on the online video-sharing platform YouTube, for AI purposes. The investigation will notably examine whether Google is distorting competition by imposing unfair terms and conditions on publishers and content creators, or by granting itself privileged access to such content, thereby placing developers of rival AI models at a disadvantage.

2.2.1.2. Merger control

In 2025, the Commission assessed several transactions under the merger rules.

On 10 January 2025, the Commission approved the *acquisition of Ansys by Synopsys*, subject to remedies²⁷⁰. Ansys is a global provider of engineering simulation software and services, supplying a wide range of simulation solutions that allow for the design, testing, and optimisation of products and processes across various industries. Synopsys is a global provider of electronic design automation software, tools and services, as well as semiconductor intellectual property products and services. The Commission's investigation showed that, while the companies' activities are largely complementary, the transaction, as notified, would reduce competition in the global markets for the supply of: (i) optics software simulating how light behaves in large macro-scale systems (for example, screen or car headlight); (ii) photonics software simulating how light behaves in smaller nano-scale optical systems (for example, digital camera or solar panel); and (iii) register-transfer-level power consumption analysis software, which is an electronic design automation software tool used at the early stage of the chip design process to check its power consumption. The transaction would result in high combined market shares and high concentration levels in the affected markets, and there would not be sufficient competitors to exert competitive pressure on the merged entity which would have led to higher prices and less choice for customers. To address these competition concerns, the parties offered to divest to a suitable purchaser: (i) Synopsys' optics and photonics software (including Code V, LightTools, LucidShape, RSoft and ImSym); and (ii) Ansys' register-transfer-level power consumption analysis software (PowerArtist). The Commission concluded that the transaction, as modified by the remedies, would no longer raise competition concerns.

On 12 March 2025, the Commission unconditionally approved the *acquisition of ZT by AMD*, both of which are U.S.-based companies²⁷¹. ZT is a designer and supplier of server and storage solutions for data centres. AMD is a global semiconductor company that develops computer processors and related technologies. The Commission concluded that the transaction would not raise competition concerns as the parties’ activities do not overlap horizontally. The Commission also found that the merged entity

²⁶⁹ Case AT.40983 – *Google AI and Data-related practices*.

²⁷⁰ Case M.11481 – *Synopsys / Ansys*.

²⁷¹ Case M.11749 – *AMD / ZT*.

would not have the ability to engage in anticompetitive bundling or tying practices in relation to AMD's field-programmable gate array semiconductors and ZT's activities in the global markets for the supply of data centre servers.

On 10 June 2025, the Commission also unconditionally approved the *acquisition of Intelsat by SES*, both based in Luxembourg²⁷². Intelsat and SES are satellite networks operators and provide 'one-way' satellite capacity (to broadcasters) and 'two-way' satellite capacity (to satellite service providers across industry sectors such as aviation, maritime and government). During its investigation, the Commission examined whether the transaction might reduce competition in the markets for the supply of 'one-way' and 'two-way' satellite capacity (and potential segments thereof) globally and in the EEA. The Commission concluded that the transaction would not raise competition concerns as a number of competitors will likely continue to exert sufficient competitive pressure on the merged entity. The Commission also found that the merged entity will be constrained by terrestrial alternatives such as fibre in the market for the supply of 'one-way' satellite capacity, and by low Earth orbit operators in the market for the supply of 'two-way' satellite capacity. In addition, the Commission concluded that the merged entity would not have the ability to foreclose competing satellite service providers by restricting access to its satellite capacity.

Moreover, in 2025, the Commission continued monitoring partnerships in the AI sector and so-called 'acqui-hires', meaning transactions whereby a player acquires all or almost all the key employees of the target company. The Commission also continued to further monitor transactions in the sectors of ICT to identify cases that might be suitable for referral by Member States to the Commission under Article 22 EUMR.

2.2.2. *Electronic communications sector*

The Commission's activity in the electronic communications sector aims at ensuring that European consumers can benefit from increased choice in the telecommunication sector thanks to low prices, high quality and innovative services.

On 26 February 2025, the Commission unconditionally approved the *acquisition of Infinera*, based in the U.S., *by Nokia*, based in Finland²⁷³. Both companies supply optical transport equipment used to transmit data through optical fibre cables. The Commission concluded that the transaction would not raise competition concerns as the parties' market position in the global or EEA markets for the supply of optical transport equipment (and potential segments thereof) would remain moderate and a number of competitors would likely exert sufficient competitive pressure on the merged entity.

On 24 July 2025, the Commission opened a formal investigation to determine whether *KKR* provided incorrect or misleading information²⁷⁴ during the review of its *acquisition of NetCo* (which had been unconditionally approved on 30 May 2024)²⁷⁵. NetCo, based in Italy, comprises the primary and backbone fixed-line network business of Telecom Italia (TIM), as well as FiberCop, a joint venture between TIM and KKR comprising TIM's secondary fixed-line network. KKR, based in the U.S., is a global investment firm. During the initial merger review, the Commission investigated the impact of the transaction on the market for wholesale broadband access services in Italy. It concluded at the time that the merged entity would not be able to degrade the conditions for access to passive services, or terminate such access, because of long-term agreements FiberCop had concluded with several access seekers,

²⁷² Case M.11602 – *SES / Intelsat*.

²⁷³ Case M.11663 – *Nokia / Infinera*.

²⁷⁴ Case M.12099 – *KKR / NetCo*.

²⁷⁵ Case M.11386 – *KKR / NetCo*.

including Fastweb and Iliad. Under the current investigation, the Commission is assessing whether KKR provided incorrect or misleading information about these agreements.

2.2.3. Media

The Commission's activity in the media sector aims at ensuring that consumers can benefit both from a wide choice and unrestricted access to high quality content at competitive prices, as well as from increased technological innovation.

2.2.3.1. Evaluation of the State aid Broadcasting Communication ongoing

On 15 October 2025, the Commission launched a call for evidence and a public consultation to seek input on the evaluation of the 2009 Broadcasting Communication²⁷⁶. This Communication sets out State aid rules for public service broadcasting.

The goal of the initiative is to collect views and experiences from stakeholders on how the Broadcasting Communication has worked since its last revision in 2009 and whether it continues to meet its objectives. The Commission is also seeking to identify any challenges stakeholders may have encountered in the application or interpretation of the rules. The results of the evaluation will be published in a staff working document.

2.2.3.2. State aid enforcement

The Commission examined several State aid measures with a total value of approximately EUR 1.3 billion. These were aimed at supporting the audiovisual sector - through direct grants²⁷⁷, tax credit²⁷⁸ or tax reductions²⁷⁹ - with a view to *promote cultural diversity and support the creation, production, and distribution of European contents*. In addition to the above, the Commission also approved the prolongation of a scheme of approximately EUR 153 million to *support the production and dissemination of printed newspapers and periodicals* to ensure media pluralism and accessibility to news in Italy²⁸⁰. On 22 December 2025, the Commission also adopted a decision finding that a planned *Czech scheme of EUR 18 million to support digital terrestrial television infrastructure operators* was incompatible with State aid rules due to the absence of an incentive effect, the lack of a market failure, and the aid not being limited to the minimum necessary²⁸¹.

Moreover, the Commission adopted four decisions approving *aid measures benefiting the videogames sector*, for a total amount of approximately EUR 60 million²⁸².

On 23 June 2025, the Commission also approved a EUR 192 million *Polish measure for the construction of a gaming and technology hub in Katowice*²⁸³. The project, co-financed by the JTF, combines the

²⁷⁶ See https://ec.europa.eu/commission/presscorner/detail/en/ip_25_2383

²⁷⁷ Cases SA.117455 – Germany – *Reintroduction of the German Motion Picture Fund (GMPF)*, prolonged by decision in case SA.120906 – Germany – *Prolongation of the German Motion Picture Fund (GMPF)*; case SA.117364 – Germany – *Reintroduction of the German Federal Film Fund (DFFF)*, prolonged by decision in case SA.120710 – Germany – *Prolongation of the German Federal Film Fund (DFFF)*; case SA.104406 – France – *Fonds de soutien à l'expression radiophonique*, and case SA.118346 – Czech Republic – *Audiovisual Production Incentives Scheme*.

²⁷⁸ Case SA.117991 – Ireland – *Tax Credit for Unscripted Production*.

²⁷⁹ Case SA.117698 – Ireland – *Irish film tax relief support scheme – Modification of SA.110921*.

²⁸⁰ Case SA.119447 – Italy – *Aid for newspaper and periodical publishers – Second modification of SA.106115*.

²⁸¹ Case SA.64153 – Czechia – *Aid for terrestrial television parallel broadcasting in DVB-T2/HEVC*.

²⁸² Cases SA.119176 – Germany – *Prolongation and modification of North Rhine-Westphalian scheme to support the development and production of digital games*; SA.118962 – Germany – *Reintroduction of the Baden-Württemberg Guidelines for the promotion of digital games*; SA.118272 – Germany – *Prolongation of the Bavarian Guidelines for the promotion of digital games*, and SA.120528 – Ireland – *Prolongation of the Tax Credit for Digital Games*.

²⁸³ Case SA.114301 – Poland – JTF – *Aid to the "New Technology District – Katowice Gaming and Technology Hub"*.

rehabilitation of a former coal mine with the construction of a multifunctional technological facility to form an infrastructure dedicated to the gaming industry.

2.2.3.3. Merger control

On 10 February 2025, the Commission approved the *acquisition of joint control of NAI by members of the Ellison family and RedBird*, both of which are U.S.-based. The Commission also approved the *Ellison family's acquisition of sole control of Paramount*, also based in the U.S.²⁸⁴. These two acquisitions are interdependent and therefore constitute a single concentration within the meaning of the EUMR. NAI is a cinema operator and media holding company. The Ellison family invests in a wide portfolio of companies across various industries. RedBird is a private investment firm. Paramount is a global media, streaming and entertainment company that creates content and experiences for audiences worldwide. The Commission concluded that the transaction would not raise competitive concerns, given the parties' limited market positions. This case was examined under the simplified merger review procedure.

On 29 April 2025, the Commission unconditionally approved the *acquisition of joint control of Alpha*, based in Greece, *by United Group*, based in the Netherlands, *and Motor Hoil (Hellas)* based in Greece²⁸⁵. Alpha operates the free-to-air (FTA) TV channel in Greece. United Group is active in the provision of telecoms and media services in Southeast Europe. Motor Oil (Hellas) operates mainly in the petroleum refining sector. The Commission concluded that the transaction would not raise competition concerns as the parties' market position in the market for the retail supply of audio-visual services in Greece would remain moderate and several competitors would likely exert sufficient competitive pressure on the merged entity. In addition, the Commission found that the merged entity would not have the ability to engage in input foreclosure (given it would not have market power in the market for the wholesale supply of FTA TV channels in Greece) nor to foreclose access to the downstream market for the acquisition of FTA channels in Greece.

On 23 June 2025, the Commission unconditionally approved the *acquisition of Dorna Sports*, based in Spain, *by Liberty Media*, based in the U.S.²⁸⁶. Dorna Sports is the organizer and the holder of exclusive commercial and television rights of the FIM World Championship Grand Prix (commonly referred to as MotoGP). Liberty Media operates and owns interests in media, sports and entertainment businesses, including the exclusive commercial rights for the FIA Formula One World Championship. The Commission carried out an in-depth investigation over concerns that the transaction could restrict competition in the licensing of broadcasting rights for sports content. While leaving the exact product market definition open, the Commission assessed the effects of the transaction on the narrowest plausible markets that would be affected by the transaction. Specifically, it examined the national market for the licensing of broadcasting rights for all regular non-premium sports content in Czechia, Germany, Italy, Malta, the Netherlands and Spain. The Commission concluded that the transaction would not raise competition concerns because Liberty Media and Dorna Sports are not close competitors within the identified markets. The Commission also found that, post-transaction, broadcasters would continue to be able to license a range of other sports attracting larger or similarly large audiences. Therefore, the transaction would not remove important competitive constraints between Formula 1 and MotoGP.

On 18 July 2025, the Commission sent a *statement of objections to Vivendi*, taking the preliminary view that the company breached the notification requirement, the standstill obligation under the EUMR, as well as the conditions and obligations attached to its decision of 9 June 2023 approving the

²⁸⁴ Case M.11744 – *Pinnacle Media / Redbird / NAI / Paramount*.

²⁸⁵ Case M. 11807 – *United Group/ Motor Oil (Hellas)/ Alpha Satellite TV*.

²⁸⁶ Case M.11539 – *Liberty Media / Dorna Sports*.

Vivendi/Lagardère transaction²⁸⁷. The preliminary findings indicate that Vivendi exercised decisive influence over Lagardère’s magazines and newspapers (Paris Match and Journal du Dimanche) and its radio station Europe 1: (i) before the transaction was notified to the Commission; (ii) between the notification date and the Commission’s conditional clearance decision; and (iii) between the Commission’s clearance decision and the Commission’s final buyer approval decision. If confirmed, these violations of the EUMR could lead to fines of up to 10% of Vivendi’s annual worldwide turnover for each infringement. The investigation is ongoing.

On 24 November 2025, the Commission sent a *statement of objections to Universal Music Group (UMG) over the proposed acquisition of Downtown*²⁸⁸. UMG, based in the Netherlands, is globally active in music recording, music publishing, merchandising, and audiovisual content. Downtown, based in the U.S., is a global music company providing artist and label (A&L) services both to independent record companies as well as to artists, notably through its FUGA music distribution platform. Downtown also provides royalty accounting services through its Curve platform, which offers, amongst others, processing, accounting, payment and distribution services in relation to royalties as well as rights management. The Commission is concerned that UMG may have the ability and incentive to gain access to commercially sensitive data that is stored and processed by Downtown’s Curve and that such information advantage for UMG would hamper rival labels’ ability and incentive to compete with UMG. On 11 December 2025, the parties submitted commitments to the Commission.

2.2.4. Facilitating the Digital Transition

Performant, reliable and secure electronic communications networks are essential enablers of the EU’s Digital Transition. They are crucial to bridging the digital divide and ensuring social cohesion, as well as promoting a competitive, sustainable and resilient economy.

In 2025, DG Competition cooperated closely with DG Connect on several initiatives for which the latter is in the lead. The Commission’s 2025 Work Programme included a Digital Networks Act (DNA) initiative to create opportunities for cross-border network operation and service provision, enhance industry competitiveness and improve spectrum coordination. This initiative follows the Commission’s 2024 White Paper on ‘How to master Europe’s digital infrastructure needs?’²⁸⁹, which initiated a broad consultation among various stakeholders on trends and challenges in the digital infrastructure sector. The work on the DNA initiative is accompanied by the review and evaluation of the European Electronic Communications Code (EECC) and related legal acts. This presents an opportunity to simplify and further harmonise the legal framework for electronic communications, with a view to reinforcing competitiveness and fostering a more integrated Single Market. A call for evidence for an impact assessment on the DNA was launched in June 2025²⁹⁰.

Furthermore, a goal of the regulatory framework for electronic communications is to roll back *ex ante* regulation progressively as competition develops over time, with the ultimate goal of relying on competition law. This approach has been largely successful, making it possible to reduce the number of markets identified as susceptible to *ex ante* regulation – as defined in the Commission’s Recommendation on relevant markets²⁹¹ - from 18 to just two fixed infrastructure markets. In June 2025, the Commission

²⁸⁷ Case M.10433 – *Vivendi / Lagardère*.

²⁸⁸ Case M.11956 – *UMG / Downtown*.

²⁸⁹ See <https://digital-strategy.ec.europa.eu/en/library/white-paper-how-master-europes-digital-infrastructure-needs>

²⁹⁰ See https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/14709-Digital-Networks-Act_en

²⁹¹ Commission Recommendation (EU) 2020/2245 of 18 December 2020 on relevant product and service markets within the electronic communications sector susceptible to *ex ante* regulation in accordance with the Code, OJ L 439, 29.12.2020, p. 23-31.

launched a consultation on the review of the Recommendation on relevant markets²⁹². This review will consider recent market and technological developments, such as the deployment of 5G and fibre networks, and reflect broader trends in the Member States. This process will enable the Commission to assess whether the current list of relevant markets should be subject to further revision.

As regard *State aid*, the Commission approved three *amendments to previously approved measures for the deployment of broadband networks*, aimed at taking into account the extension of deployment timelines justified by the national authorities²⁹³. The Commission also approved two *measures aimed at fostering the take-up of broadband services and promoting digital inclusion*, with a total budget of approximately EUR 43 million²⁹⁴.

3. FINANCIAL SERVICES

3.1. Overview of key challenges in the sector

The financial services sector remains subject to significant transformation driven by regulatory changes, technological advancements, and fluctuating market conditions. Developments such as the implementation of the EU Banking Package²⁹⁵ is shaping how banks measure risks and manage capital. Progress on the Savings and Investments Union²⁹⁶ is influencing the structure of EU trading, clearing and settlement activities, while work continues toward deeper financial integration to support investment across all sectors, including into the green and digital transitions. Furthermore, tighter profit margins and increased digitalisation continue to impact competition between financial institutions, as new, innovative and data-driven players enter the market.

In *banking*, consolidation trends and digital transformation are affecting both competitive dynamics and access to finance. Furthermore, credit rating agencies are continuing to capitalise on their data-distribution activities and competition in the credit rating markets remains limited. In *insurance*, ongoing reforms to the Solvency II Directive²⁹⁷ and the growth of digital distribution platforms are transforming how firms compete and design their products.

In the *payments* sector, the European Parliament and Council continued their deliberations on several Commission initiatives throughout 2025²⁹⁸. These proposals are aimed at enhancing competitiveness and

²⁹² See <https://digital-strategy.ec.europa.eu/en/news/commission-launches-consultation-revision-recommendation-relevant-markets>

²⁹³ Cases SA.118443 – RRF – Spain – *Amendment of SA.104933-5G equipment and infrastructure*, SA.118444 - RRF – Spain – *Amendment of SA.103451–Deployment of backhaul networks for mobile connectivity*, and SA.116725 – Portugal – *Prolongation of measure SA.105187*.

²⁹⁴ Cases SA.107041 – France - *Régime notifié relatif aux aides en faveur de la cohésion numérique des territoires*, and SA.110674 – Slovakia – *Social vouchers to support pupils to procure or retain broadband services*.

²⁹⁵ The Capital Requirements Regulation III (Regulation (EU) 2024/1623 (CRR III, OJ L 1623, 19 June 2024) and Capital Requirements Directive VI (Directive (EU) 2024/1619 (CRD VI, OJ L 1619, 19 June 2024), together part of the EU Banking Package, were formally adopted in June 2024 and apply from 1 January 2025.

²⁹⁶ See https://finance.ec.europa.eu/regulation-and-supervision/savings-and-investments-union_en

²⁹⁷ European Parliament legislative resolution of 23 April 2024 on the proposal for a directive amending Directive 2009/138/EC (Solvency II) as regards proportionality, quality of supervision, reporting, long-term guarantee measures, macro-prudential tools, sustainability risks, group and cross-border supervision (COM (2021) 0581 – 2021/0295(COD)). The Solvency II reforms aim to update the EU's prudential framework for insurers so that it better balances resilience, consumer-protection and capital-use efficiency.

²⁹⁸ Including the proposed third Payments Services Directive/Payments Services Regulation (PSD3/PSR) (Proposal for a Directive of the European Parliament and of the Council on payment services and electronic money services in the Internal Market amending Directive 98/26/EC and repealing Directives 2015/2366/EU and 2009/110/EC COM/2023/366 final and

innovation in EU payments markets. Key issues include: a level playing field between banks and non-bank payment service providers, open finance, fair compensation and removing barriers to entry. Regulation and competition enforcement in payments go hand in hand and DG Competition liaises closely with the Directorate-General for Financial Stability, Financial Services and Capital Markets Union (DG FISMA) on these initiatives to ensure a level playing field and fair competition in the sector.

3.2. Contribution of EU competition policy to tackling the challenges

3.2.1. Contribution of EU competition policy to innovation in the payment sector

The EU payments sector is evolving at a rapid pace; digitalisation has fostered the market entry of new operators and the development of new forms of payment. Firms are adapting their models to meet consumer demand for smarter, faster and safer access. New means of payment create opportunities by offering significant innovation. To ensure that consumers benefit most from innovation in the payments sector, it is important that no barriers to entry prevent payment firms from entering or expanding their activity in this field, in line with what has been envisaged by EU legislation.

DG Competition follows closely developments in the sector and pro-actively advocates competition. In 2025, DG Competition published a *market study on the online payments sector in the EU*²⁹⁹, assessing the competitive dynamics in online payments and analysing practices that risk favouring or entrenching the position of established players. DG Competition also issued a *paper on competition in mobile payments* in the context of the OECD roundtable on payments³⁰⁰.

In 2025, DG Competition continued to *monitor the commitments made binding on Apple in the Apple Pay commitments decision* of 11 July 2024³⁰¹. The remedies have led to market entry and innovation. Many companies developing wallet apps were granted licences under the commitments and several launched competing wallet apps on iPhones³⁰².

DG Competition remains vigilant to intervene in case of competition concerns, either through advocacy or competition enforcement. It also closely liaises with DG FISMA in this area to ensure consistency between sectoral regulation and competition law.

3.2.2. Antitrust enforcement in the financial services sector

In the area of *financial derivatives*, the Commission opened a formal investigation to assess whether *Deutsche Börse and Nasdaq* have breached EU antitrust rules by coordinating their conduct³⁰³. In particular, the Commission is concerned that Deutsche Börse and Nasdaq entities may have entered into agreements or concerted practices not to compete in the EEA for the listing, trading and clearing of certain derivatives. The Commission will also investigate whether the undertakings have allocated

Proposal for a Regulation of the European Parliament and of the Council on payment services in the internal market and amending Regulation (EU) No 1093/2010, COM/2023/367 final); the Financial Access to Data Regulation (FIDA) (Proposal for a Regulation of the European Parliament and of the Council on a framework for Financial Data Access and amending Regulations (EU) No 1093/2010, (EU) No 1094/2010, (EU) No 1095/2010 and (EU) 2022/2554 COM/2023/360 final) and the Digital Euro Regulation (Proposal for a Regulation of the European Parliament and of the Council on the establishment of the digital euro, COM/2023/369 final).

²⁹⁹ European Commission: Directorate-General for Competition, *Market study on competition in online payments – Final report*, Publications Office of the European Union, 2025, p. 220.

³⁰⁰ Competition in Mobile Payment Services – Note by the European Union 18 June 2025 (DAF/COMP/WD(2025)10), p. 3.

³⁰¹ Case AT.40452 – *Apple – Mobile Payments*.

³⁰² See, for example, [Vipps MobilePay launches the world's first alternative to Apple Pay on iPhone | Vipps MobilePay](#); [Curve rivals Apple with iOS digital wallet in EEA - FStech](#); and [PayPal launches iPhone NFC payments in Germany after EU forced Apple to open up | The Verge](#)

³⁰³ Case AT.40945 – *DBAG / Nasdaq (financial derivatives)*.

demand, coordinated on price, and exchanged commercially sensitive information.

In the field of *motor insurance*, the Commission is closely *monitoring Insurance Ireland's compliance with the commitments* made binding by decision in 2022, with the assistance of a monitoring trustee³⁰⁴. In this case, Insurance Ireland committed to ensure fair and non-discriminatory access for a duration of ten years to its Insurance Link information exchange system, which contains important data for companies offering motor vehicle insurance services in Ireland. In 2025, Insurance Ireland updated its terms of access to ensure that also self-insured entities continue to have unobstructed access to the Insurance Link database.

In the area of *licencing inputs for trading credit default swaps*, the Commission continued in 2025 to *monitor* - with the assistance of two monitoring trustees - *the compliance of the International Swaps and Derivatives Association and the provider of commodity and financial data, IHS Markit* (part of S&P Global) *with the commitments* made binding by Commission decision in 2016. The commitments apply for a total period of 10 years until and including 2026³⁰⁵.

3.2.3. *Merger enforcement in the financial services sector*

The Commission continued to review mergers and acquisitions in the financial services sector throughout 2025, reviewing transactions in markets such as retail banking and payments, corporate banking, asset management, insurance and pensions. Both national and small cross-border acquisitions are continuing to take place while there have been few large pan-European deals.

In 2025, the Italian banking sector experienced a wave of consolidation. In this context, *UniCredit* made a *hostile take-over offer for Banco BPM*, and although both of these banks are headquartered in Italy, the merger had an EU dimension due to UniCredit's presence in Germany and Central and Eastern Europe. The banks' activities overlapped in retail and corporate banking, asset management and insurance and the merger would have created the largest Italian banking group by number of branches and the second largest by total assets. The Commission's preliminary investigation found that the merger would likely raise competition concerns in several local markets within Italy for deposits by SMEs and loans to both retail customers and SMEs. On 19 June 2025 the Commission cleared the proposed acquisition, subject to the divestment of 209 branches in 21 Italian provinces which addressed the concerns identified³⁰⁶.

However, the Italian authorities also imposed conditions on the proposed merger under their domestic investment screening legislation which led UniCredit to subsequently withdraw its take-over offer for Banco BPM. The Commission investigated these conditions and, in July 2025, sent a letter to Italy setting out its preliminary findings that the conditions imposed were in breach of Article 21(4) EUMR³⁰⁷. Under Article 21(4) EUMR, Member States can only impose conditions on mergers with an EU dimension where these are necessary to protect legitimate interests, are compatible with EU law, and are appropriate, proportionate and non-discriminatory. The Commission came to the preliminary view that the conditions imposed by the Italian authorities were neither necessary nor proportionate to protect legitimate interests and were not compatible with the free movement of capital, the role of the European Central Bank within the Single Supervisory Mechanism or with EU financial services legislation. In November 2025, in a parallel procedure, the Commission launched infringement proceedings against Italy under Article 258 TFEU challenging the compatibility of the Italian domestic investment screening legislation with EU banking regulations as well as Articles 49 and 63 TFEU.

³⁰⁴ Case AT.40511 – *Insurance Ireland: Insurance claims database and conditions of access*.

³⁰⁵ Case AT.39745 – *CDS Information Market*.

³⁰⁶ Case M.11830 – *UniCredit / Banco BPM*.

³⁰⁷ Case M.12052 – *UniCredit / Banco BPM (Art. 21(4))*.

In December 2025, the Commission unconditionally approved the proposed *acquisition of Worldpay by Global payments*³⁰⁸ following a Phase 1 market investigation. Both companies are global payment providers supplying merchant acquiring services in the EEA. While the merger led to high combined market shares in Ireland, the Commission concluded, following its market investigation, that it was unlikely to harm competition as sufficient credible competitors will remain after the merger, and the relevant payment markets were found to be dynamic and contestable.

In parallel, the Commission closely monitors mergers and acquisitions in the financial services sector to ensure that Member States and market participants are not creating barriers to the emergence of cross-border financial services providers which could undermine the EU's global competitiveness and the progress made towards the completion of the Banking and Capital Markets Unions.

3.2.4. State aid control in the financial services sector

3.2.4.1. Evaluation of State aid rules

On 13 October 2025, the Commission published the *results of the evaluation of the Guarantee Notice in a staff working document*³⁰⁹. The evaluation established that the State aid rules on guarantees are still relevant as they increase predictability and legal certainty, but that some improvements and simplification are necessary. These particularly concern the estimation of aid amounts, the market conformity of guarantee premia concerning SMEs, and the passing-on of risk benefits. As part of the evaluation, the Commission gathered evidence to understand how the Guarantee Notice has functioned since its adoption. This evidence included feedback obtained from a public consultation and a targeted consultation. The Commission had also commissioned an external study³¹⁰ conducted by a consortium of independent experts, which fed into the staff working document.

In 2025, the Commission also continued its *evaluation of the State aid rules for banks in difficulty*³¹¹. The objective is to assess how the rules have functioned, as well as the role of State aid control in preserving financial stability in the EU single market while ensuring a level-playing field by mitigating competition distortions.

3.2.4.2. State aid enforcement

In 2025, the Commission approved several *new State aid measures and amendments to existing ones in the financial services sector*. On 4 April 2025, the Commission approved a EUR 1.5 billion (PLN 6.4 billion) *Polish scheme to support transport on the territory of Ukraine*³¹². Under the scheme, the Polish public export credit agency (KUKKE) will provide reinsurance for war-related risks, whereby it will cover 80% of the war-related risks, while private insurance companies will retain the remaining 20%. The scheme will be in place until 30 June 2027.

On 8 May 2025, the Commission approved a *French reinsurance measure for short-term export-credit insurance to the U.S.*³¹³ which applied until 8 July 2025. The measure was found to be compatible with the short-term export credit insurance Communication³¹⁴ considering that due to a shortage of export credit insurance, certain risks were temporarily non-marketable for exporters in France.

³⁰⁸ Case M.12006 – *Global Payments / Worldpay*.

³⁰⁹ See https://ec.europa.eu/commission/presscorner/detail/en/ip_25_2355

³¹⁰ See https://competition-policy.ec.europa.eu/state-aid/publications_en

³¹¹ See https://competition-policy.ec.europa.eu/public-consultations/2022-sa-banking-rules_en

³¹² Case SA.111121 – Poland – *Reinsurance of transport insurance on the territory of Ukraine*.

³¹³ Case SA.118757 – France – *Réassurance de l'assurance-crédit à l'exportation à court-terme vers les Etats-Unis*.

³¹⁴ Communication from the Commission on the application of Article 107 and 108 of the Treaty on the Functioning of the European Union to short-term export credit insurance, OJ C 497, 10.12.2021, p. 5.

On 25 July 2025, the Commission approved an *amendment of the remit of the Latvian Development Finance Institution ALTUM*³¹⁵, to also enable the provision of mortgage loans to natural persons outside Riga and its surrounding municipalities. The new activity was considered as being limited to address a well-defined market failure and thus, remained compatible with State aid rules. The measure is authorised until 31 December 2029.

On 28 July 2025, the Commission did not object to an *amendment to a French income tax reduction scheme for natural persons who make cash subscriptions to the capital of SMEs*³¹⁶. The amendment notably concerned an increase of the tax rate reduction for units in special investment funds for innovation. The Commission found that the measure as amended continued to be compatible with the 2021 Risk Finance Guidelines³¹⁷. The validity of the scheme until 31 December 2025 remained unchanged. On 17 December 2025, the Commission approved a *prolongation of the scheme* until 30 September 2026³¹⁸.

On 18 September 2025, the Commission also approved an *amendment of two commitments of Cyprus in the context of the orderly winding down of Cyprus Cooperative Bank (CCB) Ltd*³¹⁹. The Commission found that the amendment would allow for an accelerated winding-down process of CCB, while minimizing the downside risk for the State. The Commission also stated that the amendments did not constitute the granting of any additional State aid to the residual entity of CCB and that they did not alter the balance of the initial decision, so the aid remained compatible.

On 11 December 2025, the Commission approved a *capital increase of EUR 350 million by the Netherlands into Invest International*, a joint venture between the Dutch State and the Dutch development finance institution³²⁰. The Commission found that the measure is compatible with State aid rules because it facilitates the development of an economic activity, does not adversely affect the trading conditions to an extent contrary to the common interest and the positive effects outweighed the limited negative impacts on the internal market. The measure was authorised until 31 December 2027.

In 2025, the Commission moreover authorised the *prolongations and reintroductions* of certain existing State aid schemes allowing Member States to provide *aid to foster the restructuring or orderly market exit of entities in distress in case of need*. On 11 July 2025, the Commission approved the *fourth prolongation of a Danish scheme for the winding-up of banks* with a total balance sheet below EUR 3 billion for another 12 months starting from 12 July 2025³²¹. On 22 July 2025, the Commission approved the *reintroduction of the resolution and stabilisation scheme for the credit union sector in Ireland* which will combine two previously separated measures in one scheme³²². On 2 September 2025, the Commission adopted a decision concerning a *12 month-prolongation of a Polish scheme for the liquidation of failing or likely to fail credit unions*³²³. On 11 December 2025, the Commission approved

³¹⁵ Case SA.116351 – Latvia – *Amendment of the remit of Altum to enable the provision of mortgage loans to natural persons for home purchases in certain Latvian regions*.

³¹⁶ Case SA.119189 – France – *Amendements du dispositif IR-PME de réduction d'impôt sur le revenu pour les personnes physiques qui effectuent des souscriptions en numéraire au capital de petites et moyennes entreprises (PME)*.

³¹⁷ Communication from the Commission – Guidelines on State aid to promote risk finance investments, OJ C 508, 16.12.2021, p. 1.

³¹⁸ Case SA.120665 – France – *Prolongation du dispositif IR-PME*.

³¹⁹ Case SA.118999 – Cyprus – *Fourth amendment to the liquidation aid for the orderly market exit of Cyprus Cooperative Bank (CCB) Ltd*.

³²⁰ Case SA.120017 – The Netherlands – *Capital Increase of Invest International*.

³²¹ Case SA.118986 – Denmark – *Prolongation of the winding-up scheme for small banks*.

³²² Case SA.119051 – Ireland – *Re-Introduction of the Resolution and Stabilisation Scheme for the Credit Union Sector in Ireland*.

³²³ Case SA.119065 – Poland – *Prolongation of the Credit Unions Orderly Liquidation Scheme*.

the *prolongation of a Finnish short-term export credit insurance scheme* until 31 December 2028³²⁴. On 12 December 2025, the Commission approved a *12 month-prolongation of a Polish scheme for the resolution of cooperative banks and small commercial banks*, which took effect on 13 December 2025³²⁵.

In 2025, the Commission also adopted several *no-aid decisions*. On 24 March 2025, the Commission adopted a decision declaring the *recapitalisation of Romanian State-owned CEC Bank* as market-conform³²⁶. The Commission assessed the planned recapitalisation against the Market Economy Investor Principle (MEIP) and found that the recapitalisation of RON 1 billion into CEC Bank does not grant an advantage to the bank that it could not receive under normal market conditions.

On 19 May 2025, the Commission adopted a decision according to which the *capital injection of EUR 300 million into Suomen Teollisuussijoitus Oy (Tesi)* was market-conform and thus, did not constitute aid³²⁷. Tesi emerged from the consolidation of four Finnish state-owned investment companies. The Commission concluded that Tesi will be funded and operate on market terms and will therefore not receive any economic advantage compared to other commercial market participants.

On 20 June 2025, the Commission adopted a decision in which it found that the *planned capital injection of RON 1.25 billion into State-owned bank Exim Banca Româneasca (Exim)* complied with the MEIP because a prudent market economy investor would have taken part in a share capital increase of Exim in similar circumstances³²⁸. Accordingly, the planned capital injection will not grant an advantage to the bank.

Regarding *State aid in the form of public guarantees*, the Commission adopted seven decisions under the Guarantee Notice³²⁹ approving methodologies to price public guarantees in 2025.

In a Greek case³³⁰, the Commission approved an *amendment and prolongation of the calculation methodology for market-conform guarantee premiums to large undertakings* on 20 January 2025. The methodology was prolonged until 21 April 2028. In a Portuguese case³³¹, the Commission approved a *prolongation and modifications to the pricing methodology for guarantees to SMEs* on 15 July 2025. The methodology was approved until 31 January 2026. In a Finnish case, the Commission approved the *extension and amendment of an existing methodology for calculating market-conform guarantees premia for SMEs in the agriculture, agri-food, and forestry sectors*. The amended methodology is valid until 31 December 2030³³².

On 10 November 2025, the Commission approved a *Spanish methodology for calculating market-conform guarantee premia regarding loans or credits enhancing the environmental performance of*

³²⁴ Case SA.120313 – Finland – *Prolongation of the Amended Scheme on short-term export-credit insurance for SME and single-risk cover*.

³²⁵ Case SA.120624 – Poland – *Prolongation of the resolution scheme for cooperative banks and small commercial banks*.

³²⁶ Case SA.115898 – Romania – *Market-conform recapitalisation of CEC Bank*.

³²⁷ Case SA.113383 – Finland – *Tesi Group consolidation*.

³²⁸ Case SA.115897 – Romania – *Market-conform recapitalisation of Exim Banca Româneasca*.

³²⁹ 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, 20.6.2008, p. 10.

³³⁰ Case SA.116266 – Greece – *Amendment and prolongation of the Calculation Methodology for guarantee fees to banks for Large Corporate Financing*.

³³¹ Case SA.119370 – Portugal – *Prolongation of the Pricing model for guarantee schemes Under the SNGM (Sistema Nacional de Garantia Mutua)*.

³³² Case SA.119113 – Finland – *Methodology for calculating market-conform state guarantees premiums for agriculture*.

Spanish shipping companies' merchant fleets. The approved methodology is valid until 31 December 2029³³³.

In a Latvian case, the Commission approved a *calculation methodology for guarantee premia concerning large undertakings*. According to the methodology, three amounts must be calculated for each exposure: a risk-based premium, an Effective Interest Rate premium, and a CDS premium. The applicable guarantee premium will be the highest of those amounts. The methodology will be valid until 31 December 2030³³⁴.

On 17 December 2025, the Commission approved the *reintroduction of an Italian methodology for the calculation of market-conform guarantee premia used by ISMEA*, a public entity providing services of insurance and guarantee to enterprises in the agricultural sector and to fisheries enterprises in the aquaculture sector. The methodology is valid until 30 June 2028³³⁵. On the same date, the Commission approved an *amendment of the method used by Denmark to calculate the aid element in guarantees*. The amended methodology is valid until 31 December 2027³³⁶.

4. TAXATION & STATE AID

4.1. Overview of key challenges on tax evasion and avoidance, and fiscal aid

Outside the spheres in which EU tax law has been harmonised, Member States can decide, by exercising their own competence in this area, how to tax economic activities, which ones to tax, which rates to apply, and which tax base to take into account. Member States' fiscal sovereignty is however not absolute: this competence must be exercised in accordance with EU law, including State aid rules³³⁷.

In the context of *fiscal measures*, the key aspect to find State aid is the existence of a selective advantage. This is because such measures mitigate the charges that the undertakings would normally have to bear under the relevant system of charges. It is therefore necessary to identify a reference system (the normal tax system) against which those measures must be assessed. It is for the entity alleging the existence of aid to demonstrate that the fiscal measures concerned selectively favour certain undertakings or specific sectors of activity³³⁸. The Court of Justice has clarified that, to identify the reference system (in direct taxation), the Commission must rely on national law³³⁹ following an exchange of arguments with the Member State, and carry out an objective examination of the content, structure and effects of the applicable rules³⁴⁰. The Member States, on their side, must in good faith provide the Commission with

³³³ Case SA.110155 – Spain – *Methodology for calculating market-conform guarantee premiums for the modernization of the merchant fleet of Spanish shipowners*.

³³⁴ Case SA.119003 – Latvia – *Guarantee methodology for large undertakings*.

³³⁵ Case SA.119813 – Italy – *Reintroduction with amendments of the ISMEA calculation method for issuing direct guarantees at market conditions to undertakings active in the agricultural, agri-food and fishery sectors*.

³³⁶ Case SA.118719 – Denmark – *Amendment calculation method for Danish guarantee scheme (SA.109413)*.

³³⁷ Judgments of the Court of Justice of 5 December 2023 in Joined Cases C-451/21 P and C-454/21 P, *Luxembourg and Others v Commission*, EU:C:2023:948, paragraph 112; and of 10 September 2024 in Case C-465/20 P, *Commission v Ireland and Others*, EU:C:2024:724, paragraph 81.

³³⁸ Judgments of the Court of Justice of 4 June 2015 in Case C-15/14 P, *Commission v MOL*, EU:C:2015:362; and of 30 June 2016 in Case C-270/15 P, *Belgium v Commission*, EU:C:2016:489.

³³⁹ Judgment of the Court of Justice (Grand Chamber) of 8 November 2022 in Joined Cases C-885/19 P and C-898/19 P, *Fiat Chrysler Finance Europe and Ireland v European Commission*, EU:C:2022:859.

³⁴⁰ Judgment of the Court of Justice of 5 December 2023 in Joined Cases C-451/21 P and C-454/21 P, *Luxembourg and Others v Commission* (Engie), EU:C:2023:948, paragraph 111. See also Judgment of the Court of Justice (Grand Chamber) of 6 October 2021 in Joined Cases C-51/19 P and C-64/19 P, *World Duty Free Group SA and others v Commission*, EU:C:2021:793, paragraph 62.

all relevant information necessary for this purpose³⁴¹. In 2025, the Court of Justice provided additional guidance as to which tax exemptions should be considered as part of the reference system in *Prezydent Miasta Mielca* (see above in Part I, section 3.3.2).

To this end, the Court has developed the so-called three-step test to assess selectivity in relation to tax measures. The first step consists of identifying the reference framework, that is to say, the ‘normal’ tax regime applicable in the Member State concerned. The second step consists of demonstrating that the tax measure at issue constitutes a derogation from that reference framework, insofar as it differentiates between operators which are in a comparable factual and legal situation in light of the objectives pursued by that reference framework. The third step concerns whether the derogation is justified by the logic of the system. Indeed, the concept of ‘State aid’ does not encompass measures that differentiate between undertakings which, in the light of the objective pursued by the legal regime concerned, are in a comparable factual and legal situation and which are, therefore, a priori selective, where the Member State can demonstrate that that differentiation is justified because it flows from the nature or general structure of the system of which those measures form part³⁴².

In this regard, the Court of Justice clarified that the Commission cannot rely on any parameters and rules external to the national tax system, unless it refers explicitly to such parameters or rules³⁴³. Furthermore, for the assessment of selectivity in relation to an individual application of the tax rules (for example a tax ruling), the Court of Justice also clarified that, to identify the reference system or the ‘normal’ tax regime on the basis of which that individual application must be analysed, the Commission must rely on the provisions of national law as interpreted by the Member State, provided that this interpretation is compatible with the wording of those provisions. This presumption is conditional on the Member State concerned fulfilling its duty of sincere cooperation as regards the national case-law and administrative practice. The Commission may depart from the Member State’s interpretation only if it is able to establish, on the basis of reliable and consistent evidence, that another interpretation prevails in the case-law or the administrative practice of the Member State concerned³⁴⁴. Both in *Engie*³⁴⁵ and in *Apple*³⁴⁶, the Court of Justice provided guidance in this respect: it focused in particular on the interpretation of the national tax provisions presented by the relevant Member State and the Commission respectively in the light of the wording but also the objective and effects of those provisions. In *Engie*, the Court of Justice decided in favour of the interpretation defended by the Member State and in *Apple* in favour of the interpretation defended by the Commission³⁴⁷.

The Commission usually enforces State aid rules in relation to *tax schemes* in the context of State aid complaints or notifications. It also has an important *ex officio* workstream in relation to *aggressive tax planning practices* involving discriminatory treatment of companies. Aggressive tax planning strategies involving the granting of State aid can take a variety of forms. Companies may strike individual ‘sweetheart deals’ with tax authorities, by which they benefit from a level of taxation which is lower than what would apply to other taxpayers. They may also benefit from schemes that selectively offer fiscal advantages and that are based on legislation or administrative practice. Either way, such practices may

³⁴¹ Judgment of the Court of Justice in *Engie*, op.cit., paragraph 122.

³⁴² Judgments of the Court of Justice of 19 December 2018 in Case C-374/17, *A-Brauerei*, EU:C:2018:1024, paragraphs 36 and 44; and of 10 September 2024 in Case C-465/20 P, *Commission v Ireland and Others*, EU:C:2024:724, paragraph 76 and the case-law cited.

³⁴³ Judgment of the Court of Justice in *Fiat Chrysler Finance Europe and Ireland v European Commission*, op.cit., paragraph 96.

³⁴⁴ Judgment of the Court of Justice in *Engie*, op.cit., paragraph 121.

³⁴⁵ Judgment of the Court of Justice in *Engie*, op.cit., paragraphs 120, 121, 122 and 130.

³⁴⁶ Judgment of the Court of Justice in *Commission v Ireland and Others*, op.cit., paragraphs 200, 201, 374, 375, 376 and 377.

³⁴⁷ Judgment of the Court of Justice in *Commission v Ireland and Others*, op.cit., paragraphs 200-201.

have distortive effects on the Single Market, as they unduly reinforce the competitive position of certain companies.

4.2. Contribution of EU competition policy to tackling the challenges

In 2025, the Commission continued to enforce State aid rules in both *direct* and *indirect tax matters*. Relevant developments are discussed below.

4.2.1. State aid enforcement in aggressive tax planning

The Commission continued the investigation of pending cases concerning alleged aid granted by the Netherlands to *Inter Ikea*³⁴⁸ and *Nike*³⁴⁹, as well as alleged State aid granted by Luxembourg to *Huhtamäki*³⁵⁰ and *Engie*³⁵¹, and by Gibraltar to the *Mead Johnson Nutrition group*³⁵². In addition, following the annulment by the Court of Justice in 2024 of the Commission's negative decision³⁵³ in relation to the UK Controlled Foreign Companies (UK CFC) case for failing to correctly identify the appropriate reference system³⁵⁴, the Commission resumed its investigation into the *UK CFC regime*.

At the same time, the Commission continued monitoring Member States' tax rulings legislation and practice.

4.2.2. State aid enforcement and judgment in relation to tax schemes

The Commission also pursued its investigations in the area of *tax schemes* throughout 2025. In particular, the Commission adopted a decision in relation to *amendments to a Finnish tax on soft drinks*³⁵⁵. This tax, which has been in place in Finland since 1940, aims to raise revenues and re-direct production and consumption towards alternatives that are sugar-free or that contain less sugar. Following the amendments, the tax will be progressive depending on the sugar content of the drink. The Commission assessed the notified amendment under EU State aid rules and found that the Finnish soft drinks tax had been designed based on non-discriminatory parameters and in line with the objectives pursued. On this basis, the Commission concluded that the tax, as amended, does not involve State aid.

5. BASIC INDUSTRIES & MANUFACTURING

5.1. Overview of key challenges in the sectors

Accounting for nearly one-sixth of the EU's economy, manufacturing is a key driver for growth and innovation, providing employment for around 30 million people, roughly 14% of the EU workforce. European businesses operating in this sector face significant challenges, including energy price increases, trade tensions, the rapid introduction of advanced technologies and the need to transition towards environmentally sustainable production. The COVID-19 pandemic and the Russian war of aggression against Ukraine have intensified this situation, significantly disrupting supply chains and inflating the costs of energy, raw materials and components. These disturbances persisted throughout 2025. Both the RRF and the REPowerEU Plan strive to tackle these challenges by stimulating investment throughout

³⁴⁸ Case SA.46470 – The Netherlands – *Potential aid to IKEA*.

³⁴⁹ Case SA.51284 – The Netherlands – *Alleged aid to Nike*.

³⁵⁰ Case SA.50400 – Luxembourg – *Huhtamäki*.

³⁵¹ Case SA.44888 – Luxembourg – *Engie*.

³⁵² Case SA.34914 – United Kingdom – *Gibraltar Corporate Income Tax Regime*.

³⁵³ Case SA.44896 – United Kingdom – *State aid scheme UK CFC Group Financing Exemption*.

³⁵⁴ Judgment of the Court of Justice of 19 September 2024 in Joined Cases C-555/22 P, *United Kingdom and Others v Commission*, C-556/22 P, *ITV v Commission and Others* and C-564/22 P, *LSEGH (Luxembourg) and London Stock Exchange Group Holdings (Italy) v Commission and Others*, ECLI:EU:C:2024:763.

³⁵⁵ Case SA.104131 – Finland – *Reform of the Soft Drinks Tax*.

the post-pandemic recovery phase and facilitating the transition to a clean, digital and resilient economy that is independent of Russian fossil fuels³⁵⁶.

Enforcing antitrust and merger rules in the manufacturing and basic industries sectors supports these transformations in accordance with the principles of the Single Market. This ensures that innovation is not hampered and that companies can compete on fair and equal terms. Meanwhile, the enforcement of State aid rules ensures that purely national interests do not lead to distortions of competition within the Single Market.

5.2. Contribution of EU competition policy to tackling the challenges

5.2.1. Revision of the State aid Rescue and Restructuring Guidelines ongoing

The Rescue and Restructuring Guidelines (R&RG) set out the conditions under which aid to non-financial undertakings in difficulty may be considered in line with EU rules³⁵⁷.

To ensure that the rules remain up to date, the Commission launched the revision process with call for evidence and a public consultation in August 2025. The Commission consulted stakeholders on two main issues: (i) whether the steel sector should be included in the Guidelines and (ii) whether the definition of undertaking in difficulty should be modified by excluding certain startups and scale ups from the scope of the definition to enable such companies to benefit from other types of State aid, if they are not at risk of bankruptcy. The Commission also intends to align the Guidelines with the recent case-law. The revision of these Guidelines is ongoing.

5.2.2. Evaluation of Motor Vehicle Block Exemption Regulation ongoing

The Motor Vehicle Block Exemption Regulation (MVBER)³⁵⁸ lays out the conditions under which motor vehicle spare parts distribution and repair and maintenance service agreements are exempted from the application of Article 101(1) TFEU. The supplementary Guidelines provide detailed guidance on the interpretation of the MVBER³⁵⁹.

In April 2023, the Commission extended the MVBER for five years, until 31 May 2028³⁶⁰. Simultaneously, it introduced limited, but important changes to the supplementary Guidelines, in particular with regard to vehicle-generated data. The Commission concluded that further significant market developments are anticipated in the near future, particularly regarding access to vehicle-generated data. Consequently, it decided to reassess the situation at an earlier date.

The ongoing evaluation of the MVBER, launched in 2024, therefore particularly reflects the rapid transformation of the automotive aftermarket, marked by increasing digitalisation, vehicle connectivity

³⁵⁶ See https://commission.europa.eu/business-economy-euro/economic-recovery/recovery-and-resilience-facility_en and https://commission.europa.eu/topics/energy/repowereu_en

³⁵⁷ Communication from the Commission — Guidelines on State aid for rescuing and restructuring non-financial undertakings in difficulty, OJ C 249, 31.7.2014, pp. 1–28. The guidelines were originally set to expire at the end of 2025, but their validity has been extended until end 2026.

³⁵⁸ 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 as amended by Commission Regulation (EU) 2023/822 of 17 April 2023 on amending Regulation (EU) No 461/2010 as regards its period of application, OJ L 102I, 17.4.2023, p. 1.

³⁵⁹ Commission Notice on 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 as amended by Communication from the Commission Amendments to the 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 2023/C 133 I/01, OJ C 133I, 17.4.2023, p. 1.

³⁶⁰ See https://ec.europa.eu/commission/presscorner/detail/en/ip_23_2248

and the growing role of software and data. While the MVBER was largely designed for a market centred on physical spare parts and traditional repair and maintenance services, stakeholders have pointed to potential challenges in ensuring effective competition where access to vehicle-generated data, digital interfaces and software-controlled functions increasingly determines competitive conditions.

In this context, the Commission solicited information from NCAs in January 2025, and the public consultation of stakeholders was concluded in May 2025. The work continued throughout 2025 on an evaluation support study commissioned with the JRC: an interim report was produced late 2024 and the final report was submitted in December 2025. The results of the evaluation will be published in a staff working document³⁶¹.

5.2.3. *Antitrust enforcement in the basic industries and manufacturing sectors*

On 18 July 2025, to safeguard innovation and resilience in the supply chain for handheld electronic devices, the Commission adopted a decision making legally binding the *commitments offered by Corning*, a U.S.-based company³⁶². These commitments resolve the Commission's concerns that Corning - by concluding allegedly anticompetitive exclusive supply agreements for Alkali-aluminosilicate glass (Alkali-AS Glass) - may have abused its dominant position. This break-resistant glass is used for smartphones and other handheld electronic devices. Corning committed to waive all exclusive dealing clauses and no longer impose sourcing requirements on Original Equipment Manufacturers of handheld electronic devices (OEMs) or companies that finish raw glass (finishers). Moreover, Corning would no longer require OEMs or finishers to purchase more than 50% of their respective demand from the company. The commitments will make market access for Corning's competitors easier.

On 14 October 2025, the Commission fined *Gucci, Chloé and Loewe, three companies active in the high-end fashion sector, for resale price maintenance (RPM) practices*³⁶³. The companies restricted the ability of both their online and brick-and-mortar retailers - which are independent resellers - to set their own retail prices. This restriction applied to almost the entire range of products designed and sold under their respective brand names, including apparel, leather goods, shoes and fashion accessories. The infringements lasted several years and covered the entire territory of the EEA. All three companies cooperated with the Commission under the antitrust cooperation procedure. Consequently, they were granted fine reductions: 15% for Chloé, and 50% for Gucci and Loewe. Total fines amounting to EUR 157 million were imposed on the three companies.

On 15 December 2025, the Commission fined three automotive starter batteries manufacturers, Exide, FET (including its predecessor Elettra) and Rombat, as well as the trade association Eurobat at total of around EUR 72 million for engaging, together with Clarios (formerly JC Autobatterie), in a *long-running cartel concerning automotive starter batteries sold to cars and trucks manufacturers (OEMs)* in the whole territory of the EEA³⁶⁴. The manufacturers agreed to create and publish premiums calculated based on their purchasing price of lead (the so-called EUROBAT premiums) in the industry publication 'Metal Bulletin'. They also agreed to use such premiums in the price negotiations with their respective OEMs customers to ensure that the resulting surcharge was kept at a level higher than it would have been without such agreement. In general, a surcharge is a legitimate tool suppliers use to reflect changes in raw material costs in product prices, allowing them to transfer this cost risk to the customers. However, it is clearly illegal for suppliers to secretly coordinate to introduce and use such a surcharge as an industry-wide

³⁶¹ See https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/14126-Motor-Vehicle-Block-Exemption-Regulation-evaluation_en

³⁶² Case AT.40728 – *Corning*.

³⁶³ Cases AT.40840 – *Gucci*; AT.40880 – *Chloé*; and AT.40881 – *Loewe*.

³⁶⁴ Case AT.40545 – *Automotive starter batteries*.

standard. Clarios (including its parent companies Johnson Controls International PLC and Johnson Controls, Inc.) cooperated with the Commission under the leniency programme (2006 Leniency Notice) and therefore received full immunity for revealing the cartel to the Commission. FET (including one of its parent companies Resonac) and Rombat (including its parent company Metair) cooperated with the Commission under the leniency programme and received a fine reduction of 50% and 30%, respectively.

On 9 July 2025, the Commission issued a *guidance letter addressed to companies active in the automotive sector regarding the creation of ALNG a licensing negotiation group in the automotive sector that aims to negotiate licences for standard essential patents (SEPs)*³⁶⁵. The Commission considered that ALNG does not raise concerns under Article 101 TFEU to the extent that its activities satisfy the following criteria: (i) ALNG negotiates licences for standards that are not specific to the automotive sector; (ii) its members together represent no more than 15% of the total demand for the licensing of the relevant SEPs; (iii) participation in ALNG remains open to other companies in the sector and negotiations are voluntary; and (iv) the exchange of information between ALNG members is limited to what is objectively necessary, and no commercially sensitive information is shared between members of ALNG. This guidance letter is among the first issued by the Commission pursuant to its 2022 Notice on Informal Guidance.

On 1 April 2025, the Commission launched a *fact-finding exercise to boost the EU's competitiveness in Critical Raw Materials (CRMs)*, aiming to make their procurement, recycling, and re-use more efficient for sectors such as clean technology, the green transition, and defence. Through systematic engagement with stakeholders, the Commission seeks to explore how EU competition rules can support the industry. As part of this process, a workshop with stakeholders and Commission representatives took place on 11 December 2025, to further discuss how companies can cooperate in compliance with EU antitrust rules and hear the industries' concerns on the implementation of EU competition law instruments, including State Aid, the FSR and antitrust³⁶⁶.

5.2.4. Merger enforcement in the basic industries and manufacturing sectors

On 24 January 2025, the Commission approved the proposed *acquisition of DS Smith by International Paper*, subject to conditions³⁶⁷. The acquisition as notified raised serious doubts in the markets for the manufacture and supply of conventional and heavy-duty corrugated sheets and boxes in certain areas of France, Portugal and Spain. The Commission's investigation showed that the combination of the parties' activities, and their ability to foreclose inputs to rivals, would have resulted in higher prices for consumers. The acquisition was approved subject to the divestment of five of International Paper's plants in Europe (three plants in France, including two box plants and one sheet plant, one box plant in Portugal; and one box plant in Spain).

In the *chemicals* sector, the Commission unconditionally approved two mergers following a Phase I market investigation. On 12 May 2025, the Commission approved the *acquisition of the German chemicals producer Covestro by Abu Dhabi National Oil Company's (ADNOC)*³⁶⁸. The transaction resulted in multiple horizontal and vertical links. Following its market investigation, the Commission concluded that the merger was, however, unlikely to harm competition because the parties' activities were clearly differentiated, their combined market positions remained modest, and there were sufficient alternative suppliers of the few chemicals for which affected markets arose. The Commission's in-depth investigation of this transaction under the FSR was concluded on 14 November 2025 with a clearance

³⁶⁵ Case AT.40979 – *Guidance – Automotive LNG*.

³⁶⁶ See https://competition-policy.ec.europa.eu/sectors/manufacturing-basic-industries/critical-raw-materials_en

³⁶⁷ Case M.11564 – *International Paper / DS Smith*.

³⁶⁸ Case FS.100156 – *ADNOC / Covestro*.

decision conditional on the implementation of the commitments submitted by ADNOC to address the Commission's preliminary concerns (see above Part 1, section 4.3).

On 13 May 2025, the Commission approved the *acquisition of OCI's global methanol business by Methanex*³⁶⁹. Despite the fact that the transaction made Methanex the leading supplier of methanol in the EEA, the results of the Commission's market investigation showed that its market share would remain limited and that customers would have access to many alternative sources of supply. The Commission also investigated the possibility of price coordination among methanol suppliers in the EEA. It concluded that this risk was limited due to the absence of price transparency in the market and the strong bargaining power of customers, both of which result in significant discounts off public list prices. Throughout its investigation, the Commission cooperated closely with the U.S. Federal Trade Commission (FTC), which also conducted an in-depth investigation into the deal. Ultimately, the FTC also unconditionally cleared the transaction.

With regards to *raw material and manufacturing*, on 29 January 2025, the Commission approved the *acquisition of Aluflexpack by Constantia*, subject to conditions³⁷⁰. Aluflexpack and Constantia are both producers of a range of different packaging materials. The Commission found that the transaction as notified would have reduced competition in the markets for the supply of flexible aluminium containers and lids for wet pet and human food in the EEA. The combined entity would have had large combined market shares in both markets. This would have likely led to higher prices and less choice for human and pet food customers in the EEA. To address the Commission's concerns, Constantia offered to divest the entirety of Aluflexpack's wet pet and human food business in the EEA, including all assets and personnel currently part of Aluflexpack's production plant Omial in Omiš (Croatia). Constantia proposed to divest the business to the MTX Group, a Czech industrial trading and production holding active in flexible packaging.

On 4 April 2025, the Commission approved the *acquisition of parts of Collins Aerospace's actuation business by Safran*, subject to conditions³⁷¹. The Commission's investigation revealed that Collins' actuation business and Safran overlapped significantly in the supply of trimmable horizontal stabiliser actuator systems (THSA), where they were the two main suppliers. To ensure that the THSA market remains competitive, the Commission conditionally cleared the transaction subject to Safran's divestiture of its North American THSA business (a business that serves mostly civil aviation) to an independent player. On 17 June 2025, the Commission approved the purchase of Safran's THSA business by Woodward, a rival supplier of aerospace equipment.

Furthermore, on 14 October 2025, the Commission approved *Boeing's acquisition of Spirit*, subject to conditions³⁷². The Commission's investigation concluded that the transaction, as initially notified, risked to significantly reducing competition in the global aerostructures and large commercial aircraft markets. In particular, the Commission found that Boeing could have restricted or worsened Spirit's supply of aerostructures to Airbus while gaining access to Airbus's commercially sensitive information. To address these concerns, Boeing committed to divest all Spirit businesses supplying Airbus to Airbus itself, as well as Spirit's Malaysian site to CTRM.

Moreover, on 4 November 2025, the Commission opened an in-depth investigation into the proposed *acquisition of Anglo American's nickel business by MMG*³⁷³. MMG is a multinational mining and metals

³⁶⁹ Case M.11812 – *Methanex / OCI Methanol Business*.

³⁷⁰ Case M.11536 – *Constantia / Aluflexpack*.

³⁷¹ Case M.11253 - *Safran / part of Collins Aerospace's actuation and flight control activities*.

³⁷² Case M.11578 – *Boeing / Spirit*.

³⁷³ Case M.11944 – *MMG / Brazilian Nickel Business of Anglo American*.

company controlled by the Chinese state-owned company, China Minmetals Corporation. The target business consists of two operating ferronickel facilities and two greenfield projects located in Brazil. The Commission preliminarily found that the transaction could enable MMG to divert the target's ferronickel supply away from European stainless-steel producers in favour of its group's downstream activities, possibly. This could, potentially increase production costs for European stainless-steel producers and undermine their ability to compete. The Commission will carry out an in-depth investigation into the effects of the proposed transaction to determine whether its initial competition concerns are confirmed.

Finally, with regard to *consumer goods*, the Commission unconditionally approved the *acquisition of About You by Zalando*³⁷⁴ on 1 July 2025. Both companies operate as online multi-brand fashion retailers in several EEA countries and provide different software solutions, such as platform integration software and web shop creating software. The Commission concluded that this transaction would not raise competition concerns because: (i) a large number of credible alternative online multi-brand fashion retailers will remain available to both brands and consumers; (ii) the merged entity will continue to face significant out-of-market constraints, notably from physical retail stores and mono-brand websites; (iii) both companies will remain constrained by the bargaining power of fashion brands; and (iv) consumers will retain the ability to switch between various retailers and sales channels. Furthermore, the Commission concluded that the transaction was unlikely to raise concerns arising from the conglomerate links between the parties' online fashion platforms and their software' offerings. It was determined that the merged entity would lack the market power necessary to pursue any foreclosure strategies.

5.2.5. State aid enforcement in the basic industries and manufacturing sectors

On 13 January 2025, the Commission approved a EUR 12.5 million *rescue aid loan granted by the French government to Le Coq Sportif International SAS*, a French group active in the production and distribution of sports apparel and equipment, with 160 employees in France and subsidiaries in Spain and Italy³⁷⁵. Le Coq Sportif International SAS was designated supplier of the French teams in the Olympic and Paralympic games organised in Paris in the summer of 2024. The Commission concluded that the aid is compatible with the internal market pursuant to Article 107(3)(c) TFEU, as it satisfies the conditions set out in the R&RG. France has submitted a restructuring plan, which the Commission is assessing.

On 23 January 2025, the Commission concluded, after formal investigation, that *two support measures totalling EUR 23 million awarded by Poland in 2012 and 2013 to the chemical company PCC MCAA sp. Z o.o for an investment into a new plant producing ultra-pure MCAA*³⁷⁶ are in line with the regional aid rules. The project is located in the Wałbrzych Special Economic Zone.

6. AGRICULTURE & FISHERIES

6.1. Overview of key challenges in the sectors

Against a backdrop of global uncertainties, EU agricultural markets generally demonstrated resilience in 2025. Several sectors such as cereals, milk, poultry, and olive oil recorded a growth in production, whereas others, like sugar and wine, experienced a contraction. The fruits and vegetables sector saw disparate trends driven by volatile weather conditions. In a challenging trade context, overall agricultural exports were anticipated to decrease by 6% over the year, while imports remained steady³⁷⁷.

³⁷⁴ Case M.11854 – *Zalando / About You*.

³⁷⁵ Case SA.119205 – France – *Aide à la restructuration du Groupe Le Coq Sportif*.

³⁷⁶ Monochloroacetic acid, also referred to as MCAA, is used as a versatile intermediate in the production of chemicals.

³⁷⁷ See <https://op.europa.eu/en/publication-detail/-/publication/afc32c26-6b98-11f0-bf4e-01aa75ed71a1>

Food inflation maintained a moderate rate of approximately 3%, however, it continued to exceed the overall inflation rate, which stabilised at around 2%³⁷⁸. In several national markets, such as Bulgaria, Czechia, Estonia, Romania, food inflation remained high. Although food prices were relatively stable throughout 2025, they remained significantly higher than pre-COVID-19 pandemic levels for many products³⁷⁹. On average, EU consumers paid, 40 % more for food compared to 2020 levels, with a 30% increase recorded in the Euro area³⁸⁰.

As reported in the Spring 2025 edition of the report on State of Food Security in the EU³⁸¹, food affordability remains a primary concern. This is largely driven by volatile input costs, extreme weather conditions and a heavy reliance on imports for certain inputs. According to Eurostat data from 2024, 8.5% of the EU population were unable to afford a meal containing meat, fish, or a vegetarian equivalent every second day (this represents a 1% decrease from the 9.5% recorded in 2023)³⁸².

In 2025, non-investment-related input costs for agriculture rose. Veterinary expenses saw the steepest hike (+3.0%), while the rise in costs for fertilisers (+0.9%) and energy and lubricants (+0.7%)³⁸³ was more moderate. Although the first half of 2025 showed an overall stabilisation of input costs for farmers, they remain approximately 30% higher than the 2020 average. Uncertainty however persists due to the tensions in the Middle East, which primarily impact energy and fertilisers prices³⁸⁴.

The Vision for Agriculture and Food³⁸⁵, adopted on 19 February 2025, identified the challenges of the agri-food system due to global competition and climate change and proposed a roadmap toward a competitive, resilient, and fair agri-food system. It builds on the report of the Strategic Dialogue on the Future of EU Agriculture³⁸⁶ and emphasises the importance of simplifying policies, adopting innovation and embracing digitalisation in all actions needed to achieve its goals.

6.2. Contribution of EU competition policy to tackling the challenges

6.2.1. Proposals to introduce new exclusions from the application of Article 101 TFEU to agricultural products and other regulatory developments

To address concerns expressed by farmers³⁸⁷, the Commission adopted a proposal on 10 December 2024 for a targeted revision of Regulation No 1308/2013 establishing a common organisation of the markets

³⁷⁸ The inflation for 2025 is projected to be 2.0% in the Euro area according to the Eurostat, while food inflation in particular was projected at 3.3% in the Euro area. These projections are based on information up to July 2025, see <https://ec.europa.eu/eurostat/web/products-euro-indicators/w/2-01082025-ap>

³⁷⁹ Meat prices for beef, poultry and pork, for example, are now more than 30% higher than at the end of 2019. Meanwhile, milk prices have risen by around 40% and butter by around 50% compared to pre-pandemic levels (Chart 2). Prices for coffee, olive oil, cocoa and chocolate have increased even more. Source <https://www.ecb.europa.eu/press/blog/date/2025/html/ecb.blog20250925~7fd65a388a.en.html> (ECB blog).

³⁸⁰ See <https://www.ecb.europa.eu/press/blog/date/2025/html/ecb.blog20250925~7fd65a388a.en.html>. See also <https://ec.europa.eu/eurostat/cache/website/economy/food-price-monitoring/>

³⁸¹ See <https://webgate.ec.europa.eu/circabc-ewpp/d/d/workspace/SpacesStore/3d8755a5-094d-4688-8562-f06a68f78863/file.bin>

³⁸² See <https://ec.europa.eu/eurostat/web/products-eurostat-news/w/ddn-20250828-1>

³⁸³ See https://agriculture.ec.europa.eu/document/download/048136bf-53f1-4f74-b92d-d13954196505_en?filename=short-term-outlook-spring-2024_en.pdf

³⁸⁴ See <https://op.europa.eu/en/publication-detail/-/publication/afc32c26-6b98-11f0-bf4e-01aa75ed71a1>

³⁸⁵ See https://ec.europa.eu/commission/presscorner/detail/en/ip_25_530

³⁸⁶ See https://agriculture.ec.europa.eu/overview-vision-agriculture-food/main-initiatives-strategic-dialogue-future-eu-agriculture_en

³⁸⁷ See https://agriculture.ec.europa.eu/overview-vision-agriculture-food/eu-actions-address-farmers-concerns_en#strengthening-the-position-of-farmers-in-the-food-supply-chain

in agricultural products (CMO Regulation)³⁸⁸. The proposal aims to introduce new exclusions from the application of Article 101 TFEU for agricultural products³⁸⁹. The Commission proposal was discussed in the course of 2025 by the Council and the European Parliament. The new exclusions proposed are: (i) extending the current exclusion from Article 101 TFEU – previously reserved for producer organisations (POs) formally recognised by Member States - to encompass all POs; (ii) extending the sustainability objectives of Article 210a of the CMO Regulation to include certain socio-economic aspects; and, (iii) allowing associations of producer organisations (APOs) to negotiate contract terms - including price - on behalf of their members, for their members' production, without the need to integrate any of their activities provided that their market share does not exceed 33% of the national market for any given product.

On 28 March 2025, the Commission adopted the 'Wine package'³⁹⁰, a set of measures designed to address the challenges faced by the EU wine sector. Those challenges include continuous decline in consumption (-3%) driven by changing consumer trends, climate change and market uncertainties. The proposal contains targeted measures to help the sector manage its production potential, to adapt to evolving consumer preferences and to unlock new market opportunities. The Council and the European Parliament also agreed on a new exclusion from Article 101 TFEU for agreements by Inter Branch Organisations on orientation prices for wine.

Following a call from the Competitiveness Council in May 2024, the Commission - working together with Member States within the Single Market Enforcement Task Force (SMET) - mapped the prevalence of 'Territorial Supply Constraints' (TSCs)³⁹¹. The results of this fact-finding exercise were presented in the SMET meeting in Krakow (February 2025)³⁹² and later during a Stakeholder Dialogue (April 2025)³⁹³. On 21 May 2025, the Commission adopted the Single Market Strategy³⁹⁴, which aims at removing the 'Terrible Ten' barriers preventing a seamless Single Market. TSCs were among these barriers. The Commission committed to submit a proposal by the end of 2026 to develop tools to act against unjustified TSCs that are not captured by EU competition law.

6.2.2. Antitrust enforcement in the agri-food sector

On 2 June 2025, the Commission adopted a decision imposing fines totalling EUR 329 million on Delivery Hero and Glovo, two major food delivery companies, for their participation in a *cartel in the online food delivery sector*³⁹⁵. Both companies admitted their involvement in the cartel and agreed to settle the case. In July 2018, Delivery Hero acquired a minority non-controlling stake in Glovo and progressively increased this stake until it acquired sole control of Glovo in July 2022. The Commission found that during that period, Delivery Hero and Glovo progressively removed competitive constraints between them and replaced competition with multi-layered anticompetitive coordination. In particular,

³⁸⁸ See Proposal for a Regulation of the European Parliament and of the Council amending Regulations (EU) No 1308/2013, (EU) 2021/2115 and (EU) 2021/2116 as regards the strengthening of the position of farmers in the food supply chain, COM(2024) 577 final.

³⁸⁹ Agriculture has a special status as regards the application of competition rules based directly on the TFEU. Article 42 thereof confers on the EU legislators (the European Parliament and the Council) the power to determine the extent to which competition rules apply to the production of and trade in agricultural products, taking into account the objectives of the CAP set out in Article 39 TFEU.

³⁹⁰ See https://ec.europa.eu/commission/presscorner/api/files/document/print/en/ip_25_900/IP_25_900_EN.pdf

³⁹¹ Territorial supply constraints are limitations imposed by certain large manufacturers that make it very difficult or impossible for retailers to buy products in one Member State and resell them in another.

³⁹² See https://ec.europa.eu/internal_market/smet/meetings/index_en.htm

³⁹³ See https://single-market-economy.ec.europa.eu/news/stakeholder-dialogue-territorial-supply-constraints-2025-04-07_en

³⁹⁴ See https://ec.europa.eu/commission/presscorner/detail/en/ip_25_1274

³⁹⁵ Case AT.40795 – *Food delivery services*.

the two companies agreed: (i) not to poach each other's employees; (ii) to exchange commercially sensitive information; and (iii) to allocate geographic markets. The infringements covered the EEA and lasted four years. This is the first decision where the Commission finds a cartel in the labour market and the first time it sanctions the anti-competitive use of a minority share in a competing business. Cartels of this type reduce choice for consumers and business partners, reduce opportunities for employees and reduce incentives to compete and innovate. All the abovementioned practices were facilitated by Delivery Hero's minority shareholding in Glovo. Owning a stake in a competitor is not in itself illegal, but in this specific case it facilitated anti-competitive contacts between the two rival companies at several levels. It also enabled Delivery Hero to gain access to commercially sensitive information and exert influence over Glovo's decision-making processes. This ultimately allowed the two companies to align their respective business strategies. This shows that horizontal cross-ownership between competitors may raise antitrust risks and should be handled carefully.

Figure 12: Food delivery services



Source: European Commission

On 13 November 2025, the Commission initiated a *formal investigation against Red Bull* regarding a suspected abuse of dominance³⁹⁶. Red Bull is suspected of having developed an EEA-wide strategy to restrict competition from energy drinks in formats over 250 ml within the off-trade channel (like supermarkets, petrol station shops, wholesalers). This strategy is alleged to have specifically targeted the product range of its closest competitor. The Commission's decision to open the investigation focused on the alleged implementation of this strategy in the Netherlands, where Red Bull appears to hold a dominant position, by engaging in two suspected anticompetitive practices: (i) granting monetary and non-monetary incentives to its off-trade customers to stop selling (delist) or disadvantage competing energy drinks exceeding 250 ml; and (ii) misusing its position as category manager at off-trade customers so that energy drinks exceeding 250 ml are delisted or disadvantaged, for example, in terms of visibility incentives to retailers to stop selling competing energy drinks. This is the Commission's first formal investigation into a potential abuse relating to the misuse of a category management position by a supplier to limit or disadvantage competing products.

³⁹⁶ Case AT.40819 – Red Bull.

In March 2025, the Commission carried out unannounced inspections at the premises of companies active in the *non-alcoholic drinks sector* and sent out a formal request for information to a company in the *personal care sector*³⁹⁷.

On 15 July 2025, the Commission issued its *first opinion on the compatibility of a sustainability agreement with competition rules for the agricultural sector*³⁹⁸. Wine producers in the French Occitanie region, meeting the organic and Haute Valeur Environnementale (HVE) standards, requested the Commission to provide an opinion on the compatibility of the agreement with Article 210a of the CMO Regulation. The agreement concerns the setting of indicative (orientation) prices for wine produced in accordance with organic and HVE standards within the French Occitanie region. The agreement is concluded between producers of wine meeting these standards and their respective buyers and is designed to guide bulk wine transactions. In the prevailing situation of a significant oversupply in the French wine sector, a lack of awareness among consumers of the cost of sustainable production, and an increased consumer price sensitivity linked to inflation, many producers of organic and HVE wine are less profitable than conventional wine producers and might either switch to conventional production or exit wine production altogether. The agreement is in place for two years. The orientation prices are to be set at a level covering production costs in accordance with one of the two relevant sustainability standards, in addition to a profit margin of up to 20% of such costs. The Commission issued a positive opinion on the agreement.

6.2.3. *Merger control in the agri-food sector*

On 17 July 2025, the Commission approved the *acquisition of Boissons Heintz by Munhowen*, subject to conditions³⁹⁹. The case was referred to the Commission by the Luxembourgish competition authority in accordance with Article 22 EUMR. Munhowen and Boissons Heintz are the two largest wholesalers of beverages in Luxembourg for hotels, cafes and restaurants (HoReCas). In addition, Munhowen is controlled by Brasserie Nationale, which produces beer and bottled water in Luxembourg. The Commission found that the transaction would have granted the combined entity a significant competitive advantage over smaller wholesalers, leaving HoReCas with insufficient alternative wholesalers. In addition, the Commission found that the combined entity could have favoured the sale of Brasserie Nationale's mineral water, to the detriment of competing local and international brands, and ultimately harming consumers. To alleviate these concerns, Munhowen offered to divest the majority of Boissons Heintz's activities within the HoReCa channel. These commitments removed the serious doubts of the Commission and will enable the entry of a new independent player on the market.

On 11 August 2025, the Commission approved the *takeover of Just Eat Takeaway*, an online food delivery platform, *by Naspers*, subject to conditions⁴⁰⁰. The acquirer already held a minority shareholding in a competing food delivery platform and the Commission's investigation therefore focused on the structural link created by the transaction. The Commission's findings highlighted the risks of increased likelihood of coordination in an industry with recent antitrust issues (see above Part II, section 6.2.2). The remedies offered by the parties removed the Commission's concerns and ensured continued competition in this growing and dynamically changing sector, while allowing Naspers to bring technical expertise and global scale to accelerate growth of Just Eat Takeaway.

³⁹⁷ See https://ec.europa.eu/commission/presscorner/detail/en/ip_25_737

³⁹⁸ Commission Opinion on the request for opinion pursuant to Article 210a(6) of Regulation (EU) No 1308/2013 by Vignerons Coopérateurs de France - Sustainability agreement in the wine sector in Occitanie, C(2025) 4863 final.

³⁹⁹ Case M.11485 – *Brasserie Nationale / Boissons Heintz*.

⁴⁰⁰ Case M.11936 – *Naspers/ Just Eat Takeaway*.

On 20 October 2025, the Commission unconditionally approved the *acquisition of Nova Sea by Mowi*⁴⁰¹. Prior to this concentration, Mowi already held approximately 42.91% of Nova Sea's issued share capital. Both companies are Norway-based farmers and suppliers of primary-processed Norway-farmed Atlantic salmon (NFAS). Mowi is also active in the supply of secondary processed salmon products in the EEA. The Commission's unconditional clearance was based on the lack of serious doubts in the concerned markets. In particular, in relation to the production and supply of primary-processed NFAS in the EEA the parties' combined market share remained moderate (below 30%), with a number of credible alternative suppliers remaining post-transaction.

On 22 October 2025, the Commission approved the *acquisition of Milcobel by FrieslandCampina*, unconditionally⁴⁰². Both companies are dairy cooperatives operating across the dairy supply chain. The transaction would result in horizontally affected markets in Belgium and/or in the Netherlands, specifically concerning the procurement of raw milk, supply of hard/semi-hard cheese, of low-moisture mozzarella, of bulk butter, of bulk cream and of whole milk powder. It would also result in vertical links in the supply of hard/semi-hard cheese in Belgium as Milcobel is also active as a wholesaler and in conglomerate links between Belgian Gouda and the Dutch Gouda in the modern retail channel in Belgium. The results of the Commission's investigation confirmed, however, that the transaction would not raise serious doubts regarding its compatibility with the internal market. In all the markets, market participants confirmed the presence of sufficient and credible alternatives to the parties.

On 8 December 2025, the Commission unconditionally approved the *acquisition by Mars of Kellanova* (formerly Kellogg Company) following an in-depth investigation⁴⁰³. Both companies are global manufacturers and suppliers of popular food brands. The Commission investigated whether by enlarging its product portfolio with the addition of Kellanova's very popular brands, the merged entity could increase its bargaining power vis-à-vis retailers, and as a result, the merged entity could be in a position to use this increased leverage to, for example, extract higher prices during negotiations, which in turn would lead to higher prices for consumers. The Commission found that whilst Mars and Kellanova have market power in individual product categories and engage in linked negotiations with retailers across their product portfolios, the acquisition would not significantly increase the merged entity's bargaining power to the detriment of retailers or consumers across EEA countries.

On 18 December 2025, the Commission approved the *acquisition of Délifrance by Vandemoortele*, subject to conditions⁴⁰⁴. Both companies are European manufacturers of frozen bakery goods. The transaction raised competition concerns in relation to the supply of frozen laminated dough products to the retail and foodservice channel in France, as well as the supply of frozen laminated dough products to the retail channel in Italy. To address the Commission's concerns, the companies offered to divest two Délifrance production sites dedicated to the production and supply of frozen laminated dough products - one located in Avignon (South-East of France), and one located in Béthune (North of France).

6.2.4. *State aid enforcement in the agriculture and fisheries sectors*

State aid to promote the economic development of the agriculture and fisheries sectors is embedded into the broader framework of the CAP and Common Fisheries Policy (CFP). The main agricultural (ABER and agriculture, forestry and rural development Guidelines⁴⁰⁵) and fisheries (FIBER and fisheries and

⁴⁰¹ Case M.11914 – *Mowi / Nova Sea*.

⁴⁰² Case M.11939 – *FrieslandCampina / Milcobel*.

⁴⁰³ Case M.11753 – *Mars / Kellanova*.

⁴⁰⁴ Case M.11974 – *Vandemoortele / Delifrance*.

⁴⁰⁵ Guidelines for State aid in the agricultural and forestry sectors and in rural areas, OJ C 485, 21.12.2022, p. 1.

aquaculture Guidelines⁴⁰⁶) State aid rules entered into force in 2023, and the Commission continued to enforce them throughout 2025. Supporting the green transition and climate adaptation in these sectors continued to be a key priority, promoting innovation and ensuring their long-term sustainability.

In 2025, Member States adopted 707 schemes under the sectorial block exemption regulations (641 under the ABER, and 66 under the FIBER), and the Commission approved 91 aid measures in these sectors out of which 76 under the agriculture, forestry and rural development Guidelines, 13 under the fisheries and aquaculture Guidelines, one under both Guidelines, and one directly on the basis of Article 107(3) TFEU.

In *agriculture*, the Commission approved several initiatives to decarbonise agriculture, enhance biodiversity, and foster innovation. State aid was approved to support bio-resource valorisation⁴⁰⁷; to support the construction of a cutting-edge hydroponic plant, creating jobs and supporting the transition of lignite-dependent regions⁴⁰⁸; and to foster climate adaptation, encouraging insurance companies to offer crop insurance against drought and long rainy periods⁴⁰⁹. Financial support aiming at reducing pesticide and fertiliser use in vulnerable areas, addressing water quality degradation was also approved by the Commission⁴¹⁰. Exceptional financial support to farmers to prevent the spread of diseases and the development of biosecurity measures⁴¹¹ also remained key in 2025. Furthermore, the Commission approved aid focused on strengthening supply chains⁴¹², promotion of high-quality products and increasing of consumers awareness⁴¹³ as a way of supporting SMEs.

In *fisheries*, the Commission approved several schemes to balance fishing capacity with ecological sustainability⁴¹⁴ and support generational renewal⁴¹⁵. Support measures were approved to ease the permanent cessation of fishing activities⁴¹⁶ or adapt the existing fleet to extend fishing zones safely⁴¹⁷ in outermost regions. Aid was also approved to finance new fish processing and storage facility aiming at improving the efficiency, including energy efficiency and reduce the environmental impact of fish farming⁴¹⁸.

6.2.5. State aid enforcement in the forestry sector

In 2025, State aid was approved to support forest holders in adopting practices beyond standard management to improve sustainability⁴¹⁹. Schemes were also approved to convert agricultural land into forests⁴²⁰.

On 24 February 2025, following a complaint, the Commission initiated a formal investigation procedure to assess whether Croatia had granted *aid to Hrvatske Šume d.o.o. ('HŠ') - the 100% State-owned company managing the country's public forests* and to a number of wood processing companies in

⁴⁰⁶ Guidelines for State aid in the fishery and aquaculture sector, OJ C 107, 23.3.2023, p. 1.

⁴⁰⁷ Case SA.118314 – Estonia – RRF – *Investment support for bio-resource valorisation*.

⁴⁰⁸ Case SA.118977 – Greece – *Wonderplant*.

⁴⁰⁹ Case SA.114323 – Lithuania – *Partial refinancing of compensation indemnities for drought and long rainy periods*.

⁴¹⁰ Case SA.116275 – France – *Compensatory aid for water protection in Hauts-de-France*.

⁴¹¹ Case SA.119263 – Estonia – *Exceptional investment support for foot-and-mouth disease prevention*.

⁴¹² Case SA.116125 – Italy – *Criteria for the implementation of District Contracts and related aid measures*.

⁴¹³ Case SA.118136 – Slovenia – *Promotion of agricultural products in the cereals sector*.

⁴¹⁴ Case SA.117742 – The Netherlands – *Shrimp fishery cessation scheme*.

⁴¹⁵ Case SA.120169 – Germany – *Crab and flatfish fishery cessation scheme*.

⁴¹⁶ Case SA.118191 – Croatia – *Permanent cessation of fishing activities*.

⁴¹⁷ Case SA.116287 – Spain (Canary Islands) – *Investments in safety improvement equipment for small-scale fishing vessels*.

⁴¹⁸ Case SA.114880 – Malta – *State aid for the strengthening of the Bluefin tuna industry in Malta*.

⁴¹⁹ Case SA.117255 – Italy (Abruzzo) – *Payment for forest-environment and climate commitments*.

⁴²⁰ Case SA.118866 – Denmark – *Aid for afforestation*.

Croatia⁴²¹. The investigation focuses on: (i) an alleged lack of remuneration by HŠ to the Croatian State for the exclusive rights to manage and commercially exploit the Croatian public forest; and (ii) the alleged failure to apply market-conform prices in relation to the rates offered by HŠ to certain Croatian wood processing companies which have entered into a Framework and Annual Log Purchase Agreement with HŠ or have been granted *ad hoc* annual purchase contracts. The investigation is ongoing.

7. PHARMACEUTICAL & HEALTH SERVICES

7.1. Overview of key challenges in the sectors

Patient access to innovative and affordable medicines is one of the pillars of the Commission's Pharmaceutical Strategy for Europe⁴²². To support these objectives, the Commission and the NCAs maintained the robust enforcement of EU competition rules across the pharmaceutical and healthcare sectors throughout 2025. Competition enforcement serves as an important complement to the regulatory framework in these sectors⁴²³: it fosters dynamic competition which incentivises the development of more innovative medicines and ensures effective price competition which contributes to more affordable and accessible medicines and treatments.

7.2. Contribution of EU competition policy to tackling the challenges

7.2.1. Guidance on the application of State aid rules to public support for critical medicines in the context of the proposed Critical Medicines Act (CMA)

On 11 March 2025, DG Competition published a guidance on the application of State aid rules⁴²⁴ in the context of the CMA proposal⁴²⁵. The purpose of this guidance paper is to clarify how 'Strategic Projects' as defined in the CMA proposal (support projects regarding the security of supply for critical medicines) can receive financial support from Member States in compliance with State aid rules.

The guidance particularly focuses on State aid rules for SGEIs which enable Member States to coordinate to tackle supply chain vulnerabilities of critical medicines by entrusting operators to reserve capacity, produce, or stockpile, critical medicines or key ingredients needed to produce these critical medicines, under certain conditions.

In particular, the guidance states that the SGEI rules provide flexibility as: (i) market failures can be addressed at the level of one or more Member States or at EU level; (ii) they allow the financing of Strategic Projects but also of the operating deficit (if any) of producing critical medicines; and (iii) they do not require a notification to the Commission below EUR 15 million/year (under the 2012 SGEI Decision) which should cover most of the projects envisaged by the sector.

⁴²¹ Case SA.63845 – Croatia – *Complaint about State aid to certain Croatian wood companies*.

⁴²² 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.

⁴²³ On 26 April 2023 the Commission adopted a proposal for a new Directive and a new Regulation, which revise and replace the existing general pharmaceutical legislation ('pharma package'); see https://health.ec.europa.eu/medicinal-products/pharmaceutical-strategy-europe/reform-eu-pharmaceutical-legislation_en On 11 December 2025, the Council and the European Parliament reached a provisional agreement on a revised version of the 'pharma package', which now needs to be endorsed by both the Council of the European Union and the European Parliament, before being formally adopted and entering into force upon publication in the EU's Official Journal.

⁴²⁴ See https://competition-policy.ec.europa.eu/document/download/a51c37be-2f9f-4d92-bdf5-ae38bfa91908_en

⁴²⁵ Proposal for a Regulation of the European Parliament and of the Council laying a framework for strengthening the availability and security of supply of critical medicinal products as well as the availability of, and accessibility of, medicinal products of common interest, and amending Regulation 2024/795, COM(2025) 102 final, 2025/102 (COD), 11.3.2025.

With the new SGEI Decision adopted on 16 December 2025 (see below Part II, section 8.2.1.1), the Commission clarified that measures facilitating the support of projects for the security of supply of critical medicines can fall within the scope of the SGEI Decision and be exempted from prior notification to the Commission. Furthermore, the applicable ceiling has been increased from EUR 15 million to EUR 20 million/year and can now be multiplied by the number of Member State entrusting jointly an operator in case of a joint entrustment.

7.2.2. Antitrust enforcement in the pharmaceutical sector

Building on its enforcement activities in 2024, including the decision to impose a fine of EUR 462.6 million on Teva⁴²⁶ and to accept binding commitments proposed by Vifor⁴²⁷, the Commission continued to investigate the pharmaceutical sector throughout 2025. Following the inspections carried out in 2021 and the opening of a formal proceedings in March 2024, the Commission pursued its in-depth investigation into possible anticompetitive *conduct by Zoetis over a novel pain medicine for dogs*⁴²⁸. The Commission is concerned that Zoetis may have engaged in exclusionary behaviour by terminating the development of a late-stage pipeline product and refusing to transfer it to a third party which had exclusive commercialisation rights.

Moreover, on 4 July 2025, the Commission fined *Alchem International Pvt. Ltd. and its subsidiary Alchem International (H.K.) Limited (together Alchem)* EUR 489 000 for breaching EU antitrust rules⁴²⁹. The decision follows an earlier settlement decision adopted in October 2023 against six other undertakings for participating in the same cartel. Alchem decided not to settle the case and, as a result, the Commission's investigation against Alchem continued under the standard cartel procedure. For more than 12 years, from 2005 to 2018, Alchem and the other cartel participants, coordinated and agreed to fix the minimum sales price of a pharmaceutical ingredient (N-Butylbromide Scopolamine/ Hyoscine - SNBB) necessary to produce abdominal antispasmodic drugs to their customers (that is to say, distributors and generic drug manufacturers) and to allocate quotas. In addition, Alchem exchanged commercially sensitive information.

Furthermore, following *inspections in the medical devices sector*⁴³⁰, the Commission continued its preliminary investigation in the sector in 2025. Finally, in September and October 2025, the Commission carried out unannounced inspections at the premises of a company active in the *vaccines sector*⁴³¹. The Commission holds concerns that the inspected company may have violated the EU antitrust rules through alleged exclusionary practices and is examining whether those amount to anticompetitive disparagement.

On 23 October 2025, the Court of Justice dismissed the appeal lodged by *Teva* and *Cephalon* (Cephalon pay-for-delay case) against the General Court judgment upholding a Commission decision fining those companies for entering into an anticompetitive pay-for-delay agreement (see above Part I, section 1.4.1.1).

7.2.3. Merger control in the pharmaceutical sector

Throughout 2025, the Commission continued to ensure that concentrations in the pharmaceutical sector did not result in higher prices for patients, fewer treatment options, or reduced innovation. The Commission reviewed several transactions covering different aspects of healthcare. Most were cleared

⁴²⁶ Case AT.40588 – *Teva Copaxone*.

⁴²⁷ Case AT.40577 – *Vifor (IV iron products)*.

⁴²⁸ Case AT.40734 – *Zoetis-Librela*.

⁴²⁹ Case AT.40636 – *SNBB*.

⁴³⁰ See https://ec.europa.eu/commission/presscorner/detail/en/ip_23_4517

⁴³¹ See https://ec.europa.eu/commission/presscorner/detail/en/ip_25_2255

under the simplified procedure, while three transactions were unconditionally cleared following a Phase I market investigation.

On 10 January 2025, the Commission unconditionally approved *Uriach as purchaser of Cooper's Bebegel divestment business*⁴³². This decision follows the Commission's earlier approval of Cooper's acquisition of Viatris's European over-the-counter business in 2024, subject to conditions. The conditions included the divestment of Viatris's infant laxative medicine (Bebegel) in Portugal, as well as of Viatris's earwax removal product (Otowaxol) in Germany. The Commission had approved the proposed purchaser of the Otowaxol divestment business in December 2024.

Also in February 2025, the Commission unconditionally approved the *acquisition of IFF's Pharma Solutions business by Roquette*⁴³³. The two companies' activities overlapped in the production of several pharmaceutical excipients, but the results of the Commission's market investigation showed that they were not close competitors on those markets and that there are sufficient alternative suppliers of these excipients.

On 9 October 2025, the Commission unconditionally approved *Intuitive's acquisition of AB Medica's distribution activities* for Intuitive's products in Italy, Malta, San Marino, Slovenia, Spain and Portugal⁴³⁴. Intuitive is a supplier of robotic assisted surgery equipment for minimally invasive procedures. The Commission investigated whether the transaction might lead to potential foreclosure concerns. It concluded that the acquisition would not significantly alter the prevailing market dynamics, given that AB Medica was already the sole distributor of Intuitive's products in the relevant countries and did not distribute any competing products.

Finally, the Commission unconditionally approved *Rhône Capital's acquisition of Invacare and DHG* on 5 December 2025⁴³⁵. Both Invacare and DHG supply medical equipment for patients with reduced mobility, such as mattresses and cushions for pressure ulcer prevention, healthcare beds, and patient lifts. Following its market investigation, the Commission concluded that the transaction was unlikely to harm competition, as the market share increments were limited, and the parties were not close competitors in the few affected markets.

In parallel, the Commission continued to further monitor mergers and acquisitions in the pharmaceutical sector to identify cases that might be suitable for referral by Member States to the Commission under Article 22 EUMR. In this context, the Commission sent several information requests to companies involved in a number of transactions, inquiring about jurisdictional aspects including the status and outcome of reviews in other jurisdictions.

7.2.4. State aid enforcement in the health sector

On 22 July 2025, the Commission adopted a State aid decision regarding the *IPCEI Tech4Cure*⁴³⁶ authorising five Member States (France, Hungary, Italy, Slovakia and Slovenia) to provide up to EUR 403 million of State aid to ten companies (direct participants) and expected to unlock an additional EUR 826 million in private investments.

This IPCEI creates a broader IPCEI ecosystem involving 18 associated and 45 indirect partners. The IPCEI Tech4Cure enables cross-border research and innovation and the first industrial deployment of

⁴³² Case M.11383 – *Cooper / Viatris (European OTC Business)*.

⁴³³ Case M.11592 – *Roquette / IFF Pharma Solutions Business*.

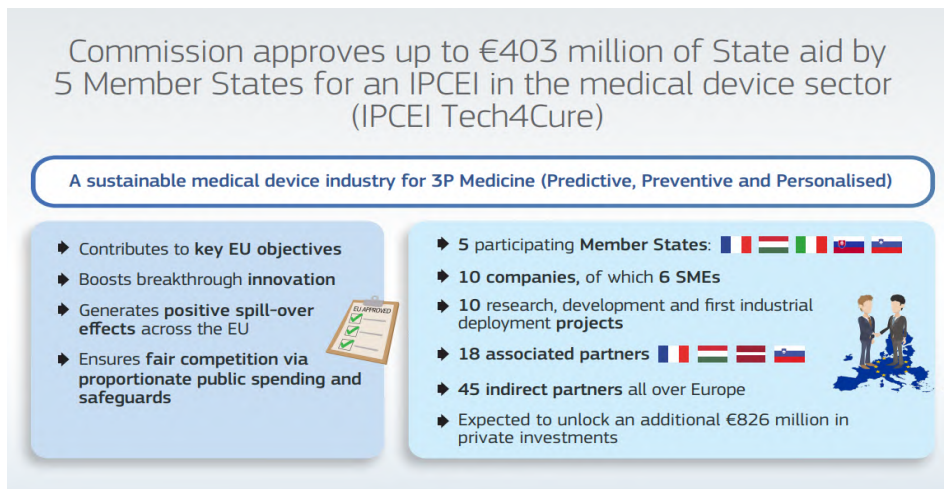
⁴³⁴ Case M.11900 – *Intuitive / AB Medica (Distribution Activities of Intuitive Products)*.

⁴³⁵ Case M.12089 – *Rhône Capital / Invacare / DHG*.

⁴³⁶ Cases SA.113212 – France; SA.117899 – Hungary; SA.117859 – Italy; SA.117793 – Slovakia; SA.117849 – Slovenia – *Important Project of Common European Interest – Innovative medical devices and support software (IPCEI Tech4Cure)*.

new generation medical devices with advanced and novel digital/AI solutions to support the concept of predictive, preventive, and personalised medicine (so-called 3P medicine). It served as a pilot for the IPCEI Design Support Hub.

Figure 13: IPCEI Tech4Cure



Source: European Commission

On 9 December 2025, the Commission approved, under the RAG, EUR 47 million German State aid for *Vetter Pharma's new aseptic filling plant in the Saarland*⁴³⁷. The project is expected to create at least 1200 direct jobs, as well as further indirect jobs. Saarland is eligible for regional aid under Article 107(3)(c) TFEU.

Furthermore, the Commission adopted a decision on 12 September 2025 finding that the *purchase price payments made by the German Federal Ministry of Health to the company Fiege for the provision of protection masks* do not constitute State aid in the sense of Article 107(1) TFEU⁴³⁸.

On 11 September 2025, the Commission initiated an in-depth investigation to assess whether the *transfer of a number of assets from the municipality of Ljubljana to Javni Zavod Lekarna Ljubljana* - a public pharmacy set up by the municipality of Ljubljana - is compatible with EU State aid rules⁴³⁹. In a 2020 decision, the Commission had originally concluded that those measures constituted either no aid or existing aid. However, the General Court partially annulled that decision in April 2022. The Court of Justice subsequently upheld the General Court's findings in September 2024⁴⁴⁰, ruling that the Commission should have opened an in-depth investigation in relation to the transfer of assets.

8. TRANSPORT, POST, HOUSING & OTHER SERVICES

8.1. Overview of key challenges in the sectors

Transport is a crucial sector underpinning the economy and a prerequisite for the functioning of the Single Market. Based on the latest available data⁴⁴¹, the transport and storage services sectors (including postal and courier) accounted for approximately 4.8 % of the EU's total Gross Value Added (GVA) in 2023.

⁴³⁷ Case SA.118989 – Germany – LIP – Regional aid for large investment project - Vetter Pharma.

⁴³⁸ Case SA.104368 – Germany – Alleged aid in the context of the provision of protection masks for German Federal Ministry of Health.

⁴³⁹ Case SA.43546 – Slovenia – Alleged State aid to Lekarna Ljubljana.

⁴⁴⁰ Judgment of the Court of Justice of 5 September 2024 in Case C-447/22 P, *Slovenia v Flašker and Commission*, ECLI:EU:C:2024:678.

⁴⁴¹ See EU Transport in figures, statistical pocketbook 2025, European Commission.

These sectors employed around 10.7 million persons, representing about 5.4 % of the total workforce.

An efficient and sustainable European transport system is critical to a clean, just and competitive transition in the EU. However, the transport sector continues to face massive investment needs, in particular to accelerate its decarbonisation and digitisation, to cope with a growing demand from passengers and shippers, to foster connectivity, and drive economic growth. Most transport modes face various major barriers to entry, which continue to hinder the actual liberalisation and efficiency of the sector.

Housing affordability has become a critical issue in many Member States, impacting diverse demographic groups. The issue is not confined to low-income groups, it increasingly affects a wider section of society including lower middle-class households, single parents, larger families, and those in precarious employment. With house prices rising by more than 50% on average, and rents by more than 20% since 2010⁴⁴², millions of Europeans are struggling to access affordable housing. By stifling labour mobility, access to education, and family formation, the housing crisis undermines both the competitiveness of the EU economy and social cohesion.

8.2. Contribution of EU competition policy to tackling the challenges

8.2.1. State aid control in the housing sector

8.2.1.1. New SGEI Decision adopted

In 2025, the Commission launched the revision of the SGEI Decision⁴⁴³ as part of a set of initiatives to address housing affordability issues in the EU. The main objective of the revision was to grant Member States greater flexibility when financing affordable housing projects.

The revision of the SGEI Decision included several consultations of Member States and stakeholders. A call for evidence and a public consultation regarding the main principles of the revision were conducted between 5 June and 31 July 2025. This was followed by a second public consultation on the draft revised text, which took place between 3 October and 4 November 2025. A reality check to gather input from stakeholders on the SGEI rules, in particular on social and affordable housing, was convened on 10 July 2025. Furthermore, on 13 November 2025, Executive Vice-President Ribera hosted an implementation dialogue to gather critical feedback on the effective implementation of the SGEI rules⁴⁴⁴.

On 16 December 2025, the Commission adopted a new SGEI Decision⁴⁴⁵, introducing new rules for affordable housing SGEIs with the aim to: (i) prevent undue distortion of competition in the private housing sector; (ii) avoid a detrimental effect on social housing; and (iii) bring sufficient legal certainty to Member States and public authorities, while at the same time allowing them to tailor their housing measures to their specific national and local housing context.

Besides housing-related changes, the revision included sectoral changes for critical medicines (see above

⁴⁴² See <https://ec.europa.eu/eurostat/web/interactive-publications/housing-2025#housing-cost>

⁴⁴³ Commission Decision of 20 December on the application of Article 106(2) TFEU to State aid in the form of public service compensation granted to certain undertakings entrusted with the operation of Services of General Economic Interest, OJ L7, 11.01.2012, p. 3-10.

⁴⁴⁴ See: https://competition-policy.ec.europa.eu/state-aid/legislation/sgei_en#targeted-revision-of-the-sgei-rules-for-affordable-housing

⁴⁴⁵ Commission Decision (EU) 2025/2630 of 16 December 2025 on the application of Article 106(2) of the Treaty on the Functioning of the European Union to State aid in the form of public service compensation granted to certain undertakings entrusted with the operation of services of general economic interest and repealing Decision 2012/21/EU, OJ L, 2025/2630, 19.12.2025; see also: https://competition-policy.ec.europa.eu/document/download/0548ab89-a029-4d12-ac6e-a1d503093ba6_en?filename=2025_SGEI_revised_decision_Q%26A.pdf

Part II, section 7.2.1), the aviation⁴⁴⁶ and maritime⁴⁴⁷ sectors, as well as horizontal changes⁴⁴⁸ updating and simplifying the SGEI Decision.

8.2.1.2. State aid enforcement

The Commission enforces State aid rules in the housing sector to prevent distortions of competition, ensuring that State support does not excessively favour certain market players and that private investment is not deterred, while taking into account the particular characteristics of the sector in Member States.

On 17 March 2025, the Commission approved, based on Article 107(3)(c) TFEU, a *Czech scheme aiming at providing subordinated loans for affordable rental housing and amendment to an existing aid scheme for the construction, reconstruction, and acquisition of affordable rental flats*⁴⁴⁹. Funding for both schemes in the State budget is made available through the RRF.

8.2.2. State aid control in the aviation sector

8.2.2.1. Revision of the 2014 Aviation Guidelines ongoing

Air transport is one of the most rapidly increasing sources of greenhouse gas emissions, placing the sector under increasing pressure to reduce its carbon footprint. The 2014 Aviation Guidelines⁴⁵⁰ provide guidance on the notion of aid in the aviation sector and lay out the conditions under which State aid to airports and airlines can be deemed compatible with the internal market. The aviation sector may also benefit from support under the CEEAG.

The Fitness Check conducted in 2019/2020⁴⁵¹ identified a need to amend the Aviation Guidelines in the medium term to take account of the Green Deal objectives and address the issue of regional airports that remained loss making at the end of the transitional period⁴⁵². In 2024, at a time when the aviation sector had sufficiently recovered from the COVID-19 pandemic, DG Competition initiated the revision of the Guidelines. To ensure that the Guidelines remain fit for the future, the Commission has undertaken extensive public and stakeholder consultations. A call for evidence was held between 27 August and 8 October 2024, followed by a public consultation (with a questionnaire open for input) between 11 December 2024 and 5 March 2025. DG Competition also commissioned an external study on the aviation sector.

The revision is focusing on a number of key policy questions such as: (i) whether operating aid for regional airports should be allowed beyond the existing 2027 transitional period and, if so, under what conditions; (ii) whether start-up aid for airlines launching new routes is still needed; (iii) considering that

⁴⁴⁶ The airport threshold is increased from 200 000 to 500 000 passengers per year. In addition, the new SGEI Decision covers not only air links to islands but also mainland air links.

⁴⁴⁷ The new SGEI Decision specifies an annual freight maritime threshold of 75 000 linear metres, while the previous SGEI Decision did not include a specific threshold for maritime freight. The new SGEI Decision also raises the threshold for port SGEIs from 300 000 to 400 000 passengers and covers all outermost region ports.

⁴⁴⁸ The changes include: (i) a higher compensation cap; (ii) a reduction in the frequency of the overcompensation checks (with full exemption in some cases); (iii) the removal of the obligation to include a reference to the SGEI Decision in the entrustment act(s); (iv) the removal of the reporting obligation (with instead the enhancement of transparency provisions); (v) an increased threshold for joint entrustments by several Member States; and, (vi) more flexible rules for non-profit entities.

⁴⁴⁹ Case SA.115811 – Czechia – Affordable housing - RRF - *Subordinated loans ('NDB programme') and Amendment to the aid scheme SA.106249 for the construction, reconstruction and acquisition of affordable rental flats*.

⁴⁵⁰ Communication from the Commission – Guidelines on State aid to airports and airlines, OJ C 99, 4 April 2014, p.3.

⁴⁵¹ Commission Staff Working Document Fitness Check of the 2012 State aid Modernisation Package, Railway Guidelines and Short-term export credit insurance (SWD/2020/0257 final).

⁴⁵² The Aviation Guidelines were amended in 2023 to prolong the 10-year transitional period for operating aid to all regional airports by a further 3 years, from 2024 (when it was originally due to expire) until 2027, to cater for the impact of the COVID-19 pandemic.

the GBER and the CEEAG already allow State aid for greening initiatives in the aviation sector, whether there are any gaps that the new Aviation Guidelines should fill; and (iv) whether the beneficiaries' performance as regards decarbonisation should be taken into account when granting aid, for example by allowing higher aid intensities to greener undertakings.

The work on the Aviation Guidelines is ongoing. In addition, certain changes to aviation-specific rules have been introduced in the new SGEI Decision adopted on 16 December 2025 (see above Part II, section 8.2.1.1).

8.2.2.2. State aid enforcement

On 21 February 2025, the Commission adopted a decision regarding the *public financing granted to Târgu Mureş Airport*⁴⁵³. The Commission concluded that the public financing of operating costs in the periods 2007-2009, 2011-2014 and 2014-2019, as well as funding for the purchase of ground handling equipment in 2011, constituted compatible aid. The Commission also found that the airport charges applied to airlines operating at that airport between 2013 and 2019 did not constitute aid.

In April 2025 the Commission approved around EUR 321 million of *restructuring aid to support the return to viability of German leisure airline, Condor*⁴⁵⁴. This followed the General Court's annulment of a previous 2021 approval, on the grounds of a lack of reasoning regarding the remuneration of the aid instruments⁴⁵⁵. In particular, the Court held that the Commission should have assessed whether Germany received sufficient upsides from debt write-offs after former shareholders had contributed to sharing the burden of the restructuring. Following an in-depth investigation initiated in July 2024⁴⁵⁶, the Commission concluded that Condor and its new private investor, Attestor, had significantly contributed to covering the cost of restructuring, funding over 70% of the total. Moreover, as former shareholders had seen the value of their investment reduced to zero, full burden-sharing was deemed to have been achieved, and the aid had not triggered any moral hazard issues. The investigation confirmed that, in those specific circumstances, Germany had received adequate remuneration linked to Condor's future valuation, and that appropriate safeguards to limit distortions of competition in the internal market accompanied the aid.

On 23 December 2025, the Commission concluded its formal investigation and adopted a *decision approving - under conditions - the modification of the French restructuring plan and additional aid of EUR 167.8 million to Corsair*, after having noted that the company reimbursed the EUR 32.4 million in previous additional aid, including interest⁴⁵⁷. Earlier, on 11 April 2025, the Commission had extended its formal investigation (initially opened in February 2024) into France's proposed amendments to the restructuring plan approved by the Commission in December 2020 in favour of French airline Corsair. This extension concerned new factual elements, specifically the earlier grant of EUR 32.4 million in additional State aid to Corsair between April 2021 and April 2022, provided through three separate schemes. The Commission also raised concerns regarding possible breaches by Corsair of the commitments provided by France in 2020, particularly concerning the limitation of its aircraft fleet size. The extension of the investigation enabled the Commission to undertake a thorough assessment of the compatibility of these new elements with the EU state aid rules.

⁴⁵³ Case SA.33769 – Romania – *Aid to Târgu Mureş Airport*.

⁴⁵⁴ Case SA.63203 – Germany – *Restructuring aid for Condor*.

⁴⁵⁵ Judgment of the General Court of 8 May 2024 in Case T-28/22, *Condor*, ECLI:EU:T:2024:301 (under appeal).

⁴⁵⁶ See https://ec.europa.eu/commission/presscorner/detail/en/ip_24_4042

⁴⁵⁷ Case SA.109662 – France - *Modification de l'aide et du plan de restructuration de Corsair (SA.58463 (2020/N) Aide à la restructuration de Corsair)*.

On 22 September 2025, the Commission adopted a decision regarding the *agreements between Ryanair and the Chamber of Commerce and Industry (CCI) of Carcassonne-Limoux-Castelnaudary*⁴⁵⁸, the manager of Carcassonne airport until 2011, as well as the government funding provided to the CCI. The Commission concluded that the majority of the contracts signed between CCI and Ryanair conferred an advantage on the airline, constituting incompatible State aid. The total advantage obtained by Ryanair was quantified at EUR 1.8 million.

In 2025, the EU courts adopted several relevant judgments concerning Commission decisions in the aviation sector (see above, Part I, section 3.3.4).

8.2.3. Antitrust enforcement in the aviation sector

On 7 August 2024, the Commission initiated proceedings to investigate a potential restriction of competition by the *A++ joint venture between Lufthansa, United and Air Canada* on transatlantic routes to/from several EEA airports⁴⁵⁹. On the same day, the Commission sent a statement of objections to Lufthansa where it preliminarily concluded that interim measures might be required to ensure the effectiveness of any final decision taken by the Commission in the future. On 27 February 2025, the Commission decided to close the interim measures proceedings against Lufthansa. The Commission's investigation in the main proceedings is ongoing.

8.2.4. State aid enforcement in the maritime transport sector

The maritime transport sector is of key importance for both intra-EU and global trade. Its competitiveness is fundamental for the functioning of the Single Market, largely due to the spill-over effects generated across other sectors in the globally integrated European maritime ecosystem.

On 7 May 2025, the Commission approved the *reintroduction of the Italian International Registry scheme*, in favour of seafarer and maritime transport companies⁴⁶⁰. The scheme includes several aid measures and aims to encourage the flagging or re-flagging to Member States' registers and the consolidation of the maritime cluster, while maintaining an overall competitive fleet on world markets. The scheme will apply until the end of 2033.

On 20 October 2025, the Commission approved the *prolongation of the Swedish seafarer scheme*, given its compatibility with the internal market under Article 107(3)(c) TFEU and the Maritime Guidelines⁴⁶¹. The scheme, which will apply from 1 January 2026 until 31 December 2028, provides tax benefits in favour of seafarers active in the maritime transport sector.

Furthermore, on 10 November 2025, the Commission approved a prolongation of the *Estonian tonnage tax and seafarer schemes* under Article 107(3)(c) TFEU and the Maritime Guidelines⁴⁶². The schemes, which will apply from 1 July 2026 until 30 June 2032, provide tax benefits in favour of shipping companies and seafarers active in the maritime transport sector.

8.2.5. Merger control in the maritime sector

In 2025, the Commission reviewed several cases concerning services incidental to water transportation. These investigations included *cargo handling terminals*⁴⁶³, *cruise terminal development and*

⁴⁵⁸ Case SA.33962 – France — *Mesures en faveur de la Chambre de commerce et d'industrie de Carcassonne, Aéroport de Carcassonne, de Ryanair DAC et d'Airport Marketing Services*.

⁴⁵⁹ Case AT.40940 – *A++ transatlantic joint venture*.

⁴⁶⁰ Case SA.111368 – Italy – *Italian International Registry Scheme (reintroduction of SA.48260)*.

⁴⁶¹ Case SA.119573 – Sweden – *Prolongation of aid scheme in favour of seafarers*.

⁴⁶² Case SA.120534 – Estonia – *Amendments to State aid in favour of maritime transport*.

⁴⁶³ Case M.12032 – *BROOKFIELD / QATAR HOLDING / QUBE HOLDINGS / PATRICK TERMINALS*.

*management*⁴⁶⁴, and *ship repair facilities*⁴⁶⁵. The Commission also reviewed a case concerning the *port and logistics sector in Spain*⁴⁶⁶. None of these cases raised competition concerns. They were assessed under the simplified merger control procedure allowing for a fast and streamlined approval process. The Commission also unconditionally cleared a merger between two companies active in the *leasing of sea containers*⁴⁶⁷.

Moreover, on 10 December 2025, the Commission opened an in-depth investigation into the *proposed acquisition of a container terminal in the port of Barcelona, Spain (Terminal Catalunya) by two companies including MSC*, a global leader in container shipping services⁴⁶⁸. The Commission has preliminary concerns that the transaction may lead to higher prices or reduced quality of container terminal services at the port of Barcelona.

8.2.6. *Antitrust enforcement in the maritime sector*

On 9 July 2025, the Commission addressed a *guidance letter to APM Terminals regarding an agreement between port operators to jointly purchase and set minimum technical standards for battery-electric straddle carriers, a type of container handling equipment*⁴⁶⁹. Most European ports currently use diesel carriers, and operators hesitate to switch to battery-electric ones due to higher costs and a lack of interoperability. The agreement aims to lower the parties' costs by pooling demand, providing suppliers with reliable demand forecasts, and enhancing the interoperability of charging equipment. The Commission considered that the proposed agreement does not raise concerns under Article 101 TFEU provided in particular that: (i) operators can continue to purchase carriers independently; (ii) there is a limit to the volume that can be jointly purchased; and (iii) the exchange of sensitive information does not exceed what is objectively necessary. The Commission's guidance is based on the information that the applicant submitted and remains valid for five years and is limited to the territory of the EEA. This guidance letter is one of the first issued by the Commission based on its 2022 Notice on Informal Guidance.

8.2.7. *State aid control in the land and multimodal transport sector*

8.2.7.1 *Work on State aid guidelines for land and multimodal transport and Transport Block-Exemption Regulation*

Throughout 2025, the Commission continued to work on the Land and Multimodal Transport Guidelines (LMTG) and the Transport Block Exemption Regulation (TBER). The primary objective of these initiatives is to provide a comprehensive rulebook for aid to sustainable transport.

Through the TBER, the Commission intends to exempt certain categories of aid in the rail, inland waterways and multimodal transport sector from the requirement of prior notification. This represents a major simplification, enabling Member States to provide aid rapidly, provided that the conditions limiting the distortions of competition in the Single Market are satisfied. The TBER will complement the LMTG, which will set out the conditions for assessing the compatibility with the Single Market of aid for sustainable land transport that does not qualify for block-exemption.

The objectives of the LMTG and TBER are to: (i) consolidate and streamline the Commission's case practice under Article 93 TFEU, for instance by covering all land transport modes that are less polluting

⁴⁶⁴ Case M.11822 – *RCL Cruises / MSC Cruises / NAHA JV*.

⁴⁶⁵ Case M.11896 – *Carnival / RCCL / MSC / GBSY JV*.

⁴⁶⁶ Case M.11938 – *APMC / BYC / Berge Infraestructuras y Servicios Logísticos*.

⁴⁶⁷ Case M.12043 – *Stonepeak / Seaco*.

⁴⁶⁸ Case M.11811 – *TIL / HUTCHISON PORTS / TERCAT*.

⁴⁶⁹ Case AT.40976 – *APM Terminals*.

than road-only transport and by introducing new categories of operating and investment aid; (ii) provide for more flexible rules for aid that directly contributes to the green and digital transitions to boost modal shift from road to more sustainable modes of transport; and (iii) introduce safeguards to support the entry and growth of new operators in the sustainable land transport market.

The work on the LMTG and TBER derives from the conclusions of a Fitness Check⁴⁷⁰, which showed that the 2008 Railway Guidelines no longer reflect market and technological developments and the current EU strategic priorities. In December 2022, the Council adopted an Enabling Regulation authorising the Commission to adopt a new block exemption regulation for railway, inland waterway and intermodal transport⁴⁷¹. The work on the new rules is substantiated by evidence from an Inception Impact Assessment⁴⁷², a roadmap⁴⁷³, a call for evidence⁴⁷⁴ and a supporting study⁴⁷⁵. It also incorporates the feedback from stakeholder consultations on a questionnaire⁴⁷⁶ and on the drafts LMTG and TBER⁴⁷⁷, as well as from a consultation of Member States on the revised draft TBER.

8.2.7.2 State aid enforcement

Throughout 2025, the Commission continued to enforce State aid rules in the rail and intermodal transport sector. The Commission approved 19 aid measures for the *coordination of transport*⁴⁷⁸, out of

⁴⁷⁰ Staff Working Document, Fitness Check of the 2012 State aid modernisation package, railways guidelines and short-term export credit insurance, SWD(2020) 258 final: <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:52020SC0258>.

⁴⁷¹ Council Regulation (EU) 2022/2586 of 19 December 2022, on the application of Articles 93, 107 and 108 of the Treaty on the Functioning of the European Union to certain categories of State aid in the rail, IWW and multimodal transport sector, OJ L 338, 30.12.2022.

⁴⁷² See https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13154-Rail-transport-revision-of-State-aid-guidelines_en

⁴⁷³ 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

⁴⁷⁴ See https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/14184-Block-exemption-regulation-on-the-application-of-Articles-93-and-108-of-the-Treaty-to-State-aid-for-the-land-transport-sector_en

⁴⁷⁵ Impact assessment support study for the review of the Community guidelines on State aid for railway undertakings, see https://competition-policy.ec.europa.eu/document/36a36ea6-3143-4fe8-8ead-c4e7fc424fc2_en

⁴⁷⁶ See https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13154-Rail-transport-revision-of-State-aid-guidelines/public-consultation_en

⁴⁷⁷ See https://competition-policy.ec.europa.eu/public-consultations/2024-lmtg-and-tber_en

⁴⁷⁸ Cases SA.115978 – Croatia – RRF – *Aid scheme to support noise reduction measures for rail freight wagons*; SA.116931 – Germany – *Support for ERTMS and ATO in the Stuttgart metropolitan region*; SA.115472 – Slovakia – *Investment aid scheme for the construction and modernisation of intermodal terminals and transshipment points*; SA.18853 – Germany – *DB REGIO AG - Public service contract Berlin-Brandenburg*; SA.116752 – France – *Aide à l'exploitation d'un service d'autoroute ferroviaire entre les terminaux de Cherbourg et de Mouguerre*; SA.117936 – Italy – RRF – *Aid for digitalisation of freight transport in Italy*; SA.117068 – Hungary - *Amendment of the scheme on excise duty exemptions and refunds for fuel used in railway and inland waterway transportation (SA.104781)*; SA.21143 – Denmark – *Public service contracts between the Danish Government and Danske Statsbaner*; SA.117920 – France - *Prolongation avec amendements d'un régime d'aides à l'exploitation de services de transport ferroviaire de marchandises par wagons isolés*; SA.118317 – Slovakia – *Slovakia Aid scheme for the acquisition of rail freight rolling stock*; SA.119045 – Poland – *Amendment to SA.109124 -RRF – Investment aid to intermodal transport facilities, equipment and rolling stocks*; SA.118796 – Poland – *Support scheme for the implementation of ERTMS under the FEnIKS programme*; SA.118718 – Italy – *Expansion of the Terminal of Bologna Interporto*; SA.120392 – Germany – *Amendment to Guideline for the promotion of long-distance passenger rail services through track access charges reduction*; SA.117606 – Sweden – *Prolongation and amendments to the scheme on environmental compensation for rail freight transport*; SA.120704 – Germany – *Prolongation of the guidelines on the construction, extension, reactivation and replacement of railway sidings and related infrastructure*; SA.120620 – France – *Mesures de soutien au secteur du transport ferroviaire de marchandises sur la période 2025-2030*; SA.120977 – Austria – *Prolongation of investment programme combined transport*; SA.119775 – Slovakia – *Operating aid scheme for single wagon load operations*.

which 18 based on the 2008 State aid Railway Guidelines⁴⁷⁹ and one directly under Article 93 TFEU, encompassing aid for rail infrastructure use, aid for the reduction of external costs or aid for interoperability, the latter in particular to support the deployment of the European Rail Traffic Management System (ERTMS) as well as aid to support the renewal of freight rolling stock.

In addition, on 6 October 2025, the Commission adopted a decision in which it concluded that the *reintroduction by Slovakia of a State aid scheme in support of transports by inland waterways* was compatible with the internal market based on Article 93 TFEU⁴⁸⁰.

All these measures support the modal shift from road to rail or inland waterways as the safer and more environmentally friendly transport modes, in line with the Commission's Sustainable and Smart Mobility Strategy.

Moreover, on 27 October 2025, the Commission approved a EUR 225 million *ten-year aid scheme partially compensating undertakings in the French rail freight sector for social security contribution 'T2'*⁴⁸¹. The scheme, which finances specific advantages under the statutory pension scheme for workers, is intended to accompany the gradual phasing-out of statutory benefits following a recruitment interruption for railway workers on 31 December 2019. In France, statutory workers are employed mostly by companies belonging to the public railway group SNCF. However, since January 2020 statutory workers that leave SNCF and are employed by other undertakings in the railway sector, may retain protection deriving from the French statutory pension system. In such cases, the new employer must pay the employer's part of the T2 contribution. The measure approved by the Commission applies to undertakings operating in France that are subject to the T2 social contribution for workers whose main activity is rail freight transport. Alternatively, the measure extends to those active in the maintenance of railway rolling stock or in the provision of railway safety services, provided that these activities predominantly contribute rail freight transport operations.

On 22 December 2025 the Commission approved a *EUR 60.1 million rescue loan granted by the Belgian government via the Belgian sovereign wealth fund (FPIM/SPFI) to Lineas Group SA/NV (Lineas Group)*. Lineas Group - a privately controlled Belgian rail freight operator with subsidiaries and operations in several Member States, including Belgium, France, the Netherlands and Germany - employs around 1550 individuals and operates a fleet of approximately 250 locomotives and 7500 wagons. Over the past years, Lineas Group has experienced financial difficulties with continuous operating losses despite increasing turnover. On 22 August 2025, Belgium notified a rescue loan to Lineas Group, which was partly disbursed on 14 August 2025. The aid is intended to address Lineas Group's short-term liquidity needs. The Commission assessed the rescue loan and found that the aid is compatible with the internal market pursuant to Article 107(3)(c) TFEU under the conditions of the R&RG⁴⁸². Belgium has committed to submit a restructuring plan to the Commission, no later than six months following the first disbursement of the aid. In parallel, the Commission assessed whether two separate capital injections granted to Lineas Group in 2023 and in 2024 constituted State aid⁴⁸³. FPIM made those investments together with the other shareholder of Lineas Group, the private investor Argos Wityu. For both, the Commission concluded that neither injection could be qualified as State aid.

⁴⁷⁹ Communication from the Commission – Community guidelines on State aid for railway undertakings, OJ C 184, 22.7.2008, p. 13.

⁴⁸⁰ Case SA.112601 – Slovakia – *Reintroduction of a State aid scheme in support of inland waterway transport*.

⁴⁸¹ Case SA.117491 – France – *Compensation des cotisations spécifiques T2 dans le secteur du transport ferroviaire des marchandises*.

⁴⁸² Case SA.120185 – Belgium – *Rescue aid to Lineas Group*.

⁴⁸³ Case SA.101469 – Belgium – *Complaint against Lineas*.

8.2.8. State aid enforcement in the road transport sector

By enforcing State aid rules in the road transport sector, the Commission ensures in particular that compensation granted to companies entrusted with public passenger transport services obligations do not go beyond what is necessary for the performance of these obligations.

On 27 February 2025, the Commission concluded that the *attribution of licences to certain private hire vehicles operators in the context of the Paris 2024 Olympic Games* did not entail State aid within the meaning of Article 107(1) TFEU⁴⁸⁴.

Furthermore, on 30 September 2025, the Commission approved, under Article 93 TFEU, the *reintroduction of an aid scheme contributing to the coordination of transport*⁴⁸⁵. The scheme aims at strengthening the customer service of public transportation in the region of the transport association ZV go.Rheinland by providing funding for electronic systems.

On 3 February 2025, the Commission adopted an amended opening decision, supplementing its formal investigation procedure, on the issues of economic continuity and recovery of aid in a case regarding a *Finish State aid measure to Helsingin Bussiliikenne Oy*. This follows a 2019 decision in which the Commission found that aid of approximately EUR 54 million to Helsingin Bussiliikenne Oy was incompatible with the internal market and ordered its recovery⁴⁸⁶. However, on 29 July 2024, the Court of Justice annulled that decision. The Court ruled that the Commission should have adopted a supplementary opening decision to take account for the 2015 sale and transfer of the bus transport business of the beneficiary Helsingin Bussiliikenne Oy to its economic successor (Koiviston Auto Helsinki Oy).⁴⁸⁷ The Court held that the absence of such a decision constituted an infringement of an essential procedural requirement, as it deprived interested parties of their right to comment on the transfer. The investigation remains ongoing.

8.2.9. State aid enforcement in the postal sector

State aid control in the postal services sector ensures that incumbent service providers compete fairly with other market participants, that State aid beneficiaries are not shielded from market developments, and that incentives exist to foster innovation, productivity, and efficiency.

On 6 January 2025, the Commission decided not to raise objections to the *compensation to ELTA*, the Greek postal operator, for the damage suffered as a direct result of the COVID-19 pandemic on the grounds of compatibility with the internal market pursuant to Article 107(2)(b) TFEU⁴⁸⁸.

On 3 February 2025, the Commission approved, based on Article 106 TFEU and under the SGEI Framework, the *compensation to Czech Post for the net cost of the obligation to provide Universal Postal Services* over the period 2023-2024⁴⁸⁹. Similarly, on 7 July 2025, the Commission approved, based on Article 106 TFEU and under the SGEI Framework, the *Universal Service Obligation (USO)*

⁴⁸⁴ Case SA.109742 – France – *Aides d'État présumées dans le secteur des taxis dédiés au transport de personnes à mobilité réduite dans le cadre des Jeux Olympiques de Paris 2024*.

⁴⁸⁵ Case SA.119780 – Germany – *Investment in Intermodal Transport Control System and electronic billing system (re-introduction of aid scheme SA.56519)*.

⁴⁸⁶ Case SA.33846 – Finland – *Effective liberalisation of bus transport (Helsinki)*.

⁴⁸⁷ Judgment of the Court of Justice of 29 July 2024 in Case C-697/22 P, *Koiviston Auto Helsinki Oy v Commission a.o.*, ECLI:EU:C:2024:641.

⁴⁸⁸ Case SA.57982 – Greece – *Compensation to Hellenic Post for damages suffered as a direct result of the COVID-19 pandemic*.

⁴⁸⁹ Case SA.104103 – Czechia – *Compensation of the postal licence holder (Česká pošta, s.p.) for the net cost of USO 2023-2024*.

compensation to Poste Italiane for the period 1 January 2025 to 30 April 2026⁴⁹⁰. On 15 July 2025, the Commission also approved, based on Article 106 TFEU and under the SGEI Framework, the *compensation to La Poste for the provision of its territorial presence mission* provided over the period 2023-2025⁴⁹¹.

Furthermore, on 25 July 2025, the Commission approved, based on Article 106 TFEU and under the SGEI Framework, the *compensation to Czech Post for the net cost of the obligation to provide Universal Postal Services* over the period 2025-2029⁴⁹². On 15 December 2025, the Commission approved, based on Article 107(3)(c) TFEU, a planned measure in favour of *Post Danmark intended to cover legacy costs arising from the dismissal of 429 former civil servants under special terms*, following Post Danmark's strategic decision to close its mail business⁴⁹³.

8.2.10. State aid enforcement in the cultural sector

By enforcing State aid rules in the cultural sector, the Commission ensures fair competition between private and public service providers, while allowing Member States to support the establishment and development of institutions throughout their territory and to enhance the level of services provided.

On 17 December 2025, the Commission found that the *public financing granted by France to the Institut national d'archéologie préventive (INRAP)* over the period 2008-2021 constitutes State aid that is compatible with the internal market under Article 107(3)(d) TFEU, as it promotes culture and heritage conservation⁴⁹⁴.

8.2.11. State aid enforcement in the gambling sector

State aid enforcement in the gambling sector allows the Commission to ensure that competition between operators active in that sector is not distorted by State support measures.

On 11 April 2025, the Commission closed a formal investigation by concluding that the *exclusive right granted to Ladbrokes to operate a form of virtual betting in Belgium* did not constitute State aid within the meaning of Article 107(1) TFEU⁴⁹⁵.

8.2.12. State aid supporting employment

On 31 January 2025, the Commission approved a *EUR 1.1 billion scheme supporting employment of specific workers in Italy and in Southern Italy (Mezzogiorno)*⁴⁹⁶, partly funded through the European Social Fund Plus. Under this scheme, employers could receive wage subsidies for the recruitment under contracts of indefinite duration of two specific categories of workers: (i) young people up to the age of 35 who have never been employed with a contract of indefinite duration; and (ii) women who have not been in regular paid employment in the previous six months and reside in Southern Italy.

8.2.13. Merger control in the data centres sector

On 10 November 2025, the Commission approved a joint venture between *Echelon DC, a company*

⁴⁹⁰ Case SA.114526 – Italy – *USO compensation to Poste Italiane from 1 January 2025 to 30 April 2026*.

⁴⁹¹ Case SA.108393 – France – *Compensation de la mission d'aménagement du territoire en faveur de La Poste pour la période 2023-2025*.

⁴⁹² Case SA.116631 – Czechia – *Compensation to Czech Post for the net cost of the obligation to provide Universal Postal Service in 2025-2029*.

⁴⁹³ Cases SA.120372– Denmark – *Support to Post Danmark A/S for legacy costs related to the closure of its mail business*.

⁴⁹⁴ Case SA.51268 – France – *Aides d'Etat mise à exécution par la France en faveur de l'INRAP*.

⁴⁹⁵ Case SA.53630 – Belgium – *Alleged illegal state aid related to virtual betting*.

⁴⁹⁶ Case SA.114799 – Italy – *Aid scheme supporting employment of specific workers in Italy and in Southern Italy (Mezzogiorno)*.

*specialised in large-scale data centres, and the Spanish electric utility company Iberdrola*⁴⁹⁷. Under the simplified procedure, the Commission cleared the path for both companies to invest in important digital and AI infrastructure, namely sustainable and high-performance data centres throughout Spain. Projects such as this go towards supporting broader Commission policy priorities, including the digital and clean transitions.

III.SUPPORTING EU COMPETITION ENFORCEMENT

1. DIGITAL TRANSFORMATION

Adapting to an ever-evolving digital environment presents persistent challenges for the enforcement of EU competition policy. The use of advanced digital tools and algorithms by economic operators, coupled with an exponential growth in electronic communications and the vast volumes of data and documents in case files, has added significant complexity to competition investigations. Digital transformation remains a key priority for DG Competition. Through the implementation of its Digital Strategy, which is in line with the broader Commission revised Digital Strategy⁴⁹⁸, DG Competition is deploying innovative and optimised digital solutions. These tools are designed to streamline data processing and enhance the effectiveness of competition enforcement.

1.1. Case Management modernisation

In 2025, significant advancements were made in updating DG Competition's case management solutions. The previous case management system for Antitrust and Cartels was successfully replaced with CASE@EC, and major progress was made in the transition to CASE@EC for Mergers. The CASE@EC modules supporting the DMA and the FSR were also further enhanced.

1.2. Improving digital exchanges with Member States, consumers and citizens

DG Competition has further developed its digital solutions to fully digitise and enhance communication and collaboration processes with external stakeholders, notably Member State administrations, NCAs, consumers, citizens and legal representatives.

The implementation of the new *eAidRegister* was finalised in 2025 and it is expected to become operational as of January 2026. This solution will assist Member States in fulfilling the enhanced transparency requirements of the General, SGEI and Agriculture *de minimis* regulations⁴⁹⁹. It will enable them to record *de minimis* aids, improving transparency in public spending, and reducing reporting obligations for companies receiving aid. Significant progress has also been made on the *eNotifications* solution, which is set to further digitise notification processes. The rollout will initially focus on merger control and State aid control, with other instruments to be integrated in subsequent phases. The initial version of the tool is planned to be operational by mid-2026, replacing *SANI2*.

Furthermore, DG Competition has optimised several other digital solutions that support its activities.

⁴⁹⁷ Case M.12144 – *ECHELON DC / IBERDROLA / CPD4GREEN CENTRO DE DATOS*.

⁴⁹⁸ Communication of the Commission – European Commission digital strategy – Next generation digital Commission, C(2022) 4388 final, 30.6.2022.

⁴⁹⁹ Commission Regulation (EU) 2023/2831 of 13 December 2023 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid, OJ L 2023, 15.12.2023; Commission Regulation (EU) 2023/2832 of 13 December 2023 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid granted to undertakings providing services of general economic interest, OJ L 2023, 15.12.2023, and Commission Regulation (EU) 2024/3118 of 10 December 2024 amending Regulation EU (No) 1408/2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid in the agriculture sector, OJ L 2024/3118, 13.12.2024. The new regulations introduced an obligation for all Member States to provide as from 2026 complete information on *de minimis* aid granted in a central register at national or EU level.

These technical enhancements concern: (i) requests for information (*eRFI*)⁵⁰⁰; (ii) leniency programme (*eLeniency*)⁵⁰¹; (iii) negotiation on confidentiality claims in access to file procedures (*eConfidentiality*)⁵⁰²; (iv) public search tool for competition decisions (COMP Cases)⁵⁰³; (v) collaboration and communication tool within the ECN (*ECN2*); (vi) calculation of interests due on State aid recovery cases aid (*AIDCAL*)⁵⁰⁴; (vii) State aid notification (*SANI2*);⁵⁰⁵ and (viii) reporting (*SARI2*).

1.3. Advanced data support and digital solutions for competition investigations

As DG Competition faces a rapidly increasing volume of electronic communications and digital evidence, it continues to invest in developing bespoke digital solutions to better manage and process significant volumes of submissions and the ‘on-premises’ access to file.

In 2025, the pilot phase for an *AI-based eDiscovery tool* using Technology Assisted Review (TAR) to support the analysis of voluminous files was finalised, with the solution expected to become operational in 2026. Moreover, the DG Competition AI toolkit was expanded with new platforms facilitating the re-use of corporate AI services and enabling cross-case analysis through LLM (large language models) and Retrieval-Augmented Generation capabilities.

DG Competition’s horizontal unit ‘Data Analysis and Technology’ (CTO team) supports competition enforcement with specialist skills, leveraging technological advancements to enhance digital investigations, intelligence gathering and market monitoring, with digital forensics during inspections as well as *eDiscovery* (in particular the AI-based *eDiscovery* software). It also assists in analysing the functionality and decision-making processes of AI systems used by companies. Additionally, it offers advanced data services to facilitate the processing and utilisation of non-standard submissions involving large volumes of documents. The CTO team collaborates with, among others, European Institutions, Member States and organisations. In the context of the 2025 TSI cycle⁵⁰⁶, the CTO team guided the technology units of 15 Member States in designing and submitting a project aimed at supporting Digital Transformation in competition law enforcement. The project includes training sessions, workshops and guidance on AI and data science.

2. SINGLE MARKET PROGRAMME

DG Competition benefits from a dedicated Competition Programme, part of the Single Market Programme (SMP), which finances actions to enhance the Commission’s competition enforcement capacity, policy initiatives, international cooperation and competition policy advocacy. In addition to the development of digital business solutions, the programme supported the training of judges in competition law. It also targeted non-competition national enforcers, including prosecutors, investigative judges and economic and financial police forces. The goal of this outreach is to increase their capacity to identify competition infringements in their daily work and to promote the transmission of evidence to the Commission thereby strengthening *ex officio* investigations. Furthermore, the programme enabled DG Competition to fund studies, evaluations, and research to underpin effective and robust policy making. With an EU budget allocation of EUR 22 million for 2025, the Competition Programme channelled

⁵⁰⁰ See https://competition-policy.ec.europa.eu/mergers/procedures/erfi_en

⁵⁰¹ See https://competition-policy.ec.europa.eu/antitrust-and-cartels/leniency/eleniency_en

⁵⁰² See https://competition-policy.ec.europa.eu/index/it-tools/econfidentiality_en

⁵⁰³ See <https://competition-cases.ec.europa.eu/>

⁵⁰⁴ See https://competition-policy.ec.europa.eu/state-aid/procedures/recovery-unlawful-aid_en

⁵⁰⁵ See https://competition-policy.ec.europa.eu/state-aid/legislation/forms-notifications-and-reporting_en

⁵⁰⁶ The Technical Support Instrument (TSI) is the Commission’s instrument for assisting Member States in designing and implementing reforms.

investments into areas that support effective and up-to-date enforcement of EU competition policy.

3. EXTERNAL COMMUNICATION & ADVOCACY

DG Competition maintains an active dialogue with businesses, national courts, lawyers, policy makers, academics, students, and civil society. Various channels are used, such as the participation of the Executive Vice-President Ribera in events, press conferences and speeches, as well as press releases, newsletters, conferences, specialised publications, and social media.

In 2025, DG Competition issued over 130 press releases. Several policy initiatives garnered broad media attention, for example the start of the review of the Merger Guidelines⁵⁰⁷, the adoption of CISAF⁵⁰⁸, as well as the consultations on the first reviews of the DMA⁵⁰⁹ and FSR⁵¹⁰. High-profile enforcement cases were also widely reported in the media, for example *Google Adtech*⁵¹¹, the first *DMA fines against Apple and Meta*⁵¹², and the *fines against Delivery Hero and Glovo* for participating in a cartel in online food delivery⁵¹³.

In 2025, Executive Vice-President Ribera held her first annual Youth Policy Dialogue on 4 March⁵¹⁴. Her two annual implementation dialogues followed: the first held in Madrid on 30 June, focused on IPCEIs⁵¹⁵; and the second, held in Brussels on 13 November, explored how State aid rules can facilitate public support to affordable housing. DG Competition also held five reality checks in Brussels or online to get feedback from stakeholders⁵¹⁶. Additionally, on 15 May, the Chief Economist Team of DG Competition held a conference on competition economics to mark the 20 years of its founding. Beyond these structured events, Executive Vice-President Ribera delivered numerous speeches on competition policy to a variety of audiences⁵¹⁷, while the Director General and senior management of DG Competition engaged in extensive outreach efforts on the benefits of a strong and effective competition policy and enforcement.

Regarding *social media*, DG Competition's digital accounts increased their reach and followers base in 2025. Its LinkedIn presence grew to over 47 000 followers, while its X account surpassed 24 000. DG Competition also focused on the development of its YouTube channel, which now has more than 2 100 subscribers. The channel hosts videos of senior managers speaking at conferences as well as the '*COMP Flash*' series where DG Competition officials explain high-profile cases in a very short video. Furthermore, DG Competition's weekly newsletter reached over 13 000 subscribers in 2025, while its digital publications were viewed or downloaded more than 68 000 times. DG Competition's website attracted over 12 million pageviews throughout the year.

⁵⁰⁷ See https://competition-policy.ec.europa.eu/mergers/review-merger-guidelines_en

⁵⁰⁸ See https://ec.europa.eu/commission/presscorner/detail/en/ip_25_1598

⁵⁰⁹ See https://digital-markets-act.ec.europa.eu/consultation-first-review-digital-markets-act-2025-07-03_en

⁵¹⁰ See https://ec.europa.eu/commission/presscorner/detail/en/ip_25_1954

⁵¹¹ See https://ec.europa.eu/commission/presscorner/detail/it/ip_25_1992

⁵¹² See https://ec.europa.eu/commission/presscorner/detail/en/ip_25_1085

⁵¹³ See https://ec.europa.eu/commission/presscorner/detail/en/ip_25_1356

⁵¹⁴ See https://competition-policy.ec.europa.eu/about/reaching-out/youth-policy-dialogue_en

⁵¹⁵ See https://competition-policy.ec.europa.eu/about/reaching-out/implementation-dialogues-and-reality-checks_en

⁵¹⁶ These were devoted to Social/Affordable Housing (10 July), Trade Defence Instruments and Foreign Subsidies (15 October — joint event led by DG Trade, DG Grow also participated), Technology Transfer Block Exemption Regulation and Guidelines (12 November, online only), the Private enforcement of State aid rules (3 December) and the Revision of Regulation 1/2003 (15 December).

⁵¹⁷ See https://ec.europa.eu/commission/presscorner/detail/en/speech_24_6341