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**WORKING DOCUMENT**

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From:	Presidency
To:	Working Party on Competition

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Subject:	Presidency discussion paper on the Important Projects of Common European Interest (IPCEIs) (agenda item 4.)
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Delegations will find attached a Presidency discussion paper on the Important Projects of Common European Interest (IPCEIs), to steer the discussion in view of the Working Party on Competition meeting on 17 February 2025.



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## Working Party on Competition on 17<sup>th</sup> February 2025

### Presidency discussion paper on the Important Projects of Common European Interest (IPCEIs)

We all know that the topic of IPCEIs generates great interest from Member States, which was also signaled to the Presidency team during many talks and meetings while preparing to the role of the Presidency of the Council of the UE. In addition, we are also aware that IPCEI is one of the important elements for stimulating EU competitiveness, which is mentioned not only in the Letta and Draghi Reports but also appears in discussions in other forums.

The eligibility and compatibility criteria for State aid granted for IPCEI are set out in the Communication from the Commission - *Criteria for the analysis of the compatibility with the internal market of State aid to promote the execution of important projects of common European interest* [COM(2021) 8481]. The original document from 2014 was revised and the improved version was adopted in December 2021 and applies as from January 2022. In May 2023, the Commission issued the *DG COMP Code of good practices for a transparent, inclusive, faster design and assessment of IPCEIs*. This was based on lessons learned from the assessment of IPCEIs by DG COMP.

As mentioned above, IPCEI is a topic that is often present in the public sphere and is also widely discussed in various forums at the EU level - many colleagues, dealing with State aid, talk about IPCEI at multilateral meetings (e.g. SAM Working Group), other experts debate about it in other Working Parties (including the High Level Group).

Additionally, at the end of 2023, upon request of several Member States, a new body fully dedicated to this issue was established - the Joint European Forum for IPCEI (JEF-IPCEI). Chaired by DG GROW and DG COMP, it brings together experts from the Commission and Member States. The aim of the Forum is to identify areas of strategic interest to the EU for potential future IPCEIs and to enhance the effectiveness of the IPCEI process. By design, the Forum aims to achieve its objectives through joint analytical work and discussions, exchange of best practices, lessons learned and improvement of the procedural and operational framework conditions. The JEF-IPCEI was created as the main platform for Member States and the Commission to exchange on IPCEI topics.

Despite this, there are still many Member States flagging up problems with IPCEI, including on the information flow, as some information is not widely or fully shared among all interested parties. Therefore:

- in anticipation of future work on improving the IPCEI instrument,
- wishing to inform our community about what is happening on the JEF-IPCEI forum,

- inviting all Member States to facilitate information about IPCEI at national level (e.g. between different ministries and funding authorities),
- but also wanting to learn more about practical problems,

we would like to propose a discussion on IPCEI in WP COMP.

However, we would like our debate to have a slightly different character: while we are waiting for certain political decisions at the level of the new Commission (which we might be able to discuss during the next meetings – 17th February is just too premature), in order to facilitate the future work, we would like to start by recognizing the sources of the problems and trying to find possible solutions. **Therefore, we would like to put the focus of the discussion today not on what the Commission is planning in this area (as mentioned, work on creating certain solutions is currently ongoing and already some recommendations are ready), but on identifying practical problems.** This will be the easiest way to adapt the optimal solutions for the future. Therefore, we ask the Member States to share their observations and experiences in the use of (or difficulties of using) IPCEI, and possible proposals for solutions.

To this end, we ask the Member States to reflect on following questions:

- 1) What are the **most common and practical problems** (both at national and external level) you encounter in your country that prevent you from getting involved (in the required manner) in IPCEI projects? Are these issues of poor communication between EU/national administration institutions or among stakeholders at national level, or between institutions and entrepreneurs, or perhaps lower recognition of IPCEI mechanisms in your country, or perhaps some others? How these problems can be addressed?
- 2) Does the **JEF-IPCEI** perform its role well? If not, what exactly should be improved?
- 3) What in your view/experience are your **main concerns regarding the IPCEI process**? Which phase of the process (identification, design, assessment, implementation) do you find more challenging and why? Do you find the assessment of individual company projects from DG COMP useful and if not why?

The answers, that the Member States will provide during the meeting, will not only help us to better understand certain problems, but also to provide the Commission with a better knowledge of problems and some new ideas which could be useful during its work on the IPCEI.