

EC decision to amend competition rules for green goals would be political, says senior official – EU Green Deal

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- Rules on horizontal cooperation, state aid could see adaptation
- EC to mull changes in coming months
- Agency could clarify information sharing, joint purchasing, standard setting

The degree to which the European Commission (EC) adapts its rulebook to account for the EU's climate change commitments will be a political decision, with the potential to have significant implications for EU competition policy, said the agency's top civil servant for competition at a conference today (4 February).

The EC will assess the feedback it received from the public consultation on how it may adapt competition policy to suit the goals of the EU's environmental goals, said Olivier Guersent, director general at DG Competition at a virtual event on 'Competition Policy Contributing to the European Green Deal' hosted by the agency. Earlier today, Executive Vice President (EVP) Margrethe Vestager said that the agency intends to publish a report with its learnings from the consultation before the summer.

In his remarks concluding the EC's conference on sustainability and competition policy, Guersent pointed to the areas in which the agency intends to direct its review of its antitrust rules, highlighting the rules that allow for cooperation among firms and the EU's state aid guidelines as areas to be further explored.

Guersent said that the degree to which the EU's competition rulebook will be adapted in order to tackle climate change will ultimately be a political decision.

"That will be political tradeoff that will need to be decided by political authorities. We'll need to think thoroughly; and [that's] what we'll do in months to come," said Guersent

"Depending on the answers and choices we make, the implications for antitrust could be very significant," he said.

Guersent said that there will need to be clarifications on how and when firms can cooperate in order to achieve sustainability objectives, but noted that many of the

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examples of such cooperation that the EC had solicited in its public consultation were unproblematic. He said that information exchange, joint purchasing and standard setting could be areas where the EC could provide further clarification.

In terms of how the EC should assess such applications to cooperate, Guersent said that there was consensus that genuine environmental benefits can be accommodated for, at least where higher quality or new products are entering the market. He noted that views differ on how wide a range of sustainability benefits can be accounted for.

Whether that includes accounting for a set of consumers that differ from those who are directly affected, consumers outside of Europe, or even future consumers, could have major implications on antitrust enforcement, he said.

He warned that broadening the scope too widely would be very demanding on the agency's resources, on the speed of enforcement, and even the agency's capacity to enforce.

Guersent pointed to the EC's review of its horizontal and vertical guidelines as initial areas where the EC can address some of the issues raised.

by Jacob Parry in Brussels

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