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 **ΕΠΙΤΡΟΠΗ ΑΝΤΑΓΩΝΙΣΜΟΥ**  
HELLENIC COMPETITION COMMISSION

 **Office for the Protection  
of Competition  
of the Czech Republic**

# Joint statement of the National Competition Authorities of Mid-Sized EU Economies (MIDs) on the Draft EU Merger Guidelines

*A Statement by the following NCA's*

## Key messages

1. European competitiveness and sustainable economic growth are driven by effective competition, which leads to innovation and long-term welfare and remains the core objective of merger control;
2. The draft Guidelines acknowledge that certain public interest considerations may be relevant in assessing the impact of mergers, insofar as they are relevant to the competitive process. In particular, considerations such as resilience, sustainability, or cross-border integration within the EU may constitute relevant parameters of competition within a principled and evidence-based assessment framework;
3. The internal market benefits from scale when it is achieved through open and pro-competitive market processes and efficient assets reallocations;
4. SMEs are essential to Europe's economic strength and depend on open, competitive markets.

## Statement

Strengthening the competitiveness of European industry is necessary to safeguard the sustainability of the EU's social market economy model. As National Competition Authorities<sup>1</sup> of mid-sized economies within the European Union, we bring a particular perspective to this debate, including on the important role of small and medium-sized enterprises (SMEs) that supply to, or purchase from, larger firms. In this context, we welcome the European Commission's initiative to modernise the EU Merger Guidelines and account for the evolving economic landscape and market realities.<sup>2</sup> Ultimately, competition policy serves the everyday interests of European citizens and companies alike.

Effective competition is a principal driver of competitiveness, innovation, productivity growth, and long-term welfare. Mergers and acquisitions, especially those facilitating cross-border activity, can be pro-competitive, efficiency-enhancing and can support market integration, innovation, sustainability, security of supply, and economic growth.<sup>3</sup> A well-functioning merger control regime should aim to prevent harmful structural changes to markets that may give rise to anticompetitive effects, such as increases in prices and reductions in output or quality, including diminished choice, investment or innovation, thereby decreasing consumer welfare. Against this background, we share the Commission's distinction between scale-enhancing, procompetitive mergers on the one hand, and mergers that may concentrate market power and undermine competitive processes, on the other hand. We consider that the analytical framework embedded in the draft Guidelines properly anchors this distinction in the realities of market dynamics. Conversely, we caution against relaxing merger control on the basis of scale-related considerations.

The draft Guidelines also appropriately acknowledge that other parameters, such as resilience, sustainability, or cross-border integration within the EU, may be relevant in assessing the impact of mergers on market outcomes, insofar as they may affect competitive dynamics.

In turn, we strongly support the Commission's emphasis on the need to evaluate all parameters relevant to merger control assessments within a principled, evidence-based framework, grounded in robust economic analysis, verifiable evidence, and transparent legal standards. Theories of harm and benefit alike must meet rigorous evidentiary requirements and avoid speculation to stand up to legal scrutiny. This ensures predictability for businesses while safeguarding the legitimacy and credibility of enforcement. The draft Guidelines appropriately achieve this balance by recognising substantiated wider benefits and avoiding a dilution of core competition principles.

Taking this into account, we fully support the European Commission's commitment to promoting competitive markets that foster fair prices, quality, innovation, and investment across all sectors, particularly those pivotal to European industrial competitiveness. We underline that competition itself is a key driver of European competitiveness, and the effective enforcement of merger rules is critical to maintaining well-functioning markets. As National Competition Authorities, we will continue to collaborate closely with the Commission to remove unnecessary barriers to entry and expansion that hinder market integration and economic growth, thereby reinforcing both competition and the Single Market.

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<sup>1</sup> Namely of Austria, Belgium, Czechia, Ireland, the Netherlands, Greece and Portugal.

<sup>2</sup> [The European Commission's review](#) of the Horizontal Merger Guidelines (2004/C 31/03) and the Non-Horizontal Merger Guidelines (2008/C 265/07), together the "EU Merger Guidelines" or "Guidelines". The European Commission published its [draft Merger Guidelines](#) for public consultation on 30 April 2026.

<sup>3</sup> See our earlier statement on "[Strengthening Competitiveness and Competition in the EU Single Market](#)", a statement by the Competition authorities of Belgium, Portugal, Austria, the Czech Republic, Ireland, and the Netherlands, 22 April 2025.

This is particularly relevant for small and medium-sized enterprises (SMEs), employing large numbers of European citizens and forming the backbone of the European economy, which depend on competitive and open markets. These companies would be ill-served with a single supplier or customer. While scale and investment capacity are important for enabling European firms to compete throughout Europe and globally, these should not come at the expense of market contestability or broader ecosystems of suppliers, innovators, and smaller (possibly upcoming) market participants that underpin Europe's economic strength. Excessive concentration may disproportionately harm both their commercial opportunities and bargaining positions. It is the role of merger control to protect both the structure of the market and the process of competition, while preserving the openness and dynamism of Europe's economy.

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