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State aid registry
1049 Brussels
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Your Ref.: HT 5224
Our Ref: VLIR 033/19
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Concerns: COMP-03-PUBLIC-CONSULTATION@ec.europa.eu

Dear Sir ,

Thank you for consulting us on the “[targeted review](#) of the General Block Exemption Regulation (State aid): extension to national funds combined with certain Union programmes”, which is intended to simplify state aid rules. The Rectors Conferences in Belgium, VLIR and CRef, would like to provide input on the second area (R&D&I) and third area (ETC) of this review.

In general terms, we find that this proposal offers a more solid legal ground for the state aid compliance of project proposals, which means real simplification. This is much appreciated. However, we consider it a lost opportunity that in this review (a) no proposal is made to discard projects from a state aid check, nor (b) to bring the funding rates of the categories - fundamental research, industrial research, experimental development - in line with funding rates in the Horizon Europe legislation for all R&D projects. In your proposal, this is only the case for projects with a Seal of Excellence label, something we support, but what we see as only a start. We kindly ask you to see what is possible within this targeted review process or in the full review later on.

Regarding the second area (R&D&I)

Regarding the second area (R&D&I), the Belgian universities would like to note that most of our research projects are not considered economic activities. Hence, funding for these projects should not be considered state aid, as set out in article 19 of the “[Communication](#) from the European Commission on the Framework for State aid for research and development and innovation” dating back from 2014. It is only in specific cases that activities of our type of institutions are to be considered economic activities on which consequently the GBER applies.

Having said this, we support more specifically two points in the proposal in this second area of the consultation. Firstly, by this proposed review, an extra guidance for the definitions of ‘fundamental research’, ‘industrial research’ and ‘experimental development’ is given by linking these to three different groups of TRL-levels. As such, in some cases, the TRL levels could be helpful when providing arguments for one of the defined terms (categories).

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Secondly, by this proposed review, the regulation will ensure a better uptake - by national funding mechanisms - of Horizon 2020/Marie Skłodowska Curie Actions and Horizon 2020/European Research Council Proof of Concept projects that received the Seal of Excellence. This helps not only to keep excellent project proposals in the running, it also incentivises proposal writers to apply for the appropriate EU-funding programme without feeling the need, due to differences in success rates, to shop between different funding mechanisms to try to obtain funding. This saves time and effort to both beneficiaries and the European Commission and is therefore considered by us as a real simplification.

Lastly, we want to raise the question whether a reference is to be made between the three categories - fundamental research, industrial research, experimental development - and non-technological research, e.g. Social Sciences and Humanities (SSH) research. Since SSH is now integrated in the principles of the Regulation of Horizon Europe (art. 6, point2), it seems relevant to translate this strengthened multidisciplinary approach to the GBER.

Regarding the third area (ETC)

Regarding the third area (ETC) of the consultation, the Belgian universities applaud the extension of the compatibility of funding for ETC-projects with the internal market beyond SMEs as foreseen in the newly proposed article 20. In order to make sure that the results of these ETC projects benefit the entire internal market and can be taken up by society in general, we propose that an incentive like the one in the current article 25 of the GBER is integrated in article 20 of the new GBER. This implies the increase of the aid intensity with 15 percentage points in case of effective collaboration with research and knowledge-dissemination organisations who have the right to publish their own research results, or in case the results of the project are widely disseminated through conferences, publication, open access repositories, or free or open source software.


Furthermore, it would be beneficial if these rules proposed for ETC could be extended to all European Regional Development Fund projects, of which ETC are only a part.

For questions, please do not hesitate to contact Koen Verlaeckt, Secretary-general at VLIR by e-mail at koen.verlaeckt@vlir.be or by phone at +32 2 792 55 03.

Yours sincerely,



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