



THE ROLE OF THE NATIONAL JUDGE IN THE ENFORCEMENT OF EU STATE AID RULES

SEMINAR FOR THE FINNISH JUDICIARY*

Vantaa, 15 -16 June 2022

*open for participation of eligible judges from other EU Member States

**UP
GRADE**
YOUR LEGAL
EXPERTISE

Speakers

Elisa Fagerström

Senior Specialist, Ministry of Economic Affairs and Employment, Helsinki

Sami Hartikainen

Counsel, Waselius & Wist, Helsinki

Matthias Keller

Presiding Judge, Administrative Court, Aachen

Anna Kuusniemi-Laine

Partner, Castrén & Snellman, Helsinki

Clara Saedler

Case Handler, Unit H/4 State Aid Enforcement and Monitoring, Directorate General for Competition, European Commission, Brussels

Key topics

- The Notion of State Aid
- Unlawful and incompatible aid
- The standstill obligation
- Complementary roles of the European Commission and the national courts
- Hands-on training on online databases

Languages

Finnish and English (with simultaneous interpretation)

Event number

222DV57f

Venue

National Courts Administration of Finland
Silkkitehtaantie 5 C, Vantaa

Organisers

ERA in cooperation with the National Courts Administration of Finland on behalf of the European Commission



**National Courts
Administration
Finland**



Funded by the European Union Service Contract DG
COMP/2017/015 - SI2.778715

THE ROLE OF THE NATIONAL JUDGE IN THE ENFORCEMENT OF EU STATE AID RULES

Wednesday, 15 June 2022

08:45 Arrival and registration of participants

09:00 **Welcome words**
Riku Jaakkola, National Courts Administration of Finland
Ivana Jarošová, ERA

I. INTRODUCTION INTO EU STATE AID LAW

09:15 **Main objectives of EU State aid control. Overview of Articles 107-109 TFEU**
Sami Hartikainen

09:45 **Main elements of the notion of Aid**

- Undertaking and Economic activity
- State resources and Immutability to the State

Sami Hartikainen

10:45 Q&A and discussion

11:00 Coffee break

11:15 **Main elements of the notion of Aid**

- Advantage
- Selectivity
- Effect on trade and competition

Anna Kuusniemi-Laine

12:15 Q&A and discussion

12:30 Lunch

13:45 **Using the search tools of the online databases**
Anna Kuusniemi-Laine

14:15 **De Minimis and General Block Exemption Regulations**
Elisa Fagerström

15:00 Q&A and discussion

15:15 Coffee break

15:30 **Workshop exercise**
Elisa Fagerström

II. APPLICATION OF EU STATE AID RULES BY THE NATIONAL JUDGE

16:45 **The role of the national judge in the enforcement of EU state aid rules**

- Types of domestic remedies in the context of EU State Aid Law
- The direct effect of Article 108 (3) TFEU

Matthias Keller

17:30 Q&A and discussion

17:45 End of first day

19:30 Seminar dinner

Objective

The direct effect of the notification requirement and the standstill obligation under EU State aid rules (Art. 108 (3) TFEU), the role of national courts in the recovery of illegally awarded State aid and the possibility of bringing before them private damages actions caused by unlawful State aid require good knowledge of State aid rules by the judiciary.

This seminar will provide national judges with an overview of the application of Articles 107 - 109 TFEU and the relevant secondary legislation and will equip them with the necessary tools to deal with State aid cases.

Who should attend?

Finnish judges, apprentice national judges, and the staff of judges' offices or of national courts.

Participants from other EU member states will also be admitted if there are sufficient places left.

More information about the event at:

<https://competition.judicialtraining.eu>

Thursday, 16 June 2022

III. APPLICATION OF EU STATE AID RULES BY THE NATIONAL JUDGE (cont.)

09:00 **The role of the national judge in the enforcement of EU state aid rules (cont.)**

- The role of the Commission and of national courts
- Claims for damages and interim measures

Matthias Keller

09:30 Q&A and discussion

09:45 **Recovery of unlawful and incompatible aid**

Clara Saedler

10:15 Q&A and discussion

10:30 Coffee break

11:00 **Recovery of unlawful and incompatible aid (cont.)**

Clara Saedler

11:30 **Cooperation with the European Commission**

Clara Saedler

12:00 Q&A and discussion

12:15 Lunch

13:30 **Workshop exercise**

Clara Saedler

14:30 Coffee break

14:45 **Debriefing of the exercise**

Clara Saedler

15:30 End of the training

About the project

The seminar is part of a large-scale project to provide training to national judges on EU competition law, organised on behalf of the European Commission. It consists of 26 training programmes taking place over a period of four years in 26 different Member States.

<https://competition.judicialtraining.eu>

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Funded by the European Union

Service Contract DG COMP/2017/015 - SI2.778715

This document has been prepared for the European Commission. However, it reflects the views only of the authors, and the Commission cannot be held responsible for any use which may be made of the information contained therein

Conditions of participation

1. The seminar is addressed to Finnish judges, apprentice national judges, and the staff of judges' offices or of national courts competent to deal with State aid cases. Participants from other EU member states will also be admitted if there are sufficient places left.
Deadline for applications: 17 May 2022.
2. Only a limited number of places is available for the training. A response will be given to every applicant shortly after the deadline for application. Participation is confirmed only upon receiving a written response from the organisers. A reserve list of unsuccessful applicants will be drawn up. In the event of cancellations, applicants on the reserve list will be offered a place.
3. **Participation is free of charge.**
4. Participants are responsible for making their own travel arrangements. Applicants should not to book any tickets before receiving the organisers' confirmation.
5. Travel costs will be reimbursed only to participants based outside Vantaa. Travel costs for participants travelling by plane will be reimbursed up to a maximum amount of € 400 and travel costs of participants travelling by train or car will be reimbursed up to a maximum of € 200 subject to submission of the originals of travel receipts to be sent in within one month after the respective training.
6. In the context of the Covid-19 Pandemic, the participants are advised to book travel and accommodation with flexible cancellation conditions or to take out travel cancellation insurance. ERA will inform registered participants one month before the event whether it will take place in face-to-face format. ERA nevertheless reserves the right according to its General Terms and Conditions to cancel an event until two weeks beforehand. ERA will not reimburse the costs of travel and/or accommodation booked earlier than one month before the event. The cost of travel cancellation insurance can be reimbursed.
7. Accommodation for participants based outside Vantaa (or Helsinki) is arranged and paid by ERA in a hotel next to the conference venue.
8. Two lunches, a seminar dinner on 15 June, beverages consumed during the event and the seminar documentation are offered by ERA.
9. A certificate of attendance will be issued after the training.
10. Participation in the whole course is required. Participants must not make travel arrangements that require them to leave the seminar before its end. Filling in the seminar evaluation form is also mandatory. Failure to attend the entire course and/or to fill out the evaluation form will automatically mean that the participant is not entitled to a certificate of attendance or to reimbursement of travel costs.
11. Please note that in the event of cancellation after the respective deadline set and without a legitimate reason ERA will charge for the costs arising as a result thereof, e.g. for any hotel arrangements made.
12. A list of participants including each participant's address will be made available to all participants unless ERA receives written objection from the participant no later than one week prior to the beginning of the event.