



Brugge

College of Europe
Collège d'Europe



Natolin

GCLC

Global Competition Law

Center

130th GCLC Lunch Talk – Brussels, 3 March 2023

Draft Foreign Subsidies Implementing Regulation: the path for enforcement

Martin Farley, European Commission

Nina Niejahr, Baker & McKenzie

Alain Alexis, Avisa Partners

Moderator: Jacques Derenne, GCLC, University of Liège

European History

□ Peace ■ War



Major conflicts of original EU members

Bosnia
Ukraine...

COMITÉ INTERGOUVERNEMENTAL
CRÉÉ PAR LA CONFÉRENCE DE MESSINE

RAPPORT
DES CHEFS DE DÉLÉGATION
AUX
MINISTRES DES AFFAIRES ÉTRANGÈRES



The FSR confirms the vision and the wisdom of the Fathers of Europe, but...

- Eventually, after 66 years! We dared to do it!
- But: many challenges ahead as for State aid...
- Delineation of “foreign financial contribution”?
- What to notify?
- Which legal analysis?
 - Procedure
 - Analysis of “distortion” + balancing test + remedies
 - Not strictly State aid – MEOP?
- Interaction with other instruments
 - State aid, WTO, Defence, EU Programs