

# Private Enforcement of European Competition and State Aid Law

## Current Challenges and the Way Forward

Edited by **Ferdinand Wollenschläger, Wolfgang Wurmnest,  
Thomas M.J. Möllers**

### Overview

The overlapping European Union (EU) regimes of competition law and State aid law both provide mechanisms allowing private plaintiffs to claim compensation for losses or damages. It is thus of significant practical value to provide, as this book does, analysis and guidance on achieving enforcement of such claims, written by renowned authorities in the two fields.

The book examines the two areas of law both from an EU perspective and from the perspectives of private enforcement in France, Germany, Italy, the Netherlands, Spain and the United Kingdom. In country reports for these major jurisdictions, as well as in more general and comparative chapters, the authors focus on such issues as the following:

- impediments to private enforcement;
- which entity is liable for damages;
- binding effect of decisions of competition authorities;
- limitation of actions;
- collective actions and pooling of claims;
- enforcement of the standstill obligation (Article 108(3) TFEU);
- remedies and information deficits;
- cooperation and coordination between national courts and the European Commission;
- transposition of the so-called Damages Directive (Directive 2014/104/EU) by the EU Member States;
- extent to which the strengthening of private enforcement of competition law has a spillover effect on State aid law; and
- prospects for harmonisation of State aid law.

A concluding section identifies enforcement deficits and proposes ways to improve the existing legal framework.

As an in-depth assessment of key obstacles and best practices in private enforcement actions, this highly informative and practical volume facilitates choice of the best forum for competition and State aid law cases. Academics and practitioners engaged with this important area of European law will appreciate the authors' awareness of the economic need and legal particularities which could generate an effective European system of private enforcement of legitimate claims under EU competition and State aid law.

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