Better enforcement of competition policy

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Overview of EC competition policy

- Modernisation of EU competition policy: efficiency driven
- Main trends and priorities:
  - Anti-trust
  - Mergers
  - State Aid
- Towards a reinforced assessment of actual impact on the economy
- Recent challenges for competition policy
Modernisation of EU competition policy

- **Modernization** driving EU competition policy in recent years.
- Reforming legal framework and enforcement tools for mergers, antitrust and State aid:
  - Focus on competition and consumer welfare
  - A more economic approach; and
  - Effective enforcement.
Antitrust

- Strengthening fight against cartels (new settlements procedure)
- Sanctioning and deterring other anticompetitive conduct in key economic sectors (energy, IT, payment cards, transport)
- Sector inquiries (energy sector; financial services; pharmaceutical sector)
- White Paper on the fostering of action for damages for competition infringement: primary objective to compensate victims
- Article 82 guidance
- Advocacy for pro-competitive regulation at EU and MS level
Mergers: achievements and challenges

- Adoption and publication of consolidated jurisdictional notice;
- Adoption and publication of non-horizontal merger guidelines to complement existing horizontal merger guidelines.
- 2008: adoption of remedies notice (publication in autumn 2008).
- National champions and protectionism.
State Aid reform

- State aid action plan based on:
  - Better targeted state aid
  - a refined economic approach
  - more effective procedures, better enforcement, higher predictability and enhanced transparency
  - a shared responsibility between the Commission and Member States
Reinforced assessment of impact on markets

- Towards a more effective competition policy enforcement;
- Need for an impact driven strategy;
- Ex ante and ex post assessment;
- Challenges of measuring the actual impact on markets;
Challenges for competition enforcement

- Competition policy is more relevant than ever
- As an instrument of market governance protecting business and consumers against market failures
- To be used in conjunction with other instruments (e.g. regulation in the financial sector)