



## 21<sup>st</sup> Annual EU Competition Law and Policy Workshop

### ***Stronger NCAs – Procedures, Powers, Prospects***

ORGANIZED BY PHILIP LOWE, MEL MARQUIS and GIORGIO MONTI

**EUROPEAN UNIVERSITY INSTITUTE**

**DEPT. LAW, 3-4 JUNE 2016**

VILLA LA FONTE: VIA DELLE FONTANELLE, 10  
SAN DOMENICO DI FIESOLE, ITALY

### **Introduction**

Regulation 1/2003 has been celebrated for ushering in a new era of shared competition law enforcement at the EU and national levels, thus also bringing the principle of competition a step closer to the hearts and minds of European natural and corporate citizens. But Regulation 1 is by no means a final destination. Its provisions say little, for example, about the ways and means by which national competition authorities (NCAs) apply the EU competition rules. The rather wide scope it leaves for procedural and institutional divergence in Europe (arising from, for example, diverse legislation and idiosyncratic judicial interpretations) may facilitate experimentation—but it may also be in tension with principles such as a ‘level playing field’, the effective application of EU law, and consistent outcomes. A recently completed public consultation by the European Commission reflects concerns about this tension, and about specific weaknesses that have been observed in certain national enforcement systems.

Against that background, a new reform process at EU level is currently being contemplated in order to trigger a new round of Europeanization of competition law enforcement across the EU Member States. At this early stage, the Workshop aims to discuss a number of dimensions that a new package of hard and soft law might address. Focusing on particular Member States, the Workshop will consider national procedures, the enforcement powers and investigative and sanctioning tools of NCAs, and institutional features such as the NCAs’ resources and their degree of independence from government influence. The Workshop’s participants will discuss the findings of the recent consultation, and they will consider, among other things, how the reform should take shape in terms of its scope, instruments and content. Comparative reflections will be provided by scholars travelling from beyond Europe.

### **PROGRAMME**

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**Friday, 3 June 2016**

08:50      *Coffee*

09:20      *Welcome*  
**Philip Lowe**

09:30      *I. Introduction*

**Chair: Giorgio Monti**

- Kris Dekeyser

- Ian Forrester

10:10 *II. Procedures in national investigations*

- Per Karlsson
- Alf-Henrik Bischke
- Rafael Allendesalazar
- Mario Siragusa
- Antoine Winckler

11:00 *Coffee*

11:20 **Roundtable**

12:10 *III. Sanctions, enforcement powers and advocacy tools of national authorities, Part 1*

- Miguel de la Mano
- Stephen Lewis
- Fred Louis
- András Tóth
- António Ferreira Gomes
- Małgorzata Krasnodębska-Tomkiel

13:10 *LUNCH*

14:10 **Roundtable**

15:10 *IV. Sanctions, enforcement powers and advocacy tools of national authorities, Part 2*

**Chair: Fred Jenny**

- Cristina Caffarra
- Andreas Mundt
- Samantha Mobley
- Jim Venit
- Paul Lugard
- Bill Kovacic

16:10 *Coffee*

16:30 **Roundtable**

17:30 *Buses (SEFIR)*

20:30 *Dinner*

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## Saturday, 4 June 2016

08:50 *Coffee*

09:10 *Session V: Resources, capacity and independence of national authorities*

**Chair: Philip Lowe**

- Fred Jenny
- Giovanni Pitruzzella
- Šarūnas Keserauskas
- David Currie
- Jacques Steenbergen
- Allan Fels

10:10 **Roundtable**

11:10 *Coffee*

11:30 *Session VI: The Commission's (envisaged) proposal – What scope, instruments and content?*

- Florian Wagner-von Papp
- Assimakis Komninou
- Lars Kjølbye
- Giorgio Monti
- Nicholas Khan

12:20 **Roundtable**

13:10 **Conclusions: Philip Lowe**

13:30 *LUNCH*

14:30 *Buses (SEFIR)*



## ***Stronger NCAs – Procedures, Powers, Prospects***

**EUROPEAN UNIVERSITY INSTITUTE**

**DEPARTMENT OF LAW**

**3-4 JUNE 2016**

### **Chairs**

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<b>Fred Jenny</b>	Essec Business School, Paris
<b>Philip Lowe</b>	FTI Consulting, London and Brussels
<b>Giorgio Monti</b>	European University Institute, Florence

### **Participants**

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<b>Rafael Allendesalazar</b>	Martínez Lage, Allendesalazar & Brokelmann, Madrid
<b>Sofia Alves</b>	Portuguese Competition Authority, Lisbon
<b>Alf-Henrik Bischke</b>	Hengeler Müller, Düsseldorf
<b>Cristina Caffarra</b>	Charles Rivers Associates International, Brussels and London
<b>David Currie</b>	Competition and Markets Authority, London
<b>Miguel de la Mano</b>	Compass Lexecon, Brussels
<b>Kris Dekeyser</b>	European Commission, Brussels
<b>Allan Fels</b>	University of Melbourne School of Law; Oxford University
<b>António Ferreira Gomes</b>	Portuguese Competition Authority, Lisbon
<b>Ian Forrester</b>	European General Court, Luxembourg
<b>Per Karlsson</b>	Swedish Competition Authority, Stockholm

## Participants (continued)

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<b>Šarūnas Keserauskas</b>	Lithuanian Competition Council and Vilnius University
<b>Nicholas Khan</b>	European Commission, Brussels
<b>Lars Kjølbbye</b>	Latham & Watkins, Brussels
<b>Assimakis Komninou</b>	White & Case, Brussels
<b>Bill Kovacic</b>	GWU Law School, Washington D.C.; UK CMA, London
<b>Małgorzata Krasnodębska-Tomkiel</b>	Hansberry Tomkiel, Warsaw
<b>Stephen Lewis</b>	RBB Economics, London
<b>Fred Louis</b>	WilmerHale, Brussels
<b>Paul Lugard</b>	Baker Botts, Brussels and Tilburg University
<b>Mel Marquis</b>	European University Institute, Florence
<b>Samantha Mobley</b>	Baker McKenzie, London
<b>Andreas Mundt</b>	Bundeskartellamt, Bonn
<b>Giovanni Pitruzzella</b>	Italian Competition Authority
<b>Mario Siragusa</b>	Cleary Gottlieb Steen Hamilton, Rome and Collège d'Europe, Bruges
<b>Jacques Steenbergen</b>	Belgian Competition Authority, Brussels and K.U. Leuven
<b>András Tóth</b>	Hungarian Competition Authority
<b>Jim Venit</b>	Skadden Arps, Brussels
<b>Cristina Volpin</b>	Queen Mary University, London
<b>Florian Wagner-von Papp</b>	University College London
<b>Antoine Winckler</b>	Cleary Gottlieb Steen Hamilton, Paris