



Cooperation within the ECN

**Ales Musil
DG Competition
European Commission
Balkan Legal Forum
Sofia, 7 November 2008**

History



- Regulation 17 (notification)
- Modernisation reform 1999 – 2004
- Objective: effective and coherent enforcement of the EC competition rules
- Includes:
 - more involvement of national competition authorities
 - creation of the ECN

The ECN in 2008



Overview

ECN Cases

Multilateral work
in ECN fora

National review
courts

Convergence of MS'
enforcement systems

ECN – some statistics



- **More than 75 bodies involved in public enforcement of the EC competition rules**
- **More than 40 active network members**
- **Ca. 870 new investigations opened on the basis of Artt. 81/82 EC**
- **Ca. 260 envisaged enforcement decisions**

ECN cases - work sharing



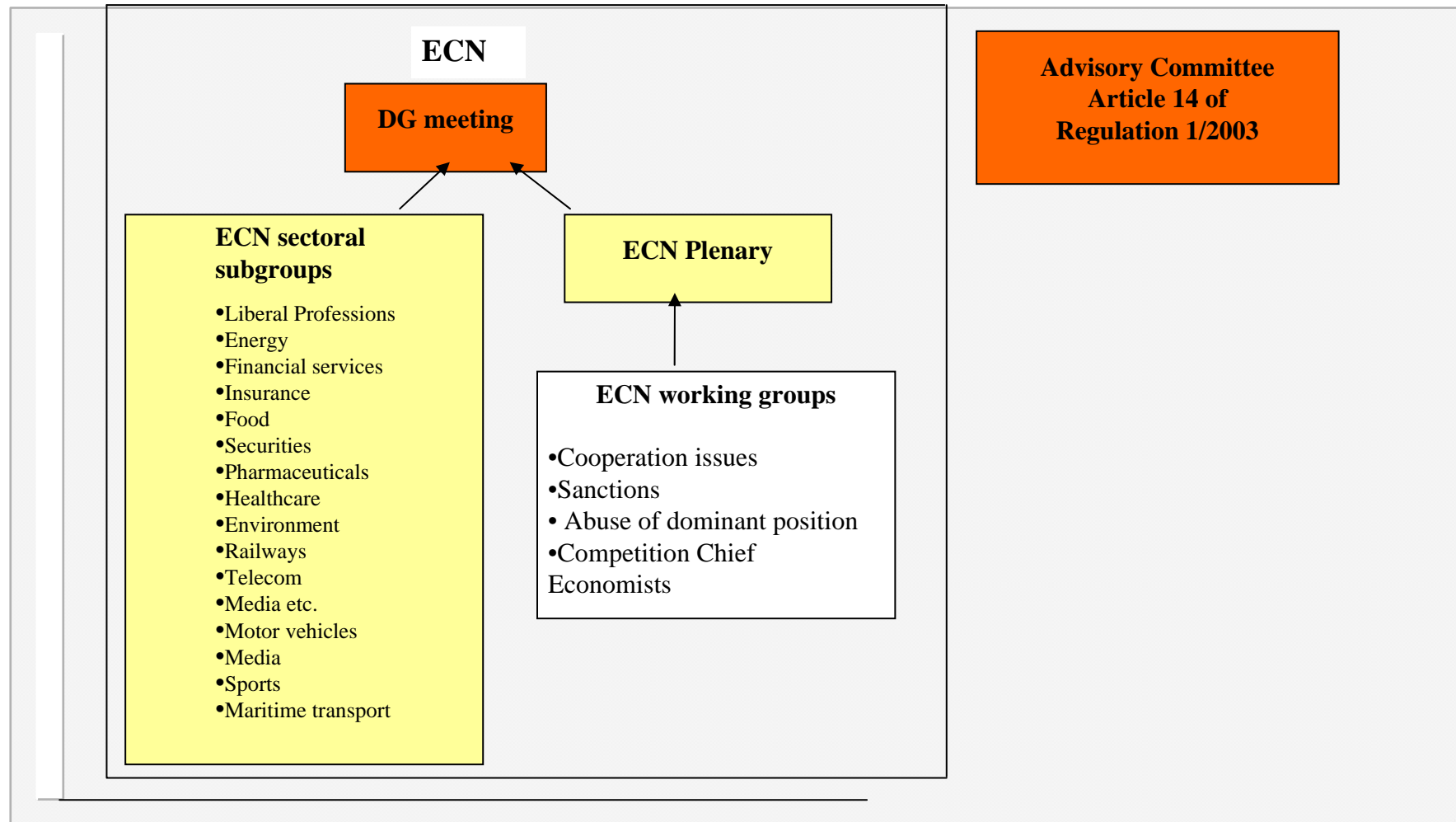
- **System of parallel competences**

ECN cases – coherence



- **Coherence – what does it mean?**
- **Areas calling for particularly close coordination**
- **Legal mechanisms of Article 11**
- **What does DG Competition do?**

ECN - Horizontal work



ECN - Horizontal work



- **Different fora and their main functions**
- **Examples of achievements**
 - **ECN Model Leniency Programme**
 - **Financial services area**
 - **WG on commitments**

MS' enforcement systems



- **Evolution of national enforcement structures, laws, powers**
- **Convergence of procedures, e.g.**
 - Abolition of notification systems
 - Commitment decisions
 - Investigation powers
- **Sanctions**

Review courts



- **Not part of the network and not subject to Article 11**
- **Article 15 (amicus intervention) – points to consider**
- **Article 234 EC (requests for preliminary rulings)**

What next?



- **Continuity and further evolution of the ECN**
- **Report on the functioning of Regulation 1/2003 by May 2009**

Thank you for your attention!
