Sanctions in EU competition law: principles and practice

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In the first decades of European integration, the enforcement of EU competition law was highly centralised. Virtually all enforcement actions under Articles 101 and 102 TFEU were initiated by the European Commission. Meanwhile, the enforcement of EU competition law has become less centralised, many would say even decentralised. In 2004, essentially in an effort to increase enforcement capacity in the wake of EU enlargement, the involvement of the competition authorities of the Member States has been reinforced significantly. These national authorities may pursue infringements of EU competition law largely on the basis of their domestic enforcement regimes. This combination of decentralisation and enforcement autonomy raises questions on the relationship between EU law and national law, as well as on the costs of enforcement. This study links these questions together by analysing how the competences in the area of sanctions are distributed over EU level and national level and how this influences the costs of enforcement. As sanctioning competences in the area of EU competition law are not cast in stone, the conclusions of this study may allow competition authorities, courts and legislators to contribute to the development of EU competition policy with better insights on the economic implications of their choices.

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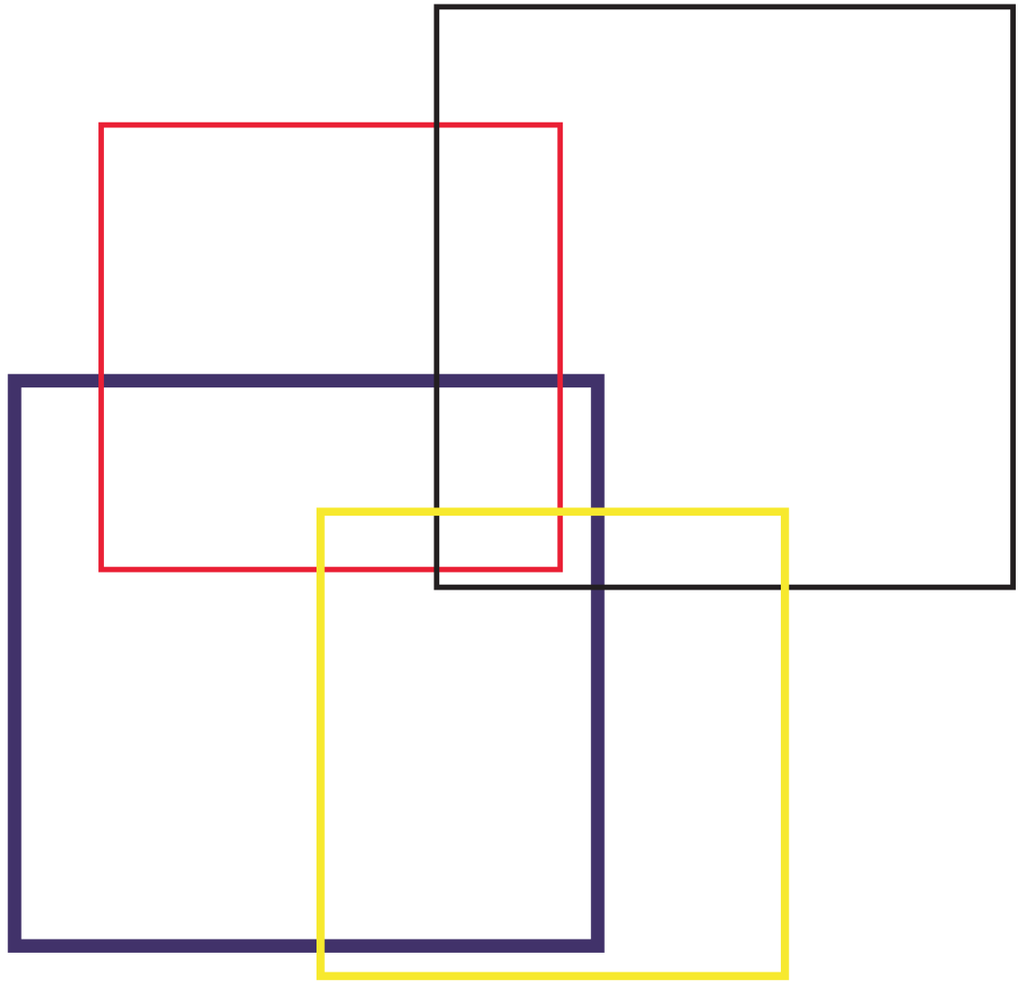

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