

Harvard European Law Association

Call for Conference Abstracts

“Informal enforcement of competition law: perspectives from the U.S. and Europe”

The first five years following the introduction of settlement procedures in cartel cases (EC Regulation 662/2008) and the growing interest in subjecting competition cases to arbitration provide an opportunity to discuss the use of informal mechanisms for the enforcement of competition/antitrust. This year’s conference will look into the realities in the EU and will compare them with the experience from the US. Consideration will be given to the relation and interaction between litigation, arbitration and settlement and to the grey areas in between them. The conference will shed light on dogmatic questions such as the normative tension between arbitration and private enforcement and the question of structural or behavioral remedies in settlement procedures. From a legitimacy standpoint, reflections will focus on the public nature of competition/antitrust enforcement and on the role of party autonomy. Based on the above, are we witnessing a change in the function of competition/antitrust or are we merely using “informal” means to justify “formal” ends?

The purpose of the conference is to analyze the reasons leading to informal mechanisms and to discuss how these fit into the wider competition/antitrust architecture. The overall ambition is to assess results and efficiencies and to sketch the way forward.

Harvard European Law Association invites you to its conference on the “Informal enforcement of competition law: perspectives from the U.S. and Europe” to be held on March 24, 2014 at HLS. The keynote speakers will be Professors Einer Elhauge (Harvard Law School) and Damien Geradin (Tilburg University).

The aim of the conference is to provide a forum for discussion and interaction to young lawyers, academics and competition authorities’ officials.

We welcome a variety of proposals from theoretical discussions to perspectives from practice. Possible topics include but are not limited to the following:

- The pros and cons of cartel investigation settlements; comparisons with commitment decisions, plea bargains and leniency programs;
- Negotiation of settlements within Merger Control review and proceedings;
- The appropriateness of arbitration in the field of antitrust; its implications in the architecture of the antitrust/competition system;
- The changing role of competition authority officials;
- Theoretical issues and practical questions concerning the role of public interest in the enforcement of antitrust laws;
- Informal enforcement in the US and the EU: differences and similarities;
- Challenges and future perspectives

Abstract submissions should be no longer than 250 words. Please submit your materials via hela@mail.law.harvard.edu. The closing date for submissions is February 2, 2014. Successful candidates will be informed by February 6, 2014 and must submit their final presentations and/or papers by March 10, 2014. The final program will be released in early February 2014 on <http://www3.law.harvard.edu/>

orgs/hela/competition/. Please note that participants are expected to cover their own costs. For further information please contact Zena Prodromou [iprodr^omoustam at llm14.law.harvard.edu] or Pieter-Augustijn Van Malleghem [pvanmalleghem at sjd.law.harvard.edu].