

Editor's Note

Given the enthusiastic response given to our first call for a young writer's award, World Competition takes this opportunity to announce the launch of a 2nd *World Competition Young Writer's Award* in 2007. Young writers who meet the criteria laid down by the Journal are invited to submit their applications for the award. The winner of the 1st *World Competition Young Writer's Award* will be officially announced in our June 2007 issue.

As Editor of World Competition, I have the pleasure to present a March 2007 issue full of excellent contributions. To begin with, Kris Dekeyser and Maria Jaspers have carried out an exhaustive analysis of the achievements of the European Cooperation Network (ECN) in its three years of existence. The authors go through the cooperation mechanisms and tools that guarantee a coherent application of the rules. Their insights are accompanied by practical cases. The article will help readers understand the enormous potential that this form of cooperation set up by Council Regulation 1/2003 can have even in areas going beyond legal obligations, such as procedural convergence and leniency.

Leniency is precisely the topic tackled by our second contribution, a very enlightening article written by my friend Wouter Wils (W.P.J. Wils, "Settlements of EU Antitrust Investigations: Commitments Decisions under Article 9 of Regulation 1/2003", (2006) W. Comp 29:3, "Optimal Antitrust Fines: Theory and Practice", (2006) W. Comp 29:2, "Powers of Investigation and Procedural Rights and Guarantees in EU Antitrust Enforcement: The Interplay between European and National Legislation and Case-Law", (2006) W. Comp. 29:1, "The Principle of *Ne Bis in Idem* in EU Antitrust Enforcement: A Legal and Economic Analysis", (2003) W. Comp 26:2, "Should Private Antitrust Enforcement be Encouraged in Europe", (2003) W. Comp. 26:3 and "Self-incrimination in EC Antitrust Enforcement: A Legal and Economic Analysis", (2003) W. Comp 26:4, "The Combination of the Investigative and Prosecutorial Function and the Adjudicative Function in EC Antitrust Enforcement: A Legal and Economic Analysis", (2004) W. Comp 27:2, "Is Criminalization of EU Competition Law the Answer?", (2005) W. Comp. 28:2). Wouter analyses the theory and practice of leniency in antitrust enforcement. This excellent and very timely contribution discusses in depth the positive and possible negative effects of leniency and addresses the objections of principle and institutional problems that may obstacle the introduction of leniency policies.

The third submission deals with antitrust enforcement from a different perspective, that of fines. Cento Veljanovski carries out a detailed quantitative analysis of fining practices under European competition law. The study goes through 30 cartel decisions adopted by the European Commission and their respective appeals under the *1998 Fining Guidelines* and it examines the impact of the *2006 Fining Guidelines* by recalculating fines for the already decided cartel cases and analyzing the different outcome.

Later on Patrick Massey analyses in a very interesting contribution EU Commission Decisions concerning collective selling agreements for football broadcasting rights. Patrick Massey goes through the arguments which have been given in favour of collective selling of broadcast rights in football matches to conclude that there is no evidence that justifies assessing cartels in the sports arena in a different way.

Next we move on to the electronic communications sector. Promotion of competition in this sector is sought through parallel application of sector-specific regulation and competition law enforcement. Milena Stoyanova analyses in her article the dangers of over-regulation in this field. This contribution shows in a very detailed way how inappropriately designed sector-specific remedies may bring about considerable welfare losses instead of promoting competition and correcting market failures in the electronic communications sector. This article has been shortlisted for the 2nd *World Competition Young Writer's Award*.

The fifth contribution of this issue takes us to China. Dr. Moritz Lorenz goes through the draft competition legislation that is soon to be enacted in the People's Republic of China. The enactment of competition laws in China, which has been a topic of discussion for over ten years, will introduce entirely new elements in the Chinese legal landscape, such as the supervision of the abuse of a dominant position or the prohibition of anti-competitive agreements. The core areas of the new provisions are discussed in this contribution and comparisons are drawn with EU Competition Law. This article has been shortlisted for the 2nd *World Competition Young Writer's Award*.

We conclude the issue with a contribution by Orla Lynskey. Her contribution deals with the legal framework to govern State financing of services of general economic interest (SGEI). Whilst the *Altmark* European Court of Justice judgment provided a definitive answer as to how the notion of advantage should be interpreted when SGEI are concerned, it spurred a whole new debate as to how the criteria laid down should be applied. This contribution shows this decision has contributed to the uncertainty of SGEI and outlines some solutions to the current problems. This article has been shortlisted for the 2nd *World Competition Young Writer's Award*.

I wish you all a very pleasant read,

José Rivas
Editor-in-Chief
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