

Editor's Note

Dear Reader,

Let me welcome you to another issue of *World Competition*. This time, I am delighted to present a special collection of articles including highly topical discussions where the new ECN+ Directive, adopted at the end of 2018 with the aim of empowering national competition authorities to be more effective enforcers, plays an important role.

We begin this issue with a new contribution by Wouter Wils entitled: ***Independence of Competition Authorities: The Example of the EU and its Member States***. In this intriguing article, the author gives an overview of the independence guarantees in EU law and discusses more in general the notion of independence of national competition authorities and its rationale. The author emphasizes on the need of independence of the competition authorities from national governments and from political interference as well as from business interests in order to prevent unequal treatment between economic operators. All in all, a fascinating article including an analysis of the new 'ECN+ Directive', which, among other things, contains provisions ensuring the independence of the EU national competition authorities.

Secondly, in her article: ***Effective public enforcement of cartels: Rates of challenged and annulled cartel fines in ten European Member States***, Annalies Outhuijse undertakes a thorough analysis of court procedures in ten Member States, (Belgium, Bulgaria, Croatia, Finland, France, Germany, Italy, the Netherlands, Sweden and the United Kingdom), regarding cases in which cartel fines were challenged and their consequences. According to the author, the effectiveness of domestic enforcement has been subject to extensive review and debates, resulting in the adoption of the ECN+ Directive. The discussions were mostly limited to the number of enforcement activities, the total number of imposed fines and their height and deterrence effect. This article gathers new information enabling a better analysis of the national competition authorities' role and effectiveness in the field of private enforcement.

In our third contribution, we introduce a piece by Alan McCarthy covering a particularly interesting topic, the implementation at national level of the Directive on Antitrust Damages. In his article: ***Competition damages claims in Ireland – The Damages Directive improves the Irish system though obstacles remain***, the author studies the application of the Directive and the implementing Irish legislation to

infringements of EU (and Irish) competition law that occurred on or after 27 December 2016. The author also examines the obstacles that could remain when bringing competition damages claims in Ireland, such as the absence of a class action system and litigation funding regarding these claims.

Finally, Slavica Jockovic in her article: ***Bid Rigging analysis and relevant provisions in the Serbian legislation***, gives the readers an insight of the applicable legislative framework to this concrete collusive practice in Serbia. Her article provides a comprehensive overview of the relevant provisions aiming at fighting bid rigging practices as well as those intended to boost competition and stimulate participation of potential bidders in the public procurement process in Serbia.

I hope that you enjoy reading these articles.

José Rivas
Editor
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