Research Partnership Platform
9th meeting

Wednesday, 11 July 2017
Room XVII, Palais des Nations, Geneva

Class Actions in Competition Law

Presentation by

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Class Actions in Competition Law

Agenda

I. Framework
II. Substance
III. Outlook
I. Framework

Mission

Strengthening Antitrust Civil Law
Introduction of Class Action Law Suits

1. Analyse the functioning of antitrust class action lawsuits

2. Establish «Best Practices Class Action in Competition Law»
I. Framework

Timeline

Kick-off: Survey the relevant legal systems and case studies → identify the substance and implementation of class actions

Phase 2: Evaluate results and create «Best Practices Class Action in Competition Law Regimes»

Phase 3: Propositions for implementation in specific law regimes

Phase 4: Evaluate tools and tricks and assist legal framework guaranteeing class actions

Status Quo

11th July 2018

Class Actions in Competition Law | Dr. iur. Fabio Babey
Empirical Study, Country reports & Research
The challenges in approx. 100 countries worldwide:

- Regulatory: 14%
- Procedural: 14%
- Regarding damages/compensation: 34%
- Understanding: 19%
- Other: 19%
Some of the «Best Practices»: Pre-trial

“Everyone shall have standing”

“Follow-on class actions seem more suitable”

“Certification procedure to determine if there is a class”

“Class action register”

„Two requirements for class members seem suitable: commonality and identification of the class"
II. Substance

Some of the «Best Practices»: Trial

"Plaintiff shall prove his case with courts assistance"

"Deadlines to prevent lengthy proceedings"

"Coordination between Court and Competition Authority"

"Binding effect of the final judgement"

„Some sort of funding should be available"
III. Outlook

- Publication of «Best Practices» is coming and will be provided for free as PDF

- Please contact us for further information or if you are interested in the publication
Thank you for your attention!

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