

**Research Partnership Platform
8th meeting**

Wednesday, 5 July 2017
Room XVII, Palais des Nations, Geneva

Class Actions in Competition Law

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School of
Management and Law

7th Meeting of the UNCTAD Research Partnership Platform
Geneva, Wednesday 5th July 2017

Class Actions in Competition Law



Building Competence. Crossing Borders.

Dr. iur. Fabio Babey, Senior Lecturer

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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

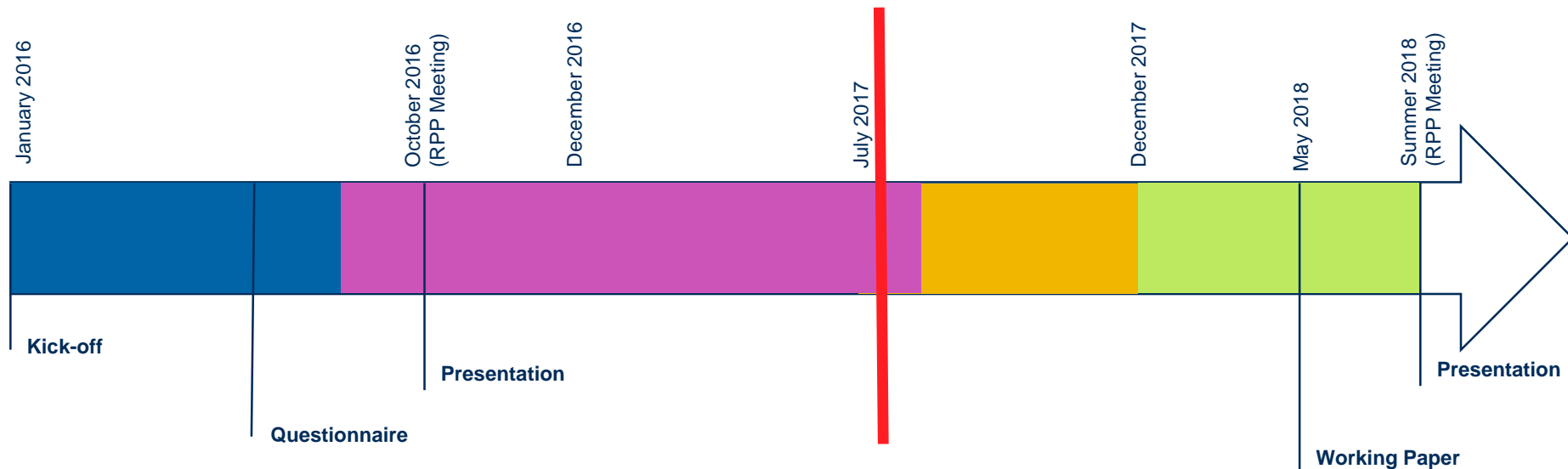
1 Analyse the
functioning of antitrust
class action lawsuits

2 Establish « **Best
Practices Class Action
in Competition Law** »

I. Framework

Timeline

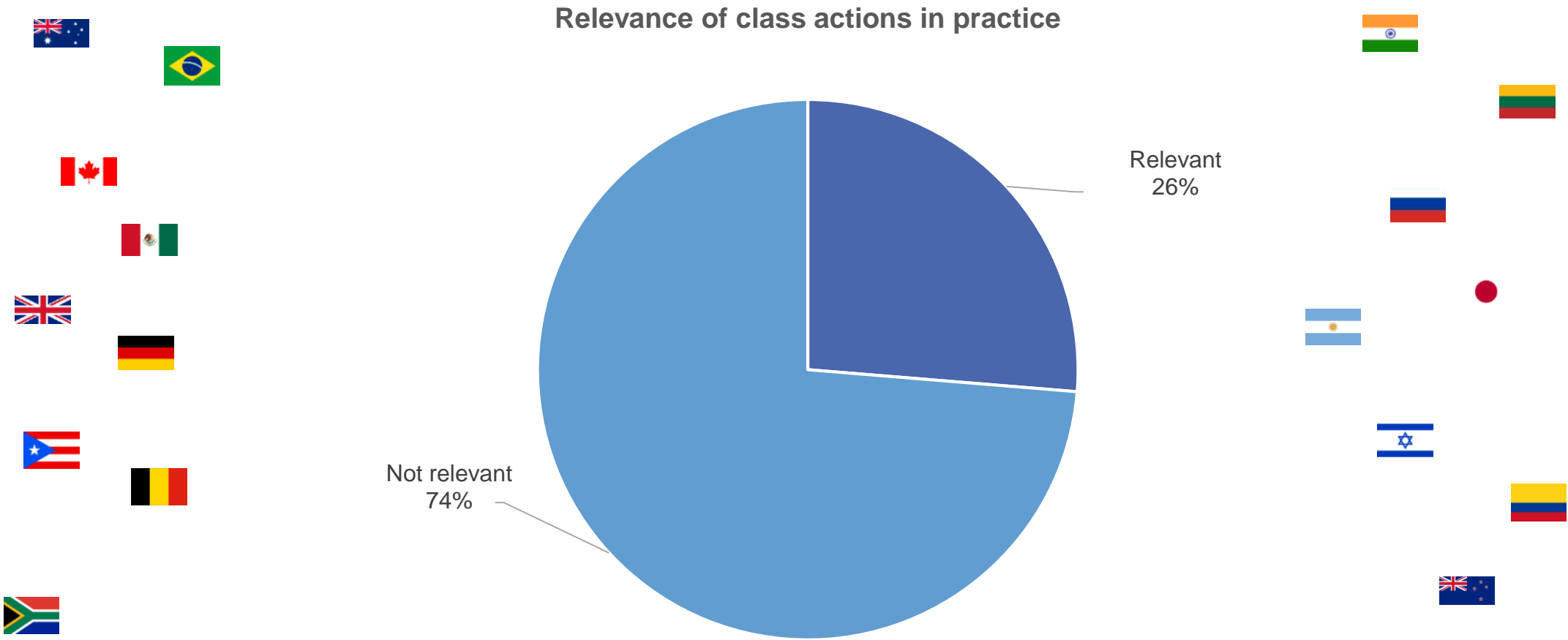
Status Quo



- **Phase 1:** 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

II. Substance

Empirical Study & Research: The result



II. Substance

Not relevant: Reasons?

- **Legislation** | No (detailed) legislation and thus legal uncertainty
- **Experience** | Legislation is not in force long enough
- **Cases** | No case law
- **Costs** | High hurdles (i.e. costs and evidence issues)

II. Substance

Relevant: Some of the practices

- **Form** | Opt out class actions
- **Third party financing** | Allowed
- **Timing** | Stand alone possible
- **Court** | Any civil court

III. Outlook



Complete

Results from
analysing
legal systems



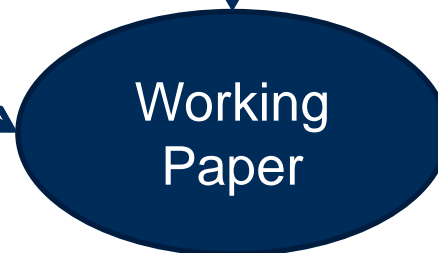
Pending

Contributions
from other
countries



In-Progress

Best practices
for class
actions



**Enforce the position of consumers and improve their protection
without leading to « over the top » claims for damages**

III. Outlook



Pending

Contributions
from other
countries





**Thank you for your
attention!**

**Please get in touch
with us:**

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