EC/United States agreement: application of competition rules

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The European Commission has presented a report on the application of the agreements between the European Communities and the Government of the United States of America regarding the application of their competition laws (1 January 2000 to 31 December 2000). The report reveals that the year 2000 witnessed an intensification of EU/US co-operation in competition matters. In relation to the treatment of cross-border merger cases in particular, this co-operation has been very close and fruitful; it has facilitated a growing convergence in the respective EU and US approaches toward the assessment of the likely anti-competitive effects engendered by such operations. The authorities on the two sides of the Atlantic are also taking increasingly convergent approaches to the identification and implementation of remedies, and to postmerger remedy compliance monitoring. Transatlantic co-operation during 2000 was particularly intensive with regard to the big "new economy" and multimedia merger cases, notably in the AOL/Time Warner, Time Warner/EMI and MCI WorldCom/Sprint merger cases. Having obtained waivers from the merging parties, assessment of much of the substance of the cases was carried out in close co-operation between the agencies. Co-operation between the Commission, on the one hand, and the Antitrust Division of the United States Department of Justice (DoJ) and the US Federal Trade Commission (FTC), on the other, further intensified during the course of the year 2000. Indeed, contact between Commission officials and their counterparts at the two US agencies is showing a marked increase in frequency. These contacts range from detailed case-related discussions to more general, sometimes theoretical, competition policy-related matters. In addition, during the course of the year, the EU and US authorities have moreover further strengthened their contacts with respect to the investigation of non-merger competition issues, and with respect to the combatting of global cartels in particular. The Commission, DoJ and FTC also continue to maintain an ongoing dialogue on general competition policy/enforcement issues of common concern.