



International Chamber of Commerce

The world business organization



INTERNATIONAL CHAMBER OF COMMERCE

MEDIA RELEASE: ICC expresses concerns to EC on fining policy

Paris, 13 July 2009

The International Chamber of Commerce (ICC) today expressed concerns to the European Commission (EC) and members of the European Parliament regarding the EC's fining policy in competition cases and called for a radical revision of the EC's Fining Guidelines.

The EC has been imposing extremely high fines on companies in the last few years, signalling an alarming trend.

ICC's recommendations arrived as members of the European Parliament prepared to meet this week.

ICC condemns anticompetitive behaviour, such as cartels and abuses of dominant positions, and supports the appropriate, objective, and proportionate enforcement of competition laws, which focuses on fostering compliance, and not just punishment and deterrence.

However, ICC and its member companies are concerned that these principles in competition law enforcement are not sufficiently reflected in the manner in which fines are imposed in the EU.

ICC has therefore delivered a six page paper titled "The fining policy of the European Commission in competition cases", which outlines some of the key concerns. These include the inconsistency of the rules governing the determination of sanctions with the requirements of a "fair trial", problems with current calculation methods and parameters used in determining the level of fines, and the need to take into greater consideration compliance tools, such as company compliance programmes.

ICC hopes that its input will help to promote a dialogue on these issues.

To read the ICC paper, please visit

http://www.iccwbo.org/uploadedFiles/ICC/policy/competition/pages/ICC_The%20fining%20policy%20in%20the%20EU%2002-07-09.pdf

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About ICC

The International Chamber of Commerce is the largest, most representative business organization in the world. Its hundreds of thousands of member companies in over 130 countries have interests spanning every sector of private enterprise.

A world network of national committees keeps the ICC International Secretariat in Paris informed about national and regional business priorities. More than 2,000 experts drawn from ICC's member companies feed their knowledge and experience into crafting the ICC stance on specific business issues.

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The United Nations, the World Trade Organization, and many other intergovernmental bodies, both international and regional, are kept in touch with the views of international business through ICC.

For more information please visit: www.iccwbo.org