

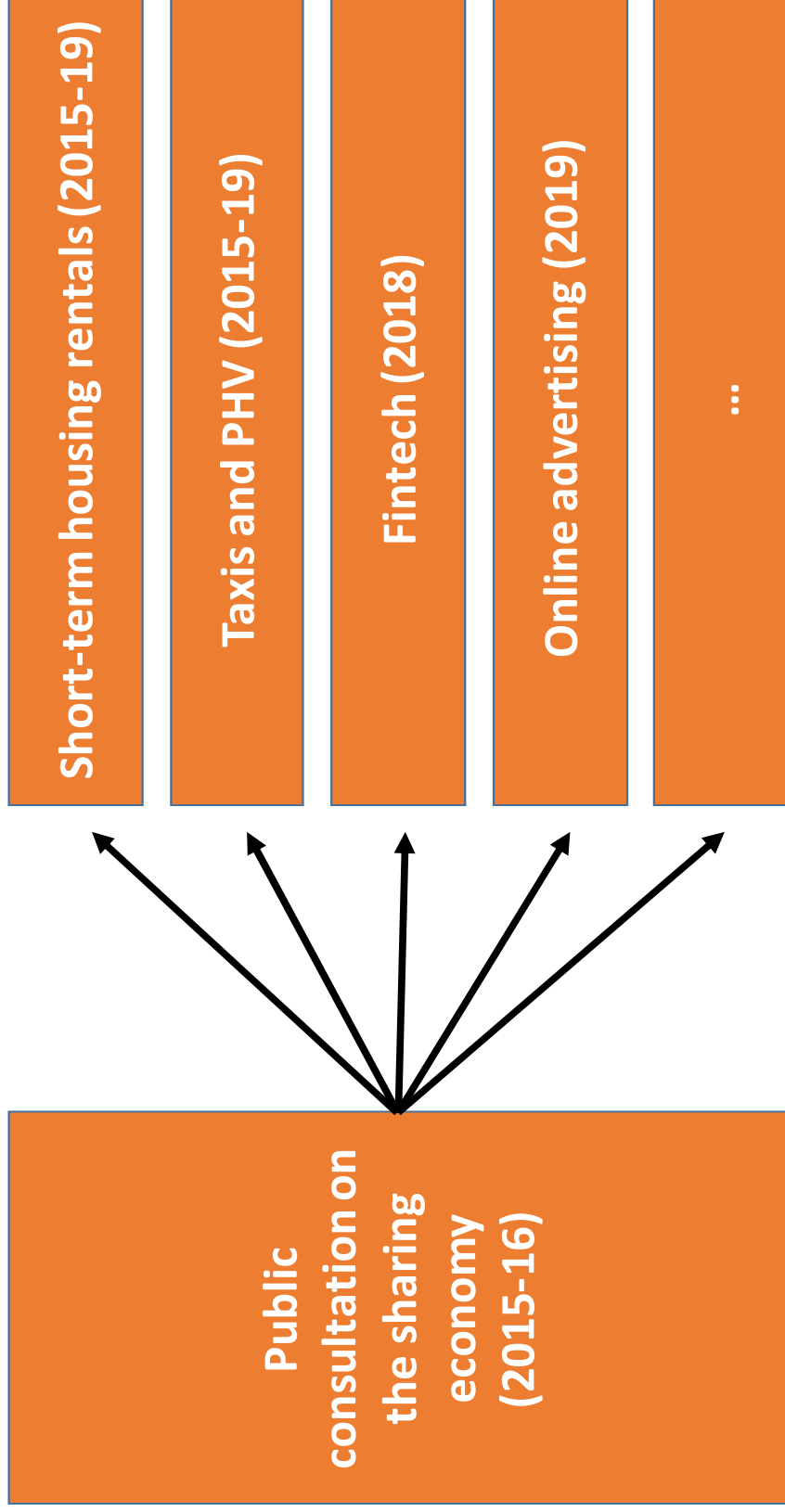


# **Innovative approaches to competition advocacy**

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## **From a global theme to tailored, sectoral approaches to competition advocacy in the digital world**



## Lessons learned

- The value of global analysis:

*Sectors exposed to digitization have common features and raise similar concerns for competition advocates*

- The value of targeted, sectoral analyses:

*Sectors have specific characteristics which merit specific approaches*

## An innovative tool in Spain: challenging anti-competitive rules



Proposition 1: Wrong regulation can be as damaging for competition as anti-competitive behaviour

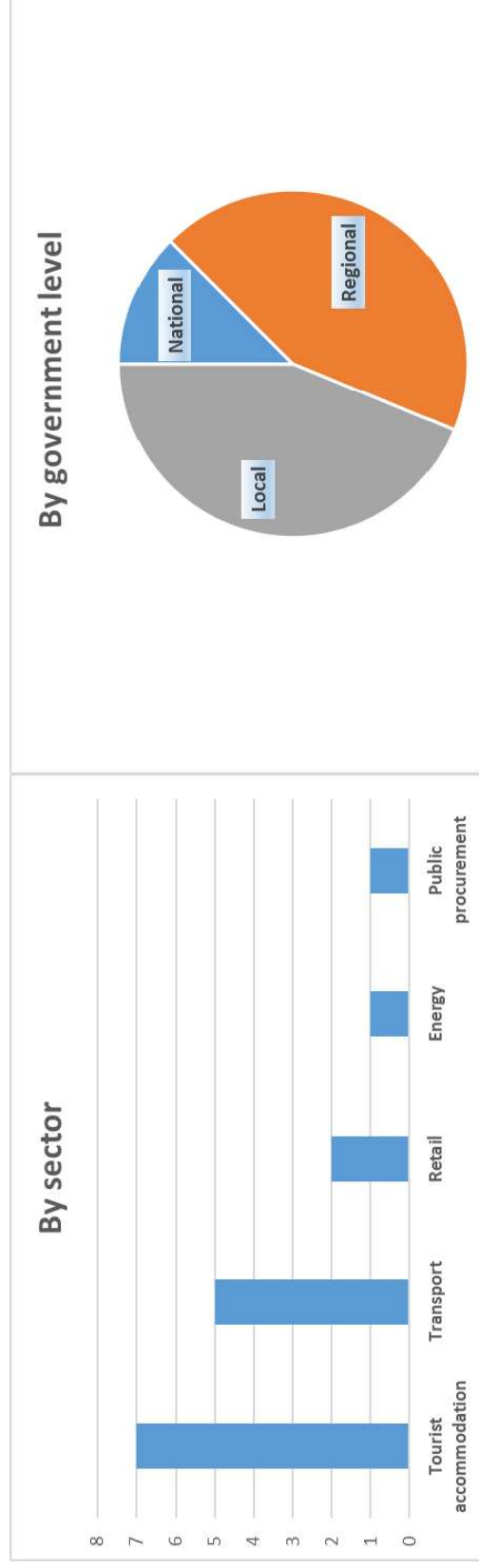
Proposition 2: Competition authorities are well placed to advocate pro-competitive regulation

Proposition 3: Advocacy powers typically miss coercive power

# An innovative tool in Spain: challenging anti-competitive rules



- Introduced in the 2007 Competition Law
- Reinforced in 2013 with the Law on Market unity
- First case 2010; since then used 16 times



## **An innovative tool in Spain: challenging anti-competitive rules**



### Court cases:

- 5 challenges successfully solved (i.e. anti-competitive regulations quashed)
- 11 pending cases
- 20 expert economic reports

### Other effects:

- Disciplinary effect
- Improved advocacy of the CNMC