

BRIDGING THE COMPETITION GAP - GARRIGUES

Posted on 16/08/2008



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When a client has a very significant EU law problem a firm's local Brussels presence, and direct connection to the regulatory decision-makers, can make a huge difference to the outcome, says Marcos Araujo, head of competition at Garrigues.

"Of course there is the growing importance of EU competition law, but I would add that it is more about the specific importance for a given client at a given time."

In complex and high profile issues a specialist is clearly needed, but it is not enough to simply link to the EU capital, he says. "The lawyer must really understand what is happening on a daily basis. After all, lawyers are representatives that assist in bridging messages."



If firms are a part of the EU "village" it can also help communication with Brussels officials, he believes. "It is easier to drop by, to read the same newspapers and hear the same gossip that they may be hearing. All of this facilitates communication, which is the basis of a lawyer's work."

In terms of current trends emanating from Brussels therefore, he highlights the continued fight

against cartels through leniency incentives, the clarification of State intervention through better regulation or public service financing, and better state aid enforcement.

"All three have a huge impact in the Iberian context, but the cartel issue is currently more active as a result of the new leniency provisions under Spanish competition law and resulting local cartel investigations.' In addition, he suggests that EU and national authorities are maintaining ever-closer contact. 'Domestic competition authorities clearly have their own agendas, but the influence of EU decisions, precedents and philosophy in all they do is huge. Of course in hot political situations we may see each taking sides, but that is perhaps one case in a thousand."

A firm's ability to conquer any divides is therefore vital. "Being close to the client is as important as having a good Brussels presence. Again, it is all about bridging,"