

First session – PUBLIC SANCTIONS

Lee McGowan (Queen's University Belfast) and **Eleanor Morgan** (University of Bath)
Americanization of Cartel Provisions in the UK and EU Regimes? Exploring Criminalization and Leniency

This paper considers whether the evolution of aspects of European cartel policy can be attributable to the diffusion to policy ideas from the United States. It draws on the policy convergence and transfer literature and introduces a different lens – ‘Americanization’ – investigating its helpfulness in understanding some major changes that have taken place since the mid 1990’s. It takes two primary aspects of modern cartel enforcement in the US, namely criminal penalties and leniency, and examines their impact on the design of policies in two European cases – criminalization in the UK and leniency at EU level. The case discussion focuses mainly on the adoption of criminal sanctions in the UK and provides evidence that policy makers were influenced substantially by their American counterparts. While recognizing the many influences that have shaped policy, the paper suggests Americanization has played an important role in the developments examined.