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Changes to Senior Competition Positions in European Commission

On 24 April 2002, the European Commission appointed Philip Lowe as Director-General of DG Competition to take effect on 1 September 2002. Mr Lowe will replace Alexander Schaub (who has been appointed Director-General of DG Internal Market). The Commission has also announced other changes to its senior structure in DG Competition at the level of Deputy Director-General. These changes reflect new Commission rules requiring a rotation of senior posts every five to seven years.

Philip Lowe

Philip Lowe is a British economist, aged 54. He is a senior and very experienced official who has worked for the European Commission for almost 30 years and combines an economic background with wide experience as a negotiator. Mr Lowe is currently Head of the private office (known as the "Cabinet") of Vice-President Neil Kinnock, the Commissioner responsible for the administrative reforms of the European Commission since June 2000. He is also acting Deputy Secretary-General, responsible for relations with the EU Council since February 2002.

Mr Lowe previously held a senior competition position in the European Commission, serving as Director of the Merger Task Force of DG Competition from 1993 to 1995. During that time, he was responsible for Phase II cases such as *Kali+Salz/MdK/Treuhand*, *Procter & Gamble/Schickedanz* and *Shell/Montecatini*.

During his long-standing career in the Commission, Mr Lowe has been appointed to several other senior management posts. In 1989 he was appointed Head of the Cabinet of the Commissioner for Regional Policies, Bruce Millan. From 1991 to 1993, he was Director of Rural Development in DG Agriculture. After holding the position of Director of the Merger Task Force of DG Competition, in 1995 he was seconded to be Head of the Cabinet of Neil Kinnock, who at that time was Commissioner for Transport and Transeuropean Networks. Between 1997 and 2000, he was Director-General of DG Development. In that post, he was responsible for the negotiation of the EU-ACP Post-Lomé Partnership Agreement and the EU-South Africa Trade, Development and Cooperation Agreement. He then returned to work with Mr Kinnock in 2000.

Other Changes at Senior Level

In other aspects of the reorganisation, the Commission will create an additional Deputy Director-General (DDG) of DG Competition, making a total of three DDGs, and reallocate competences among the three DDGs.

At present there are only two such DDGs: Gianfranco Rocca, who has been specially responsible for two of the eight DG Competition Directorates, including cartels, and Jean-François Pons, who has been specially responsible for two other Competition Directorates, including the media sector.

According to the Commission, a third Deputy Director-General is to be appointed and the competences of the three DDGs will be redistributed. Gianfranco Rocca will be responsible (as of 1 July 2002) for the “antitrust” sector (the Competition Directorates dealing with cartels, abuse of dominant positions, joint ventures and other agreements) and antitrust reforms. A second DDG, still to be selected, will be responsible for State aids. The third DDG, also to be selected, will be responsible for mergers.

Some have suggested that Claude Chêne, former Head of the Cabinet of Competition Commissioner Van Miert, may be a likely choice for the post of DDG for State aids and that Götz Drauz, current Director of the Merger Task Force of DG Competition, may be promoted to DDG for mergers, given his extensive experience in that field.

For further information on these or related matters, please contact any member of the Wilmer, Cutler & Pickering Antitrust and Competition Practice Group.