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# Competition Law Enforcement in Dynamic Markets: Proposing a Flexible Tradeoff between Fines and Behavioral Injunctions

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## Résumé

In this paper, we introduce considerations of dynamics into competition policy theorising. We propose a policy tool – a two-part enforcement mechanism – which addresses a trade-off that authorities face in the context of markets that are rapidly evolving or are characterised by turbulence and uncertainty. The trade-off entails the choice between an enforcement mechanism based on fines or behavioural injunctions (remedies). While these are often used in a complementary way, in this work we investigate their substitutability. More in details, we outline the criteria for the design of a mechanism that is adjusting in response to changes in market conditions, and that can shift the balance of enforcement towards fines when unexpected developments limit the scope of (or make unfit) remedies.

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