

# Sanctioning Cartel Activity: Let the Punishment Fit the Crime

Gregory J. Werden

Senior Economic Counsel  
Antitrust Division  
U.S. Department of Justice

*Sanctions, Fines and Settlements in Cartel Cases:  
Developments and Deterrence in the EU and Ireland*

22 November 2008

The views expressed herein are not purported  
to reflect those of the U.S. Department of Justice

# Sanctions for Cartel Activity in the United States

**What Constitutes  
“Cartel Activity”**

**Cartel Activity Should Be  
Viewed and Treated as a Crime**

**Cartel Activity  
Does Substantial Harm**

**Deterring Cartel Activity  
Requires Serious Sanctions**

# **Business Liquidity and Individual Sanctions**

# **Business Organization and Individual Sanctions**

**Detecting Cartels**  
**Requires Serious Sanctions**

# Determination of Sanctions in Particular Cases

# Conclusion