

INTRODUCTION due process in eu competition proceedings [PDF]

Procedural Fairness in Competition Proceedings EU Competition Enforcement and Human Rights Due Process in EU Competition Proceedings EU Cartel Enforcement Remedies in EU Competition Law Eu Competition Procedure European Competition Law Annual 2013 European Competition Law Annual 2002 Handbook on European Competition Law Structure and Effects in EU Competition Law European Competition Law Annual 2006 The EU Leniency Policy EU Competition Procedure The Goals of Competition Law European Competition Law Annual 2001 Evidence Standards in EU Competition Enforcement Modernisation and Enlargement European Competition Law Annual 2000 The Consistent Application of EU Competition Law The Evolution of European Competition Law Private Enforcement of Competition Law European Competition Law Annual 2011 The Notion of Restriction of Competition EU Competition and State Aid Rules Criminal Law Principles and the Enforcement of EU and National Competition Law Fairness in EU Competition Policy : Significance and Implications European Competition Law Annual 2007 European Competition Law Annual 1998 Due Process in EU Competition Proceedings European Competition Law Annual 2008 Civil Procedure in EU Competition Cases Before the English and Dutch Courts Harmonising EU Competition Litigation Ten years of effects- Based approach in EU competition law Competition Policy in the EU European Community Competition Procedure EU Competition Law European Competition Law Annual 2004 EU Competition Law European Competition Law Annual 2003 European Competition Law Annual 2012

List of File due process in eu competition proceedings

Page	Title
1	EU Competition Enforcement and Human Rights
2	Due Process in EU Competition Proceedings
3	EU Cartel Enforcement
4	Remedies in EU Competition Law
5	Eu Competition Procedure
6	European Competition Law Annual 2013
7	European Competition Law Annual 2002
8	Handbook on European Competition Law
9	Structure and Effects in EU Competition Law
10	European Competition Law Annual 2006
11	The EU Leniency Policy
12	EU Competition Procedure
13	The Goals of Competition Law
14	European Competition Law Annual 2001
15	Evidence Standards in EU Competition Enforcement
16	Modernisation and Enlargement
17	European Competition Law Annual 2000
18	The Consistent Application of EU Competition Law
19	The Evolution of European Competition Law
20	Private Enforcement of Competition Law
21	European Competition Law Annual 2011

Page	Title
22	The Notion of Restriction of Competition
23	EU Competition and State Aid Rules
24	Criminal Law Principles and the Enforcement of EU and National Competition Law
25	Fairness in EU Competition Policy : Significance and Implications
26	European Competition Law Annual 2007
27	European Competition Law Annual 1998
28	Due Process in EU Competition Proceedings
29	European Competition Law Annual 2008
30	Civil Procedure in EU Competition Cases Before the English and Dutch Courts
31	Harmonising EU Competition Litigation
32	Ten years of effects- Based approach in EU competition law
33	Competition Policy in the EU
34	European Community Competition Procedure
35	EU Competition Law
36	European Competition Law Annual 2004
37	EU Competition Law
38	European Competition Law Annual 2003
39	European Competition Law Annual 2012

Procedural Fairness in Competition Proceedings

2015-09-25

how substantive competition rules are enforced plays a crucial role in achieving their goals this thoughtful book examines procedural issues that have arisen from the increased enforcement of competition law worldwide

EU Competition Enforcement and Human Rights

2008-01-01

arianna andreangeli's book can be strongly recommended academics and practitioners active in the field of competition law eu law and human rights will certainly find much of interest in this book volker soyez european competition law review this book is well structured and well written the volume represents an important contribution to the existing legal literature on fundamental rights protection in the eu legal order from a competition law perspective giacomo di federico common market law review this book discusses the procedural rights enjoyed by those being investigated under articles 81 and 82 of the ec treaty and of the merger control regulation and their right to challenge the commission's decision in the community courts it further assesses how their rights to due process in competition proceedings before the european commission comply with the notion of administrative fairness enshrined in the european convention on human rights in accordance with the case law of the european court of human rights in this study arianna andreangeli takes into account key developments such as modernisation and its impact on competition proceedings before the commission the debate on the principles of legal professional privilege the protection against self incrimination the rule of ne bis in idem and the possibility of establishing an eu competition court it offers an examination of the right to be heard the right to have access to the commission held evidence and to legal professional privilege and the right to silence and to seek judicial review of commission decisions and assess them in the light of the strasbourg court's case law academics active in the area of competition law eu law and human rights as well as practitioners active in the area of competition law will find much to interest them in this book

Due Process in EU Competition Proceedings

2011-01-01

the purpose of this book is to describe the rules of due process as they are being applied today and as they have evolved over the years the book offers an intensive analysis of the more important issues of due process that arise in the quasi criminal context of infringement proceedings and in the somewhat less adversarial context of merger clearance proceedings

EU Cartel Enforcement

2013-08-01

there has been a long standing debate on the compatibility of eu competition law with fundamental rights protection particularly as the latter is enshrined in the due process requirements of the european convention on human rights echr this book a signal contribution to that debate assesses two questions of paramount concern first whether the current level of fundamental rights protection in cartel enforcement falls within the accepted echr standards and second how the often conflicting objectives of effectiveness and adequate protection of fundamental rights could optimally be achieved following a detailed survey of relevant eu institutional substantive and procedural law rules the author offers a set of persuasive normative responses to both questions proceeding from an in depth analysis of the pertinent rights and legal nature of competition proceedings under eu and echr law the author goes on to examine such elements of the perceived incompatibility as the following investigatory powers vested in competition authorities the privilege against self

incrimination right to privacy fair trial probatory requirements degree of use of presumptions in eu practice article 6 echr guarantees pertaining to the presumption of innocence proving coordination of competitive behaviour proving restriction of competition admissibility of evidence before eu courts and the commission assessment of the attribution of liability rules eu fining rules judicial review of cartel decisions by eu courts and national sanctioning rules the author s extraordinarily thorough presentation is rounded off with a remarkably comprehensive bibliography that lists in addition to books and articles newspaper articles eu regulations and directives soft law guidelines and best practices eu and ecthr case law eu advocate general opinions european commission decisions and european ombudsman decisions general conclusions stress the necessity of introducing further reforms to enhance the effectiveness and legitimacy of fundamental rights in the context of competition proceedings few books have taken such a thorough and far reaching approach to the reconciliation of effective public enforcement and fundamental rights or of effective deterrence with the principles of legality non retroactivity presumption of innocence and ne bis in idem in the depth of its appraisal of the entire spectrum of enforcement components from a fundamental rights perspective the book is without peers it will be warmly welcomed by any parties interested in the intersection of competition law and human rights

Remedies in EU Competition Law

2020-07-10

by their nature remedies are central to competition law enforcement and represent the yardstick against which the efficiency of the overall system can be measured yet very rarely have remedies been treated in a horizontal and comprehensive manner from the combined perspectives of substance process and policy the present volume developed in partnership with the college of europe s global competition law centre gclc provides coherent practical and authoritative commentaries by leading experts from the gclc s incomparable network the contributions originally presented at the 2019 gclc annual conference examine remedies to assess the overall effectiveness of competition law enforcement in merger antitrust and state aid matters the overall topic is presented under five headings objectives and limitations of remedies types of remedies in competition law enforcement implementation and process ex post assessment of remedies and policy lessons and national and international approaches the high profile and wide ranging group of authors includes the director general of the european commission s competition department lawyers from major international firms and well known economists and academics specialising in competition law with a sharp focus on how to make competition rules work well in today s digital environment this systematic and coherent analysis illuminates an issue that we need to fully grasp and understand in order to make sense of competition policy law and enforcement in the years and decades to come

Eu Competition Procedure

2020-09

this new edition of this key analytical commentary on the competition procedures of the eu provides in depth coverage of the relevant rules it discusses in detail the commission s package of regulations and guidelines and their interaction in practice as well as the relevant case law of the european courts

European Competition Law Annual 2013

2016-04-21

this volume contains papers presented at the 18th annual eu competition law and policy workshop the papers examine means of balancing effective public competition law enforcement and the requirements of legitimate and accountable exercise of public authority the authors address the design and performance of various enforcement tools at european and national levels including

2011-07-23

5/18

due process in eu competition
proceedings

sanctions and remedies but also distinctive instruments under regulation 1 2003 eg commitment procedures and under the treaty on the functioning of the european union article 106 3 when used as a basis for infringement procedures from the perspective of legitimacy reflections focus on the implications of fundamental rights standards and general principles of law for the eu s complex and quasi federal enforcement architecture issues that may sometimes escape judicial scrutiny are also discussed such as how agencies prioritise their activities and how investigation responsibilities are distributed within the european competition network effectiveness and legitimacy are then considered in the context of public enforcement cooperation beyond the eu where international organisations regional cooperation and a range of formal and informal modes of governance prevail

European Competition Law Annual 2002

2005-01-13

the european competition law annual 2002 is the seventh in a series of volumes following the annual workshops on eu competition law and policy held at the robert schuman centre of the european university in florence the volume reproduces the materials of the roundtable debate that took place at the seventh workshop

Handbook on European Competition Law

2013-10-31

this handbook will be an indispensable reference work for practitioners and scholars as well as for those in an enforcement environment

Structure and Effects in EU Competition Law

2011-01-01

during the last decade the european commission has progressively adopted what is called a and more economic approach toward competition policy this approach which draws on u s antitrust policy puts greater emphasis on possible welfare effects of business practices and is less concerned with competitive market structures under this school of thought concentration cannot be said to impede effective competition to the extent that efficiency gains outweigh market distortions in order to stimulate the debate on this basic reorientation in january 2009 the max planck institute for comparative and international private law at hamburg convened economists legal scholars and practitioners for an exchange of views on these and newand methodological foundations of eu competition policy and competition law two especially controversial elements were chosen for in depth discussion the prohibition of abuses of dominant positions and the review of state aid this book reproduces fourteen papers from this conference representing the considered views of prominent european lawyers economists academics policymakers and enforcement officials in the competition field on matters such as the objectives of eu competition law the current enforcement guidelines of the eu commission regarding article 102 tfeu and measuring market power abusive low pricing strategies the economics of competition law enforcement recent developments in eu state aid law economic justifications for state aid a critical assessment of the commissionand s state aid action plan by the german monopolies commission is appended in english applying law and economics theory to competition law this book shows that the and more economicand approach is exerting a considerable impact on various sectors of competition law the authors clearly demonstrate the progress that can be made when lawyers and economists take notice of and respect the characteristics of each otherand s discipline moreover the authors show how new insights of economic theory may be integrated into the relevant legal analysis the book will therefore be appreciated by academics practitioners and officials representing both fields

European Competition Law Annual 2006

2007-11-16

this is the eleventh in the series on eu competition law and policy produced by the robert schuman centre of the european university institute in florence the volume reproduces the materials of the roundtable debate which examined the enforcement of the prohibition on cartels the workshop participants senior representatives of the commission and the national competition authorities of some ec member states renowned international academics and legal practitioners discussed the economic and legal issues that arise in this particular area including 1 unearthing cartels the evidence 2 the institutional framework and 3 tools of enforcement

The EU Leniency Policy

2016-04-24

the european union eu leniency programme is a key weapon in the commission s fight against hard core cartels much of the success of eu cartel enforcement depends on the continued effectiveness of the leniency policy and is especially critical in response to the growth of private enforcement this book offers a comprehensive description of the development of the policy along with a normative framework that promises to ensure the full legitimacy of the leniency programme the commission s policy should pursue not only effectiveness but also fairness it is the first work to extensively analyse the effectiveness and fairness in the eu leniency policy proceeding systematically from clarifying the concepts of effectiveness and fairness to addressing the tension between leniency and private actions for damages the author discusses the nature of and interrelations among such aspects as the following the theoretical model of the eu fining policy the compatibility of the eu enforcement system with fundamental rights protection the gathering and evaluation of evidence at the preliminary investigation stage the severity and foreseeability of the eu cartel fines judicial review by the eu courts in competition matters to what extent the current policy is effective and fair and reforms brought about by the 2002 and 2006 leniency notices and the leniency related amendments by the 2014 antitrust damages directive a key feature is the author s presentation of a normative framework to test the effectiveness deterrence and substantive fairness retribution of the eu leniency policy as a clear demonstration of how to forestall the danger of focusing on effectiveness of leniency at the expense of fairness both in a substantive and in a procedural sense this book is a major contribution to the literature of competition law it will prove to be of great value to competition authorities antitrust practitioners and interested academics not only in europe but also throughout the world

EU Competition Procedure

2013

this third edition fully updates the work to reflect recent legislative developments and a wealth of recent case law in particular in relation to merger control and state aid consideration is given as to how ec regulation 1 2003 antitrust rules have been applied and reviews their enforcement coverage also includes discussion of the fining practice of the european commission and the judicial review of this practice by the community courts there is also a new part dedicated to the procedural aspects of arbitration as an efficient alternative means of dispute resolution in the private enforcement of eu competition law claims as a practical guide to procedure focusing on the implementation of the regulatory framework by the commission and the relevant case law of the european courts this is an indispensable resource for all practitioners involved in competition proceedings before the european commission and national competition authorities provided by publisher

The Goals of Competition Law

2012

what are the normative foundations of competition law that is the question at the heart of this book leading scholars consider whether this branch of law serves just one or more than one goal and if it serves to protect unfettered competition as such how this goal relates to other objectives such as the promotion of economic welfare the book brings together contributions on the relevance of different welfare standards on the concept of freedom to compete and on distributional fairness as a goal of competition law moreover it discusses the relationship to other legal goals such as mar

European Competition Law Annual 2001

2003-07-22

the european competition law annual 2001 is the sixth in a series of volumes following the annual workshops on eu competition law and policy held at the robert schuman centre of the european university in florence the volume reproduces the materials of the roundtable debate that took place at the sixth edition of the workshop 1 2 june 2001 which examined the conditions for an effective private enforcement of ec antitrust rules the application of ec antitrust rules in the context of private litigation before national courts and arbitration tribunals is becoming a highly topical subject against the background of the on going debate about the decentralisation of ec antitrust enforcement the participants a group of senior representatives of the commission national judges arbitrators renowned academics and international legal experts in the field of antitrust discussed in particular the following aspects a the availability and effectiveness of substantive remedies in the enforcement of ec antitrust rules at the eu level in general and in four major eu jurisdictions in particular england france italy and germany b the procedural issues arising in the enforcement of ec antitrust rules by national courts in four eu jurisdictions england france italy and germany and at the eu level in general c the problems arising in the application of article 81 3 ec by arbitration tribunals in addition to these issues the participants also discussed whether the public enforcement of ec antitrust rules could be rendered more effective by introducing sanctions applicable to the individuals responsible for their violation

Evidence Standards in EU Competition Enforcement

2019-02-07

what rules or principles govern the assessment of evidence in eu competition enforcement this book offers for the first time a comprehensive academic study on the topic its aim is twofold firstly it produces a typology of evidence standards in competition proceedings at the eu level thereby systemising the guidance that is currently dispersed in the case law of the eu courts secondly it examines the applicable evidence rules and principles with a view to better understanding their role in eu competition enforcement in so doing the book illustrates that evidence standards are not mere technicalities and their significance should not be underestimated rigorous and engaging this work provides a much needed analysis of a key question of eu competition enforcement

Modernisation and Enlargement

2004

this book comprises a set of papers that were prepared for and delivered at the global competition law centre s annual conference modernisation and enlargement two major challenges for ec competition law the book presents an analysis of the new regulation 1 2003 on the implementation of the competition rules laid down in article 81 and 82 of the treaty this new regulation represents a cultural revolution for ec competition lawyers who were accustomed to notifying agreements in order to obtain some legal certainty for their clients modernisation opens up a brand new world where

2011-07-23

8/18

due process in eu competition
proceedings

corporations and their lawyers will be asked to self assess the validity of their agreements under ec competition law the direct effect given to article 81 3 will also stimulate implementation at the national level including actions in national courts although several procedural issues may impede private actions in courts amongc its other features regulation 1 2003 also creates a european competition network ecn which provides an institutional focus for cooperation between the ncas and the commission as well as among the ncas themselves enlargement of the european union was one of the factors which contributed to the adoption of regulation 1 2003 enlargement will expand the geographical scope of application of ec competition rules but it will also create many important challenges the ncas of the new member states are relatively new organisations which in some cases lack the expertise and resources to pursue a credible enforcement agenda these member states are however willing to take on those challenges and though a period of adaptation will be needed there are no reasons why they should be unable to progressively develop a successful competition policy already some agencies e g in hungary or poland have developed a credible enforcement record this book is invaluable for all eu competition lawyers

European Competition Law Annual 2000

2001-05-04

the european competition law annual 2000 is fifth in a series of volumes following the annual workshops on eu competition law and policy held at the robert schuman centre of the european university in florence the present volume reproduces the materials of a roundtable debate that took place at the eui in june 2000 among senior representatives of eu institutions renowned academics and international legal experts in the field of antitrust on the proposals made by the european commission for the reform and decentralisation of ec antitrust enforcement the contributions and commentaries included in this volume address in particular the following issues a the compatibility of the commission s reform proposal with the provisions of the ec treaty b how to ensure coherence efficiency and legal certainty in a decentralised system of implementing ec antitrust provisions and c the problems posed by the commission s reform proposal for the judiciary this publication is addressed to scholars legal practitioners and representatives of the business community following the on going process of reform of ec antitrust

The Consistent Application of EU Competition Law

2017-01-04

in recent years there has been a decentralisation of the enforcement of the eu competition law provisions articles 101 and 102 of the treaty on the functioning of the european union tfeu consequently the national application of these provisions has become increasingly more common across the european union this national application poses various challenges for those concerned about the consistent application of eu competition law this edited collection provides an in depth analysis of the most important limitations of and the challenges concerning the applicability of articles 101 and 102 tfeu at national level divided into five parts the book starts out by examining how the consistent enforcement of articles 101 and 102 tfeu operates as a general eu competition policy it then discusses several recent landmark cases of the european court of justice on articles 101 and 102 tfeu before proceeding to analyse certain additional unique jurisdictional challenges to the uniform application of the eu competition law provisions subsequently it focuses on one of the most important instruments that can help to achieve the uniform application of eu competition law in cases handled by the national courts preliminary rulings finally it provides selective examples of how articles 101 and 102 tfeu are effectively applied at national level thereby providing additional input into how problematic the issue of consistent application of eu competition law is in practice

The Evolution of European Competition Law

2006-01-01

professor ullrich is thoughtful and attracted star scholars from many countries so the papers and discussion are provocative and introduce recent economic thinking although many are written by lawyers the text is lucid and interesting the thought innovative and anyone seriously interested in competition policy should read these papers and the comments with pleasure valentine korah world competition this collection of papers and comments deserves to be widely read and it should appeal to academics and practitioners alike the great mix of topics and the variety of views offered make this a very stimulating contribution to the discussion of the new paradigm of ec competition law the more economic approach and its implications for the application and interpretation of the various eu antitrust rules thomas eilmansberger european law journal the editor should be congratulated for bringing together this diverse group of scholars whose spirited disagreements remind one of the many challenges faced in exploring the role and function of competition law giorgio monti european review of contract law with contributions from leading scholars from all over europe and the us this book covers the major areas of substantive competition law from an evolutionary perspective the leitmotiv of the book has been to assess the dividing line between safeguarding and regulating competition which it does by reviewing the following subjects foundations of competition policy in the eu and the us strategic competition policy the evolution of european competition law from a national italian perspective the block exemption of vertical agreements after four years the new technology transfer block exemption cooperative networking mergers in the media sector abuse of market power concepts of competition in sector specific regulation competition regulation and systems coherence efficiency claims in eu competition law and sector specific regulation the evolution of european competition law will be of great interest to lawyers economists academics judges and public officials working in the fields of competition law and policy

Private Enforcement of Competition Law

2011

the victims of violations under eu competition law will in practice rarely receive restitution for the damages suffered authorities established by the european commission to abolish this maladministration by the council discussed this concern during a special meeting in june 2009 in particular the possibility of private enforcement of competition law results of the meeting are documented in this book

European Competition Law Annual 2011

2014-11-01

this volume contains papers presented at the 16th annual eu competition law and policy workshop held at the european university institute on 17 18 june 2011 this edition of the workshop examined the emerging and increasingly important use of private rights of action before national courts and the prospects for legislation and soft law initiatives at the level of the eu the book has been updated and reflects the european commission s private enforcement package of june 2013 furthermore the experiences of various national jurisdictions are discussed both within europe and in the us and canada as a whole the volume explores how public and private enforcement might function harmoniously as an integrated system to promote the public interest while ensuring that individual rights created in this field by the eu competition rules are vindicated the contributors have however devoted significant analysis to the tensions between those two modes of enforcement authors contributing to this book include enno ahlenstiel donald baker jochen burrichter horst butz scott campbell brian facey tristan feunteun ian forrester andrew foster andrew gavil barry hawk james keyte assimakis komninos bruno lasserre Frédéric louis mel marquis veljko milutinovic luis silva morais tom ottervanger silvia pietrini mark powell john ratliff j thomas rosch david rosner mario siragusa james venit

The Notion of Restriction of Competition

2017-03-16

the transformations induced by the process of modernisation including in its substantive dimension as well as recent judgments by the eu courts have left many lawyers and economists wary as to the standards actually governing findings of antitrust infringement under eu competition law thereby affecting their ability to advise businesses effectively on the design of their commercial practices while not ignoring institutional constraints this volume revisits the notion of restriction of competition in the framework of articles 101 and 102 tfeu with a view to taking stock of recent developments to identifying common trends and to informing the application of core eu antitrust principles in current market contexts associating lawyers and economists practitioners and academics it seeks both to revisit long standing theories of harm to competition and to explore novel forms of antitrust concerns

EU Competition and State Aid Rules

2017-12-28

this book scrutinizes legislative novelties and case law in the area of eu competition and state aid rules focusing on the interaction between public and private enforcement of those rules it is intended for scholars stakeholders and anyone involved in the process of law enforcement judges attorneys at law corporate lawyers and market participants the book features contributions by prominent competition law scholars offering an academic analysis of the topics covered and by several eu general court judges including its president mr marc jaeger providing first hand information on the application of the eu competition rules in the general court

Criminal Law Principles and the Enforcement of EU and National Competition Law

2019-11-20

although article 23 5 of eu regulation 1 2003 provides that competition law fines shall not be of a criminal law nature this has not prevented certain criminal law principles from finding their way into european union eu competition law procedures even more significantly the deterrent effect of competition law fines has led courts in the netherlands and the united kingdom uk as well as the european court of human rights to conclude that competition law proceedings can lead to a criminal charge this book offers the first book length study of whether courts do indeed apply criminal law principles in competition law proceedings and if so how these principles are adapted to the needs and characteristics of competition law focusing on competition law developments both legislative and judicial over a period of twenty years in three jurisdictions the netherlands the uk and the eu the author compares how each of the following criminal law principles has emerged and been interpreted in each jurisdiction s proceedings freedom from self incrimination non bis in idem burden and standard of proof legality and legal certainty and proportionality of sanctions the author offers proposals involving both legislative and judicial actions with examples of judges invoking criminal law principles to develop an appropriate level of safeguards in competition law proceedings the book shows that criminal law can provide a rich source of inspiration for the judiciary on the appropriate level of legal safeguards in competition law proceedings as such it provides an important source of information and guidance for lawyers and judges dealing with competition law matters

Fairness in EU Competition Policy : Significance and Implications

2020-06-03

the idea of fairness has recently re entered the policy discourse underpinning competition law

enforcement in the eu and beyond of course the term unfair can be found in the eu treaty and the avoidance of consumers exploitation is the ultimate aim of competition principles still the boundaries of fairness as a driver of competition enforcement appear unclear and for some dangerously flexible at the same time whilst the application of competition rules has over the years been focusing on restrictions to the competitive process with the effect of harming consumers a wave of cases recently brought or decided at eu and national level appear to be inspired by wide and somewhat elusive fairness considerations including non discrimination neutrality equality of opportunities natural justice or avoidance of abuse of law reference can be made to cases relating to product design ip licensing geo blocking network neutrality privacy concerns or fiscal justice this volume explores how fairness may guide competition enforcement what its significance may be in explaining recent trends and actual outcomes and what implications can be observed or expected by relying on a fairness standard in the design of substantive principles associating lawyers and economists practitioners and academics it discusses the boundaries of fairness in a world where the rationality of markets has been profoundly shaken by recent crises

European Competition Law Annual 2007

2008-11-28

this is the twelfth in a series on eu competition law and policy produced by the robert schuman centre of the european university institute in florence the volume reproduces the written contributions and transcripts in connection with a roundtable debate which examined the eu s enforcement policy as regards the abuse of a dominant position under article 82 ec the workshop participants included senior enforcement officials and policy makers from the european commission from the national competition authorities of certain eu member states and from the us department of justice and federal trade commission and renowned international academics legal practitioners and professional economists in an intense intimate environment this group of experts debated a number of legal and economic issues structured according to three broad lines of discussion 1 comparisons of the concept of monopolization under section 2 of the sherman act with that of abuse of dominance under article 82 ec 2 a reformed approach to exclusionary unilateral conduct and 3 exploitative unilateral conduct and related remedies

European Competition Law Annual 1998

2000-07-30

the 1998 volume on the regulation of communications markets is the third in a successful series of european competition law annuals founded upon open dialogue between technical experts market analysts and legal practitioners gathering together academic papers and edited transcripts of expert discussions it offers readers a lively and informed insight into the topical debate of whether governments or the european union should intervene to prevent powerful firms from abusing their control of critical gateways between consumers and communication information services the volume examines the technical and market evolutions that have allowed the development of single communications networks which offer consumers a variety of telephone audio visual and computer data services in an era of market liberalisation the editors and contributors ask how private ownership of such communications networks may be reconciled with the need to ensure consumers easy access to the services that underpin our so called information society table of contents introduction claus d ehlermann biographical notes on the participants panel one regulating access to bottlenecks 1 panel discussion 2 working papers fod barnes bernard amory and alexandre verheyden jens arnbak henry ergas herbert hovenkamp gunter knieps daniel rubinfeld and robert majur joachim scherer herbert hungerer james venit panel two agreements integration and structural remedies 1 panel discussion 2 working papers mark armstrong donald baker eleanor fox barry hawk colin long michael reynolds alexander schaub klaus dieter scheurle mario siragusa panel three institutions and competence 1 panel discussion 2 working papers ulrich immenga stuart brotman ian forrester frederic jenny bruno lasserre santiago martinez lage and helmut brokelmann james rill mary jean fell richard park and sarah bauers giuseppe tesauro robert verrue peter waters david

Due Process in EU Competition Proceedings

2019

this chapter analyses the competition law procedures in the eu through a more general lens of the four features of due process identified as key by the ftc s chairwoman edith ramirez the discussion focuses on procedures applicable in antitrust cases although various procedural features are largely common to the area of antitrust and mergers part i of this chapter deals with the question of legal representation part ii outlines the rules and practices concerning the parties awareness of the charges they faces and the evidence against them with respect to these two features of due process the eu competition law procedures are overall very progressive and can serve as a basis of good practices the remaining discussion turns to issues in relation to which the eu competition procedures face considerable criticism in particular part iii presents the scope for engagement between the parties the case teams and final decision makers part iv examines the existing checks and balances in the eu competition procedures the conclusion notes the commission s awareness of the critique of its procedures and the actions it undertook in response it is acknowledged that considerable scope for improvement remains

European Competition Law Annual 2008

2010-01-02

this is the thirteenth in a series on eu competition law and policy produced under the auspices of the robert schuman centre of the european university institute in florence the volume contains the written contributions of numerous competition policy experts together with the transcripts of a roundtable debate which examined the subject of settlements between enforcers of competition law and defendant companies in cartel cases and in other types of antitrust cases the workshop participants included senior judges from major jurisdictions the european union germany and the united states senior enforcement officials and policy makers from the european commission from the national competition authorities of certain eu member states and from the us department of justice and the us federal trade commission and renowned international international academics legal practitioners and professional economists in an intense intimate environment this group of experts debated a number of legal and economic issues pertaining to two broad lines of discussion 1 settlements and plea agreements in cartel cases including their links with leniency programs and with private enforcement and 2 settlements in commitment cases decided under article 9 of regulation 1 2003 and under comparable procedures of national law

Civil Procedure in EU Competition Cases Before the English and Dutch Courts

2010-01-01

for decades it seemed clear that ec competition law was enforceable effectively at the national level and ecj case law has continued to bear this out in recent years however the commission has been proposing harmonization of national rules of procedure in competition cases implying that procedural autonomy is insufficient on its own to produce an effective enforcement system in this area as the authors of this book clearly demonstrate this suggests a binary system governing the enforcement of ec articles 81 and 82 namely that led by the commission through directives and eventual regulations and that built on ecj principles in areas not dealt with by such community instruments this book describes and analyzes not only the specific commission recommendations but also the manner and extent to which these recommendations are or may be implemented in civil procedure in particular the authors consider changes which may be required if these recommendations are incorporated into dutch and english rules of civil procedure also addressed are elements of procedure not

mentioned by the commission but which might usefully be considered in the context of ecj principles of effectiveness equivalence and effective judicial protection of rights at the heart of the study is a detailed analysis of the commission white paper on damages actions and the commission staff working paper both issued early in 2009 the in depth analysis ranges over procedural aspects of such elements as the following and standing and disclosure and access to evidence and burden of proof and fault no fault and costs of damages actions and injunctions and civil versus administrative enforcement and limitations and leniency programmes and collective actions and confidentiality and forms of compensation anticipating as it does a looming impasse in european competition law this remarkable book sheds defining light on the real implications of ec competition law for parties to damages actions not only in the national systems studied but for all member states for practitioners and jurists it offers a particularly useful approach to the handling of cases involving european competition law and also serves as a guide to current trends and as a clarification of doctrine

Harmonising EU Competition Litigation

2016-01-14

this volume in the swedish studies in european law series produced by the swedish network for european legal studies heralds the new harmonised regime of private enforcement of eu competition law in 2013 the commission issued a communication and practical guide to the quantification of harm in antitrust litigation and a recommendation on collective redress in 2014 the long awaited directive on actions for damages for infringements of eu competition law was finally adopted in 2016 the commission is expected to issue guidelines on the passing on of overcharges this book examines these recent developments and offers the perspectives of judges officials practitioners and academics with a preface by judge carl wetter of the general court the book explores five different themes in section one the main policy issues and challenges are presented in section two the new regime is placed in the bigger picture of recent eu law developments in section three the nexus between private enforcement and transparency is investigated a comparative perspective is offered in section four by looking into private enforcement in five member state jurisdictions finally issues relating to causation harm and indirect purchasers are explored in section five

Ten years of effects- Based approach in EU competition law

2012-12-10

one of the key components of the modernization of competition rules has been a radical departure from the previous form based enforcement to a so called effects based approach taking stock of ten years of experience under this new policy the present book analyses the changes brought about as well as the practical problems encountered in its day to day application be it by competition law enforcers judges or practitioners this book compiles the reports prepared for the 2011 annual conference of the global competition law centre gclc each and every chapter of this volume formulates concrete proposals as to how the system can be clarified or even improved the focus is not only on the enforcement of articles 101 and 102 tfeu but also in the file of merger control attempts are made to define more precisely the boundaries between anticompetitive object and effect and to develop adequate safe harbours and presumptions this book also casts a closer look at the analytical framework possible theories of harm evidence and defences overall the objective is to reconcile as best as possible law and economics and to see how the goal to achieve the right decision in terms of economic outcome can be combined with the legitimate need for legal certainty

Competition Policy in the EU

2009-08-06

a volume that takes stock and looks ahead on the development and implementation of competition policy in the european union fifty years after the treaty of rome competition policy has emerged as a key policy in the eu with competition acting as the driving force for economic efficiency and the

welfare of citizens case law has been established to control and prevent anti competitive behavior state aid control has consolidated and evolved towards a more economic approach and the authority of the ec and the judicial review of the court of the first instance cfi and the european court of justice ecj are firmly established the book provides an economic approach to competition policy and reflects the main areas of interest open issues and progress in the area the volume examines the design of competition policy institutions the evolution of the implementation of competition policy and its convergence or divergence with us practice restrictive practices cartels abuse of dominance merger control and state aids the volume also analyses the interaction of competition policy and regulation and studies its application to telecoms banking and energy sectors all chapters are written by leading specialists combining theoretical with practical knowledge and discussing the underpinnings of the application of law

European Community Competition Procedure

2006

recoge 1 the institutional framework 2 the role of national judicial authorities 3 the role of national competition authorities 4 the organization of ec commission proceedings 5 opening of the file 6 investigation of cases leniency policy formal investigative measures in general inspections penalties confidentiality 7 infringement procedures 8 infringement decisions and penalties 9 rejection of complaints 10 commitments voluntary adjustments conclusion of the procedure without a formal decision 11 special procedures 12 steps following the adoption of a formal decision

EU Competition Law

2017-10-27

this clear and concise textbook presents eu competition law in political economic and comparative context it combines excerpts from key eu rulings with discussions of enforcement policy issues and comparisons with us antitrust cases untangling the complex set of factors driving individual outcomes it is the perfect companion for any student or practitioner in the field

European Competition Law Annual 2004

2006-06-02

the european competition law annual 2004 is ninth in a series of volumes following the annual workshops on eu competition law and policy held at the robert schuman centre of the european university institute in florence the volume reproduces the materials of the roundtable debate that took place at the ninth edition of the workshop 11 12 june 2004 which examined the relationship between competition law and the regulation of liberal professions the liberal professions and the rules governing their functioning have become of interest for ec competition law enforcement since the early nineties making the object of a series of commission decisions and judgments of the european courts the subject has gained in importance in the perspective of the recent decentralisation of ec antitrust enforcement the regulation of liberal professions is also a matter of increasing concern from the perspective of freedom of services in the internal market the workshop participants a group of senior representatives of the commission and the national competition authorities of some member states reknown international academics and legal practitioners discussed the economic legal and political institutional issues that arise in the relationship between competition law and the regulation of liberal professions

EU Competition Law

2021-08-12

this book should be in the library of every competition law practitioner and academic the summary of

cases is first class but what makes it really stand out is the quality of the commentary and the selection of the material which includes not only the most important european judgements and decisions but also some of the leading cases from the us and european member states ali nikpay gibson dunn crutcher llp this unique book is designed as a working tool for the study and practice of european competition law focused on case law analysis each chapter begins with an introduction which outlines the relevant laws regulations and guidelines for each of the topics setting the analytical foundations for the case entries within this framework cases are reviewed in summary form accompanied by useful analysis and commentary the 7th edition includes recent judgments from the european court of justice on the scope of object and effects based analysis including generics and budapest bank as well as those on abuse of dominance it examines developments in parallel trade online sales restrictions advertising bans enforcement powers and procedure expanding its coverage of merger decisions it explores non collusive oligopoly including ck telecoms and the treatment of innovation and data under the eu merger regulation this unique book offers the practitioner and competition law student an insightful guide to eu competition law cases an understanding of which is crucial rigorous comprehensive and authoritative it simply is a must read

European Competition Law Annual 2003

2006-03-14

the european competition law annual 2003 is the eighth in a series of volumes following the annual workshops on eu competition law and policy held at the robert schuman centre of the european university in florence the volume reproduces the materials of the roundtable debate that took place at the eighth workshop and is dedicated to the question what is an abuse of a dominant position it contains the usual mix of expert discussion and expert papers presented by the participants at this annual gathering of leading eu and international experts on competition law

European Competition Law Annual 2012

2014-10-31

this volume contains papers presented at the 17th annual eu competition law and policy workshop organized by philip lowe and mel marquis and held at the european university institute on 13 14 july 2012 from a variety of angles the book explores the themes of competition regulation and certain public policies their interactions and in some cases their mutual tensions the authors of the various chapters consider legal and economic issues relating to network industries industrial environmental and trade policies and intellectual property and innovation policies among others comparative views and the views of judges from different jurisdictions are provided and techniques for mediating among different policy objectives and frameworks are discussed authors contributing to this book include rafael allendesalazar robert d anderson marco boccaccio genevra bruzzone cristina caffarra alexandre de streel ian forrester douglas ginsburg geert goeteyn calvin goldman daniel haar küllike jürimäe suzanne kingston lars kjølbye paul lugard mel marquis veljko milutinovic giorgio monti anna caroline müller rosa perna anthony pygram philip lowe pierre régibeau and jon stern

EXIN CLOUD Computing Foundation - in Workbook Cloud Computing Foundation Complete Certification Kit - Study proceedings Guide Book and Online Course Exin Cloud Computing in Foundation - Workbook Mastering eu Cloud Computing EXIN Cloud due Computing Foundation Cloud Computing Foundation 27 Success Secrets in - 27 Most Asked Questions on Cloud Computing Foundation - What You Need to Know Cloud Computing due Foundation (Exin Cloud) Exam Practice Questions & Dumps Mobile Cloud process Computing eu EXIN Cloud Computing Foundation Exam Practice Questions & Dumps Cloud Computing Foundation Certification process Kit Cloud Computing proceedings Foundation Cloud Computing due Foundation Complete Certification Kit - Study Guide Book and Online Course - Third Edition Cloud Computing Foundation Complete Certification Kit - Study Guide Book and Online Course competition - Second Edition Cloud competition Native Infrastructure Cloud Essentials in Cloud Native Infrastructure with eu Azure Cloud Native Infrastructure in with Azure Istio process in Action process Cloud Native Software Security Handbook Cloud Management eu and Security competition Cloud Computing Technology Cloud Computing competition Becoming process KCNA Certified Being Online competition Cloud eu Computing Cloud eu Computing eu Cloud Native Infrastructure Assured Cloud Computing eu Cloud Computing PaaS Platform and Storage Management Specialist Level Complete Certification Kit - Platform as a Service Study Guide Book and Online Course due Leading to Cloud Computing Certification Specialist - Second Edition eu China Cloud Rising Essentials of in Cloud Computing Cloud in Computing and Services Science Cloud Computing Paas Platform and Storage Management Specialist Level Complete Certification Kit - Platform As a Service Study Guide Book and Online process C Foundations of competition Modern Networking Essentials of Cloud competition Computing Foundations due of Cloud Computing proceedings #21 in Cloud Computing Cloud Services 95 Success Secrets - 95 Most Asked Questions on Cloud Services - What You Need to Know process process Cloud Computing For Dummies

If you ally dependence such a referred **due process in eu competition proceedings** ebook that will have the funds for you worth, acquire the certainly best seller from us currently from several preferred authors. If you desire to funny books, lots of novels, tale, jokes, and more fictions collections are as a consequence launched, from best seller to one of the most current released.

You may not be perplexed to enjoy every books collections due process in eu competition proceedings that we will entirely offer. It is not re the costs. Its more or less what you need currently. This due process in eu competition proceedings, as one of the most working sellers here will categorically be among the best options to review.