

DUE PROCESS IN EU COMPETITION PROCEEDINGS

IVO VAN BAEL

Due Process In Eu Competition Proceedings Due Process In Eu Competition Proceedings

Minjie Lin



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Due Process in EU Competition Proceedings Ivo Van Bael, 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 **Due Process in EU Competition Proceedings** Marek Martyniszyn, 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 face 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 **EU Competition Enforcement and Human Rights** A. Andreangeli, 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 Soyeze 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 and Fair Trial in EU Competition Law Cristina Teleki, 2021-05-17 In *Due Process and Fair Trial in EU Competition Law* Cristina Teleki addresses the complex relationship between Articles 101 and 102 of the Treaty on the Functioning of the European Union and Article 6 of the European Convention on Human Rights The book is built around the idea that big business can threaten democracy Due process and fair trial should be central to the process of addressing bigness through competition law by safeguarding independent decision making and judicial review and by preventing competition authorities from growing into administrative behemoths threatening democracy from inside To show this the book combines a comprehensive review of the case law of the European Court of Human Rights with insight from economics psychology and systems theory

Procedural Fairness in Competition Proceedings Paul Nihoul, Tadeusz Skoczny, 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

Annual Proceedings of the Fordham Competition Law Institute, 2010

Conceptualising Procedural Fairness in EU Competition Law Haukur Logi Karlsson, 2020-09-17 What constitutes a fair procedure when it comes to EU competition law This innovative book seeks to understand the philosophical considerations at the core of conflicting procedural fairness arguments in EU competition law practice The author argues for a conceptualisation of procedural fairness as a distributional issue that can be solved by a practical fairness theory and a comprehensive methodology To illustrate the usefulness of the conceptualisation three procedural fairness problems from recent EU competition law practice are analysed the KME Chalkor cases the Groupe Gascogne cases the regulatory question about using a collective redress mechanism for private enforcement of EU competition law This unique approach provides a robust philosophical and methodological foundation for arguing about a wide range of procedural fairness dilemmas The book is a must read for academics and practitioners seeking an imaginative perspective on the philosophical foundations of arguments about procedural fairness in EU competition law and beyond

Annual Proceedings of the Fordham Corporate Law Institute, 2004

European Union Competition Policy Commission of the European Communities, European Commission. Directorate-General for Competition, 2004

General Principles of European Community Law Ulf Bernitz, Joakim Nergelius, Swedish Network for European Legal Studies, Lunds universitet. Juridiska fakulteten, 2000-11-08

Future A G Toth

European Union Competition Policy European Commission. Directorate-General for Competition, 2003

European Community Competition Law in Practice Robert McPeake, 2004 Produced in conjunction with the Inns of Court School of Law the Bar Manuals are designed specifically for students on the Bar Vocational Course The series takes a practical and accessible approach to subjects covered on the Bar Vocational Course placing them in context with worked examples and sample materials This edition covers the important topics found in EC Competition law in depth and from a practitioner's perspective making them

an indispensable aid to the student The manual poses and answers problems that will face the junior practitioner including how to write an opinion for a client in a case raising issues of competition law how to draft statements of case which rely upon European competition laws either as a cause of action or as a defence These issues are discussed as case studies so that the context is clear European Community Law Christopher Harding, Ann Sherlock, 1995 This text combines coverage of the Community legal system and crucial areas of substantive law with an approach which presents a selection of important source material within a framework of narrative discussion The first five chapters deal with the Community legal order

Competition Or Convergence Gunter Weick, Günter Weick, 1999 The inspiration for this volume of essays is a British German conference held in 1998 in Rauischholzhausen Castle near Giessen Germany 15 authors from the United Kingdom and Germany deal with problems of competition and convergence of European legal systems in the context of important fields of law for example Constitutional Law and the law of ethnic minorities Criminal Law Telecommunication Law Contract Law Securities Law of Employment Law of Procedure and Health Law **Current Law Index** , 2007 *Glossary of Terms Used in EU Competition Policy* European Commission. Directorate-General for Competition, 2002 **Principles of**

Administrative Procedure in EC Law Hanns Peter Nehl, 1999 Recoge 1 Introduction 2 Procedural good administration in EC law 3 Expansion access to information and the right to be heard 4 Expansion The principle of care diligence 5 Conclusion

Due Process and Anti-competitive Practices , 1994 Reports presented at a seminar organized by the Institute in March 1993 **Competition in Transportation Sector** , 1984 *Competition Law of the European Community* Ivo Van Bael, Jean-François Bellis, 1994 Provides a comprehensive commentary on the competition rules of the European Community with practical guidance on their application and impact on business This edition includes expanded treatment of the merger control regulation and greater coverage of telecommunications and transport

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