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# **1 Cartel Statistics European Commission**

**Barry J. Rodger, Angus Macculloch** 

#### **1 Cartel Statistics European Commission:**

Research Handbook on Cartels Peter Whelan, 2023-03-02 Drawing together a variety of perspectives this accessible yet comprehensive Research Handbook provides an in depth analysis of the most significant issues pertaining to the legal regulation of cartels An interdisciplinary team of respected experts explores the theoretical legal economic political and comparative discourse surrounding cartel regulation The More Economic Approach to EU Antitrust Law Anne C Witt, 2016-11-17 In the late 1990s the European Commission embarked on a long process of introducing a more economic approach to EU Antitrust law One by one it reviewed its approach to all three pillars of EU Antitrust Law starting with Article 101 TFEU moving on to EU merger control and concluding the process with Article 102 TFEU Its aim was to make EU antitrust law more compatible with contemporary economic thinking On the basis of an extensive empirical analysis of the Commission's main enforcement tools this book establishes the changes that the more economic approach has made to the Commission's enforcement practice over the past fifteen years. It demonstrates that the more economic approach not only introduced modern economic assessment tools to the Commission's analyses but fundamentally changed the Commission's interpretation of the law Emulating one of the key credos of the US Antitrust Revolution thirty years earlier the Commission reinterpreted the EU antitrust rules as aiming at the enhancement of economic consumer welfare only and amended its understanding of key legal concepts accordingly This book argues that the Commission s new understanding of the law has many benefits Its key principles are logical translate well into workable legal concepts and promise a great degree of accuracy However it also has a number of serious drawbacks as it stands Most worryingly its revised interpretation of the law is to large extents incompatible with the case law of the European Court of Justice which has not been swayed by the exclusive consumer welfare aim This situation is undesirable from the point of view of legal certainty and the rule of law

European Competition Policy and Globalization Chad Damro, Terrence Guay, 2016-04-08 This book examines the domestic and international dimensions of European Union EU competition policy particularly mergers anti competitive practices and state aids The authors argue that important changes in EU competition policy are having profound effects on the global political economy and these changes are best understood as European Commission responses to new domestic and international pressures Using a two level game analytical framework that is both intra EU and global in scope Damro and Guay investigate a wide variety of domestic and foreign public and private actors that interact in crucial ways to determine the development and implementation of EU competition policy They address this broad question In what ways do changing external and internal factors affect the evolution of the EU s competition policy and the role that the Commission plays in it Among the conclusions is that the EU and particularly the European Commission has become a leading global regulator

Anti-Cartel Enforcement in a Contemporary Age Caron Beaton-Wells, Christopher Tran, 2015-09-24 Leniency policies are seen as a revolution in contemporary anti cartel law enforcement Unique to competition law these policies are regarded

as essential to detecting punishing and deterring business collusion conduct that subverts competition at national and global levels Featuring contributions from leading scholars practitioners and enforcers from around the world this book probes the almost universal adoption and zealous defence of leniency policies by many competition authorities and others It charts the origins of and impetuses for the leniency movement captures key insights from academic research and practical experience relating to the operation and effectiveness of leniency policies and examines leniency from the perspectives of corporate and individual applicants advisers and authorities The book also explores debates surrounding the intersections between leniency and other crucial elements of the enforcement system such as compensation compliance and criminalisation The rich critical analysis in the book draws on the disciplines of law regulation economics and criminology It makes a substantial and distinctive contribution to the literature on a topic that is highly significant to a wide range of actors in the field of competition law and business regulation generally From the Foreword by Professor Fr d ric Jenny fundamental questions are raised and thoroughly discussed in this book which is undoubtedly the most comprehensive scholarly work on leniency policies produced so far the book should be required reading for all seeking to acquire a deeper insight into the issues related to leniency policy It is a priceless contribution EU Cartel Enforcement Andreas Scordamaglia-Tousis, 2013-08-01 There has a 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 Handbook of European Union Governance Sonia Lucarelli, James Sperling, 2025-05-14 This expansive Handbook compares the global milieu security economic and societal systems of EU governance It identifies the theoretical underpinnings and characteristics of each governance system and examines how these ensure public safety social welfare sustainability and economic competitiveness The Impact of Cartels on National Economy and Competitiveness Jurgita Bruneckienė, Irena Pekarskienė, Andrius Guzavičius, Oksana Palekienė, Jūratė Šovienė, 2015-06-09 The book presents theoretical and empirical research on the integrated assessment of cartels effects on national economies The empirical analysis is based on three cases in Lithuania a country chosen because it corresponds to the features of a small economy with a developing culture of competition An integrated assessment of a cartel s impact by measuring the net economic effect created by its operations on the market is extremely important at the scale of national economies If a cartel s true impact is not identified and evaluated it is impossible to make important strategic decisions for the whole economy instead of individual affected parties and to establish an optimum baseline for mitigating the harm done to the economy Thus an integrated cartel impact assessment can help to more proactively combat cartel agreements on the market and improve the economic welfare of the respective country **European Union Competition Policy versus Industrial Competitiveness** Hikaru Yoshizawa, 2021-11-10 The book examines whether EU competition policy is applied fairly and consistently to EU and non EU firms despite persistent political pressure from member states for a relaxation of the rules and deals with the dilemma of regional organisations in the global political economy Focussing on the EU s desire to achieve balance between the promotion of market competition and the enhancement of international competitiveness the book explores the validity of its attempts successfully to ensure a stringent competition policy which is nationality blind and comparatively strict Finally it shows that the competition competitiveness dilemma remains unresolved because the EU s capability to set global regulatory standards is constrained by competition and the need to engage in multilateral forums such as the WTO and the International Competition Network This book will be of key interest to scholars and students of European Union studies EU competition law and policy EU external action and more broadly to global governance international political economy and international relations The Open Access version of this book available at http www taylorfrancis com has been made available under a Creative Commons Attribution Non Commercial No Derivatives 4 0 license European Union Law Damian Chalmers, Gareth Davies, Giorgio Monti, 2014-06-19 This market leading text combines clear explanation expert analysis and a wide range of materials to make it required reading Competition Law

2020 Beatrice Roxburgh, 2020-02-01 Competition or anti trust law concerns the regulation of competition and is designed to ensure that the competitive dynamic on a market is maintained Given the rise in market based economies the jurisdictions which have adopted competition law regimes have expanded significantly over the last decade **Competition, Effects** and Predictability Bruce Wardhaugh, 2020-04-16 In the US and EU legal analysis in competition cases is conducted on a case by case approach This approach assesses each particular practice for both its legality and its welfare effects While this analytic method has the merits of getting the result right by inter alia reducing error costs in antitrust adjudication it comes at a cost of certainty predictability and clarity in the legal principles which govern antitrust law This is a rule of law concern This is the first book to explore this tension between Europe's More Economic Approach the US's Rule of Reason and the Rule of Law The tension manifests itself in the assumptions in and choice of analytic method the institutional agents driving this effects based approach and their competency to use and assess the results of the methodology they demand and the nature and stability of the legal principles used in modern effects based competition analysis. The book forcefully argues that this approach to competition law represents a threat to the rule of law Competition Effects and Predictability will be of interest to European and American competition law scholars and practitioners legal historians policy makers and members of Leniency in EU Competition Law Ingrid Margrethe Halvorsen Barlund, 2020-06-18 Leniency has emerged the judiciary as one of the main enforcement instruments used by competition authorities to combat cartels Offering immunity from punishment is believed to destabilise already existing cartels and deter undertakings from entering into such arrangements This book offers the first in depth analysis of the scope of leniency in European Union EU competition law considering three crucial ramifications ensuring a leniency applicant can self report with confidence retaining the right to compensation of those who have suffered losses due to the cartel and furthering the objective of undistorted competition within the internal market With thorough insight into the interaction between the Commission's Leniency Notice and public and private enforcement the author fully explains such aspects of the subject as the following who is eligible for leniency liability of an immunity recipient the EU fining system disclosure of leniency evidence scope of public authorities reaching out to cartel infringers the immunity recipient and follow on damages claimants the immunity recipient and subsequent leniency applicants effect of the Damages Directive and the European Economic Area dimension The author offers cogent suggestions about how the shortcomings of the Commission's leniency offer can be ameliorated and which regulatory steps should be taken to give the policy greater leverage The author calls for increased harmonisation at national level in the EU and compares leniency practice in US antitrust law As a comprehensive analysis of the practical application of current policy and procedure in EU cartel enforcement the book clearly shows the ways in which the scope of leniency is manifest in the interaction between public and private enforcement evaluating which interaction is most effective Its practical character will be recognised and welcomed by competition law practitioners and policymakers who will strengthen their grasp of leniency

procedure and clearly discern implications for competition infringement cases Parental Liability in EU Competition Law Peter Whelan, 2023 Parental Liability in EU Competition Law assesses the shortcomings of the EU doctrine of parental antitrust liability and proposes a new framework for imposing liability that is theoretically robust effective in practice fair in Competition Law and Policy in the EU and UK Barry J. Rodger, Angus Macculloch, 2021-11-07 substance and legally sound Competition Law and Policy in the EU and UK provides a focused guide to the main provisions and policies at issue in the UK and EU including topics such as anti competitive agreements abuse of dominance mergers and Brexit The book s contents are tailored to cover all major topics in competition law teaching and the authors clear and accessible writing style offers an engaging and easy to follow overview of the subject for course use The sixth edition provides a full update for this well established title and takes recent developments into account including those in the case law surrounding the concept of object agreements under Art 101 TFEU the concept of abuse under Art 102 TFEU the treatment of online multi sided platform markets and the development of private enforcement Chapters focus on the substantive laws of the UK and EU and demonstrate how competition law affects business including co ordinated action pricing behaviour takeovers and mergers Information is presented within a structured framework complete with discussion of the UK enforcement structures following the UK s withdrawal from the EU The book includes a wealth of pedagogical features including chapter overviews and summaries discussion questions and further reading Clear focused and student friendly this book offers a comprehensive resource for students taking competition law courses and will be of interest to postgraduate students and legal professionals looking for an introduction to the topic Neoliberalism in Crisis Henk Overbeek, Bastiaan van Apeldoorn, 2012-02-29 The authors interrogate the condition of the neoliberal project in the wake of the global crisis and neoliberalism's predicted death in 2007 both in terms of the regulatory structures of finance led capitalism in Europe and North America and the impact of new centres of capitalist power on global order <u>Constitutionalising the EU Judicial System</u> Pascal Cardonnel, Allan Rosas, Nils Wahl, 2012-08-20 These essays written in honour of retired ECJ judge Pernilla Lindh reflect on the development of courts and judging in the EU since the founding of the Union In particular they focus on recent reforms and proposals aimed at further increasing public confidence and democratic accountability throughout the EU judicial system Efficiency and *Justice in European Antitrust Enforcement* Wouter Wils, 2008-02-14 In the last few years the public enforcement of Articles 81 and 82 EC has been thoroughly transformed the competition authorities of the EU Member States have become active enforcers within the European Competition Network the European Commission has imposed more and higher fines than ever before leniency has become a major instrument of cartel detection and some Member States have introduced criminal penalties The overall trend towards more and stronger enforcement of Articles 81 and 82 EC has also rekindled discussion on the old question of how to strike the right balance between efficient enforcement and adequate protection of the rights of the defence This book brings together six essays which analyse from both a legal and an economic perspective the powers of

investigation of the European Commission and the competition authorities of the Member States and the corresponding procedural rights and guarantees the use of settlements the theory and practice of fines and of leniency and the criminalization of European antitrust enforcement Competition Law and Financial Crime Diana Johnson, 2025-02-18 Financial crime is a significant drain on economies across the world This book looks at one aspect of financial crime that of benchmark interest rate manipulation by competing banks with the aim of identifying the best approach for the United Kingdom to take to the enforcement of laws against future benchmark manipulation. The manipulation of any benchmark interest rate by bankers colluding for their own gain is likely to negatively affect a large proportion of the population as many people have loans pegged to a benchmark interest rate This monograph investigates the approach the UK took to enforcing action against the benchmark manipulation which took place in the London Interbank Offered Rate and the Foreign Exchange benchmark manipulation scandals As part of this investigation the approaches taken in the European Union and the United States of America are examined and compared to the approach taken in the UK for the same crime to draw conclusions and make recommendations to improve the UK approach for future instances of benchmark manipulation The work fills an important gap in the literature by comparing and evaluating the laws and enforcement policies pertaining to the use of competition law in counteracting benchmark manipulation in the UK EU and US It argues that competition law is an effective enforcement tool when used in the financial services sector and that it provides regulators with a wide range of enforcement options when a breach of competition law is established. The book will be a valuable resource for academics researchers and policymakers working in the areas of financial crime competition law comparative law and criminal justice

Presumption of Innocence in EU Anti-Cartel Enforcement Aistė Mickonytė, 2018-11-26 In this monograph Aist Mickonyt examines the compliance of the European anti cartel enforcement procedure with the presumption of innocence under Article 6 2 of the European Convention on Human Rights ECHR The author maintains that the pursuit of manifestly severe punishment with insistence of the European Commission on administrative level procedural safeguards is inconsistent with the robust standards of protection under the Convention Arguing that EU anti cartel procedure is criminal within the meaning of the Convention this work considers this procedure in light of the core elements of the presumption of innocence such as the burden of proof and the principle of fault The author zeroes in on the de facto automatic liability of parental companies for offences committed by their subsidiaries

2009 Annual Review of Antitrust Law Developments

American Bar Association Editors, 2011-07-16 For over 37 years Antitrust Law Developments and its annual supplements have been recognized as the single most authoritative and comprehensive set of research tools for antitrust practitioners The 2009 Annual Review of Antitrust Law Developments summarizes developments during 2009 in the courts at the agencies and in Congress

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