



EU Competition Enforcement And Human Rights

Andreangeli Arianna

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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.

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