

STATE PROMOTED CARTELS AND OTHER STATE RELATED COMPETITION RESTRICTIONS

The following papers focus at the intersection of private and public competition restrictions. There are various state measures which can distort free competition through promoting or approving private anti-competitive arrangements. Some of these cases relate to self-regulatory activities undertaken by boards, or associations of undertakings. The papers focus on how the EU Court of Justice has developed its case law to reach out to anti-competitive state measures, and how national authorities and domestic competition laws deal with mixed infringements, that is where the anti-competitive conduct was influenced by public measures. The topics covered by the papers also raise important questions about the relationship and even conflict of competition and consumer protection with various other public policies. To provide a comparative Trans-Atlantic perspective, we also include a paper summarizing the U.S. Supreme Court's most recent judgment in this field.