1. Record Nr. UNINA9910490030403321 Autore Teleki Cristina Titolo Due Process and Fair Trial in EU Competition Law: The Impact of Article 6 of the European Convention on Human Rights Pubbl/distr/stampa Boston:,: BRILL,, 2021 ©2021 **ISBN** 90-04-44749-0 Edizione [1st ed.] Descrizione fisica 1 electronic resource (392 p.) Collana Nijhoff studies in European Union law; ; 18 Disciplina 343.2407/21 Soggetti International organisations & institutions Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Nota di bibliografia Includes bibliographical references and index. Nota di contenuto Central issues of research -- Supporting issues -- A foot in the past : existing literature -- The right to a fair trial -- Applicability of Article 6 (1) ECHR -- The right to a fair trial: a tool for self regulation -- The debate on independence at the crossroads of the administrative state. delegation and IRAs -- The case-law of the ECtHR on the right to an independent and impartial tribunal -- The structure of the European Commission as enforcer of competition law -- The procedure for enforcement of Article 101 and 102 of TFEU -- The Commission's powers of investigation -- Limits on the Commission's powers of investigation -- A risk-based framework for safeguarding the European Commission's independence -- Case-law of the ECtHR on the right to an effective judicial review -- Relevance of the ECtHR's caselaw on the right to judicial review: a story of three models -- Caselaw of EU courts on the right to an effective judicial review -- Is judicial review a cure for bigness? Sommario/riassunto 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 decisionmaking 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. Readership: Lawyers and researchers interested generally in fundamental rights, EU competition law and the interplay between the two or particularly in due process, independent decision-making or judicial review.