Record Nr. UNINA9910793355303321 Autore Mickonyte Aiste Titolo Presumption of innocence in EU anti-cartel enforcement / by Aiste Mickonyte Leiden;; Boston:,: Brill,, 2019 Pubbl/distr/stampa **ISBN** 90-04-38465-0 Descrizione fisica 1 online resource (248 pages) Disciplina 343.240721 Soggetti Cartels - European Union countries Presumption of innocence - European Union countries Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Nota di bibliografia Includes bibliographical references. Nota di contenuto Introduction -- Functions of the Presumption of Innocence --Presumption of Innocence under Article 6(2) echr: Meaning and Scope -- Legal Framework of EU Anti-Cartel Enforcement Procedure --Classification of EU Anti-Cartel Proceedings -- Parental Liability: Compliance with Article 6(2) echr -- Duty of Cooperation: Compliance with Nemo Tenetur under Article 6(2) echr -- Proposals for Improvement -- Conclusions. In this monograph, Aist Mickonyt examines the compliance of the Sommario/riassunto 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.