

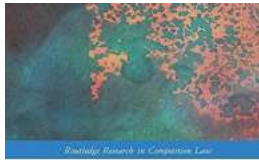
# Collective Redress And Eu Competition Law: Strengthening Consumer Rights and Fostering Fair Competition

When it comes to competition law in the European Union, the concept of collective redress has emerged as a powerful tool to safeguard consumer rights and promote fair competition. In recent years, there has been a growing recognition of the need to provide a mechanism for consumers and businesses to collectively seek compensation for harm caused by anticompetitive practices.



Collective redress refers to a legal procedure that allows a group of individuals or businesses, who have suffered harm due to a common cause, to collectively pursue their claims against the responsible party. This mechanism aims to provide an effective means for affected parties to seek compensation, without the burden of pursuing individual claims, which can be expensive, time-consuming, and inefficient.

**Collective Redress and EU Competition Law  
(Routledge Research in Competition Law)**



by Jerry Minchey (1st Edition, Kindle Edition)

★★★★☆ 4.2 out of 5

Language : English

File size : 1388 KB

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In the context of EU competition law, collective redress plays a crucial role in addressing anticompetitive practices that harm consumers and businesses. The European Union has adopted a robust competition law framework aimed at ensuring fair competition and preventing the abuse of dominant positions by companies. However, despite these efforts, violations of competition law still occur, resulting in harm to consumers, businesses, and the overall economy.

One of the main hurdles faced by consumers and businesses seeking to pursue antitrust claims is the cost and complexity of litigation. The legal expenses involved in bringing an individual claim for relatively small amounts can often exceed the potential benefits. Additionally, the outcome of individual cases might not have a significant impact on deterring anticompetitive behavior.

With collective redress, these obstacles are overcome. By allowing victims of anticompetitive practices to join forces and pool their claims, collective actions can level the playing field. This mechanism not only provides greater access to justice but also creates a greater deterrent effect on potential violators of competition law.

In recent years, the European Union has taken significant steps towards enhancing the availability of collective redress for consumers and businesses affected by anticompetitive practices. The European Commission has issued guidelines to member states, encouraging them to adopt mechanisms that facilitate collective actions in the field of competition law.

Furthermore, the EU introduced Directive 2014/104/EU on antitrust damages actions, which aimed to harmonize the rules on collective actions across member states. The directive establishes common principles concerning the right to compensation, access to evidence, and the calculation of damages. It also ensures that national courts have the necessary tools to handle complex and cross-border claims effectively.

The rise of collective redress in EU competition law has also been supported by the Court of Justice of the European Union (CJEU). The CJEU has consistently affirmed the importance of collective actions in safeguarding the interests of consumers and businesses affected by antitrust violations. Its rulings have clarified crucial aspects related to the admissibility, scope, and practical implementation of collective redress mechanisms in relation to competition law.

The use of collective redress mechanisms in EU competition law has already yielded significant results. Several high-profile cases have resulted in substantial settlements being awarded to affected consumers and businesses. For example, the well-known truck cartel case led to a record-breaking settlement of €2.93 billion, providing compensation to thousands of businesses affected by the anticompetitive practices of truck manufacturers.

Besides compensating victims, collective redress also serves broader public interest objectives. By holding violators accountable and deterring future

infringements, collective actions contribute to the functioning of fair and efficient markets, ultimately benefiting society as a whole.

However, some critics argue that collective redress mechanisms could be subject to abuse, leading to excessive litigation and potentially frivolous claims. To address these concerns, it is essential to strike a balance between providing an effective tool for victims of anticompetitive practices and implementing safeguards to prevent abuse.

Overall, collective redress is a powerful tool in strengthening consumer rights and fostering fair competition in the EU. By facilitating access to justice and ensuring compensation for antitrust violations, collective actions play a vital role in enforcing competition law and promoting a level playing field. With the continued development and refinement of collective redress mechanisms, the EU is paving the way for a more effective and consumer-centered competition law regime.



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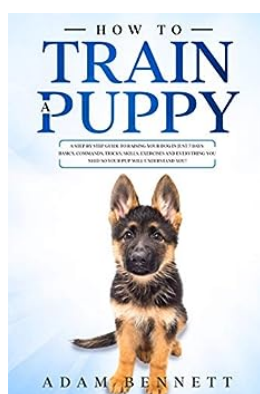
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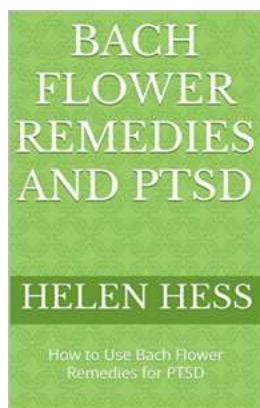


Exploring obstacles to effective compensation of victims of competition infringements, this book categorises the types of victims harmed and the types of losses arisen from these infringements to identify to what extent there is a need for enhanced private competition law enforcement in the European Union (EU) and the best way to address this need. It shows that there is a genuine need for facilitating consumer damages actions and that consumer claims are the only claims that can be pursued in a collective redress action. In order to compensate consumers and overcome barriers to effective enforcement of their right to damages, it structures a collective redress action for consumers by considering the following elements: i. the formation of the group, ii. the type of representative party iii. funding mechanisms and iv. calculation and distribution of damages.



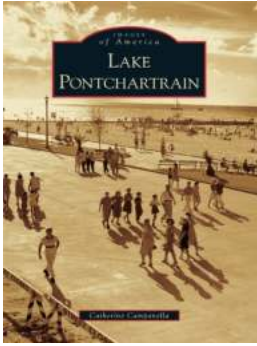
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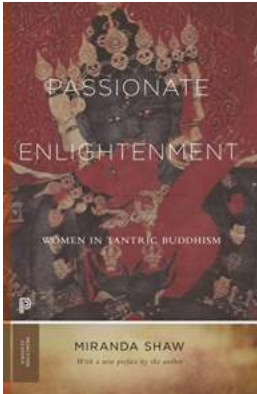
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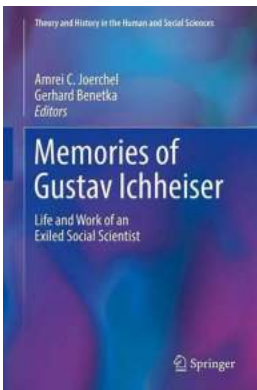
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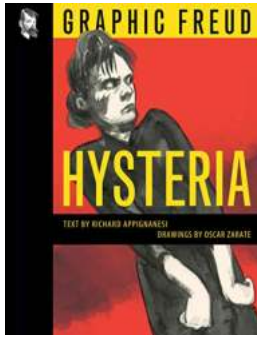
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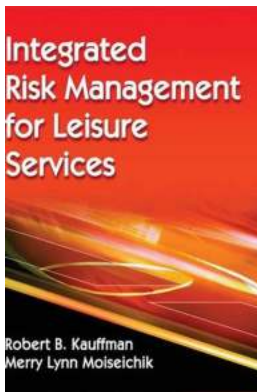
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