



OBSERVATORY ON COMPETITION LAW ENFORCEMENT

ANTITRUST: THE EUROPEAN COMMISSION CONFIRMS INSPECTIONS CARRIED OUT BY ITS OFFICIALS WITHIN THE AUTOMOTIVE INDUSTRY IN GERMANY

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On October 23rd, the European Commission confirmed carrying out multiple inspections in car manufacturers in Germany for suspicions of violation of EU antitrust rules, such as the prohibition on cartels and on restrictive business practices. This confirmation was a consequence of an inspection run by the EC on October 16th. During the launch of the inspections, officials from both the EC and the German National Competition Authority were present.

These inspections represent only the first stage of any investigation based on the suspicion of antitrust practices. Thus, usually, it is neither possible to gauge an effective accountability on behalf of the inspected manufacturers, nor to immediately predict the result of the ongoing investigation. This way, the Commission respects the rights of defence, particularly of the actors during the antitrust proceedings, giving them the chance to defend themselves from eventual accusations.

Besides, the inquiries conducted within the scope of the anti-competitive conducts have an undetermined duration, which is conditioned, for instance in the present case, by the complexity of the case, by the cooperation relationship between the companies concerned and the Commission, and by the exercise of the rights of defence recognized to these companies.