**Tihamer Toth (Pázmány)**

**Competition, consumers and sustainable development**

1. **Course plan**

This short course (8 lecturing hours, including consultation) looks at the interactions and potential conflicts of competition (antitrust and state aid) policy, and consumer policy (including misleading advertising law) in an EU context. Students will learn the basic principles of EU competition and consumer laws, and how these policies incorporate environmental (or more broadly, sustainable development) policy goals.

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<https://jak.ppke.hu/en/teaching/faculty-members-and-researchers/toth-tihamer-208a0>

1. **Plan of the course with obligatory and optional readings**

Students are kindly requested to read the documents, with special attention to the relevant pages. A short home assignment (2-3 question, with responses totaling about one page) will be circulated one week before the summer school starts.

* **Conflicting aims?**

Sustainable development strives to meet the needs of the present without compromising the ability of future generations to meet their own needs, based on three pillars: economic development, environmental protection and social responsibility.

EU competition policy goals: increasing (consumer) welfare, more choice, market integration, etc.

* **Co-operation agreements between competitors**

<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52011XC0114(04)&from=EN>

Points 149, 329., the rest is optional (about 3 pages)

The EU commission “horizontal guidelines” do not contain a separate chapter on ‘environmental agreements’ as was the case in the previous guidelines. Standard-setting in the environment sector, which was the main focus of the former chapter on environmental agreements, is more appropriately dealt with in the standardisation chapter of these guidelines. In general, depending on the competition issues ‘environmental agreements’ give rise to, they are to be assessed under the relevant chapter of these guidelines, be it the chapter on R&D, production, commercialisation or standardisation agreements.

* **Supporting recycling and renewable energy sources through antitrust enforcement**

"Closing the loop" of product lifecycles through greater recycling and re-use brings benefits for both the environment and the economy. Effective competition in the waste management sector contributes to tackling the challenge by making recycling affordable for consumers. In September, the Commission fined Altstoff Recycling Austria (ARA) EUR 6 million for blocking competitors from entering the Austrian market for management of household packaging waste from 2008 to 2012, in breach of Article 102 TFEU which prohibits the abuse of a dominant market position.

Commission’s press release:

<http://europa.eu/rapid/press-release_IP-16-3116_en.htm>

* **State aid law issues**

State aid, generally, pp 3-10, (the rest is optional reading)

<https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/15277/National_State_Aid_Law_Requirements.pdf>

Chart on p. 6, and pp 8-10 (the rest is optional reading)

<https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/443686/BIS-15-417-state-aid-the-basics-guide.pdf>

EU competition policy and environmental protection: the case of recycling (anti-competitive agreements and state aid), 1-7 pp.

<http://ec.europa.eu/competition/speeches/text/sp2001_015_en.pdf>

Explaining the new state aid guidelines (2014), 1-5 pp

<http://ec.europa.eu/competition/publications/cpb/2014/016_en.pdf>

* **Consumer protection, advertising**

Link to the UCP Directive (optional reading):

<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32005L0029&from=en>

Commission guidance to the UCPD, pp 105-120.

<http://ec.europa.eu/justice/consumer-marketing/files/ucp_guidance_en.pdf>

UN guidelines, pp 18-20.

<http://unctad.org/en/PublicationsLibrary/ditccplpmisc2016d1_en.pdf>

EU study on green claims, pp 15-32, the rest is optional

<http://ec.europa.eu/consumers/consumer_evidence/market_studies/docs/green-claims-report.pdf>

*Optional: Cosmetics Europe homepage, see links to documents and videos on the right side, i.e.:*

<https://www.cosmeticseurope.eu/cosmetics-industry/>

<https://www.cosmeticseurope.eu/files/4214/6521/4452/GSP_Brochure.pdf>

Grading

Students will write an open book test at the last lecture which will take about 30-40 minutes and will include some basic facts related questions and a problem/case solving exercise. (60%)

Presence, activity in class room, including responses to assignments before the lecture day will also be taken into account. (40%)