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Competition Law & Policy Debate (CLPD) is a quarterly journal focusing on major developments in Mergers, Cartels, Antitrust (Art.101/102 other than cartels) and State Aid. CLPD contains articles of academic value but written in an approachable style to address practical questions and suggest solutions to new issues. Its focus will be on dissecting, analyzing and criticizing the most recent and important legislation and case law, as well as on discussing questions faced by enforcers and practitioners but neglected in the existing literature. The idea is for CLPD to become an important platform for lawyers and economists to express conflicting views and, in particular, encourage the debate on new developments in all areas of competition law. In this way the journal wants to contribute to debates on policy—or even start them.

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Dear Readers,

Welcome to our first issue in 2020! You are right – this issue of CLPD reaches you later than usual. With busy authors such as ours timing has been a challenge. So we have decided to combine issue 4 of 2019 with issue 1 of 2020, which gives you a lot to catch up on.

First of all, our trusted reviewers of last year's developments in the Art. 102 TFEU area (Lars Kjølbbye, Christos Malamataris and John Wileur) and with respect to mergers (Cormac O'Daly) have contributed synopses of their respective areas. As you will see both articles cover a lot of interesting events and decisions. I'll only mention the General Court's Servier judgment and the German Facebook and Amazon cases in the Art. 102 section and the three prohibition decisions (including that relating to Siemens/Alstom) and the fining decisions against Canon and GE in the merger area.

We also have an article on “Contagious Financial Injections: Extended Liability for the Recovery of Illegal State Aid” by Ulrich Soltész and Maximilian Imgenberg. According to the authors, the Commission's new Recovery Notice still does not provide sufficient clarity to permit purchasers and their advisors to fully assess the risk of recovery where assets “infected with State aid” are acquired.

A very timely and thought provoking article on “Sustainable Competition Policy – What We Can Do and Do Now” expands on Maurits Dolmans' talk during the Chillin' Competition Conference 2019. Maurits argues that we can no longer afford to turn a blind eye to competition that exploits externalities hurting the environment and the climate and makes proposals of how antitrust enforcement can be part of an integrated climate policy. This is a topic that I expect we will be looking at again in the not too distant future.

Finally, our interesting symposium, introduced by Josep Carpi, is on international aspects of merger enforcement. This is of course a topic of great interest for all of us dealing with transactions whose effects are felt across the borders of the companies' home countries. The symposium combines articles from enforcers and policy officers, lawyers and economic advisers who are looking at the approaches taken in the United States and Brazil as well as in Europe and China. In addition, there is an article on the recently adopted ICN Framework for Competition Agency Procedures, an initiative attempting to promote certain basic procedural standards to be applied by competition authorities worldwide.

Please enjoy reading, tell us what you think about the articles and let us know if you would like to see a symposium about a particular topic.

Annette Schild

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