

Articles

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JONATHAN BLONDEEL

EU enforcement policy on abuse of dominance: Some statistics and facts 147

The Commission's art.102 TFEU enforcement policy is very much targeted at large multinational companies with super dominant shares. Its assessment of both dominance and abuse is remarkably predictable and remains formalistic despite the Commission's adoption of the Guidance Paper, which promotes a more effects based approach. The relevant procedure suffers from a number of flaws that require consideration in particular the lack of due process. The Commission rarely abandons formal investigations and no decision has been overturned by the European Courts. This may change in the short term depending on whether the CJEU will follow AG Wahl's opinion in the *Intel* case.

DAREN SHIAU AND ELSA CHEN

Emerging trends in leniency regimes in Southeast Asia — how these impact on multi-jurisdiction leniency strategy 165

This article provides a regional overview of the leniency regimes in Southeast Asia. It also provides analysis on factors that companies should be mindful of when formulating a multi-jurisdiction leniency strategy involving this region, including differing civil and criminal liability, extent of co-operation required, discovery rules and eligibility criteria.

MAHMOUD A. MOMTAZ

The dual distribution discourse: a new perspective for the online hotel booking platforms 171

The article examines the EU enforcement policy towards dual distribution arrangements in the online hotel booking cases, to assess whether there is an enforcement gap. The article analyses case law from the US and the EU and suggests an alternative route to approaching these types of arrangements.

DR EDA SAHIN

The cartel of 12 Turkish banks and consumer harm: what happens now? 180

Private competition law enforcement has remained relatively underdeveloped in Turkey and is inadequate for enabling consumers to seek redress for the harm suffered. This becomes more apparent and topical with the recent collusion case where 12 banks imposed significant harm on over 33 million victims. This article examines the extent of the harm caused by this collusion and how ineffective the private enforcement system is in providing victims with access to justice, and finally discusses a possible way forward to facilitate consumer damage claims.

HETHAM HANI ABU KARKY

International support to competition advocacy in Jordan 187

Several international organisations support the promotion of competition culture and competition advocacy in Jordan. This article explores those international organisations' efforts in support of competition advocacy in Jordan, by explaining the supported aspects as well as identifying those organisations' supporting activities.

FARRUKH NAWAZ KAYANI

Merger control under the competition law of China and Pakistan 193

Merger and acquisitions are a serious threat to the phenomenon of competition in the economy. However, not all mergers and acquisitions are catastrophic and disastrous. Only anti-competitive mergers are dicey and devastating. This article discusses how China and Pakistan are regulating anti-competitive mergers. It also explains the techniques being used by the Chinese Ministry of Commerce and Competition Commission of Pakistan for determining the competition-harming mergers. The Chinese Ministry of Commerce is using the substantive assessment technique, whereas the Competition Commission of Pakistan applies the Herfindahl-Hirschman Index to gauge anti-competitive mergers.

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