

EU competition law response to the coronavirus crisis 373

Even during the COVID-19 pandemic, competition law remains an irreplaceable tool to protect undertakings and consumers. At the same time, the EU Commission is aware of the exceptional challenges that undertakings are facing. Its response (relating to State aids, relaxation in enforcement of art.101 TFEU in limited cases, general support and guidance), is recalled and briefly commented upon in the article.

Climate change, sustainability and competition law in the UK 384

Climate change is an existential threat. Competition law must be part of the solution and not part of the problem. The author's previous articles on this drew on the constitutional provisions of the EU treaties and remarks by leaders such as Commissioner Vestager to show how competition law need not stand in the way of urgent action and co-operation by the private sector to fight climate change. This new article builds on this to show how climate change and sustainability can (and must) play a part in UK competition law. We must build on the CMA's commitment in its annual plan to prioritise climate change and to support the transition to a low carbon economy. It also shows how we can learn lessons from the COVID-19 crisis and apply these to the climate crisis.

Dawn raids in competition cases and the right to privacy 400

This article analyses the limits to the European Commission's powers of inspection in competition law cases under art.8 of the ECHR. The author identifies a series of circumstances prior to and during the conduct of inspections that could give rise to a violation of art.8 of the ECHR and contends that, while the EU courts have so far been effective in addressing some of these potential infringements, EU accession to the ECHR remains critical to guarantee comprehensive and coherent fundamental rights protection throughout the EU.

Comments on coronavirus and Competition Act exclusion orders 413

Exclusion Orders under the Competition Act have allowed co-operation during the coronavirus crisis between private hospitals, grocery retailers, dairy producers and Solent ferry operators. This begs the question as to why the government has not made use of this power in the past to allow co-operation that has public benefits, especially in measures to improve health and to reduce environmental impact.

The case of Google: assessing market power in the digital economy through big data 416

With a shift into the digital economy, and a need for new ways to assess market power, one of its key characteristics, Big Data, and its economic aspects, are becoming ever more relevant. It can be concluded that this view is recognised in the decisions of the European Commission in the *Google* cases, in the market for general search services.

COVID-19 crisis and CCI's response: lessons to be learned from Australian and British regulators 419

The authors through this opinion piece have analysed the Competition Commission of India's response towards co-operation among enterprises during the COVID-19 crisis along with a cross-jurisdictional analysis of measures undertaken by other competition law authorities. Furthermore, the authors have suggested changes in the Indian competition law framework, by taking inspiration from Australian and British regulators, which can be adapted to allow necessary co-operation among enterprises during the time of crisis without crossing the boundaries of competition law.