

Competition & EU

Impact of Sustainability on competition policy

Competitive Edge

Keeping you up to date on Competition & EU law developments in Europe and beyond

Sustainability



From words to action – recent developments in sustainability and competition law

Dear readers,

With sustainability being one of the most intensely debated topics over the last few years, competition authorities around the world are now providing increasingly detailed guidance on how they consider that sustainability may impact competition law.

Bird & Bird's international competition practice has therefore chosen to take a closer look at the interplay between sustainability initiatives and competition law in this topical edition of *Competitive Edge*.

Amongst the articles in this newsletter, we naturally cover the most recent developments from the European Commission and its guidelines on how sustainability may be taken into consideration when evaluating horizontal cooperation, state aid and merger control. Moreover, we cover the guidance and recent case law from several national jurisdictions, including Germany, the United Kingdom, the Netherlands and Hungary.

Lastly, we also take a deep look at the potential pitfalls that competition authorities may face when taking sustainability into consideration, as this risks leading to "greenwashing" by the authorities.

In case you missed it, we also invite you to listen to our [podcast episode on sustainability](#) in which our London based competition experts take a look at how sustainability claims impact competition policy in the UK.

Happy reading – and as always – please let us know should you have any specific topics you wish the *Competitive Edge* newsletter or podcasts to cover.

For more information contact [Pauline Kuipers](#) or [Morten Nissen](#)

The European Commission's actions for promoting sustainability from a competition law angle

[Read the full story](#)

For more information contact [Szymon Golebiowski](#) or [Stanislaw Szymanek](#).

Greening Competition Law: the European Commission's Draft Horizontal Guidelines and Sustainability Agreements

[Read the full story](#)

For more information contact [Petteri Metsä-Tokila](#), [Maria Karpathakis](#) or [Alexander Bröchner](#).

State aid and sustainability

[Read the full story](#)

For more information contact [Thomas Oster](#) and [Claire Burlin](#)

What about sustainability aspects in merger control?

[Read the full story](#)

For more information contact [Federico Marini Balestra](#), [Lucia Antonazzi](#) or [Tialda Beetstra](#).

A risk of "greenwashing" by competition authorities?

[Read the full story](#)

For more information contact [Pauline Kuipers](#), [Tialda Beetstra](#) and [Joost van Roosmalen](#).

The German FCO at the Intersection between Competition Law and Sustainability Initiatives

[Read the full story](#)

For more information, please contact [Dr. Stephan Waldheim](#), [Maren Steiert](#) or [Nima Astani](#).

How UK competition policy is supporting the UK's Net Zero by 2050 goals

[Read the full story](#)

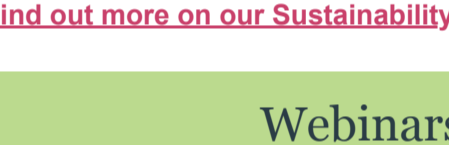
For more information contact [Dr. Saskia King](#), [Ariane Le Strat](#), [Sean Bullock](#) and [Luca Koenes](#).

Tolerating Green Cartels – National Guidelines on Anticompetitive Agreements with Sustainability Aims

[Read the full story](#)

For more information contact [Vojtech Chloupek](#) or [Martin Taimr](#).

Bird & Bird resources



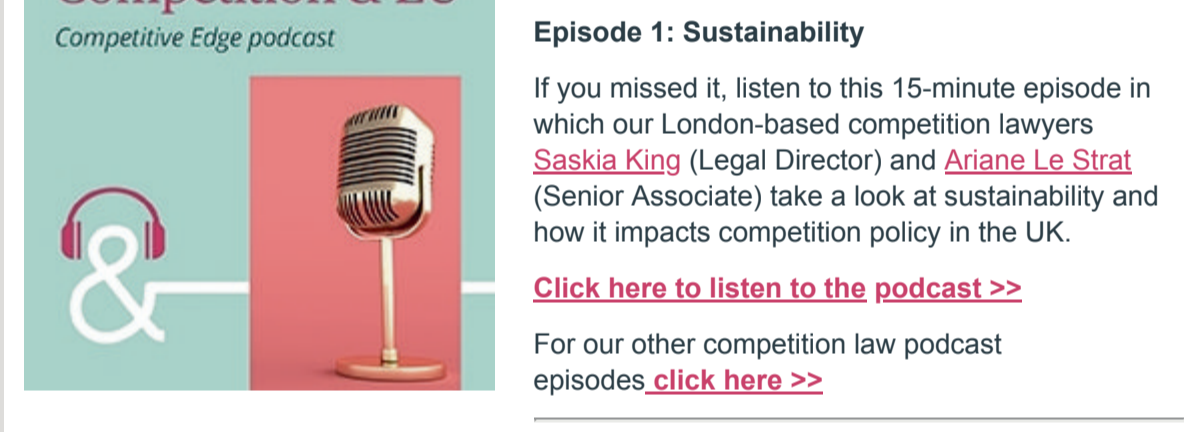
Green Claims Tracker

"Green claims" are claims suggesting that products or services have a positive or no impact on the environment or are less damaging than those of competitors. Businesses are increasingly using them in commercial communications, marketing and advertising.

The current approach to green claims varies from one country to the other at the international level.

We created a Green Claims tracker to help you navigate the different national laws and guidelines on green claims, applicable in a selection of countries in Europe, the Asia-Pacific region and the UAE.

[Click here to try it out for yourself >>](#)



Organisations are undergoing a fundamental shift towards a more sustainable way of operating. Legal requirements and expectations of an organisation's people and external stakeholders are evolving rapidly. See how Bird & Bird can help guide you through these changes.

[Find out more on our Sustainability webpage >>](#)

Webinars, events & podcasts



Competitive Edge – The Podcast

Episode 1: Sustainability

If you missed it, listen to this 15-minute episode in which our London-based competition lawyers [Saskia King](#) (Legal Director) and [Ariane Le Strat](#) (Senior Associate) take a look at sustainability and how it impacts competition policy in the UK.

[Click here to listen to the podcast >>](#)

For our other competition law podcast episodes [click here >>](#)



Lear Competition Festival 2022

21 - 23 September 2022
Rome

Join us in Rome as we sponsor this annual event, a hub for innovation, networking, and exciting opportunities for the antitrust community.

During three days, participants will have the chance to gain a deeper understanding of specific antitrust issues, to acquire new tools for legal and economic analysis and to network with the main players in the competition field.

[Morten Nissen](#) will be chairing the panel session *Recent Antitrust Developments in the EU and the US* with panelists [Assimakis Komninos](#) and [William E. Kovacic](#).

[Find out more >>](#)

[Register here >>](#) (free for companies and in-house counsel)

For others: receive a 20% discount on registration by writing to info@learcompetitionfestival.com and asking for the [20% Bird&Bird discount](#).



Florence Competition Autumn School 2022

24-27 October 2022
Fiesole (Florence)

The Autumn School, held on the campus of [EUI \(European University Institute\)](#), is an advanced course on recent developments in competition policy in Europe, the USA and the rest of the world. Programme available [here](#).

Our Brussels-based Senior Associate [Baptist Vleeshouwers](#) will make sure you are aware of the latest developments in **antitrust leniency applications and dawn raids** with a presentation followed by an interactive group exercise of a dawn raid simulation. See his introduction video [here >>](#)

[Find out more and register here >>](#)



Webinar

Global Annual Sports Day

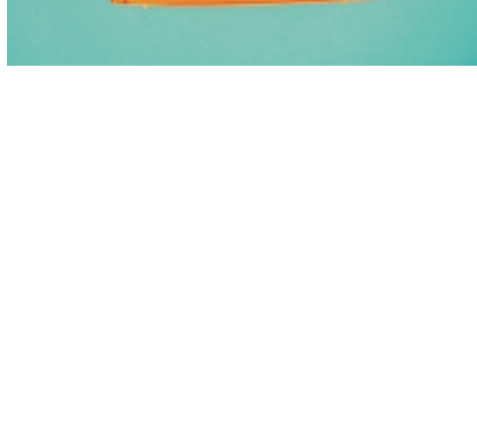
6 October 2022
Online

Join Bird & Bird's International Sports Group for their second annual online global 'Sports Day'.

Throughout the day a mixture of specialists from across our international offices (and some invited guests) will be delivering sessions for you to choose from, covering a wide variety of topics relevant to those working in the sports industry.

Partner [José Rivas](#) and legal director [Saskia King](#) from our Competition & EU Group will provide an update on Competition law with a spotlight on key and recent cases in the sports sector.

[Register for the free webinar >>](#)



Webinar

International Business to Consumer Annual Update

11 October 2022
Online

Our International Business-to-Consumer Group is delighted to invite you to an essential webinar for any business that interacts with consumers.

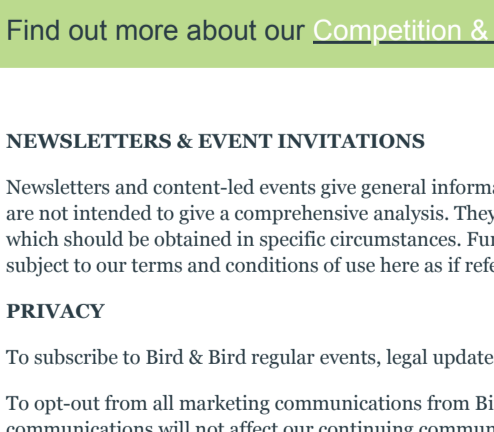
The last year has seen many important legal developments for consumer-facing businesses, including the implementation of the Omnibus Directive in the EU, and the UK government's proposals for reforms of consumer law.

In this webinar, you will hear from members of our international B2C team, who will kick off the event with a brief summary of the current UK & European landscape, before focusing on five core areas:

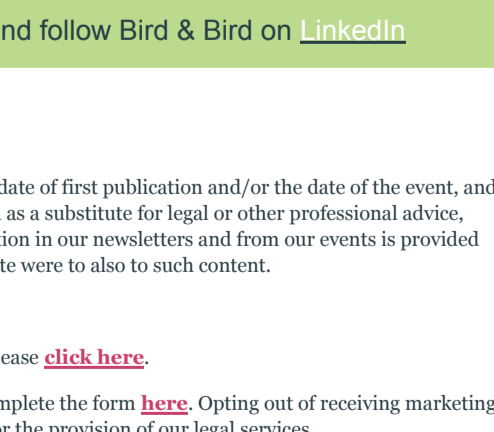
- Contracts - [Robert Turner](#) & [Deirdre Kilroy](#)
- Advertising - [Shona O'Connell](#)
- Green claims - [Constantin Eikel](#)
- Enforcement - [Saskia King](#)
- Product compliance - [Nicolas Carbonnelle](#)

[Register for the free webinar >>](#)

Contacts



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