

**COVID-19 NEWSFLASH ON**

**EU COMPETITION LAW**

**BRUSSELS, MARCH 2020**

On 23rd March 2020, the European Commission and the national competition authorities in all EU Member States have issued a joint statement through the European Competition Network (ECN) regarding the application of the competition law in the current context of Covid-19 pandemic in EU.

They all concur on the fact that the urgency of the situation « *may trigger the need for companies to cooperate in order to ensure the supply and fair distribution of scarce products to all consumers* » and agreed that they will not actively intervene against « *the necessary and temporary measures put in place in order to avoid a shortage of supply.* »

The cooperation conducted between companies to ensure a continuous supply of important products for the consumers would be seen with a degree of leniency.

Nevertheless, the ECN still reminds companies that competition law remains applicable, competition authorities in Europe will not hesitate to take action against companies in a cartel or abusing their dominant position in the sensitive Covid-19 context. Those rules ensure a fair competition and market between companies, even in time of global crisis.

ECN invites any company that has doubts about the legality of a possible cooperation plan to contact the European Commission, the EFTA supervisory authority or the national competition authority to seek informal guidance.

We very much hope that you will find this Briefing useful. We remain at your entire disposal for any additional information or clarification.

**Philippe Billiet**  
**Partner, Attorney at Law**  
**Billiet & Co Lawyers**  
**M: +32 486 31 95 79**  
**E: [Philippe.Billiet@billiet-co.be](mailto:Philippe.Billiet@billiet-co.be)**