

Competition

What do I need to know before I start?

With the creation of a common market for coal and steel, it was necessary to establish a public authority that would regulate this market, severely distorted by cartels, trade barriers, as well as price discrimination. Antitrust provisions were therefore included in the Treaty of Paris, signed in April 1951, which created the European Coal and Steel Community (ECSC). Articles 65 and 66 of the Treaty — characterized by Jean Monnet as Europe's first antitrust law — bifurcated this regulatory task: Article 65 addressed cartels, prohibiting restrictive agreements among coal and steel undertakings, while Article 66 addressed concentrations, subjecting the acquisition of control over another undertaking to the High Authority's prior authorization.

This sectoral framework was subsequently generalized. The Treaty of Rome, signed in March 1957 and entering into force on 1 January 1958, established the European Economic Community (EEC) and comprised competition policy provisions that were to be applicable beyond the specific industrial sectors regulated in the ECSC: Articles 85 and 86 of the new treaty extended a prohibition on restrictive agreements and on the abuse of a dominant position across the common market as a whole, rather than confining it to a single sector under a dedicated supranational authority. These provisions, however, required implementing legislation to acquire operative effect, a lacuna that persisted until the Council's adoption of Regulation 17 in February 1962, which established a uniform system for the application of Articles 85 and 86 across the member states. This regulation instituted a mandatory notification procedure, conferring upon the Commission exclusive competence to grant exemptions under Article 85(3), and furnished the Commission's newly constituted Directorate-General IV with the investigative and punitive powers requisite to its enforcement mandate.

Languages: Please be aware that although most documents available in our Archives are in French, English or German, some may be in other EU languages. In order to check the languages used in a fond, please refer to our holdings page. Additionally, some fonds may contain a few files in a language other than the ones listed in the description.

You might find relevant information in the Research Guides regarding Common Market, Banking and Finance, EU Budget, Fiscal Policy, and Monetary Policy. Similarly, if you are interested in our audiovisual material, you can consult our Research Guides divided by type (posters, artifacts, pictures, etc). All Audiovisual materials are available through our multimedia portal.

Please bear in mind that archival sources are subject to the 30-year accessibility rules. Some files may therefore currently be listed as closed but will progressively become available as they reach the required period of accessibility (check the "Closed until" field in description).

What can I find at the HAEU?

Related specifically to European competition policy-building and policy-making, the fonds available at the HAEU are:

1) [EU institutions, bodies and agencies](#)

Council of Ministers

The fonds of the Council of Ministers is divided into [CM1 CECA \(Conseil spécial des ministres de la Communauté européenne du charbon et de l'acier\) 1952–1967](#) where you can find matters pertaining to competition, as you can see [here](#). You might find interesting the discussion on competition matters within the Council of Ministers, assembled in the section '[Activités de la CEE : Politique commerciale](#)'. The part of the fonds related to [CM 2 Conseil des Communautés européennes](#) is organized by year, and you need to browse the fonds of each separate year to access the specific section on internal market and competition, here an example for the year [1971](#).

[ECSC High Authority](#)

For early developments of competition policy, you may look into the inventory of the ECSC High Authority, particularly in the Subfonds [Acier](#), [Charbon](#) and [Economie et Energie](#). The inventory does not include a specific section on competition policy but it should be kept in mind that the Treaty of Paris establishing the ECSC already included several antitrust provisions whose interpretation was then debated among the Member States until the negotiations leading to the Treaty of Rome establishing the EEC. You might find relevant information in the [Secrétariat général de la Haute Autorité de la CECA](#) : [here](#) an example. You can find information in [Collège Malvestiti](#) and [Del Bo](#).

European Commission

The Commission fonds – and by extension that of the Directorates-General-, are divided into two distinct parts: the first refer to the period preceding the Merger Treaty ([Commission](#) of the European Economic Community, 1958–1967), and the second to the period following its entry into force ([European Commission](#) from 1967 onwards). In the Commission's fonds, you will find a specific section for the [DG IV Concurrence](#). Relevant dossiers can be found in [Marché intérieur](#) and [Affaires économiques et financières](#).

For the Commission after 1968, you might find relevant matters also in [Concurrence](#), [Marché intérieur et affaires industrielles](#) and [Affaires économiques et financières](#). In addition, you might want to look into the sections on the [Secretariat-General](#). In the same way, you can find relevant information under [Cabinet Ortoli](#); [Jenkins](#); [Etienne Davignon](#) under [Collège Thorn](#); [Delors I](#) and [Delors II](#).

European Parliament

The EP'S fonds is divided by different legislatures. The Parliament's fonds include two

sections '[Commission économique et monétaire](#)' and '[Commission économique, monétaire et de la politique industrielle](#)' that include respectively the proceedings and the reports of the parliamentary committee for economic and monetary affairs addressing competition policy in Europe during the [Parliament's first legislature](#) (1979-1984) [second legislature](#) (1984 – 1989); [third legislature](#) (1989 – 1994) and [fourth legislature](#) (1994-1999). Similarly, you can find some relevant documents in the [Commission économique et financière](#) and the [Commission économique et monétaire](#) in the fonds of the Parliament before direct elections (1958-1979).

In the collection of Press Cuttings (CPPE), you will find a specific section related to "[Economique, monétaire et politique industrielle](#)" with a selection of articles regarding this topic.

Court of Justice of the European Union

According to the nature of the CJEU, this fonds includes documents dealing with judicial affairs, namely procedure dossiers and judicial sentences. For users investigating the development of European Community competition policy, a useful starting point could be the case law [Consten and Grundig v Commission](#) (joined Cases 56 and 58/64) on the emergence of the Community antitrust law, a foundational judgment on agreements restricting competition under Article 85 of the EEC Treaty. The [Hoffmann-La Roche v Commission Case \(85/76\)](#) (five volumes) also represents a landmark judgment defining a dominant position and clarifying the concept of abuse. A more recent case, particularly important for public monopolies, undertakings and Art. 90, is the case Höfner & Elser, [C-41/90](#) on the evolution of the European Community competition policy.

Economic and Social Committee

The Economic and Social Committee is an advisory body established by the Treaty of Rome, which participates in decision-making procedures by issuing opinions, but without legislative influence on the final decision. Similarly to the fonds of the Council of Ministers, the inventory is organized by years. Here you might find interesting dossiers on Competition policies, such as [Politique de concurrence: concurrence et monopoles - généralités](#) or [Concurrence](#).

European Court of Auditors

The ECA's annual reports (1977-1997), special reports (1978-1991) and opinions (1977-1997) may be relevant to the subject matter of competition, as well as other internal documents, including information documents (1977-1994) and working documents (1977-1994), where you will find, for example, files dealing with the European internal market and the [Office for harmonization of the internal market](#).

European Committee of the Regions

Created in 1994 following the entry into force of the Maastricht Treaty, the Committee of the Regions (CoR) is an advisory body representing the interests of regional and local

authorities within the European Union. It issues opinions on their behalf to the Council, the Commission, and the European Parliament. Its members include, for example, leaders of regional authorities, mayors, or other elected and non-elected representatives of regions and cities from EU Member States. In its fonds you can find interesting information under the sub-series “[Opinions](#)”, issued at the earliest stage in the European legislative process on policy areas that directly affect the local and regional authorities. [Here](#) an example concerning competition policy.

European Investment Bank

You might find it interesting some “[Projets](#)” “[Aides, dons et subsides exceptionnels](#)” and “[Publications et artéfacts](#)”, where you can find documents dealing with the integration of new markets and specific files about [EIB and enterprise](#).

2) Corporate bodies

Bureau Européen des Unions de Consommateurs

Bureau Européen des Unions de Consommateurs (BEUC) and the “Comité de contact des consommateurs de la Communauté européenne” (CCCCE) were created in 1962 thanks to European Commissioner and Vice-President of the EEC Sicco Mansholt. The aim was to have consumer organizations from the member states represented in the Commission’s decision-making process of CAP. BEUC was to act as an umbrella organization for member States’ consumer associations, ensuring representation for its affiliated member countries’ consumer associations. Here you can find documents regarding the campaigns on “[Anti-competition practices](#)”.

Organisation for European Economic Cooperation (OEEC)

In the OEEC’s fonds, you can find specific sections on [economic committee](#) and [free trade matters](#), which are also closely related to competition policy in Europe.

European Free Trade Association (EFTA)

The creation of EFTA saw the establishment of a free trade area for industrial goods by some European countries which had not joined the EEC when it was formed in 1957. Britain, Norway, Sweden, Denmark, Austria, Switzerland and Portugal were the original Seven who signed the Treaty of Stockholm in 1959, that came into force a year later. Finland became an associate (and later full) member in 1961, and Iceland joined in 1970. The aim of the Stockholm Convention was to reduce tariffs between member states in phases, as in the EEC, a process completed in 1966. You might find interesting documents in the section “[Working papers](#)”.

EFTA Surveillance Authority

The EFTA Surveillance Authority (ESA) was created to ensure that the EFTA States respect their obligations under the EEA agreement, and that enterprises abide by the rules relating

to effective competition. The European Economic Area, abbreviated as EEA, consists of the Member States of the European Union (EU) and three countries of the European Free Trade Association (EFTA) (Iceland, Liechtenstein and Norway; excluding Switzerland). In this fonds you might find relevant information in the series "[Competition](#)".

Political Groups of the European Parliament

The fonds of [Groupe de l'Alliance des démocrates et des libéraux pour l'Europe au Parlement européen](#) includes the documents of the [Commission économique et monétaire \(ECON\)](#) and [Commission juridique et du marché intérieur \(JURI\)](#)

The [Groupe parlementaire du Parti des socialistes européens](#) fonds includes dossiers of the [Politique économique extérieure](#). Please note that only part of the fonds is now available due to the 30-year accessibility rule.

3) [Individuals](#)

[Émile Noël](#)

His private fonds do not include a specific section on competition policy but offers valuable information in this context, as it includes papers on [European commercial and monetary policy](#), as well as Noël's various notes on the European Council's and the Commission's meetings (among many other things that can be useful).

[Philip Lowe](#)

Philip Lowe having been director of the Merger Task Force and later Director-General for Competition, his private fonds include a section specifically on the [Merger Task Force](#) and a more substantive one on the [DG for Competition](#).

[Peter Sutherland \(Commission Papers\)](#)

Peter Sutherland's papers concern his four-year term as Commissioner for Competition, Social Affairs, Education and Training. The private fonds include therefore a significant amount of documents related to competition policy in Europe, such as "[Competition and Parliamentary affairs](#)"

[Tommaso Padoa Schioppa](#)

Tommaso Padoa Schioppa served as Director-General for Economic and Financial Affairs at the European Commission from 1979 to 1983, where his priorities centered on strengthening the newly launched European Monetary System. He subsequently acted as co-rapporteur of the Delors Committee (1988–1989), whose report laid out the three-stage process toward Economic and Monetary Union, and chaired the Commission's Banking Advisory Committee and the Basel Committee on Banking Supervision through the 1990s. Consequently, even if in his private fonds there is not a section on competition, you might find interesting documents, such as [Competition Law and the Eurosystem](#).

Ernesto Rossi

A supporter of the market economy, suitably channeled by the State within limits that prevent the formation of large centers of economic power and, consequently, political power, Rossi was at the forefront of the anti-monopoly struggle. In his fonds you might find interesting documents related to that in the subfonds [“Aspects particuliers de l’industrie”](#).

John Pinder

John Pinder was a leading figure of British federalism. From 1950 he was active in the Federal Union and the Federal Trust, chairing the latter from 1985 to 2008 and helping found TEPSA out of its circle of associates; he was also long engaged with the European Movement in Britain and, from 1954, with Spinelli's Union of European Federalists and its successor bodies. In his private fonds you might find interesting documents and publications on [Competition policy](#), trade, [economy and finance](#).

François Lamoureux

François Lamoureux was a jurist who started his career with the European Commission, at the Secrétariat Général, then at the Legal Department (1980-1984). In 1985, he entered President Jacques Delors' cabinet, where he worked on the White Paper of the Internal Market, which became a foundation for the Single Act. He then became Deputy Head of Cabinet and helped with the coordination of Objectif 1992. He also played a part in two intergovernmental conferences on the political union and the Economic and Monetary Union (EMU), which dealt with the European Union Treaty. In his private fonds you might find relevant documents concerning [competition policy matters](#).

4). Oral History

The HAEU is a repository for more than 900 interviews, part of various oral history programs, launched to preserve the voices of European politicians and officials. Below, you can find a list of interviews who addressed the topic of competition policy at the European level.

[Abate, Antonio and Waegenbaur, Rolf](#)

[Albrecht, Ernst](#)

[Andriessen, Frans](#)

[Beuve-Méry, Jean-Jacques](#)

[Blonk, Wilhelm](#)

[Brackeniers, Eduard](#)

[Brunner, Manfred](#)

[Cadieux, Jean-Louis](#)

[Canevali Alberto](#)

[Caspari, Manfred](#)

[Carvalho, Abraão de](#)

[Coppé, Albert](#)

[Day, Catherine](#)

[Degimbe, Jean](#)

[Donat, Marcell Von](#)

[Dubois, Jean](#)
[Ehlermann, Claus-Dieter](#)
[Emerson, Michael](#)
[Faull, Jonathan](#)
[Froschmaier, Franz](#)
[Giacomello, Giacomo](#)
[Groeben, Hans Von Der](#)
[Hilbrecht, Heinz](#)
[Houtman, Anne](#)
[Junger, Jean-Marie](#)
[Koster, Frans De](#)
[Krämer, Ludwig](#)
[Kuijper, Pieter Jan](#)
[Levie, Guy](#)
[Marchini-Camia, Antonio](#)
[Marenco, Giuliano](#)
[Mark, Eric](#)
[Mathijsen, Petrus](#)
[Messina, Carmelo](#)
[Nass, Klaus Otto](#)
[Olivi, Bino](#)
[Pappalardo, Aurelio](#)
[Piccarolo, Marco](#)
[Rencki, Georges](#)
[Romus, Paul](#)
[Rocca, Gianfranco](#)
[Ruete, Matthias](#)
[Saclé, Armand](#)
[Schröter, Helmuth](#)
[Schwartz, Ivo](#)
[Schuringa, Tjakko](#)
[Steele, John](#)
[Sünner, Robert](#)
[Sutherland, Peter](#)
[Temple Lang, John](#)
[Ungerer, Herbert](#)
[Vandamme, Jacques](#)
[Vanden Abeele, Michel](#)
[Ventura, Sergio](#)
[Verloren Van Themaat, Pieter](#)
[Verstrynge, Jean-Francois](#)
[Waterschoot, Paul](#)
[Wathelet, Pierre](#)
[Wirsing, Erich](#)
[Zijlstra, Jelle](#)