

Faced with climate crisis, we often asked ourselves a question what can be done to address this immense challenge. One of the key question in this respect is how to limit markets negative impact on the environment. While different proposals in this respect are put forward or indeed implemented, the question remains how to design transition to a carbon-neutral economy so as to limit harm of those who will suffer because of the transition. Against this background, the proposed project addresses the relationship between the protection of competition on the market and other values modern societies wish to promote in national constitutions. The transition necessitates that law better addresses markets' impact on the environment, while at the same time mitigating the negative socio-economic consequences of this transition ('just transition'). This is crucial for competition laws of EU countries of Central and Eastern Europe such as Poland and of Southern Europe such as Italy which due to the characteristics of their economy, geographic location, and more limited financial resources are prone to challenges in limiting markets' negative impact on the environment while addressing at the same time negative socio-economic consequences of the transition.

To address this problem, the Project aims at explaining the place of values of national constitutions within national competition laws as well as to identify the existing limitations of competition laws vis a vis the necessity of just transition to a carbon-neutral economy. A key question is what solutions can be proposed to open competition law for inclusion of socio-economic and environmental constitutional values. To address this question, an in-depth study of legal systems of specific countries is proposed. The project studies Italy and Poland as examples of EU countries whose competition law's goals were designed in a traditional way in line with EU law and confront it with approaches in South Africa. In particular, it is relevant that South Africa has been at the forefront globally of including a broader set of non-economic goals, which are in line with constitutional axiology, into its competition legislation. As a result, it provides a good case study to examine the successes and failures of such solutions. The lessons drawn from the Project are aimed to be relevant not only to Italy and Poland but also to similar competition laws of other EU Member States (MS). They will also provide insights for possible interpretations of EU competition rules which substantially correspond to competition laws of Italy and Poland.

The Project's main objective is to provide evidence-based insights into the role that constitutional and competition laws play in designing the relationships between competitive markets, socio-economic values, and environmental values in the context of transition to a carbon-neutral economy. Crucially, the project will explain which designs of competition laws offer a framework for integrating the protection of competition and socio-economic and environmental values. The Project will propose legal frameworks in which the negative socio-economic and environmental aspects of the functioning of markets (for example more limited access to healthcare or increased air pollution) can be taken into account, and, consequently, it will help to design just transition to a carbon-neutral economy.

The Project is built around four working packages (WPs), which aim to answer the specific questions posed with respect to three investigated countries: Italy, Poland and South Africa. The first WP is about Law on the Books and it studies protection of competition and socio-economic and environmental values in constitutions and competition laws. The WP2 is about case-law and it aims at mapping approaches and discovering evolutions through systematic content analysis of all relevant case-law. WP3 is on law in context and it offers in-depth study of landmark cases and expert interviews. Finally, WP4 concludes by developing regulatory approaches integrating the values and drawing lessons for the purposes of just transition to a carbon-neutral economy. Scientific methodology applied in the Project is this of legal studies. However, it is limited to classic doctrinal legal analysis. Rather, various research methods including those of empirical nature are used to achieve its objectives. By applying such methods, the Project sits well within the schools of thought which underline the importance of context in which law operates and growing importance of empirical methods in legal research.