

LENZ & STAEHELIN REPRESENTED ATLAS AND POLAR AIR AGAINST COMCO SANCTION

Posted on 21 December 2022



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In its ruling from 2013, the **Swiss Competition Commission** (ComCo) had sanctioned **Atlas Air** and its subsidiary **Polar Air Cargo** as well as ten other cargo airlines for an alleged price-fixing cartel in violation of the Swiss Cartel Act and Article 8 of the EU-Switzerland Air Transport Agreement. Nine cargo airlines lodged an appeal with the Swiss Federal Administrative Court against this ruling.

By decision of November 16, 2022, the Swiss Federal Administrative Court now annulled the sanction against Atlas Air and Polar Air Cargo. The Court found that ComCo had no jurisdiction under the EU-Switzerland Air Transport Agreement and concluded that Atlas Air and Polar Air Cargo had not violated Swiss competition law. In the case of six cargo airlines, the Court upheld the violations of Swiss competition law.

[Lenz & Staehelin](#) represented Atlas Air and Polar Air Cargo. The team was led by **Marcel Meinhardt** (pictured) and included associates **Sinem Süslü** and **Luzius Sidler** (all competition).