



**Minutes Kick-off Meeting of 2023-2024
Working Group on Cross-border Cartels
30 November 2023
14:00-16:00 (CET)**

Based on the agreed conclusions of Intergovernmental Group of Experts on Competition Law and Policy in July 2023, the kick-off meeting of the Working Group on Cross-border Cartels (WG on CBCs) was held virtually on 30th November 2023 at 14:00 CET for 2 hours. The UNCTAD secretariat gave a presentation of recommendations and the participants commented and discussed about upcoming topics.

1. The meeting was opened and moderated by the UNCTAD secretariat.
2. The UNCTAD secretariat presented recommendations (listed below) for next year's substantive meetings.
 - Disseminate the information and the lessons learnt from the practical case studies of competition authorities in dealing with cross-border cartels and bid rigging.
 - Promote cooperation between competition authorities and facilitate information exchanges, consultations and international cooperation.
 - Carry out advocacy works to disseminate and raise awareness of the newly implemented GPP, notably through case studies and practical guidelines.
 - Discuss tools and procedures on common issues in the fight against cross-border cartels and bid rigging.
3. The Competition Promotion and Consumer Protection Committee of Uzbekistan presented their suggestions for the WG. The delegate proposed that the member states needed to establish a special voluntary WG on drafting uniform guidelines for conducting cross-border cartel investigations and to conduct a joint analysis with member states on mergers and acquisitions in the digital market.
4. The competition authority of Austria pointed out that there is not much time this year as the WG is planning to discuss not only cross-border cartels but also bid rigging. She also noted that the content of Uzbekistan's proposal is not included in the mandate set at the last IGE meeting. The European Commission also agreed with Austria's opinion, considering the WG's limited resources. The United States also acknowledged this, considering the fact that in order for such matters to be discussed at the WG, they need to be decided at the IGE roundtable. In addition, he mentioned that similar works are in progress in other



organisations such as ICN. Poland also pointed out that this year's meeting needs to follow the mandate established at the IGE meeting, noting that discussions on bid rigging would be beneficial to all member countries.

5. Russia said that Uzbekistan's proposal was a good idea and that the WG had been in operation for three years- there is a need to find a solution step by step for member states to tackle cross-border cartels. Armenia also mentioned that it would be useful to create a guideline to respond to cross-border cartels. She also said it was not clear whether mergers of digital platform companies would be included in the WG's mandate, and spoke that it would be helpful if member states would exchange information regarding the topic. Turkey emphasized the importance of international cooperation in cross-border cartel investigations and she mentioned the necessity of a guidance to simplify legal procedures and framework of member states.
6. Italy noted that there are already documents produced by other organizations regarding cross-border cartels and said proposals out of the mandate need to be discussed at the next IGE meeting. Meanwhile, the EEC said guidance on the area of cross-border cartels would be of great help to younger authorities. Uzbekistan added to its proposal that mergers in the digital field bring similar results to cartels, such as market division, so this can also be discussed on the cartel field. Spain pointed out that, considering limited time and resources, it would be preferable to organise the WG according to the mandate set in July.
7. The UNCTAD secretariat suggested it would be better to operate the current WG following the mandate set in July in this year and to discuss other proposals at the next IGE meeting. He also proposed holding substantive meetings on February 29th and April 25th.
8. The UNCTAD secretariat encouraged member states to share valuable cases and closed the meeting.



Kick-off Meeting of Working Group on Cross-Border Cartels		
List of Participants		
Shushan Sargsyan	Competition Protection Commission (CPC)	Armenia
Lukas Cavada Natalie Harsdorf-Borsch	Federal Competition Authority (AFCA)	Austria
Fernanda Machado Vitor Martins Bruna Pamplona de Queiroz Andrea Nascimento Emmanuel Faria	Administrative Council for Economic Defense (CADE)	Brazil
Daria Kotova	BRICS Competition Law and Policy Centre	BRICS
Zhang Mingming	The State Administration for Market Regulation (SAMR)	China
Carlos Centurion		
Sara Orlić Sandi Valentinc	Croatian Competition Agency (CCA)	Croatia
Ghada Elwakil	Egyptian Competition Authority (ECA)	Egypt
Evelyn Olmedo	Competition Superintendence	El Salvador
Armine Hakobyan	Eurasian Economic Commission (EEC)	Eurasian Economic Commission
Francois Souty	European Commission	European Union
Amadou Ceesay	Gambian Competition Commission	Gambia
Rajan Dhanjee	Global Traders Conference	Global Traders Conference
Mary Chamilou	Hellenic Competition Commission	Greece
Michele Pacillo	Italian Competition Authority (AGCM)	Italy
Aida Baimakanova	Agency for Protection and Development of Competition (APDC)	Kazakhstan
Irdina Zafirah Freeman Liew	Malaysia Competition Commission (MyCC)	Malaysia
Alejandro Pedraza	Federal Economic Competition Commission of Mexico (COFECE)	Mexico
Manuel dos Santos Carlos Centuri6n	National Competition Commission of Paraguay (CONACOM)	Paraguay
Annie Saravia	Peruvian Competition Authority (INDECOPI)	Peru



Martyna Derszniak-Noirjean Iryna Kokun	Polish Office of Competition and Consumer Protection	Poland
Anastasia Dokukina	Federal Antimonopoly Service (FAS)	Russia
Sergey Ivanov	Permanent Mission in Geneva	Russia
Marija Antic	Commission for Protection of Competition	Serbia
Maanda Lambani	Competition Commission South Africa (CCSA)	South Africa
Lucía Criado	Spanish National Markets and Competition Commission (CNMC)	Spain
Blaise Sanglard	State Secretariat for Economic Affairs (SECO)	Switzerland
Latthaphon Wonganan	Trade Competition Commission of Thailand	Thailand
Krystle S. Maharaj	Fair Trading Commission	Trinidad and Tobago
Zeynep Madan	Turkish Competition Authority (TCA)	Turkey
Caldwell Harrop	Department of Justice (DOJ)	United States
Farrukh Karabaev Yusupjanov Bahodir	Competition Promotion and Consumer Protection Committee of Uzbekistan	Uzbekistan
Peter Whelan	University of Leeds, UK	
Ashok R. Patil	National University of Study and Research in Law, India	
Nicole Barcellos	Federal University of Rio Grande do Sul (UFRGS), Brazil	
Augusto Jaeger Junior	Federal University of Rio Grande do Sul (UFRGS), Brazil	
