



**Eighth United Nations Conference to Review All Aspects of the Set of
Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive
Business Practices
Geneva, 19-23 October 2020**

Roundtable: “Combating Cross Border Cartels”

Thursday, 22 October

10:00 – 11:30

Palais des Nations, Room XIX (Third Floor)

Cross-border cartels are the most harmful type of anticompetitive practices whereby their detection and investigation require a high degree of cooperation amongst competition authorities. The UN Set on Competition recommends that States should improve and effectively enforce appropriate legislation and implement procedures for the control of restrictive business practices (RBPs), including those concerning anticompetitive agreements (cartels) among enterprises. In this regard, the UN Set also calls for the improvement of procedures to obtain information from enterprises, necessary for the effective control of RBPs, including cartels.

The current pandemic is likely to result in higher levels of concentration in various sectors due to disruptions and shortages of global supply chains, which could be conducive to cartelisation, especially at the cross-border level. Therefore, this issue is timely to discuss, especially with a specific focus on developing countries. As it is known, cross-border cartels have caused tremendous damage to economies especially in emerging markets as they limit the benefits from international trade and access to global supply chains.¹ The effects on developing countries are particularly salient since they rely heavily on imports of goods from industries involved in international price fixing conspiracies.

This session will launch a research by the BRICS Competition Law and Policy Centre that looks at enforcement records of cross-border cartels, in particular those cross-border cartels impacting developing and faced by young competition authorities. Based on a questionnaire circulated to UNCTAD member States, the research will shed light on the success stories from advanced competition authorities that have prosecuted cross-border cartels. Furthermore, the research will share what methods and tools are used for detection and suppression of cartels. Special attention will be devoted to international cooperation, an issue particularly important in dealing with multijurisdictional cross-border cartel investigations.

The panel discussion will address challenges face by developing countries in detecting cross-border cartels, especially relevant during this time of COVID-19 pandemic, and examine the way forward by discussing the proposed road map that the BRICS Competition Centre research paper will put forward. The discussants in the panel are a mix of competition authorities from developed and developing countries worldwide.

¹INTERCONNECTED ECONOMIES: BENEFITING FROM GLOBAL VALUE CHAINS
<https://www.oecd.org/sti/ind/interconnected-economies-GVCs-synthesis.pdf>

Roundtable: Combating Cross Border Cartels

Thursday, 22 October

10:00 – 11:30

Palais des Nations, Room XIX (Third Floor)

**Moderator: Mr. Andrey Tsyganov, Deputy Head, Federal Antimonopoly Service,
Russian Federation**

**10:00 - Presentation of the empirical research on cross border cartels by Prof.
10:10 Alexey Ivanov, Director, BRICS Competition Law and Policy Centre**

**10:10 - Interactive debate
11:10**

Speakers:

- Mr. Su-hyun Yoon, Commissioner, Korea Fair Trade Commission
- Mr. Alexandre Cordeiro, Superintendent, Administrative Council for Economic Defense (CADE), Brazil
- Mr. Hardin Ratshisusu, Deputy Commissioner, South African Competition Commission
- Mr. Richard Powers, Deputy Assistant Attorney General for Criminal Enforcement, Department of Justice, United States

**11:10 - Questions from the floor
11:20**

- Mr. Ashok Kumar Gupta, Chairperson, Competition Commission of India
- Dr. Fatma Adel, Legal Consultant of the Egyptian Competition Authority

**11:20 -
11:30**

Closing

Delegates who would like to speak during the session are invited to inform the UNCTAD secretariat by contacting Dr. Pierre Horna (Pierre.Horna@un.org) and/or Ms. Hyejong Kwon (Hyejong.Kwon@un.org).