

**Seventh United Nations Conference to review the UN Set on
Competition Policy**

Geneva, 6-10 July 2015

**Voluntary Peer Review of Albania:
Report session**

Statement

By

Albania

The views expressed are those of the author and do not necessarily reflect the views of UNCTAD

ALBANIA
GENERAL STATEMENT

Honorable Mrs. President,

Honorable colleagues and participants!

During the UNCTAD's conference on 2006, the representatives of the Albanian Competition Commission undertook the voluntary peer review experience and a question was raised at that time 'May our agency go through such healthy process?'

And we shared those thoughts with Professor Hassan Qaqaya during the following year and here we are today after several years to talk with you about our journey.

Dear colleagues,

I have pleasure to introduce to you the Albanian delegation which is headed by Prof. Dr. Lindita Milo, Chair of Competition Commission; As.Prof. Dr. Iva Zajmi, Commissioner; Mr.Koco Broka, Commissioner; Mr Pajtim Melani, Head of Market Surveillance Department, Mrs Alda Milo, Chief of cabinet and Mrs Daniela Laze head of the legal approximation and procedures sector.

On the behalf of the Albanian competition authority I want to express our gratitude to the Secretariat of UNCTAD which has given to Albanian the opportunity to perform the peer review process. Also, the work and the missions realized by the experts' team, especially Mr. Pangelov, Professor Kovacic and Professor Qaqaya, are highly appreciated and offer a precious help to identify the state and the future challenges of competition law and

policy implementation according to the European Union standards and best practices.

The Albanian Competition Authority celebrated its 10th anniversary last year and in this regard the peer review process has take place on the right time, as our agency has built its own experiences and practices in implementing competition law and policy.

The Albanian institutional and legal framework is similar to those of other European countries to a large extent, which is considered as a crucial factor for the agency's performance so far.

Having the right to impose fines for anticompetitive undertaking's conducts and for refusing to deliver information to competition agency, as well, are considered crucial instruments to a better law enforcement and fostering the culture on competition of the business community. Our history of penalizing the infringements of the law, points out the agency's strategy to raise the culture as a paramount factor to increase the law enforcement. Initially were penalized those firms which refused to give the requested information to competition authority.

The main feature of the Competition Authority activity was a combination of penalties against undertakings involved in anticompetitive practices in the form of prohibited agreements or abuse of a dominant position, with competition advocacy and culture in the context of competition promotion.

The understanding of the nature of competition law and policy in Albania, the history of economic development as a free market economy should be considered. The limited initial experience, the market players' inadequate knowledge of the legal framework, the lack of competition education, the obstacles to the consolidation of national competition authorities and the inadequate law enforcement are some of the common issues for competition authorities in Albania as in other developing countries as well.

However, it is quite obvious the importance of the competition agency as an independent institution in charge to enforce competition law and policy and its contribution to develop and to create an enabling environment for an efficient functioning of the markets.

The enhancement of market intervention tools and the increased efficiency of those interventions continues to be a constant requirement in an economy that has less experience than the longer history of the free market economy of other European countries.

These issues are major challenges of Albania's path to European Union integration. The implementation of the legal framework for competition, the efforts to increase the independence and the responsibility of the institution of Competition Authority, raising market players' awareness on the fact that competition means economic prosperity, stronger institutional cooperation and greater transparency to the public, are the major pillars of the national competition policy paper.

The main goal of competition is to ensure efficient resource allocation, a mission which is completely enabled only through very close cooperation between all the regulators of the specific markets and the Competition Agency. This is an ongoing challenge to overcome the concerns facing those market, converging into the instruments that should ensure their sustainable wellfunctioning. In this respect, working in partnership with all the regulatory entities and institutions has been one of the consolidated features of our antitrust agency.

The rules on the protection of free and effective competition aim at correcting the malfunctioning of the market economy by establishing an environment that is conducive to economic growth. Competition promotes economic growth through reduction of entry barriers, increased efficiency, liberalisation, and fight against prohibited agreements and abuse of dominant position.

The competition agency cannot build a real partnership with the business and consumers community in the context of detecting anticompetitive practices unless its activity is based on the principles of integrity, ethics and transparency.

Competition is a market value, but also a value of the society in general, for this reason the promotion and protection of competition against any potential restrictions is a constant challenge for the Competition Authority and other regulatory bodies. Competition law is an integral part of the legal framework, the application of which is one of the instruments in the fight

against corruption. Those are ongoing challenges for the Albanian Competition Authority.

In this respect, an important factor for competition promotion is the cooperation between market players and public institutions. This has been the spirit not only in the cooperation between the Competition Authority and other regulators and central government institutions, but also in the drafting of the recommendations that the Competition Commission has issued in the context of competition promotion.

Dear delegates,

We would like to express our great appreciation that a full session is organized focused on Albania and the Albanian Competition Authority and perused policy, which were assessed in details by UNCTAD experts. We consider as very important the findings of the report and the discussion regarding the functioning of the institution and the degree of the competition law implementation, discussion in which will be involved all the participants who presents all the UN countries.

This process offers a unique opportunity for reviewing and learning from the experience and challenging facing the various countries in the implementation of the competition law and policy. The report produced during this process in relation to the state of competition law and its implementation in the involved country is prepared by competition law and policy experts from developed countries with practical experience in the implementation of competition law.

This interactive peer review makes possible the sharing of experience on giving recommendations on potential improvements in terms of both competition law drafting and competition law implementation.

Also, the benefit in really terms to our agency is provided utilizing the technical assistance instrument to address the recommendations delivered in the peer review report presented today.

Dear colleagues, any questions and contribution is highly appreciated as an value added in this enriched exercise to further improvement of the competition law and policy enforcement in Albania, as an crucial factors for an sustainable growth economy.