

Fifth Meeting of the UNCTAD Research Partnership Platform

Geneva, 11 July 2014

Background Document on:

Sofia Competition Forum

The views expressed are those of the author and do not necessarily reflect the views of
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The Sofia Competition Forum is a joint initiative of UNCTAD and the Bulgarian Commission on Protection of Competition. The founding document by which the Forum was established was the Memorandum of Understanding signed on 11 July 2012 by the Deputy Secretary-General of UNCTAD, Mr. Petko Draganov, and Mr. Petko Nikolov, Chairman of the Bulgarian competition authority.

The main objective is for UNCTAD and Bulgaria, as a member state of the European Union, to transfer their knowledge and experience in the field of competition policy and enforcement to the young competition agencies in the Western Balkan region. The founders of the SCF acknowledge that the competition authorities in the region have responsibilities towards each other and that they have many challenges in common, specifically of a cross-border nature. UNCTAD and CPC also see the considerable benefits of increasingly close regional cooperation – uniform application of competition rules, which would ultimately result in economic and social prosperity.

The SCF aims to assist Western Balkan countries in adopting and enforcing competition law and to maximize the benefits for these countries of well-functioning markets. The main beneficiary countries are Albania, Bosnia and Herzegovina, Croatia, Kosovo, Montenegro, the Republic of Macedonia and Serbia. Besides the competition authorities of the region, the cooperation with the judiciary, the academia and the business community are a key priority of the SCF. With this in mind, the SCF founders signed trilateral cooperation agreements with the National Institute of Justice and with the Confederation of Employers and Industrialists in Bulgaria. The documents expand existing cooperation with the business and allow for the organization of training courses for the judiciary in Bulgaria. The National Institute of Justice is expected to further collaborate with the SCF in this area of work.

The Forum strives to foster cooperation and the development of regional ties in the Balkan region, thus ensuring a uniform application of competition rules. It builds on existing international fora, such as UNCTAD, OECD and the ICN, and aims to provide the member competition authorities with a platform to exchange information and expertise in the field of competition policy. In view of the fact that most countries in the region face similar challenges in their transition to market economy, the problems in competition law enforcement are also of the same kind. The creation and improvement of competition legislation, capacity building, application of best practices in law enforcement, and finding common solutions to

the specific competition concerns in the region are key objectives of this initiative. Dialogue is mainly focused on issues related to:

- Improving the competition legislation, which fits the specific legal and economic structure and can best address the development needs of the young competition agencies in the region;
- Institution building of the competition authorities;
- Capacity building for efficient enforcement of competition law and policy;
- Negotiation process for EU membership.

The launch conference of the SCF took place on 12 November 2012 in Sofia and welcomed participants from the beneficiary competition agencies, as well as representatives of EU competition authorities, UNCTAD, DG Competition, OECD and many others. At the end of the conference, the beneficiary competition authorities, together with UNCTAD and the Bulgarian CPC, signed the Sofia Statement, expressing their willingness and resolve to continue their cooperation within the SCF.

Seminars are convened twice a year and four events have been organized so far. The Secretary General of UNCTAD was a special guest and delivered the keynote address at the 4th meeting, which took place in May this year. The next meeting of the SCF is scheduled for late October 2014.

A web-based platform has also been established for publication of information, materials and presentations. It contains a public section and a closed section, which is accessible only to experts from the participating beneficiary institutions and the consultant experts after proper authorization and registration. It allows the countries participants in the SCF to exchange confidential information and to consult each other on specific issues related to competition law enforcement.

In addition, the members of the SCF decided to launch a special project “Comparative overview of Balkan competition regimes”. The project prepared a comparative analysis on the substantive, institutional and procedural aspects of the competition regimes of all SCF beneficiary agencies in order to promote mutual understanding of each other’s laws and design an appropriate capacity building program for interested agencies. As a result of this project, working groups will be set up with the aim to study in more detail the problematic areas which have been identified in the preliminary report.