

Ad hoc expert meeting on cross-border cartels

Experience with most effective investigation/collaboration tools

- Focus on local and national cartels: Build experience, „easy“ enforcement
- Regional cooperation
- Build reputation and trust

Main challenges for both developing and developed countries

- Legal barriers
 - Lack of mutual trust
 - Lack of resources
- Paper **Horna/Yamamoto** Feb 2021, **OECD-ICN survey 2013/2021**

Effective strategy

- **Training**
 - Guidance of steps to follow: **UNCTAD GPP, ICN manual, OECD recom**
 - Technical assistance & exchange of best practices
- **Build up effective national cartel enforcement**
- **Discussion of regional cooperation:** best-placed authority, similar actors, trust

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Most effective Investigation Tools, experience BWB:

- Leniency (in regional cartels parallel applications), interlink with criminal prosecution
- Whistleblowing
- Dawnraids (in regional cartels in coordination)
- Exchange of data/evidence (procedural and legal limits)
- National cooperation with other enforcement agencies (build trust and think in advance of legal barriers), including use of recorded telecommunication
- Screening?

Very helpful **guidance available by OECD, UNCTAD and ICN** eg:

→ ICN cartel enforcement manual:

<https://www.internationalcompetitionnetwork.org/working-groups/cartel/>

→ OECD recommendation concerning effective action against hard core cartels (adopted in 2019; covers steps in particular for national cartel enforcement)

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Thank you!

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