Twenty-First Intergovernmental Group of Experts on
Competition Law and Policy
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Competition and Regional Economic
Organizations

Presentation

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Memorandum of Regional Cooperation in the Field of Competition Policy, signed on 18 April 2023
Warsaw, 18 April 2023

From the left:
Olivier Guersent (EC), Teresa Moreira (UNCTAD), Petr Mlsna (CZ), Kristel Rõõmusaa (EE), Csaba Balázs Rigó (HU), Juris Gaiķis (LV), Tomasz Chróstny (PL), Šarūnas Keserauskas (LT), Alexei Gherțescu (MD), Bogdan Chirițoiu (RO), Juraj Beňa (SK), Olha Pishchanska (UA), Ori Schwartz (OECD).
MEMORANDUM OF REGIONAL COOPERATION IN THE FIELD OF COMPETITION POLICY

The National Competition Authorities from the European Union, consisting of the Office of Competition and Consumer Protection of the Republic of Poland, the Office for the Protection of Competition of the Czech Republic, the Competition Authority of the Republic of Estonia, the Hungarian Competition Authority, the Competition Council of the Republic of Latvia, the Competition Council of the Republic of Lithuania, the Competition Council of Romania, the Antimonopoly Office of the Slovak Republic and the European Union candidates, consisting of the Competition Council of the Republic of Moldova, the Antimonopoly Committee of Ukraine hereinafter referred to as “the Participants”,

Tomasz Christyn
The Office of Competition and Consumer Protection of the Republic of Poland

Petr Msna
The Office for the Protection of Competition of the Czech Republic

Kristel Rõõmusaar
The Competition Authority of the Republic of Estonia

Csaba Balázs Régo
The Hungarian Competition Authority

Juris Gaikis
The Competition Council of the Republic of Latvia

Sarunas Keseraitkas
The Competition Council of the Republic of Lithuania

Bogdan Chiritoi
The Competition Council of Romania

Jaroslav Belka
The Antimonopoly Office of the Slovak Republic

Alexei Ghertescu
The Competition Council of the Republic of Moldova

Ołha Pishchanskа
The Antimonopoly Committee of Ukraine
Conception of the initiative

• **Urge for strengthened support** to EU neighbours and the newest EU-candidates in 2022

• **Successful multilateral capacity building** workshops organised by UOKiK for Ukrainian, Moldovan and Georgian NCAs in Autumn 2022 with help of other NCAs (US, ES, HU, FR, LT, CZ, PT) as well as other organisations (EC, OECD, UNCTAD)

• **Evolution** of multilateral capacity building initiatives into a multilateral regional cooperation initiative with both EU (PL, CZ, SK, HU, RO, LT, LV, EE) and non-EU (UA, MD) NCAs

• Justification of the cooperation by **shared regional competition needs and market characteristics**
Underlying principles and mechanisms of the Memorandum

• Fostering exchange, creating trust, enabling cooperation and creating a consultation platform at head-of-authority and expert level:
  • Yearly Roundtable meetings of the Presidents
  • Regular expert Working Groups
Underlying principles and mechanisms of the Memorandum

• Practical orientation:
  • interactive and discussion-fostering roundtable format of the meetings
  • ad hoc meetings, requests for information and initiatives - upon demand
  • Yearly thematic scope agreed on based on the needs of participating NCAs, captured in the Annual Work Plan
  • Rotating yearly Presidency (PL in 2023, RO in 2024...)
  • Avoidance of additional burden to participants - cooperation justified by real needs: participation upon need and demand, use of external funds if possible, organisation of meetings back-to-back with others
Underlying principles and mechanisms of the Memorandum

• Inclusiveness despite regional character:
  • cooperation with other NCAs, organisations such as the EC, ICN, UNCTAD, OECD
  • Involvement of other partners into activities (e.g. invitation and streaming of workshops for other cooperation partners, such as Armenia, Georgia...)

Underlying principles and mechanisms of the Memorandum

- **Non-interference with ECN** (European Competition Network)
  
  - For ECN members, ECN procedures take precedence as legally binding, cooperation under the Memorandum is only complementary and voluntary - to the extent that the Memorandum creates a platform for more region-specific exchange
  
  - Cooperation between ECN and non-ECN Participants is voluntary, carried out to the extent possible due to confidentiality and legal provisions
Main activities under the Memorandum

- Voluntary exchange of information on investigations
- Exchanging experiences and best practices
- Supporting to joint initiatives
- Creating a platform for consultations
- Supporting training programs

Ad hoc/ upon demand

Workshops and roundtables included in the Annual Work Plan
# Annual Work Plan for the Polish Presidency in 2023

<table>
<thead>
<tr>
<th>Presiding Participant</th>
<th>Planned Activities</th>
<th>Priorities</th>
<th>Timeframe</th>
<th>Participants</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Poland</strong></td>
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<tr>
<td></td>
<td>Annual Roundtable of the Presidents Warsaw, Poland</td>
<td>Roundtable: Agency effectiveness; Human resources development and management</td>
<td>18 - 19 April 2023</td>
<td>All MOU Parties + DG COMP, OECD, UNCTAD</td>
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<td>Working groups Chișinău, Moldova</td>
<td>Training: State aid, Legislation &amp; Communication</td>
<td>22 - 26 May 2023</td>
<td>CZ, HU, LV, LT, MD, UA, EE, RO, PL + GE, AM</td>
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<tr>
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<td>Working groups Chișinău, Moldova</td>
<td>Roundtable: Competition protection - cartels and bid-rigging detection, as well as contractual advantage</td>
<td>19 - 23 June 2023</td>
<td>CZ, HU, LV, LT, MD, UA, EE, SK, RO, PL + AM, BG, UNCTAD</td>
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<tr>
<td></td>
<td>Working groups Warsaw, Poland</td>
<td>Roundtable: Market studies, monitoring &amp; digital markets</td>
<td>28 - 20 November 2023</td>
<td>[...]</td>
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<td>Job shadowing Poznań/Bydgoszcz, Poland</td>
<td>Cartels &amp; bid rigging detection, abuse of dominance, vertical agreements, contractual advantage</td>
<td>4 - 15 September 2023</td>
<td>UA, MD, PL</td>
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<td>Ad-hoc online meetings</td>
<td>Contractual advantage/UTP</td>
<td>2023</td>
<td>[...]</td>
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Working group on cartels, bid-rigging and contractual advantage (June 2023, Moldova)

At the Presidential Table (from the left):

Yuliia Moshenska and Mykyta Trymbach (Antimonopoly Committee of Ukraine)
Juhan Põldroos (Estonian Competition Authority)
Adam Krukowski (UOKiK)

Alexei Ghertescu (Competition Council of the Republic of Moldova)

As the audience there were the representatives of Moldovan Competition Council and UOKiK
Thank you

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