Towards Cross-Border Enforcement Toolkit

Presentation

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Underlying work (selected)

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What do we know?

1: cross-border violations cause more harm to domestic economy:
   • outflow / extraction of wealth— it is not just an internal distribution issue
   • international cartels overcharge more than domestic cartels

2: markets often do not stop at country’s borders
   – hence, cross-border cases are only more likely

3: the scope for reliance on enforcement by others is limited and decreasing

4: many competition agencies have positive experiences of dealing with cross-border violations
   For example: Brazil (vitamins, LCD, compressors), China (LCD), Kenya (paints), Mexico (lysine), South Africa (ANSAC)

5: this requires extraterritorial enforcement of domestic law— perfectly feasible, but not easy – presenting often specific, additional challenges
This project

• aims to help agencies overcome various challenges in a cost-effective manner – by identifying and sharing good practices and tested solutions – to be shared as Cross-Border Enforcement Toolkit

• it builds to earlier work, also in the UNCTAD’s framework – relying on contributions of numerous developing countries – appreciating their specific position
Moving forward

• these challenges often come to play at different stages of enforcement – hence, we need to think about a chain of enforcement, not only its separate parts
• various agencies, from different parts of the world and of different size, are already involved
• only through joint engagement obstacles can be identified and feasible, workable solutions found
• Cross-Border Enforcement Toolkit is to share such solutions
• agencies and colleagues interested and willing to benefit directly are encouraged to get in contact
Questions / comments are also invited by email at m.martyniszyn@qub.ac.uk

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