INTERGOVERNMENTAL GROUP OF EXPERTS ON
COMPETITION LAW AND POLICY
5–7 July 2023, Geneva
Report of the Working Group on Cross-Border Cartels

Thursday 6 July 2023
17:00-17:30, Room XIX
1. Background and Discussions in the WG on CBCs

• The 20th session of the IGE on Competition Law and Policy (July 2022)
  • Renewed the mandate of the Working Group on Cross Border Cartels

• 28 October 2022 – Kick-off meeting

• 28 February 2023 – Cases by Austria and South Africa
  • Discussed the cooperation through amicus curiae and the issue of jurisdiction over conduct taking place abroad

• 25 April 2023 – Cases by Brazil, EU and Egypt
  • Discussed the role of informal cooperation and information sharing, provided a case with a jurisdiction issue over conduct taking place abroad
2. Lessons Learnt

• Deepening the discussions on the practical difficulties faced by the competition authorities, especially young ones

• Highlighted the significance of international cooperation to deal with the difficulties

• Emphasized the fact that informal cooperation can play a key role in investigations, not just formal cooperation

• Investigating the issue of multijurisdictional cross-border cartels carried out in the areas of intangible property rights and online services
3. Recommendations

• Discussions on practical studies provided by member States should be continued and the lessons from those cases should be disseminated.

• Further work should be carried out related to the Guiding policies and procedures under section F of the UN Set on Competition (GPP).

• International cooperation to deal with cross-border cartels should be enhanced more under the auspices of the UNCTAD.

• Multiple member States requested the renewal of the mandate of the WG on CBCs.
Thank you

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