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**Review of capacity-building in and technical assistance on
competition law and policy**

Contribution

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Dear Chairman,

Thank You for giving me the chance to give my speech at the **22th session of Intergovernmental Group of Experts on Competition Law and Policy.**

I want to emphasize that during the 20th anniversary journey the ACA has been supported by UNCTAD in fostering its competition framework since 2014¹. UNCTAD assisted Albania in drafting, revising, and implementing its competition law.

- UNCTAD undertook the Voluntary Peer Review of competition law and policy of Albania² in 2015 and presented a technical cooperation project to implement the recommendations arising from the report. In the framework of the technical cooperation project called “Follow-up of the Albanian Peer Review”, UNCTAD organized and delivered the following activities:
 - Three training workshops for judges: the first edition (December 2015³) addressed competition law in a broad manner, including the role of economic analysis, the standard of proof, sanctions, and remedies as well as the judicial review of competition cases; the second edition (April 2016) went deeper into the standard of proof in competition cases; the third and final edition (June 2016) covered calculation of fines and other remedies.
 - One training workshop for ACA officials (January 2017): the course highlighted the importance of economic analysis in proceedings related to the application of competition law.
 - Advocacy activities with the private sector (January 2017): the ACA and UNCTAD jointly organized a seminar on the basic notions of competition law and the importance of compliance to ensure efficient markets that support the country's economic development.
 - Activity with the academia (January 2017): in collaboration with the ACA and the Business University of Tirana UNCTAD organized the first international conference on competition policy in the digital economy which explored the challenges arising from digital markets.
 - In-person meetings with Government officials and other stakeholders: in January 2017, UNCTAD met with the Minister of Trade to discuss possible avenues of cooperation to further implement the Peer Review recommendations. The then Minister of Trade showed interest and mentioned potential financial support for the continuation of the project. In addition, and seeking to secure funding for the continuation of the project, UNCTAD met with the United Nations Resident Coordinator in Albania to discuss possible cooperation with other UN projects operating in Albania (2017), which would

¹ <https://unctad.org/news/albanias-competition-law-spotlight-unctad-visits-tirana>

² https://unctad.org/system/files/official-document/ditccp2015d1_en.pdf.

³ <https://unctad.org/meeting/training-judges-albanian-competition-authority>

be discussed in meetings in 2020-2021. UNCTAD also met different donors to present a project proposal to further implement the recommendations.

- UNCTAD and the Bulgarian Competition Commission created the Sofia Competition Forum (SCF) in 2012 to improve the competition legislation and address the needs of the region's young competition authorities. The SCF benefits from the engagement of the Competition Authorities of the participating countries which are Albania, Bosnia and Herzegovina, Croatia, Kosovo, Montenegro, North Macedonia, Serbia and Georgia.
- Following the assistance provided to the ACA and within the close cooperation established, UNCTAD always invited ACA's representatives to intervene and share experience in international meetings (UNCTAD IGE on Competition annual meetings) and jointly organized events with key partners (Istanbul Competition Forum; Arab Competition Forum). Representatives from the ACA, participated at the seventeenth meeting of IGE on 11-13 July 2018 on the session referred to activities for capacity building and implementation of technical assistance, challenges faced by developing countries for competition and regulatory aspects in the maritime transport sector, competition issues in the sale of audio-visual rights for major sports events, voluntary peer review of the competition law and policy of Botswana, reports on the UNCTAD Discussion Group on International Cooperation and the UNCTAD Repository of Best Practice Tools.

The ongoing Project of EBRD in collaboration with UNCTAD 2023-2024 “*Fostering competition law and policy and competition culture in Albania*” aims to strengthen capacities of competition law enforcers in Albania (ACA officers and the judiciary) and increase general understanding about the benefits of competition and competition law in the markets (businesses, consumer protection agency, and consumers). In doing so, the Project will seek to create an environment that encourages competition among businesses and reduces barriers to entry and growth for micro, small and medium enterprises (MSMEs).

As stated earlier the ACA faces different *challenges such as lack of training from Judges, new legislation to adapt with the EU acquis, new developments of markets (such as digital markets), lack of competition culture in terms of leniency application and new training for our staff.*

In this context, the Project will do so by:

1. Building capacities from the judiciary in competition law and policy, showcasing international best practices and introducing European competition law.
2. Fostering skills at ACA level specifically in the importance of advocacy campaigns and cooperation with businesses in key sectors to increase voluntary compliance and to encourage the use of the ACA leniency program.
3. Fostering competition advocacy and the use of leniency programs through information campaigns addressed to the private sector.
4. Promoting the benefits of fairer markets through advocacy campaigns jointly organized with the Consumer Protection Commission (CPC).
5. Reinforcing the relationship between ACA and CPC, especially for working together in market monitoring, investigations, and interventions.

The proposed activities to be undertaken by UNCTAD are the following:

1. Training of Judges and Competition Authority officials:

The Project *will support the training of judges*, focused on competition economics and Albanian competition law. Such trainings will increase the effectiveness of the ACA's enforcement decisions, which are often unduly delayed or rebutted in Courts due to a limited understanding of competition law and economics by the judiciary.

Given the ongoing process of Albania's integration into the European Union, this training workshops should also prepare the national judges in the application of European Union law in the field of competition.

2. Advocacy activities for businesses

The Project *will support advocacy initiatives in three priority sectors*. These activities aim at increasing voluntary compliance with competition law, encouraging more complaints from victims of competition violations, and increasing the visibility of the ACA's leniency program on cartels.

The Project would support ACA in its mandate to inform market participants about the benefits of competition and the costs of violating competition rules in three priority sectors. Doing so would increase compliance with competition law and increase citizen demands on governments to prevent anti-competitive abuses.

3. Advocacy activities with the Consumer Protection Commission

The *Project will support a joint campaign to engage consumers through initiatives that increase their understanding of the benefits of competition, and their rights under competition and consumer protection laws*. In addition to increasing consumer awareness, the activity aims at reinforcing the relationship between the ACA and the CPC, so that they may work more closely on investigations and interventions.

In order to increase consumers understanding of competition issues, and to foster the cooperation among CPC and ACA, UNCTAD proposes to explain why competition matters in already existing CPC's consumer campaigns in a way that consumers understand the impact of competition restrictions. The campaigns should easily explain to consumers how promoting and encouraging competition can improve consumer welfare and encourage consumers to identify and complaint about possible anticompetitive practices and other abusive business conduct.

Furthermore, another part of the EBRD project is the "adoption and implementation of New EU competition rules" will be implemented by an Albanian local law undertaking *where 12(twelve legal acts) of EU acquis will be transposed in the national legislation*.

We look so forward to implement the project and are very grateful to UNCTAD for their support.