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19-23 October 2020

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Thursday, 22 October 2020

Regional Competition Rules in the EAEU

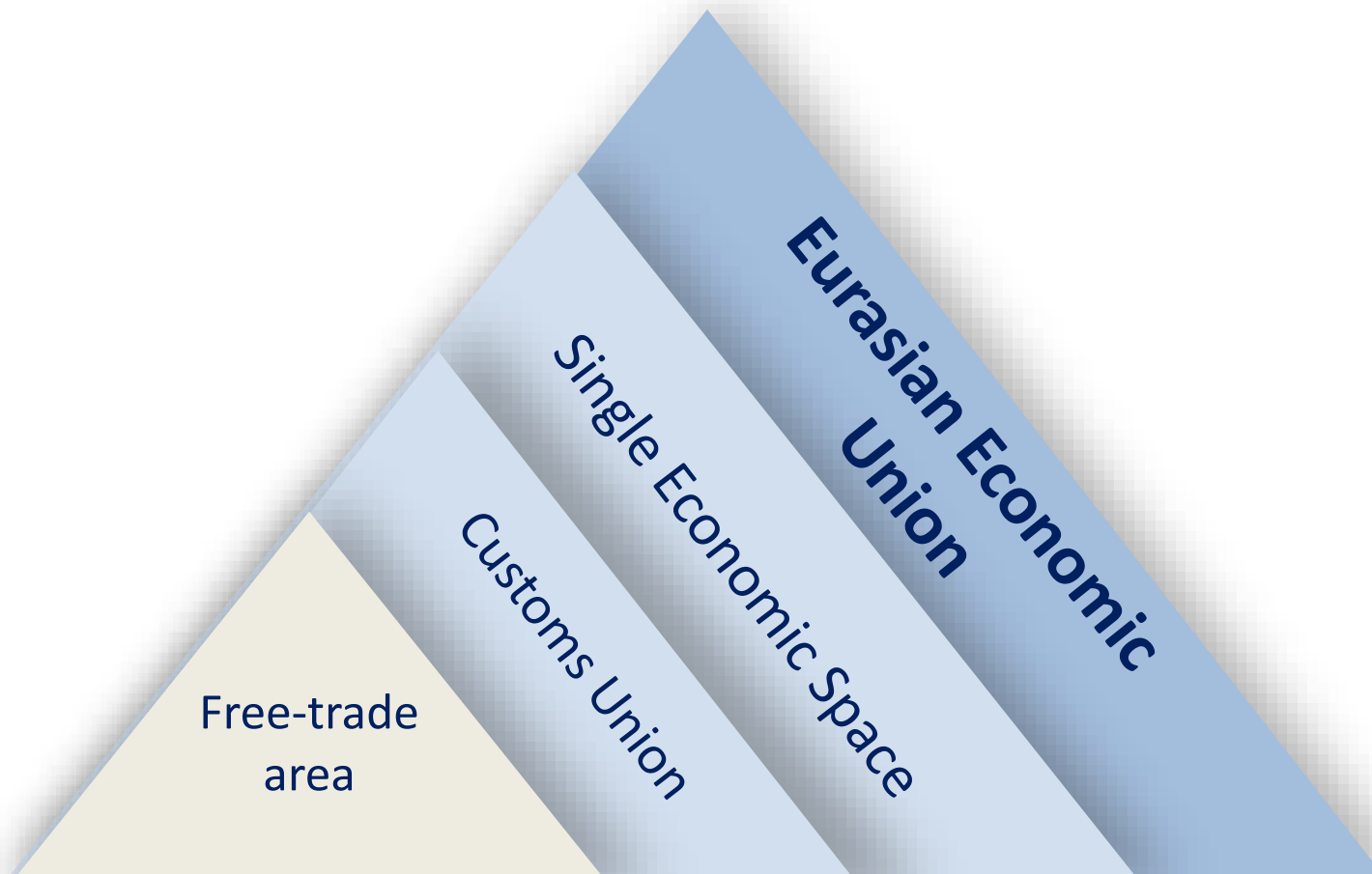
Presentation by Mr. Arman Shakkaliyev, Eurasian Economic Commission

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Regional competition rules in the EAEU

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Member of the Board - Minister in Charge of
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Stages of integration

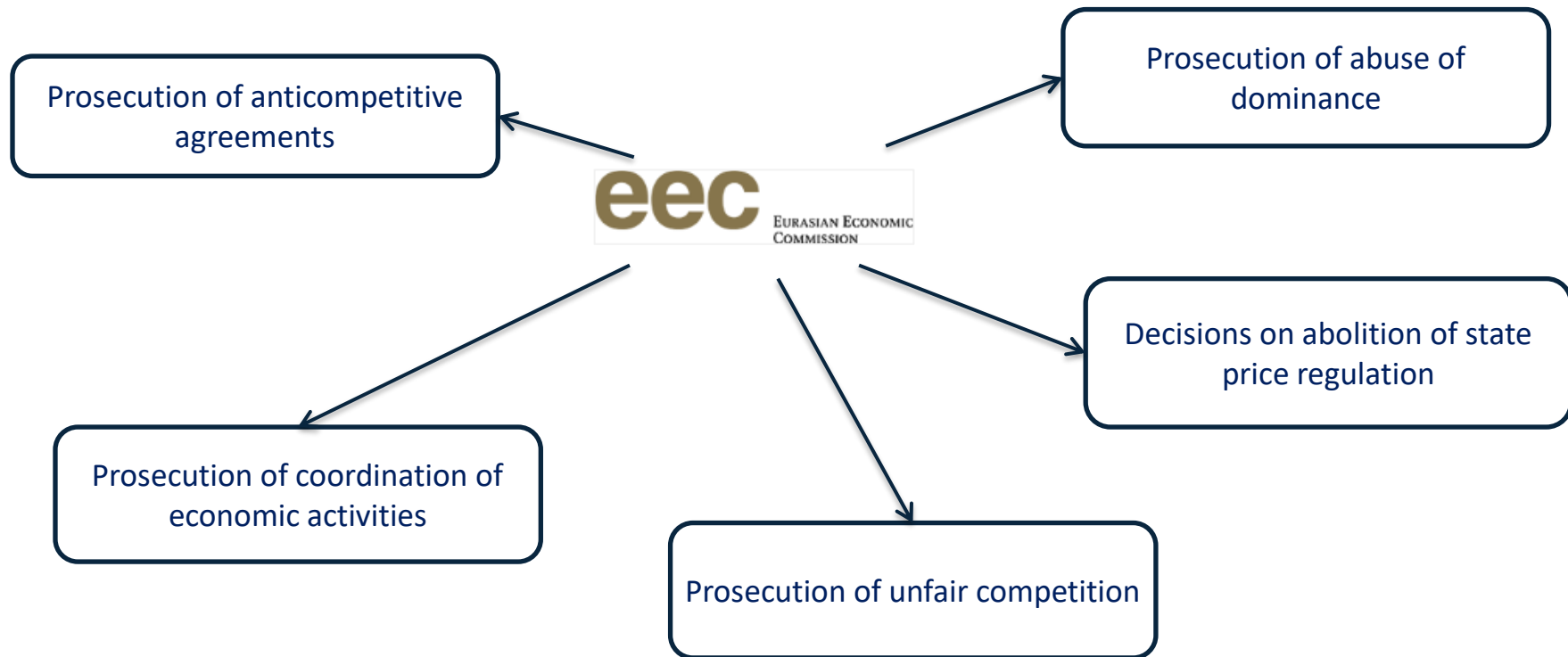


Eurasian Economic Union: four freedoms

Aim: to create a single market



Eurasian Economic Commission's powers on cross-border markets



Legal framework for protection of competition in the EAEU

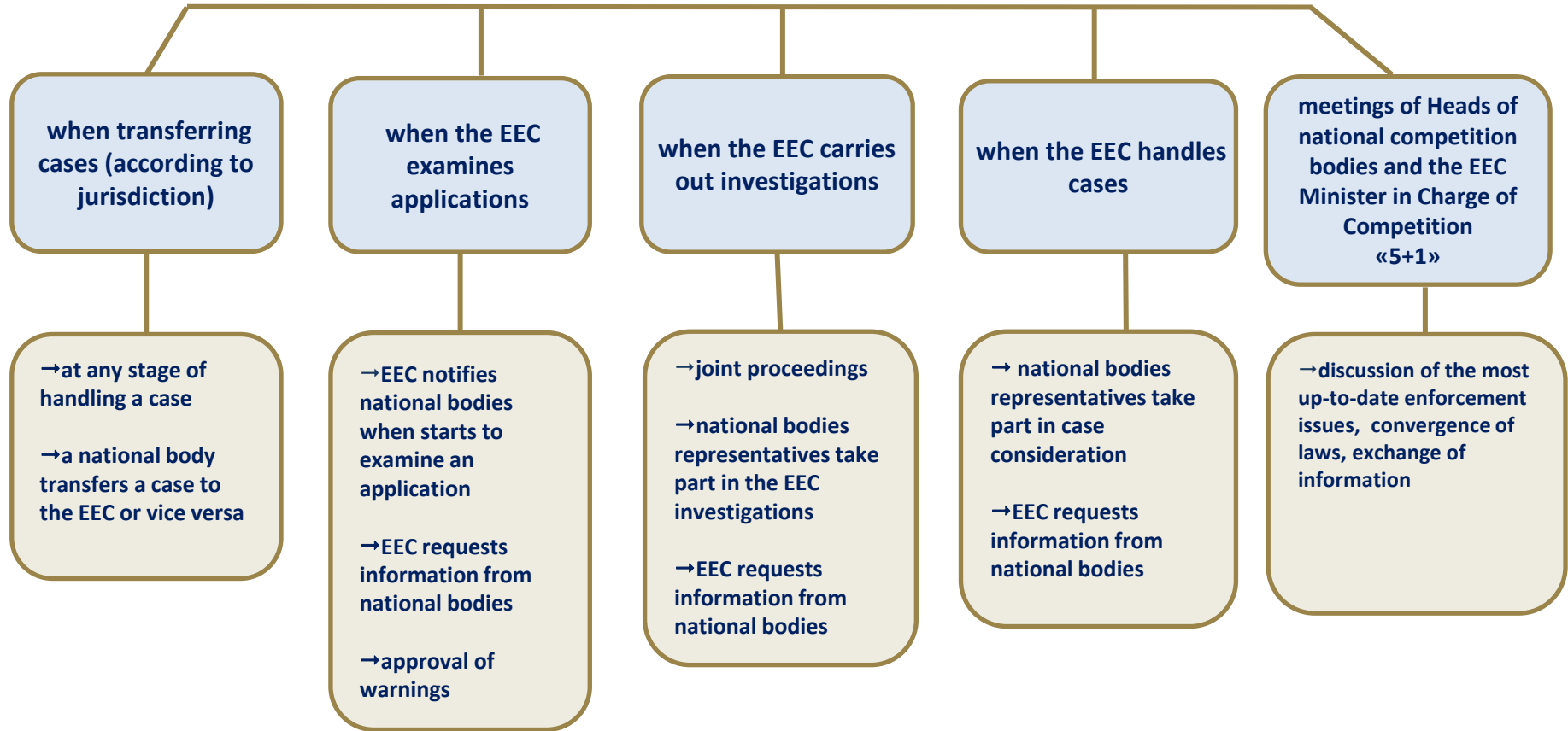
- **Treaty on the Eurasian Economic Union, dated May 29, 2014 (Section XVIII and Annex 19)**
- Criteria for classifying markets as trans-border ones
- Agreement on the procedure for protection of confidential information and the liability for its disclosure when exercising the power of the Eurasian Economic Commission to monitor compliance with the general rules of competition
- Procedures for consideration of applications (files) on violations of competition rules
- Procedures for carrying out investigations of competition rules violations
- Procedures for considering cases of competition rules violations
- Procedures for cooperation, including information exchange, between the EEC and the authorized bodies of the Member States
- Guidelines for assessment of competition condition
- Guidelines for determination of excessively high (low) prices
- Guidelines for calculation and imposition of fines
- Procedures for applying to the EEC by the Member States regarding the cases of introduction of governmental price regulation and consideration of them

Control over compliance with the general rules of competition on the EAEU cross-border markets



2015 - September 2020:

- 77 applications (files) on violation of the general rules of competition have been considered;
- 5 warnings requesting to terminate actions without imposing a fine have been issued;
- 33 investigations of anti-competitive agreements, abuse of dominance and unfair competition have been carried out;
- 15 cases have been initiated (including violations of the general competition rules and failure to provide information/provision of incorrect information, requested by the EEC);
- 2 Decisions of the EEC Board have been appealed to the Court of the EAEU.



National competition bodies:

- Give opinions on draft decisions of the EEC Board
- Participate in decision-making process of other EAEU Bodies

Challenges of the EAEU regional integration in the area of competition

- Lack of powers in relation to foreign companies, control of cross-border M&A, conducting inspections and others
- Collection of evidence
- Lack of proper regulation of certain EAEU competition rules

Improvement of the EAEU competition regulation



ASSESSMENT OF THE EURASIAN
ECONOMIC UNION COMPETITION
RULES AND REGULATIONS



ОБЗОР КОНКУРЕНТНОГО
РЕГУЛИРОВАНИЯ ЕВРАЗИЙСКОГО
ЭКОНОМИЧЕСКОГО СОЮЗА



Benefits of the EAEU regional integration in the area of competition

- Level playing field
- Fair competition on cross-border markets
- Investment attractiveness

Key to successful regional cooperation in the area of competition

- Integration
- Convergence
- Mutual trust
- Regular interaction

The EEC initiative

To discuss at the UNCTAD IGE meetings the efficiency of regional organizations, their challenges and ways to resolve them

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