



Intergovernmental Group of Experts on Competition Law and Policy
16th Session, 5 to 7 July 2017, Geneva, Switzerland

Round Table on:
Enhancing international cooperation in the investigation of cross-border cases:
Tools and procedures

Thursday, 6 July 2017 (10:00 - 13:00)
Palais des Nations, Room XVII (First Floor)

Cooperation between competition authorities plays an important role in overcoming challenges faced in cross-border investigations such as trust, different legal systems, gathering evidence and its limitations, and implementing leniency and immunity programmes. When there are no formal cooperation agreements with other countries, informal cooperation may be a valuable asset in investigations into international cartels, mergers and acquisitions and abuse of dominance cases.

Previous UNCTAD research has addressed the issue of international cooperation needed for cross-border anti-competitive practices and the challenges facing developing countries and economies in transition. The role of informal cooperation while upholding the importance of formal agreements in investigating cross-border cases continues to be a running thread.

The objective of the round table is to further explore tools and procedures, which can enhance cooperation in dealing with cross-border anti-competitive cases, taking stock of efforts, tools and procedures used to promote international cooperation in dealing with cross-border competition cases. Section F of the UN Set of Multilaterally Agreed Principles and Rules for the Control of Restrictive Business Practices (the UN Set) provides the framework for discussion and for enhancing international cooperation.

In order to identify areas of interest for further research, member States and other experts may wish to consider the following questions for discussion:

- (a) What are the necessary tools available for developing countries' competition authorities to enable them to benefit from international cooperation in cross-border competition cases?
- (b) What measures might developing countries' competition authorities take to facilitate international cooperation with their peers and with NCAs of developed countries?
- (c) What measures could be put in place to facilitate consultations under Section F of the UN Set in order to enhance further cooperation between member States?
- (d) How can UNCTAD work together with other international organizations and international networks to promote international cooperation in the framework of Section F of the UN Set?

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WORK PROGRAMME

10:00 - 10:10 **Presentation by UNCTAD secretariat on international cooperation in the investigation of cross-border cases**

10:10 - 11:40 **Key Note Speaker**

- Mr. Igor Artemiev, Head, Federal Antimonopoly Service, Russian Federation

Panel discussion

Panelists

- Ms. Isabelle de Silva, President, French Competition Authority, France
- Mr. Ivo Gagliuffi, President, INDECOPI, Peru
- Mr. Toshiyuki Nambu, Senior Deputy Secretary General, Japan Fair Trade Commission
- Mr. George Lipimile, Chief Executive Officer, COMESA Competition Commission
- Mr. Russell Damtoft, Associate Director, Office of International Affairs, Federal Trade Commission, United States

11:40 - 13:00 **Interactive debate**

Interventions by:

Mr. Munrokhim Misanam, Commissioner, Indonesian Competition Authority (KPPU)

Mr. Hardin Ratshisusu, Deputy Commissioner, South Africa Competition Commission

Mr. Paulo Burnier Da Silveira, Commissioner, Administrative Council for Economic Defense (CADE), Brazil

Mr. Gladmore Mamhare, Competition Expert, SADC

Mr. Pradeep Mehta, Secretary General, CUTS

Delegates wishing to speak during the session are invited to inform the UNCTAD secretariat accordingly by contacting Mrs. Elizabeth Gachuri (elizabeth.gachuri@unctad.org) or Mr. Hiroyuki Kishimoto (hiroyuki.kishimoto@unctad.org).