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**CENTRE FOR CO-OPERATION WITH NON-MEMBERS
DIRECTORATE FOR FINANCIAL, FISCAL AND ENTERPRISE AFFAIRS**

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OECD Global Forum on Competition

**TECHNICAL ASSISTANCE IN COMPETITION LAW AND POLICY:
BENEFICIARIES' VIEWS OF THEIR NEEDS AND PREFERRED DELIVERY METHODS -
IMPLICATIONS FOR PROVIDERS**

-- Secretariat Note, Session II --

This note is submitted as a basis FOR DISCUSSION during Session II of the second meeting of the Global Forum on Competition, to be held on 14-15 February 2002.

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1. Introduction; Summary of non-Members' contributions

1. This session of the Global Forum provides an opportunity for an informal exchange between providers and beneficiaries of competition policy technical assistance. The providers include OECD competition delegates, who may be joined in some cases by officials from their national funding agencies, as well as the secretariat of various international organisations. The beneficiaries are non-Members from all parts of the world – about 35 economies in all – which are at differing stages in both economic development and consideration/enactment/implementation of competition law and policy. Non-Members have been invited to share their views on such matters as what their needs are, what delivery methods are most effective, and what skills and experience providers should have. The goal of the discussion is to seek ideas on how assistance can be provided more effectively. In that regard, it should be understood by all that agencies which fund technical assistance have been invited to participate because the discussion may have implications for their policies; their presence does not mean that this is a forum for negotiating or for a detailed inquiry into their policies.

2. In order to help prepare for this session, the Secretariat invited non-Members to submit papers addressing assistance issues, to complete a table on the assistance they have received, and to respond to a questionnaire on their views concerning various issues. As of 31st January, seven non-Members¹ have submitted papers, which are being circulated as separate documents, and eleven completed the table and the questionnaire. The questionnaire responses of all eleven are discussed in this note. To the extent practicable, Non-Members questionnaire responses are set forth in Annex A, and the listings of the assistance they received has been consolidated in a table contained in Annex B.²

3. The questions posed to non-Members may be divided into four topics – their greatest needs for assistance, the best kinds of assistance, the most important skills and experience for assistance providers, and the desirability of greater co-ordination of assistance. In general terms, the responses suggest the following:

- *Needs for assistance.* Non-Members believe that more assistance is needed, but their needs vary. Some need assistance on drafting or amending competition laws or other legal instruments. Non-Members with competition laws generally emphasise the need for (a) assistance on practical, day-to-day matters relating to running a competition authority or running an investigation, and (b) staff training and analytical assistance. (One non-Member, Côte d'Ivoire, reported not receiving any assistance since 1994.)
- *Methods of delivering assistance.* Non-Members' responses do not indicate that any particular method of providing assistance is most useful, but the responses help identify the pros and cons of different methods. Seminars, conferences, and workshops provide less in-depth training for a larger number of officials, are more likely to reach high-level officials,

and may promote beneficial networking. Long-term internships in which the intern works on cases provide very good training for the intern, but may have limited benefit for others, especially if, as is often the case, the intern is not a high level official. The usefulness of resident advisors is in part a function of how long the assignment is, how experienced the advisor is, and how the receiving authority uses the adviser.

- *Skills and experience of providers.* Because most needs relate to institutional and operational issues concerning the running of a competition authority or a competition investigation, experienced current or former competition officials are generally more qualified to provide assistance than academics, private practitioners, or other contractors without such experience. In addition, assistance from current authorities can promote useful networking. Private consultants can also be useful, however, partly because they may present alternative points of view. Detailed knowledge about the beneficiary is often unnecessary, but it is always important that a provider have a willingness to listen and an understanding that even the most basic competition policy principles can have different policy implications in economies with different levels of development and legal, cultural, and other traditions.
- *Co-ordination.* Lack of co-ordination among providers is not identified as a problem.

2. Background; Summary of prior Competition Committee work

4. More than a decade ago, when countries in Central and East Europe and the former Soviet Union began their transition from centrally planned to market-based economies, various OECD Members and international organisations launched programmes to provide transition economies with technical assistance, capacity building, and policy dialogue. Since then, the political trend towards greater reliance on market competition and the economic trend towards globalisation integration have led to growing interest in competition policy – and enactment of competition laws – by developing economies in many parts of the world.

5. In June 1999, the OECD Secretariat identified two sets of issues resulting from the increased interest in and enactment of competition laws. First, on the policy level, the Secretariat suggested that the Competition Committee should consider ways to have more frequent and interactive meetings with their counterparts in non-Member competition authorities. While not a direct result of that suggestion, this Global Forum addresses that goal. Second, on a more technical level, the Secretariat suggested that the Committee's Working Party No. 3 review the various ways in which assistance is supplied and consider whether it could be improved through identifying best practices or improving co-ordination. The Committee agreed, and the Secretariat then issued a questionnaire and prepared a note concerning Members' assistance activities and views on the best means of providing assistance, as well as the activities of international organisations. A revised version of this note is being circulated as further background for discussion in the Forum.

6. At its February 2001 meeting, the Working Party considered the need for and delivery of assistance with substantial input from UNCTAD, the World Bank, and the WTO. The discussion was generally regarded as useful, but it had relatively little input from the beneficiaries of capacity building. The meeting included Observers that currently receive OECD and other assistance, as well as some Members that received large amounts of assistance until recently, but representatives of these economies did not actively participate in their capacity as present or former beneficiaries. To obtain more input from beneficiaries, delegates suggested that the topic be pursued in the OECD Global Forum. The Secretariat later proposed to address it this February since OECD co-ordination with the organisers of France's anniversary celebration for the Conseil de la Concurrence will permit participation by more non-Members than usual.

7. As background for discussions in the Forum, it is useful to review the main points that emerged last February from Members' questionnaire responses, the contributions from UNCTAD, the World Bank, and the WTO, and the discussions during the meeting. In general, Members' responses showed the following with respect to the nature of their assistance activities.

- Based on the resources available, number and variety of activities, and geographic coverage, the OECD Members that have been the major providers of technical assistance have been Australia, Japan, the US, and the EC. All of them have substantial agencies for funding international assistance, and all of their agencies in fact funded considerable competition policy assistance. Much of this funding goes to private contractors, and much of that funding goes not to specific competition policy projects but to broader "market development" projects that include components that are directly or indirectly related to competition policy.
- Countries with more limited resources use a number of different means to get the most from what they have. Some, such as Finland, have focused on a limited number of nearby countries. Others, such as Denmark, have established and maintained contacts with beneficiaries through low-cost activities carried out at home, such as hosting study visits by beneficiaries. In addition, many providers with limited resources have economised hosting few or no events but sending panellists to events organised and sponsored by others. The record of Canada and Mexico illustrate this latter strategy.
- In general, countries with no or a less developed competition policy and law enforcement capacity typically receive a lower level of assistance than beneficiaries with a more developed competition record. This presumably reflects, among other things, donors' assessment of potential beneficiaries' readiness to use the assistance. Decisions about what economies should receive what level of assistance also take into account other factors, including general foreign policy considerations and economic importance.

8. Members' questionnaire responses and the discussion at the February meeting addressed the same issues that non-Members addressed in their contributions to the Forum, but also covered some additional issues as well. In general, the following views were expressed:

- Delegates said that more competition policy technical assistance is needed, but there were no suggestions on how the resources needed to provide it could be raised. One provider that delivers much of its assistance in one-off events requested by beneficiaries noted that some requests do not reflect a serious interest, but rather a view that competition policy is "fashionable" or that a donor has insisted it seek assistance in this area. It was agreed, however, that real demand is substantial and substantially exceeds supply.
- No general conclusions were drawn with respect to the most efficient forms of assistance in general or for particular situations.
- Most delegates believed – for the same reasons as non-Members – that in general, experienced current or former competition officials are more qualified to provide assistance than academics, private practitioners, or other contractors without such experience. Major donors provide most of their competition-related funding through private contractors, and delegates discussed whether technical assistance could be improved in a cost-effective manner if a larger share of the funding were provided to competition authorities.
- While there was support for this idea, there was even stronger emphasis on the point that competition authorities also face personnel constraints; some said they could not provide

more assistance than they are at present, even with more funding. Some possible solutions were mentioned but not discussed at length. For example, funding might be provided to a competition authority under terms that let it choose what to do on their own and what to contract out. It was also noted that competition authorities might seek funding to hire assistance providers. No general conclusion was reached.

- In addition, delegates differed in the degree to which they can and do work with their funding agencies to provide a competition policy perspective in designing assistance programs and choosing private contractors.
- Co-operation in providing technical assistance is problematic or even impossible when a country provides all or most assistance through private contractors. The Secretariat has found private contractors unwilling to co-operate except in one instance when a funding agency directed a contractor to co-operate. An issue in the case of the EU is that its funding authority is unable to fund DG Competition participation in assistance organised by others; this increases the difficulty of presenting an EU perspective, which is often important for beneficiaries.
- In general, Members did not actively co-ordinate their technical assistance with each other or with international organisations, though some co-ordination results from Members' co-sponsoring or sending representatives to OECD and other seminars that use international panels. EU Member States provide some assistance on behalf of the EU. Korea and the US have both co-sponsored events with the OECD. Australia and Japan are both involved in regional co-ordination within APEC.
- There appears to be little co-ordination between international organisations that provide technical assistance (OECD, UNCTAD, World Bank, and WTO) and regional organisations, though some APEC/OECD co-ordination exists (largely between APEC countries that are OECD Members and the OECD Secretariat).
- There is significantly more co-ordination among OECD, UNCTAD, the World Bank, and the WTO. Avoidance of duplication results both from informal contacts and from differences in the organisations' criteria for and means of providing assistance. In general, UNCTAD and the World Bank focus more on less developed countries. Moreover, while UNCTAD holds some training seminars, many of its events involve more general policy dialogue involving a broad range of countries. The World Bank has also held some training seminars, but it focuses on providing in-depth, long-term assistance to a small number of countries. The WTO's technical assistance is more recent and consists primarily of large conferences. OECD outreach events consist almost entirely of training seminars and smaller meetings, and is directed to a range of countries that is narrower than UNCTAD's or the WTO's, and broader than the World Bank's. The four programs complement each other, and active co-operation is increasing. (Secretariat members from the four organisations recently met to explore ways to increase co-operation even further.)
- In general, many delegates considered additional co-ordination of assistance limited to providing some sort of a clearinghouse to be desirable, but there was no consensus on what sort of clearinghouse might be useful and cost-justified. UNCTAD's website provided the most information. Neither UNCTAD nor the OECD had plans or funds to engage in the active follow-up that would be involved in maintaining a real clearinghouse even for planned events. If a clearinghouse sought to include requests for assistance, statements by potential donors regarding their geographic and substantive areas of interest, and other potentially

useful information, maintaining it would be very costly. Also, some of this kind of information could be politically sensitive. Even more politically sensitive would be any form of co-ordination that sought to assess need, assess donors' programs, and engage in any "steering."

3. Definitions

9. Various institutions assign use somewhat different terms to describe different kinds of assistance, and when they use the same terms they often assign somewhat different meanings. It may therefore be useful to provide some definitions before engaging in further analysis.

- For purposes of this note, "*technical assistance*" and "*capacity building*" are synonymous terms referring to assistance in considering, drafting, and implementing competition laws and other laws directly relevant to market competition. It includes assistance with respect to institutional issues and "competition advocacy" as well as assistance focused on enforcement. In addition, technical assistance (the term generally used in this note) includes only assistance provided directly or indirectly by countries or organisations with substantial experience and expertise to those with significantly less experience and expertise. Foundations and other non-governmental entities sometimes provide similar assistance on their own, as opposed to on behalf of governments, but this note addresses only assistance by governments and international organisations. In and of itself, *law enforcement co-operation* is not technical assistance, though technical assistance can include assistance in connection with a law enforcement matter.³
- This note uses the term "*policy dialogue*" to refer to the kind of discussion that occurs at meetings of the Competition Committee, the OECD Global Forum on Competition, UNCTAD, and the WTO Working Group on the Interaction between Trade and Competition Policy, and that is apparently contemplated in the International Competition Network. Policy dialogue differs from technical assistance in that the discussion is among equals even though the dialogue may have as one of its purposes the sharing of some economies' expertise for the benefit of others.

4. Benefits of technical assistance

10. The main function of technical assistance is to increase a beneficiary's ability to consider the desirability of adopting some form of competition law or policy, and to draft, enact, and implement a law or policy that is tailored to its particular needs. This function is emphasised throughout non-Members' contributions, with particular emphasis on the *transfer of practical know-how* to their officials. Such transfer of know-how involves learning both from more experienced competition experts as well as from peers, *i.e.*, from other beneficiaries of technical assistance facing similar problems.

11. In addition, non-Members identified two other functions that technical assistance may serve in some circumstances. Events may provide opportunities for *networking*, thus paving the way for informal and perhaps even formal co-operation and future technical assistance by establishing personal and institutional contacts. In addition, events may provide *political support* for competition among the general public and policy-makers of beneficiaries. One of Russia's contributions – a paper by Mr. Ilya Yuzhanov, Minister, Russian Ministry of Antimonopoly Policy and Support of Entrepreneurship – illustrates this point. Mr. Yuzhanov invited representatives of other ministries to OECD-organised high-level meetings on bringing competition to natural monopoly sectors, wrote a preface to a publication of the main points of

those meetings, and invited OECD Secretariat members to participate in a public meeting and news conference when the publication was released in Russian.

5. General categories of needed assistance

5.1. *Legislative assistance*

12. Beneficiaries' expressed needs depend, first and foremost, on whether or not they have a competition law. Economies without a competition law seek information relevant to their assessment of the desirability of such a law and also *legislative assistance*. Vietnam, for example, welcomes assistance in drafting its first competition law. Economies with a competition law may need similar assistance if they are considering amendments to the competition law or are preparing secondary legislation, regulations, or guidelines. Estonia, Indonesia, Kenya, Lithuania, and Romania all mention the need for such assistance. Romania, for example, is working on merger notification rules. Legislative assistance is also needed sometimes in connection with drafting or amending a law in some related area, such as natural monopoly regulation.

5.2 *Institutional and operational issues, including an authority's relationship to others*

13. For economies with a competition law that is not being amended, the main need is for assistance relating to (a) running a competition authority and (b) running law enforcement investigations. The *institutional issues* involved in the former are very important. Indonesia mentions such issues generally, while Kenya specifically mentions assistance on ways of structuring a competition agency, and Russia found consultations by the EC on decentralised competition law enforcement very useful. Brazil mentions "establishing procedures" as one of the most important topics.

14. In addition, many aspects of competition advocacy require assessment of how a competition authority should relate to sectoral regulators, other government institutions, NGOs, and the general public. Kenya, Lithuania, and Tunisia also mention a need for *assistance in competition advocacy* because competition culture needs to be established and strengthened in the course of economic transition and development. In particular, Lithuania desires "assistance for implementation of the awareness-raising campaign" aimed at "the public sector and judiciary" as well as the "business community and administrative bodies."

5.3 *Law enforcement assistance*

15. By far the largest expressed needs relate specifically to competition authorities' *law enforcement work*, and the dominant theme seems to be that it should be *practical assistance relating to day-to-day issues*. As in the case of other topics, one determinant of economies' needs is the extent to which they have developed their competition enforcement systems. For instance, Indonesia states that at its stage, all topics are useful. Chile also notes that it has not identified any topics that could be qualified as not useful in building its technical capacity, but also stresses the importance of gearing assistance to its specific needs. In that connection, Chile currently considers it necessary to receive technical assistance on criminal enforcement.

16. Estonia agrees that all topics relating to its daily work are useful, but notes that "very specific topics" are less so, while Kenya downplays the importance of assistance relating to "competition theory." Both of these comments on less useful topics may be manifestations of the clear theme that assistance

should be practical, but it would be interesting to hear what topics Estonia considers too specific and to confirm that Kenya's comment means that given its needs, "competition theory" is too general a topic.

17. One element of this law enforcement assistance is staff training. Kenya, Indonesia, Lithuania, and Tunisia all stress the importance of staff training. Brazil also describes training staff as one of the most valuable forms of assistance. Training the judiciary is also mentioned by Romania as necessary and useful assistance.

18. Moreover, one of the most important elements of staff training is investigation techniques. Thailand considers its greatest need to be the methodology to investigate and assess cases such as tie-in sales, price discrimination, predatory pricing, *etc.* Indonesia and Romania mention "investigation techniques" in general, while Kenya specifically identifies "investigations into cartel activities." Lithuania mentions the alignment of investigation, enforcement and reporting methodologies with international best practice and EC rules.

19. Looking to the past different Non-Members specifically mentioned assistance relating to different kinds of conduct as having been most useful, with:

- Lithuania mentioning mergers and cartels;
- Chile mentioning mergers and the analysis of activities that constitute new forms of abuse of dominant position;
- Estonia referencing first mergers and then cartels and abuse of dominance against natural and "unnatural" monopolies;
- Indonesia mentioning cartels, bid rigging and abuse of dominance by "unnatural" monopolies;
- Kenya and Thailand mentioning mergers, cartels, abuse of dominance by natural and "unnatural" monopolies with equal importance;
- Romania referencing the enforcement of cartel, abuse of dominance and state aid rules; and
- Tunisia mentioning the enforcement of abuse of dominance rules against "unnatural" monopolies.

20. Thailand mentions assistance concerning hard-core cartels as having been potentially valuable, noting that:

It is a topic that is always being raised in the negotiation forums of the WTO. We have therefore prepared ourselves in respect of these issues for the new round of the negotiations.⁴

6. Most useful methods of providing technical assistance

21. Although several beneficiaries mention that any form of assistance is welcome, three forms received the most attention: (i) conferences, seminars and workshops; (ii) internship programmes, (iii) long-term resident advisors. Other technical assistance methods, such as consultations and publications – either combined with the above or on a stand-alone basis – are also mentioned by a number of non-Members. Based on non-Members' specific comments, the following discussion addresses the pros and cons of all these technical assistance methods from the viewpoint of the three functions non-Members identified – acquiring practical know-how, engaging in networking, and obtaining political support.

6.1 *Seminars, workshops and conferences*

22. Seminars, workshops and conferences (hereinafter “seminars”) are were mentioned most often as the most useful form of assistance. No single seminar participant obtains the level of experience and practical know-how that a good internship can provide (see below), but a seminar can provide less detailed know-how to a larger number of people. For instance, Estonia praises seminars because they have enabled all officials to participate and acquire knowledge, and Latvia says that case-study seminars are most useful because the staff know the law but need more information on practical experience. Further, regional seminars provide opportunities of learning from other beneficiaries, and seminars with panellists from several different competition authorities can have enhanced credibility and utility.

23. Moreover, since seminars are relatively short, they are more easily attended by high-level officials from beneficiaries – officials who are better placed to bring about policy or procedure changes at home based on the assistance they receive. Moreover, such high-level officials are often the ones for whom networking is most important. Brazil mentions that conferences and seminars have been the best solution to bringing professionals dealing with competition matters together.

24. As a useful method to transfer practical know-how, Estonia says that the most valuable are practical trainings where current cases are discussed and analysed with the assistance of advisors. Chile states that case-study seminars have been a useful method to discuss both issues already encountered by the beneficiary and both ones that it has not yet faced:

[P]articipating in the case-study based seminars organised by the OECD has been an excellent opportunity to realise that many issues and cases are very similar in different countries and have raised the same concerns when they are addressed by the competition agency. Regardless of the fact that some topics have already been seen by the agency, the opportunity to explain our procedures, analyses and outcomes generates a kind of ‘peer’ scrutiny that results in impartial opinions which evaluate the agency’s work.

For the other part, analysing issues that have not been addressed before by our agency, provides us with tools and overviews that help us gain knowledge for future cases that will probably have to be addressed.⁵

25. Further, Chile finds that regional case-study seminars are more successful in motivating participation and are more useful for learning:

Our experience is that case-study based seminars are more useful if many countries participate with their own views. The discussions that arise and the different standpoints provide key elements that help the participants gain technical experience.

[...]

The study of real cases seen by other agencies, that may be in course of investigation or terminated with final judgements, provide us with excellent tools for analyses. This system generates an active participation and new relevant questions are put forward by participants.⁶

26. Seminars can effectively serve the two other functions of technical assistance, networking and political support. As mentioned above, seminars are relatively short, which facilitates attendance by high-level officials of both providers and beneficiaries. Seminars are also attended by more recipients. These features facilitate networking. When held in a beneficiary’s capital and addressing the right audience (*e.g.*, policy-makers or judges) or combined with an open session, seminars may also provide substantive and

political support to the beneficiary's advocacy efforts.⁷ Publications, *e.g.*, background documents and proceedings of seminars, may also provide effective political support to beneficiaries. As noted above, the Russian Antimonopoly Ministry mentions support it received from being able to invite officials from other Ministries to high-level meetings on natural monopoly reform, issuance of publication based on the meetings, and the combined open meeting and press conference held in connection with issuance of the publication. In this connection Latvia argues that involving state institutions other than competition authorities would be a useful forum of advocacy that might increase funding for competition authorities:

The dissemination of knowledge on competition legislation in different state institutions has stimulated reaching of economic reform' aims in more rapid terms. In this aspect it would be useful to involve other state institutions in technical assistance projects to competition surveillance sphere especially these institutions responsible for economical policy realisation. Thus possibly attraction of additional resources would be promoted for competition surveillance sector from national budgets what is very critical especially in markets of rapidly growing states.

6.2 *Internship programmes*

27. Assuming that an intern has an opportunity to work alongside of the staff of the receiving competition authority, an internship may be the most direct and most effective way of transferring practical know-how to an individual. In this sense, internships may be the most useful form of assistance for some; for example, Thailand states that internship would be the most valuable because it permits learning by practising." Côte d'Ivoire would also prefer interships. However, internships also have disadvantages.

28. The benefits of internships depend on various factors, including their duration and the degree to which an intern is integrated into the provider's activities. Moreover, internships are expensive and each one provides experience to only one person. Therefore, the success of internship very much depends on the skills of that recipient, on how successfully the recipient might transfer the lessons learned to his or her colleagues, and on how much the recipient might eventually change the approach of his or her institution to certain issues on the basis of the experience gained during the internship. Higher-level interns are more likely to be able to apply their new-found knowledge in ways that provide general benefits to his or her office, but higher-level officials are the least likely to be able to be away from the office for long enough to accept an internship.

29. A useful method for interns to share experiences with their colleagues back home is to summarise in writing what they learned during the internship. Israel applied this method with success, and reports that

[b]ased on the internship experience, [interns] drafted (and circulated to their peers) extensive documents summarising what they learned about the views and experience of the ... agencies [providing the assistance] in specific industries and scenarios. These documents have proved extremely useful for IAA work because they provide case handlers with insights on various competition considerations that arise in the course of their work.⁸

30. Internships have limited usefulness as regards the other two functions of technical assistance, networking and political support. Internships may pave the way for future technical assistance and co-operation by establishing institutional and personal contacts between the provider and the beneficiary. For instance, Israel finds that:

internships were helpful because they allowed the IAA to learn the detailed structure of [the] agencies [providing technical assistance] (and create personal ties with some of its staff). These benefits facilitate future co-operation between the agencies.⁹

31. However, internships do not provide broad networking opportunities, and they provide little if any political support for beneficiaries.

32. *Study visits* at more experienced competition authorities may be a more realistic alternative to internships where resource limitations or mandatory prohibitions prevent assistance providers from offering effective internship programmes. Study visits transfer less know-how, but their shorter duration makes them less costly, and they do contribute to establishing contacts and to the transfer of practical know-how. For instance, Lithuania sent its press official for a very useful one-week study visit to the Swedish Competition Authority to see how that authority's press team works.

6.3 *Resident advisors*

33. Several non-Members have had a good experience with resident advisors, and found such programmes useful. Estonia and Thailand specifically mention the benefits they received. In addition, during the early to mid-1990's, such programmes were provided to the competition authorities of current OECD Members from Central Europe – the Czech Republic, Hungary, Poland, and Slovakia. They have not made submissions concerning those programmes, but in general they were considered very valuable. Because few of the non-Members' contributions dealt extensively with resident advisors, the following analysis takes into account information about these earlier programmes.

34. The value of long-term advisors depends on a number of considerations, including the duration. This note treats stays of six months or more to be "long-term." In addition, advisors will be able to become useful more quickly if they have prior international experience and if they are given some training – or at least time to study – concerning the economy and its competition-related laws.

35. Of course, as Estonia notes, the experience and skills of the individual advisor – on institutional as well as investigation issues – is another determinant of a programme's value to a beneficiary. Without experience in foreign assistance or at least adaptability, even the most knowledgeable advisor might provide limited assistance. Kenya notes that unless assistance is "domesticated" and "owned by" the recipients, it is likely to be of little benefit. The skills and experience most valuable in connection with providing technical assistance in general are discussed below.

36. Finally, perhaps more than any other form of assistance, the value of resident advisors is dependent on the receiving authority and its advisor finding a way of working together to maximise the advisor's productivity. In general, the more successful programmes were those in which the authority's high-level officials informally sought advice on the issues they faced, while also making the advisor available to case handlers that had questions. Where high-level officials did not use the advisors as informal "assistants," they sometimes created work for the advisors to do by, for example, instructing each case handler to brief the advisor whether or not the case handler had any interest in receiving advice. In such situations, the costs of having advisors increase and the benefits decrease. These are generalisations, however; one of the benefits of advisor programmes is that, in principle, they can be shaped (and reshaped) to meet a beneficiary's needs.

37. In sum, if supported by their competition authority and sent for longer periods (six months or more), experienced and adaptable competition officials sent as advisors can provide assistance that is more tailored to the beneficiary's situation, and covers a wider set of issues, than other forms of assistance.

Advisor programmes do not provide the extensive experience to a single trainee that is provided by internships, but they can provide training to a substantial number of people and could include intensive work with a few people.

38. The major difficulty with such programmes is that they are costly (and therefore rare). For the providing economy and its competition authority, the costs are substantial, especially if the advisor receives training or study time before going on a mission of six months or more. Tunisia has not had resident advisors, but it notes that when assistance providers lack knowledge about the beneficiary they need a longer adaptation period, which also increases the cost of such programmes. In addition, Lithuania points to a case in which the busy schedules of competition officials selected as advisors interfered with a particular advisor programme:

Although the Twinning Project [with the EC and some of its Member States] has progressed successfully, its Working Programme was not completed during the initial period of the project. The main reason of the delay was related to the planned visits by short- and medium-term experts. They have remained below schedule because many experts have experienced difficulties in getting the necessary leave from their home administrations.¹⁰

39. Depending on the level of the advisor, this form of assistance may serve the two other functions of technical assistance, networking and political support. Personal and institutional contacts created by the programme may pave the way for future technical assistance and might facilitate informal and perhaps formal co-operation between the provider and the beneficiary. The presence of an advisor is unlikely to provide political support, but the advisor may have ideas and contacts that are useful in obtaining such support either through advocacy techniques or through arranging for international support at the political level.

6.4 Other technical assistance methods

40. In addition to the above, beneficiaries identify other useful methods of technical assistance, such as consultations and publications. These might be easily combined with some of the above technical assistance methods,¹¹ but might also be provided on a stand-alone basis. The following analysis briefly elaborates on how consultations and publications might be useful for beneficiaries.

6.4.1 Consultations

41. Consultations, either in the form of meetings or written exchanges, require relatively limited resources and provide beneficiaries with tailored advice and know-how concerning a pressing specific problem. For instance, the Russian Federation regards consultations by OECD and EC experts on draft legislative amendments very useful.

42. Consultations also provide possibilities of networking, and can provide some political support to beneficiaries if they involve sufficiently high-level officials. In the Russian Federation's view, visits by heads of established competition authorities can effectively contribute to the competition advocacy efforts of beneficiaries' competition authorities.

43. Consultations, in particular concerning draft legislation, require substantive knowledge about the beneficiary, which has seriously limited their usefulness to Tunisia. As discussed further below, Thailand makes a similar point concerning a guideline-writing project.

6.4.2 *Publications*

44. Indonesia finds that publications are one of the most useful types of assistance. Similarly, the Russian Federation points out the usefulness of the publications sponsored by UNCTAD and the EU in Russian, while Chile finds that assistance presenting comparative studies on competition law is very useful as a means of acquiring knowledge about foreign experience. Baltic countries have received useful assistance through annual written analyses of their law enforcement activities in the framework of the OECD's Baltic Regional Programme. Côte d'Ivoire mentions that it would need assistance to be able to subscribe to academic literature.

45. Publications are often relatively cheap and can be used effectively in various settings. Apart from their effectiveness in transferring know-how to a large number of recipients – in particular if translated into the beneficiary's language – such publications contribute to the competition advocacy efforts of the beneficiary's competition authority. Russia's use of the recent OECD publication was noted above. Also, Lithuania found it quite useful to receive technical assistance in drafting easy-to-understand information brochures.

7. **General issues concerning the organisation and provision of technical assistance**

46. This part covers three general issues concerning the organisation and provision of technical assistance: (i) the advantages and disadvantages of single-economy and regional events; (ii) the skills and experience required of an assistance provider; and (iii) the bureaucracy of organising assistance.

7.1 *The advantages and disadvantages of single-economy and regional events*

47. For various reasons, beneficiaries appreciate both single-economy and regional assistance, and they regard both as very useful. In general, single-economy assistance is praised as it allows for a more specific and detailed discussion (Estonia), which is tailored to the beneficiary's practical needs (Lithuania, Thailand, Romania), and provides solutions to existing problems (Lithuania). In regional events, no single beneficiary has as much influence on the topics to be covered, which Estonia and Thailand point out can mean that any given beneficiary may find some of the topics at a regional event are not so important to it. In addition, Romania notes that regional events are less conducive to in-depth analysis of key issues.

48. Regional assistance also has advantages, however. It gives a broader viewpoint of every topic (Indonesia) and provides opportunities to exchange experiences with, and learn from, other beneficiaries (Estonia, Lithuania, Romania, Tunisia). Some regional events even allow for some kind of peer review among beneficiaries. Lithuania states that the OECD's Baltic Regional Programme has been providing each Baltic competition authority with annual written evaluations of selected issues, plus seminars that combined elements of the Competition Committee's policy dialogue and peer review with capacity-building activities that targeted topics identified by the evaluations. In addition, Chile finds that:

the opportunity [provided by regional case-study seminars] to explain our procedures, analyses and outcomes generates a kind of 'peer' scrutiny that results in impartial opinions which evaluate the agency's work. The sole presence of officials from a foreign agency or other country, which interact with the personnel, provides an opportunity to exchange viewpoints and to express freely opinions between peers.¹²

49. Further, a number of contributions note that regional assistance helps in establishing personal and institutional contacts that may lead to informal and perhaps even formal co-operation.¹³ Regional events might also receive public coverage more easily than single-country events, and thereby provide effective

political support for beneficiaries – not only for the beneficiary hosting the event, but to a certain extent also for other participating beneficiaries.

50. Besides these general pros and cons, the advantages and disadvantages of single-economy and regional assistance may depend on the topic. Kenya notes that an event for the creation of a national legal framework and institutions should be a single-economy event, whereas events dealing with merger control and price fixing cartels may be more advantageous if organised on a regional basis. Further, Brazil opines that:

[i]f the topics covered by an event concern exchange of jurisdictional experience on antitrust matters, regional events are to be more fruitful than a single-country one. Otherwise if the recipient country is implementing its laws a single-country event yield better results than a regional one. In short, the effectiveness of the event depends substantially on the relative position of a country with respect to its own antitrust laws implementation.¹⁴

7.2 Skills and experience required of an assistance provider

51. The questionnaire for non-Members asked them to rank four factors relating to the skills and experience of an individual assistance provider. Their ranking was as follows (going from the most important to the least important):

- i. experience working in a competition authority;
- ii. detailed knowledge of beneficiaries' actual legal, institutional, and economic systems;
- iii. experience in providing assistance to transition or developing economies; and
- iv. knowledge of competition law and policy systems in different parts of the world.

In addition, non-Members discussed the reasons for their rankings.

52. In general, beneficiaries' reasons for assigning a high ranking to experience in a competition authority are similar to those that delegates noted in February 2001 – the fact that so many assistance needs relate to running a competition authority and running a competition investigation. Perhaps the clearest example noted in the contributions is Russia's comment on the value of EC advice concerning decentralised competition law enforcement. No professor or private practitioner without competition enforcement experience could address such a topic with as much authority and credibility as an appropriate official from a large competition authority.

53. Lithuania adds the following concerning the advantages of competition officials:

Assistance provided by the current competition officials is the most effective and valuable. In addition to their working experience within the relevant competition authority, currently working competition officials usually possess much more updated information and knowledge of the competition law and policy developments both in their country and different parts of the world.¹⁵

54. Lithuania also notes a disadvantage to current competition officials, which is that officials in a twinning programme experienced difficulties in getting away from their home administration and often been unable to provide as extensive assistance as desired.

55. Tunisia, also, mentions that private consultants often lack relevant practical experience. Moreover, "beyond practical experience," Tunisia notes that assistance by competition officials allows for

an exchange of views and facilitates requests of information, potentially paving the way for further technical assistance and future co-operation.

56. This general preference for assistance providers with competition enforcement experience does not mean that assistance from private consultants is not valuable. For one thing, Estonia notes that private consultants have often very different points of views, and discussions with them gives competition officials an opportunity to see also the other side of some issues. Brazil believes that the effectiveness of assistance by competition officials and private consultants depends on the authority's stage of development, and for Brazil "assistance from current competition officials has brought more results." Estonia and Lithuania agree that the necessary qualifications depend on the topic. For example, if a competition authority is not seeking "practical advice" but rather needs information about general (or very specific) legal issues, Lithuania says that a private consultant, especially a professor, may be preferable. Similarly, Indonesia faces circumstances in which it needs advice about Indonesia-specific economic or legal issues, in which case foreign advisors' experience is not as important as local consultants' knowledge.

57. Non-Members did not say much about the importance of attributes other than experience in a competition authority. Both Thailand and Tunisia, however, made brief but important contributions. Tunisia referred generally to the length of time that it takes for an assistance provider to become knowledgeable about a beneficiary's economy and law. Detailed knowledge about a beneficiary's situation is not necessary for all kinds of assistance, but it is always important for an assistance provider to have a willingness to listen and an understanding that even the most basic competition policy principles can have different policy implications in economies with different levels of development and legal, cultural, and other traditions. Experience in providing assistance to other economies can help produce this understanding, though it is not necessary or sufficient. Thailand describes a situation in which it found advisors to be insufficiently adaptable:

We received technical assistance ... a few years ago to draft guidelines for implementing our Competition Act. The problem that we faced was the difference in business culture, ways of life, concept of the Act, *etc* that caused the misunderstanding when drafting the guidelines. [Assistance] needs to be adjusted to correspond with the situation in Thailand. Furthermore, the consultants always have their own scope of work and they will not provide any other assistance beyond their own scope. This is one of the limitations of the assistance.¹⁶

7.3 *International co-ordination*

58. None of the beneficiaries have reported of any instances where lack of co-ordination effectively led to a problem. Moreover, none suggest enhanced co-ordination of technical assistance. In fact, some, for instance Estonia, fear that co-ordination would be disadvantageous as it could sometimes result in further delays in the already lengthy procedures of applying for assistance. Lithuania fears that increased co-ordination could also slow down the implementation of already adjudicated projects. In contrast, Brazil states that although a lack of co-ordination among providers has not created any problems, it could do so.

7.4 *The bureaucracy of organising assistance*

59. Several beneficiaries find the current bureaucracy of applying for technical assistance unnecessarily burdensome. Estonia advocates for more speedy application processes in general, whereas the Russian Federation mentions that

[o]ne of the main weak points of the provided technical assistance is a *high bureaucracy*. Sometimes a very long period is needed from the getting of principal decision to provide the technical assistance till the beginning of the project.¹⁷

60. The Russian Federation also finds that the administration of technical assistance projects sometimes puts too heavy a burden on beneficiaries:

Sometimes in case of technical assistance for short term events a recipient is requested to provide a sponsor with a lot of calculations and data what makes a big additional pressure on the staff taking in mind very limited human and technical resources in antimonopoly structures in transition countries.¹⁸

8. Factual data on technical assistance received by beneficiaries

61. Responses to the questionnaire include factual data about various aspects of technical assistance received by beneficiaries, namely (i) the proportion of multi-year programmes and one-off events; (ii) the proportion of assistance taking place abroad and in the beneficiary's economy; and (iii) the proportion of seminars, advisor and internship programmes. This information is helpful in interpreting individual economy's responses to other questions, though it is insufficient to permit generalisations concerning how differences in these proportions might correlate with other variables, such as region, level of development, or quantity of assistance received.

62. Beneficiaries reported various levels of multi-year programmes and one-off events. Tunisia reported limited assistance consisting exclusively of multi-year programmes. Brazil, Estonia, Lithuania and Romania have had between 66-80% of their assistance as multi-year programmes. Kenya reported limited assistance consisting of only one-off events. For this question, differences may in part reflect differing interpretations of the questionnaire. For example, Indonesia reported that almost 90% of its assistance was through one-off events, but the World Bank and some donors have been providing support for some time.

63. Responses show similar differences as regards the location of technical assistance. Some beneficiaries, such as Estonia, Kenya, and Romania, have been receiving technical assistance predominantly in their economy, with technical assistance received abroad ranging between 10-30%. Some others have been receiving more assistance abroad than at home. Lithuania has been receiving only 40% of its assistance in Lithuania, whereas Tunisia and Brazil have been receiving only 20% of assistance delivered at home. Indonesia reports having received an equal proportion of assistance in Indonesia and abroad.

64. Beneficiaries provide diverging data about the proportion of various types of assistance, as well. For Estonia, Lithuania, and Romania, seminars and conferences have not exceeded 60% of assistance, and a substantial share of assistance received has been advisor and internship programmes, with internship programmes/study visits usually accounting for a smaller share. In contrast, for Kenya "[a]lmost one hundred percent assistance has been seminars and conferences." Tunisia reports that it has received limited assistance exclusively in the form of seminars and internships, and had no resident advisors. Brazil has received around 80% of its assistance through seminars, and the rest by resident advisors, who "provide around fifty percent of the conferences and seminars." Indonesia states that it has received an equal proportion of seminars and conferences, and advisor and internship programmes.

9. Issues for discussion

65. It is hoped that non-Members will discuss their views on the following topics, among others:

- their greatest needs, and the assistance needed to meet those needs.
- the forms of assistance they find most useful, either generally or for particular purposes, including seminars, internships, and resident advisors.
- the skills and experience that are important for an assistance provider, including:
 - experience working in a competition authority;
 - detailed knowledge of beneficiaries' actual legal, institutional, and economic systems;
 - experience in providing assistance to transition or developing economies; and
 - knowledge of competition law and policy systems in different parts of the world.
- the potential benefits and costs of further co-ordination of assistance.

66. The facts and views presented by beneficiaries will provide the basis for a broader consideration of all the foregoing topics. In addition, the following broader issues also merit attention:

- whether the need for and supply of technical assistance is in balance, and if the need exceeds the supply, what steps might be taken to increase supply.
- whether competition officials consider it desirable and possible for their authorities to play a greater role in the provision of technical assistance without interfering with their other responsibilities.
 - If so: what are Members' reactions to the following possibilities?
 - receiving a larger share of available funding, with discretion to provide assistance through its staff or to use their expertise to shape technical assistance projects and select qualified private subcontractors.
 - receiving resources to cover the costs of having employees dealing specifically with technical assistance.
 - If not: do Members think it would be desirable and possible for competition authorities to be more active in advising funding agencies on the design of technical assistance projects and the selection of qualified private contractors?

NOTES

¹ Estonia, Israel, Kenya, Latvia, Lithuania, Russia and Tunisia.

² Responses were received from Brazil, Chile, Estonia, Indonesia, Kenya, Lithuania, Thailand, and Tunisia. They are incorporated into the annexes. Responses from Côte d'Ivoire and Latvia are discussed in the text but are not in the annexes.

³ The paper submitted by Mr. Ilya Yuzhanov, Minister, Russian Ministry of Antimonopoly Policy and Support of Entrepreneurship, notes that “[s]ometimes it is difficult to specify what kind of relations do you have – international co-operation or technical assistance.” Experience of and needs for capacity building and technical assistance, Address by Mr. Ilya Yuzhanov, Minister, Russian Ministry of Antimonopoly Policy and Support of Entrepreneurship before the OECD Global Forum on Competition, 14 February 2002..

For an account of enforcement co-operation as a type of technical assistance, *see* Brazilian Actual Experiences in International Co-operation in Cartel Cases, Submission by Brazil to the OECD Global Forum on Competition, 14-15 February 2002.

⁴ Questionnaire, Submission by Thailand to the OECD Global Forum on Competition, 14-15 February 2002.

⁵ Experiences of, and needs for, capacity building or technical assistance, Submission by Chile to the OECD Global Forum on Competition, 14-15 February 2002.

⁶ Experiences of, and needs for, capacity building or technical assistance, Submission by Chile to the OECD Global Forum on Competition, 14-15 February 2002.

⁷ The forthcoming 3rd Thematic Meeting of the Competition Law and Policy in SEE Regional Flagship Initiative held by the OECD in Belgrade (FR Yugoslavia) in March 2002 will have an extra half-day session open for local policy-makers, press and public.

⁸ Experiences in Capacity Building and Technical Assistance, Submission by Israel to the OECD Global Forum on Competition, 14-15 February 2002.

⁹ Experiences in Capacity Building and Technical Assistance, Submission by Israel to the OECD Global Forum on Competition, 14-15 February 2002.

¹⁰ Experiences of and Needs for Capacity Building or Technical Assistance, Submission by Lithuania to the OECD Global Forum on Competition, 14-15 February 2002.

¹¹ According to the Russian Federation, assistance programs involving different aspects of competition law enforcement and policy are very useful, as they “enable the beneficiary’s competition authority to organise activities parallel in many areas, such as study of new trends of foreign antitrust experience, discussion of amendments to legislation, joint consideration and discussion of the most important cases, *etc.*” The Russian Federation also praises the flexibility and usefulness of “*ad hoc* operative legal consultations on draft laws, methodologies and other normative documents or proposals” such as the ones provided by the OECD and the EU to Russia. Experience of and needs for capacity building and technical assistance, Address by Mr. Ilya Yuzhanov, Minister, Russian Ministry of Antimonopoly Policy and Support of Entrepreneurship before the OECD Global Forum on Competition, 14 February 2002.

¹² Experiences of, and needs for, capacity building or technical assistance, Submission by Chile to the OECD Global Forum on Competition, 14-15 February 2002.

¹³ For instance, the annual OECD Vienna Seminar on Topics in Competition Policy allows for meetings among Baltic, CIS and Southeast European competition officials. Similarly, the annual competition policy

seminar organised in the framework of the OECD Baltic Regional Programme, the meetings of the Competition Law and Policy Regional Flagship Initiative organised by the OECD and its organising partners in the framework of the Stability Pact for Southeast Europe, and the OECD-South Africa seminars for the Southern African Development Community provide a unique opportunity for regional meetings.

- ¹⁴ Answers to OECD Questionnaire on Technical Assistance Experiences and Needs, Submission by Brazil to the OECD Global Forum on Competition, 14-15 February 2002.
- ¹⁵ Experiences of and Needs for Capacity Building or Technical Assistance, Submission by Lithuania to the OECD Global Forum on Competition, 14-15 February 2002.
- ¹⁶ Questionnaire, Submission by Thailand to the OECD Global Forum on Competition, 14-15 February 2002.
- ¹⁷ Experience of and needs for capacity building and technical assistance, Address by Mr. Ilya Yuzhanov, Minister, Russian Ministry of Antimonopoly Policy and Support of Entrepreneurship before the OECD Global Forum on Competition, 14 February 2002.
- ¹⁸ Experience of and needs for capacity building and technical assistance, Address by Mr. Ilya Yuzhanov, Minister, Russian Ministry of Antimonopoly Policy and Support of Entrepreneurship before the OECD Global Forum on Competition, 14 February 2002.

ANNEX A
BENEFICIARIES' RESPONSES TO THE TECHNICAL ASSISTANCE QUESTIONNAIRE

This annex includes the 9 responses submitted by Brazil, Chile, Estonia, Indonesia, Kenya, Lithuania, Romania, Thailand, and Tunisia to the OECD's questionnaire on technical assistance by 31 January 2002.

BRAZIL

1. It would be useful if you could provide as much as reasonably possible of the data and information requested in the attached table on technical assistance your authority has received in 2000-2001 and is expecting to receive in 2002. More important than this quantitative data, however, are you views on the issues raised below.

See annexed table.

2. Based on your experiences:

What topics have been most and least useful, and why?

One of the most useful instruments of co-operation has been the exchange of information on antitrust matters such as hard core cartels, both at formal basis because it provides adequate legal framework, and informal basis because it provides quickly responses when necessary.

As could be seen on the annexed table below, the participation in seminars and conferences has been an equally important mean of co-operation between Brazilian and foreign antitrust authorities and representatives of the private sector.

What kinds of assistance (conference, seminar, advisor, internship) have been most/least useful, and why?

Conference and seminars have been the best solution to bring professionals dealing with antitrust matters together. However informal exchange of information is not the best way to deal with the necessity of official documentation that sometimes has been demanded in our formal procedures.

What are the advantages and disadvantages of single-country and regional events? Does the answer depend on the topic being covered? Please explain.

If the topics covered by an event concern exchange of jurisdictional experience on antitrust matters, regional events are to be more fruitful than a single-country one. Otherwise if the recipient country is implementing its laws a single-country event yield better results than a regional one. In short, the effectiveness of the event depends substantially on the relative position of a country with respect to its own antitrust laws implementation.

Besides knowledge of competition law and policy, what skills and experience do you think are required or important for an assistance provider? How do you rank the following?

- (1) Experience working in a competition authority?
- (4) Experience in providing assistance to transition or developing economies?
- (3) Knowledge of competition law and policy systems in different parts of the world?
- (2) Detailed knowledge of your actual legal, institutional, and economic systems?

What are the advantages and disadvantages of receiving assistance from current competition officials and private consultants (including consulting firms, law firms, professors, etc.)? Does the answer depend on the topic being covered? Please explain.

The answer to this question is similar to the one regarding single country and regional events related above, i.e. it depends on the antitrust institutions development's degree. For the Brazilian case the assistance from current competition officials has brought best results than the others alternatives.

Approximately what share of the assistance you receive consists of multiyear programs, and what share consists of one-off events?

We believe that almost eighty percent consists of multiyear programs, such as seminars and conferences.

Approximately what share of the assistance you receive takes place in your economy, and what share is abroad?

Approximately 80% of the assistance received takes place abroad.

Approximately what share of your assistance are seminars and conferences, and what share are resident advisors or internships in other economies?

Approximately eighty percent of the assistance consists of seminars and conferences. We also believe that resident advisors provide around fifty percent of the conferences and seminars.

3. Have there been instances when an apparent lack of co-ordination among providers has been a problem for you? Please explain. Also, please provide any comments you have on advantages or disadvantages to greater international co-ordination of technical assistance programs?

Although the lack of co-ordination among providers has not been a problem for us, it could bring us problems such as wastefulness, ineffectiveness of efforts, delays, etc.

4. What do you currently consider your economy's greatest need in terms of competition law and policy assistance?

Similarly the method used on item 2 above we will rank the following questions in order of importance.

- (2) Drafting a competition law? Drafting secondary legislation/regulations?
- (1) Implementing a competition law?
- (4) Against abuses of dominance by natural monopolies?
- (3) Against abuses of dominance by "unnatural" monopolies?
- (1) Against cartels?
- (2) Against anti-competitive mergers?

**If assistance in implementation is the need, what kind of assistance would be most valuable?
Establishing procedures, training staff, other?**

Once the law has been drawn and implemented the subsequent work such as establishing procedures and training staff becomes one of the most valuable forms of co-operation.

5. Please provide any other information or comments you wish to contribute.

CHILE

To address this issue we will follow the questionnaire sent by the OECD, and will try to provide as much information in the clearest way possible.

1. Topics addressed in technical assistance and general aspects.

In our experience, we have not found any topics that could be qualified as not useful for building our technical capacity. Although some topics are more interesting, considering that they could be under present investigation and there is immediate concern over them, all topics, approaches and analyses are considered useful for the FNE's objectives.

For example, participating in the case-study based seminars organized by the OECD has been an excellent opportunity to realize that many issues and cases are very similar in different countries and have raised the same concerns when they are addressed by the competition agency. Regardless of the fact that some topics have already been seen by the agency, the opportunity to explain our procedures, analyses and outcomes generates a kind of "peer" scrutiny that results in impartial opinions which evaluate the agency's work.

For the other part, analyzing issues that have not been addressed before by our agency, provides us with tools and overviews that help us gain knowledge for future cases that will probably have to be addressed.

Nevertheless, it is very important to consider the level of development of each countries' competition policies, in order to provide consistent and useful assistance in technical matters. Many countries in Latin American have still not enacted competition laws; others have years of enforcement, and there are countries that are implementing their new statues and structuring their antitrust institutions.

In this line of thought, there are some topics that are limited to problems that new agencies or countries who do not have agencies or legislation need to address. In these topics, countries like Chile can have an important opinion and can provide technical assistance on these matters.

It is important to explain that the FNE is organized as a specialized agency that deals exclusively with antitrust enforcement. Our law came to force in October 1973, but we have antitrust statutes since late 1950's. We do not enforce consumer protection statues like many Latin American authorities.

2. Forms of assistance

We had the chance to participate in case-study seminars and conferences throughout the years 1999 to 2001.

The case study system has been a great experience, and stands upon a recognized high level of capacity, expertise and understanding of the OECD officials and experts who develop these programs. The study of real cases seen by other agencies, that may be in course of investigation or terminated with final

judgements, provide us with excellent tools for analyses. This system generates an active participation and new relevant questions are put forward by participants.

Regarding internships, our experience is as providers of technical assistance. Officials from Costa Rica have visited the FNE for short terms and completed a program that included presentations by our experts and the analysis of current cases. Our objective is to provide an outlook of our law, the procedures involved and the ways to approach different anti-competitive activities .

Our experience is that case-study based seminars are more useful if many countries participate with their own views. The discussions that arise and the different standpoints provide key elements that help the participants gain technical experience.

Considering our last experiences in short internships, single country participation provides a unique opportunity for officers of both parties to interact and discuss everyday concerns and also to deal with complex inquires. These programs have been an excellent experience for both parties and we will try to develop others. We are in preliminary talks with competition authorities from Panama in this matter.

3. Skills of the assistance provider

From our view, as recipients of assistance, the expertise of the providers is of great importance. The ability to analyze cases that are presented summarily and to give certain key elements to the resolution of the problems is of great importance.

Nevertheless, and from a point of view of assistance providers, for us the sole presence of officials or experts from a foreign agency or other country, which interact with the personnel, provides an opportunity to exchange viewpoints and to express freely opinions between peers. This instance is of great importance for it helps reach a global view of the work done by the agency.

Chile is participating in the Free Trade Agreement of the Americas negotiations (FTAA-ALCA). In that forum, the delegations have established in almost all rounds of negotiations a session for technical assistance, although it is not part of the formal negotiations.

This has been a great experience, specially for countries that do not have competition laws, and has proved that not necessarily great expertise is needed to provide assistance and generate case-based discussions.

4. Our needs for technical assistance

Our agency has powers to enforce competition law in many fields, including regulated markets that were part of the privatization process in Chile. This reflects the vast areas that are addressed in our investigations.

The FNE has an experience of nearly 30 years in competition enforcement. It is a prestigious government institution with a clear technical profile. Our Antitrust Commissions, which are independent bodies, also have a great tradition of enforcement and its decisions have positively influenced many markets and established many “bright lines” for competitors to guide their activities.

Nevertheless, competition issues become every day more complex. New markets and businesses arise and international trade creates continuous upheavals in the marketplace.

The analysis of activities that constitute new forms of abuse of dominant position is a topic that is important for us to address. Our institutional structure does not consider mandatory or compulsory merger control nor the review of acquisitions and take over operations, but we've conducted investigations that analyzed concentration processes.

It is important for us to enhance our technical capacities to investigate the activities developed by firms which hold a high market share and may engage in abuses of its position.

Also, due to the fact that some mergers and acquisitions are investigated, our agency needs to learn from the different approaches to merger analysis.

There is another aspect that is very important for us. It is necessary to gain knowledge through technical assistance of the different law statues that deal with the criminal enforcement of certain conducts. Our agency finds an important issue to address the possible limitations or the eventual substitution of criminal measures or sanctions, which are contemplated in our law, with other measures. It is important to take account of the benefits and the negative effects of these changes.

In that sense, comparative studies on competition law, presented or provided as technical assistance activities, is a field that the FNE finds very useful in order to acquire knowledge of foreign experiences and improve our institutions.

ESTONIA

1. It would be useful if you could provide as much as reasonably possible of the data and information requested in the attached table on technical assistance your authority has received in 2000-001 and is expecting to receive in 2002. More important than this quantitative data, however, are you views on the issues raised below.

2. Based on your experiences:

What topics have been most and least useful, and why?

A All topics have been useful considering our everyday work. Especially useful have been procedural rules, since in this area the knowledge is most needed. Less useful have been very specific topics, since they are not so important in our everyday work.

What kinds of assistance (conference, seminar, advisor, internship) have been most/least useful, and why?

Most useful have been probably seminars, since it has enabled all officials of the Competition Board to participate and acquire knowledge. In gaining practical skills the most useful have been placements in other countries competition authorities. These placements have been more useful than theoretical training since it has provided us opportunities to see the actual proceeding of cases. According to our experience, the quality of an advisor varies largely, we have had some very good advisors and their assistance has been remarkable.

What are the advantages and disadvantages of single-country and regional events? Does the answer depend on the topic being covered? Please explain.

Yes, the answer depends on topic being covered. The advantage of single-country event is that it gives the participants an opportunity to deal with specific issue with greater detail. The advantage of regional event is that it gives one an opportunity to compare its experience with the experience of colleagues. Disadvantage of regional event is that sometimes it may happen that problems being discussed are not so similar. As an example some specific provision of law or etc.

Besides knowledge of competition law and policy, what skills and experience do you think are required or important for an assistance provider? How do you rank the following?

Experience working in a competition authority?

Very important

Experience in providing assistance to transition or developing economies?

Important

Knowledge of competition law and policy systems in different parts of the world?

Important, could be an advantage

Detailed knowledge of your actual legal, institutional, and economic systems?

Very important

We consider also the dedication of an assistance provider as an important part of successful assistance.

What are the advantages and disadvantages of receiving assistance from current competition officials and private consultants (including consulting firms, law firms, professors, etc.)? Does the answer depend on the topic being covered? Please explain.

Both kinds of assistance are very important. Private consultants have often very different points of views from that of competition officials and that gives us an opportunity to see also the other side of some issues. Everything depends of course on the topic being covered.

Approximately what share of the assistance you receive consists of multiyear programmes, and what share consists of one-off events?

2/3 of assistance we receive consists of multiyear programmes and 1/3 of one-off events.

Approximately what share of the assistance you receive takes place in your economy, and what share is abroad?

10 % of assistance we receive takes place abroad and 90 % in our economy.

Approximately what share of your assistance are seminars and conferences, and what share are resident advisors or internships in other economies?

60 % of assistance is seminars and conferences, 30 % is advisors and 10 % are study visits.

3. Have there been instances when an apparent lack of co-ordination among providers has been a problem for you? Please explain. Also, please provide any comments you have on advantages or disadvantages to greater international co-ordination of technical assistance programs?

We have fortunately had no such experience. Disadvantage could be that sometimes the application for assistance is delayed and so is our need for assistance. Taken into consideration fast development of competition problems, the process of application of assistance should be also faster.

4. What do you currently consider your economy's greatest need in terms of competition law and policy assistance?

Drafting secondary legislation/regulations?	Very important
Implementing a competition law?	Very important
Against abuses of dominance by natural monopolies?	Important
Against abuses of dominance by "unnatural" monopolies?	Important

Against cartels?

Important

Against anti-competitive mergers?

Very important

**If assistance in implementation is the need, what kind of assistance would be most valuable?
Establishing procedures, training staff, other?**

Training staff using case-study method. We have established that most valuable are practical trainings where current cases are discussed and analysed with the assistance of advisors.

5. Please provide any other information or comments you wish to contribute.

INDONESIA

1. It would be useful if you could provide as much as reasonably possible of the data and information requested in the attached table on technical assistance your authority has received in 2000-2001 and is expecting to receive in 2002. More important than this quantitative data, however, are you views on the issues raised below.

We have received technical assistances from World Bank, Bundeskartellamt (GTZ project, Rep. of Germany), ELLIPS (USAID) and Japan FTC (JICA Projects). The assistances including advisory, staff training, studies, training of related external bodies, conferences or seminars on competition and dissemination of Indonesia competition policies and many others.

2. Based on your experiences:

What topics have been most and least useful, and why?

The most useful topics for Indonesia are competition policies in relation with Indonesia competition's laws and investigation techniques of competition cases. In this early stage, no topics are not useful or least useful for KPPU.

What kinds of assistance (conference, seminar, advisor, internship) have been most/least useful, and why?

The most useful assistances are continues advisory and training, series of seminars/conferences and design and publish of publication materials. These kinds of assistances strengthen KPPU and related bodies capabilities on facing competition cases.

What are the advantages and disadvantages of single-country and regional events? Does the answer depend on the topic being covered? Please explain.

Regional events give a broader viewpoint of every topics being covered. In the borderless world, we will knowledge the competition cases interrelating among the regional countries.

Besides knowledge of competition law and policy, what skills and experience do you think are required or important for an assistance provider? How do you rank the following?

Besides knowledge of competition law and policy, KPPU requires investigative report and analysis skill, information system knowledge and supports. From our opinion, the rank should be:

- Detail knowledge of our actual legal, institutional and economic systems.
- Experience working in a competition authority
- Knowledge of competition law and policy systems in different parts of the world
- Experience in providing assistance to transition or developing economies.

What are the advantages and disadvantages of receiving assistance from current competition officials and private consultants (including consulting firms, law firms, professors, etc.)? Does the answer depend on the topic being covered? Please explain.

Yes, the answer depends on the topic being covered. In many occasions, local consultants give more clear assistances than foreigners do.

Approximately what share of the assistance you receive consists of multiyear programs, and what share consists of one-off events?

Most of the assistances we received are one-off events (almost 90 percents).

Approximately what share of the assistance you receive takes place in your economy, and what share is abroad?

Approximately 50-50.

Approximately what share of your assistance are seminars and conferences, and what share are resident advisors or internships in other economies?

Approximately 50-50.

3. Have there been instances when an apparent lack of co-ordination among providers has been a problem for you? Please explain. Also, please provide any comments you have on advantages or disadvantages to greater international co-ordination of technical assistance programs?

The lack of co-ordination has happened once or twice. It happened when person in execution not in favour of or refuse to comply the agreed schedule or activities.

4. What do you currently consider your economy's greatest need in terms of competition law and policy assistance?

**Drafting a competition law? Drafting secondary legislation/regulations?
Implementing a competition law?**

**Against abuses of dominance by natural monopolies?
Against abuses of dominance by "unnatural" monopolies?
Against cartels?
Against anti-competitive mergers?**

Our economy's greatest need in terms of competition law and policy assistance is implementing a competition law against abuses of dominance by unnatural monopolies and tender conspiracy or cartels.

**If assistance in implementation is the need, what kind of assistance would be most valuable?
Establishing procedures, training staff, other?**

Establishing procedures and guidelines, training staff, regular advisory, information/data base management system, are the most valuable assistance for KPPU.

5. Please provide any other information or comments you wish to contribute.

Institutional development is one of our concerns in the near future. KPPU has an obligation to confirm its contribution in Indonesia economic recovery. Supports from foreign competition agencies are surely required.

KENYA

1. It would be useful if you could provide as much as reasonably possible of the data and information requested in the attached table on technical assistance your authority has received in 2000-001 and is expecting to receive in 2002. More important than this quantitative data, however, are you views on the issues raised below.

See Attached table.

2. Based on your experiences:

What topics have been most and least useful, and why?

The most useful topics have been topics on the structure of competition agencies , merger control and investigations into cartel activities whereas the least useful have been competition theory.

What kinds of assistance (conference, seminar, advisor, internship) have been most/least useful, and why?

Assistance in the form of internship and seminars have proved to be most useful because they provided opportunities for the transfer of practical skills in the handling of competition cases and sharing of experiences with peers respectively.

What are the advantages and disadvantages of single-country and regional events? Does the answer depend on the topic being covered? Please explain.

The advantages and disadvantages of single country and regional events depend on the topic being covered. For instance, an event for the creation of a national legal framework and institutions will be more advantageous if country specific whereas events dealing with merger control and price fixing cartels may be more advantageous if organised on a regional basis.

Besides knowledge of competition law and policy, what skills and experience do you think are required or important for an assistance provider? How do you rank the following?

Experience working in a competition authority?

Experience in providing assistance to transition or developing economies?

Knowledge of competition law and policy systems in different parts of the world?

Detailed knowledge of your actual legal, institutional, and economic systems?

Besides knowledge of competition law and policy, the following skills and experiences are important for an assistance provider.

- Culture and traditions of the people.
- Political and economic systems of the country.
- Level of Development and income distribution(poverty levels). The following ranking is recommended:
 - ✓ Detailed knowledge of the actual legal institutional and economic systems.
 - ✓ Experience in providing assistance to economies in transition and developing economies.

- ✓ Experience working in a Competition Authority.
- ✓ Knowledge of Competition Law and Policy systems in different parts of the world.

What are the advantages and disadvantages of receiving assistance from current competition officials and private consultants (including consulting firms, law firms, professors, etc.)? Does the answer depend on the topic being covered? Please explain.

The advantages and disadvantages of receiving assistance from current competition officials and Private consultants including (consulting firms, law firms, professors, etc) will be dependent on the objective of the assistance and the tasks to be addressed by the assistance. Unless such assistance is domesticated and owned by the people, it is more likely to be short-lived and of little benefit to the community.

Approximately what share of the assistance you receive consists of multiyear programmes, and what share consists of one-off events?

Kenya has not up to date received any multiyear programme assistance in the field of competition Law and Policy. In 2001, UNCTAD provided technical and financial assistance for a five-days' regional seminar and OECD provided assistance to the head of competition agency to attend the First Competition Forum in Paris, France.

Approximately what share of the assistance you receive takes place in your economy, and what share is abroad?

Eighty percent domestic and twenty percent foreign events.

Approximately what share of your assistance are seminars and conferences, and what share are resident advisors or internships in other economies?

Almost one hundred percent assistance has been seminars and conferences.

3. Have there been instances when an apparent lack of co-ordination among providers has been a problem for you? Please explain. Also, please provide any comments you have on advantages or disadvantages to greater international co-ordination of technical assistance programs?

As Kenya has received negligible foreign assistance in the development of CLP in the recent past, it is not possible to evaluate the benefits of co-ordination by assistance providers. Indeed, we can only say that the assistance provided by UNCTAD has been extremely beneficial in capacity building.

4. What do you currently consider your economy's greatest need in terms of competition law and policy assistance?

**Drafting a competition law? Drafting secondary legislation/regulations?
Implementing a competition law?**

**Against abuses of dominance by natural monopolies?
Against abuses of dominance by "unnatural" monopolies?
Against cartels?
Against anti-competitive mergers?**

Kenya's greatest need in terms of CLP assistance would be/

- Capacity building
 - Drafting a Competition Law.
 - Advocacy and drafting secondary regulations and guidelines
 - Implementing competition law-
- Against cartels
 - Against abuses of dominance by natural monopolies
 - Against abuses of dominance by unnatural monopolies
 - Against anti-competitive mergers

If assistance in implementation is the need, what kind of assistance of assistance would be most valuable? Establishing procedures, training staff, other?

The most valuable assistance will be in the training of staff and provision of office equipment.

5. Please provide any other information or comments you wish to contribute.

Advocacy programmes to sensitise Government Ministries/departments, business and consumers on the contribution of Competition Law and Policy to economic development and consumer welfare will go a long way in enhancing acceptability of a competition culture and compliance with the law.

LITHUANIA

Most answers to the questionnaire can be found in the “General overview”, which is provided separately. Short answers to the specific questions are also provided below.

1. It would be useful if you could provide as much as reasonably possible of the data and information requested in the attached table on technical assistance your authority has received in 2000-001 and is expecting to receive in 2002. More important than this quantitative data, however, are you views on the issues raised below.

See the general overview and the attached table.

2. Based on your experiences:

What topics have been most and least useful, and why?

All topics described in the general overview were very useful.

What kinds of assistance (conference, seminar, advisor, internship) have been most/least useful, and why?

It is impossible to distinguish one or another seminar, conference or some other event. All events were well organised and provided by highly experienced experts.

What are the advantages and disadvantages of single-country and regional events? Does the answer depend on the topic being covered? Please explain.

As regards single-country and regional events, they both are very useful and important. The single-country events allow participants to concentrate more on the country's specific topic and satisfy its internal need. Usually such kind of events helps the competition authority to get relevant answers and to solve existing problems. Topics of the regional events are usually more of general character, but these events are also very important. They allow to get more information about competition policy and its implementation in neighbouring countries, to share experience and to establish and keep contacts with relevant officials from other competition institutions. Thus, both kinds of these events are highly needed.

Besides knowledge of competition law and policy, what skills and experience do you think are required or important for an assistance provider? How do you rank the following?

1. Experience working in a competition authority.
2. Detailed knowledge of your actual legal, institutional, and economic systems.
3. Experience in providing assistance to transition or developing economies?
4. Knowledge of competition law and policy systems in different parts of the world?

What are the advantages and disadvantages of receiving assistance from current competition officials and private consultants (including consulting firms, law firms, professors, etc.)? Does the answer depend on the topic being covered? Please explain.

Assistance provided by the current competition officials is the most effective and valuable. In addition to their working experience within the relevant competition authority, currently working competition officials usually possess much more updated information and knowledge of the competition law and policy developments both in their country and different parts of the world. The only one disadvantage in receiving assistance from current competition officials is that they usually experience difficulties in getting the necessary leave from their home administration and very often are not able to provide more extensive assistance.

As regards private consultants, the effectiveness of their assistance very much depends on the topic being covered. Private consultants, especially professors, usually are much better in dealing with the topics either of a very general or of a very specific character. The topics that need practical experience (e.g. investigation procedures in cartel cases) should be presented by current competition officials.

Approximately what share of the assistance you receive consists of multiyear programs, and what share consists of one-off events?

Multiyear programmes - 70 %, one-off events - 30%.

Approximately what share of the assistance you receive takes place in your economy, and what share is abroad?

In Lithuania – 40 %, abroad – 60 %.

Approximately what share of your assistance are seminars and conferences, and what share are resident advisors or internships in other economies?

Seminars and conferences - 50 %, resident advisors - 40 %, internships in other economies - 10%.

3. Have there been instances when an apparent lack of co-ordination among providers has been a problem for you? Please explain. Also, please provide any comments you have on advantages or disadvantages to greater international co-ordination of technical assistance programs?

In Lithuania the overall co-ordination of technical assistance programs has been ensured by the Ministry of Foreign Affairs, and practically the lack of co-ordination has not been a problem. The main advantage of greater international co-ordination is that the co-ordination allows to avoid the overlapping of technical assistance among different providers. The main disadvantage is that it slows down the project implementation.

4. What do you currently consider your economy's greatest need in terms of competition law and policy assistance?

**Drafting a competition law? Drafting secondary legislation/regulations?
Implementing a competition law?**

**Against abuses of dominance by natural monopolies?
Against abuses of dominance by "unnatural" monopolies?
Against cartels?
Against anti-competitive mergers?**

The greatest needs in terms of competition law and policy assistance are related to the implementation of a competition law, especially against cartels and anti-competitive mergers. Most valuable assistance would include all kinds of staff training, in particular ensuring that investigation, enforcement and reporting methodologies are based on the best world-wide practice and are in compliance with the EC rules.

The assistance for implementation of the awareness-raising campaign, including wider public sector and judiciary would also be very valuable.

Some technical assistance is also needed for drafting of secondary legislation/regulations and explanations, especially in the field of block exemptions.

5. Please provide any other information or comments you wish to contribute.

ROMANIA

1. It would be useful if you could provide as much as reasonably possible of the data and information requested in the attached table on technical assistance your authority has received in 2000-001 and is expecting to receive in 2002. More important than this quantitative data, however, are you views on the issues raised below.

2. Based on your experiences:

What topics have been most and least useful, and why?

The most useful topic have been: investigation techniques and notification of the economic concentration.

What kinds of assistance (conference, seminar, advisor, internship) have been most/least useful, and why?

Any kind of assistance is useful for our authority but the most useful is the assistance for training the personnel (internship, workshops, seminars) or through study visits at authorities with experience in enforcing competition rules.

What are the advantages and disadvantages of single-country and regional events? Does the answer depend on the topic being covered? Please explain

The advantage of the regional event is that it is possible to exchange opinions with other authorities and in the case of single –country event the target of the assistance is focused only on the problems of one authority that makes it very efficient.

The disadvantage of the regional event is that it is not possible to make an in-depth analysis of the topics discussed within the event.

Besides knowledge of competition law and policy, what skills and experience do you think are required or important for an assistance provider? How do you rank the following?

2. Experience working in a competition authority?
1. Experience in providing assistance to transition or developing economies?
4. Knowledge of competition law and policy systems in different parts of the world?
3. Detailed knowledge of your actual legal, institutional, and economic systems?

What are the advantages and disadvantages of receiving assistance from current competition officials and private consultants (including consulting firms, law firms, professors, etc.)? Does the answer depend on the topic being covered? Please explain.

Approximately what share of the assistance you receive consists of multiyear programmes, and what share consists of one-off events?

- 80% - multiyear programmes
- 20% - one-off events

Approximately what share of the assistance you receive takes place in your economy, and what share is abroad?

70% - in the country
30% - abroad

Approximately what share of your assistance are seminars and conferences, and what share are resident advisors or internships in other economies?

50%- seminar and conferences
50%- resident advisors and internships

3. Have there been instances when an apparent lack of co-ordination among providers has been a problem for you? Please explain. Also, please provide any comments you have on advantages or disadvantages to greater international co-ordination of technical assistance programs?

No.

4. What do you currently consider your economy's greatest need in terms of competition law and policy assistance?

**Drafting a competition law? Drafting secondary legislation/regulations?
Implementing a competition law?**

**Against abuses of dominance by natural monopolies?
Against abuses of dominance by "unnatural" monopolies?
Against cartels?
Against anti-competitive mergers?**

- Complete the legislative framework in both state aid and anti-trust field.
- Strengthen the administrative capacity.
- Ensure proper enforcement of the rules in anti-trust and state aid including the alignment of incompatible aid schemes with the state aid principles.

If assistance in implementation is the need, what kind of assistance of assistance would be most valuable? Establishing procedures, training staff, other?

Intensity the training of the personnel of the Competition Council and of the judiciary in the competition and state aid field.

5. Please provide any other information or comments you wish to contribute.

THAILAND

1. It would be useful if you could provide as much as reasonable possible of the data and information requested in the attached table on technical assistance your authority has received in 2000-001 and is expecting to receive in 2002. More important than this quantitative data, however, are you views on the issue raised below.

We received technical assistance from the World Bank in 1999 to draft guidelines of the Competition Act. However, the drafted guidelines did not conform to the business culture of Thailand, thus it had to be adjusted. To perform this task based on the drafted one, the Department of Internal Trade (DIT) has been consulting with professors from academic communities concern.

In year 2000-001, we did not receive any assistance from any other source. With our limited resources, the DIT adopted several projects related to the competition issues, for example, advisors, the study of anti-competitive practices of other countries in order to adopt guidelines of unfair trade practices (Article 29) of the Competition Act, and the survey of business practices in industries which are suspected to have anti-competitive practices.

For year 2002, we have a project to acquaint our staffs most aspects of the competition by a professional in this field.

2. Based on your experiences:

What topic have been most and least useful, and why?

Every topic is very interesting and useful for us because we are only now starting to learn about competition issues. In particular, the concerted acts to fix prices of goods and services by transnational enterprises, especially the hard core cartels that damage the consumer interests in many countries. It is a topic that is always being raised in the negotiation forums of the WTO. We have therefore prepared ourselves in respect of these issues for the new round of the negotiations.

What kind of assistance (conference, seminar, advisor, internship) have been most/least useful, and why?

The internship is the most useful and important assistance for us now because we can practice and learn how to solve problems that may occur in reality when dealing with the anti-competitive practices. The second important assistance is the conferences/seminars and advisors.

What are the advantages and disadvantages of single-country or regional events? Does this answer depend on the topic being covered? Please explain.

Single-country events are advantageous because they will enable us to have a detailed discussion about the problems that incurred in implementing the competition law and how to solve those problems. However, regional events will be the advantageous in the respect that we can learn and share experiences with countries in a similar position in the same region. However, it also depends on the topic to be covered in the events and the contributions that are made by all the participants.

Besides knowledge of competition law and policy, what skills and experience do you think are required or important for an assistance provider? How do you rank the following?

Experience working in a competition authority?

Experience in providing assistance to transition or developing economies?

Knowledge of competition law and policy system in different parts of the world?

Detailed knowledge of your actual legal, institutional, and economic systems?

The following is the ranking of skills and experiences that are required by an assistance provider.

- 1) Experience working in a competition authority is required by an assistance provider. With the said experience, the provider will be able to deal with a particular anti-competitive practice, if it occurs, and be able to solve any related problems that may arise when put into the practice.
- 2) Detailed knowledge of our actual legal, institutional, and economic systems is needed by the assistance provider to enable them to adapt their knowledge and experience to correspond with the situation in our country.
- 3) Experience in providing assistance to transition or developing economies will be beneficial in that the assistance provider will clearly see the problems that the country faces and be able to adopt a particular means which is suitable for that country to solve those problems.
- 4) Knowledge of competition law and policy system in different parts of the world will also be useful since we are not alone in this world and as it is the liberalization era, we have to deal with trade and investment of many countries. Knowing about the competition law and policy systems in those countries will be helpful.

What are the advantages and disadvantages of receiving assistance from current competition officials and private consultants (including consulting firms, law firms, professors, etc.)? Does the answer depend on the topic being covered? Please explain.

The topic which is the most advantageous to us is the methodology to investigate on identify the violation cases such as tie-in sales, price discrimination, predatory pricing etc.

3. Have there been instances when an apparent lack of co-ordination among providers has been a problem for you? Also, please provide any comments you have on advantages or disadvantages to greater international co-ordination of technical assistance programs?

We received technical assistance from the World Bank a few years ago to draft guidelines for implementing our Competition Act . The problem that we faced was the difference in business culture, ways of life, concept of the Act, etc. that caused the misunderstanding when drafting the guidelines. It needs to be adjusted to correspond with the situation in Thailand. Furthermore, the consultants always have their own scope of work and they will not provide any other assistance beyond their own scope. This is one of the limitations of the assistance.

4. What do you currently consider your economy's greatest need in terms of competition law and policy assistance?

Drafting a competition law? Drafting secondary legislation/regulations?

Implementing a competition law?

Against abuse of dominance by natural monopolies?

Against abuses of dominance by "unnatural" monopolies?

Against cartels?

Against anti-competitive mergers?

We need the assistance in implementing a competition law under all of the above topics.

**If assistance in implementation is the need, what kind of assistance would be most valuable?
Establishing procedures, training staff, other?**

Internship is the most valuable for us because we can learn by practising..

5. Please provide any other information or comments you wish to contribute.

Thailand is a developing country and it has just enacted the Competition Act. What we need is assistance from other countries in any form, either technical assistance or financial assistance for developing and carrying out the task of implementing the competition Act. We believed, that with the said assistance, the enforcement of the Competition Act will be more efficient.

TUNISIA

1. It would be useful if you could provide as much as reasonably possible of the data and information requested in the attached table on technical assistance your authority has received in 2000-001 and is expecting to receive in 2002. More important than this quantitative data, however, are you views on the issues raised below.

2. Based on your experiences:

What topics have been most and least useful, and why?

Developpement et promotion de la culture de la concurrence. (Le pourquoi : Période de transition à une économie libérale.)

Moins utiles : Assistance pour la préparation des textes sur la concurrence.

What kinds of assistance (conference, seminar, advisor, internship) have been most/least useful, and why?

Plus utiles : Conférences
Séminaires
Stages

Le pourquoi : Promouvoir la culture de la concurrence et tirer Profit de l'expérience des autres autorités de la concurrence.

Moins utiles : Conseillers sur place

Le pourquoi : méconnaissance de l'environnement du pays ce qui nécessite une longue période d'adaptation outre les coûts très élevés à supporter.

What are the advantages and disadvantages of single-country and regional events? Does the answer depend on the topic being covered? Please explain.

Coopération à l'échelle d'un seul pays :

Avantages : échange d'expérience

Inconvénients : limitation aux seuls problèmes généraux (pas de réponse pour les cas particuliers du pays).

Besides knowledge of competition law and policy, what skills and experience do you think are required or important for an assistance provider? How do you rank the following?

Experience working in a competition authority?

Experience in providing assistance to transition or developing economies?

Knowledge of competition law and policy systems in different parts of the world?

Detailed knowledge of your actual legal, institutional, and economic systems?

1. Expérience de l'apport d'une assistance à des économies en transition ou en développement .
2. Expérience du travail dans des services officiels de la concurrence.
3. Connaissance du droit et de la politique de la concurrence des différentes parties du monde.
4. Connaissance précise du régime juridique du pays prestataire d'assistance.

What are the advantages and disadvantages of receiving assistance from current competition officials and private consultants (including consulting firms, law firms, professors, etc.)? Does the answer depend on the topic being covered? Please explain.

Inconvénients : pas d'expériences pratique des consultants privés (défaut d'études de cas etc.)

Avantage de l'assistance d'autorité de concurrence : Outre l'expérience pratique, l'entretien d'une coopération continue qui permet l'échange d'idées et facilite la demande de renseignements.

Approximately what share of the assistance you receive consists of multiyear programmes, and what share consists of one-off events?

Pourcentage d'assistance : 100 %
Programmes pluriannuels : 100 %

Approximately what share of the assistance you receive takes place in your economy, and what share is abroad?

Pourcentage d'activités : 80 % à l'étranger
20 % en Tunisie

Approximately what share of your assistance are seminars and conferences, and what share are resident advisors or internships in other economies?

Pourcentage de séminaires et de Stages : 100%
Pourcentage de conseillers résidents : 0%
Stages dans d'autres économies étrangères : 100%

3. Have their been instances when an apparent lack of co-ordination among providers has been a problem for you? Please explain. Also, please provide any comments you have on advantages or disadvantages to greater international co-ordination of technical assistance programs?

Pas de problèmes.

4. What do you currently consider your economy's greatest need in terms of competition law and policy assistance?

**Drafting a competition law? Drafting secondary legislation/regulations?
Implementing a competition law?**

**Against abuses of dominance by natural monopolies?
Against abuses of dominance by "unnatural" monopolies?
Against cartels?**

Against anti-competitive mergers?

- Mise en œuvre de la loi de la concurrence contre les abus de la position dominante des monopoles « non naturels »
- Formation du personnel et promotion de la culture de la concurrence
- Continuation du programme de la coopération avec souhait :
 - de l'étendre à des institutions de concurrence d'autres pays
 - d'être assisté aux actions pour le développement de la culture de la concurrence.

If assistance in implementation is the need, what kind of assistance of assistance would be most valuable? Establishing procedures, training staff, other?

5. Please provide any other information or comments you wish to contribute.

ANNEX B
BENEFICIARIES' 2000-2001 ACTUAL AND 2002 PLANNED TECHNICAL ASSISTANCE IN COMPETITION POLICY

This Annex lists the 9 tables submitted by Brazil, Bulgaria, Chile, Estonia, Kenya, Lithuania, Romania, Russia, and Tunisia on their 2000-2001 actual and 2002 planned technical assistance in competition policy in response to the OECD's questionnaire by 31 January 2002.

BRAZIL

Year/Month		Activity	Location	Duration	Recipient Countries	Organisers/Sponsor	Delivery Means	Jointly with	Funded by
2000	Jun	Mercosur CT-5* Meeting	Buenos Aires		Argentina		Current competition officials		
	Jun	World Trade Organisation Meeting	Geneva		Switzerland	WTC	Current competition officials		WTC
	Sep	3 rd Nordic Seminar on Competition Policy – fighting cartels	Stockholm		Sweden		Current competition officials		

* CT-5 means Technical Committee Number 5.

Year/Month		Activity	Location	Duration	Recipient Countries	Organisers/ Sponsor	Delivery Means	Jointly with	Funded by
2001	Nov	International Seminar on Cartels	Brighton		UK	OECD	Current competition officials		OECD
	Nov	IBRAC International Seminar on Competition Law	Campos do Jordão		Brazil	IBRAC	Current competition officials/ Private contractors		IBRAC
	Dec	International Seminar on Natural Gas Industry Regulation and Competition	Porto Alegre	06-08	Brazil	OECD/SDE	Current competition officials/ Private contractors		SDE
	Feb	Advanced International Cartel Workshop	New York	13-17	USA		Current competition officials		
	Mar	Course on Competition Law	Washington		USA		Current competition officials		
	Apr	Conference on Competition Policy in Infrastructure Sectors	Washington	23-24	USA		Current competition officials		
	Apr	Mercosur CT-5 Meeting	Asuncion	24-28	Paraguay		Current competition officials		
	Mai	International Congress on Economic and Consumer's Defense	Brasília		Brazil	SEAE/SDE	Current competition officials/ Private contractors		OECD/SEAE / SDE

Year/Month		Activity	Location	Duration	Recipient Countries	Organisers/Sponsor	Delivery Means	Jointly with	Funded by
2001	Mai	10 th International Conference on Competition	Berlin	18-25	Germany		Current competition officials		
	Mai	OECD Meeting on Competition Policy	Paris	28/05-01/06	France	OECD	Current competition officials		OECD
	Jun	Mercosur CT-5 Meeting	Asuncion	12-15	Paraguay				
	Sep	XIII Negotiation Group on Competition Policy Meeting	Panama	03-08	Panama		Current competition officials		
	Sep	OECD Committee on Competition Law and Policy and Global Forum on Competition	Paris	13-21	France	OECD	Current competition officials		OECD
	Oct	Mercosur CT-5 Meeting	Montevideo	16-19	Uruguay		Current competition officials		
	Nov	IBRAC International Seminar on Competition Law	Foz do Iguaçu	22-24	Brazil	<i>IBRAC</i>	Current competition officials/ Private contractors		<i>IBRAC</i>

BULGARIA

Year/Month	Activity	Location	Duration	Recipient Countries	Organisers/Sponsor	Delivery Means	Jointly with	Funded by
February 2000	Training Seminar	Vienna JVI	15 days	Austria	OECD	Current competition officials	JVI	JVI/OECD
February 2000	Training seminar	Sofia	39 days	Bulgaria	American Bar Association	Private contractor	American Bar Association	American Bar Association
March 2000	Seminar	Istanbul	5 days	Turkey	Turkish Competition Authority	Current competition officials	Turkish Competition Authority	Turkish Competition Authority
March 2000	Seminar	Brussels	4 days	Belgium	EC	Private contractors	EC	EC TAIEX office
April 2000	Workshop	Rome	5 days	Italy	EC	Private contractors	EC	EC TAIEX office
April 2000	Training seminar	Sofia	3 days	Bulgaria	Swedish Competition Authority	Private contractor	Swedish Competition Authority	Swedish Ministry for Foreign Affairs
May 2000	Workshop	Brussels	5 days	Belgium	EC	Private contractors	EC	EC PHARE program
July 2000	Training seminars	Dublin	12 days	Ireland	EC	Private contractors	EC	EC
August 2000	Training	Paris	12 days	France	French Embassy in Sofia	Private contractors	EC	French Government
August 2000	Training visit	Stockholm	8 days	Sweden	Swedish Ministry for Foreign Affairs	Current competition officials	Swedish Competition Authority	Swedish Ministry for Foreign Affairs
September 2000	Training	Brussels	129 days	Belgium	EC	Competition officials	DG Competition	EC
September 2000	Conference	Brussels	4 days	Belgium	EC	Private contractors	DG Competition	EC

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Year/Month	Activity	Location	Duration	Recipient Countries	Organisers/Sponsor	Delivery Means	Jointly with	Funded by
September 2000	Conference	Stockholm	5 days	Sweden	Swedish Ministry for Foreign Affairs	Private contractors	Swedish Competition Authority	Swedish Ministry for Foreign Affairs
September 2000	Conference	Tallinn	5 days	Estonia	EC	Competition officials	EC	EC TAIEX office
October 2000	Conference	Berlin & Bonn	5 days	Germany	EC	Competition officials	Bundeskartellamt	EC PHARE program
October 2000	Seminar	Skopje	4 days	Macedonia	German Foundation for Int'l Legal Cooperation, Stability Pact	Competition officials	Sponsor	Sponsor
December 2000	Seminar	Sofia	4 days	Bulgaria	German Foundation for Int'l Legal Cooperation, Stability Pact	Competition officials	Sponsor	Sponsor
January 2001	Training seminar	Tokyo	30 days	Japan	Japanese International Cooperation Agency	Competition officials, Private contractors	Japan International Cooperation Agency	Japanese International Cooperation Agency
January 2001	Training Seminar	Sofia	1 day	Bulgaria	American Bar Association	Competition officials	American Bar Association	American Bar Association
February 2001	Training Seminar	Vienna JVI	14 days	Austria	OECD	Competition officials	JVI	JVI/OECD
March 2001	Joint session	Brussels	7 days	Belgium	EC	Competition officials	EC	EC TAIEX office
April 2001	Training seminar	Sofia	2 days	Bulgaria	EU Phare Program	Private contractors	IBF Int'l Consulting	EC Phare program
March 2001	Training Seminar	Sofia of Competition	5 days	Bulgaria	American Bar Association	Competition officials	American Bar Association	American Bar Association

Year/Month	Activity	Location	Duration	Recipient Countries	Organisers/Sponsor	Delivery Means	Jointly with	Funded by
May 2001	Training	Brussels	94 days	Belgium	EC	Competition officials	DG Competition	EC
May 2001	Conference	Berlin	6 days	Germany	German Foundation for International Legal Cooperation	Competition officials	Bundes-kartellamt	German Foundation for International Legal Cooperation
June 2001	Training seminar	Sofia	19 days	Bulgaria	EC Phare Program	Private contractors	IBF International Consulting	EC Phare program
June 2001	Conference	Ljubljana	4 days	Slovenia	EC	Competition officials	EC	EC TAIEX office
June 2001	Conference	Ljubljana	1 day	Slovenia	OECD/Stability Pact	Competition officials	Stability Pact	OECD/Stability Pact
June 2001	Workshop	Istanbul	5 days	Turkey	Turkish Foundation for Int'l Co-operation	Competition officials	Turkish Competition Authority	Turkish Foundation for Int'l Cooperation
July 2001	Training	Budapest	21 days	Hungary	Central European Summer University	Private contractors	Sponsor	Sponsor
July 2001	Workshop	Brussels	8 days	Belgium	EC	Private contractors	EC	EC
July 2001	Training Seminar	Sofia	5 days	Bulgaria	American Bar Association	Competition officials	American Bar Association	American Bar Association
August 2001	Training seminar	Tokyo	30 days	Japan	Japanese International Cooperation Agency	Competition officials, Private contractors	Sponsor	Sponsor
September 2001	Conference	Bucharest	2 days	Romania	OECD/Stability Pact	Competition officials	Stability Pact	OECD/Stability Pact
September 2001	Training seminar	Sofia	12 days	Bulgaria	EC Phare Program	Private contractors	IBF Int'l Consulting	EC Phare program

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Year/Month	Activity	Location	Duration	Recipient Countries	Organisers/Sponsor	Delivery Means	Jointly with	Funded by
September 2001	Training Seminar	Vienna Joint Vienna Institute	99 days	Austria	Joint Vienna Institute	Private contractors	Joint Vienna Institute	Joint Vienna Institute
October 2001	Global Forum on Competition	Paris	2 days	France	OECD	Competition officials, Private contractors	OECD	OECD
October 2001	Training seminar	Sofia	4 days	Bulgaria	EC Phare Program	Private contractors	IBF Int'l Consulting	EC Phare program
November 2001	Training seminar	Sofia	12 days	Bulgaria	EC Phare Program	Private contractors	IBF Int'l Consulting	EC Phare program
November 2001	Training seminar	Sofia	1 day	Bulgaria	EC Phare Program	Private consultant	IBF Int'l Consulting	EC Phare program
November 2001	Seminar	Budapest	5 days	Hungary	USAID	Competition officials, Private contractors	USAID	USAID
November 2001	Workshop	Riga	3 days	Latvia	EC	Competition officials	EC	EC TAIEX office
November 2001	Workshop	Sofia	2 days	Bulgaria	OECD, Stability pact	Competition officials	OECD Stability pact	OECD/ Stability pact
November 2001	Workshop	Istanbul	8 days	Turkey	Turkish International Cooperation Agency	Competition officials	Turkish Competition Authority	Turkish International Cooperation Agency
December 2001	Training seminar	Sofia	2 days	Bulgaria	EC Phare Program	Private contractors	IBF Int'l Consulting	EC Phare program

Year/Month	Activity	Location	Duration	Recipient Countries	Organisers/Sponsor	Delivery Means	Jointly with	Funded by
December 2001	Training seminar	Sofia	5 days	Bulgaria	EC Phare Program	Private contractors	IBF Int'l Consulting	EC Phare program
December 2001	Training Seminar	Sofia	3 days	Bulgaria	American Bar Association	Competition officials	Sponsor	Sponsor
2002	Training Seminar	Vienna JVI	14 days	Austria	JVI/OECD	Competition officials	JVI	JVI/OECD
2002	Joint session	Brussels	7 days	Belgium	EC	Competition officials	EC	EC TAIEX office
2002	Conference		4 days	Lithuania	EC	Competition officials	EC	EC TAIEX office
2002	Training Seminar	Sofia	3 days	Bulgaria	American Bar Association	Competition officials	Spornos	Sponsor
2002	Training	EU Members	30 days	EU-Member States	PHARE	Competition officials	Competition Authorities	EC Phare Program
2002	Seminar & Conference	Regional Countries	13 days	Regional Countries	OECD/Stability Pact	Competition officials	Competition Authorities	OECD/Stability Pact
2002	Global Forum on Competition	Paris	2 days	France	OECD	Competition officials, Private contractors	OECD	OECD
2002	Workshop	Istanbul	8 days	Turkey	Turkish International Cooperation Agency	Competition officials	Turkish Competition Authority	Turkish International Cooperation Agency

CHILE

Year/Month	Activity	Location	Duration	Recipient Countries	Organisers/Sponsor	Delivery Means	Jointly with	Funded by
2001/ 11	Conference	Ottawa	3 days	Open seminar, including Chile	Canadian Competition Bureau	Competition officials, professors		N/A
2001/10	Short internship	Santiago	5 days	Costa Rica	F.N.E./Competition Commission of Costa Rica	Competition officials		Costa Rica/ Chile Coop. Agencies
2001/8	Conference	Rio de Janeiro	4 days	Open seminar, including Chile	CADE (Brasil)	Competition officials, private lawyers, professors		CADE
2001/4	Conference	Washington D.C.	5 days	Open seminar, including Chile	BID (IDB)	Competition officials, professors, experts		N/A
2000/12	Conference	Caracas	4 days	Latin American countries, including Chile	OECD/ Procompetencia (Venezuela)	Competition officials, professors, experts		OECD
2000/11	Training seminar	Lima	5 days	Latin American countries, including Chile	INDECOPI (Peru)	Competition officials		N/A

Year/Month	Activity	Location	Duration	Recipient Countries	Organisers/Sponsor	Delivery Means	Jointly with	Funded by
2000/9	Short term adviser	San José, San Salvador	6 days	Costa Rica, El Salvador	F.N.E./Competition Commission of Costa Rica; Government of El Salvador	Competition Officials		Chilean Coop. Agency and FNE
2000/9-8	Short term adviser	San José	10 days	Costa Rica	F.N.E./Competition Commission of Costa Rica	Competition officials		Chilean Coop. Agency and FNE
PLANNED ACTIVITIES								
2002/3	Short internship	Santiago	5 days	Panama	FNE/ Competition Commission of Panama	Competition officials		Not confirmed
Not established	Short Intern-Ship	Santiago or San José	5 days	Costa Rica	FNE/Competition Commission of Costa Rica	Competition officials		Not confirmed

ESTONIA¹

Duration	Recipient Countries	Organisers/Sponsor	Delivery Means	Jointly with	Funded by
20 months	Estonia	PHARE/ General Directorate for Fair Trading, Consumer Affairs and Fraud Control, France	Current competition officials		PHARE
11 months	Estonia	PHARE	Current competition officials		PHARE
12 months	Estonia	Finnish Republic/Finnish Competition Authority	Current competition officials		Finnish Republic/Finnish Competition Authority
12 months (Planned in 2002)	Estonia	PHARE	Current competition officials		PHARE

¹ Apparently, the table on assistance received by Estonia provides information on major programmes providing assistance for Estonia. In contrast, the table submitted by Lithuania provides information on the individual technical assistance events, including multi-country events.

KENYA

Year/Month	Activity	Location	Duration	Recipient Countries	Organisers/Sponsor	Delivery Means²	Jointly with	Funded by
2001 February	W/Shop	Cape Town (S.Africa)	Two Days	African Countries	South Africa	Competition Experts	DFID WTO	DFID WTO
2001 March	Seminar	Mombasa (Kenya)	Five days	Regional Agencies Competition	Kenya	Experts	UNCTAD	Kenya and UNCTAD
2001 October	Forum	Paris (France)	Two days	Invited 21 Non-OECD Countries	OECD	Conference	-	OECD
2002 February	Forum	Paris (France)	Two days	Invited non OECD Countries	OECD	Conference	-	OECD

LITHUANIA

Year/Month	Activity	Location	Duration	Recipient Countries	Organisers/Sponsor	Delivery Means	Jointly with	Funded by
2000								
02 26 – 03 13	Seminar	Vienna	14		OECD			
06 08 – 09	Conference	Lisbon	2	EU Member-States and EU Candidate Countries	Portugal			
07 13 – 14	Conference	Kiev	2	Countries of Central and Eastern Europe	Antimonopoly Committee of Ukraine, UNCTAD, European Commission			
09 10 - 12	Conference	Stockholm	2	Nordic Countries	Swedish Competition Authority			
09 25 - 27	Seminar	Tallinn	5	EU Candidate Countries	European Commission			
09 18 – 12 18	Training	Brussels	90	Lithuania	European Commission			
11 13 – 17	Congress	Durban	5		Consumers International			
11 21 – 22	Workshop	Brighton	2	EU Member-States and EU Candidate Countries	Fair Trading, England			
2001								
2000 12 06 – 2001 11 30	Long-term adviser (PAA)	Vilnius	230	Lithuania	European Commission	Former Competition Official		PHARE Twinning
2000 12 06 – 2001 11 30	Short-term consultation	Vilnius	223	Lithuania	European Commission	Competition Advisers		PHARE Twinning
02 28 – 03 12	Seminar	Vienna	14		OECD			
03 05 - 09	Seminar	Brussels	5	EU Candidate Countries	European Commission			
03 11 – 17	Seminar	Brussels	5	EU Candidate Countries	European Commission			
04 03	Conference	Seoul	1		Korea Fair Trade Commission			

Year/Month	Activity	Location	Duration	Recipient Countries	Organisers/Sponsor	Delivery Means	Jointly with	Funded by
05 20 – 22	Conference	Berlin	3		Bundeskartellamt			
06 15 – 19	Conference	Ljubliana	4	EU Candidate Countries	European Commission			
06 04	Seminar	Paris	1	OECD countries	OECD			
06 25 – 07 07	Training	Potsdam	14	Lithuania	European Commission			
07 28 – 10 21	Training	Bonn	90	Lithuania	European Commission			
08 31 – 11 30	Training	Paris	90	Lithuania	OECD			
09 10 - 21	Training	Potsdam	11	Lithuania	European Commission			
10 16 – 18	Forum	Paris	3	OECD countries	OECD			
10 24 – 26	Seminar	Tallinn	2	Baltic States and Russian Federation	OECD			
10 25 - 26	Study -visit	Lisbon		Lithuania	European Commission			
11 08 – 09	Seminar	Riga	2	EU Candidate Countries	European Commission			
11 11 – 18	Training	Stockholm	5	Lithuania	European Commission			
11 15 - 21	Training	Bonn	5	Lithuania	European Commission			
11 24 – 25	Conference	Ottawa	2		Canada's Competition Bureau			
12 01 - 05	Study-visit	Lisbon	5	EU Candidate Countries	European Commission			
12 01 - 08	Seminar	London	8	EU Candidate Countries	UK Foreign and Commonwealth Office			
2002								
03 04 – 15	Seminar	Vienna	14		OECD			
06 15 - 18	Conference	Vilnius	4	EU Candidate Countries	European Commission			

ROMANIA

Year/Month	Activity	Location	Duration	Recipient Countries	Organisers/Sponsor	Delivery Means	Jointly with	Funded by
2000	Consultation, Seminars	Competition Council	10 months	Romania	U.S. Federal Trade Commission	resident advisors	Competition Council	USAID
2001	Consultation seminars	Competition Council	6 months	Romania	U.S. FTC	resident advisors	Competition Council	USAID
2001	Training stage	Bruxelles	5 days	Romania	European Commission	Competition officials		TAIEX
2001	Training stage	Bruxelles	5 days	Romania	European Commission	Competition officials		TAIEX
2000	Seminar	Vienne	10 days	Romania	OECD	Competition officials		OECD
2001	Seminar	Vienna	10 days	Romania	OECD	Competition officials		OECD
2001	Seminar	Trier, Germany	2 days	Romania	EU Law Academy	Professors		EU Law Academy
2001	Training stage	Trier, Germany	5 day	Romania	EU Law Academy	Professors		EU Law Academy
2001	Seminar	Bruxelles	5 days	Romania	European Commission	Competition officials		European Commission
2001	Study visit	Rome, Italy	5 days	Romania	Autorità, Italy	Competition officials	Competition Council	Phare Program
2001	Study visit	Trier, Bonn, Luxemburg, Bruxelles	12 days	Romania	Ministry of Finance, Germany	Competition officials	Competition Council	Phare Program
2001-2002	Seminars, study visits, drafting legislation	Competition Council	17 months	Romania	Finance Ministry, Germany, Autorità, Italy	Short- and medium-term advisors	Competition Council	Phare Program

RUSSIA

Year/Month	Activity	Location	Duration	Recipient Countries	Organisers/Sponsors	Delivery Means	Jointly with	Funded by
2001 February	First Conference on Regulatory Reform	Singapore	2 days	Russian Federation, APEC/OECD members	APEC OECD	Competition Officials, Attorneys, Academics		APEC OECD
2001 February March	Competition Policy Seminar	Vienna Austria	14 days	Russian Federation, Economies in Transition	IMF, Joint Vienna Institute, The World Bank	Competition Officials, Attorneys, Academics	OECD, Economic Development Institute	IMF
2001 March	Competition Policy Seminar	Bangkok Thailand	3 days	Russian Federation, APEC members	APEC Royal Thai Government	Competition Officials, Attorneys, Academics		APEC
2001 March	Consultations on Competition Policy and Reg. Ref. in Telecommunications	Moscow Russian Federation	2 days	Russian Federation	OECD	Competition Officials	MAP Russia	OECD
2001 March	Consultations on draft Law "On State Aid"	Brussels Belgium	2 days	Russian Federation	European Commission	Competition Officials		TACIS
2001 April	Seminar "Abuse of Dominant Position"	Volgograd Russian Federation	3 days	Russian Federation	OECD USAID	Competition Officials	MAP Russia, US FTC, US DOJ	USAID
2001 May	Seminar "Cartel Practices"	Novgorod Russian Federation	3 days	Russian Federation	OECD USAID	Competition Officials	MAP Russia, US FTC, US DOJ	USAID
2001 May	International Conference on Competition Policy Issues	Berlin Germany	2 days	Russian Federation	Bundeskartellamt	Competition Officials, Attorneys, Academics		Bundeskartellamt

Year/Month	Activity	Location	Duration	Recipient Countries	Organisers/Sponsors	Delivery Means	Jointly with	Funded by
2001 May	Consultations on Comp. Policy and Reg. Ref. in Electricity	Moscow Russian Federation	2 days	Russian Federation	OECD	Competition Officials	MAP Russia	OECD
2001 May	Consultations on draft Law "On State Aid"	Paris France	4 days	Russian Federation	European Commission	Competition Officials		TACIS
2001 June	Seminar "Economic Concentration"	Nizhnij Novgorod Russian Federation	3 days	Russian Federation	OECD, USAID	Competition Officials	MAP Russia, US FTC, US DOJ	USAID
2001 June	XIII Session of Interstate Council on Antimonopoly Policy of CIS countries	Moscow Russian Federation	2 days	Russian Federation, CIS countries	MAP Russia UNCTAD	Competition Officials		UNCTAD
2001 July	International Conference "Competition Policy"	Seoul Korea	4 days	Russian Federation, APEC/OECD members	Korea Fair Trade Commission	Competition Officials, Attorneys, Academics		APEC
2001 September	Training Course "Taxation Reform"	Madrid Spain	5 days	Russian Federation	European Commission	Competition Officials		TACIS
2001 September	Seminar on "Natural Monopolies"	Novorossiysk Russian Federation	2 days	Russian Federation	DGCCRF France	Competition Officials	MAP Russia	DGCCRF France
2001 September	XIV Session of Interstate Council on Antimonopoly Policy of CIS countries	Astana, Republic of Kazakhstan	1 day	Russian Federation, CIS countries	Kazakh Antimonopoly Authority, UNCTAD, MAP Russia	Competition Officials		UNCTAD, Kazakh Antimonopoly Authority
2001 September	International Conference "10 th Anniversary of Kirgiz Antimonopoly Authority"	Bishkek, Republic of Kirgizstan	1 day	Russian Federation, CIS countries	Kirgiz Antimonopoly Authority, MAP Russia, UNCTAD	Competition Officials		Kirgiz Antimonopoly Authority, UNCTAD

Year/Month	Activity	Location	Duration	Recipient Countries	Organisers/Sponsors	Delivery Means	Jointly with	Funded by
2001 September	Seminar “Cooperative Initiative on Regulatory Reform”	Beijing China	2 days	Russian Federation, APEC/OECD members	APEC OECD	Competition Officials, Attorneys, Academics		APEC
2001 September	Consultations on Comp. Policy and Reg. Ref. in Gas	Moscow Russian Federation	2 days	Russian Federation	OECD	Competition Officials	MAP Russia	OECD
2001 October	Seminar on Competition Policy	Moscow Russian Federation	3 days	Russian Federation	Autorità, Italy	Competition Officials	MAP Russia	Ministry for Trade and Industry, Italy
2001 October	Competition Conference “Definition of Market Borders”	Helsinki Finland	2 days	Russian Federation, Baltic States	Council of Nordic States	Competition Officials, Attorneys, Academics		Council of Nordic States
2001 October	Seminar on merger control	Tallinn Estonia	3 days	Baltics, Russian Federation	OECD	Competition Officials		OECD
2001 October	Annual Conference Of Fordham Law Institute	New York USA	3 days	Russian Federation, OECD members	Fordham Law Institute	Competition Officials, Attorneys, Academics		Fordham Law Institute
2001 November	Global Forum on Governance	Paris France	4 days	Russian Federation, OECD members	OECD	Competition Officials, Attorneys, Academics		OECD
2001 November	Training course “Organization and practice of State Aid Monitoring in Ferrous Metallurgy”	Paris France	5 days	Russian Federation	European Commission	Competition Officials, Attorneys, Academics		TACIS
2001 November	Training course on WTO issues	Paris France	5 days	Russian Federation	DGCCRF France	Competition Officials, Attorneys, Academics		DGCCRF France

Year/Month	Activity	Location	Duration	Recipient Countries	Organisers/ Sponsors	Delivery Means	Jointly with	Funded by
2001 November	Global Forum on International Investment	Mexico city Mexico	2 days	Russian Federation, OECD members	OECD, Government of Mexico	Competition Officials, Attorneys, Academics		OECD
2001 December	Training course on competition policy	Rome Italy	5 days	Russian Federation	Autorità, Italy	Competition Officials	Ministry for Trade and Industry of Italy	Ministry for Trade and Industry of Italy
2001 December	Short-term consultations on competition policy issues with the participation of arbitration judges	Moscow Russian Federation	5 days	Russian Federation	OECD	Competition Officials	MAP Russia	OECD

2002 Planned Technical Assistance in Competition Policy

OECD Co-operation in accordance with the Program of Co-operation between the Russian Federation and OECD for 2002
 -competition policy
 -regulatory reform

TACIS TACIS project “Antimonopoly Policy and State Aid”

USAID Bilateral arrangements

APEC Co-operation in accordance with the Working Plan of APEC

TUNISIA

Year/month	Activity	Location	Duration	Recipient Countries	Organisers/ Sponsors	Delivery Means	Jointly with	Funded by
14-3-01	Workshop, training course	Paris	6 days	Tunisia	DGCCRF	DGCCRF		ADETEF
2-5-01	Workshop	Paris	1 days	Tunisia	DGCCRF	DGCCRF		Ministry of Commerce (Tunisia)
1-10 -01	Workshop, training course	Paris	6 days	Tunisia	DGCCRF	DGCCRF		ADETEF

2002: A co-operation programme with France is being negotiated.