



Republic of Serbia
**COMMISSION FOR
PROTECTION OF
COMPETITION**

25/IV Savska Street, Belgrade

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International cooperation in 2022

International Competition Network (ICN)

The commission has its representatives in the ICN working groups for the effectiveness of competition protection authorities (Agency Effectiveness Working Group - AEWG), for mergers (Merger Working Group - MWG), for issues of abuse of a dominant position (Unilateral Conduct Working Group - UCWG), and from 2022, and in the Cartel Working Group (CWG).

Representatives of the Commission contributed to the projects of this network, by submitting answers to complex questionnaires of ICN for the needs of several projects, namely:

- two AEWG working group projects entitled "Competition Authority Effectiveness following the Covid-19 Pandemic" and "Planning, Monitoring and Measuring the Effectiveness of Competition Authorities", and
- project of the UCWG working group entitled "Analysis of theories of abuse and design of measures in cases of abuse of a dominant position or significant market power in digital markets" and
- the project of the CWG working group called "Back to Basics";
- MWG projects; "Evaluation of Ex Post Merger Analysis Reports", "Data Control, Market Power and Potential Competition in Merger Control Proceedings", "ICN Recommended Practices on Market Entry" and "ICN Recommended Practices on Non-Horizontal (Vertical and Conglomerate) Mergers".

Also, representatives of the Commission took part in ICN conferences and webinars, including:

- 21st ICN annual conference, held on May 4-6, in Berlin, Germany;
- Webinar dedicated to the "new year of ICN", where the course of actions of this network, in the coming year, were presented ("Kickoff Call" for the new ICN Year);
- UCWG Working Group Webinar on "Abuse of Dominant Position in Regulated Sectors of Economy and Liberalized Markets";
- AEWG Working Group Webinar on "Effectiveness of Authorities following the Covid-19 Pandemic: Lessons Learned by Competition Authorities". In addition to participating in this

webinar, the representative of the Professional Service of the Commission was also the moderator of the said event, which the participants deemed successful.

Finally, the ICN Cartel template was also filled in, whereby the Commission joined other authorities for the protection of competition that have already submitted relevant data within this network. The said templates provide an overview of the basic characteristics of legislation in the field of cartels in the legal systems of the countries of origin of the members of this network.

OECD and the Regional Center for Competition in Budapest (OECD-GvH RCC)

The Commission contributed to the OECD survey on cooperation between competition enforcement authorities in the implementation of competition protection regulations for the year 2022 (Survey on Competition Enforcement Co-operation 2022), by submitting answers to a detailed questionnaire. Based on these responses and responses provided by other jurisdictions, the OECD created an online database, with the aim of increasing the level of transparency and trust in international cooperation during examination procedures conducted by competition protection authorities around the world.

Also, the Commission contributed to the OECD project entitled "Fair market conditions for competition", by providing data on the protection of competition in the Republic of Serbia.

For the purpose of holding the annual conference of the OECD, which gathers representatives of competition protection authorities and high-ranking officials of other institutions from around the world, the 21st Global Forum on Competition, held in Paris in December 2022, the representative of the Professional Service of the Commission, Nina Vasić, M.Sc., submitted a written contribution on the topic "Interactions among competition protection authorities and sectoral regulators".

In addition to the above, representatives of the Commission participated in the following conferences and virtual meetings of the OECD:

- The conference where the main findings of the "Multi-dimensional review of the Western Balkans region" project were presented, with special reference to Serbia, held in Belgrade in June 2022;
- The high-level OECD virtual conference entitled "South-Eastern Europe: Human Capital Flight – Shaping the Future Together";
- A virtual meeting with representatives of the OECD, where the second phase of cooperation between this international organization and the Republic of Serbia within the project "Fair Market Conditions for Competitiveness" was presented;
- The OECD conference at which the results of the "Fair Market Conditions for Competition" project were presented, held in Belgrade in November, during which, a member of the Council of the Commission, Čedomir Radojčić, took part in an expert panel dedicated to the protection of competition in Serbia;
- The 21st annual conference of the OECD "Global Forum on Competition", held in Paris in December 2022, the topics of which were competition policy objectives, as well as

subsidies, competition and trade, interaction between competition authorities and sectoral regulators and measures and obligations in cases of abuse of a dominant position. During the conference, the representative of the Commission also gave a short presentation in connection with the submitted written contribution on the topic "Interactions between competition protection authorities and sectoral regulators".

When it comes to the work of the RCC, the Commission contributed to the 19th edition of the RCC Newsletter, a separate part of which was dedicated to the Commission for the Protection of Competition. As part thereof, an overview of the most important information about the Commission and its work was presented, as well as a published interview with the President of the Commission, Mr. Nebojša Perić. The Commission also contributed to the 20th edition of the RCC Newsletter, dedicated to regional cooperation in Eastern Europe and Central Asia, in which, among other things, the declaration of the President of the Serbian Commission regarding the role and potential of regional cooperation of competition protection authorities, was published.

In addition to the above, the representatives of the Professional Service of the Commission contributed to the 19th edition of the RCC Newsletter, by submitting an article on "Effective investigation procedures - past practice of the Commission".

Finally, as in previous years, the representatives of the Commission participated in seminars, conferences and meetings (live and through virtual platforms) of this regional center on the following topics:

- "Market definition: methodologies, challenges and development trends" (virtual seminar),
- "Anti-competitive practices of public utilities" (virtual regional conference organized in cooperation with the Competition Council of Bosnia and Herzegovina), at which the representative of the Commission's Professional Service, Maja Dobrić, also spoke.
- "Principles and procedures of competition law" - an introductory seminar for young staff of the competition protection authority in Budapest and
- "Looking into the past to design the future", on the occasion of the annual meeting of the presidents of the authority for the protection of competition (this year, the format was virtual).

Energy Community

In the course of 2022, the Commission, at the request of the Ministry of Mining and Energy, which leads the negotiation process in connection with the amendments to the Treaty on the Establishment of the Energy Community, issued opinions on the proposals for new acts of the Energy Community, as well as on the Proposal of a platform for the participation of representatives of the Republic of Serbia at the 20th meeting of the Ministerial Council of the Energy Community, which was held on December 15 in Vienna, Austria. Also, as was the case in the previous year, the Commission submitted comments and remarks on the Annual Implementation Report of the Energy Community.

Other activities

- In May 2022, Representatives of the Commission for Protection of Competition participated on the 21st ICN Annual Conference and 21st International Conference on Competition in Berlin, hosted by the German competition authority (Bundeskartellamt). Having done so, this body brought together the two most famous international events dealing with competition protection policy and the application of competition protection law. Approximately 450 participants from over 80 countries attended the conferences, highest representatives of competition authorities, judges, university professors, lawyers, representatives of German ministries and other governmental bodies, international companies, etc.
- Representatives of the Commission also participated in the Forum on Competition and the International Conference, held in Athens in June 2022. This event was jointly organized by the Greek Commission for the Protection of Competition and the Hellenic Academy for Competition Law and Policy. During the conference, the following topics were discussed:
 - Global food value chains and competition law following the pandemic: transforming the global food system
 - Global regulation of the digital ecosystem: ex-ante and ex-post approach, experiences from around the world
 - Past as present: price spikes, inflationary pressures, macroeconomic conditions and competition law
 - "Greening" competition law: competition law enforcement, climate change and sustainability
 - Computer Law of Competition and the Economy: Challenges and Promises;
- In September 2022, representatives of the Commission participated in the LEAR competition festival, held in Italy's capital. The festival brought together representatives of international organizations, national competition protection bodies, lawyers and representatives of the academic community to discuss selected topics in the field of competition protection. The three-day festival program consisted of several expert sessions, as well as round tables, including a high-level round table, that is, the president of several European competition authorities (inter alia, Spanish, Greek and French competition authorities);
- At the invitation of the Agency for the Protection of Market Competition of the Republic of Croatia, a member of the Council of the Commission attended a one-day international conference, held in Zagreb, on the occasion of the 25th anniversary of the establishment of the Croatian Agency. During this event, discussions were held on the most current topics in the field of competition protection law, such as ex-post and ex-ante enforcement of competition protection rules on digital markets, evaluation of Regulation no. 1/2003 and the novelties enacted by the EU rules on vertical agreements;
- In November 2022, representatives of the Commission participated in the twentieth annual conference of the Association of Competition Economics (ACE) in Lisbon. The Association is a

non-profit organization whose main goals are to create a common framework for conducting economic analyzes in the field of competition, raising the standards of economic analysis by confronting theory and practice, and improving dialogue between the state and private sector, scientific and professional public beyond the scope of concrete cases. In the light of the objectives, this Association brings together representatives of European institutions, the state sector, scientific institutions and private companies dealing with the economic aspects of competition policy and is a forum for discussion and debate. As before, the annual conference is organized as a combination of plenary and several parallel sessions. At the plenary sessions, certain topics of general interest were discussed, while at the parallel sessions of the competition protection authority, cases that passed the selection process by the Executive Board of the Association were presented.

- Also in November 2022, representatives of the Commission participated in an international conference on the implementation of competition policy and consumer protection in Georgia. This two-day event was jointly organized by the National Competition Agency of Georgia, the National Bank of Georgia, the Georgian Regulatory Commission for Energy and Water Supply, the National Communications Commission and the State Insurance Oversight Service of Georgia;
- A representative of the Professional Service of the Commission was in Japan on the occasion of a two-week professional training, organized by the Japan International Cooperation Agency (JICA), within the framework of the Japanese Government's technical assistance program.

The seminar entitled "Competition law and policy - setting the foundations for the promotion of competition", was held in the partner institution - the Japan Fair Trade Commission - JFTC, in the period from November 27, until December 10, 2022. The aim of this seminar was to present the experience of the Japanese Commission for Fair Trade in the main segments of its work (raising awareness of competition law, digital explosion, concentrations, cartels, etc.), as well as getting to know the experiences of other jurisdictions, especially with regard to the application of competition law.