

# INTERNATIONAL COOPERATION FOR COMPETITION LAW ENFORCEMENT



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## Regional Training Workshop for Commissioners of Competition Authorities in the Caribbean

March 13-14, 2019 | Bridgetown, Barbados

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# INTERNATIONAL COOPERATION IN CARTEL INVESTIGATIONS

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- **Formal and informal**
- **Information sharing**
- **Coordinate timing of raids and searches**
- **Maximize the value of mutual leniency applicants and cooperators**

# INVESTIGATIVE CONSIDERATIONS

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- **International cartels may be investigated by multiple competition authorities**
- **Consider:**
  - Ability to share information
    - Can share information regarding leniency applicants with a waiver
  - Coordination of investigation
    - Timing of raids & searches

# INVESTIGATIVE TOOLS FOR INTERNATIONAL CARTELS

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- **MLATs**
- **Letters Rogatory**
  - Documents
  - Witnesses
- **Informal Cooperation or Coordination**
- **Border watch**
- **Red Notice**
- **Extradition**



# PROBLEM: WANTED PERSON OUTSIDE THE JURISDICTION

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- **Border Watch**
- **Mutual Legal Assistance Treaty (MLAT)**
- **Red Notice**
- **Extradition**

# IMPORTANCE OF CLEAR ENFORCEMENT POLICIES

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- **Transparency in enforcement maximizes cooperation - key to cracking cartels**
- **Potential cooperators need to be able to predict how they will be treated in order to make decision to come to enforcement agency**
- **Explicit and public standards and policies throughout enforcement process**
  - Opening investigations
  - Bringing cases
  - Calculating sentences

*Enforcement Visibility*

# DETECTION & OUTREACH

# COMMUNITY VISIBILITY

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- **Education**
- **Training**
- **Media outreach:**

— <http://www.internationalcompetitionnetwork.org/working-groups/current/cartel/awareness/media.aspx>



# COMMUNITY VISIBILITY

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- **General Public**
- **Business Community**
- **Law Enforcement Community**
- **Legal Community**

**IDENTIFYING  
MARKETS  
FOR  
OUTREACH:**

**Conditions  
Favorable to  
Collusion**

**Where does this  
happen?**

- **Few sellers or buyers**
- **No substitutes**
- **Standardized product—  
commodities**
- **Repeat players**

# QUESTIONS?

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