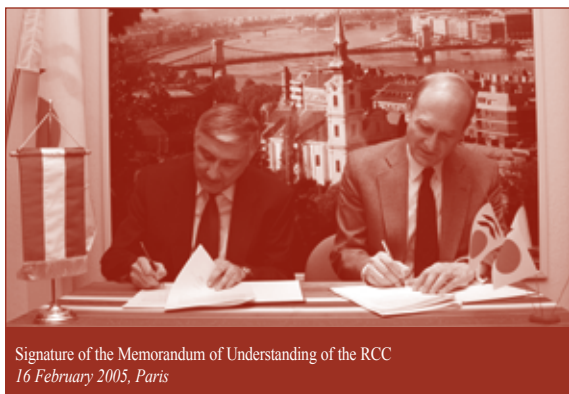


**OECD-HUNGARY REGIONAL CENTRE FOR COMPETITION IN BUDAPEST**

**Annual Activity Report, 2009**



## I. INTRODUCTION AND ORGANISATIONAL SETUP



Signature of the Memorandum of Understanding of the RCC  
16 February 2005, Paris

*“Amazing experience with the application of European law. Excellent lectures, inspiring work in groups, illustrative mock trial.”*

Jiri Vanek

Judge | District court Tabor, Czech Republic

The OECD-Hungary Regional Centre for Competition in Budapest (RCC) was established by the Gazdasági Versenyhivatal (GVH, Hungarian Competition Authority) and the Organisation for Economic Co-operation and Development (OECD) on 16th February 2005 when a Memorandum of Understanding was signed by the parties. The main objective of the RCC is to foster the development of competition policy, competition law and competition culture in the South-East, East and Central European region and thereby to contribute to economic growth and prosperity in the region.

The RCC provides capacity building assistance and policy advice through workshops, seminars and training programmes on competition law and policy for officials in competition enforcement agencies and other parts of government, sector regulators, and judges. The RCC also works to strengthen competition law and policy in Hungary and the GVH itself.

The RCC’s work focuses on four main target groups. The first set of countries involved in the framework of the RCC are the countries of the regions of South-East and Eastern Europe, namely Albania, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Bulgaria, Croatia, Georgia, Macedonia, Moldova, Montenegro, Romania, the Russian Federation, Serbia and Ukraine. The work targeting these countries is regarded as core activity of the RCC. These countries share a history of centrally planned economies and the RCC aims to assist them as they move towards market economies. The countries in South-East and Eastern Europe have all progressed with the development of their competition laws and policies, but are at different stages in this process. As a consequence, the needs for capacity building differ among European non-OECD member countries, which require a broad approach for competition outreach work. Major capacity building needs in South-East and Eastern Europe include (a) enhancing analytical skills in competition law enforcement, (b) raising the awareness of the judiciary regarding the specific characteristics of competition law adjudication, (c) pro-competitive reform in infrastructure sectors, (d) competition advocacy, (e) relations between competition authorities and sector regulatory agencies, (f) legal and institutional reform in the competition area, and (g) building international co-operation and networking.

The second group of beneficiaries of the work of the RCC are the countries, which belong to the Central European Competition Initiative (CECI). The Initiative is a forum for co-operation in competition matters, which was established by Central European competition authorities in 2003. It is a network type inter-agency (not inter-state) co-operation, which operates via workshops and informal meetings. Founding countries of this project are Poland, Czech Republic, Slovakia, Slovenia and Hungary. Austria was a permanent observer at the outset and joined the CECI as full member in 2009. The countries involved all belong to the same geographic region, share fundamentally similar cultural traditions and historical experiences and are, more or less, at the same stage of development. As a result, their competition authorities face several common challenges and difficulties. Moreover, from time to time these authorities deal with markets which are regional, overlapping or are connected to each other, and they may also on occasion deal with the same parties (the same companies within the region).



Seminar in European Competition Law for Competition Law Judges  
13-14 February 2009, Budapest

*“I attended one seminar (held in Albania)  
and only the best remarks having in mind  
accommodation, panellists, agenda & subjects  
(case reviews and themes etc).”*

Davor Jakolic

Senior adviser - economist | Croatian Competition Agency, Croatia

The third beneficiary of the RCC’s work is the GVH itself. The RCC organises training for the GVH’s staff on different topics of competition law and policy. The agendas of these workshops are related to ongoing projects or hot topics and provide an excellent opportunity for staff to learn about state-of-the-art antitrust theory and enforcement practice.

Judges represent the fourth target group of the RCC’s activities. Seminars offered to judges provide judiciaries with an opportunity to improve their understanding of competition law and economics, exchange views on the latest developments in EU competition law, and discuss key challenges arising in competition law cases from a judicial perspective. These seminars are organised jointly by the RCC and the Competition Division of the OECD, in co-operation with the Association of European Competition Law Judges (AECLJ).

Concerning the functioning of the RCC, the Memorandum of Understanding of the RCC provides that the GVH and the OECD make major decisions on the activities and work jointly. For this purpose, the parties meet on an annual basis to review the operation and performance of the RCC, to prepare the annual plan and budget statements.

Regarding the financing of the RCC, the GVH is responsible for providing most of the necessary funding for the functioning of the RCC and also for making an annual voluntary contribution to the OECD for costs associated with the staff positions in Paris. The OECD helps to co-finance the RCC’s operation and activities. In addition to this, both the GVH and the OECD co-operate in efforts to raise additional financial support for the RCC from third parties.

## II. OVERVIEW OF THE ACTIVITIES OF THE YEAR 2009

2009 was the fifth year in the RCC’s activity. In 2009, similarly to the previous years’ experience, the RCC offered a wide variety of topics across its numerous programmes during the course of 2009. The RCC organised a total of nine events, which focused on some of the most important core competences of competition authorities as well as best practices in the area of competition law. Aside from its regular seminars, the RCC continued with its special initiatives: (i) seminars on competition for European judges, of which two have been organised in 2009, (ii) the workshop with special focus on the interface between competition policy and sector regulation, and (iii) the two-week long “Topics in Competition Policy” seminar. In addition, the RCC introduced a new seminar format: a seminar, which will be held once a year in one of the beneficiary countries. The first host country was Albania.

Table N°1: Total number of speakers per country or institution

Country	Speakers	
	Number	Person-days
Albania (during the seminar in Albania)	6	18
Austria	1	1
Canada	2	8
EU Commission	4	9
Finland	1	2
France	1	3
Germany	3	11
Hungary (non-GVH)	2	6
Ireland	1	3
Italy	1	2
Portugal	1	1
Sweden	3	8
The Netherlands	2	6
United Kingdom	2	6
United States	7	22
GVH	16	44
OECD	12	39
Aggregate	65	189

Altogether, over the course of the year, the RCC invited 269 participants and 65 speakers to its events. Through the RCC's core events it delivered 833 person-days of capacity building.<sup>1</sup> All in all, participants from 35 economies or institutions attended the RCC's programmes, coming from Albania, Armenia, Austria, Azerbaijan, Belarus, Bosnia and Herzegovina, Bulgaria, Croatia, Czech Republic, Estonia, Finland, France, Georgia, Germany, Hungary, Israel, Italy, Kazakhstan, Kosovo, Kyrgyzstan, Latvia, Lithuania, Macedonia, Moldova, Montenegro, the Netherlands, Poland, Portugal, Romania, Russia, Serbia, Slovakia, Slovenia, Sweden, Ukraine, United Kingdom, GVH and OECD. Experts from 17 countries and international institutions attended as panel members: Albania, Austria, Canada, EU Commission, Finland, France, Germany, Hungary, Ireland, Italy, the Netherlands, Portugal, Sweden, United Kingdom, United States, GVH and OECD.

*"I participated with a lot of pleasure as speaker and participant at the seminar on restrictive agreements, organized in Albania by the RCC in June 2009. I can confirm that the whole workshop was a really positive experience and great satisfaction for me and my colleagues. We had a great time in Durrës."*

Pajtim Melani  
Director, Market Surveillance Department  
Albanian Competition Authority, Albania



Seminar in European Competition Law for Competition Law Judges  
13-14 February 2009, Budapest

<sup>1</sup> Person-days are defined as the number of days a person attended a RCC seminar. Thus, if 10 people attended a course for 5 days and 4 people attended a course for 3 days the number of person days delivered is 62 (10\*5 + 4\*3 = 62).



Workshop on Vertical Restraints  
9-13 March 2009, Budapest

*"The Seminar on Topics in Competition Policy was an enlightening and enjoyable experience. It gave me an opportunity to meet my counterparts from many different competition authorities and to learn how competition laws are being applied and enforced in their countries."*

John W. McReynolds | Assistant Chief, New York Field Office,  
Antitrust Division | U.S. Department of Justice, U.S.

### III. DETAILED REVIEW OF THE ACTIVITIES OF THE YEAR 2009

Table N°2 provides a brief overview of the topics of the seminars held in 2009 as well as the participating economies and institutions.

Table N°2 Summary of Activities 2009

Event Topic	Date	Total Number of Participants and Speakers	Attending Economies/Institutions
Seminar in European Competition Law for Competition Law Judges	13-14 February	34 + 6	Bosnia and Herzegovina, Croatia, Czech Republic, Estonia, France, GVH, Hungary, Italy, Latvia, Lithuania, Macedonia, the Netherlands, Poland, Romania, Slovakia, Sweden, United Kingdom Speakers: Germany, GVH, Italy, OECD, Sweden, United States
<b>Workshop on Vertical Restraint, as part of the core activity of the RCC</b>	9-13 March	27 + 6	Albania, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Bulgaria, Croatia, Georgia, Macedonia, Moldova, Romania, Russia, Serbia, Ukraine Speakers: Canada, France, Germany, GVH, OECD, United Kingdom
<b>Workshop on Merger Analysis, as part of the core activity of the RCC</b>	27-30 April	16 + 5	Albania, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Bulgaria, Croatia, Georgia, Macedonia, Moldova, Russia, Serbia, Ukraine Speakers: GVH, OECD, United States
<b>Workshop organised in Albania on Restrictive Agreements, as part of the core activity of the RCC</b>	15-17 June	34 + 12	Albania, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Bulgaria, Croatia, Kosovo, Macedonia, Moldova, Romania, Russia, Ukraine Speakers: Albania, Finland, GVH, Ireland, OECD, United States

Event Topic	Date	Total Number of Participants and Speakers	Attending Economies/Institutions
<b>Topics in Competition Policy, as part of the core activity of the RCC</b>	6-17 July	53* + 12 *participants attending both weeks' programme were counted as two	Albania, Belarus, Bosnia and Herzegovina, Bulgaria, Croatia, Estonia, Kazakhstan, Latvia, Lithuania, Macedonia, Moldova, Romania, Russia, Serbia, Ukraine Speakers: EU Commission, Germany, GVH, OECD, United States
<b>Seminar on Cartels, as part of the core activity of the RCC</b>	28 September – 2 October	15 + 4	Albania, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Bulgaria, Croatia, Georgia, Macedonia, Moldova, Romania, Russia, Serbia, Ukraine Speakers: Canada, GVH, OECD, Sweden
<b>Programme Planning Heads' Meeting, as part of the core activity of the RCC</b>	6 November	23 + 3	Albania, Armenia, Austria, Bosnia and Herzegovina, Bulgaria, Croatia, Georgia, Macedonia, Moldova, OECD, Portugal, Romania, Serbia, Slovakia, Ukraine Speakers: Austria, GVH, Portugal
<b>Seminar in European Competition Law for Competition Law Judges</b>	20-21 November	42 + 6	Bulgaria, Croatia, Czech Republic, Finland, France, GVH, Hungary, Israel, Italy, Latvia, Lithuania, The Netherlands, Poland, Portugal, Romania, Slovenia, Sweden Speakers: EU Commission, GVH, OECD, Sweden, United States
<b>Seminar on Competition Policy and Enforcement in Regulated Sectors: the Airline Industry, as part of the core activity of the RCC</b>	1-4 December	25 + 11	Albania, Armenia, Belarus, Bosnia and Herzegovina, Bulgaria, Croatia, Georgia, Macedonia, Moldova, Romania, Russia, Serbia, Ukraine Speakers: EU Commission, GVH, Hungary, the Netherlands, OECD, United Kingdom

*"It was a real pleasure to participate to the two weeks seminar in July 2009. I found the experience extremely rewarding personally and professionally. I was very impressed by the quality of the speakers and by the organisation of the event. I also found that the participants were extremely engaged and well prepared, which made the seminar a real success."*

Mr. Antonio Capobianco  
Competition Division, OECD



Seminar in European Competition Law for Competition Law Judges  
13-14 February 2009, Budapest

In addition to the seminars themselves, the RCC usually offers additional programmes to encourage networking and the sharing of experiences among the participants. Besides sightseeing tours, these programmes always involve a visit to the GVH headquarters, where the activity of the GVH and the RCC is introduced in detail. Table N°3 provides an overview of the number of the workdays per seminar of the RCC's core activity and the additional days the participants spend in Budapest.

**Table N°3 Number of seminar workdays in 2009**

Topic	Date	Number of workdays	Additional days
1 <sup>st</sup> Seminar in European Competition Law for National Judges	13-14 February	2	0
Workshop on Vertical Restraints	9-13 March	4	1
Workshop on Merger Analysis	27-30 April	3	1
Workshop on Restrictive Agreements, organised in Albania	15-17 June	3	0
Topics in Competition Policy	6-17 July	10	0
Seminar on Cartels	28 September – 2 October	4	1
Programme Planning Heads' Meeting	6 November	1	0
2 <sup>nd</sup> Seminar in European Competition Law for Competition Law Judges	20-21 November	2	0
Seminar on Competition Policy and Enforcement in Regulated Sectors: the Airline Industry	1-4 December	3	1
<b>Total number of seminar workdays in 2009</b>		<b>32</b>	

## A) 1. Standard programmes in the framework of the core activity

### a) 9-13 March: Workshop on Vertical Restraints

The RCC conducted a workshop on competition policy in regulated markets for twenty-seven competition law enforcers and regulators from fourteen SEE and CIS countries. The workshop consisted of a series of presentations on key issues concerning competition authorities regarding the application of competition law in vertical restraints cases with a general focus on the correct methodology to assess the potential distortion of competition resulting from such practices as selective or exclusive distribution and resale price maintenance.

The topics were addressed and discussed in lectures and case studies by competition experts as well as case studies presented by seven participant countries. The other participants acted as case discussants. A roundtable discussion followed each presentation. The experts gave seven presentations during the seminar. The topics ranged from the Hungarian experience in the topic of vertical restraints to a focus on the different approaches taken around the topic of Resale Price Maintenance in different jurisdictions, to the Canadian jurisdiction guidelines on vertical restraints and abuse.

In the first day of the workshop, Mr. João Azevedo of the OECD-RCC gave a talk on the economic principles of vertical restraints, highlighting the pro-competitive and anti-competitive motivations behind such practices and describing the evolution of the European Commission approach to this topic. Ms. Lilla Csorgo of the Canadian Competition Bureau presented the main results of the recent Canadian Draft Abuse of Dominance Enforcement Guidelines.



The presentations during the second day were focused on a specific vertical restraint, Resale Price Maintenance (RPM) and the diverse approaches to this abuse taken by different jurisdictions. Mr. Mathew Bennett from the Office of Fair Trading first highlighted the various potential “theories of harm” behind the practice of RPM. He then illustrated the UK approach to this topic by relating several OFT RPM cases to the possible explanatory theories. Ms. Valérie Meunier, from the Conseil de la Concurrence exemplified France’s approach to the topic by focusing on two RPM cases: Luxury Cosmetics and Toys. Both cases had yield infringement decisions and fines.

During the third day, Ms. Lilla Csorgo presented two exclusionary cases in the industries of waste collection and movie broadcasting. These cases were useful in illustrating that potentially exclusionary practices in vertical cases may be anti-competitive but also pro-competitive, depending on the existence of reasonable business justifications. Finally, Mr. Peter Hoeltzenbein from the Bundeskartellamt presented a German case of vertical foreclosure on long term gas supply contracts, which led to a decision of infringement and the imposition of a remedy.

During the last day, Ms. Judit Dán of the GVH presented the Hungarian experience in the area of vertical restraints by describing cases in the beer industry, motor vehicle distribution, gas distribution, newspaper distribution, tobacco, mineral water and car insurance.

## b) 27-30 April: Workshop on Merger Analysis

The RCC, with support from the US Department of Justice (DOJ) and Federal Trade Commission (FTC) conducted a workshop on merger analysis for sixteen competition law enforcers from thirteen SEE and CIS countries. The programme covered all relevant issues concerning the application of competition law in merger cases with a general focus on such issues as defining the relevant market, unilateral and coordinated effects, barriers to entry and other competitive factors, assessing the evidence as well as remedies and efficiencies.

*“I participated in the November seminar on Article 82 for judges. I found the seminar to be very well planned, with timely and interesting topics for the judges. There was also a good variety of methods for presenting the materials, including not only traditional lectures with slides but also small group discussions and a mock trial. I benefited from the knowledge shared not only by the other presenters but by the judges themselves. Thank you very much for this opportunity.”*

Jeremy West  
Competition Division, OECD



Workshop on Vertical Restraints  
9-13 March 2009, Budapest



Workshop on Merger Analysis  
27-30 April 2009, Budapest

*"I would like to express my thoughts about the last seminar of the RCC. It was extremely well organized, the subjects discussed were very interesting, shortly I'm very happy that I could participate and I hope to be selected for other future seminars."*

Mrs. Anca-Mihaela Trofin

Judge | First Instance Court of Focsani, Romania

Participants examined these issues through a series of lectures and through a hypothetical case involving a proposed merger in the soya milk market. Participants analyzed documents and participated in exercises as they examined the facts of the case and they took on the roles of the merging parties, a complainant to the merger and the competition authority. At the end of the hypothetical case study participants joined a plenary session where the findings from each breakout discussion were presented, followed by discussion of the appropriate decision. The essence of the case dealt with establishing the following elements for the case:

- What is the relevant market?
- Does the proposed merger raise competition concerns? What would those be?
- Should the merger be blocked or should a remedy package be considered? What type of remedy?

There were five expert speakers participating in this seminar. From the OECD-RCC there was Mr. João Azevedo. From the GVH there were Mr. Gergely Csorba and Mr. Tibor Szántó. There was also Mr. Albert Kim from the US FTC and Mr. Robert Young from the US DOJ.

The experts gave 13 presentations during the seminar and they were organised around the following topics:

- Market Definition, market shares and concentration
- Unilateral and coordinated effects
- Entry and other competitive factors
- Assessing the evidence
- Remedies

As a general comment, Mr. João Azevedo concluded that the hypothetical case study proved to be rich enough to lead the breakout groups into divergent analysis, which started already at the stage of defining the relevant market but continued into the assessment of the competitive concerns of the merger and the type of remedies required.

### **c) 28 September – 2 October: Seminar on cartels**

The RCC conducted a workshop on anti-cartel enforcement for fifteen competition law enforcers from fourteen SEE and CIS countries. The programme gave the participants an introduction to the theory and practical considerations involved in modern anti-cartel enforcement. It started by exploring how to detect and prevent bid rigging in public procurement using the OECD Guidelines for Fighting Bid Rigging. A variety of case studies in which procurement officials detected bid rigging or designed procedures for preventing bid rigging were discussed.

The second part of the programme was structured around an extended case study of a hypothetical asphalt cartel, interspersed with lectures from experts on various aspects of cartels and cartel investigations. The hypothetical case study was divided into three blocks. During the "First Block", participants met the whistleblowers and a market expert

and reviewed case documents. During the “Second Block”, participants met the customers and one of the cartel companies that had decided to cooperate with the Competition Commission. During the “Third Block”, the participants met the cartel companies themselves.

During each block, the participants were divided into separate groups, and each group interviewed one character each. The breakout groups, subsequent to the interviews, briefed each other on each group’s findings and then jointly assessed and determined what had taken place. Each block concluded with a discussion among the participants in which they jointly decided what would be the appropriate next steps in carrying out the investigation.

There were four expert speakers participating in this seminar. The experts gave eight presentations during the seminar.

On the first day, Mr. João Azevedo, from the OECD-RCC, gave an introductory presentation on the growing importance of anti-cartel enforcement around the world. Afterwards he also presented the OECD guidelines for bid-rigging, highlighting the OECD’s checklist for detecting bid-rigging and for designing tenders, as well as recent instruments against bid-rigging, like the Certificate of Independent Bid Determination. In the afternoon, Mr. Pierre-Yves Guay from the Bureau of Competition of Canada gave a presentation on bid-rigging where he detailed several case studies from Canada, notably involving bus routes, electrical contractors, and building contractors for an oil platform.

On the second day, Ms. Karin Lunning of the Swedish Competition Agency talked about how to detect cartels and to launch an investigation. She was followed by Mr. György Antalóczy of the GVH who detailed the cartel work at the GVH, highlighting the importance of forensic data gathering and analyzing. In the afternoon, Mr. Pierre-Yves Guay from the Bureau of Competition of Canada talked about his experience with interview techniques and how the right preparation and approach to the interview can produce better results in data gathering.

*“I was very impressed with the professionalism and hospitality of the GVH and its staff. The GVH clearly is at the forefront of competition policy in Central Europe, both in terms of its capacity to address Hungarian issues and also in its policy leadership for the region. The case study competition policy conference provided a great opportunity for the attendees and presenters to work through a complex merger problem cooperatively. The disagreements and debates about outcomes and remedies mirrored real world situations. Personally, I found it a wonderful learning opportunity and believe that an interactive case study approach is very useful format for future conferences. The competition enforcement agencies in the United States greatly value their relationships with their counterparts around the world. The GVH and the RCC are exemplars of this strong partnership, and the case study conference showed off the strength of this institutional framework. Sharing ideas and approaches and debating best practices at the staff level are invaluable for all involved.”*

Albert Kim

Attorney, Bureau of Competition  
U.S. Federal Trade Department, U.S.

Robert Young

Antitrust Division | U.S. Department of Justice, U. S.



Workshop on Restrictive Agreements  
15-17 June 2009, Albania



Workshop on Restrictive Agreements  
15-17 June 2009, Albania

*“The RCC’s seminar for competition judges on “Article 82 and non-price strategies – Cases, Trends and Economics” was very useful for judges. In my opinion this seminar was an important part of the seminar series that focused on Article 82. The participants were given a lot of new information about refusals to deal, essential facilities, and other exclusionary conduct which is conceptually related to these practices, such a margin squeeze. We were informed on the concept of “entry barriers,” a key concept in many competition cases, including those involving Article 82. The seminar also included a discussion of judicial practice in competition cases, and a short “mock trial”. I am a judge who wants to know more and more information about European competition law because this area of law is very complex. We should use economic categories and specific abstractions of competition law. This is a hard work for lawyers and judges so I am very happy to be able to participate at the seminars in these topics. The RCC seminar was well organised. Thank you for excellent and high level lectures. I learned a lot.”*

Katalin Gombos | Judge | Court of Appeal of Szeged, Hungary

On the third day, Mr. João Azevedo gave a talk on the economic foundations of cartel creation and stability where he detailed the market characteristics that were more conducive to cartel behaviour and how to destabilize existing cartels. This was followed by a session where the international Lysine cartel case was presented via the undercover tapes of the US Department of Justice. Those tapes were used to illustrate several of the theoretical points made during the previous presentation.

On the last day of the seminar, Mr. João Azevedo gave a talk on the design and implementation of effective cartel sanctions. He highlighted the point that cartels seem under-deterred by existing sanctions and that these need to be reviewed if they want to become effective.

#### **d) 1-4 December: Seminar on competition policy and enforcement in regulated sectors: the airline industry**

The RCC conducted a workshop on competition policy in regulated markets for twenty-five competition law enforcers and regulators from thirteen SEE and CIS countries. The workshop consisted of a series of presentations on key issues concerning competition authorities and regulators alike regarding the application of competition to the aviation industry. The topics focused on the regulatory convergence in the sector in the EU and the role of the Commission and also on some national studies into this sector like the UK’s Competition Commission recently completed airport study.

The topics were addressed and discussed in lectures and case studies by competition experts from OECD countries as well as case studies presented by seven of the thirteen participant countries. The remaining six participating countries acted as case discussants. A roundtable discussion followed each presentation. The experts gave nine presentations during the seminar. The topics ranged from the regulatory convergence in the aviation sector in the EU, the role of State Aid in the air transport sector, the market investigation of the BAA airports in the UK to the liberalisation of the sector in Hungary.

In the first day of the workshop, Ms. Henrieta Jany-Roskova, from the European Commission, Directorate-General for Energy and Transport gave a talk on the State Aid rules and their application to the air transport sector. This was followed by two presentations from the GVH detailing the Hungarian experience in the sector. First, Mr. Ádám Remetei-Filep talked about the liberalisation of the air transport sector in Hungary and the current position of the traditional national carrier of Hungary, Malév. Then, Ms. Virág Balogh talked about misleading practices in the aviation sector. In the afternoon session, Mr. Roald Leuven from the Netherlands Competition Authority talked about the EasyJet complaint against the Schiphol Airport for an alleged abuse of dominant position.

The second day started with a presentation from Mr. Peter Wantoch, from the UK Competition Commission on the market of the BAA airports. The afternoon session was taken by a discussion on the ground handling services market in Hungarian airports. Two presentations, one by Ms. Éva Kállai and Ms. Krisztina Kiss from the Hungarian National Transport Authority and Ms. Katalin Kiss from the GVH dealt with both the regulatory and the competition aspects of this market.

The third day, started with a presentation by Ms. Esther IJskes from the Netherlands Competition Authority that explained the Dutch aviation act from an economic perspective. Finally, Mr. Máté Gergely, from the European Commission, Directorate-General for Energy and Transport gave a talk about the regulatory convergence in EU air transport policy.

As a general comment, Mr. João Azevedo from the OECD-RCC concluded that the workshop had highlighted how the common European policy in the aviation sector was leading towards a common European market, with lower tariffs in airports and airline charges, smaller and more efficient players in the airline industry and generally more competition in the whole sector.

*“I was very honoured to be invited to participate in the July 2009 OECD-Hungary RCC seminar on behalf of the European Commission. I was impressed with the professional organisation of the event. The programme itself was very well thought through and addressed in a practical manner relevant and topical issues in the field of Unilateral Conduct, one of the more complex areas within the field of competition policy. The format of the seminar worked wonderfully well. In particular, the active participation of the beneficiaries of the seminar, by means of case presentations and discussions, provided for a lively and high quality debate. It is my firm believe that this active participation by the participants is the cornerstone of the success of this event. Finally, I would like to take the opportunity to express my gratitude for all the work that was done for this seminar by Emese Borza of the RCC and Kenneth Danger of the OECD.”*

Ernst Ferdinandusse  
Principal Administrator  
DG COMP - International Relations, European Commission



Workshop on Restrictive Agreements  
15-17 June 2009, Albania

**Table N°4: Number of participants and events attended**

Table N°4 gives an overview of the number of participants at the seminars. This summary focuses on participants of regular seminars organised especially for South-Eastern and Eastern European countries.

Country	Number of Participants	Person-Days	Events Attended
Albania	7	24	4
Armenia	6	21	4
Azerbaijan	4	15	3
Belarus	5	18	4
Bosnia and Herzegovina	6	21	4
Bulgaria	7	24	4
Croatia	6	21	4
Georgia	8	28	4
Macedonia	6	21	4
Moldova	6	21	4
Romania	4	15	3
Russia	6	21	4
Serbia	7	24	4
Ukraine	5	17	4
<b>TOTAL</b>	<b>83</b>	<b>291</b>	

*“I participated in two of your seminars this year, one of which was the one in December on competition and regulatory issues in the aviation sector. My attendance on both the seminars was very useful, of full value and quite pleasant, as I have learned through the discussions that were taken a lot about the practice of other competition*

*authorities in the region and their methods of conducting investigations and collecting information.*

*There were successful practical exercises, as well.*

*The workshops contributed to and facilitated the contacts among participants necessary for their daily work. “*

Angelina Mileva

Head of Monopolies Unit

Abuse of Monopoly or Dominant Position Directorate

Commission on Protection of Competition, Bulgaria



Workshop on Topics in Competition Policy  
6-17 July 2009, Budapest

*"I participated in the December's seminar of the RCC: Competition policy in regulated sectors: the aviation industry. I would like to express my gratitude to all of you concerning excellent event and good organization.*

*Thank you for all professional presentations which would be very useful for my working activity. Also*

*I have learned a lot about the practice of other competition authorities in the region. In my opinion the discussions after cases were interesting and had a successful form to exchange a variety of positions. And*

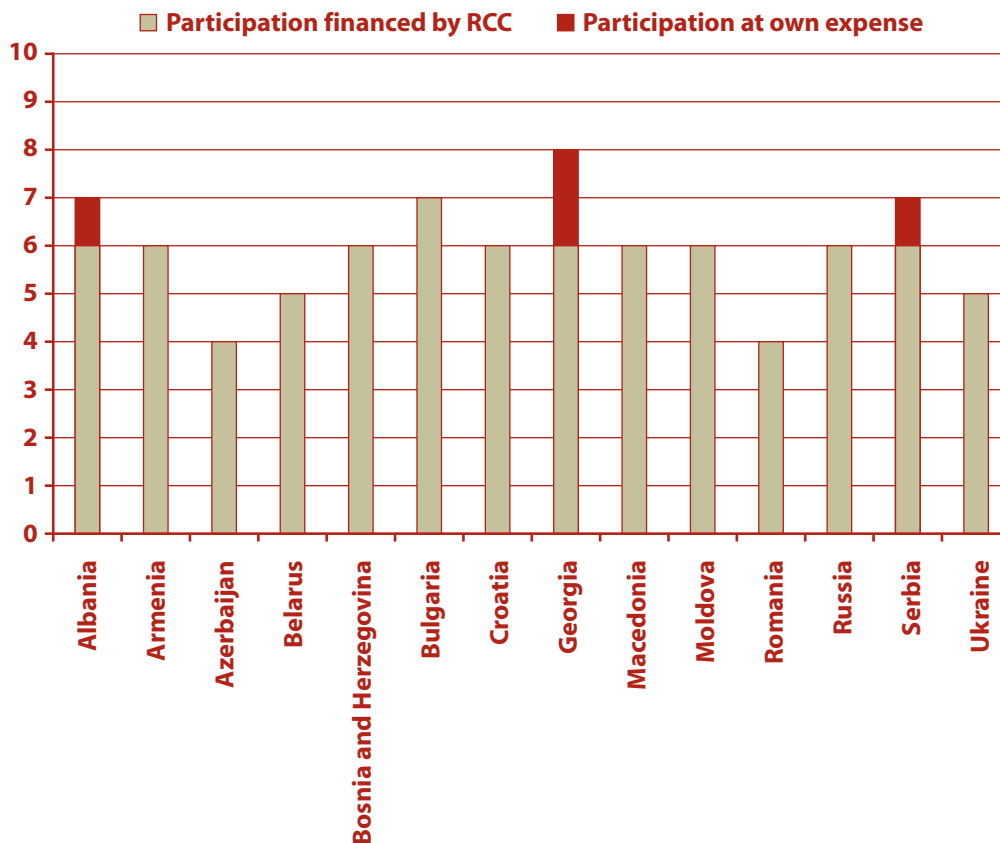
*of course special and great thanks for the unforgettable sightseeing tour in Budapest and to the guides. I do believe that this kind of event contributes to both our professional development and the strengthening of our personal relationship. Thank you again, it was a great experience!"*



Nina Krasteva | Chief Expert in the Abuse of Dominant Position | Commission on Protection of Competition, Bulgaria

**Chart №1: Total number of participants per country at the regular seminars for South-Eastern and Eastern European countries**

Chart №1 gives an overview of the number of participants per country and to what extent participants were financed by the RCC or their home countries.



## A) 2. Special events in the framework of the core activity

### a) 15-17 June: Seminar in Albania

The RCC conducted a workshop on competition policy in regulated markets for 34 competition law enforcers and regulators from thirteen SEE and CIS countries. This was the first seminar organised by the RCC outside of Hungary, this year in Albania. This seminar format enabled the host country to have a significantly higher number of participants and to have topics and an agenda tailored to its priorities.

The workshop consisted of a series of presentations on key issues concerning competition authorities regarding the application of competition law in restrictive agreements cases. Special emphasis was placed on the correct methodology to assess the potential distortion of competition resulting from both horizontal and vertical agreements. The procedural rules of the work of competition authorities were also discussed, with a particular focus on the enforcement procedures of cartel cases and the kind of evidence these relied upon.

The topics were addressed and discussed in lectures, exercises in breakout sessions and case studies by competition experts from OECD countries as well as case studies presented by the Albanian Competition Authority. A roundtable discussion followed each presentation. The experts gave sixteen presentations during the seminar and they were organised around two major topics: horizontal and vertical agreements.

On the first day of the workshop, Ms. Lindita Milo, chairwoman of the ACA gave a talk on the challenges faced by young competition authorities. Mr. João Azevedo of the OECD-RCC then presented an introduction to restrictive agreements, with a particular focus into horizontal agreements. Mr. Andreas Reindl, from the Fordham Law School talked about the application of Article 81 to agreements between competitors. During the afternoon session Mr. João Azevedo gave a presentation about the economics of cartel stability. Mr. Pajtim Melani presented the first cartel case of the ACA in this seminar. The second Albanian presentation that day was done by Mr. Ermal Nazifi where he talked about a cartel in the insurance market with vertical implications.

The presentations during the morning of the second day were still focused on horizontal agreements and Mr. David McFadden from the Irish Competition Authority started by describing the heating oil cartel case in Western Ireland. Mr. Ariol Ago, from the ACA presented the concrete product cartel case. Mr. Valteri Virtanen from Finnish Competition Authority then gave a talk about a cartel case in the asphalt industry. Mr. Taulant Naco finalized the ACA's contribution to the topic by presenting the case of wheat import for flour production into the Albanian market. During the afternoon, the topic of vertical agreements was introduced by Mr. João Azevedo, who talked about the economics of vertical restraints. Mr. Andreas Reindl talked about the major reform in the legal approach to vertical restraints where economic concepts are now routinely included in the analysis. This talk was followed by a discussion of a hypothetical case study exercise in the electronics distribution market that lead to a general discussion among participants and the panel.



Seminar on Cartels  
28 September – 2 October 2009, Budapest

*“The seminars for national judges in concrete ways show recent legislative developments and recent cases who have tipped the balance in favour of underlying competitive goals that ought to drive the system as a whole.”*

Gorana Aralica-Martinović  
Judge | Commercial Court Zagreb, Croatia



*“In 2009 I participated in several events organized by the RCC, namely in the workshops held in March and July. As a representative of a newly created competition authority (with two years of activity) I would like to acknowledge that the participation in the events was very productive and efficient as it gave the opportunity to gain more experience and get acquainted with the European best practices in the competition field. Thank you.”*

Gabriela Baxan

Deputy Chief of Law Department

National Agency of the Protection of Competition, Moldova



Seminar on Cartels  
28 September – 2 October 2009, Budapest

The last day of the seminar was started off by Ms. Andrea Belényi from the GVH who presented the procedural aspects of the work of the Hungarian Competition Authority in all types of antitrust and merger cases. Then, Ms. Augusztia Domán of the GVH presented the Hungarian experience in the area of vertical restraints. Mr. David McFadden finalised the workshop by talking about the Statoil price promise case.

## **b) 06-17 July: Topics in Competition Policy**

This year was the third time the RCC organised the ten-day long seminar on Topics in Competition Policy. Altogether 39 participants from fifteen countries attended the programmes. Besides the RCC's regular target authorities, the competition authorities of Latvia, Lithuania and Kazakhstan also sent participants to this event. For the first time, invited authorities were able to designate different participants to the first and the second weeks. Eleven participants joined the programme solely for the first week, while thirteen took part only in the second week. The topics were separated and the speakers' panel were arranged such that all participants could benefit fully from their participation, irrespective of which part of the ten days they attended.

This seminar was primarily oriented around case studies involving mergers and price fixing in the first week and abuse of dominance in the second week. Within these three broad areas, experts provided specific guidance on a variety of topics such as assessing market power, tests of abuse of dominance, remedies and sanctions, assigning market shares, obstruction of justice, joint ventures and handling trade association issues.

In the first section on Mergers and Acquisitions, Ms. Katika Komlós from the German Bundeskartellamt gave a presentation of market definition case studies, and Mr. Kenneth Danger from the OECD focused on assigning market shares. There were six country presentations in this section.

The second section on Cartels and Horizontal Agreements, consisted of eight country case studies, a hypothetical case and four presentations from the speakers. Mr. Antonio Capobianco from the OECD spoke about the OECD guidelines on fighting bid rigging and competition-related issues surrounding trade associations. Mr. John McReynolds of the US Department of Justice gave a speech on the obstruction of justice and other crimes in competition cases, while Mr. Péter Szolnoky of the GVH presented the Hungarian experience in fighting bid rigging. Ms. Krisztina Kovácsffy and Mr. Zoltán Ay of the GVH commented on the cases and lectures.

The third section on Abuse of Dominance and Vertical Restraints was the longest. It included fourteen country case studies, a hypothetical and four mini-lectures from the invited experts. Mr. Antonio Capobianco of the OECD

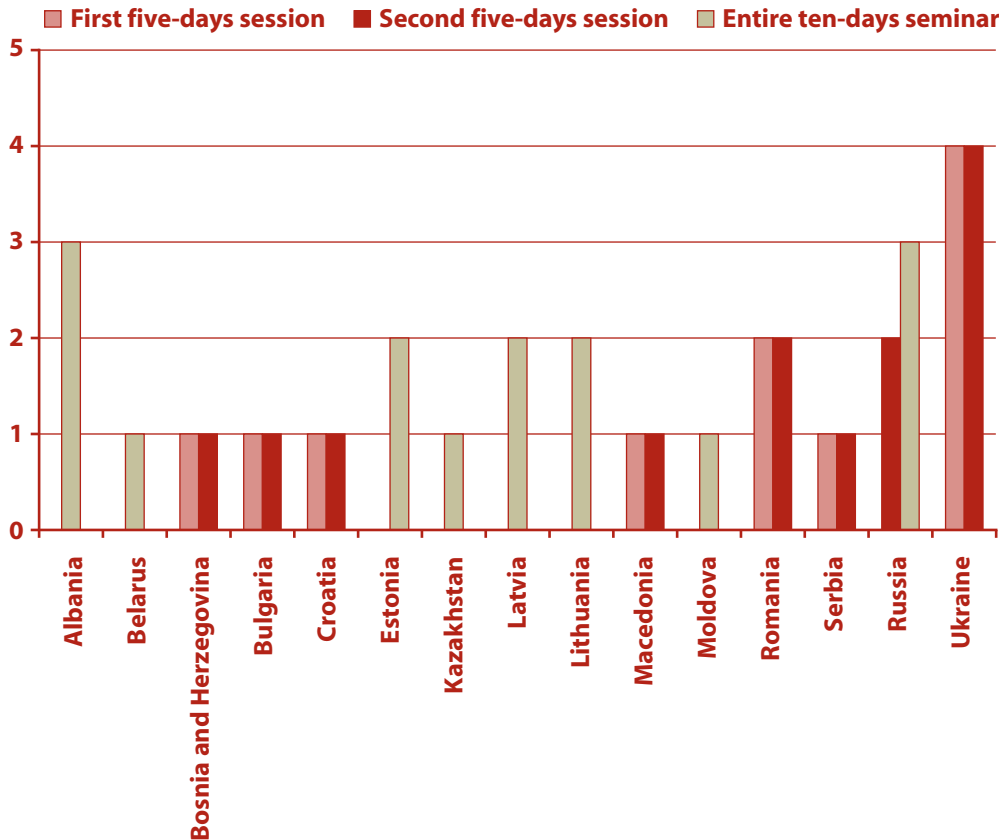


*“The participation at the RCC seminars in Budapest has always been highly beneficial for my work, since it gives me ample opportunity for exchange of experience and sharing of ideas with colleagues from the other participating countries. We are all facing similar problems when dealing with the markets and the market players, so having the opportunity to hear how different authorities deal with similar issues is of enormous value for the creation of our country’s and authority’s competition policy.”*

Olivera Nechakovska  
Advisor | Commission for Protection of Competition, Macedonia

introduced the issue of refusals to deal, and Mr. Ernst Ferdinandusse of the European Commission focused on market definition issues in dominance cases. Mr. Seth Sacher of the US Federal Trade Commission held a presentation on the quantitative techniques in dominance cases. Mr. László Szakadát of the GVH delivered a speech on fidelity and bundled rebates.

**Chart №2: Total number of participants per country on the Topics in Competition Policy seminar**



### c) 06 November: Programme Planning Meeting of the Involved Authorities' Heads

The RCC organised its fourth programme-planning meeting of the involved authorities' heads in 2009. Altogether there were 24 participants to the meeting, and half of these were high-level representatives of the involved authorities.

The programme consisted of two different sections. There was a professional discussion in the morning about the competition related issues in the gasoline sector. Invited experts were Mr. Manuel Sebastião from the Portuguese Competition Authority, who gave an extensive analysis of the Portuguese road-fuels sector; Mr. Theodor Thanner from the Federal Competition Authority of Austria, who reviewed some interesting issues from the Austrian liquid fuel industry in his presentation, and Mr. Gergely Csorba of the GVH, who gave a speech about the Hungarian gasoline markets' developments in the recent year.

The second section in the afternoon consisted of two presentations and a round table discussion. First, Ms. Lindita Milo from the Albanian Competition Authority gave a presentation on her views and conclusions on the RCC's seminar organised in Albania. Afterwards Ms. Andrea Belényi from the GVH reviewed the RCC's work of the past year in a presentation.

The participants were asked to express their opinion on certain topics regarding the RCC's work and their participation at the RCC's seminars during the round table discussion. The points raised will be taken into account in the planning of future RCC seminars.

## B) Events for the special audience of the RCC

### a) 13-14 February: Seminar in European Competition Law for Competition Law Judges

The RCC organised the fifth two-day seminar for European competition law judges. The seminar took place at the Judicial Academy in Budapest. 34 judges from sixteen countries participated in the event. Many of the participants had been at previous RCC judges seminars. As in the recent past, the majority of participants came from countries with newer competition regimes, and only six participants were from countries with longer traditions in competition law enforcement.

*"RCC's seminars are "a must" for competition law practitioners, because they are designed to enhance efficiency of the judiciary in competition cases, giving proper consideration to the economic issues and offering an update with the latest trends in US and European Competition case-law. In my opinion, Competition Law Seminars organized by the RCC represents an event not to be missed by judges interested in increasing their degree of knowledge in economic terms and the latest evolution in competition case-law. The agenda of the seminars are perfectly adapted to the target group and are designed to give the participants a perspective on certain Competition Law issues, by lectures, discussions on case-law and legislation, in an interactive programme."*

Diana Florea

Judge | Bucharest Court of Appeal, Romania



Programme Planning Heads' Meeting  
6 November 2009, Budapest



Seminar in European Competition Law for Competition Law Judges  
20-21 November 2009, Budapest

*“Every seminar that I’ve ever attended in Budapest, organized by the RCC was a quite unique mixture of enthusiasm and professionalism, high level of knowledge and a perfect understandable presentation. The privilege to be in the middle of such an inspiring academic environment is one of the greatest opportunities offered for judges in the field of training in competition law.”*

Elena Diana Ungureanu

Judge, Deputy Director | National Institute of Magistracy, Romania

The seminar focused on the application of Article 81 EC Treaty to horizontal and vertical agreements. In addition to presentations on legal and economic issues, there was ample opportunity to apply the principles and rules developed in presentations during discussions of case hypotheticals in breakout groups.

The presentations were divided among five speakers, including Mr. João Azevedo, OECD-RCC; Ms. Giada Ceridono, Italian Competition Authority; Mr. Gergely Csorba, GVH; Mr. Andreas Reindl, Fordham University, New York; and Ms. Ingeborg Simonsson, Stockholm City Court. Mr. Horst Butz of the Duesseldorf Regional Court participated in the Saturday afternoon session. Speakers also led the discussion in breakout sessions and contributed to the “mock trial” Saturday afternoon.

The seminar was designed to provide an overview of various issues commonly encountered in cases involving restrictive agreements, including the analytical framework in Article 81 EC cases; the analysis of horizontal agreements, focusing on information exchanges and the use of indirect evidence to prove agreement; vertical restraints; and the notion of “effect on trade between member states”. This relatively narrow focus made it possible to emphasise similarities and differences between horizontal and vertical practices and the need to apply consistent analytical standards across a variety of practices.

The idea of presenting competition law and competition economics as integrated concepts in short, back-to-back presentations worked well. This approach, which avoids separate, longer sessions on microeconomics and on legal issues, is useful because it makes the relevant issues more accessible to judges.

This seminar put more emphasis on the breakout sessions, as suggested by participants after the November 2008 seminar. There was a total of three breakout sessions, which used hypothetical cases to discuss concepts mentioned in earlier presentations. The breakout sessions proved to be very popular and all groups reported good participation in discussions.

The Saturday afternoon session was used for a very simple “mock trial” in the Academy’s moot court room. Participants had received a hypothetical case with briefs for each side in advance of the seminar. A three-judge-panel composed of seminar participants was asked to examine the case. Each side was represented by an economist and a lawyer (speakers) who presented their “clients” views and answered questions from the judges’ panel. The other participants were also given an opportunity to intervene and ask questions. As expected, this part of the programme was very successful, and should be built out into a fuller exercise for future judges events.

## b) 20-21 November: Seminar in European Competition Law for Competition Law Judges

The RCC organised the sixth two-day seminar for European competition law judges: 42 judges from seventeen countries. Many of the participants had attended previous RCC seminars, but the seminar also attracted a number of new participants. This suggested that the initiative of contacting national judicial training academies and asking them to distribute information about the seminar among judges was useful. The seminar received funding from the European Union.

The seminar focused on the concept of entry barriers (in Article 82/102 cases and in competition cases in general), refusals to deal under Article 82/102, and the cooperation between national courts and the European Commission. There was also opportunity to apply the principles and rules developed in presentations during the discussion of case hypotheticals in breakout groups and during a “mock trial” session. The presentations were divided among six speakers, including Mr. João Azevedo, OECD-RCC; Mr. Gergely Csorba, GVH; Mr. Andreas Reindl, Fordham University, New York; Ms. Ingeborg Simonsson, Stockholm City Court; Mr. Christian Vollrath, European Commission, DG Comp; and Mr. Jeremy West, OECD Competition Division. Speakers also led the discussion in breakout sessions and contributed to the “mock trial”.

The seminar focused on two substantive competition law topics: the role of entry barriers and refusals to deal. The former topic was selected as it had become clear during previous seminars that the concept of entry barriers was frequently mentioned in connection with Article 102 cases, but also Article 101 cases, but was rarely fully discussed. Participants clearly appreciated the opportunity to hear in detail about the concept and to listen to very clear presentations.

The next session focused on refusals to deal cases. It was set up again with two presentations focusing on legal and economic issues. A short session on margin squeeze cases was also included in the afternoon to highlight similarities between the two areas, and to take advantage of the fact that a national judge who had recently referred an important margin squeeze case to the Court of Justice was among the speakers.

Saturday morning opened with a session on cooperation between the Commission and national courts, a topic many participants had mentioned in evaluations of previous seminars. The programme included short presentations by a member of the European Commission/DG Comp and two judges who had used the procedure in the past. The afternoon session was used for a “mock trial,” which participants started to prepare at the end of the morning programme. Participants had received a hypothetical case with briefs for each side in advance of the seminar, which was based on a refusal to deal case recently decided by the Stockholm City Court. A three-judge-panel composed of

*“As for me the seminar related on anti-cartel enforcement, specially bid-rigging team, which I attended 28 September-2 October 2009, was the most important possibility, offered by RCC, in Budapest to learn in efficient way how to investigate such type of cases. Thank you and your colleagues for efforts to organize those seminars.*

*I would like to mention, that the discussion of hypothetical cases is, in my opinion, one of the most appropriated methods to understand the best work practices in these fields.”*

Valentina Novac

Deputy Head, Merger Control Department

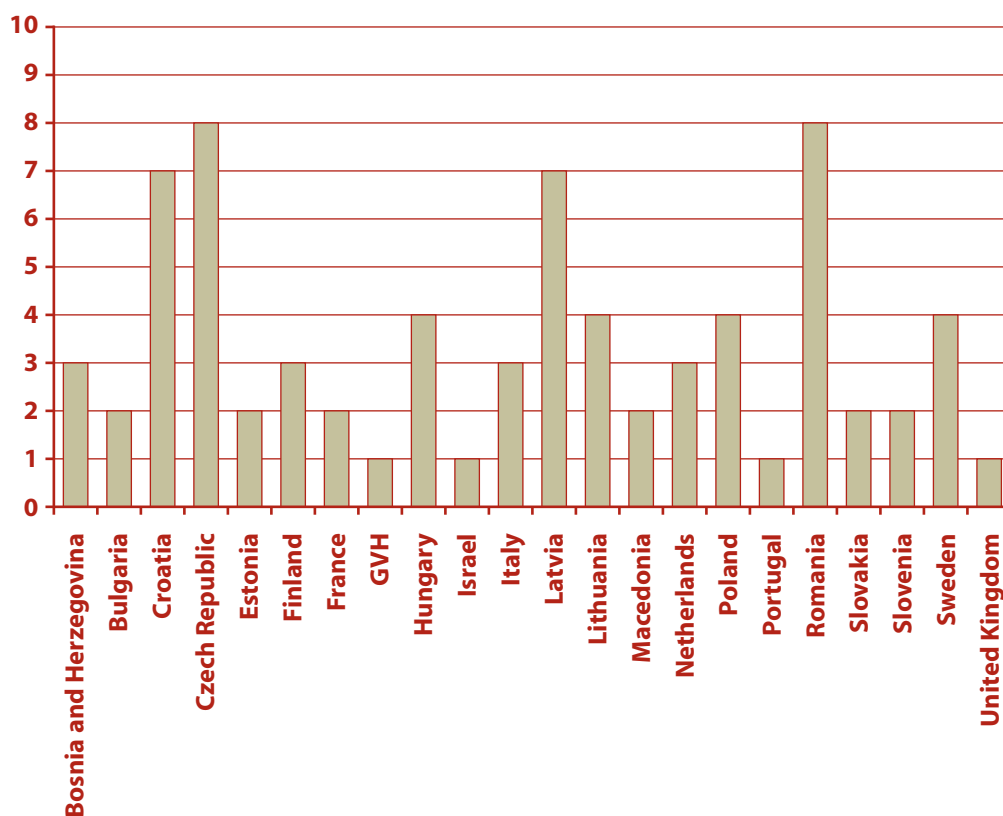
National Agency for the Protection of Competition, Moldova



Seminar in European Competition Law for Competition Law Judges  
20-21 November 2009, Budapest

seminar participants led the case examination with questions. Each side was represented by an economist and a lawyer (speakers) who presented their “client’s” views, submitted their arguments, and answered questions from the judges’ panel. Other seminar participants were also given an opportunity to intervene and ask questions to ensure full involvement in the exercise. As expected, this part of the programme was very successful as it presented a competition law case in a context familiar to judges, and will form part of future judges’ events.

**Chart N°3: Total number of participants per country for the two European Judges Seminars**



### 3. Other issues

#### a) New seminar format

The RCC introduced a new seminar format in 2009, which involves one of the annual RCC seminars being held in one of the RCC’s target countries. Participants from all target countries are welcome to participate in these events, but the main topic, the issues for discussion and level of the seminar will be geared towards the needs of the host authority. This has the added advantage that the host authority will be able to have many more participants at the seminar. The RCC undertakes the organisation and covers the seminars costs as per usual. The first of these seminars was organised in Albania this year, with great success.

#### b) Plans for the enlargement of the RCC target group

A decision was taken to enlarge the group of countries invited to the RCC seminars. The RCC’s operation is targeted primarily at regions, not just individual countries. Given the growing importance of the economies of Kazakhstan, Kosovo and Kyrgyzstan, which are located in the RCC’s target regions, the decision was taken to invite experts from the competition agencies of these economies to the RCC events.

### c) CECI enlargement

The CECI was established in 2003 by the competition authorities of the Czech Republic, Hungary, Poland, Slovakia and Slovenia. Austria's competition authority (Bundeswettbewerbshörde – BWB) has regularly sent participants to the programmes organised under the CECI's framework, which has contributed to the success of the events. Following an expression of interest by the BWB to join CECI, Austria's membership was discussed and approved by the founding members and the BWB became a regular member of the CECI in 2009.

## IV. EVALUATION OF RCC SEMINARS

Participants are always asked to provide feedback on RCC seminars in order to maintain and potentially increase the standard of the events. According to the feedback provided, participants found that the seminars provided theoretical and practical information highly relevant for their day-to-day work and they offered a good opportunity to exchange opinions between participants and experts. The average value of all answers for the entire year was 4,3.

In the fifth year of its operation the RCC offered various topics to representatives of the participating countries to the high standard they have now come to expect from the RCC. The changes introduced this year to the programme, such as the increased number of hypothetical case studies and the seminar organised outside of Hungary, were undoubtedly a great success and will be part of the seminar structure going forward.

Participants considered the quality of the programmes and relevance for their work to be either: very high or high – 95 per cent of respondents rated the seminars on this basis. Participants found the exchange of experiences and learning about different competition policy systems to be particularly useful. According to the feedback, the seminars contribute to the creation of a network between colleagues of different authorities, which can lead to further bilateral discussions.

As far as future topics are concerned, participants expressed their interest in the following: competition advocacy, private enforcement in the competition cases, and assessing the distortion of competition in abuse of dominance cases. Throughout the evaluations, there was support for an even more case-oriented approach, both concerning an overview of cases decided on the EU level and concerning a greater use of hypothetical cases for discussion. The RCC's programme has already responded by increasing the number of mini-hypothetical case studies sessions in the composition of the seminars' agendas and by devising and implementing complete agendas based on a hypothetical case study on the topics of mergers, cartels and, in the future, abuse of dominance and restrictive agreements.

*“It was a good experience to participate in the seminar on aviation. There were interesting discussions with the participants on the cases they presented. In various cases these discussions revealed that the background, legal or otherwise, in some countries is very different compared to the EU approach. There were good discussions on the true sources of competition or the lack of it with respect to for example groundhandling. I found the participants also very attentive to my own presentation on the economic regulation of the main Dutch airport. It was a fruitful seminar!”*

Ms. Esther IJskes

Netherlands Competition Authority, Netherlands



Seminar on Competition Policy and Enforcement in Regulated Sectors:  
the Airline Industry  
1-4 December 2009, Budapest

Table N<sup>o</sup>5: Participants' evaluation of events organised by the RCC in the year 2009

	Distribution of answers				
	Very high	High	Moderate	Low	Very low
Workshop preparations	39%	54%	6%	1%	0%
Quality of conference facilities	44%	52%	4%	0%	0%
Usefulness and quality of materials	42%	51%	7%	0%	0%
Usefulness of hypothetical cases/country contributions	31%	48%	17%	4%	0%
Quality of presentations	30%	56%	14%	0%	0%
Overall usefulness of the topics	32%	56%	11%	1%	0%
Overall usefulness of the event	39%	56%	4%	0%	0%

Table N<sup>o</sup>6: Detailed participants' evaluation by events and by categories

Workshop preparations	Average rating	Number of chosen ratings				
		Very high	High	Moderate	Low	Very low
Total	4,6	91	43	3	1	0
13-14 February, 1 <sup>st</sup> European Judges Seminar	N/A	0	0	0	0	0
09-13 March, Workshop on Vertical Restraints	4,3	5	13	0	0	0
27-30 April, Workshop on Merger Analysis	4,4	5	8	0	0	0
15-17 June, Workshop on Restrictive Agreements	4,5	18	11	2	0	0
06-17 July, Topics in Competition Policy	4,2	14	19	3	1	0
28 September – 02 October, Workshop on Anti-Cartel Enforcement	4,5	6	7	0	0	0
21-22 November, 2 <sup>nd</sup> European Judges Seminar	N/A	0	0	0	0	0
01-04 December, Competition Policy in the Aviation Sector	4,0	4	15	3	0	0

Quality of conference facilities	Average rating	Number of chosen ratings				
		Very high	High	Moderate	Low	Very low
Total	4,7	95	43	3	0	0
13-14 February, 1 <sup>st</sup> European Judges Seminar	4,6	7	5	0	0	0
09-13 March, Workshop on Vertical Restraints	4,2	4	14	0	0	0
27-30 April, Workshop on Merger Analysis	4,4	5	8	0	0	0
15-17 June, Workshop on Restrictive Agreements	4,4	15	13	3	0	0
06-17 July, Topics in Competition Policy	4,5	19	18	0	0	0
28 September – 02 October, Workshop on Anti-Cartel Enforcement	4,5	6	7	0	0	0
21-22 November, 2 <sup>nd</sup> European Judges Seminar	4,4	13	9	3	0	0
01-04 December, Competition Policy in the Aviation Sector	4,2	6	15	1	0	0



Usefulness and quality of materials	Average rating	Number of chosen ratings				
		Very high	High	Moderate	Low	Very low
Total	4,5	79	58	3	0	0
13-14 February, 1 <sup>st</sup> European Judges Seminar	4,4	7	3	2	0	0
09-13 March, Workshop on Vertical Restraints	4,2	4	13	0	0	0
27-30 April, Workshop on Merger Analysis	4,4	5	8	0	0	0
15-17 June, Workshop on Restrictive Agreements	4,6	20	10	1	0	0
06-17 July, Topics in Competition Policy	4,3	15	18	3	0	0
28 September – 02 October, Workshop on Anti-Cartel Enforcement	4,4	6	7	1	0	0
21-22 November, 2 <sup>nd</sup> European Judges Seminar	4,3	12	11	3	0	0
01-04 December, Competition Policy in the Aviation Sector	4,0	3	17	2	0	0

Usefulness of hypothetical cases/country contributions/case studies/tour de table	Average rating	Number of chosen ratings				
		Very high	High	Moderate	Low	Very low
Total	4,2	54,5	74	27	0	0
13-14 February, 1 <sup>st</sup> European Judges Seminar	4,4	6	5	1	0	0
09-13 March, Workshop on Vertical Restraints	4,2	6	6	3	0	0
27-30 April, Workshop on Merger Analysis	3,7	3	4	5	1	0
15-17 June, Workshop on Restrictive Agreements	4,0	6	19	2	2	0
06-17 July, Topics in Competition Policy	3,9	8	17	7	3	0
28 September – 02 October, Workshop on Anti-Cartel Enforcement	4,2	5	7	2	0	0
21-22 November, 2 <sup>nd</sup> European Judges Seminar	4,3	12	11	2	1	0
01-04 December, Competition Policy in the Aviation Sector	4,0	5	8	5	0	0

Quality of presentations	Average rating	Number of chosen ratings				
		Very high	High	Moderate	Low	Very low
Total	4,2	197	264	63	4	0
13-14 February, 1 <sup>st</sup> European Judges Seminar	4,3	27	32	7	0	0
09-13 March, Workshop on Vertical Restraints	3,9	1	13	3	0	0
27-30 April, Workshop on Merger Analysis	4,2	3	9	1	0	0
15-17 June, Workshop on Restrictive Agreements	4,4	16	12	3	0	0
06-17 July, Topics in Competition Policy	4,0	5	25	6	0	0
28 September – 02 October, Workshop on Anti-Cartel Enforcement	4,4	6	7	1	0	0
21-22 November, 2 <sup>nd</sup> European Judges Seminar	4,4	80	60	14	1	0
01-04 December, Competition Policy in the Aviation Sector	3,8	1	14	6	0	0

Overall usefulness of the topics	Average rating	Number of chosen ratings				
		Very high	High	Moderate	Low	Very low
Total	4,4	70	61	8	1	0
13-14 February, 1 <sup>st</sup> European Judges Seminar	4,6	8	3	1	0	0
09-13 March, Workshop on Vertical Restraints	4,0	3	11	3	0	0
27-30 April, Workshop on Merger Analysis	4,2	3	9	1	0	0
15-17 June, Workshop on Restrictive Agreements	4,3	14	14	2	1	0
06-17 July, Topics in Competition Policy	4,0	5	26	6	0	0
28 September – 02 October, Workshop on Anti-Cartel Enforcement	4,4	6	8	0	0	0
21-22 November, 2 <sup>nd</sup> European Judges Seminar	4,5	14	10	2	0	0
01-04 December, Competition Policy in the Aviation Sector	4,0	2	15	3	0	0

Overall usefulness of the event	Average rating	Number of chosen ratings				
		Very high	High	Moderate	Low	Very low
Total	4,5	77	53	10	0	0
13-14 February, 1 <sup>st</sup> European Judges Seminar	4,7	8	4	0	0	0
09-13 March, Workshop on Vertical Restraints	4,1	4	11	2	0	0
27-30 April, Workshop on Merger Analysis	4,1	3	8	2	0	0
15-17 June, Workshop on Restrictive Agreements	4,5	18	12	1	0	0
06-17 July, Topics in Competition Policy	4,4	13	24	0	0	0
28 September – 02 October, Workshop on Anti-Cartel Enforcement	4,4	6	7	1	0	0
21-22 November, 2 <sup>nd</sup> European Judges Seminar	4,5	14	12	0	0	0
01-04 December, Competition Policy in the Aviation Sector	4,0	1	18	1	0	0

## V. FINANCIAL AND INTELLECTUAL CONTRIBUTIONS

Ensuring that the RCC operates at the highest level is the task of the founding parties, the GVH and the OECD. This is set out in the Memorandum of Understanding signed by the parties in 2005, when the RCC was established. There continues to be a split between the financial contributions and the intellectual contributions. The financial backing is ensured mainly by the GVH, whilst the intellectual basis is provided mainly by the Competition Division of the OECD. The accumulated experience and expertise of the OECD members also contributes to these training programmes.

The dedicated funding for the operation of the RCC appears completely separately in the annual budget of the GVH. This amount is determined on a yearly basis by the Hungarian Parliament when voting on the annual budget of the GVH.

The RCC had an allocated budget for 2009 as of EUR 576 000. This includes funds made available by the Hungarian Parliament, the co-financing provided by the OECD and the grants received from the European Commission.

The following tables provide details on the total costs of operation of the RCC in 2009 by sources of funds, by events and by major categories of costs

Table N°7: The sources of funds

Sources of funds (EUR)	
Gazdasági Versenyhivatal	515,000
OECD	30,000
European Commission (estimated, grants for the 2nd seminar for judges)	31,000
<b>Total funds</b>	<b>576,000</b>

Table N°8: Breakdown Total Expenses by items

Breakdown Total Expenses (EUR)	
<b>A) Direct organisational costs</b>	
I. Seminar in European Competition Law for Competition Law Judges	29,567
II. Workshop on vertical restraints	41,908
III. Workshop on merger analysis	35,445
IV. Seminar in Albania	47,733
V. Topics in Competition Policy	50,174
VI. Seminar on cartels	28,317
VII. Programme Planning Heads' Meeting	13,830
VIII. Seminar in European Competition Law for Competition Law Judges	41,639
IX. Seminar on competition policy and enforcement in regulated sectors: the airline industry	31,326
<b>Total direct organisational costs</b>	<b>319,939</b>
<b>B) Overhead and operational costs at the RCC</b>	<b>71,061</b>
<b>C) Staff costs transferred by the GVH to the OECD (see comment 1)</b>	<b>185,000</b>
<b>TOTAL EXPENSES 2009</b>	<b>576,000</b>

Comment 1: On the basis of the Memorandum of Understanding, the GVH made a contribution of HUF 50,000,000 to the OECD for staff-related purposes.



*"I would like to point out that the RCC's seminars in Budapest are always extremely beneficial for our staff since they serve as an international forum for exchange of experience between the competition authorities of countries with similar economies and similar competition problems. Thanks to knowledge shared at these seminars and subsequently implemented in our daily work, we have advanced one step further on the long road toward creation of markets with unspoiled effective competition."*

Cedomir Kraljevski

President | Commission for Protection of Competition, Macedonia

## VI. RCC DEDICATED STAFF

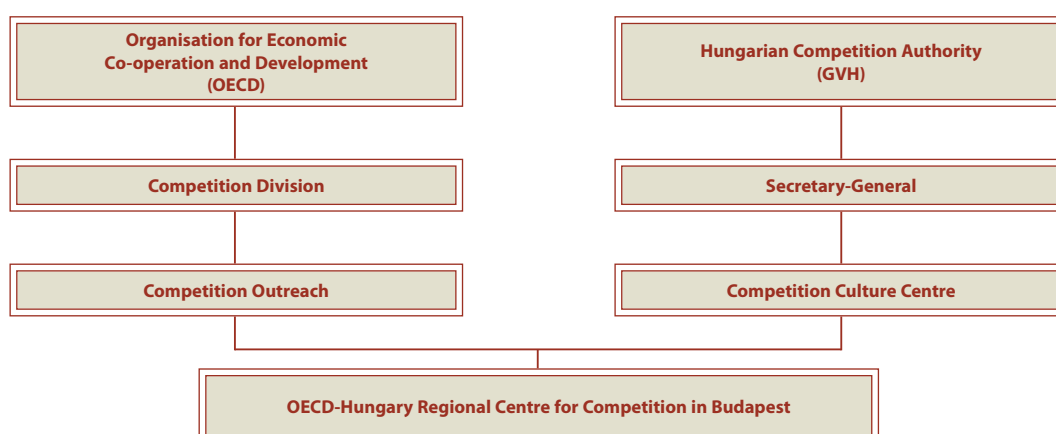
The RCC is a “virtual” centre, thus it does not have a central office but it is accommodated in the headquarters of the GVH. The RCC is run by two full-time people who are at the same time employees of the GVH in Budapest and by a full-time senior competition expert at the OECD headquarters in Paris. The virtual existence of the RCC allows it to concentrate funds on the real purpose of its establishment, that is, organising seminars, inviting and training participants. The virtual structure also facilitates adapting to changing situations.

The work of the RCC is based on the expertise of both the GVH and the OECD. The GVH is responsible for organising all practical arrangements for the RCC’s programmes. The expert at the OECD sets up the content of the programmes and invites speakers to the seminars. The GVH provides speakers or panellists for each seminar. Other speakers are invited from different OECD member states.

Structurally the RCC is located in the Competition Culture Centre of the GVH under the direction of the Secretary-General. The head of the RCC is Ms. Andrea Belényi, Secretary-General of the GVH. Within the GVH, Ms. Emese Borza is responsible for the organisational part of the events, supported by one full time assistant, Mr. István Fekete. Other staff of the GVH also assist with the work of the RCC on a part-time basis.

Mr. João Pearce Azevedo, based in Paris, is responsible for the development and delivery of the RCC programme and chairing the events. He is assisted by an administrative assistant, Ms. Laurence Langanay on a part-time basis.

Chart N<sup>o</sup>4: Organigram of the RCC



## SEMINARS' SPEAKERS OF THE YEAR 2009



**Mr. Arjol AGO**  
Anti-cartel sector  
Albanian Competition Authority



**Mr. Matthew BENNETT**  
Office of Fair Trading  
United Kingdom



**Mr. Gergely CSORBA**  
Chief Economist Section  
Hungarian Competition Authority



**Mr. György ANTALÓCZY**  
Cartels Section  
Hungarian Competition Authority



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