



GAZDASÁGI
VERSENYHIVATAL

Seminar on European competition law for national judges

On the 19th – 20th of November 2010 the OECD-GVH Regional Centre for Competition in Budapest (Hungary) (RCC), established by the Organisation for Economic Cooperation and Development (OECD) and Gazdasági Versenyhivatal (GVH – Hungarian Competition Authority) held a seminar on European competition law for national judges.

The main objective of the RCC is to foster the development of competition policy, competition law and competition culture in the East, South-East and Central European region and to thereby support national competition authorities and contribute to economic growth and prosperity in the region. In order to achieve these goals, the RCC often organises workshops, seminars and training programmes on competition policy.

European judges represent one of the several target groups 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.

The seminar on the "Restrictive Agreements under Article 101 - Substantive Analysis and Questions of Evidence" addressed the relationship between legal and economic principles, recent case law, and the new Commission Guidelines in this area with the participation of internationally well-known legal and practical experts.

All judges at national courts, prosecutors in EU member countries and applicant countries were invited to the two day-long seminar, which was organised by the RCC for the 8th time. Finally, the participants of the seminar came from 23 different countries.

During the seminar, participants were encouraged to engage in a discussion about restrictive agreements, focusing particularly on evidentiary issues, as this is an area of European competition Law with many open questions. Thus, participants were involved in constructive discussions concerning many topics, such as identifying and organising the relevant evidence in a case, the role of presumptions in European competition law, the allocation of burden of proof, and types of evidence that parties can provide to support their claims.

Organisers also placed a special emphasis on several other topics, such as the affect of restrictive agreements that is put on consumer's welfare and also the competition aspects of the horizontal exchange of information between competitors.

As in the past, the seminar provided ample opportunity for participants to exchange views and discuss their experiences. Moreover, the seminar also emphasised the discussion of

actual and hypothetical cases in the plenary and in breakout groups, and featured a short mock trial.

With the organising of events such as this, the RCC aims to strengthen the unified and consequent application of European competition law in the EU Member States and at the national courts.

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