



**Asia-Pacific
Economic Cooperation**

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Good Practice of Technical Cooperation and Its Benefits

Submitted by: Philippines



**Free Trade Area of Asia-Pacific Capacity
Building Workshop on Competition Policy:
Sharing Good Examples of Free Trade
Agreements and Economic Partnership
Agreements
Puerto Varas, Chile
24 August 2019**



FTAAP Capacity Building Workshop on Competition Policy: Good practice of technical cooperation and its benefits

Benjamin Radoc
Philippine Competition Commission

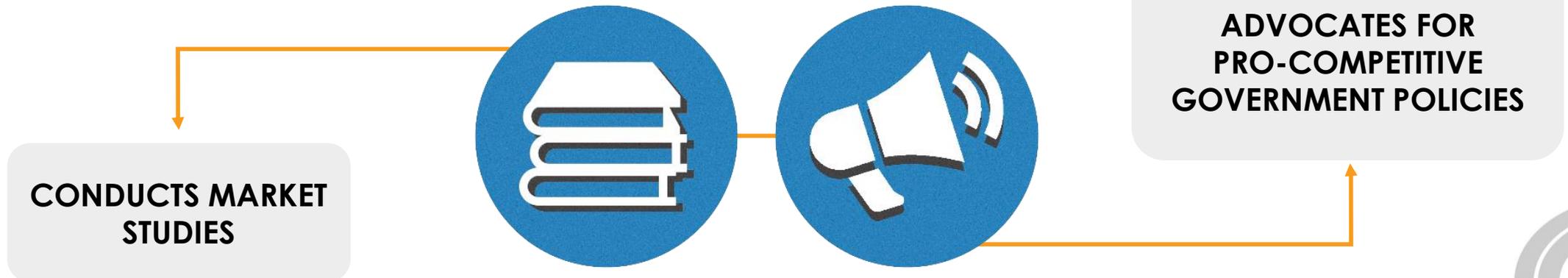
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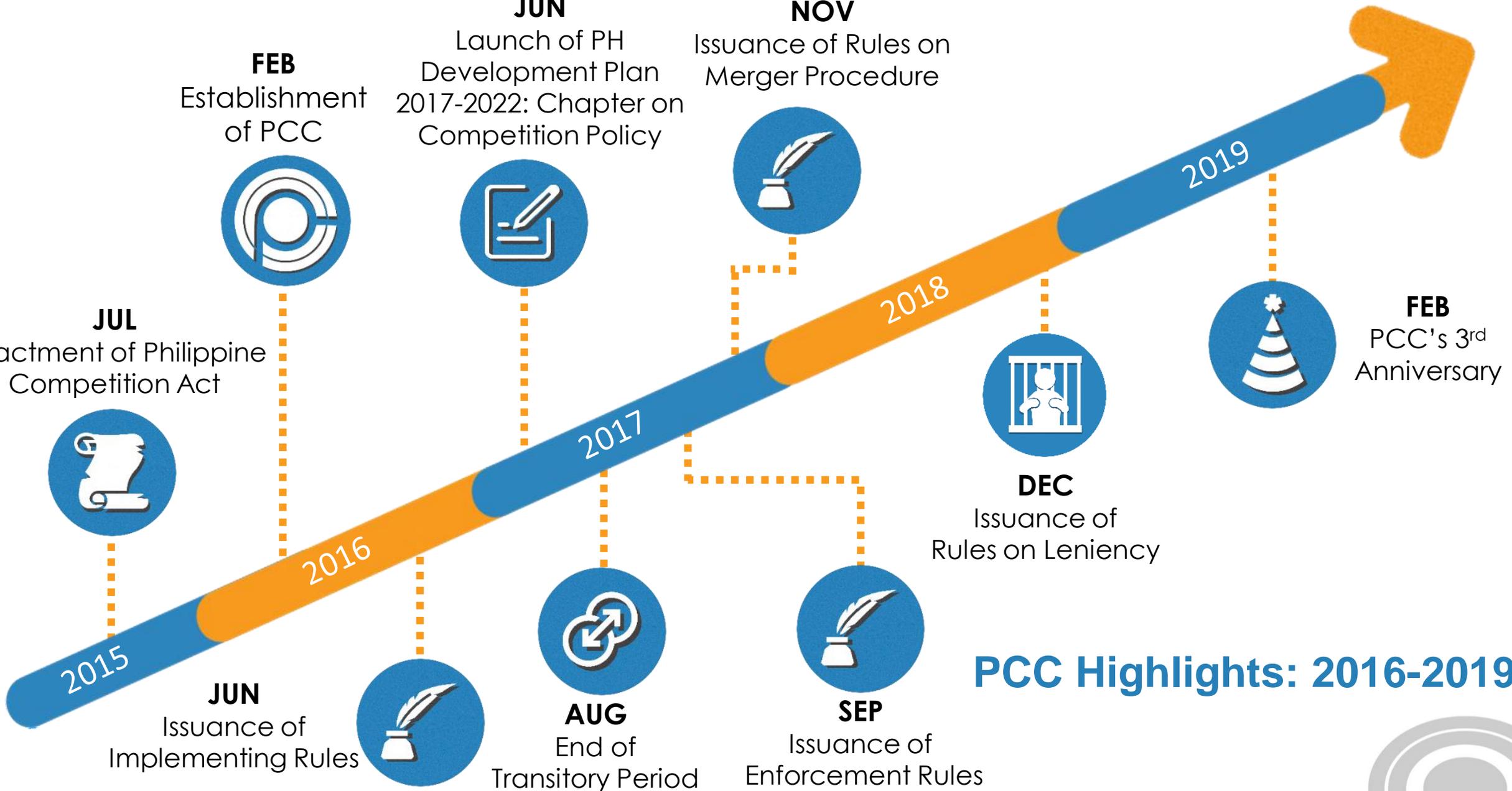
Mandate of the Philippine Competition Commission

Antitrust authority enforcing prohibitions against:



Competition policy and advocacy champion:





PCC Highlights: 2016-2019



Context

New competition law,
young competition
authority

Wealth of experience
and expertise from more
mature jurisdictions



Benefits of technical cooperation

Limited domestic
knowledge base,
resource constraints

Vast opportunities for
technical cooperation



Technical Cooperation

- Based on a common interest between/among Parties
 - to work together to build necessary capacities
 - to strengthen competition policy development and competition law enforcement



Technical Cooperation Activities

- Sharing of relevant experiences and non-confidential information on development and implementation of competition laws and competition policies;
- Exchange of consultants and experts on competition laws and policies;
- Exchange of officials of competition authorities for training purposes;
- Participation of officials of competition authorities in advocacy programmes; and
- Other activities as agreed by the Parties.



Technical Cooperation: PCC's experience

Activities	Examples
Sharing of relevant experiences and non-confidential information	<ul style="list-style-type: none">• Case consultations on mergers, cartel investigations
Exchange of consultants and experts	<ul style="list-style-type: none">• Expert placements, peer reviews
Exchange of officials of competition authorities for training purposes	<ul style="list-style-type: none">• Secondment of lawyers, economists, investigators

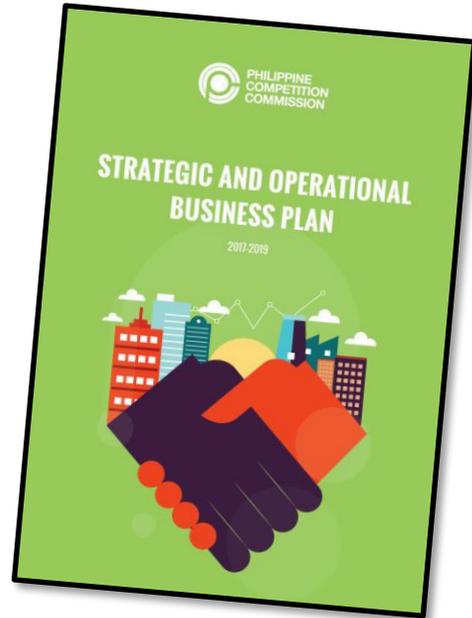


Technical Cooperation: PCC's experience

Activities	Examples
Participation of officials of competition authorities in advocacy programmes	<ul style="list-style-type: none">• Study visit for competition authority officials, members of the judiciary
Other activities	<ul style="list-style-type: none">• Specialized short courses, workshops and seminars• Sector-specific studies



Technical Cooperation: PCC's experience



- Conduct needs assessment and prioritization exercises
- Engage counterpart competition authorities, intergovernmental organizations, donor agencies, and academic institutions



Benefits of Technical Cooperation

- Technical cooperation and technical assistance have been pivotal in ensuring that PCC gets off to a quick and strong start
- Well-targeted activities enhanced sense of ownership, commitment, and accountability
- Ability to do more with less. PCC learned from the experiences and best practices of the EU, US, Australia, and other developed competition agencies
 - Workshops and seminars on enforcing antitrust law and carrying out competition analysis
 - Consultations, secondments, short courses, and trainings abroad
 - International engagement focused on expanding PCC's network and on capacity-building support



Benefits of Technical Cooperation

- PCC's competition policy architecture (e.g., procedural rules and substantive guidelines) was quickly established
 - Rules were drafted after consultation with stakeholders
 - Rules were published to ensure transparency and predictability
- Forging long-standing partnerships with other jurisdictions
- Facilitating understanding with local sector regulators and other government agencies to avoid jurisdictional and enforcement conflicts
 - Memoranda of Agreement (MOAs) for policy coherence, streamlining of procedures, and sharing of information and technical expertise
 - Conduct of capacity-building activities for PCC's enforcement partners in government



PCC's Management of Technical Cooperation

- Ensuring consistency with Agency Plan and Framework
- Linking requests for technical cooperation or technical assistance with potential Development Partners
- Maintaining an inventory of completed, ongoing, and proposed activities to avoid overlaps and duplication
- Enabling complementarity among Development Partners by advocating “division of labor” based on their mandate and core competencies or niche
- Ensuring flexible and active collaboration between the competition authority and Development Partners from planning to implementation and monitoring of the technical cooperation





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COMPETITION
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Thank you



www.phcc.gov.ph



queries@phcc.gov.ph



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