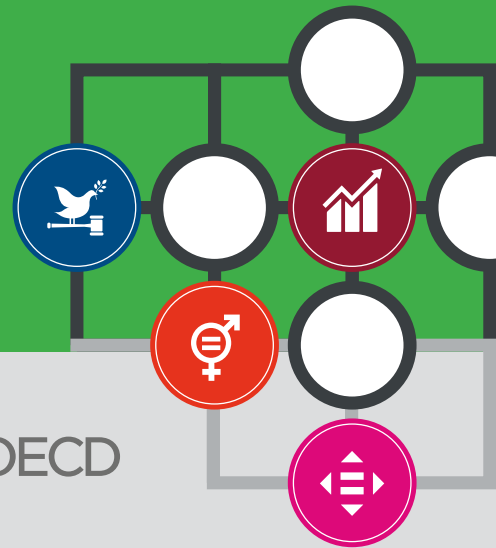


Fourth ARAB COMPETITION FORUM (ACF)

23-24 May 2023
Riyadh, Kingdom of Saudi Arabia



Shared Prosperity Dignified Life



الهيئة العامة للمنافسة
General Authority for Competition



E/ESCWA/ACF/2023/Flyer.6

Session III. Cross-border merger control

The Organization for Economic Co-operation and Development (OECD) (2014) states that increased competition leads to more effective use of resources, faster economic growth, higher productivity and more business opportunities, less inequality, and the creation of more and better jobs. In the last decade, merger control, or the regulation of mergers and acquisitions, has emerged as a critical part of competition law. A rising number of countries, both developing and developed, have incorporated merger control provisions. However, not every country has competition laws, and not every competition law includes merger control provisions. Furthermore, increased global economic interconnectedness enhanced and facilitated cross-border merger transactions. For an effective review of cross-border transactions, and to ensure consistent decisions, a high degree of coordination and cooperation between the competition authorities involved is essential, whether multilateral, regional or bilateral.

During Session III, a distinguished panel of experts will present some cross-border merger control lessons learned and best practices. The panel discussions will provide an overview of the significance of implementing an effective merger control regime as well as the many obstacles that competition authorities confront when dealing with cross-border merger transactions. In addition, the panellists will explore and highlight the significance of international and regional cooperation in cross-border merger transactions.

Note: The duration of this session will be 90 minutes, with each panellist speaking for 12 minutes, followed by a 30-minute Q&A session.



Topics of discussion

- Highlight the importance of achieving harmonization of national merger control regimes and cooperation in regulating cross-border mergers, and outline the challenges that may arise when trying to ensure effective cross-border merger control cooperation.
- Outline the legal process employed in conducting investigations of cross-border mergers.
- Showcase the role of Tunisia's Competition Council in monitoring economic concentration operations.

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- Discuss the effective cooperation practices for enforcement and the cooperation framework regarding cross-border in the Arab region, including suggestions for new forms of cooperation that address the unique challenges faced by agencies in a region with diverse merger control regimes and limited resources.
- Present the different forms of international/regional cooperation to address cross-border merger transactions and analyse the benefits and challenges of international cooperation in managing such transactions.



Speakers



Moderator
Nathalie Khaled

Coordinator of the Competition and Consumer Protection Project, Economic Affairs Officer, ESCWA, Beirut



Paul Lugard
Partner at Baker Botts LLP



Willard Mwemba
Director and CEO of the COMESA Competition Commission



Mohamad Cheikhrouho
General Rapporteur,
Competition Council of Tunisia



Sabine Zigelski
Senior Case Manager,
Bundeskartellamt, Germany



Esteban Greco
Director of GAMES
Economics, Former President
of the Competition Authority
Argentina

