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# **Twinning Project: Developing Sound Cooperation for free and effective competition!**



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## Chapter 1. Activity 1.5

Activity 1.5: Improvement on theoretical aspects for Regulatory Impact Assessment

## Chapter 2. Activity 3.5 (First Mission)

Increased competition culture in academia, education system, business environment, chamber of commerce, consumer associations, NGOs, legal firms and administration in central/local level

## Chapter 3. Activity 1.7

State Aid and Advocacy Regulatory Framework

## Chapter 4. Activity 2.5 (Second Mission)

Strengthening ACA Staff capacities in the best practices and the recent methodologies used by EU Competition Authorities with regard to unilateral conducts

## Chapter 1. Activity 1.5 IMPROVEMENT ON THEORETICAL ASPECTS FOR REGULATORY IMPACT ASSESSMENT



This training activity took place in three days (1<sup>st</sup> – 3<sup>rd</sup> of July) in which the Spanish officials explained in a detailed manner the ways of reporting on drafting – or already passed regulation - and on administrative acts giving some hints and tools on how to analyse the existing regulation on an economic sector under the competition and better regulation perspective. The trainings focused on regulatory analysis.

Its aim was to give methods and different approaches for identifying regulatory problems and recommending alternatives, always from an advocacy point of view.

Several sessions were held and a forum space was devoted to questions and answers and further analysis of the cases. Basically, the method adopted was to bring to the participant relevant case studies, accordingly with the experiences run by the Spanish Competition Authority in the past years, in order to give a practical and realistic approach to the Albanian officials. Multimedial materials such as videos and powerpoint presentations were uploaded in moodle platform provided by FIIAPP as well.

The ultimate goal of developing a Regulatory Impact Assessment procedure within the Albanian Competition Authority was to improve the quality of legal proposals and regulatory decision making (efficient, transparent and accountable) both proposed by the ACA and also proposed by other public agencies and affecting the ACA. A special insight was devoted to regulation during the pandemic.

The experts involved in the aforementioned activity were Ms. Gea Gómez- Pablos Pinto and Ms. Julia García – Royo Díaz.

Ms. Gea Gómez is a Legal Officer of the Advocacy Department of CNMC, she holds a degree in Law and is specialized in Advocacy, regulatory reports, public procurement and state aid. Ms. Gómez has served as Seconded National Expert in Professional Training for the DG HOME of the European Commission and she speaks fluently French, English, German, Japanese, Spanish. Ms. Ms. Julia García – Royo Díaz (Deputy Head in Public Aid and Draft Regulation Reports Unit, Advocacy Department, CNMC) holds a degree in Law and Business Management. She has participated in several workshops related to competition advocacy organized by European Commission, OECD, and ICN.





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## Chapter 2. Activity 3.5 First Mission INCREASED COMPETITION CULTURE IN EDUCATION SYSTEM, BUSINESS ENVIRONMENT, CONSUMER ASSOCIATIONS, NGOS, ADMINISTRATION IN CENTRAL/LOCAL LEVEL

The goal of these activity, which took place from 6<sup>th</sup> to 10<sup>th</sup> of July, was to share with the ACA the basics, considered essential for any Competition Authority, when dealing with communication issues. The session started by presenting CNMC's communications team,



its responsibilities, as well as background on the functioning of the Spokesperson's Service. The experts provided two videos about CNMC's communications unit and materials regarding how to develop storytelling to create a competition culture. Also, there were available different documents to extend the materials. In a further stage the experts spoke about stakeholders and how to define tailor-made strategies towards them. Several examples and videos were provided in this regard.

Another exercise done among Spanish and Albanian peers was to find effective way to identify relevant national, local and international media and opinion leaders. The experts explained a wide sheet of actions to engage with them in order to raise competition awareness. In addition, it was discussed about the EU legislation regarding Data privacy through the usage of videos and documents. Finally, the last day was dedicated to keep the discussion forum open to answer any question about all the activities developed during the previous sessions. It is important to mention that, due to the Covid-19 crisis, sessions were held online.

The expert involved in the implementation of this activity were Mr. Rubén Samaniego Sánchez and Ms. Mercedes Gómez Vicente. Mr. Sánchez is a PR & Communications Officer at the CNMC. He holds a Degree in Journalism and is specialized in Press release, blog editor, online & offline strategy online reputation, community manager, web Positioning etc. Ms. Mercedes Gómez Vicente is a Senior Communications Officer. She holds a Degree in Journalism too and is the person in charge to carry on the Communication strategy at the CNMC; Ms. Mercedes Gómez Vicente is the focal point for Communicating with national and international media, major stakeholders. She has participated in several activities on Communication Strategy, organized by the Body of European Regulators for Electronic Communications and in European Competition Network- (ECN)- ECN meetings on Advocacy and Communication.



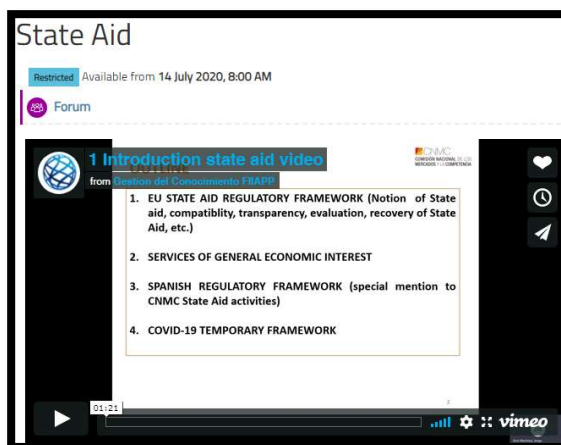


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## Chapter 3. Activity 1.7 STATE AID AND ADVOCACY REGULATORY FRAMEWORK

The Advocacy Department at a Competition Authority plays a key role with regards to the promotion of a fair competition environment. Its actions aim at fostering good practices, preventing restrictions from hindering markets and spreading a culture of competition.



These objectives need to be backed by a comprehensive Regulatory Framework. As such, the abovementioned activity, which took place from 13<sup>th</sup> to 15<sup>th</sup> of July, was devoted to a two-fold objective: i) How to include the selected advocacy instruments into the Albanian regulation, so as to reinforce the advocacy powers of the authority and its impact: ii) How to delineate a solid State Aid

regulatory framework, in order to monitor and assess the impact thereof. Hence, the experts started by tackling the importance of an accurate Advocacy Regulatory Framework, providing the participants with an overview on the main objectives thereof and the most relevant instruments to achieve these objectives. Besides, they exposed examples of the CNMC guiding the participants on the objectives its Department and instruments available. Moreover, they analysed the most relevant regulation in Spain in order to find provisions related to advocacy. Finally, a special mention to Advocacy instruments was carried out, including the New Competition Tool proposed by the European Commission and the Legal Actions instrument at the CNMC. With regards to the second objective, the experts provided the participants with the European State Aid legal framework, covering, among others, the notion of State Aid, compatibility, transparency, evaluation, recovery of State Aid and the COVID-19 EU temporary framework. The experts who carried out the abovementioned activity were: Mr. Jorge Eiriz Martínez and Mr. Héctor Jiménez Portilla. Mr. Jorge Eiriz Martínez is a technical adviser at the CNMC. He holds a Degree in Law and is specialized in State aid, Public procurement, Regulated sectors (mainly, telecommunications), Advocacy. Mr. Jorge Eiriz Martínez is a National Expert in Professional Training- Directorate General of Competition, European Commission. C4. State aid Regular participant in meetings of the European Broadband Competence Offices (BCOs) Network. Mr. Héctor Jiménez Portilla is a Senior Analyst at Economic Analysis Unit. He holds a Degree in Economics and Law. Mr. Héctor Jiménez Portilla Analysis is specializes on matters such as restrictions on competition, evaluation of their effects and quantification of the losses being caused to the well being of consumers.





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## Chapter 4. Activity 2.5 Second Mission **Strengthening ACA Staff capacities in the best practices and the recent methodologies used by EU Competition Authorities with regard to unilateral conducts**



This activity (20<sup>th</sup> – 24<sup>th</sup> of July) was focused on the importance of a continued effort needed to keep up to date with the jurisdictional, theoretical and practical aspects concerning abuse of dominant position and vertical restraints analysis in the European framework. The first day was devoted to exchanging experiences with the Albanian Competition Authority with a focus on

audio-visual football rights. On the second day the activity regarded the analysis of vertical restraints from a more theoretical perspective meanwhile the third day the experts explored how game theory and the economic literature on oligopolistic behaviour can further improve the understanding of abuse of dominance. It was also proposed a case study that addressed both vertical restraints and abuse of dominance. The experts provided material to help answer the questions proposed in the case study, in particular regarding pricing exclusionary and exploitative conduct. During the last day they addressed two interesting aspects of abuse of dominance under EU law. Looking to one hand to the methodologies used in essential facilities cases and, on the other hand, discussing on collective dominance. The next proposed action consist on internal trainings, to discuss recent law cases. This exercise could be very useful given the complexity of this field of EU competition law. In this regard, a practical perspective could prove particularly fruitful. The experts that carried out this activity were Ms. Ms. Micaela Arias Domecq and Mr. Francisco de Paula Roig Guerrero. Ms. Micaela Arias Domecq is a Special Advisor at the Information Society Division. She holds a Degree in Law and Business Administration being specialized on Assessment of mergers, restrictive agreements and abuse of dominance cases both from a legal and economic perspective as well as Dawn Raids. Ms. Micaela Arias Domecq has participated in international working groups, such as ECN Energy and Digital Sub-groups, in the Latin American School of competition, focusing especially on mergers and abuse of dominance. Mr. Francisco de Paula Roig Guerrero is a Chief Case Handler - Information Society Division at the CNMC, he holds a Degree in Law and Business Administration. Mr. Francisco de Paula Roig Guerrero has over 12 years' experience in competition law enforcement both from a legal and an economic perspective. He has a wide expertise in abuse of dominance, the assessment of consortia under competition law, bid-rigging and digital economy as well and is a member of the ICN/ECN working groups on Unilateral conducts (and vertical) and Mergers.

