

Memorandum of Understanding on bilateral cooperation between the Croatian Competition Agency and the Turkish Competition Authority

The Croatian Competition Agency and the Turkish Competition Authority,
hereinafter referred to as “the Parties”,

Expressing the wish to promote cooperation and enforcement in the field of
competition law and policy,

Aiming at the creation of favourable conditions for the development of bilateral
relations, based on the principles of equality and mutual benefit,

Ensuring the conditions for an effective functioning of the goods and services
markets according to the competition rules/principles,

Highlighting the role of competition policy in creating an effective and real
development of the market economy to the benefit of consumers,

Recognising that cooperation between the Parties will contribute to improving
and strengthening their relationship;

Have agreed the following:

Article 1

The Parties will promote and strengthen cooperation in the competition law
enforcement and policy in accordance with their national laws and regulations,
particularly those related to the protection of confidential information.

Article 2

For the mutual interest of the Parties, cooperation will be focused on the
following areas:

- a) exchange of non-confidential information on cases, legislative norms,
developments and other legal tools on the basis of which the Parties’
activities are carried out for the fulfillment of competences in the
competition field, taking into consideration the relevant *acquis
communautaire* and the experience of the Parties;
- b) exchange of information on the procedural aspects of antitrust
enforcement;
- c) exchange of information on the relationship between the competition
authorities and the sectoral regulatory agencies;

- d) exchange of information on market developments and on decisions adopted;
- e) exchange of information on best practices in economics of antitrust and merger control;
- f) exchange of experience in the field of case investigations, concerning the violation of competition legislation;
- g) development of mutual support in the preparation of European and other international activities.

Article 3

The main instruments of cooperation shall comprise the following:

- a) within the limit of available funds and mutual consent of the Parties, organization of seminars and study visits for professional training in the area of competition law and policy;
- b) organization of bilateral working groups to operatively ensure the interface for the exchange of information on matters of common interest;
- c) exchange of experts for participation in professional activities and/or for assistance on enforcement and for improvement of decision-making process, if necessary, at the request of one of the Parties;
- d) organization of meetings between the Turkish and Croatian high rank officials for exchanging information on the latest developments in their respective competition law and policy;
- e) expert meetings or consultation possibilities via e-mail between the experts of the Parties which operatively ensure the interface for exchange of information on concrete interest issues
- f) exchange of non confidential documents, studies, books and publications on competition issues;
- g) any other form of cooperation that may be jointly decided upon by the Parties.

Article 4

The transfer of information will be made in English language by e-mail through designated general contact points or on the occasion of meetings attended by the representatives of the Parties.

Article 5

In order to meet the objectives of the present Memorandum of Understanding, the Parties shall designate the contact persons.

Article 6

The agenda of events, dates, places and any other matter will be, by common agreement, established by the Parties.

Article 7

The disputes regarding the interpretation and implementation of the present Memorandum of Understanding will be solved by the Parties through friendly means.

Article 8

The present Memorandum of Understanding does not constitute an agreement binding under international law. The Parties do not hereby intend to create any legal commitments.

The present Memorandum of Understanding will not infringe and/or affect the rights and obligations of the Parties relating to other bilateral or international agreements which they are signatories to.

Article 9

The present Memorandum of Understanding can be jointly revised by the Parties, after prior consultations.

Article 10

The present Memorandum of Understanding enters into force at the date of effective signatures and is valid for an unlimited period of time.

Article 11

Each of the Parties has the right to withdraw from the Memorandum of Understanding by submitting a prior written notification to the other Party.

Article 12

The Memorandum of Understanding is signed in English in Paris on February 17, 2011 in 2 copies.

Dr. Sc. Mirna Pavletić Župić
Member of the Council
Croatian Competition Agency

Prof. Dr. Nurettin Kaldırımçı
President
Turkish Competition Authority