



Fighting Cross-Border Cartels

The Perspective of the Young and Small Competition Authorities

By: Dr. Pierre HORNA

Book to be published by Hart Publishing – An Imprint of Bloomsbury Publishing.

<https://www.bloomsburyprofessional.com/uk/fighting-cross-border-cartels-9781509933693/>

This book is the first detailed treatment of the approaches taken to enforce competition laws against cross-border cartels (CBCs) from the perspective of young and small competition authorities (more than 70% of the total number of authorities worldwide). No other legal or inter-disciplinary scholarship exists in the market that deals with the issue of a taxonomy of CBCs combined with young/small competition authorities' problems.

The book looks at the extent of the harms caused by CBCs and issues associated with tackling them at a transnational level. It explains why past solutions to problems with cooperation have failed and proposes novel ideas on how to improve cooperation and coordination in certain types of CBC investigations (transnational and regional CBCs). The proposals are based on primary-source information and observations made by the author as part of his work in the UN, and interviews with leading enforcers from young, small, old and large jurisdictions.

Young/small competition authorities, competition lawyers and economists, scholars and students within the fields of competition law and international law, and those interested in international cooperation and coordination in the area of cartel enforcement in emerging markets will greatly benefit from this book. It is clearly structured and extensively referenced, providing a valuable guide to the topic.

“Pierre Horna provides a novel perspective on the challenging fight against cross-border cartels, and means by which young and small competition authorities can enhance enforcement efforts. A welcome and important addition to the literature.”

Professor Ariel Ezrachi

*Slaughter and May Lecturer in Competition Law at the University of Oxford
Director of the Oxford Centre for Competition Law and Policy.*

Fellow and Tutor in Law at Pembroke College, Oxford



Dr. Pierre HORNA LL.M.

Legal affairs official at the Competition and Consumer Policies Branch of the United Nations Conference on Trade and Development (UNCTAD) for more than 15 years. He has been responsible for the design, formulation and implementation of technical assistance and capacity building programmes on competition and consumer protection laws and policies. In particular, Dr. Horna's regional focus of work at the UN has been select newer and small competition and consumer protection authorities in developing countries and economies in transition in the Association of South East Asian Nations (ASEAN), Balkan, Commonwealth of Independent States (CIS) and Latin American regions. Dr. Horna has drafted several reports on international cooperation on competition law issues, with emphasis on cartel enforcement in newer and small competition regimes. In addition, Dr. Horna has actively assisted governments and policymakers in the design and implementations of competition and consumer protection policies regimes, in particular anti-cartel regulations in emerging markets and small economies. He is a regular speaker at international forums such as the International Competition Network (ICN), Organisation for Economic Cooperation and Development (OECD) and other international and regional forums. He has been part of capacity building activities for competition and consumer protection officials as well as judges and prosecutors in different jurisdictions, in particular in the Latin American and ASEAN regions.

Dr. Horna was also a visiting Research Fellow at Oxford's Centre for Competition Law and Policy, Institute of European Comparative Law of the Law Faculty at Oxford University during 2017. From January to June 2017, he was also a Senior Associate at Pembroke College. His area of research at Oxford is "Cross-Border Cartels in Emerging Markets." Mr. Horna earned his PhD in International Law at the Graduate Institute, Switzerland (2017). He earned his Master of Laws in International Business Law from Leiden University, the Netherlands, with a thesis on the developmental dimension of expanding WTO covered agreements into Competition Policy (2002-2003), and also undertook studies on e-commerce and consumer protection at Buckingham University, England (2001).

Geneva, October 2019