



ICN CWG Webinar

International Cooperation on Leniency Matters

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Examples: The Bearings cartels and the Maritime Car Carriers (MCC) cartels

- **Bearings: No global cartel, but several national/regional cartels**
- **MCC: several jurisdictions were affected**
- **Both triggered by leniency applications**
- **Contacts with other competition agencies (ACC, CCB, DOJ, JFTC, Others)**



Timeline Bearings:

- **End of July 2011: inspections in Japan**
- **Thereafter: Applications filed by three Japanese companies**
- **November 2011: dawn raids in Europe (triggering two further leniency applications by European companies) and in the US**
- **Fining Decisions of JFTC (March 2013) CCB (July 2013) DoJ (September 2013), ACCC (October 2013), EU Commission (March 2014), Chinese CA (July 2014), KFTC (November 2014)**



Timeline MCC:

- Dawn raids in Europe were coordinated with the DoJ and the JFTC (September 2012).
- The dawn raids in Europe triggered leniency applications by four undertakings.
- Parallel proceedings in several jurisdictions.
- Fining Decisions of CAs focusing on routes 'to and/or from': JFTC (March 2014), COFECE (June 2017), DoJ (Sept. 2017), KFTC (Aug. 2017), EU Commission (Febr. 2018), TDLC (April 2019), ACCC (Aug. 2019)

International cooperation in both cases

- ✓ ***Waivers of confidentiality*** granted by cooperating parties facilitated discussions between agencies
 - **Pre- and post-inspections**
 - On ***procedural matters*** (possible investigation measures) and on the ***substance***
- ✓ ***Benefits*** of the cooperation for both agencies/parties

International cooperation on the substance:

- More detailed exchanges on
 - Companies investigated
 - Type of alleged conduct
 - Product and geographical scope
- Discussion sales affected by the alleged cartel and other fining issues
- Exchange on next steps and envisaged timing
- No exchange of documents took place