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**DIRECTORATE FOR FINANCIAL AND ENTERPRISE AFFAIRS
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Global Forum on Competition

Alternatives to Leniency Programmes – Contribution from Armenia

- Session II -

7-8 December 2023

This contribution is submitted by Armenia under Session II of the Global Forum on Competition to be held on 7-8 December 2023.

More documentation related to this discussion can be found at: oe.cd/atlp.

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Alternatives to Leniency Programmes

- Contribution from Armenia -

1. Leniency programs are a powerful tool for competition authorities to detect and deter anticompetitive agreements. In the Republic of Armenia, the Competition Protection Commission (CPC) has the authority to completely exempt an entity from liability for concluding or participating in an anticompetitive agreement, or to reduce the amount of the fine imposed on that entity.
2. In addition, alternative to leniency programs, the CPC has also established an expedited proceedings regime for anticompetitive agreements. Under this regime, if a party to an anticompetitive agreement admits to the violation and requests expedited proceedings, the CPC will not examine the merits of the case, but will only consider aggravating and mitigating factors when determining the appropriate fine. The maximum fine that can be imposed under expedited proceedings is half of the maximum fine that could be imposed under ordinary proceedings.
3. The CPC also offers incentives for entities to voluntarily comply with its decisions. For instance, entities that pay 75% of their fine within two months of the CPC's decision becoming final will be considered to have fulfilled their obligation to pay the fine in full.
4. Empirical evidence from competition law enforcement demonstrates that leniency programs are more efficacious when competition authorities have more robust and efficient antitrust detection mechanisms. It is significant to note that the CPC has a broad range of rough toolkits to investigate anticompetitive agreements. In particular, the CPC has the power to request the assistance of law enforcement agencies in gathering evidence. This power allows to inspect premises and documents, seize evidence, and obtain information from computer systems. These powers enable the CPC to detect and prosecute anticompetitive agreements more effectively.