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Executive Summary of the Roundtable on Information Sharing and Competition policy

Annex to the Summary Record of the 149th meeting of the Competition Committee held on 24 June 2026

24 June 2026

This Executive Summary prepared by the OECD Secretariat contains the key findings from the Roundtable on Information Sharing and Competition policy held by the Competition Committee on 24 June 2026.

More documents related to this discussion can be found at https://www.oecd.org/en/events/2026/06/information-sharing-in-competition-policy.html

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Executive Summary of the Roundtable on Information Sharing and Competition Policy

By the Secretariat[1]

On 24 June 2026, the OECD Competition Committee held a meeting to discuss information sharing and competition policy. Based on the background note prepared by the OECD Secretariat, the written submissions from delegates, and the discussion, the following key points emerged:

1. Information sharing cases require a contextual assessment that considers how disclosures affect strategic uncertainty, competitive incentives and market outcomes.

Participants emphasised that the competitive impact of information sharing cannot be determined by any single factor. While the nature of the information shared remains important, including whether it is strategic, individualised, current or forward-looking, participants noted that authorities increasingly focus on how information sharing affects firms' incentives, expectations and competitive behaviour. The discussion highlighted that information sharing can reduce strategic uncertainty, facilitate coordination, enable monitoring, or influence commercial decision-making, but may also generate efficiencies by reducing information frictions and supporting investment or business planning. Participants therefore stressed the importance of a contextual assessment that considers both the characteristics of the information shared and the competitive conditions of the market concerned.

2. A growing number of jurisdictions are assessing information sharing as a standalone competition concern, even where there is no explicit cartel agreement or evidence of price fixing.

Participants highlighted a growing enforcement trend towards challenging information-sharing practices where they reduce strategic uncertainty between competitors. Several jurisdictions reported cases involving direct, indirect or public sharing of commercially sensitive information without requiring evidence of an explicit cartel or price-fixing arrangement. The discussion noted that this trend raises important questions regarding the legal characterisation of information sharing, including when information sharing may be presumed likely to harm competition and when competitive effects must be assessed in greater detail. Participants generally emphasised that a clear theory of harm remains important, particularly where the information sharing itself constitutes the central element of the alleged infringement.

3. Authorities continue to refine when the nature of an information exchange may itself give rise to competition concerns, while effects-based analysis continues to play a role.

Participants discussed the circumstances in which information sharing may be treated as sufficiently harmful by its nature without requiring separate proof of its effects on competition. Several contributions highlighted that information sharing involving strategic, non-public, individualised or future-oriented information may be particularly likely to raise concerns where it reduces uncertainty about competitors' conduct. However, participants

[1] This Executive Summary does not necessarily represent the consensus view of the Competition Committee. It does, however, encapsulate key points from the discussion, the delegates' written submissions, and the panellists' presentations.

emphasised that no single characteristic is determinative. The content and objectives of the exchange, the way it operates, the economic and legal context and any procompetitive effects remain relevant to determining the information sharing is sufficiently likely to harm competition. Where a contextual assessment does not indicate a sufficiently clear likelihood of competitive harm, or where the applicable legal framework requires it, authorities may instead need to establish the exchange's actual or potential restrictive effects on competition.

4. Trade associations, data intermediaries, digital platforms and algorithmic tools can facilitate both legitimate and anticompetitive information sharing.

Participants highlighted the increasingly diverse channels through which information may be shared, including trade associations, data providers, digital platforms, common pricing systems and other intermediaries. These third parties can perform legitimate functions, such as compiling sector statistics, facilitating benchmarking or supporting industry co-operation, but they can also reduce strategic uncertainty by collecting or disseminating granular, current or commercially sensitive information and facilitating the monitoring of competitors' conduct. The discussion emphasised that the involvement of a third party does not remove competition concerns: the assessment should focus on the information shared, how the system operates and whether appropriate safeguards, such as aggregation, time lags or restrictions on access, preserve firms' independent decision-making.

5. Information sharing can generate efficiencies and support legitimate forms of co-operation, but safeguards may be necessary to prevent competition risks.

Participants recognised that information sharing can generate important efficiencies and may be necessary for legitimate forms of co-operation, including in areas such as sustainability and other collaborative arrangements that may be permitted under competition exemption frameworks. However, participants emphasised that even where such collaborative arrangements are permitted, information sharing should be carefully limited in scope and should not extend beyond what is necessary to support the arrangement. Mandating aggregation, anonymisation or other safeguards may therefore be useful approaches where commercially sensitive information is involved.

6. Guidance and advocacy can help distinguish legitimate information sharing from conduct that raises competition concerns.

Participants stressed the value of clear and up-to-date guidance to help businesses and trade associations distinguish legitimate information sharing from conduct that may restrict competition, particularly as digitalisation, algorithmic tools and new forms of collaboration make information flows more complex. Guidance can provide greater legal certainty by identifying relevant assessment factors, appropriate safeguards and, where available, safe harbours or mechanisms for seeking ex ante guidance. The discussion also highlighted a broader advocacy role for competition authorities, including engagement with governments and sectoral authorities where transparency or disclosure requirements may themselves affect competitive conditions. Several participants also noted the value of safe harbours, consultation mechanisms and other tools that allow firms to seek guidance before engaging in potentially sensitive information-sharing arrangements.