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**Market Studies and other Market Analysis Tools for Competition Authorities – Note by
Lithuania**

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1. Introduction

1. The Competition Council conducts market studies to enhance understanding of sectoral dynamics, identify barriers to competition, and support evidence-based policymaking. The topics selected for market studies usually reflect the Competition Council's strategic priorities, the sectors' relevance to the national economy and public policy objectives.
2. While these studies provide a broader analytical perspective than traditional enforcement tools, they also present challenges. Careful planning, gathering high-quality data, ensuring meaningful participation from respondents, and coordinating with partner institutions require significant resources.
3. Nevertheless, these studies provide a broader analytical perspective than traditional enforcement tools. The findings and recommendations of recent studies – such as those on the electric vehicle charging sector, online marketplaces, and Small and Medium-Sized Enterprises financing – have contributed to more informed policymaking and helped strengthen competition, transparency, and efficiency across key sectors of the Lithuanian economy.

2. Frequency, Duration, and Objectives of Market Studies

4. The Competition Council conducts, on average, one market study every one to two years. Among the most recent studies are the *Monitoring of the Electric Vehicle Charging Sector* completed in 2025, the *Monitoring of Online Marketplaces* completed in 2023, and the *Study on Financing Opportunities for Small and Medium-Sized Enterprises* completed in 2021. The duration of a market study typically extends to approximately one year.
5. The Competition Council conducts market studies with the aim of obtaining more comprehensive information about the sector under review. The information gathered is primarily used for educational and advocacy purposes, i.e. to develop recommendations for institutions responsible for shaping and regulating sectoral policies, as well as to raise awareness among market participants. In this way, the Competition Council seeks to promote and maintain a competitive environment within the relevant market sector. As a rule, market studies are not intended to detect infringements of competition law or to serve as a basis for initiating investigations; however, such an outcome cannot be excluded.
6. Unlike other instruments available to the Competition Council for the implementation of competition policy, market studies enable a more detailed and comprehensive analysis of the functioning of a specific sector and of potential competition-related issues within it. They also allow the formulation of general recommendations that have an impact on the sector as a whole, rather than on individual market participants directly affected by a particular investigation.

3. Initiation of Market Studies

7. Market studies are generally initiated by the Competition Council itself, following a thorough assessment of the necessity, relevance, and expected outcomes of the proposed study. The sector to be analysed is usually selected from those among the priority sectors identified in the Competition Council's annual work priority sectors.

8. In certain cases, market studies are initiated jointly with other public institutions, when the significance and relevance of the study extend to the remit of several authorities. For example, the *Study on Financing Opportunities for Small and Medium-Sized Enterprises* (2021) was initiated and carried out jointly by the Competition Council and the Bank of Lithuania.

9. Given the limited resources that can be allocated to market studies, the Competition Council attaches particular importance to the careful selection of the specific subject of each market study.

10. For instance, when initiating the *Monitoring of the Electric Vehicle Charging Sector* (2025), the Competition Council considered the importance of the automotive sector to the national economy, as well as the fact that this sector is one of the major sources of pollution. The Council also considered the relevance and significance of the issues at stake in the context of national policy, namely, the objectives set by the Lithuanian Parliament to reduce pollution in the transport sector and to promote the use of alternative fuels and electricity generated from renewable energy sources. Furthermore, the Council assessed the short-term development prospects of the sector, in light of national policy goals to achieve significant expansion within the next five years.

11. When initiating the *Monitoring of Online Marketplaces* (2023), the Competition Council considered the rapid growth of this sector and the projections for its continued expansion, which accelerated markedly with the onset of the COVID-19 pandemic. The Council also considered the sector's relevance from both a competition policy and regulatory perspective, noting that across the European Union, both at EU and national levels, significant competition concerns have been identified in this sector, prompting regulatory initiatives and more in-depth analytical work.

12. The *Study on Financing Opportunities for Small and Medium-Sized Enterprises* (2021) was initiated in response to deteriorating financing conditions for SMEs, including an increasing share of rejected loan applications and a decline in the number of newly issued loans. At the same time, small and medium-sized enterprises constitute most businesses operating in Lithuania and contribute significantly to the country's gross domestic product. The purpose of the study was to identify emerging trends and underlying causes behind the observed changes in financing conditions, while also assessing whether these developments might have reduced SMEs' access to external financing.

13. When selecting a specific market study, the Competition Council also evaluates the potential contribution that the study's findings could make to competition policy or the overall competitive environment. For instance, the *Monitoring of the Electric Vehicle Charging Sector* (2025) was launched in recognition of the sector's rapid growth and the planned active involvement of the state — including public funding for sectoral development. These factors highlighted the need for closer attention to ensure that policy decisions support pro-competitive outcomes and contribute, in the long term, to the formation of competitive markets.

14. The decision to conduct the *Monitoring of Online Marketplaces* (2023) was based on an assessment of the increasing importance of this sales channel and the higher risk of potential competition issues. Operators of electronic marketplaces, by engaging in retail

activities on their own platforms, may compete with third-party sellers using the same marketplace. Moreover, the ongoing digitalisation of commerce has led to more frequent use of algorithms for purposes such as market monitoring, price setting, or assisting consumers in product searches – all of which may pose new challenges to effective competition.

4. Challenges Encountered when Conducting Market Studies and Efforts to Overcome them

15. One of the main challenges in conducting market studies is the difficulty of collecting a sufficient amount of high-quality information necessary for an objective and representative assessment.

16. It is generally easier to obtain information from state and municipal institutions; however, even in these cases, difficulties may arise when collecting data from municipalities.

17. The most challenging task is to obtain information from smaller business entities. Firstly, when questionnaires are distributed via email – usually either directly or through links to online survey forms – it is often difficult to compile a reliable list of valid email addresses. Official email addresses are typically obtained from the Register of Legal Entities, where companies are required to publish their contact information. However, experience shows that a considerable number of the listed email addresses are outdated or inactive. Small and medium-sized enterprises also do not always provide contact details on their websites or may not have websites at all. As a result, in order to obtain a sufficient number of responses, questionnaires must be sent to a much larger number of contacts, acknowledging that a significant portion of the requests may never reach the intended recipients.

To increase response rates, the Competition Council contacts relevant business associations prior to distributing questionnaires, presenting the objectives and benefits of the study. This approach helps raise awareness of the study's relevance and encourages associations to motivate their members to actively participate.

18. Another challenge lies in the quality of the responses received. It is not uncommon for answers to fail to address the questions asked or to contain inconsistencies. To improve the quality of responses, the Council engages directly with respondents before distributing questionnaires – explaining the purpose of the study and its potential benefits to participants, thereby encouraging active and thoughtful participation. Furthermore, after the responses are collected and analysed, follow-up conversations with respondents are conducted to clarify inconsistencies or to obtain missing information.

19. A further challenge concerns the need to design questionnaires that are concise and focused. Experience shows that respondents tend to participate more actively when the questionnaire is shorter and more specific in scope. A preliminary understanding of potential issues makes it possible to reduce the scope of the questionnaire and focus on the most essential questions. For this purpose, prior to launching a market study, the Competition Council collects and analyses information from public sources and its own activities, and holds meetings with participants of the relevant sector. This preparatory work enables the Competition Council to design a concise and well-focused questionnaire.

20. Finally, when a market study is conducted in cooperation with another institution, including cross-border, additional coordination is required, which in turn demands more resources. However, such collaboration can lead to more comprehensive results. The Council has engaged in different levels of cooperation: for example, one joint market study

was carried out together with the Bank of Lithuania, resulting in shared conclusions, while a parallel online marketplaces monitoring exercise was conducted with the Latvian Competition Council, where each institution published its own findings.

5. Results and Monitoring the Impact of Recent Market Studies

21. The results of recent market studies conducted by the Competition Council have contributed to a deeper understanding of the functioning of specific sectors and have supported evidence-based decision-making by public authorities. These studies have also helped to identify structural or regulatory barriers that may hinder effective competition and to propose possible solutions.

22. To monitor the impact of completed market studies, the Competition Council follows developments in the respective sectors, including regulatory changes, market structure evolution, and behavioural adjustments among market participants. The Council also maintains dialogue with sectoral regulators, policymakers, and industry representatives to advocate for its recommendations, to assess the extent to which its recommendations have been implemented and to identify whether further action may be required to strengthen competition.

23. The findings of the most recent studies — such as the *Monitoring of the Electric Vehicle Charging Sector* (2025), the *Monitoring of Online Marketplaces* (2023), and the *Study on Financing Opportunities for Small and Medium-Sized Enterprises* (2021) – have been presented to relevant public institutions and sectoral stakeholders. The recommendations formulated as part of these studies aim to encourage policy adjustments and promote a more competitive environment within the analysed sectors.

24. The Competition Council, after *Monitoring the Electric Vehicle Charging Sector* (2025), has issued recommendations to municipalities as well as the Ministry of Transport and Communications and the Ministry of Energy on how to promote effective competition and avoid possible negative consequences for consumers in the future. The Competition Council recommends that municipalities should assess the potential impact of their market participation on private undertakings, the market structure and consumers, and should not restrict competition or hinder the development of services that may be fostered by private initiative. Municipalities are advised to ensure transparency of tenders, consider splitting tenders into smaller lots where feasible, establish selection criteria for infrastructure operators, set proportionate contract durations, avoid automatic contract renewals without competitive tendering.

25. The Competition Council recommends that the Ministry of Transport and Communications prepare best practices guidelines. Additionally, the Ministry is encouraged to establish a centralised information platform where information about municipal tenders in the EV charging sector would be publicly available. The Competition Council recommends that the Ministry of Energy evaluate possibilities to streamline the lengthy and costly process of connecting charging stations to the power grid.

26. Considering the findings of the Competition Council's market study, the Ministry of Transport and Communications prepared recommendations for municipalities on the organisation of tenders and developed standard contract templates.

27. The Competition Council, after conducting the *Monitoring of Online Marketplaces* (2023), did not identify any obvious illegal competition restraints or other factors that effectively restrict competition in electronic commerce. However, the Council has drawn the attention of the sector to certain business practices that may pose a risk of restricting

competition. According to the monitoring data, some online marketplaces impose price parity obligations on traders, setting the conditions under which traders can distribute goods and services in other sales channels, as well as set maximum resale prices for goods or services. Through surveys, signals have been received indicating that hybrid e-commerce platforms may apply more favourable positioning or ranking of their own products or services. They may also have access to non-public information about the sales of traders, which is not available to others.

28. In light of these findings, the Competition Council updated its guidelines for the prevention of infringements in the digital environment, aiming to raise awareness among businesses about competition risks in online markets and to promote compliance with competition rules in the rapidly developing e-commerce sector.

29. The joint *Study on Financing Opportunities for Small and Medium-Sized Enterprises* (2021) by the Bank of Lithuania and the Competition Council found that high-risk, very small, and lacking long-term relationships with financial institutions SMEs face the greatest difficulties in accessing financing, particularly in the real estate, construction, and transport sectors. In response, the institutions recommended: more targeted state aid and faster insolvency procedures, reduced administrative burdens and stronger financial literacy, better information on alternative financing options, improved financial reporting and compliance. An action plan until 2025 will guide the implementation of these measures, aiming to enhance access to finance and strengthen the SME financing environment in Lithuania.

30. The benefits derived from market studies have not yet been quantified. However, if reliable data becomes available, the Competition Council is ready to carry out such an assessment in line with the OECD methodology, applying the same approach as for other advocacy activities.