

## EUROPEAN COMMISSION AND EU COMPETITION AUTHORITIES ENCOURAGE COMPANIES TO SEEK GUIDANCE ON COOPERATION INITIATIVES

30 03 2020

cooperation initiatives, consultation



Businesses are currently facing particular challenges due to the coronavirus crisis, which may encourage companies to cooperate with each other in order to overcome the negative consequences to the benefit of consumers, for example by ensuring the supply of scarce products.

The European Commission is well aware that business can play a crucial role in overcoming the effects of the corona crisis, therefore, seeking to provide swift antitrust guidance on COVID-19 related cooperation initiatives, it has created a new COVID-19 page on its website, containing easy access to relevant guidance and information.

For that purpose, it has also set up a dedicated mailbox [COMP-COVID-ANTITRUST@ec.europa.eu](mailto:COMP-COVID-ANTITRUST@ec.europa.eu) that can be used to seek informal guidance on specific initiatives. In order to facilitate a swift follow-up, companies are asked to provide upfront as much detail as possible on the initiative, including: the firm(s), product(s) or service(s) concerned; the scope

and set-up of the cooperation; the aspects that may raise concerns under EU antitrust law, and the benefits that the cooperation seeks to achieve, and an explanation of why the cooperation is necessary and proportionate to achieve those benefits in the current circumstances.

Please note that DG Competition can only provide guidance on the compatibility of such cooperation initiatives with EU antitrust law.

The Commission has already issued several sets of guidelines that can help companies assess the compatibility of their business arrangements with EU competition law (see notably Commission's Guidelines on Article 101(3), the Horizontal and the Vertical Guidelines). However, for specific cooperation initiatives with an EU dimension, that need to be swiftly implemented in order to effectively tackle the coronavirus pandemic, and where there is still uncertainty about whether such initiatives are compatible with EU competition law, DG Competition is ready to guide companies, associations and their legal advisors.

The European Commission also notes that the competition authorities of the EU Member States are also competent to apply the EU competition rules in their respective territory. They are therefore well placed to deal with specific antitrust issues that primarily concern their particular Member State. For local or national cooperation issues, the Commission recommends that companies, associations or their legal advisers contact directly the competent National Competition Authority.

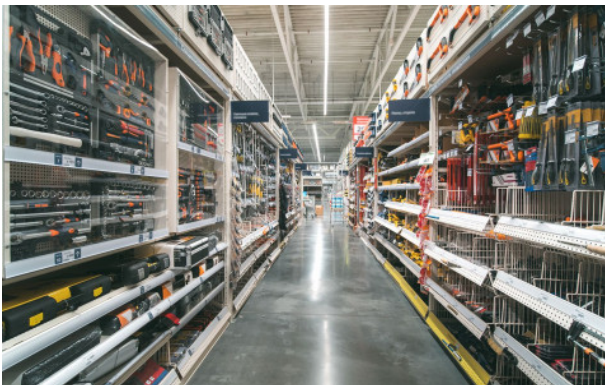
For guidance regarding business cooperation initiatives in Lithuania, please contact the Lithuanian competition authority's experts by phone +370 605 03 517 and e-mail [Covid.Konkurencija@kt.gov.lt](mailto:Covid.Konkurencija@kt.gov.lt), [taryba@kt.gov.lt](mailto:taryba@kt.gov.lt). For consultations on state aid, please contact [Covid.ValstybesPagalba@kt.gov.lt](mailto:Covid.ValstybesPagalba@kt.gov.lt).

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