



Anti Monopoly Committee of Ukraine Conference on “Development of competition law and policy in Ukraine on the path to EU accession”

Remarks by Benoît Coeuré, President of the French Competition Authority and Chair of the OECD Competition Committee

Kyiv, 20 April 2026

Mr Deputy Prime Minister,

Chair Kyrylenko,

Ladies and gentlemen,

It is a privilege to join you at this conference. I extend my gratitude to Chair Kyrylenko and the Anti Monopoly Committee of Ukraine (AMCU) for your invitation and warm hospitality. My presence here is not only to support AMCU, but also to honour Ukraine’s ongoing fight for freedom and democracy.

Last year, I participated in the launch of the OECD Peer Review of Ukraine’s Competition Law and Policy. The core of the OECD’s peer review is the belief that countries progress by learning from each other. Open dialogue, honest evaluation, and shared experiences lay the foundation for stronger institutions.

Today, we see these principles in action. The OECD Peer Review is more than a formal assessment of legal frameworks: it helps countries turn principles into practice. By benchmarking laws and institutions against international standards, it encourages reflection, identifies areas for improvement, and guides reforms so that competition policy better serves citizens and businesses. The OECD’s motto, “Better policies, for better lives,” should be our shared goal.

The Peer Review report offered actionable recommendations for future reforms. Notably, it emphasised the need to strengthen the competition authority’s enforcement capacity and to enhance its ability to prioritise cases strategically. These two elements are closely linked: effective enforcement requires robust investigative powers, and prioritisation ensures resources are focused on cases with the greatest impact on the economy and society.

Other recommendations of the Peter Review report addressed all aspects of competition enforcement, policy, and institutional design. Given Ukraine’s progress, these should be seen as encouragement to build on a solid foundation, not as criticism. For example, the suggestion to improve the leniency programme’s attractiveness is important, but must be viewed in context. The AMCU processed its first leniency application in 2024, a significant achievement. Leniency, which allows immunity from fines for firms that reveal cartels, is often met with skepticism and takes time to become part of legal culture.

France's experience mirrors this. When leniency was introduced in 2001, firms were initially hesitant. Over time, as compliance strategies matured and enforcement became more rigorous, applications increased. The AMCU's early success is commendable.

Two further lessons from France: introducing a whistleblowing system can boost leniency, as employees may approach the authority if firms do not. Also, European law supports leniency by granting immunity from criminal sanctions to executives when their company receives full immunity.

Back to the two main recommendations, let me elaborate with examples from France. In August 2023, Ukraine's Parliament passed the first stage of competition reform; a second stage is now underway, aiming for further harmonisation with EU law and implementation of OECD and international best practices.

This second stage, with draft bill n°1440 before Parliament, will significantly enhance AMCU's enforcement powers. It will allow AMCU to interview individuals or company representatives and request written explanations during investigations, with penalties for non-compliance. Combined with powers for unannounced inspections and the ability to seize digital evidence, this forms a robust toolkit for uncovering anticompetitive practices.

In EU countries, the power to conduct interviews is well established. Yet, the European Commission recently consulted on whether it should be able to summon individuals for questioning, a power it currently lacks. In France, recent case law reaffirmed the duty to cooperate during investigations, and fines have been imposed for obstructing procedures, such as providing false information during dawn raids.

The ability to summon company representatives and impose fines for non-cooperation is a crucial tool. AMCU will be well equipped in this regard.

Enforcement effectiveness also depends on procedural tools. The ongoing legislative changes will allow AMCU to accept commitments from companies to resolve competition concerns without imposing fines, and to apply interim measures, including on its own initiative. These tools are vital in today's fast-moving markets, especially the digital economy.

Our goal is not only to punish abuses by dominant firms, but to restore competitive markets. Commitments can deliver lasting results, and interim measures allow authorities to act before harm becomes irreversible.

For example, in April 2020, the French *Autorité* issued interim measures against Google, requiring good-faith negotiations with the press industry over content remuneration. Google was later fined €500 million for failing to comply, and further commitments were agreed to ensure fair negotiations. In 2024, Google was fined another €250 million for breaching these commitments. This case illustrates the continuum between procedural tools, and the importance of equipping AMCU with them.

Regarding prioritisation, the new legislation will give AMCU discretion to dismiss complaints lacking priority, allowing focus on cases with the greatest impact. This power, exercised transparently and accountably, marks a mature competition regime. Until now, AMCU was

obliged to pursue every complaint—a burden France also faced until the ECN+ directive was adopted. The business community initially had concerns, but the power is now well integrated, with clear criteria for prioritisation.

The ECN+ directive also strengthens cooperation among competition authorities. The European Competition Network (ECN) enables effective case allocation, information sharing, and mutual assistance, enhancing antitrust enforcement across the EU. The ECN+ directive ensures independence, adequate resources, and effective investigative powers, while safeguarding rights and due process.

This framework balances effectiveness and fairness, introducing mandatory prioritisation and timely interim measures within strong procedural safeguards. The ECN is the backbone of EU competition enforcement, supporting consistent and convergent case outcomes.

Drawing on EU standards offers Ukraine a clear path for reform. Integrating the *acquis communautaire* and ECN+ directive will strengthen the legal framework, assert the competition authority's independence, and foster closer cooperation with EU counterparts, increasing legal certainty and investor confidence.

Let me insist on the importance of independence from political authorities as a bedrock of trust – trust among citizens in their competition authority, and trust among international investors in impartial enforcement.

Ukraine's commitment to a fair, competitive, and open market economy is vital for reconstruction, investment, and long-term growth. We look forward to continued collaboration with AMCU as a valued member of the international competition community and the European family.

Thank you.