

# Press-release of 12.07.2010

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Dr. Andrei Shastitko (Economics), Director General for the "Bureau of Economic Analysis" Foundation, Doctor of Economics, professor of Moscow State University and a member of "Promoting Competition" Non-Commercial Partnership, made a presentation at the Russian - American workshop on antimonopoly enforcement on 8th July 2010. His presentation focused on the "standards of proof and toughness of sentencing for antimonopoly violations".

The main line of the presentation - toughness of sentencing in the absence and / or non-compliance with the established standards of proof (qualification) of the position and actions of economic entities on the goods markets.

According to Dr. Shastitko, standards of proof are related to observance of procedural requirements as well as discovery and substantive examination of the case facts.

Dr. Shastitko explained that establishing the facts of monopolistically high prices and concerted actions are some of the most pressing issues of the content of antimonopoly law and its enforcement in terms of developing standards for establishing such cases in the actions of economic entities and executives of the companies that have violated the antimonopoly law.

"One of the fundamental problems of legal nexus of the standards of proof and toughness of sentencing is the degree, to which the rulings of arbitration courts depend on the evidence presented by the antimonopoly bodies in view of a limited sensitivity of the courts to economic analysis", concluded his presentation Dr. Shastitko.

Summing up the presentation Andrei Shastitko outlined the main elements of an effective approach to the problems in question :

- providing possibilities and incentives by the antimonopoly authorities to meet strict standards of proof;
- improving the standards of proof consistent with diverse markets;
- providing free access to research findings on the state of competition;
- improving the level of sensitivity for economic analysis by the court system;
- abandoning criminal prosecution for participation in concerted actions; introduction of the "warning" norms in enforcement practice;
- considering proposed substantive changes to the antimonopoly law.

**Andrei Shastitko:** D.O.B.: 1965, professor (2007), Doctor of Economics (1999). 2005- present: Director General for the "Bureau of Economic Analysis" Foundation  
1991 - present: assistant, senior lecturer, associated professor, professor at the faculty of economics, Lomonosov Moscow State University  
2007- present: principal researcher, the Institute of Market and Enterprise Analysis, State University - Higher School of Economics  
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*He is the author of more than 200 books and articles published in Russia and abroad, particularly, on the issues of competition and antimonopoly policy*