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In the "third antimonopoly package of laws" the concept of "cartel" will be significantly narrowed and clarified, said the Head of the Federal Antimonopoly Service (FAS Russia) Igor Artemyev, speaking on 8th July 2010 at the Russian - American seminar on antimonopoly enforcement.

According to Igor Artemyev, Russian antimonopoly authority will increasingly apply the methods of comparable markets to determine monopolistically high prices and take into consideration global prices and indicators of exchange trading. "Developing the "third antimonopoly package of laws" we took into considerations recommendations of our colleagues from OECD, in particular, the USA and the European Union", reminded Mr. Artemyev.

The Head of FAS Russia said that every year FAS Russia prevents creation of over 200 monopolies and daily imposes fines upon government officials at different levels for violating the antimonopoly law, the law on advertising and the law on state procurement.

Speaking at the workshop, Igor Artemyev told his American colleagues about evolution of Russian antimonopoly law and explained the key points of the "third antimonopoly package of laws", which FAS plans to present to the State Duma of the Russian Federation in the autumn. In particular, the Head of FAS Russia described in detail the procedures for making antimonopoly violators criminally liable. American judges showed keen interest to disqualification of government officials and company managers provided for in Russian antimonopoly law.

Igor Artemyev said that government officials still remain the main violators of the antimonopoly law in Russia. According to FAS statistical reports, more than half of all cases initiated by FAS Russia and its regional offices for the signs of violations of the antimonopoly law are against the authorities (in 2008 - 53%, in 2009? - 60.5% of the total number of cases initiated under the Federal Law "On Protection of Competition").

In the concluding part of his presentation, the Head of FAS Russia talked about practical experience of work of the antimonopoly body with judges, pointing out that the Findings of the Plenum of the Supreme Arbitration Court "On some issues emerging when arbitration courts apply the antimonopoly law" of 30th June 2008 was aimed at supporting competition in Russia.

The workshop was attended by Russian and American judges, representatives of Russian ministries and government agencies, officers of FAS Russia and layers and economists specializing in antimonopoly law and policy. At the workshop participants learnt about existing antimonopoly enforcement practice in Russia and the USA and discussed the main problems emerging when courts are considering antimonopoly cases.

Presentations at the workshop were given by Judge Douglas Ginsburg, a Judge of the United States Court of Appeals for the District of Columbia Circuit; Judge Sarah Vance the Chief Judge of the United States District Court for the Eastern District of Louisiana; Russell Damtoft, the Associate Director of the Federal Trade Commission's Office of International Affairs; and John McReynolds, an attorney of the Antitrust Division of the United States Department of Justice.

