On September 8, 2020, the new Agency for the Protection and Development of Competition (the “Agency”) was created, directly accountable to the president.

On December 31, 2020, the President of the Republic of Kazakhstan signed Edict No. 484 “On the Main Directions of State Policy for the Development of Competition”. Among other things, the edict:

- Declares the promotion of competition and the introduction of a proactive competition policy as a priority for the entire executive branch, including the president and the government;
- Determines that the priority of preventive measures of anti-monopoly regulation is one of the principles of implementing the competition policy;
- Sets out that by April 1, 2021, the Agency should develop a “National Project for the Development of Competition in the Republic of Kazakhstan for 2021-2025”;
- Sets out that by the end of 2021, the Agency should draw up amendments to the laws of the Republic of Kazakhstan to provide for the introduction of a mechanism and the methodology for assessing the impact on competition by draft regulatory legal acts, in accordance with the standards of the Organization for Economic Cooperation and Development;
- Arranges work on the generalization and specialization of the practice of hearing anti-monopoly cases by courts.

The Agency has actively proceeded with the execution of the assigned objectives and is already taking steps to create a pro-competitive environment.

It worth noting that the Agency demonstrates an increasing trend towards prevention of competition law offenses. In this vein, for the purposes of protection and the further development of competition, the Agency adheres to the strategy of preventing violations and supporting entrepreneurs rather than immediately holding them liable.

In this article, we review the Agency performance reports for 2019 and 2020. The reports include comparative analysis, practice and statistics on the mechanisms for the prevention, suppression, detection and investigation of anti-monopoly law violations for the relevant periods. Also, the reports allow us to understand the position (trends) of the Agency when using the appropriate mechanisms.

The full text of the article (in Russian) can be found here.