



Project no.
02/MAC/01/06/001

Техничка помош за изработка на трговски закони

Technical Assistance to draft Trade Laws

An EU-funded Project managed by the European Agency for Reconstruction



Consultant: Thalés E&C - Ghelber Law Firm

VOYAGE D'ETUDE A PARIS

**STUDY MISSION 2 – Technical Assistance to Draft
trade Laws**

02 to 08 February 2004



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Study Mission II Paris-France

Transposing & Implementing of European Economic law

*Transposition et mise en oeuvre
du droit économique communautaire*



I. Background

The Ministry of Economy (MoE), the Monopole Authority and the State Market Inspectorate (SMI) are direct beneficiaries of the DTL Project in its four components: (1) The approximation process (2) Trade and consumer laws, (3) Competition & State aid. All the Participants are civil servants and deal with the liberalisation and regulation of the market. The needs that have been identified and led to this Study Mission are, among others:

- Inclusion of key stakeholders in the law-making process and a representative of the State Market inspectorate for better implementation: *the study Mission will provide an experience to better develop and use expertise and knowledge about market functioning, competition and trade laws implementation*
- Institutional modernization, procedures and strategy planning: *The study mission will help deepen experts' recommendations (Mr. Souty, Mr. Poyer, Professor Errera, Maître Franck) such as*
 - *surveillance of cartels & unfair competition;*
 - *enhancing the inspectorates' organisation, training and performance;*
 - *(not over-) regulating trading activities;*
 - *clarifying State & Municipalities economical role in services of general economic interest;*
 - *ensuring between ministries and with the legislative body an efficient and integrative transposition of EU law*
- The implementation of liberalised and approximated trade laws by the MoE. The Study Mission will help
 - Assess the extent of such achievements in an EU Member State;
 - Analyze the requirements of such attempts and suggested improvements
 - Clarify the harmonisation between International commercial law and EU law (trade instruments, commercial dispute resolution, law-making process).



The DTL Project conceived this Study Mission to better answer to these needs, gaps and challenges and more generally to familiarize Macedonian officials with the current legislation, institutions and implementation issues in an EU Member State with a long tradition of reforms.

II. Objectives

The goal of the Study Mission is to provide specific information to enhance the administrative effectiveness of transposing and implementing the EU law.

Specific objectives include:

- Organisational set-up and distribution of competences between entities of the Ministry of Economy, Finance and Industry.
- The role of the state in the strategic, planning capacity: *“l’Etat stratège”*.
- Organization and implementation of good governance principles: collegiality, accountability, independence, impartiality, proportionality, *subsidiarity*
- Changes incurred based on adoption of EU Legislation and related experiences
- Inter-ministerial taskforces or working groups for co-ordination and co-operation between various sectors

In order to complete these objectives, the “DTL Project” has conceived a suitable agenda based on the contacts established with respective officials from different Institutions in France¹. The agenda is to be found at the end of the document in Annex 2.

¹ List of contact persons is provided in Annex 1 of this report



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III. List of participants

Ministère de l'Economie

Mme. Neriman DZELADINI, Directrice du département de l'intégration européenne, membre de la Commission sur les aides d'états – **MoE**

Mme. Snezana PETKOVSKA, Directrice-adjointe du département des affaires juridiques – **MoE**

Mme. Vera PEPELNICKA, Directrice de département, affaires générales, membre de la Commission sur les aides d'état, **MoE**

Mr. Krum EFREMOV, Directeur de département pour le Commerce et l' OMC, **MoE**

Mr. Vlado BOGDANOVSKI, Directeur de *l'Inspectorat des marchés*

Mr. Gjorgi BAJLOZOV, **MoE**, Directeur du département des analyses de marché, Autorité de la Concurrence.

Mr. Stevica JOSIFOVSKI, **MoE**, Directeur de département, contentieux, Autorité de la Concurrence

Projet financé par l'Union Européenne

Rédaction des lois économiques (drafting of trade laws, Agence Européenne
pour la Reconstruction)

Melle. Julijana DIMOVSKA, juriste, junior – **DTL project**

Mme. Sophie QUINTIN ADALI, juriste, conseillère du projet, **DTL project**,



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IV. Expected output

At the end of this mission the participants will provide **a collective report** with **individual** as well as **common contributions** including:

- description of transfer of know-how and experience based on info obtained;
- comparative description of the institutional set-up at the light of EU standards and regulations, with examples of effective implementation of EU and national trade regulations;
- specific cases and lessons learned;
- how to conceive, organise and implement activities in compliance with EU law and practices and in an effective and coherent way.

V. Study Mission details

Hotel:

Hotel Blackston
12 rue de parme
79009 Paris

tel: 00 33 (0) 1 55 31 93 93

Weather: come prepared for winter conditions (warm clothes, umbrella and comfortable shoes as local transportation will be by metro and buses).



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VI. For more information please contact

Ministry of Economy

Technical Assistance to Draft Trade Laws Project

Jurij Gagarin 15, room no 16

1000 Skopje

tel.: 00 389 (0)2 3093 528

dtl@economy.gov.mk



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ANNEX 1

Study Mission Contacts



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Contacts and Persons met in Paris

- **Ministère de l'Economie, des Finances et de l'Industrie**

Mme Béatrice DELAMASURE, chef de service de la Communication
Melle Chantal DA COSTA, assistante

139 Rue de Bercy
Tel : 00 33 (0)1 53 18 88 02
Paris 75013

Chantal.da-costa@dircom.finances.gouv.fr

Metro Bercy
RER Bercy

- **Conseil de la Concurrence.**

Mr. Francois SOUTY, Rapporteur (DTL expert)
Mr. Pierre AVIGNON, Rapporteur
Mme Véronique Foutaine-Eloy, Rapporteure

Tel.: 00 33 (0) 1 55 04 00 66
Mob.: 00 33 (0) 6 45 43 82
email: francois.souty@conseil-concurrence.fr

- **Direction Générale de la Concurrence, de la Consommation et la Répression des Fraudes**

Mr. Jacques POYER, Directeur Départemental (DTL expert).
Mr. Francois VAN WYMEERSH, Département de la Coopération Internationale
Mr. Philippe GUILLERMIN, Inspecteur principal, chargé du droit de la consommation.
Mme Lucie MUNIESA, adjointe au chef du bureau des Concentrations et Aides d'Etat
Melle Agathe BAUFUME, Inspectrice, bureau des Concentrations et Aides d'Etat

DDCCRF
59 Boulevard Auriol,
4eme étage
75013 Paris



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Metro Chevaleret

- **Sénat**

Mr. Olivier DELAMARE-DEBOUTTEVILLE, Directeur-adjoint.

Mme Dorothee MARBREIL, assistante

Direction des relations internationales

8 rue de Garenciere

75006

Tel : 00 33 (0) 1 42 34 43 61

d.malbreil@senat.fr

Metro St Sulpice

- **Chambre de Commerce Internationale (International Chamber of Commerce) et Cour Internationale d'Arbitrage (International Arbitration Court).**

Mme Mirèze PHILIPPE, Special Counsel.

Mr. François-Gabriel CEYRAC, Directeur, Comités Nationaux.

Mr. Aleksandar STOJANOVSKI, Policy Manager for taxation, customs and trade regulations.

Mr. Emmanuel JOLIVET, Cour Internationale d'Arbitrage de la CCI, Conseiller Général.

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Metro Alma Marceau

- **THALES Consulting and Engineering**

Mr. Michel BOUSQUET, Executive Vice-President, Développement et Coopération Internationale.

Mme Catherine BACARRERE, chargé du projet DTL

Mr. Gilles CASTAN, Juriste

Département Développement et Coopération

25 rue du Pont des Halles

Chevilly-Larue

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Jurij Gagarin 15, 1000 Skopje

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Bus 216 from Denfert Rochereau

- **Commissariat Général du Plan**

Mme CYAVANOVITCH, Chargé de mission, service relations internationales

Mr. Philippe HIRTZMAN, Chef du Service des entreprises et du développement Economique

Mr. Olivier PASSET, Chargé de mission

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- **Conseil d'Etat**

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Mme Charline LE FIER DE BRAS

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Mr. le Conseiller BELLANGER, Bureau des relations internationales.

Mme Chantal LEVEQUE

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ANNEX 2

Final programme of visits



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	DAY 1 Monday 02 Feb. 2004	DAY 2 Tuesday 03 Feb. 2004	DAY 3 Wed. 04 Feb. 2004	DAY 4 Thursd. 05 Feb. 2004	DAY 5 Friday 06 Fév. 2004	DAY 6 Sat. 07 Fév. 2004	DAY 7 Sun. 08 Fév. 2004
a.m.	Flight Skopje-Belgrade-Paris departure 5H30 Arrival 10h50 Vol JU 240 from Belgrade Transfer to Hotel, Briefing	Breakfast Conseil de la Concurrence (DTL expert Mr. François Souty) 9h15 to 12H00	Breakfast Sénat 9h30 to 13h00	Breakfast Free time Transfer by Bus to Rungis	Breakfast Commissariat Général du Plan 9h30 to 12h15	Breakfast Bus tour (main architectural landmarks) 10H00 to 11H30	Breakfast Transfer to airport. Departure at 11H00, Vol JU 241 to Belgrade
lunch				13h00 Lunch offered by Thalès			
p.m.	Ministry of Economy, Finance and Industry 17h00 à 18h00	Direction Général de la Concurrence, de la Consom-mation et de la Répression des Fraudes (MoE) (DTL expert Mr. Jacques Poyer) 14h30 to 18h00	International Chamber of Commerce 14h30 to 17h00 18h00: Reception at Macedonian Embassy	Thalès Engineering and Consulting 16h00: visit of Eiffel Tower, 18h00: Bateau-mouche	Conseil d'État 15h00 to 17H00	Free time	Arrival time in Skopje 20H30
Evening	Free	Free	Free	Free	Restaurant and Cabaret show in Montmartre	Dinner with French experts	