



KREAB BRUSSELS OFFER ON

COMPETITION PRACTICE

KREAB

WORLDWIDE

KREAB is a global public affairs and strategic communications company, advising corporations, governments and other organizations on issues of strategic importance for business, technology, finance and politics.

The challenges deriving from the current geo-political environment add complexity and uncertainty to the European political and economic landscape.

We represent the interests of companies and organizations toward European institutions, Member States and other public bodies, with the objective to have an impact on relevant policies through constructive dialogue.

STRATEGIC ADVICE ACROSS ALL EU POLICY AREAS

Bringing together a broad range of professionals, our experienced consultants and senior advisors possess vast experience from the European institutions, Member States' regulators, the media, think tanks, NGOs and the private sector.

You may be trying to navigate through an antitrust investigation, merger clearance or state aid proceedings, or seeking clarity on the treatment in the EU of subsidies that your company received from a third country or again on behaviors of platforms defined by the Commission as gatekeepers. Whatever the issue, our team is well positioned to provide you with the highest quality strategic advice and high-impact campaigns and advice.

KREAB'S COMPETITION PRACTICE

KREAB is uniquely positioned to support clients in antitrust investigations, merger clearance and state aid cases. We are well respected in the European Commission and other European institutions, and we operate as a constructive intermediary and advocate on behalf of our clients. We ensure that our clients are prepared for complex proceedings, that they address effectively all competition regulatory concerns, and that they are equipped with an optimal media and social media strategy to mitigate reputational risks.

Our team of consultants consists of high-ranking former competition officials from national authorities and European institutions, including the Directorate-General for Competition, EFTA and National Competition Authorities. This enables us to advise and execute effective strategies for complex antitrust proceedings, and to influence decisions on merger clearance and state aid. We also manage communication via media and social media, when it is useful to build awareness with a wider audience.

OUR SERVICES

Antitrust

We are experienced in helping companies navigate complex antitrust investigations and making adjustments to changes in regulation. Alongside legal advisors, we navigate companies through complex antitrust investigations. We advise clients on how to manage reputational risks, communicate the right messages and effectively engage with competition enforcers at EU and Member States level.

Mergers and acquisitions

Already during the pre-notification period, and in Phases I and II of investigations, we advise companies on strategies for achieving their objectives. Analysing the political forces influencing each proposed deal, we assist our clients in developing and communicating effective messages to stakeholders and relevant actors in the European institutions.

State aid

The impact of the current geo-political environment has had impact on the EU economy shifting the attention of policy makers on issues of security of supply chains and economic security. We actively support client interests in state aid cases, providing a clear picture of how policy-makers are approaching each case, both at EU and national level. Input at the political level is often important at the earliest stage possible.

Investor activism campaigns

In the context of M&As and assessment of investment value, an interesting development is the growth of shareholder activism. With deep knowledge of corporate governance issues, and using relevant political and media channels, we help investors, boards and management to assert their interests with regard to activism campaigns.

Foreign Subsidies

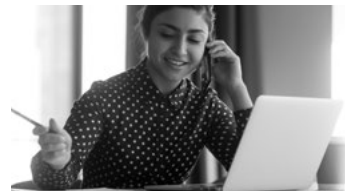
This new set of rules enables the Commission to address distortions caused by subsidies awarded to businesses by third countries. We would support client in the assessment of the impact on companies from rules on investment screening and foreign subsidies. We would provide wider engagement in preparation and during proceedings assessing possible foreign subsidies.

Digital Market Act

In the context of the DMA, we provide in depth analysis on its possible impact on companies. We identify and create positioning opportunities for gatekeepers, potential gatekeepers, and users of core platform services and assess the impact of new tools such as the DMA on traditional competition policy, as well as the intersection with sectoral legislation (e.g. platforms regulation, privacy, etc.) in the context of rapidly evolving markets.

Strategic counselling

By gathering upstream intelligence, we provide our clients with a clear picture of how policymakers approach each individual case or specific sector, both at national and EU level. Our expertise puts us in a unique position to understand and balance the different interests that may be involved in each case, assess the impact of new regulatory and legislative developments and advise companies/associations on how to comply with the enforcers'



CASE STUDIES

Security of supply and investment protection

We supported a multinational energy company to establish both in Brussels and at Member States level a wide network of allies that could support the position of the client, and would recognise the role of the power plant in terms of security of energy supply and transition to clean energy.

The client established itself as a key European energy partner, that ensures security of energy supply and energy independency to a key European region. The recognition of the vital role that the client's project had for the national electricity market allowed the client to protect the investment in the power plant.

Advising a European utility on investment climate in Member States

A European utility company has planned investments in several Member States and needed to understand the evolution of the relevant legal and political framework at EU and national level.

We gathered intelligence in Brussels and the relevant Member States on the approach of relevant decision makers on third countries investments in strategic assets in Member States. We also gathered intelligence as to the evolution of the relevant regulatory framework and on the assessment under EU Merger Regulation of specific acquisitions.

The comprehensive reports that we submitted on how the political, regulatory and economic environment could impact the investments that the client was planning allowed the client to take the appropriate investment decisions.

Merger in a declining sector

A large multinational conglomerate company in a declining sector, faced an in-depth investigation by the European Commission concerning the acquisition of a competitor. The ultimate objective of the public affairs strategy was to get the European Commission's clearance for the acquisition without having to provide any commitments.

Kreab advised the client throughout the whole procedure. We identified the key allies within the relevant Directorates of the EU Commission and other stakeholders. We helped the client and its legal advisors to counter each of the Commission's concerns with an immediate, proactive and cooperative response. The European Commission cleared the proposed acquisition without any remedies being required.



MITIGATING RISKS AND HIGHLIGHTING OPPORTUNITIES

Unlocking new opportunities

We were strategic counsellors to an EU candidate country on how to bring its domestic state aid and competition regime into compliance with the EU framework, to help facilitate its accession and start negotiations with the European Commission on the Competition Chapter. Based on our advice, the national State Aid Authority in question adopted a more comprehensive enforcement and structural framework that met the EU's requirements.

Protecting clients' interests

We have successfully executed a value uplift strategy for an activist investor, in the context of a merger between two major companies active in the IT and Electronics sector. Through an effective public affairs and media strategy, we empowered the investor's position during negotiations with the board of one of the merging parties, and so increased the value of the deal to the client.

CORE TEAM

Our Competition practice in Brussels provides our clients with strategic advice on a wide range of issues related to EU competition policy. For further information on how we can assist you, please contact us:



Sebastian Remøy EXECUTIVE VICE PRESIDENT KREAB
WORLDWIDE, GLOBAL HEAD OF PUBLIC AFFAIRS

Sebastian is Executive Vice President of Public Affairs for KREAB globally and he heads the Trade, Competition and Brexit teams in Brussels. Sebastian previously co-ordinated the European Free Trade Association's co-operation with the EU on its Internal Market Strategy, enlargement and EU institutional reform. Prior to that, he was a trade advisor at the US embassy in London and Deputy Head of the US embassy's commercial section in Oslo. Sebastian has also worked in Washington, first at the Centre for Strategic and International Studies and then in the US Congress advising House and Senate committees on EU and Japanese trade and industrial policy. Furthermore, Sebastian is Brexit co-ordinator for the Transatlantic Business Council.



Alberta Laschena PARTNER – HEAD OF COMPETITION

Alberta has extensive experience in advising companies on European competition policy, consumer protection and regulatory matters. Before joining KREAB, Alberta worked as a Senior Associate lawyer in a Brussels law firm. She started her career at the Italian Competition Authority, where she dealt with – amongst others – media and aviation transport. From there she moved to the European Commission's DG COMP, where she dealt with the review of competition rules for the automotive industry and with a major competition case in car manufacturing.



Mihailo Jovetic ASSOCIATE DIRECTOR

Mihailo has advised clients from various sectors – technology, media, and telecommunications, financial services, fintech, energy, governments/nation states – on profiling, positioning, and engagement at different levels. He has experience in several policy areas, including technology and digital economy (online platforms regulation, media, digital competition, content moderation, consumer protection), digitalisation and connectivity, and geopolitics. He has substantial experience in managing and advising activities of trade associations and alliances, creating cross-sector collaborations and maximising the policy footprint of associations/alliances. Prior to joining Kreab, Mihailo worked in the European Parliament and at the Hague Centre for Strategic Studies in the Netherlands. He holds two MSc degrees from Leiden University and is fluent in English, Italian, Dutch, and Serbian, and speaks French and Spanish.



SENIOR ADVISORS ON COMPETITION



Henne Schuwer SENIOR ADVISOR

After a 42-year career with the Netherlands Ministry of Foreign Affairs, where he focused on the European Union and transatlantic relations, Ambassador Schuwer joined Kreab as a Senior Advisor in 2020. During his career, Henne was involved in all Dutch EU Presidencies, the last one as Deputy Permanent Representative of the Netherlands to the EU and Chair of Coreper I. After this, Henne served as the Director of the Private Office of the Secretary General of NATO. Mr Schuwer has extensive knowledge of US politics and trade issues after two assignments in the US, including a period as the Dutch Ambassador to Washington DC in 2015-19.



Gunnar Hökmark SENIOR ADVISOR

Gunnar Hökmark was a Member of the European Parliament and Head of the Swedish EPP delegation for 15 years, and for many years vice-president of the EPP Group. Mr Hökmark was instrumental in the enlargement process and in the cooperation with the Eastern Partnership. Before his time in Brussels, Mr Hökmark was a Member of the Swedish Parliament for more than 20 years and Party Secretary for nearly 10 years. Gunnar Hökmark is today, among other things, Chairman of the foreign policy think tank Stockholm Free World Forum, and the Swedish Insurance Broker's Association.



Oda Helen Sletnes SENIOR ADVISOR

Oda has more than 30 years' experience of Norway-EU relations. Twice Ambassador to the European Union, 2006-11 and 2015-18, she has worked on a broad range of EU-issues, including security and defence. As President of the EFTA Surveillance Authority (ESA) 2011-2015, an independent body monitoring compliance with EU and EEA law in the EFTA States, she had a particular responsibility for the Authority's decisions on state aid. During her time as a career diplomat in the Norwegian Foreign Service, she has held several senior positions, such as Director General for European affairs and most recently as Norway's ambassador to France. Oda was a member of the independent government commission reporting on the EEA agreement's consequences for Norwegian businesses. She is fluent in English, French and Norwegian.



Jacqueline Hall SENIOR ADVISOR

Jacqueline is Principal at Partners in Communication. She has previously served as a non-executive director for Irish Water and Ervia, as President of the Public Relations Institute of Ireland and as a Council Member of the Dublin Chamber of Commerce. She is currently a member of the Board of Governors and Guardians of The National Gallery of Ireland. Jacqueline holds a BA (Hons) from N.U.I. (History, History of Art), a Graduateship in Marketing, a Graduate Diploma in Corporate Governance from the Smurfit Business School, Dublin and an Advanced Diploma in Data Protection Law from The Honorable Society of King's Inns, Dublin.

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