

Draft intervention for item 3 c: " Report of the intergovernmental Group of experts on competition law and policy".

(Talking points)

- The fourteenth session of the Intergovernmental Group of Experts (IGE) on Competition Law and Policy was held at the Palais des Nations in Geneva, Switzerland, from 8 to 10 July 2014. Representatives from 86 countries and 8 intergovernmental organizations, including the heads of competition authorities, attended the high-level discussions.
- Mr. Hebert Tassano Velaochaga, Chair of the thirteenth session of the Group of Experts, opened the IGE by inviting the Secretary-General of UNCTAD, Mr. Mukhisa Kituyi to address the 14th IGE.
- Dr. Kituyi started his opening remarks by stressing that the number of countries with competition laws had grown from 15 to 130 since the adoption in 1980 of the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices. He also highlighted that international cooperation was essential for competition law and policy to be effective. He ended his intervention by stating that the IGE was a vehicle of international cooperation in that area and a useful platform for sharing experiences and best practices.
- General statements by heads of competition authorities followed. In this segment, the President of the Spanish National Authority for Markets and Competition, the Director General of the Federal Competition Authority of Austria and the Chairman of the Commission on Protection of Competition of Bulgaria shared their views about the importance of the IGE for the international agenda of competition authorities.
- The following roundtable discussions were organized where important written and oral contributions from competition authorities and other participations which contributed to a rich debate:
 - (1) Benefits of competition policy for consumers
 - (2) Communication strategies of competition authorities as a tool for agency effectiveness.
 - (3) Informal cooperation among competition agencies in specific cases
 - (4) Review of capacity building activities
 - (5) UNCTAD online data bank on competition cases

(6) Voluntary peer reviews of competition law and policy for Namibia, Seychelles and the Philippines.

- UNCTAD expressed appreciation to the Governments of Namibia, Philippines and Seychelles for volunteering for peer reviews and for sharing their experiences, best practices and challenges with young competition agencies during the IGE and to all Governments and regional groupings participating in the reviews. UNCTAD also recognized the progress achieved so far in the elaboration and enforcement of the peer-reviewed countries' competition law; and invites all member competition agencies and government to assist UNCTAD on a voluntary basis by providing experts or other resources for future and follow-up activities in connection with voluntary peer reviews and their recommendation.
- The 14th IGE decided that UNCTAD Secretariat should, in light of the experiences with the voluntary peer reviews undertaken so far by UNCTAD and others and in accordance with available resources, undertake further voluntary peer reviews on the competition law and policy of member States or regional groupings of States during the Seventh United Nations Conference to Review All Aspects of the Set in 2015.
- The IGE also underlined the importance of using communication strategies of competition agencies as a tool for effective enforcement of competition law, the importance of disseminating evidence on the benefits of competition and appropriate regulations for consumers and businesses, and the need to strengthen international cooperation, including informal collaboration among agencies, and calls upon UNCTAD to promote and support cooperation between competition authorities and Governments, as directed by the Accra Accord in paragraphs 103 and 211;
- Another conclusion of the 14th IGE was the emphasis of the importance of regional cooperation in the enforcement of competition law and policy, and invites competition agencies to strengthen their bilateral and regional cooperation;
- Finally, the 14th IGE requested the UNCTAD secretariat to prepare a report on the implementation of the work programme and decisions taken at the Sixth United Nations Conference to Review All Aspects of the Set in 2010, including the two ad hoc expert meetings on the interface between competition and consumer policies held in 2012 and 2013. In addition, it requested UNCTAD Secretariat to prepare studies on the following topics:

1. Ways and means to strengthen competition agencies in order to better deliver competition policy enforcement and advocacy;
 2. Feedback from recently peer-reviewed countries with competition agencies on enforcement and changes since the peer reviews;
 3. The role of competition policy in promoting sustainable and inclusive growth;
 4. International cooperation in merger cases as a tool for effective enforcement of competition law;
 5. The benefits and the role of competition for consumers in the pharmaceutical sector
- Also requested the UNCTAD secretariat to prepare an updated review of capacity-building and technical assistance and a further revised and updated version of some chapters of the Model Law on Competition.
 - The 14th IGE concluded with some words of appreciation to the voluntary financial and other contributions received from member States and a call for member States to continue to assist UNCTAD on a voluntary basis in its capacity-building and technical cooperation activities with a view of maximizing their impact in all interested countries.