



United Nations Conference on Trade and Development

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Trade and Development Board
Trade and Development Commission
Intergovernmental Group of Experts on Competition Law and Policy
Thirteenth session
Geneva, 8–12 July 2013
Item 2 of the provisional agenda
Adoption of the agenda and organization of work

Provisional agenda and annotations

I. Provisional agenda

1. Election of officers
2. Adoption of the agenda and organization of work
3.
 - (a) Consultations and discussions regarding peer reviews on competition law and policy, review of the Model Law on Competition and studies related to the provisions of the Set of Principles and Rules
 - (b) Work programme, including the effectiveness of capacity-building and technical assistance to young competition agencies
 - (c) Consultations and discussions regarding the revision of the United Nations Guidelines for Consumer Protection, including the future work programme on the interface between competition and consumer policies
4. Provisional agenda for the fourteenth session of the Intergovernmental Group of Experts on Competition Law and Policy
5. Adoption of the report of the Intergovernmental Group of Experts on Competition Law and Policy

II. Annotations

Item 1 Election of officers

1. The Intergovernmental Group of Experts will elect a Chair and a Vice-Chair-cum-Rapporteur.

Item 2**Adoption of the agenda and organization of work**

2. The Intergovernmental Group of Experts may wish to adopt the provisional agenda contained in chapter I above.

3. It is proposed that the first plenary meeting, which will start at 10 a.m. on Monday, 8 July 2013, should be devoted to procedural matters (items 1 and 2 of the provisional agenda) and introductory statements. The closing plenary meeting will take place on Friday, 12 July 2013. In view of the short duration of the session, the Vice-Chair-cum-Rapporteur will be authorized to complete the final report after closure of the session.

4. The remaining meetings, from the afternoon of 8 July to the morning of 11 July, can be devoted to the substantive items 3(a) and 3(b) of the provisional agenda. Consultations on item 3(c) will begin on the afternoon of Thursday, 11 July. The report of the Intergovernmental Group of Experts will incorporate a summary of the consultations on all items of the provisional agenda. If necessary, the adoption of the report may be postponed until the late afternoon of 12 July in order to allow adequate time for an informal working meeting to be held.

Item 3(a)**Consultations and discussions regarding peer reviews on competition law and policy, review of the Model Law on Competition and studies related to the provisions of the Set of Principles and Rules**

5. At its closing plenary meeting on Thursday, 12 July 2012, the twelfth session of the Intergovernmental Group of Experts adopted a report of its meeting and agreed conclusions (contained in document TD/B/C.I/CLP/18). The Intergovernmental Group of Experts decided, in paragraph 6 of the agreed conclusions of the report, that the thirteenth session should hold consultations on:

- (a) The impact of cartels on the poor;
- (b) Prioritization and resource allocation as a tool for agency effectiveness;
- (c) Modalities and procedures for international cooperation in competition cases involving more than one country;
- (d) Voluntary peer reviews on the competition law and policy of interested countries.

6. The twelfth session of the Intergovernmental Group of Experts also requested the UNCTAD secretariat to prepare for consideration an updated review of capacity-building and technical assistance, taking into account information to be received from member States. To facilitate round-table discussions on topics (a), (b) and (c) listed above in paragraph 5, the secretariat has prepared reports on “The impact of cartels on the poor” (TD/B/C.I/CLP/24), “Prioritization and resource allocation as a tool for agency effectiveness” (TD/B/C.I/CLP/20) and “Modalities and procedures for international cooperation in competition cases involving more than one country” (TD/B/C.I/CLP/21).

7. Given that the Ad Hoc Expert Meeting on Consumer Protection will be held under the thirteenth session of the Intergovernmental Group of Experts and that the secretariat was further requested to prepare a draft proposal for the revision of the United Nations Guidelines for Consumer Protection, the secretariat has prepared a report titled “Implementation report on the United Nations Guidelines for Consumer Protection” (TD/B/C.I/CLP/23) for discussion from Thursday afternoon, 11 July, to Friday, 12 July. Replies to the UNCTAD questionnaire on the revision of the United Nations Guidelines

will be made available in the room as a conference room paper as well as online on the UNCTAD website (TD/B/C.I/CLP/CRP.1).

Expected outcome of the round tables

8. The discussions on these topics – which will include presentations by experts, international and regional actors, as well as representatives of the private sector and civil society – will identify guidelines and practical ways to feed experiences into capacity-building activities for interested competition agencies in developing countries and countries with economies in transition.

9. Also, in paragraph 8(d) of the resolution adopted by the sixth United Nations Conference to Review All Aspects of the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices, the Conference decided that the Intergovernmental Group of Experts should undertake further voluntary peer reviews on the competition law and policy of a member State or regional groupings of States, during future sessions of the International Group of Experts (see TD/RBP/CONF.7/11). Accordingly, and in line with topic (d) listed above under item 3(a) of the provisional agenda, the International Group of Experts will conduct three voluntary peer reviews of the competition policy of Nicaragua, Pakistan and Ukraine. In line with past practices, the secretariat has prepared the following reports and, to facilitate discussions, overviews:

(a) The full peer review report of Nicaragua (UNCTAD/DITC/CLP/2013/2). The report will be available in English and Spanish only. An overview of the report will be made available in all United Nations languages (UNCTAD/DITC/CLP/2013/2 (Overview)).

(b) The full peer review report of Pakistan (UNCTAD/DITC/CLP/2013/4). The report will be available in English only. An overview of the report will be made available in all United Nations languages (UNCTAD/DITC/CLP/2013/4 (Overview)).

(c) The full peer review report of Ukraine (UNCTAD/DITC/CLP/2013/3). The report will be made available in English and Ukrainian only. An overview of the report will be available in all United Nations languages (UNCTAD/DITC/CLP/2013/3 (Overview)).

10. Experts are invited to make an oral presentation supported by a short written paper on the topics referred to above and on the three peer reviews of Nicaragua, Pakistan and Ukraine. Should countries wish to hold consultations on other subjects, they are invited to inform the secretariat of the subject by no later than 15 May 2013 to enable all participants to prepare for the consultations.

11. In addition, the secretariat was requested to prepare, in consultation with other organizations and providers, a review of technical cooperation activities with a view to strengthening its ability to provide technical assistance for capacity-building in the area of competition law and policy. Accordingly, the secretariat has prepared the document “Capacity-building and the UNCTAD voluntary peer review as a capacity-building tool” (TD/B/C.I/CLP/22). The note focuses on the experiences and lessons gained thus far from voluntary peer reviews.

12. The Conference resolution mentioned above also requested the secretariat to continue publishing, as non-sessional documents, further issues of the Handbook on Competition Legislation which contain commentaries on national competition legislation that provide the basis for further revision and updating of the Model Law on Competition, as well as to include the issues of the Handbook on the UNCTAD website. The updated version of the Handbook is submitted in the form of the Handbook on Competition Legislation: Consolidated Report, 2001–2012 (UNCTAD/DITC/CLP/2012/2, CD-ROM; <http://unctad.org/en/Pages/DITC/CompetitionLaw/National-Competition-Legislation.aspx>). The UNCTAD Guidebook on Competition Systems, which is the extended version of the

Directory of Competition Authorities, is available on the UNCTAD competition website (<http://unctad.org/en/Pages/DITC/CompetitionLaw/Directory-of-Competition-Authorities.aspx>).

Item 3(b)**Work programme, including the effectiveness of capacity-building and technical assistance to young competition agencies**

13. Under this item, the Intergovernmental Group of Experts is expected to give guidance to the UNCTAD secretariat on further work to be undertaken on competition law and policy. To facilitate this exercise, the experts will have before them the note entitled “Capacity-building and the UNCTAD voluntary peer review as a capacity-building tool” (TD/B/C.I/CLP/22). The note reviews the lessons drawn from the peer reviews conducted within the Intergovernmental Group of Experts over the last four years, and assesses the extent to which peer review recommendations were implemented and their impact on the beneficiary competition agency. On the basis of the note, experts will discuss how to fine tune the peer review process and assist developing countries in implementing recommendations. In addition, donors and beneficiaries are invited to discuss the issue of the type and level of technical assistance provided and the needs of emerging competition agencies to facilitate the identification of financial and technical resources available and needed for the implementation of technical assistance and capacity-building programmes.

Item 3(c)**Consultations and discussions regarding the revision of the United Nations Guidelines for Consumer Protection, including the future work programme on the interface between competition and consumer policies**

14. Under this item, the Intergovernmental Group of Experts is expected to give guidance to the UNCTAD secretariat on further work to be undertaken on the revision of the United Nations Guidelines for Consumer Protection. To facilitate this exercise, the experts will have before them a document entitled “Implementation report on the United Nations Guidelines for Consumer Protection” (TD/B/C.I/CLP/23). The report is based on an extensive questionnaire sent to all member States, the Organization for Economic Cooperation and Development secretariat, the World Bank, Consumer International and other consumer organizations. The questionnaire was also sent to United Nations organizations, including the United Nations Commission on International Trade Law and the United Nations Industrial Development Organization. The report assesses the use made by member States of the United Nations Guidelines and their validity, and identifies areas which require revision or expansion. On the basis of the report, experts will discuss what further work is to be undertaken on the revision of the United Nations Guidelines and the process for introducing the revision.

Item 4**Provisional agenda for the fourteenth session of the Intergovernmental Group of Experts on Competition Law and Policy**

14. The Intergovernmental Group of Experts is expected to agree on the provisional agenda for its next session.

Item 5**Adoption of the report of the Intergovernmental Group of Experts on Competition Law and Policy**

15. The Intergovernmental Group of Experts will adopt a consolidated report covering the consultations on competition issues and the revision the United Nations Guidelines for

Consumer Protection and submit the report to Trade and Development Commission. The report and its annexes will also be submitted to the Trade and Development Board.

Input from experts

Experts are encouraged to submit brief papers (approximately five pages) as contributions to the work of the meeting. The papers should be submitted to the UNCTAD secretariat in advance of the meeting, and will be made available at the meeting in the form and language in which they are received. They will also be posted on the UNCTAD website.

For further information, please contact:

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Annex

**Draft work programme of the thirteenth session of the
Intergovernmental Group of Experts
Palais des Nations, E-Building, Room XVIII**

<i>Monday, 8 July 2013</i>	<i>Tuesday, 9 July 2013</i>	<i>Wednesday, 10 July 2013</i>	<i>Thursday, 11 July 2013</i>	<i>Friday, 12 July 2013</i>
	<i>10 a.m. – 1.00 p.m.</i>	<i>10 a.m. – 1.00 p.m.</i>	<i>10 a.m. – 1.00 p.m.</i>	<i>10 a.m. – 1.00 p.m.</i>
Opening of the meeting Address by Mr. Supachai Panitchpakdi, Secretary- General UNCTAD	Round table on: Impact of cartels on the poor	Round table on: Cross modalities and procedures for international cooperation	Opening of Ad Hoc Expert Meeting on Consumer Protection: Revision of the United Nations Guidelines on Consumer Protection (UNGCP)	Consultations on the revision of the UNGCP (continued)
Item 1 Election of officers			Review of the secretariat report on the status of the implementation of the UNGCP	Agreed conclusions
Item 2 Adoption of the agenda and organization of work				
Item 3 Introduction by the secretariat				
Round table on: Priority setting and use of resources as a tool for agency effectiveness				
<i>3.00 p.m. – 6.00 p.m.</i>	<i>3.00 p.m. – 6.00 p.m.</i>			
Pakistan Peer Review	Ukraine Peer Review	Nicaragua Peer Review	Consultations on the revision of the UNGCP	Adoption of the report of the Intergovernmental Group of Experts on Competition Law and Policy
Session I:	Session I:	Session I:		
- Presentation of the country report	- Presentation of the country report	- Presentation of the country report		Agreed conclusions
- Observations by the delegations	- Observations by the delegations	- Observations by the delegations		
- Questions and answers	- Questions and answers	- Questions and answers		
Session II:	Session II:	Session II:		
Interactive session on specific issues identified in the peer review report and issues on which the country may seek clarification	Interactive session on specific issues identified in the peer review report and issues on which the country may seek clarification	Interactive session on specific issues identified in the peer review report and issues on which the country may seek clarification		



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Intergovernmental Group of Experts on Competition Law and Policy
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Item 2 of the provisional agenda
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Corrigendum

Paragraph 9, lines 6 and 8

For International Group of Experts read Intergovernmental Group of Experts.



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Item 2 of the provisional agenda
Adoption of the agenda and organization of work

Provisional agenda and annotations

Corrigendum

1. Corner notation

The corner notation on document TD/B/C.I/CLP/19 should read as above

2. Page 1, paragraph 3(c)

Delete Consultations and discussions regarding the revision of the United Nations Guidelines for Consumer Protection, including the future work programme on the interface between competition and consumer policies

3. Page 2, paragraph 3, second sentence

For The closing plenary meeting will take place on Friday, 12 July 2013 *read* The closing plenary meeting will take place on Wednesday, 10 July 2013.

4. Page 2, paragraph 4

For

4. The remaining meetings, from the afternoon of 8 July to the morning of 11 July, can be devoted to the substantive items 3(a) and 3(b) of the provisional agenda. Consultations on item 3(c) will begin on the afternoon of Thursday, 11 July. The report of the Intergovernmental Group of Experts will incorporate a summary of the consultations on all items of the provisional agenda. If necessary, the adoption of the report may be postponed until the late afternoon of 12 July in order to allow adequate time for an informal working meeting to be held.

Read

4. The remaining meetings, from the afternoon of 8 July to the morning of 10 July, can be devoted to the substantive items 3(a) and 3(b) of the provisional agenda. The report of the Intergovernmental Group of Experts will incorporate a summary of the consultations on all items of the provisional agenda. If necessary, the adoption of the report may be postponed until the late afternoon of 10 July in order to allow adequate time for an informal working meeting to be held.

5. Paragraph 7

Delete the paragraph

6. Paragraph 14

Delete the paragraph

7. Annex

Replace the annex with the annex below.

Annex

**Draft work programme of the thirteenth session of the
Intergovernmental Group of Experts
Palais des Nations, E-Building, Room XVIII**

<i>Monday, 8 July 2013</i>	<i>Tuesday, 9 July 2013</i>	<i>Wednesday, 10 July 2013</i>
<i>10 a.m. – 1.00 p.m.</i>	<i>10 a.m. – 1.00 p.m.</i>	<i>10 a.m. – 1.00 p.m.</i>
Opening of the meeting Address by Mr. Supachai Panitchpakdi, Secretary-General UNCTAD	Round table on: Priority setting and use of resources as a tool for agency effectiveness	Round table on: Cross modalities and procedures for international cooperation
Item 1 Election of officers		
Item 2 Adoption of the agenda and organization of work		
Item 3 Introduction by the secretariat High-level panel on: The role of competition in the global agenda Round table on: Impact of cartels on the poor		
<i>3.00 p.m. – 6.00 p.m.</i>	<i>3.00 p.m. – 6.00 p.m.</i>	<i>3.00 p.m. – 6.00 p.m.</i>
Pakistan Peer Review	Ukraine Peer Review	Nicaragua Peer Review
Session I:	Session I:	Session I:
- Presentation of the country	- Presentation of the country	- Presentation of the country

<i>Monday, 8 July 2013</i>	<i>Tuesday, 9 July 2013</i>	<i>Wednesday, 10 July 2013</i>
report	report	report
- Observations by the delegations	- Observations by the delegations	- Observations by the delegations
- Questions and answers	- Questions and answers	- Questions and answers
Session II:	Session II:	Session II:
Interactive session on specific issues identified in the peer review report and issues on which the country may seek clarification	Interactive session on specific issues identified in the peer review report and issues on which the country may seek clarification	Interactive session on specific issues identified in the peer review report and issues on which the country may seek clarification
		Items 4 and 5 Adoption of the report of the Intergovernmental Group of Experts on Competition Law and Policy
		Agreed conclusions