



# United Nations Conference on Trade and Development

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## **Eighth United Nations Conference to Review All Aspects of the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices**

Geneva, 19–23 October 2020

Item 4 of the provisional agenda

**Adoption of the agenda and organization of the work of the Conference**

### **Annotated provisional agenda and organization of work**

#### **I. Provisional agenda**

1. Opening of the Conference.
2. Election of the president and other officers.
3. Adoption of the rules of procedure.
4. Adoption of the agenda and organization of the work of the Conference.
5. Credentials of the representatives to the Conference:
  - (a) Appointment of a credentials committee;
  - (b) Report of the credentials committee.
6. Implementation of the United Nations guidelines for consumer protection and the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices.
7. Strengthening consumer protection and competition in the digital economy.
8. International enforcement cooperation among consumer protection authorities in electronic commerce.
9. International cooperation under section F of the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices: Adoption of the guiding policies and procedures.
10. Improving consumer product safety worldwide: Good data for good policy.
11. Competitive neutrality.
12. Combating cross-border cartels.
13. Review of capacity-building in and technical assistance on consumer protection and competition law and policy.



14. Voluntary peer review of consumer protection law and policy: Peru.
15. Voluntary peer review of competition law and policy: West African Economic and Monetary Union.
16. Other business.
17. Adoption of the report of the Conference.

## **II. Annotations**

1. At its 52nd plenary meeting, on 19 December 2019, the General Assembly, on the recommendation of the Second Committee, decided to convene the Eighth United Nations Conference to Review All Aspects of the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices, under the auspices of UNCTAD. The Intergovernmental Group of Experts on Competition Law and Policy, at its eighteenth session, held from 10 to 12 July 2019, acted as the preparatory body for the Conference and approved the provisional agenda.<sup>1</sup> The Intergovernmental Group of Experts on Consumer Protection Law and Policy, at its fourth session, held on 8 and 9 July 2019, also acted as the preparatory body for the Conference.<sup>2</sup>

### **Item 1 Opening of the Conference**

2. The Conference will be opened at 3 p.m. on Monday, 19 October 2020, by the Secretary-General of UNCTAD or by his representative.

### **Item 2 Election of the president and other officers**

3. Rule 7 of the provisional rules of procedure of the Conference provides that the Conference shall elect, with due regard to equitable geographical distribution, a president, vice-presidents and a rapporteur. The president, four vice-presidents and the rapporteur shall constitute the Bureau of the Conference.

### **Item 3 Adoption of the rules of procedure**

4. The provisional rules of procedure of the Conference, as adopted by the previous seven Conferences, are contained in document TD/RBP/CONF.7/9.

#### *Documentation*

TD/RBP/CONF.7/9      Provisional rules of procedure of the Conference

### **Item 4 Adoption of the agenda and organization of the work of the Conference**

5. The text of the provisional agenda, as set out in chapter I, was approved by the Intergovernmental Group of Experts on Competition Law and Policy at its eighteenth session.

6. The Conference has at its disposal five working days, from 19 to 23 October 2020. It is suggested that the first meeting, on 19 October, be devoted to procedural matters,

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<sup>1</sup> TD/B/C.I/CLP/55.

<sup>2</sup> TD/B/C.I/CPLP/20.

namely items 1 to 5 (a) of the provisional agenda, as well as to a high-level segment, interactive debate and opening statements. Further, it is suggested that the last meeting, on 23 October, be devoted to items 5 (b) to item 8. The remaining meetings would then be devoted to substantive item 6 and to informal consultations. A proposed programme of work is provided in the annex.

7. Interpretation will be available from 10 a.m. to 1 p.m. and from 3 to 6 p.m. for the duration of the Conference.

8. Appropriate time and facilities shall be made available for the duration of the Conference for regional group meetings.

#### *Documentation*

TD/RBP/CONF.9/1      Annotated provisional agenda and organization of work

### **Item 5 Credentials of the representatives to the Conference**

9. Rule 5 of the provisional rules of procedure provides that a credentials committee shall be appointed at the beginning of the Conference, which shall examine the credentials of representatives and report to the Conference.

### **Item 6 Implementation of the United Nations guidelines for consumer protection and the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices**

10. The General Assembly, in its resolution on consumer protection adopted on 22 December 2015, in which it adopted the revised United Nations guidelines for consumer protection, requested the UNCTAD secretariat to exchange information on progress and experiences regarding the implementation of the resolution.<sup>3</sup> The Intergovernmental Group of Experts on Consumer Protection Law and Policy, at its fourth session, requested the UNCTAD secretariat to prepare a report on the implementation of the guidelines, in particular on the legal and institutional framework for consumer protection and work programme of the Intergovernmental Group of Experts in 2016–2020.

11. The Intergovernmental Group of Experts on Competition Law and Policy, at its eighteenth session, requested the UNCTAD secretariat to prepare a report on the implementation of the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices.

12. Governments will be invited to present their views under this agenda item. Written contributions from participants will be made available on the Conference website.

13. The Conference will focus on reviewing member States' experiences in the implementation of the United Nations guidelines for consumer protection and the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices and also listen to experiences from regional economic organizations from across the world.

#### *Documentation*

TD/RBP/CONF.9/2      Implementation of the United Nations guidelines for consumer protection

TD/RBP/CONF.9/3      Implementation of the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business

<sup>3</sup> A/RES/70/186.

*Documentation*

## Practices

**Items 7–13****Strengthening consumer protection and competition in the digital economy****International enforcement cooperation among consumer protection authorities in electronic commerce****International cooperation under section F of the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices: Adoption of the guiding policies and procedures****Improving consumer product safety worldwide: Good data for good policy****Competitive neutrality****Combating cross-border cartels****Review of capacity-building in and technical assistance on consumer protection and competition law and policy**

14. The Conference will hold informal consultations to exchange views on important policy issues with regard to competition and consumer protection. The Intergovernmental Group of Experts on Competition Law and Policy, at its eighteenth session, and the Intergovernmental Group of Experts on Consumer Protection Law and Policy, at its fourth session, requested the UNCTAD secretariat to prepare reports and studies on strengthening competition and consumer protection in the digital economy; and guiding policies and procedures in implementing international measures under section F of the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices.<sup>4</sup> Governments are invited to submit short notes on their interventions in advance to the UNCTAD secretariat in order for these to be made available to participants.

15. The Intergovernmental Group of Experts on Competition Law and Policy, at its eighteenth session, requested the UNCTAD secretariat to facilitate consultations on the topics of competitive neutrality and combating cross-border cartels during the Conference. The Intergovernmental Group of Experts on Consumer Protection Law and Policy, at its fourth session, requested the UNCTAD secretariat to facilitate consultations on the topics of international enforcement cooperation among consumer protection authorities in electronic commerce and improving consumer product safety worldwide. In addition, the Intergovernmental Group of Experts on Competition Law and Policy, at its eighteenth session, and the Intergovernmental Group of Experts on Consumer Protection Law and Policy, at its fourth session, requested the UNCTAD secretariat to prepare, for the consideration of the Conference, an updated review of capacity-building and technical assistance activities, based on information to be received from member States.

16. The Intergovernmental Group of Experts on Consumer Protection Law and Policy, at its fourth session, decided to renew the mandate of the working group on consumer protection in electronic commerce and the mandate of the working group on consumer product safety and requested them to report on their continued work to the Conference.

*Documentation*

TD/RBP/CONF.9/4	Strengthening consumer protection and competition in the digital economy
TD/RBP/CONF.9/5	International cooperation under section F of the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices: Adoption of the

<sup>4</sup> See TD/B/C.I/CLP/55, chapter I, para. 14, as well as para. 6 and TD/B/CLP/55/Add.1.

*Documentation*

guiding policies and procedures

TD/RBP/CONF.9/6 Review of capacity-building in and technical assistance on consumer protection and competition law and policy

**Item 14****Voluntary peer review of consumer protection law and policy: Peru**

17. The Intergovernmental Group of Experts on Consumer Protection Law and Policy, at its fourth session, requested the UNCTAD secretariat to prepare a report on the voluntary peer review of the consumer protection law and policy of Peru during the Conference.

18. Delegates wishing to participate in the peer review are invited to inform the UNCTAD secretariat in advance of the Conference, so that the programme for the peer review can be finalized in time and participants have adequate time to prepare themselves for the consultations.

*Documentation*

TD/RBP/CONF.9/7 Voluntary peer review of consumer protection law and policy: Peru (overview)

UNCTAD/DITC/CPLP/2020/1 Examen voluntario entre homólogos del derecho y la política de protección del consumidor del Perú

**Item 15****Voluntary peer review of competition law and policy: West African Economic and Monetary Union**

19. The Intergovernmental Group of Experts on Competition Law and Policy, at its eighteenth session, decided that UNCTAD should undertake a voluntary peer review of the competition law and policy of the West African Economic and Monetary Union during the Conference.

20. Delegates wishing to participate in the peer review are invited to inform the UNCTAD secretariat in advance of the Conference, so that the programme for the peer review can be finalized in time and participants have adequate time to prepare themselves for the consultations.

*Documentation*

TD/RBP/CONF.9/8 Voluntary peer review of competition law and policy: West African Economic and Monetary Union (overview)

UNCTAD/DITC/CLP/2020/2 Rapport préparatoire de l'examen *ex post* de la politique de concurrence de l'Union économique et monétaire ouest-africaine

**Item 16****Other business***UNCTAD Model Law on Competition*

21. The Intergovernmental Group of Experts on Competition Law and Policy, at its eighteenth session, requested the UNCTAD secretariat to revise and update the commentaries on chapters III and IV of the Model Law on Competition, based on submissions to be received from member States.

22. The Conference shall, among other issues, discuss and adopt the provisional agendas for the nineteenth session of the Intergovernmental Group of Experts on Competition Law and Policy and the fifth session of the Intergovernmental Group of Experts on Consumer Protection Law and Policy.

*Documentation*

TD/RBP/CONF.9/L.1 Revised chapter III of the Model Law on Competition

TD/RBP/CONF.9/L.2 Revised chapter IV of the Model Law on Competition

**Item 17**

**Adoption of the report of the Conference**

23. Rule 52 of the provisional rules of procedure states that the Conference may recommend to the General Assembly the adoption of amendments to the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices. Rule 52 also provides that the Conference shall adopt a report on its proceedings. The final report of the Conference will be submitted to the General Assembly through the Trade and Development Board.

## Annex

### Provisional work programme

<i>Monday, 19 October</i>	<i>Tuesday, 20 October</i>	<i>Wednesday, 21 October</i>	<i>Thursday, 22 October</i>	<i>Friday, 23 October</i>
	<i>10 a.m.–1 p.m.</i> Voluntary peer review of competition law and policy: West African Economic and Monetary Union	<i>10 a.m.–4.30 p.m.</i> Strengthening consumer protection and competition in the digital economy	<i>10 a.m.–1 p.m.</i> Voluntary peer review of consumer protection law and policy: Peru	<i>10 a.m.–12.30 p.m.</i> Competitive neutrality
<i>3–4 p.m.</i> Opening plenary Opening of the Conference Election of the president and other officers Adoption of the rules of procedure Adoption of the agenda and organization of the work of the Conference Credentials of the representatives to the Conference: Appointment of a credentials committee	<i>3–4.30 p.m.</i> Improving consumer product safety worldwide: Good data for good policy		<i>3–4.30 p.m.</i> Combating cross-border cartels	<i>12.30–1 p.m.</i> Other business  UNCTAD Model Law on Competition (part 2, commentaries – revised chapters III and IV)
General statements High-level segment: Leaving no one behind in the post-coronavirus disease (COVID-19) world: The contribution of competition and consumer protection policies				<i>3 p.m.</i> Provisional agendas for the nineteenth session of the Intergovernmental Group of Experts on Competition Law and Policy and the fifth session of the Intergovernmental Group of Experts on Consumer Protection Law and Policy
<i>4–5 p.m.</i> Implementation of the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices <i>5–6 p.m.</i> Implementation of the United Nations guidelines for consumer protection	<i>4.30–6 p.m.</i> International enforcement cooperation among consumer protection authorities in electronic commerce	<i>4.30–6 p.m.</i> Review of capacity-building in and technical assistance on consumer protection and competition law and policy	<i>4.30–6 p.m.</i> International cooperation under section F of the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices: Adoption of the guiding policies and procedures*	<i>4 p.m.</i> Closing plenary Report of the credentials committee Adoption of the report of the Conference

\* TD/B/CLP/55/Add.1.