



Intergovernmental Group of Experts on Competition Law and Policy
12th Session, 9 to 11 July 2011, Geneva, Switzerland

**Round Table on
"Competition policy and public procurement"¹**

Tuesday, 10 July 2011 (10:00 - 12:30)

Room XIX

Today, there is increased awareness of the power of public procurement to shape supply and thereby influence a whole array of economic factors. Yet for States to get good value for money and hence make good use of scarce public resources, competition is paramount.

Against this background, this round table debate is dedicated to the question how to ensure the desired competition in public procurement taking into account aspects of the regulatory framework for public procurement, market characteristics, and the possibility of collusive behaviour of bidders.

Specific attention shall be paid to the role of competition authorities in ensuring competition in public procurement. While competition authorities are in charge of detecting and prosecuting bid-rigging, the design of public procurement procedures, as well as their implementation, generally falls outside their jurisdiction. Nevertheless, competition authorities can play a crucial role in advocating rules for public procurement that ensure competition in the related markets and they can support public procurement entities with the prevention of bid-rigging.

Questions that may be debated during the round table discussion may include the following:

- Which advocacy actions by competition authorities have proven to be more effective to enhance competition in public procurement?
- Which steps have competition and procurement authorities taken to systematize their knowledge on specific procurement markets?
- Has the analysis of incentives for collusion lead to any specific law or policy adjustment in your jurisdiction?
- Does transparency of bidding processes actually undermine competition?
- Which remedies have been used after bid rigging cases to enhance competition in bidding markets? Is blacklisting effective to deter collusive practices?

¹ UNCTAD (2012), Competition policy and public procurement, TD/B/C.I/CLP/14

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WORK PROGRAMME

10:00 - 10:10 **Presentation by UNCTAD Secretariat**

10:10 - 10:30 **Keynote Speech**

Mr. Sean Ennis, Executive Director, Competition Commission of Mauritius

10:30 - 11:30 **Panel**

- Mr. Mikhail Evraev, Director of Public Procurement Department, FAS Russia;
- Ms. Anna Müller, WTO;
- Mr. Antonio Maudes, Spanish Competition Commission; and
- Mr. Jaeho Moon, KFTC, Korea.

11:30 - 12:30 **Interactive Debate**

Panel presentations will be followed by an interactive debate including interventions by

- Mexico;
- OECD;
- Brazil;
- Switzerland;
- Poland;
- India;
- Morocco;
- Benin;
- Japan;
- China;
- Sudan;
- Germany;
- South Africa (tbc); and
- [...].

Delegates wishing to take part in this roundtable are kindly invited to inform the Secretariat accordingly by contacting Ms. Ulla Schwager (E ulla.schwager@unctad.org, T +41229175921).