



UNCTAD

Minutes second Meeting
Working Group on modalities of UNCTAD voluntary peer review exercises, 08 February 2021

The [Eighth United Nations Conference on Competition and Consumer Protection](#), held from 19 to 23 October 2020, decided to establish a “*working group on modalities of UNCTAD voluntary peer review exercises, open to member States on a voluntary basis, without any financial implications for the regular budget of the United Nations, to discuss and improve existing procedures and methodology, to report respectively to the nineteenth and fifth sessions of the Intergovernmental Groups of Experts on Competition and Consumer Protection laws and policies.*” The Working Group held its second meeting on 8 February 2020 (at 2 p.m. Geneva time). The objective of this meeting was to discuss the work plan proposed by the UNCTAD secretariat.

1. The meeting was opened and moderated by the secretariat.
2. The secretariat recalled that the first meeting was devoted to the discussion on the results of a preliminary questionnaire on the issue. The secretariat also presented the main outline of the draft workplan proposed, including: the scope of the discussions, the regularity of meetings, a proposed methodology and possible outcomes (as contained in the Annex to these minutes).
3. Participants were asked to provide comments and contributions to enrich the workplan:
 - a. Some participants indicated that the workplan prepared by the secretariat needed concretion. The secretariat responded that the secretariat proposal was left open to let each delegation to contribute to nurturing the workplan. The Working Group will operate on the basis of a workplan with participants’ input.
 - b. **United States (competition)** commended the work undertaken by the secretariat on peer review of competition and consumer policies. US stressed that while peer reviews on consumer protection have a framework document, this is not the case for peer reviews on competition. US also emphasized that the Working Group should add more detail to the workplan. This view was endorsed by some participants with good experience in conducting peer review.
 - c. **Dr. Laura Best (Nelson Mandela University)** asked the secretariat to provide some clarification on the individual steps of each peer review. She also requested to provide an appropriate definition of peer reviews in the context of UNCTAD.
 - d. **Ms. Prabha** asked whether comments from industry perspective are welcomed to the Working Group. The secretariat indicated that the Working Group is open to all participants who received an invitation to attend its meetings. Accordingly, there is no restriction on contribution emanating from participants.
 - e. **Philippines (Department of Trade and Industry)** shared its experience on consumer protection policy with the ACCP project in ASEAN. It requested more information on the next step for developing country after volunteering for a peer review at UNCTAD. The secretariat answered that the main findings of the peer review were used to prepare a capacity-building project to improve the competition/consumer protection regimes of the beneficiary country.
 - f. **Chile, Australia, Serbia, and the Eurasian Economic Commission** shared their intention to send written contributions to the Secretariat in due course.



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4. At the end of the meeting, it was agreed that the secretariat will perform the following task:
 - Expand work plan based on written contributions received from participants; and
 - Send a document related to the mapping of Peer Review processes within UNCTAD.
5. The next meeting of the Working Group will be held on 17 March from 14:00 CET to 15:00 CET.



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Working Group on modalities of UNCTAD voluntary peer review exercises		
2nd Meeting – List of Participants		
Name	Organization	Country
Scott Rogers	Australian Competition and Consumer Commission (ACCC)	Australia
Araz Aliyev	State Service for Antimonopoly and Consumer Market Control	Azerbaijan
Nazara Zago	Administrative Council for Economic Defense (CADE)	Brazil
Enrique Vergara Vial	Court for the Defense of Free Competition (TDLC)	Chile
Gabriella Szilágyi	Competition Authority (GVH)	Hungary
Michele Pacillo	Competition Authority (AGCM)	Italy
Rafael Regla	Federal Consumer Protection Agency	Mexico
Camille Castillo	Department of Trade and Industry	Philippines
Damla Yeseren Arafa	Ministry of Trade	Turkey
Hugh Stevenson, Russell Damtoft, Michael Panzera	Federal Trade Commission	United States
Sergey Sinyakov	Eurasian Economic Commission	
Olivier Angaman	West African Economic and Monetary Union (WAEMU)	
Laura Best	Expert, Nelson Mandela University	
Ana Vilch		
Brankica Pandurevic		
Eugen Cozmulici		
Hanna Takeuchi		
Jakab Katalin		
Prabash Jennah		
Suriya Prabha		
Tamara Novovic		
Yesenia B		



Annex: Proposed Workplan

The current document contains and UNCTAD secretariat work plan proposal for the Working Group on modalities of UNCTAD voluntary peer review exercises, to be discussed and decided at the second meeting of the Working Group on 8 February 2020.

Background

As contained in its Resolution, the [Eighth United Nations Conference on Competition and Consumer Protection](#), held from 19 to 23 October 2020, decided the following regarding the UNCTAD voluntary peer reviews of competition and consumer protection laws and policies:

[13]. *Congratulates* the Government of Peru and the West African Economic and Monetary Union for their voluntary peer review on consumer protection law and policy and competition law and policy, respectively, looks forward to the successful implementation of their policy recommendations and encourages interested member States to volunteer for future peer reviews on consumer protection and competition laws and policies, including as peer reviewers;

[14]. *Underlines* the value of the UNCTAD voluntary peer reviews as a useful tool for the exchange of experiences and cooperation, at both the national and regional levels, and invites member States to assist UNCTAD on a voluntary basis by providing experts and financial resources, as national laws and policies allow, for future activities in connection with these reviews;

[15]. *Decides* that UNCTAD should:

- a. undertake further voluntary peer reviews of competition and consumer protection law and policy in member States or regional economic organizations, strengthening these reviews alongside sessions of the Intergovernmental Groups of Experts, and
- b. establish a working group on modalities of UNCTAD voluntary peer review exercises, open to member States on a voluntary basis, without any financial implications for the regular budget of the United Nations, to discuss and improve existing procedures and methodology, to report respectively to the nineteenth and fifth sessions of the Intergovernmental Groups of Experts on Competition and Consumer Protection laws and policies.

The Working Group held its first meeting on 17 December 2021, which discussed the results of a preliminary questionnaire on the issue and decided that the UNCTAD secretariat would produce a workplan to include: the scope of the discussions, the regularity of meetings, a proposed methodology and possible outcomes.

Scope of discussions

The Working Group focuses on discussing and improving existing procedures and methodologies of UNCTAD's Voluntary Peer Reviews on Competition and Consumer Protection.



Regularity of meetings

The Working Group meets approximately every 6 weeks until the Intergovernmental Groups of Experts on Competition and Consumer Protection Laws and Policies (5 to 9 July 2021). The calendar is as follows:

8 February
17 March
3 May
21 June

More meetings may be called, if needed, upon request from participating member States.

Proposed methodology

From the results preliminary questionnaires discussed at the first meeting of the Working Group, several strengths and proposals for improvement were identified throughout the peer review process (see Annex 1).

The UNCTAD secretariat will produce a detailed picture of all stages of the peer review process as currently conducted. It will then gather proposed improvements sent by participants of the Working Group for discussion.

Possible outcomes

The discussions of the Working Group will be reported orally to the nineteenth and fifth sessions of the Intergovernmental Groups of Experts on Competition and Consumer Protection Laws and Policies, including possible improvements for consideration.
