



Intergovernmental Group of Experts on Competition Law and Policy
21st Session, 5 - 7 July 2023, Geneva, Switzerland and online

Competition Law Enforcement Issues Raised by Monopsonies

Wednesday, 5 July 2023 (16:00 - 18:00)
Palais des Nations, Room XIX (Third Floor) and online

Monopsony power is one area of competition law enforcement that has not received commensurate enforcement attention when compared to monopoly power cases. Market concentration and anticompetitive agreements case law has experienced exponential growth over the years, while monopsony cases have not been enforced at the same pace. However, research indicates that abuse of monopsony power can be just as damaging as any other anti-competitive conduct.

Moreover, monopsonies raise concern in labour markets in terms of wage suppression, as workers are unable to adequately negotiate for higher wages in situations where there is a single employer. Buyer power has also come into the debate in retail markets where small producers and suppliers face unbalanced and abusive transaction terms and conditions. However, recently competition authorities are increasingly monitoring anticompetitive practices that occur in monopsony markets and discussions on how competition issues can be addressed are happening in various fora.

During this session, member states may wish to consider the following questions:

- (a) What justifies the emerging interest of competition authorities in regulating the behaviour of monopsony firms in both the product and labour markets?
- (b) What measures should competition authorities take to overcome the current enforcement challenges when assessing monopsony related cases?
- (c) What lessons can be learned from the current situation to improve the case law in dealing with monopsony related conduct, especially in developing countries?
- (d) What would be the possible policy actions and areas for further research?

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WORK PROGRAMME

16:00 - 16:10 **Presentation by UNCTAD secretariat**

16:10 - 17:00 **Speakers**

- Ms. Rebecca Slaughter, Commissioner, United States Federal Trade Commission
- Dr. Adano W. Roba, Acting Director General, Competition Authority of Kenya
- Dr. Natalie Harsdorf-Borsch, Acting Director General, Austrian Federal Competition Authority
- Mr. Hardin Ratshisusu, Deputy Commissioner, Competition Commission South Africa
- Dr. Francois Souty, International Relations Officer, Directorate General for Competition, European Commission

17:00 - 18:00 **Interactive debate**

Delegates wishing to speak during the session are invited to inform the UNCTAD secretariat accordingly by contacting Ms. Elizabeth Gachuri (Elizabeth.gachuri@un.org) and Mr. Yves Kenfack (yves.kenfack@un.org).