



# **Technical Assistance Project Proposal for follow up to the Recommendations of the Nicaragua Voluntary Peer Review**

Intergovernmental Group of Experts on  
Competition Law and Policy  
Thirteenth session  
Geneva, 10 July 2013

UNCTAD Secretariat/CCPB

# Summary

- **Brief Description:** Technical Assistance Project Proposal to enhance Nicaragua's competition legal framework, competition institutional set-up and capacity to enforce Competition Law, and to raise awareness on the benefits of competition within key constituencies and the Nicaraguan people in general.
- **Implementing Agency:** UNCTAD/CCPB
- **Duration:** 3 years
- **Starting:** 2014
- **Area:** Competition Law and Policy

*This Proposal has been prepared on the basis of the recommendations of the Voluntary Peer Review of Nicaragua*

# UNCTAD's Mandate and Experience

- **UN Set of Multilaterally Agreed Equitable Competition Principles and Rules for the Control of Restrictive Business Practices**
- **UNCTAD/CCPB ideally positioned** to deliver this Project:
  - technical competence and an excellent track record working in competition issues
  - with beneficiary countries all over the world, Latin America and Nicaragua (COMPAL Programme)
  - very strong relationships with competition agency partners
  - access to senior policy makers and parliamentarians through status as a UN agency
  - capacity to outreach to all UN member countries

# Strategy and objectives

- Project **a part of** the whole set of TA activities which UNCTAD/CCPB is already developing or will initiate in the Central American Region, and globally, in the field of Competition
- **Strategy** for this Project will fit into CCPB's General Strategy
- **Overall goal** of the Project is to achieve an improved business environment and functioning of the market economy in Nicaragua
- **Focus on** enhancing the competition legal framework, the competition institutional set-up and the capacity to enforce the Competition Law in Nicaragua, as well as on raising awareness of the benefits of competition within key constituencies in the country and within the Nicaraguan people in general



## **Intended Outcome, Indicators and Activities (1/4)**

### **Intended Outcome:**

Improved business environment and functioning of the market economy in Nicaragua, through an enhanced competition legal framework, competition institutional set-up and capacity to enforce the Competition Law, as well as raised awareness on the benefits of competition within key constituencies in Nicaragua and the Nicaraguan people in general

## **Intended Outcome, Indicators and Activities (2/4)**

### **Indicators:**

- Increased budget and staff for PROCOMPETENCIA
- Enhanced legal framework for competition defence
- Increased number of cases handled successfully, including initiated ex officio
- Increased level of awareness of the benefits of competition amongst different constituencies and society at large
- Involvement of PROCOMPETENCIA in law drafting processes and enhanced consideration of competition issues in government and legislative matters
- Enhanced level of competition in markets

## Intended Outcome, Indicators and Activities (3/4)

### Activities:

- Proposal for the **reform of Law 601 and its Regulation**
- **Training to PROCOMPETENCIA staff**: Basic training for new staff, economic analysis, planification of investigations and use of investigative powers of the Authority
- Elaboration of a **Strategic Plan** including the identification of enforcement and advocacy priorities
- Set up of a **Knowledge Management System**

## Intended Outcome, Indicators and Activities (4/4)

### Activities: Advocacy

- Elaboration of reports on **impact assessment** and set-up of an early warning system
- Elaboration and implementation of an advocacy plan **to Government and Parliament**, to convey the competition message, convince of the need for law reform and better financing of the Competition Authority, and integrate competition policy with other public policies and programmes
- Training for judges, sector regulators and public procurement bodies**
- Advocacy plan to **other key stakeholders and the Nicaraguan society at large**



# Institutional and Implementation Arrangements

- **Executing Agency:** UNCTAD shall retain overall responsibility for the execution in consultation with PROCOMPETENCIA. All services provided in accordance with Un procedures, rules and regulations.
- **National Project Coordinator:** Ideally PROCOMPETENCIA's head or a high-level official, shall have a crucial role in ensuring successful, timely and cost-effective implementation.
- **Project Management Committee:** Composed of representatives from UNCTAD and PROCOMPETENCIA, will adopt a yearly work plan, will carry out mid-term reviews every six months and hold an annual meeting with the participation of the donors, to monitor the implementation and the progress achieved as well as to revise priorities, if needs be.
- **Financial Arrangements:** The funds provided by Partners will be placed in a separate trust fund account established under UN Financial Regulations and Rules. Funds managed in accordance with UN Rules and Procedures Applicable to the Administration of Technical Cooperation Trust Funds.

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**Thank-you for your attention!**

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