

**Twentieth Session of the Intergovernmental Group of Experts on
Competition Law and Policy,
21-22 July 2022**

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Capacity Building and Technical Assistance on Competition

Presentation

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Capacity-Building and Technical Assistance on Competition

Nathalie Khaled

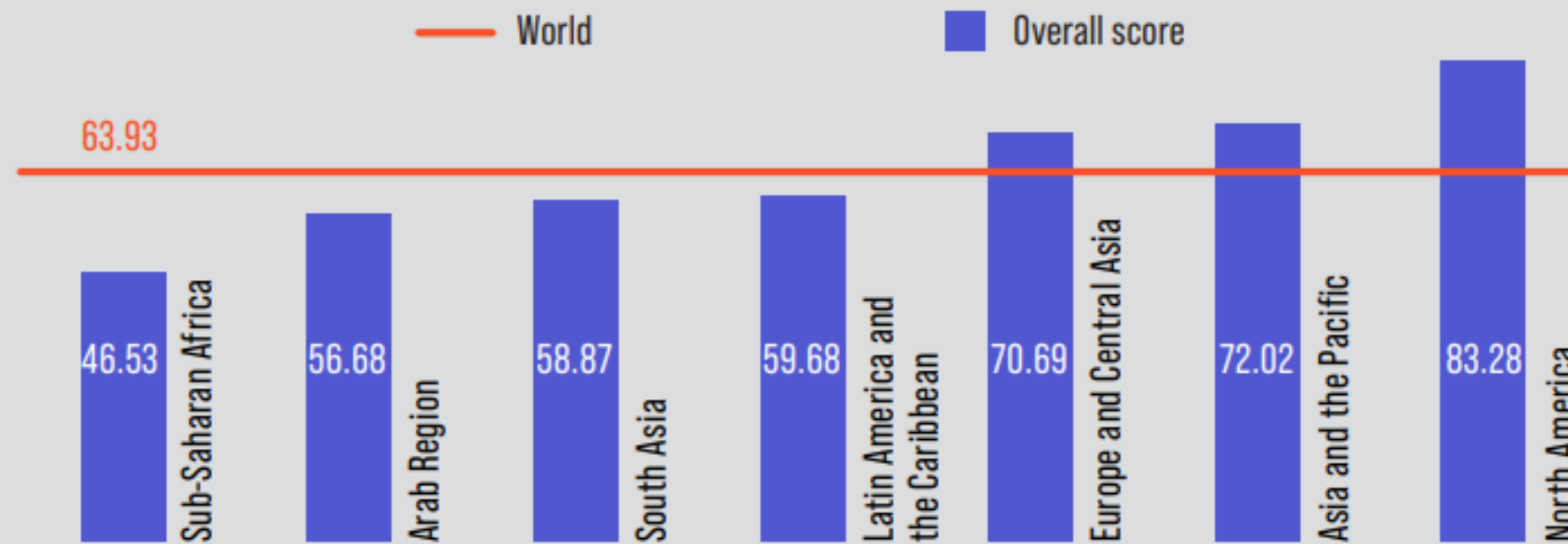
Project Coordinator: Enhancing Competition and Consumer Protection Law and Policy in the Arab Region
Economic Affairs Officer – UNESCWA



Competition in the Arab Region

- Arab countries differ greatly in terms of the business environment, economic growth, and productivity, and especially concerning competition laws and policies.
- In terms of regional competitiveness, the average competitiveness score for the Arab region improved in 2019 to 56.68, but it is still below the global average, with the region ranking second after last.

Global Competitiveness Index scores by region, 2019



Source: ESCWA calculations.



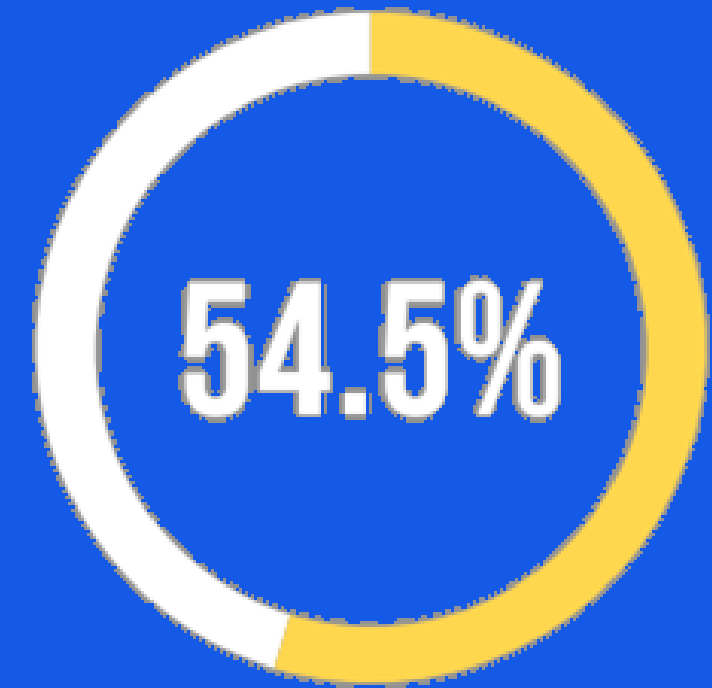
Competition in the Arab Region

- In the Arab least developed countries, the number of business groups that dominate the markets is lower than in other countries. As for market shares, it is distributed among many companies in high-income countries.
- The public sector is still dominating many vital sectors in the form of State-Owned Enterprises.

Extent of Market Dominance, 2019 (score from 100)

Source: World Economic Forum, Global Competitiveness Report, 2019.

United Arab Emirates	66.9
Qatar	62.4
Saudi Arabia	61.7
Oman	56.4
Jordan	55.3
Egypt	54.2
Algeria	52.5
Bahrain	51.4
Lebanon	47.5
Morocco	46.8
Kuwait	46.6
Tunisia	43.5
Yemen	36.2
Mauritania	19.8



of firms in the Arab region were competing against unregistered or informal firms in 2019, according to the World Bank Enterprise Surveys 2019

Competition Law in the Arab region



20

Arab Countries have adopted a competition law starting from 1991



17

Competition Authority and Ministerial body to govern competition

Competition Framework

3

Strong

9

Developed

6

Moderate

4

Basic to Weak





Partnership with UNCTAD

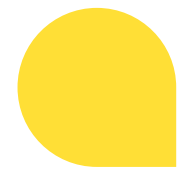


A Brief Story About The Partnership

In 2019, ESCWA, UNCTAD, and OECD signed a trilateral LoU on supporting Arab countries by addressing competition policy and law challenges.

The cooperation allows for implementing activities related to technical advisory, raising awareness and advocacy, and capacity building





Impact of ESCWA's work in the Arab region

01 Expansion of the Competition Authorities

02 Signing of Agreements, Interagency/cross border/regional

03 Passing of Competition Law

04 Amendments of national competition laws by 7 member states between 2020 and 2022



ACTIVITIES 2021-2022



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Arab Competition Forum

- An Important platform where competition authorities share knowledge and learn from the best practices of their Arab and international counterparts
- A common channel facilitating coordination and collaboration at the national, regional, and international levels
- The Forum concludes with a set of recommendations forming a roadmap for the activities of ESCWA and its partners in the following period.



3rd ESCWA-UNCTAD-OECD Joint Arab Competition Forum

This May, the Forum was hosted by the Competition Protection & Monopoly Prevention Centre at the Ministry of Commerce and Industry & Investment Promotion in the Sultanate of Oman


☑ Participants

200 

☑ Member States

20 

☑ Experts

27 

Topics of discussion included competition in the digital market, competition and trade, and SMEs and competition law.



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Sultanate of Oman سلطنة عُمان
وزارة التجارة والصناعة وترويج الاستثمار
Ministry of Commerce, Industry & Investment Promotion



[Link to the event](#)

Youth Competition Challenge

University students majoring in economics in Oman were challenged to present research papers involving anti-competitive behaviors from digital platforms.

This challenge provides an opportunity for universities and students to research a relatively new field in the Arab region.

Participating Students



33

Student Groups



16

Submitted Papers



16

Qualified Papers



7

Winning Papers



3



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Recording

ESCWA Competition



Networks in the Arab Region

Arab Competition Hub –
LinkedIn

Arab Competition Network –
WhatsApp



[Access LinkedIn group](#)



Joint outputs

E-Course: Fighting Bid Rigging in Public Procurement


This course introduces the topic of fighting bid rigging in public procurement and highlights the importance of competition in enhancing the effectiveness of procurement procedures.

It will strengthen stakeholders' capacities to design efficient public procurement processes by equipping them with relevant knowledge and practical methods.

The course consists of two modules:

01 Introduction to Bid Rigging and Competitive Procurement

02 Guidelines for Fighting Bid Rigging in Public Procurement

 [Access the online course](#)



Joint Events



[Webinar on Competition law and policy during and in the aftermath of the COVID-19 pandemic: Reflections in the Arab region: 16 July 2020](#)



[Webinar on Consumer protection in the aftermath of the COVID-19 pandemic: Focus on digitalization: 3 August 2020](#)



[8th UN Review Conference on Competition and Consumer Protection organized by UNCTAD: 19-23 October 2020](#)



[Webinar on Understanding competitive neutrality: 24 November 2021](#)



Side meeting for Arab countries of the GFC in December every year with OECD and UNCTAD



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Joint Project: SME resurgence and the role of competition policy post COVID-19

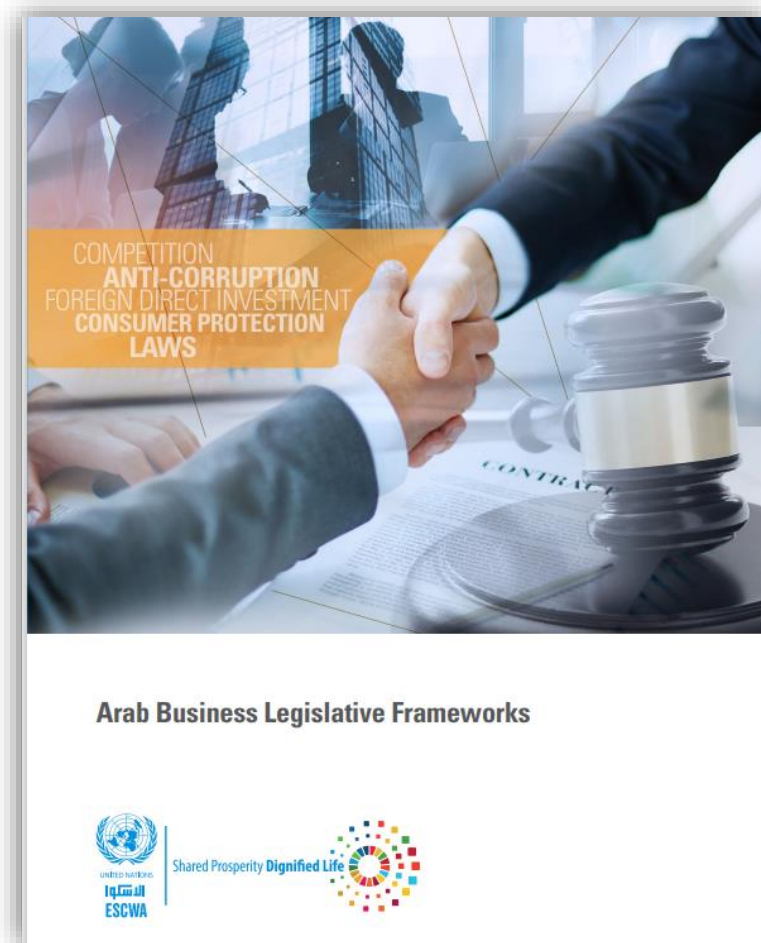
- Contribution to UNCTAD paper on Competition Policies To Enhance MSME Access To Markets and Competitiveness in the Post-Covid Era
- UNCTAD-ESCWA Regional Policy Dialogue on the Role of Competition Policy in supporting the economic recovery of MSMEs post-COVID-19: 7-8 April 2021
- UNCTAD Global Policy Dialogue (GPD): “Post COVID-19 Resurgence of MSMEs and Competition Policy” In partnership with ESCAP & ECLAC & ESCWA: 1-3 December 2021
- Launch of The Recommendations for Digital Platforms (RDP) MSMEs and Competition: 1 June 2022
- The Contribution of Competition Policy to the Resurgence of MSMEs post-COVID-19, Bangkok, 27-28 June 2022



Policy Brief on Competition in Lebanon



- Based on the request of the Ministry of Economy and Trade in Lebanon, a policy brief on competition in Lebanon was produced.
- It highlights the benefits of effective enforcement of the Lebanese competition law on various economic and social topics.
- It also provides recommendations for the imperative steps needed in the areas of enforcement and institutionalization to reap the gains of the law.



■ ABLF: One-Year Review

A study providing a dynamic assessment model on business legislative frameworks that can be regularly implemented and updated to help establish more coherent and region-wide recognized measures of business legislation and their developments over time

The study assesses 4 pillars: Competition, Foreign Direct Investment, Anti-corruption, Consumer Protection

Current Activities:

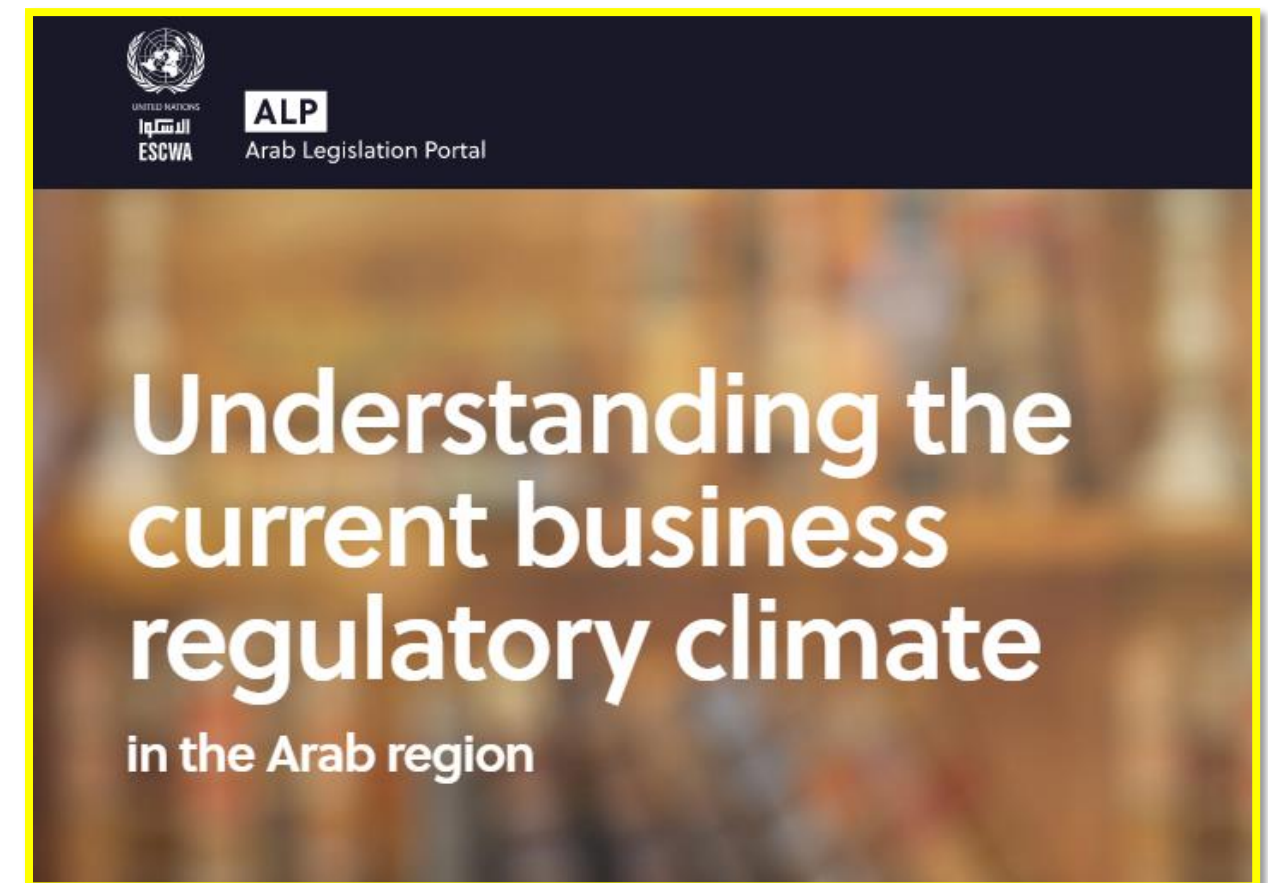
- One-year review of newly passed laws and amendments to existing laws across the four pillars
- Addition of a new pillar: customs law

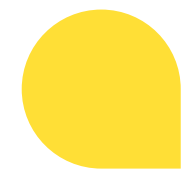


■ Arab Legislation Portal: One-Year Review

The ALP is a repository of regulatory frameworks in the region pertaining to the business environment.

Following the revision of the ABLF, the newly enacted laws and amendments and the new pillar will be added to the portal.





Parliamentary Document on Market competition challenges in the Arab region

- The document examines the main challenges that impede effective market competition and adequate competition law and policy implementation.
- It first provides an overview of the market structure in Arab economies, then zooms in on the gaps and strengths of the current competition laws in Arab countries and highlights the interlinkage of competition, anti-corruption, and good governance.
- It finally provides policy recommendations to enhance competition in the region.



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■ Informative Competition videos in Arabic

Translation of informative videos covering 5 topics in competition:

- Abuse of dominance
- Antitrust commitments
- Bid rigging
- Competitive neutrality
- Effective market studies on competition issues





Recommendations of the 3rd ACF



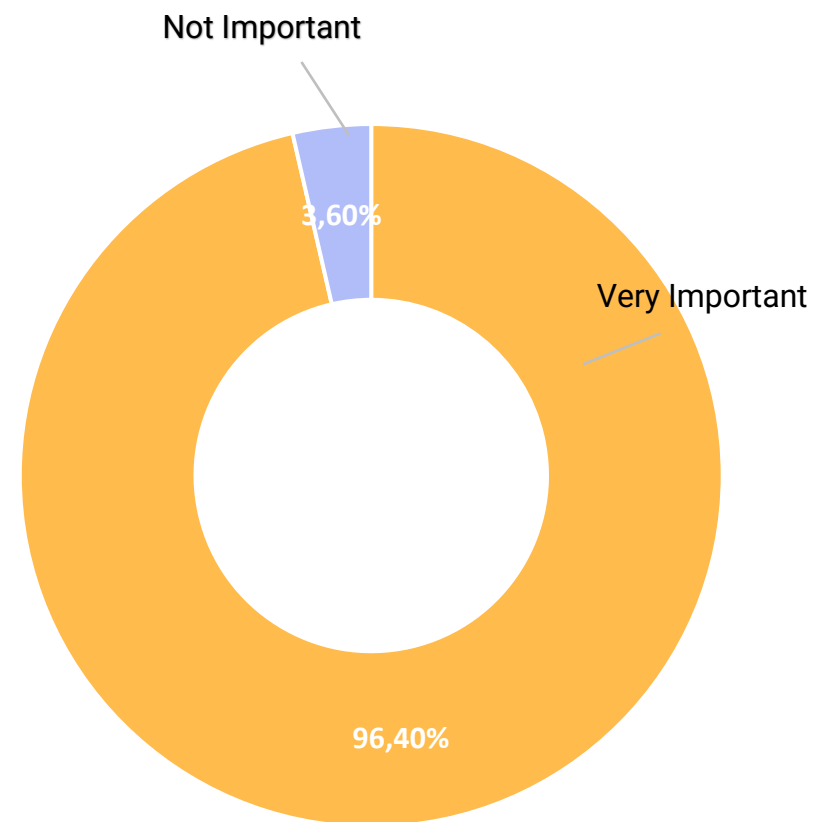
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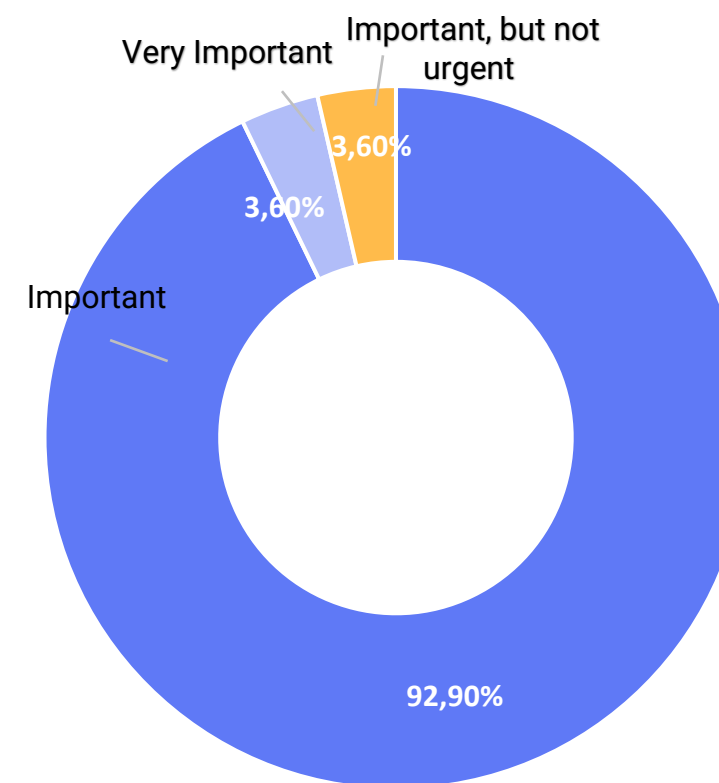
Recommendations of the 3rd ACF



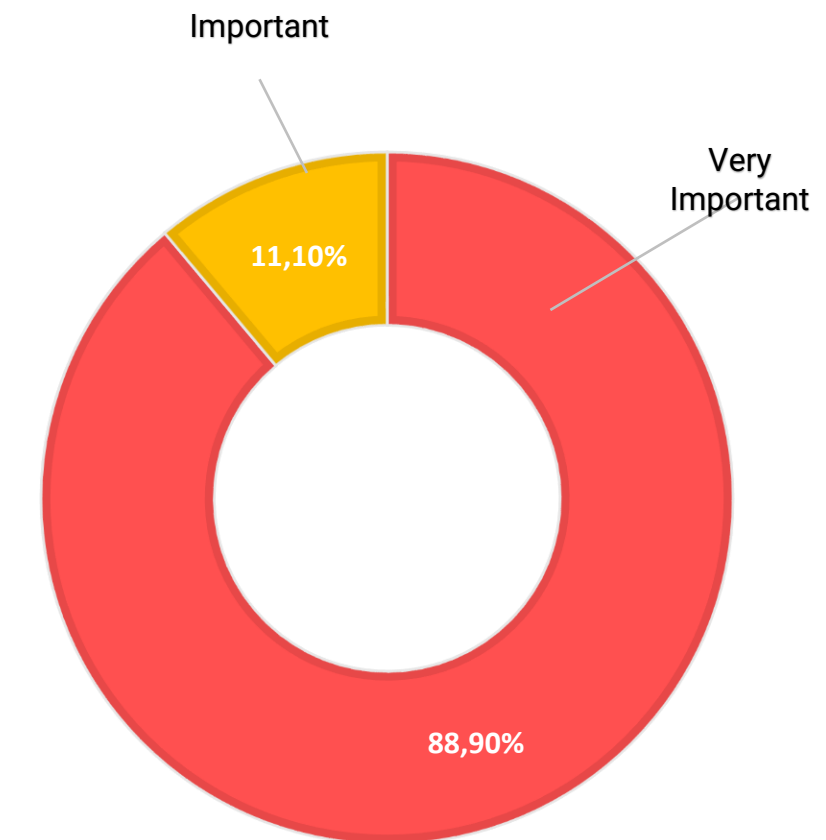
Conducting Research and Studies



Regional exchange of experiences and peer-learning



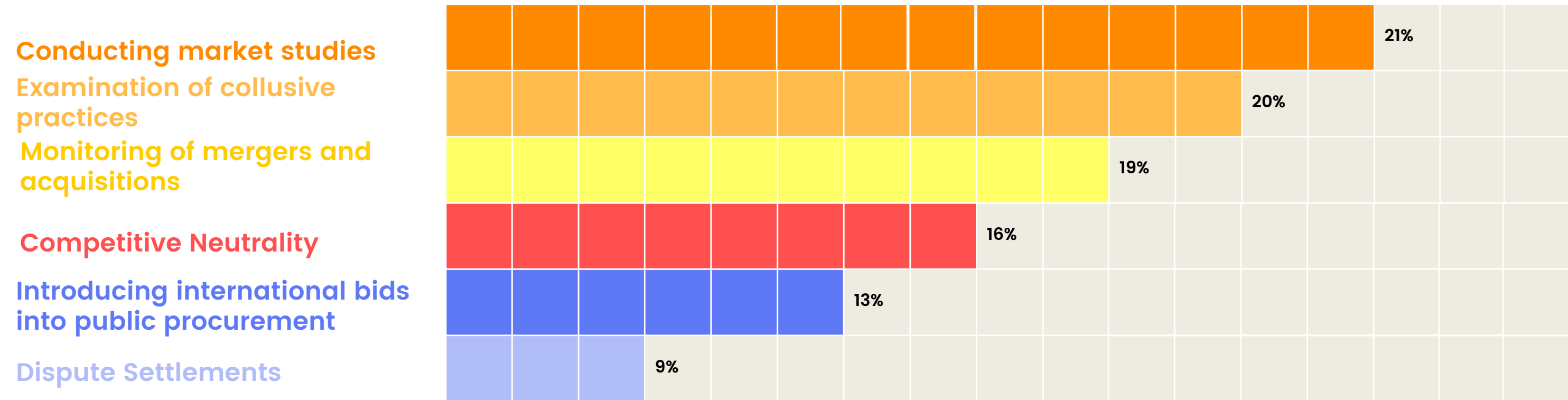
Cooperation between regional and international organizations



Recommendations of the 3rd ACF



Topics for Capacity Building



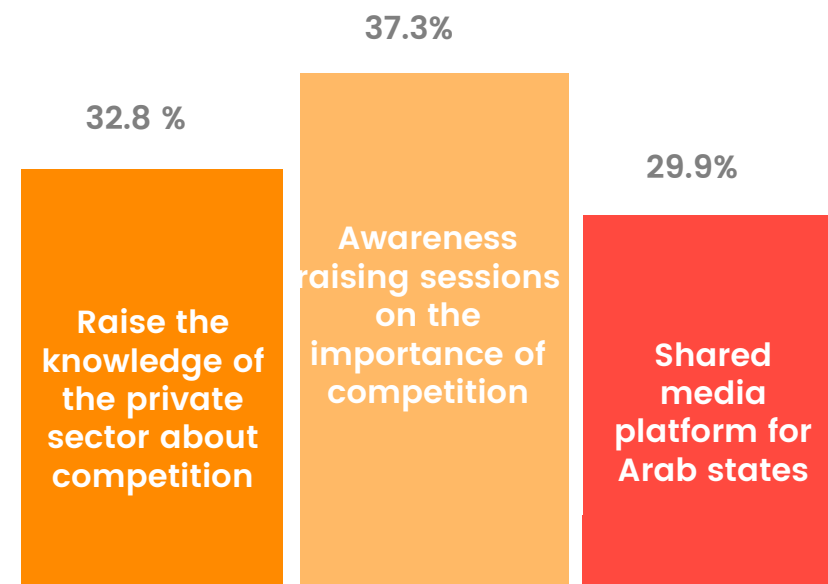
Competition authorities voted on the topics for the capacity building based on the most pressing needs and gaps in the Arab region



Recommendations of the 3rd ACF

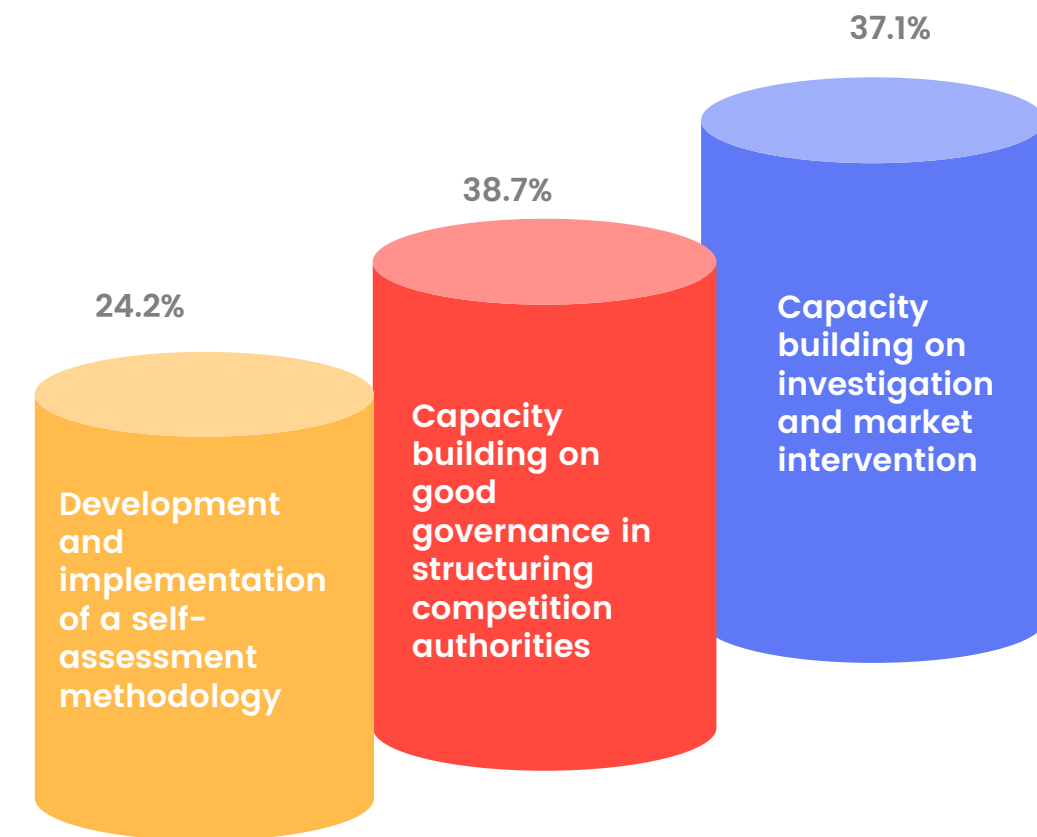


Additional Recommendations



To raise the awareness of society on the importance of competition, the above activities were recommended.

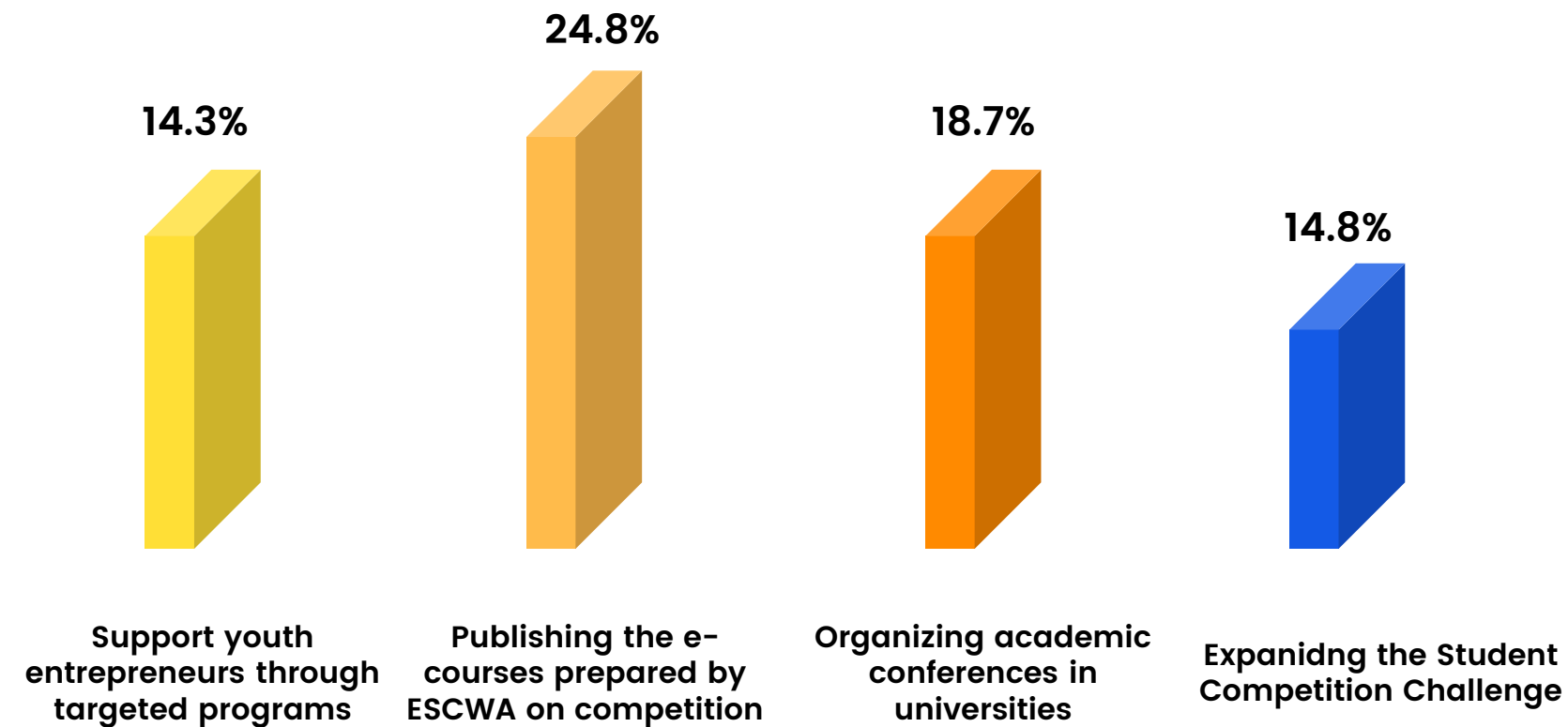
The following measures were suggested to strengthen the independence of competition authorities:



Recommendations of the 3rd ACF



Partnerships and Cooperation with Academia



With the aim of building capacities and raising awareness among young people in the field of competition, the following activities with academic institutions were suggested



Future Initiatives and Activities



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ESCWA

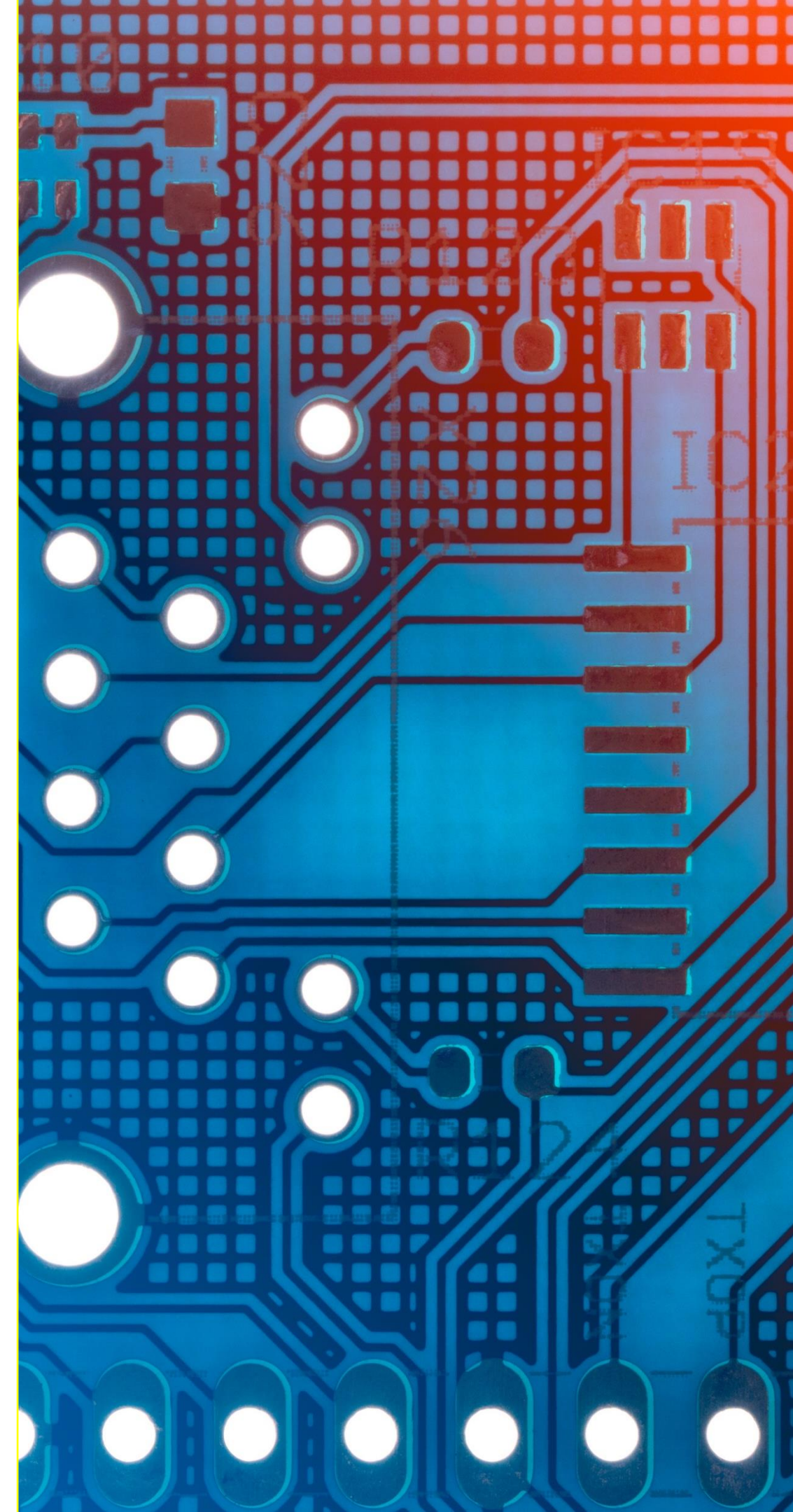
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E-Procurement System for the Arab Region

- The overall aim of the program is to increase the transparency, competitiveness, and efficiency of public procurement procedures.
- The program has two main areas of focus:
 - the program aims at introducing a comprehensive framework for the use of an electronic procurement system.
 - the program focuses on effectively implementing the framework into a prototype of an e-procurement portal tailored to pilot countries as well as carrying out capacity-building activities for relevant stakeholders.





Development of a Training Program on Competition Law for Judges

- The three-day program will strengthen the link between economic concepts and corresponding national and international regulations, thus contributing to overcoming the legal and procedural obstacles that judges may face.
- Topics covered include:
 - Foundations of Market Structures and Necessary Interventions
 - International Competition and Antitrust Laws and Regulations
 - Competition Law in the Arab States and its Applications





Other Activities

- Side event for Arab countries on the margins of the OECD Global Competition Forum
- Webinars on topics selected in the recommendations of the 3rd Arab Competition Forum

- 4th Arab Competition Forum in Saudi Arabia



Thank You



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