



**CLOSING REMARKS BY MALAWI'S MINISTER OF TRADE
HONOURABLE SOSTEN GWENGWE, MP. AT THE PEER REVIEW
SESSION OF THE UNITED NATIONS CONFERENCE ON TRADE AND
DEVELOPMENT (UNCTAD) IN GENEVA, SWITZERLAND ON 8TH JULY,
2021**

JULY 2021

- ❖ **SECRETARY GENERAL OF UNCTAD, MS ISABELLE DURANT**
- ❖ **MINISTERS HERE PRESENT**
- ❖ **DISTINGUISHED EXPERTS**
- ❖ **REPRESENTATIVES OF GOVERNMENTS, NON-GOVERNMENTAL ORGANISATIONS AND OTHER ORGANISATIONS**
- ❖ **LADIES AND GENTLEMEN**
- ❖ **GOODAFTERNOON**

1. Allow me to start by thanking the UNCTAD Secretariat, through you Secretary General, Ms. Isabelle Durant, for the support given to Malawi in the process of conducting the Peer Review and producing the peer review report.
2. In the same vein, let me also thank the peer reviewers of Malawi's competition law and policy. Allow me to express my gratitude to Professor Eleanor Fox from the USA, Mr Tembikonsi Bonakele from South Africa, Mr Chilufya Sampa from Zambia; but also all other participants that have given their input on the Malawi's Peer Review Report.
3. As a country, Malawi welcomes the various proposals from the other competition authorities and undertakes to take the necessary action in implementing the recommendations.
4. Secretary General, Distinguished Guests, Ladies and Gentlemen, the deliberations at the presentation of the Malawi Peer Review Report

have revealed various areas that require improvement in the enforcement of competition law and policy in Malawi. Evidently, there is need for relevant legislative reviews, which entails a comprehensive review of the Competition and Fair Trading Act, and Competition and Fair Trading Regulations, among others.

5. There is also need for increased technical capacity of the Commission. The first area is that of human resource capacity, where there is need for increased staffing levels, but also enhanced technical skills of the staff. The Commission's staffing levels are low, with 25 members of staff, compared to the work that the Commission is required to do in discharging its mandate. In addition, only about half of the members of staff possess the relevant technical skills for regulating competition and fair trading. There is hence a need to build technical capacity of the Commission.
6. The other key area is that of financial capacity. The Commission largely relies on Government subvention as a source of finance. There are limited alternative sources of revenues, for example, through mergers filing fees but also administrative fines. However, this is not adequate or reliable. Inadequate financial resources greatly compromise the Commission's operations. Among others, this affects the Commission's plans for: advocacy and stakeholder sensitization; market regulation and monitoring; and investigation of complaints/cases.
7. The interaction at this forum has also revealed that there is need for increased cooperation between the Commission and its various

cooperating partners. These include the local cooperating partners, such as domestic market regulators. There is also need for increased cooperation at international level, under partnerships with other competition authorities but also cross-border competition agencies.

8. Secretary General, Distinguished Guests, Ladies and Gentlemen, to successfully implement these proposals, the Commission will need substantial support for various stakeholders, including UNCTAD itself, key development partners, but also other competition authorities and agencies.
9. As already highlighted, based on the Commission's challenges, there are various types of technical assistance that the institution requires. These include support for its legislative review processes; staff capacity building trainings; staff exchange programmes; direct financial support; support for the stakeholder advocacy and sensitization programmes; and cross-border cooperation.
10. In this regard, I thank you the Secretary General and the whole UNCTAD team for granting Malawi this opportunity to interface with the international community through this platform. It is my sincere expectation that this process, as successful as it has been, will bring tremendous benefits to the Commission, but also Malawi as a country.
11. My Ministry is always committed to support the Commission in its pursuits to enhance effective enforcement of competition and fair trading laws in Malawi.

12. Allow me to close, by once again, thanking you Acting Secretary General and the UNCTAD team, peer reviewers for the Malawi Peer Review Report, and also all participants to this IGE meeting.

I thank you all for your attention