



GAMBIA COMPETITION & CONSUMER PROTECTION COMMISSION

Leveling the Field for Development

UNCTAD WEBINAR “Key Competition and Consumer Protection Priorities for Regional Integration in Africa”

Session: “The work of regional networks in the field of Competition and Consumer Protection”

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AFRICAN CONSUMER PROTECTION DIALOGUE

The African Consumer Protection Dialogue (“African Dialogue”) is an informal multinational network, promotes consumer protection enforcement cooperation, the sharing of best practices and capacity building among consumer protection and competition agencies, sectoral regulators, as well as criminal authorities. The initiative was founded by African consumer agencies, together with the U.S. Federal Trade Commission. It is essential in our global marketplace to have international cooperation on consumer protection matters.

1. AD ANNUAL MEETINGS

- The Gambia’s Competition and Consumer Protection Commission hosted the 9th annual meeting in 2018 themed “Protecting Every Consumer in the Digital Economy”. The main objective of the conference was to set priorities and build regional consumer protection frameworks. The goal of the conference was to share information about cross-border commercial activities that may affect consumer interests and to encourage cooperation among law enforcement agencies in Africa, the U.S. and the rest of the world.

- GCCPC during the 10th annual meeting was also among those that committed to sharing consumer complaints with other African Dialogue members, and to expanding their efforts to educate consumers about their rights and businesses about their responsibilities starting with the 10 Actionable steps for consumers and businesses which participating countries developed together.
- At the Tenth Annual conference, Celebrating a Decade Growth for African Cross Border Consumer Protection Collaboration, participants recognized the African role in greater law enforcement cooperation on consumer protection matters and the growth of legal frameworks and institutions for consumer protection across the continent.
- It was timely that Zambia co-hosted the 10th Annual African Consumer Protection Dialogue Conference in 2019, since it was the first African country to serve as President of the International Consumer Protection and Enforcement Network (“ICPEN”). The African Dialogue delivers tangible results based on longstanding partnership with other African colleagues. They have over a decade of collaboration - on a wide variety of consumer protection issues.

2. PRIORITIZING CROSS-BORDER COLLABORATION AND COOPERATION

AD Principles on Cooperation in Consumer Protection Enforcement (“Livingstone Principles”)

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- In 2013 the African Dialogue determined that scammers were targeting consumers throughout Africa with similar – and sometimes the same – cross-border schemes. We all agreed on the need for regional and cross-border information exchanges and law enforcement cooperation. Together, we adopted the African Dialogue Principles on Cooperation in Consumer Protection Enforcement (“Livingstone Principles”), which underscore the value of consumer protection cooperation for the region, and provide best practices for coordination among public authorities responsible for the enforcement of consumer protection laws.
- Since that time, we have worked tirelessly and successfully to implement the Livingstone Principles and focused on developing strong relationships with our

counterparts and expanding our cooperation tools. And, this is what the Livingstone Principles are all about.

- During the 10th Annual African Dialogue Conference, we reaffirmed our collective dedication to the Livingstone Principles, and redoubled our efforts to work together on cross-border law enforcement and policy matters, so that we can protect consumers both domestically and internationally.
- Through this initiative – along with several investigations, cases, projects, and conferences throughout Africa we have worked on together on our shared consumer protection cooperation goals.
- During the course of the conference, we developed more detail regarding our Joint Projects –focused on educating consumers and guiding businesses regarding online disclosures as well as coordinating on complaint sharing.

3. TECHNICAL EXCHANGE PROGRAMS

- The dialogue has participated in technical exchange programs with agency staff. These programs promote exchanges of ideas and expertise, and thus can contribute to robust, sustained economic development and competitive market-oriented economies. Our goal is to work with our foreign counterparts as they develop and strengthen institutional frameworks, which often can protect both U.S. and foreign consumers.
- This coming together is essential for all of us as we confront the realities of a changing world with emerging technologies, consumer protection, and digital solutions, such as e-commerce, mobile commerce and social media.
- One way consumer agencies can strike the right balance in support of innovation is through cross-border cooperation. The African Dialogue is effectively demonstrating that innovation and consumer protection can indeed go hand-in-hand, by sharing best practices, complaints, intelligence, and collaborating on investigations and cases.

4. JOINT PROJECTS

August-September 2019 Sweep

The African Dialogue Joint Project Internet Sweep (“Sweep”) is a Joint Project to target fraudulent, deceptive and unfair conduct emerging online. The Sweep analyzed mobile and ecommerce disclosures of terms and conditions.

The primary goals of the Sweep were to:

- 1) Highlight and combat practices that harm consumers by failing to disclose terms and conditions;
- 2) Flag businesses who engage in practices for potential further enforcement actions; and
- 3) Provide consumers and businesses with consumer education and business guidance to combat these practices

December 2019 – January 2020 - Holiday Season Consumer Education and Business Guidance Campaign

First-ever tweeting campaign across agencies provide consumers and businesses with consumer education and business guidance to combat deceptive acts or practices in online and brick and mortar purchases during the holiday season.

5. COVID-19 INITIATIVE - MARCH – PRESENT

The African Dialogue is aware that with each passing day, consumers find themselves confronted with deceptive marketing, false advertising, phishing scams and other abuses seeking to exploit the public’s fears about COVID-19. To address this challenge, the Dialogue drafted a set of tweets that they hoped African Dialogue colleagues, together with econsumer.gov members, ICPEN participants, and other consumer authorities throughout

the world, will use to alert the public to these possible threats, and encourage the reporting of related international scams to econsumer.gov.

The initiative was led by Nigeria and Zambia, and it's designed to:

- Broaden COVID-19 consumer and business awareness.
- Improve market conduct by demonstrating an enforcement presence online.
- Assist in the promotion of fair trading by educating businesses.
- Raise the profile of each participating agency by promoting their involvement in collaboration with other African Dialogue member states.
- Facilitate further action by each agency.

Also, below are examples of the COVID-19 econsumer.gov tweets circulated for the cross border cooperation effort we are undertaking collectively using econsumer.gov.

Covid-19 econsumer.gov Tweets

1. Consumer protection agencies around the world are looking to combat #Coronavirus scams. Many of these scams cross borders. Help them by reporting international scams to econsumer.gov #econsumergov
2. Shopping for cleaning, health and medical supplies to protect against the #Coronavirus? Some online sellers, at home or abroad, may claim to have in-demand products in stock when they don't. Report international scams to econsumer.gov #econsumergov
3. Someone at home or abroad offering a money making opportunity selling products to prevent #Coronavirus? Scammers are trying to get you to buy products unproven to prevent #COVID19. Mind your money & your health. Report international scams to econsumer.gov #econsumergov

Webinars

- On the 3rd June 2020, the African Dialogue organized a webinar to discuss the COVID-19 Economic Impact on Consumers and Financial Scams Information and Experience Sharing Webinar.
- Similar webinars were also held in May and April to discuss African Dialogue COVID-19 Information Sharing and on African issues and experiences related to the Coronavirus pandemic.

ECOWAS REGIONAL COMPETITION AUTHORITY (ERCA)

The ECOWAS Regional Competition Authority (ERCA) is established to implement the Regional Competition Rules adopted by the ECOWAS Authority in 2008. The Rules are essentially to promote, maintain and encourage competition and enhance economic efficiency in production, trade and commerce at the regional level.

Launching of ERCA

- ECOWAS launched its Regional Competition Authority, in May 2019, in Banjul, The Gambia. ERCA is now operational.
- ERCA validated its 5 year strategic plan of action, prior to the launching through its first meeting of Trade and Competition Experts in Banjul, in May 2019.

Launching of ERCA's Consultative Competition Committee and its procedural rules

- In October 2019, ERCA held a second meeting in Dakar in which it inaugurated the Consultative Competition Committee established by the ERCA Act. During this meeting the procedural rules to guide the functioning of the Committee were validated and the bureau for the Committee was also elected.
- The Consultative Competition Committee is an essential organ for policy development in the areas of competition law and a link that would ensure effective participation of the ECOWAS Member States in the decision-making process on competition issues.

Development of ERCA's operational manual and regulations

- ERCA is currently developing an operational manual and accompanying regulations. It is also conducting a study on the state of competition in the region, by assessing the current competition laws in member states and their institutional frameworks for competition enforcement.