

## Why competition matters....



Corruption  
Collusion  
Monopolies  
Crowding out

### Current initiatives in the MENA region

- United Nations Conference on Trade and Development (UNCTAD) provision of the **United Nations Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices**
- Cooperation Council for the Arab States of the Gulf (GCC) agreed to develop a **"Standard GCC Competition and Anti-Monopoly Law"** as an extension to the GCC Unified Commercial Policy Law
- Organisation for Economic Co-operation and Development (OECD) has prepared **"Guidelines on Corporate Governance of State-Owned Enterprises"**

Table 1: UN-ESCWA member countries and their global competition rankings

Country	Competition Ranking (2011)	Competition Ranking (2012)
Saudi Arabia	15	15
UAE	152	171
Qatar	154	N/A
Jordan	22	9
Kuwait	35	20
Libya	42	8
Uganda	148	18
Morocco	52	7
Oman	11	4
Paraguay	N/A	N/A
Qatar	4	2
Saudi Arabia	36	4
UAE	N/A	N/A
Qatar	N/A	N/A
UAE	15	3
UAE	6	1
Yemen	153	12

Source: World Economic Forum, The Global Competitiveness Report 2013-2014, Competition Rankings

### Objectives of the course

- To assess the current state of antitrust competition policy in the region
- To identify the main challenges and opportunities for antitrust competition policy in the region
- To identify the main challenges and opportunities for antitrust competition policy in the region

## Business Environment and Investment Climate



## Antitrust & Competition in the MENA region

Background Presentation for Session 5  
UN-ESCWA Expert Group Meeting on  
"Measuring Economic Governance"  
12 and 13 June 2014 in Beirut



## Key questions for the session

- How exactly can we best **monitor** the **fair implementation** and **enforcement** of antitrust and competition laws?
- How can we develop **methods** of **measuring** the **effects** of **competition/anti-trust** **legislation** on **growth**, **employment**, **inequality**, etc. and **distinguish** the **legislative** effects from others?
- What measures can be taken to **improve** these **types** of **legislation**, increase **transparency**, and make **enforcement** **viable**, particularly for **smaller** economies where **anti-trust** legislation can be costly?
- How to both **detect** and **reduce** **economic collusion**, particularly involving the **government**, that may **hinder** the **implementation** of **anti-trust** legislation or **decrease** its **efficacy**?
- How can we **leverage** **current initiatives** geared towards **developing**, **implementing** and/or **improving** competition legislation?

Table 1: UN-ESCWA Member Countries – Ranking of Anti-trust/Competition Laws

Country	Law & Year of Implementation	Effectiveness of Anti-Monopoly Policy: Global ranking	Effectiveness of Anti-Monopoly Policy: Member States ranking
Bahrain	No specific competition/antitrust law <sup>1</sup>	35	5
Egypt	2005 Competition Law; COMESA 2013	132	11
Iraq	2010 Competition and Monopoly Law	N/A	N/A
Jordan	2004 Competition Law	45	6
Kuwait	2007 Protection of Competition Law	119	10
Lebanon	No competition/antitrust law <sup>2</sup>	115	9
Libya	No domestic law; COMESA 2013	144	13
Morocco	2000 Competition Law <sup>3</sup>	65	7
Oman	No specific competition/antitrust law <sup>4</sup>	19	3
Palestine	Draft form of competition law	N/A	N/A
Qatar	2006 Competition & Monopoly Law	2	1
Saudi Arabia	2004 Competition Law	21	4
Sudan	No domestic law; COMESA 2013	N/A	N/A
Syria	2008 Competition and Anti-Trust Law	N/A	N/A
Tunisia	1991 Competition Law	74	8
UAE	2012 Federal Competition Law <sup>5</sup>	7	2
Yemen	1999 Competition Promotion Law	135	12

Source: World Economic Forum, Global Competitiveness Report 2013-2014, <http://www.weforum.org/reports/global-competitiveness-report-2013-2014>

<sup>1</sup> Certain laws refer to the concept of competition though, for details see: <http://ua.practicallaw.com/9-500-62819a862183>

<sup>2</sup> "As part of its strategy aimed at integrating Lebanon into the global economy and modernizing the domestic economy, the Ministry has been working on revamping its competition policy to be in-line with international practices. Hence the Ministry (of Economy and Trade) has developed an action plan which calls for a new modern competition law, the establishment of a competition authority, and the creation of a new trading environment to ensure the proper implementation of the law" (<http://www.economy.gov.lb/index.php/subcategory/2/15/5/1>). See also: [http://www.economy.gov.lb/public/uploads/files/8404\\_8162\\_8353.pdf](http://www.economy.gov.lb/public/uploads/files/8404_8162_8353.pdf)

<sup>3</sup> Morocco just recently went through a review visit its competition regulation, for more information refer to the paper on "l'efficacité de la régulation concurrentielle au Maroc: Les tenants et aboutissants institutionnels" ([http://www.mec-comp.net/wp-content/uploads/2014/02/MC2\\_09-Extrn\\_2014.pdf](http://www.mec-comp.net/wp-content/uploads/2014/02/MC2_09-Extrn_2014.pdf))

<sup>4</sup> "The Oman Law Decree 2009- MONOPOLIES, RESTRAINT OF TRADE AND COMPETITION: Law of Commerce (RD 59/90) and Law of Commercial Trademarks, Data, Trade Secrets and Protection Against Unfair Competition Law (RD 59/00) prohibits dissemination of misleading information or information inconsistent with facts in relation to origin or nature of goods or any other trade matter, with intention to draw away clientele of competitor. Other sector specific laws have related provisions on restraint of trade and competition."

# Business Environment and Investment Climate



## Antitrust & Competition in the MENA region



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Thank you

For further information, please contact: Dr. Denise Sumpf,  
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## Objectives of the session:

.... to discuss the current status of antitrust and competition policies in the Arab region

.... to extract lessons learned that can be scaled and transferred to other countries within and beyond the region; and

... outline short-term and medium-term responses of countries in the region to address antitrust and competition issues effectively

Table 1: UN-ESCWA Member Countries and their global competition rankings

Country:	Competition Ranking (WEF): Global	Competition Ranking (WEF): Member States
Bahrain	10	3
Egypt	124	11
Iraq	N/A	N/A
Jordan	38	6
Kuwait	98	10
Lebanon	54	8
Libya	145	13
Morocco	53	7
Oman	12	4
Palestine	N/A	N/A
Qatar	4	2
Saudi Arabia	20	5
Sudan	N/A	N/A
Syria	N/A	N/A
Tunisia	95	9
UAE	3	1
Yemen	133	12

Source: World Economic Forum, The Global Competitiveness Report 2013-2014, Competition Rankings

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Country:	Law & Year of Implementation	Effectiveness of Anti-Monopoly Policy: Global ranking	Effectiveness of Anti-Monopoly Policy: Member States ranking
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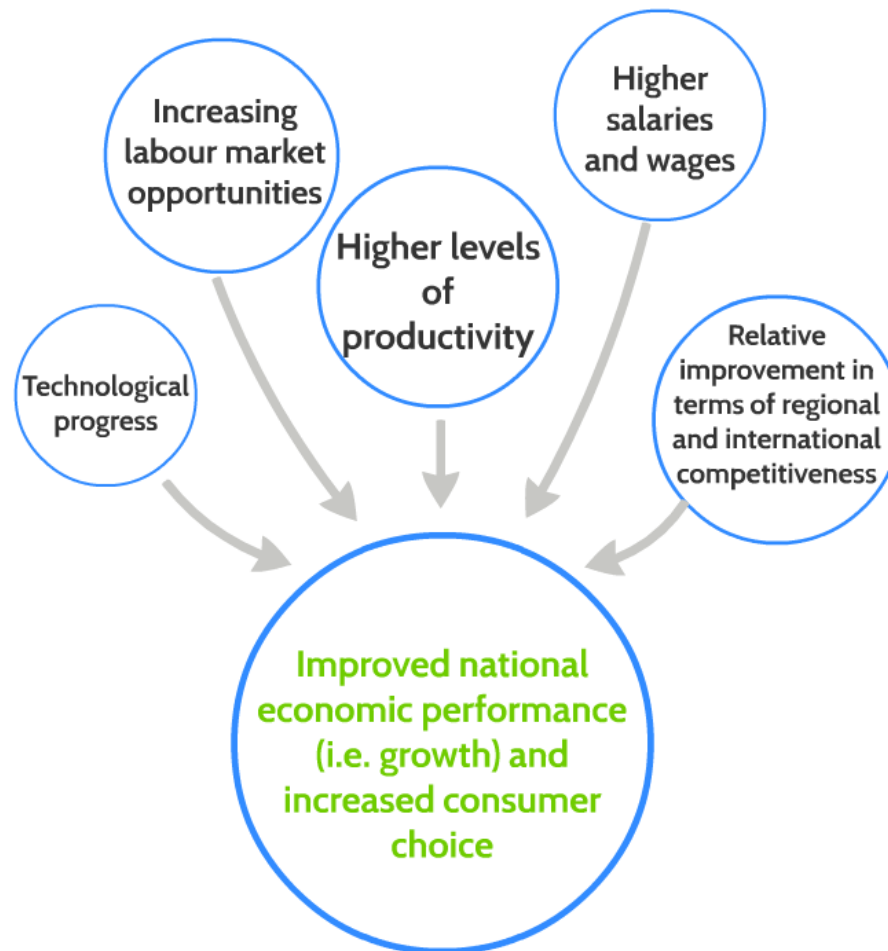
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<sup>ii</sup> Morocco just recently went through a review vis-à-vis its competition regulation, for more information refer to the paper on "Inefficacité de la régulation concurrentielle au Maroc: Les tenants et aboutissants institutionnels" ([http://www.meda-comp.net/wp-content/uploads/2014/02/MCB\\_09-Extra\\_2014.pdf](http://www.meda-comp.net/wp-content/uploads/2014/02/MCB_09-Extra_2014.pdf))

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# Why competition matters....





**Improved national  
economic performance  
(i.e. growth) and  
increased consumer  
choice**



Corruption Collusion

Monopolies

Crowding out

## Current initiatives in the MENA region

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# Thank you

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