

New Delhi, 5th December, World Competition Day (02.30PM IST)

PSM's SPEAKING NOTE

First of all, a VERY HAPPY WORLD COMPETITION DAY to you all.

It is my pleasure to welcome all the speakers and participants, both in-person at ISID and online to this timely panel discussion on this years' theme for the World Competition Day – Competition Policy and Inequality.

CUTS International and ISID are organising this in order to commemorate the world competition day, which we celebrate on 5th December. On this date in 1980 the UN General Assembly had adopted the “Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices,” popularly referred to as ‘the UN Set’.

The UN Set is the first, and so far, the only international instrument on competition law and policy – a milestone worth celebrating. This is the 15th year, when we started this campaign of celebrating world competition day on 5th December, and its formal adoption by the United Nations. We have received support from around 70 countries, including 60 competition authorities. This day is widely celebrated now.

Though 5th Dec has not yet been adopted by the UN as world competition day, our campaign has revitalised this year with formal collaboration with a dynamic regional competition authority – the COMESA Competition Commission. With COMESA Competition Commission, we are working on facilitating a formal proposal to UN General Assembly by a Member State in near future. We solicit your support for this.

Keeping the theme “Competition Policy and Inequality” in mind, we thought it prudent to discuss some of the key sectors of the economy that has more

bearing on inclusive growth, such as manufacturing and agriculture. Promoting ease of doing and running business for MSMEs in manufacturing sector is of immense importance when it comes to generating employment, which in turn is necessary for broad-basing the gains from growing economy.

Similarly, removing bottlenecks in agriculture marketing framework can help farmers realise a better price for their produce. In the increasingly concentrating economy, the labour welfare scenario may also go further south.

Competition policy, particularly competition advocacy, has an important role to play in all these. What we need to achieve is equality of economic opportunities, which will require whole-of-government approach. Where economic concentration and increasing market power per se is problematic, mere reliance on traditional competition enforcement may prove to be insufficient. Competition advocacy to policy makers can yield better results.

In fact, a National Competition Policy (NCP) can be formulated that would require government entities to incorporate competition principles into their policies (or decisions, or regulations) in systematic and institutionalised way. This will be greatly helpful in triggering whole-of-governments approach, including national and sub-national governments.

The World Trade Organisation (WTO) defines competition policy as: *“the full range of measures that may be used to promote competitive market structures and behaviour, including but not limited to a comprehensive competition law dealing with anti-competitive practices of enterprises”*.

If National IPR Policy can be formulated in addition to IPR laws, why can't a National Competition Policy be adopted in addition to competition law. Such a policy has been adopted in few countries, such Australia, the

Philippines, Botswana, Mexico, Hong Kong and Malawi. There is a draft National Competition Policy available on the website of the Ministry of Corporate Affairs, India. CUTS played an active part in the whole process.

Let me stop here, and welcome you once again. We have a very impressive panel lined up today. I welcome with gratitude all the panellists. All of us are looking forward to a lively discussion.

Let me also inform you that just after this, we are organising another hybrid event at the WTO premise in collaboration with UNCTAD and WTO. You may like join virtually.

Thank you and Happy World Competition Day, once again.
