

Minutes
of the 5th Meeting of Regional Organizations on Competition
*(at the initiative of the Eurasian Economic Commission
with the support of the Egyptian Competition Authority, ECA)*

29 April 2025

(ECA's premises in Cairo, First floor - Building B19, Smart Village - Giza, Egypt)

Topic: Effective Regional Regulation on Competition: Best Practices and What Should be Done

The 5th Meeting of Regional Organizations on Competition (5th RO Meeting) was held in Cairo, Egypt on April 29, 2025 with the support of the Egyptian Competition Authority.

Regional Integration Organizations on Competition annual meetings have become a platform for constructive dialogue, exchanging of best practices and exploring effective competition policy and enforcement at the regional level.

The previous four meetings have built up a rich agenda of the most update issues relevant for the work of regional competition authorities (such as regional competition law and enforcement, authority powers and competence, investigation procedure, advocacy, interaction between regional and national authorities, judicial and administrative appeals of the decisions and acts of regional competition authorities).

The 5th RO Meeting was focused on the effective regional regulatory practices on competition and how to develop competition in regional organizations and the actions to be taken. Examples of successful regional regulation in various aspects of competition were presented and issues of what needs to be done next were discussed.

Opening Remarks

Moderator: Dr. Mahmoud Momtaz, the Chairman of the Egyptian Competition Authority

Welcomed participants and expressed gratitude to the to the Eurasian Economic Commission for initiating the dialogue of regional organizations on competition and its consistent development and attendees for their presence, underscoring the importance of regional collaboration among competition authorities. He emphasized the meeting's theme: "Effective Regional Regulation on Competition: Best Practices and What Should be Done."

Dr. Mahmoud Momtaz highlighted the importance of collaboration among regional organizations to strengthen competition laws and practices.

Dr. Mahmoud Momtaz presented the speakers of the 5th Meeting of Regional Organizations on Competition:

1. Eurasian Economic Commission (EEC)
Mr. Maksim Yermalovich, Member of the Board-Minister on Competition and Antitrust Regulation
2. Arab Competition Network (ACN)
Dr. Fahad Alshathri, CEO of the General Authority for Competition of the Kingdom of Saudi Arabia (*online*)
3. United Nations Conference on Trade and Development (UNCTAD) (*online*)
Ms. Teresa Moreira, Head of Completion and Consumer Policies Branch
Ms. Akari Yamamoto-Bonenfant, Legal Officer, Competition and Consumer Policies Branch
4. Association of Southeast Asian Nations (ASEAN)
Her Excellency Ly Sopoivichny, Chair of the ASEAN Experts Group on Competition, Independent Commissioner of the Cambodia Competition Commission (CCC) (*online*)
5. BRICS
Mr. Alexey Ivanov, Director of the BRICS Competition Law and Policy Centre
Mr. Andrey Tsyganov, Deputy Head of Federal Antimonopoly Service of Russia
6. Caribbean Community (CARICOM) Competition Commission
Mr. Barry Headley, Senior Economist (*online*)
7. Common Market for Eastern and Southern Africa (COMESA) Competition Commission
Ms. Alexia Waweru, Manager Legal Affairs (CEOs office), Research Policy & Advocacy Division
8. East African Community (EAC) Competition Authority
Mr. William E. Erio, Chairperson
9. Economic Community of West African States (ECOWAS) Regional Competition Authority (ERCA)
Dr. Simeon K. Koffi, Executive Director (*online*)
10. West African Economic and Monetary Union (WAEMU) Commission
Mr. Abdoulaye Domboué COULIBALY, Head of the Investigations and Litigation Division (*in French*)
11. **Ms. Armine Hakobyan**, Deputy Director of the Department for Competition and Public Procurement Policy, Eurasian Economic Commission (EEC)

Presentations by speakers from Regional Organizations

1. Eurasian Economic Commission (EEC)

Mr. Maksim Yermalovich, Member of the Board-Minister on Competition and Antitrust Regulation provided an overview of the EEC's initiatives aimed at strengthening competition in the Eurasian Economic Union. It was also noted that not all regional organizations were able to attend the 5th RO Meeting, but sent letters supporting the EEC's

initiative for this regional dialogue, among them the Andean Community and the Latin American Economic System. The following points were the focus of the discussion:

- Active interaction with national competition authorities of member states to improve regulation and enhance the enforcement of competition laws across the Eurasian Economic Union.
- The regular meetings of the heads of national competition authorities and EEC Minister on competition to discuss legislative changes with a view to achieving a full understanding of how to develop competition in the Union;
- Promotion of transparency and accessibility within competition advocacy through the systematic open dialogue with business community, so called Public Reception, to increase its awareness about competition rules and liability for the violation of the rules, as well as to solve the problems raised by businesses;
- Increase business awareness by posting in a special section of the EEC website tools for self-checking business knowledge of competition rules;
- Active cooperation with international organizations like UNCTAD and OECD, collaboration with the BRICS competition center to improve the efficiency of the EEC work;
- Investment in human resources by launching training programs "Competition Law in the Eurasian Economic Union: International and Regional Approaches" focusing on theory, law and enforcement, as well as interactive modules on cases, for staff of competition authorities of member states and EEC, lawyers on competition from private sector;
- Organize international academic and practical conferences to develop new ideas how to advocate competition in the region and how to deal with new specific problems (on specific sectors such as e-commerce and the pharmaceutical markets, etc.) that have a high risks of the violation of common competition rules.

Mr. Maksim Yermalovich noted that all regional organizations have different legal nature, mandate and competences, on the other side, regional organizations have their own specifics and differ from those at the national level. Therefore, cooperation of similar competition authorities and the exchange of experience among them are essential, thus emphasizing the importance of this dialogue as a means of sharing experiences. He proposed to develop a mechanism that allows regional organizations to collaborate and proposed to prepare a survey on competition issues in regional organizations to identify differences and commonalities.

2. Arab Competition Network (ACN)

Dr. Fahad Alshathri – CEO, General Authority for Competition, Saudi Arabia (*online*) presented the initiatives taken by the ACN to enhance competition in the Arab region, particularly:

- Addressed the unique challenges faced by member countries in establishing effective competition regimes and the importance of regional collaboration;
- Presented case studies of successful regulatory frameworks and shared experiences among member states;
- Emphasized the need for deeper structural engagement among national competition authorities;
- Highlighted the potential benefits achievable through cooperative efforts, such as enhanced detection of anti-competitive practices and effective knowledge sharing;
- Presented the compelling question of why regional cooperation should be prioritized over limited bilateral engagements.

3. United Nations Conference on Trade and Development (UNCTAD)

Ms. Akari Yamamoto-Bonenfant, Legal Officer, Competition and Consumer Policies Branch (*online*) delivered her presentation on the importance of regional competition frameworks, particularly for developing countries;

- Stated that regional frameworks facilitate more effective and efficient enforcement of competition laws against cross-border anti-competitive practices, noting their advantage over isolated national frameworks, which may struggle with jurisdictional limitations;
- Discussed how regional authorities can fill the gaps where national competition authorities may be lacking, especially in developing countries without operational competition laws;
- Stressed that regional cooperation can strengthen national competition regimes by providing model legal frameworks, guidelines, and enforcement tools;
- Highlighted a fourth point about economies of scale in regional cooperation; regional frameworks can mitigate resource constraints by pooling resources amongst member states;
- Emphasized the growing importance of technical cooperation and capacity building among regional authorities, inviting participants to exchange best practices and experiences to bolster competitive environments across regions;
- Repeated the acknowledgment that regional cooperation is easier to initiate and sustain than international collaboration due to shared legal frameworks, common interests, and mutual trust among countries within the same region;
- Shared insights from a 2018 survey conducted by her organization that identified significant legal and practical obstacles to international cooperation, insisting that regional cooperation offers viable solutions;

The conclusion was made with a promotion of the United Nations Conference on Competition and Consumer Protection, which is scheduled to take place in July.

4. Association of Southeast Asian Nations (ASEAN)

Her Excellency Ly Sopoirvichny, Chair, ASEAN Experts Group on Competition, Cambodia (*online*):

- Introduced the ASEAN Experts Group on Competition (AEGC) and outlined its mission, which is to foster fair market competition in the ASEAN region to drive innovation and economic growth. By promoting a competitive business environment, the AEGC ensures that businesses of any size thrive, and consumers benefit from equitable and dynamic markets.

- Explained that to achieve this mission, the AEGC focuses on strengthening legislative regimes and capacities, as well as advancing cooperation and convergence among AMS. The work of the AEGC is guided by the ASEAN Competition Action Plan 2016-2025, which is currently being reviewed to provide lessons learned for the development of the next five years action plan.

- Described the current ASEAN Competition Action Plan, which comprises of five strategic goals, 18 outcomes, and 41 deliverables. The five strategic goals show the priorities of the AEGC between 2016-2025, most of our efforts aim to support young competition authorities in ASEAN to ensure effective enforcement of AMS Competition Laws. Considering many competition authorities in ASEAN are quite young, capacity building is one of our core activities between 2016 to 2025. To assist AMS in drafting their competition law, the AEGC has published the ASEAN Regional Guidelines on Competition Policy as a reference and a means for moving towards greater harmonization.

- Mentioned that another priority is to advocate competition policy to our stakeholders, ensuring a competition-aware ASEAN region. Interface workshops with relevant stakeholders were convened to enable dialogue and promote the importance of taking into consideration competition principles when drafting public policies and regulations.

- Informed that the AEGC have concluded the negotiation for the ASEAN Framework Agreement on Competition. This legally binding agreement advances our regional cooperation, moving towards better coordination among AMS competition authorities. The AFAC aims to: (i) foster a fair and competitive business environment in ASEAN and enhance economic efficiency and inclusive growth and development, (ii) enhance cooperation and coordination, particularly in investigative activities and enforcement activities, (iii) promote the internalization of competition policy into regional and domestic economic policies, (iv) enhance the capacity of Member States to address anti-competitive activities and, (v) support regional economic integration, and contribute towards the creation of a competitive, innovative and dynamic ASEAN.

5. BRICS

5.1. Mr. Andrey Tsyganov, Deputy Head, Federal Antimonopoly Service of Russia shared experiences regarding the development of cooperation among BRICS countries' competition authorities:

- Explained that BRICS, while not solely regional, is global in nature;
- Described the history of cooperation starting from the first BRICS competition conference in Kazan City in 2009 and outlined subsequent conferences held every two years.
- Discussed the Memorandum of Understanding signed in 2016, focusing on the strategic directions for competition authority cooperation;
- Highlighted the work being done in socially significant markets, supported by groups focusing on pharmaceuticals, food, digital markets, and more;
- Mentioned key reports published on topics like seed markets, digital economy, and cartel leniency policies;
- Presented achievements of BRICS competition authorities recognized at the 16th BRICS summit, reaffirming commitments to advancing cooperation in competition law and policy, emphasizing the role of the BRICS Competition Law and Policy Centre in the development of competition regulation in the BRICS region;
- Discussed ongoing efforts in integrating new member states (Egypt, Ethiopia, Iran, and the United Arab Emirates) and the establishment of collaborative frameworks with other regional organizations like ASEAN;
- Concluded by emphasizing the need for regular meetings among BRICS working groups and the significance of ongoing cooperation and knowledge sharing for the benefit of all member states, partners and BRICS+ countries.

5.2. Mr. Alexey Ivanov, Director, BRICS Competition Law and Policy Centre acknowledged the importance of uniting various regional organizations and stated that it was a great initiative;

- Quoted a famous proverb from Leo Tolstoy's Anna Karenina: "All happy families are alike, but unhappy families are unhappy in their own way," emphasizing the diversity in regional organizations;
- Suggested that there is a "recipe" for success for diverse regional institutions, which includes;
 - Expertise sharing and knowledge production;
 - Noted how the European Commission has successfully created pan-European expertise and discussions, elevating them beyond national jurisdictions;
 - Discussed the significant challenges in national jurisdictions where powerful forces may resist effective competition;
 - Stressed the need for regional institutions to facilitate activities that promote expertise sharing;

- Suggested that successful regional cooperation must include this emphasis on knowledge production;
- Identified the necessity for competition authorities to master digital technologies, AI tools, and data analytics;
- Proposed pooling resources among competition authorities to build operational capabilities;
- Introduced the concept of Merger Radar, a platform endorsed by BRICS leaders to help authorities screen markets and anticipate mergers more effectively.

6. Caribbean Community (CARICOM) Competition Commission

Mr. Barry Headley, Senior Economist (*online*) highlighted policy priorities for competition enforcement under the Revised Treaty, focusing on the CARICOM Single Market and Economy (CSME):

- Noted the importance of introducing community merger control, with the CARICOM Competition Commission (CCC) developing a comprehensive policy expected within two years;
- Reported that only four out of twenty Member States have fully implemented necessary competition legislation under Chapter 8, and emphasized efforts to promote compliance through:
 - Sensitization and training sessions, especially in the OECS;
 - A tailored action plan for individual Member States' needs;
- Stressed the importance of collaboration with sector regulators to enhance competition culture;
- Updated on significant assessments in the petroleum gas and banking sectors, as well as ongoing reviews of mergers in fast-moving consumer goods (FMCG);
- Announced the formation of an informal CARICOM Competition Network for information sharing among national authorities;
- Reinforced the need for regulatory harmonization and collaboration to strengthen national competition regimes;
- Concluded by encouraging support for CARICOM initiatives and regional collaboration on cross-border competition issues.

7. Common Market for Eastern and Southern Africa (COMESA) Competition Commission

Ms. Alexia Waweru, Manager Legal Affairs (CEOs office), Research Policy & Advocacy Division raised questions about measuring the effectiveness of regional economic communities, considering factors like the number of Member States with competition laws

and the nature of judicial cases. Noted that a lack of cases might indicate low awareness of competition laws;

- Highlighted a rise in appeal cases within COMESA, signaling increased engagement with competition law;
- Mentioned collaborations with various regional organizations, including memorandums of understanding (MOUs) and participation in international networks;
- Provided an overview of COMESA's 21 Member States, noting that 19 have established competition rules and institutions;
- Emphasized the significance of the COMESA Treaty, particularly Article 55, which commits Member States to prohibit anti-competitive practices and mandates compliance;
- Celebrated the establishment of the Commercial Competition Commission in 2013, which has handled over 500 mergers and acquisitions, and noted the need for harmonization of competition law among Member States to avoid legal conflicts;
- Announced ongoing advocacy efforts for the UN to officially recognize World Competition Day, with two Member States supporting the motion;
- Spoke about successful initiatives to engage stakeholders from various fields, including judges and legal practitioners, and highlighted the importance of capacity-building workshops;
- Noted the successful prohibition of a major merger in the sports broadcasting sector and ongoing projects in the cultural food sectors;
- Concluded by urging collaboration among regional economic communities to share knowledge and strengthen capacity through workshops.

Ms. Teresa Moreira, Head of Completion and Consumer Policies Branch of the United Nations Conference on Trade and Development (UNCTAD) (*online*) reacted to the proposal for a UN declaration of World Competition Day, emphasizing that the UN is an intergovernmental organization and relies on Member States to propose issues;

- Noted that many competition authorities already celebrate World Competition Day without needing a formal UN declaration;
- Stressed that the decision on this proposal ultimately rests with Member States in New York, and encouraged supportive members to engage with their missions in Geneva and New York to understand the current context for such initiatives;
- Highlighted the ongoing liquidity crisis facing the UN due to unpaid contributions, which complicates the approval of proposals with budgetary implications;
- Acknowledged the efforts of the secretariat to inform and support Member States' initiatives, while cautioning that the process is not straightforward due to existing international challenges, including polarization and divergences among nations;
- Concluded by wishing everyone a productive meeting and expressing gratitude for the opportunity to contribute to the discussion.

Ms. Alexia Waweru conveyed her appreciation to the Chair for the chance to address the assembly on behalf of the CEO of the COMESA Competition Commission ("Commission"), Dr Willard Mwemba. She stated that the Commission thanks UNCTAD for all the support that they have been giving to the Commission with regard to recognition of the World Competition Day together with clarification on the applicable procedures for this recognition. The challenges highlighted by Ms. Teresa Moreira was noted by the Commission. The Commission, however, reaffirmed its commitment to this initiative of recognition of the World Competition Day and in underscoring the significant interest in thus recognition Day by the COMESA Member States, indicated that it was alive to the challenges and obstacles that are likely to arise in advancing this agenda and indicated that it would still remain steadfast in its dedication to promoting this recognition. The Commission indicated that it was open to the possibility that it could be successful in this process. However, if it was not successful this time, it would remain committed to advancing the initiative at a later date with the hope that someday it would be recognized given the desire by the COMESA Member States for the same to be recognized by the United Nations.

8. East African Community (EAC) Competition Authority

Mr. William E. Erio, Chairperson provided an introduction to the East African Community (EAC), which comprises 8 partner states, including Tanzania, Kenya, Uganda, Rwanda, Burundi, South Sudan, the Democratic Republic of Congo, and Somalia, with a combined population of about 300 million;

- Highlighted the East African Community Competition Authority (EACCA), established under the EAC Treaty and operational since November 2016. A recent amendment in 2023 has set the stage for operationalization of the merger regime.
- Noted ongoing investigations into-competitive practices, particularly in the fertilizer and steel sectors, and efforts to create a conducive investment environment while preparing for the law's enforcement;
- Described the EACCA's guidelines on anti-competitive practices and mergers aimed at enhancing transparency and providing a level playing field for economic participants;
- Emphasized collaboration with partner states and regional regulators for information sharing, capacity building, and joint initiatives, including cooperation frameworks with other organizations;
- Discussed partnerships with international entities, including the European Union and the U.S. Federal Trade Commission, for skill enhancement and capacity building;
- Mentioned efforts to increase understanding of competition laws among stakeholders, including the public sector, business community, and consumer associations.
- Highlighted the need for collaboration among African regional competition authorities, particularly at an upcoming meeting in October hosted by the EAC, to address challenges such as double notification and foreign direct investment concerns;

- Concluded with a call for cooperation to strengthen regional competition policies and invite support for future initiatives, including the implementation of the AFCFTA competition policy architecture.

9. Economic Community of West African States (ECOWAS) Regional Competition Authority (ERCA)

Dr. Simeon K. Koffi, Executive Director (*online*) presented the challenges of implementing uniform competition laws given diverse national legislations among member states.

- Mentioned that the competition regulation in West Africa stems from the creation of a common market, emphasizing the need for integration among Member States;
- Addressed the disparities in competition regimes among Member States and emphasized the importance of cooperation to ensure compliance with best practices and effective law enforcement;
- Stressed the need for clear legislation, transparency, and accountability to support the effective implementation of competition laws within the region;
- Highlighted the establishment of a consultative competition committee to facilitate stakeholder engagement, policy formulation, and regulatory oversight;
- Emphasized the importance of internal cooperation among various institutions to strengthen the enforcement of competition rules;
- Discussed initiatives to support Member States in adopting and reforming competition regulations, noting that several Member States still lack adequate competition laws;
- Noted ongoing market studies to understand the dynamics of various sectors better and to inform enforcement strategies;
- Mentioned the need for collaboration with existing regional bodies to avoid overlaps in competition law enforcement;
- Concluded by highlighting the importance of capacity building, data collection, and advocacy efforts to strengthen regional competition culture and ensure stakeholder awareness.

10. West African Economic and Monetary Union (WAEMU) Commission

Mr. Abdoulaye Domboué Coulibaly, Head of the Investigations and Litigation Division (in French) provided context for West African Economic and Monetary Union (WAEMU), emphasizing its goal to enhance competition regulations among Member States;

- Mentioned the existence of a treaty focused on boosting the competitiveness of economic activities and creating a common market free movement of goods, services, and people.
- Highlighted the regulatory framework, including three regulations and two directives addressing market concentration, particularly in relation to dominant positions;

- Discussed the institutional framework, involving both the WAEMU Commission and national competition commissions, which operate as independent administrative authorities;
- Explained that the WAEMU Commission serves as the central body responsible for competition matters, while national authorities handle investigations and report findings;
- Analyzed the centralized system's advantages, including uniform application of rules and independence from government influence, as well as its limitations, such as resource discrepancies that can hinder effectiveness;
- Concluded that reform is necessary, suggesting that national authorities could address minor issues while the Commission focuses on larger matters;
- Announced plans to sign agreements with various institutions to enhance capacities and foster cooperation with regional competition authorities, including those from COMESA and other international bodies;
- Expressed eagerness to collaborate with the Egyptian Competition Authority and other organizations in the field of competition.

11. Eurasian Economic Commission (EEC)

Ms. Armine Hakobyan, Deputy Director of the Department for Competition and Public Procurement Policy, Eurasian Economic Commission (EEC):

- Thanked all participants for attending the meeting and sharing fruitful presentations and experiences, as well those colleagues who were not able to participate in the Meeting, but who support the dialogue of regional organizations on competition.
- Highlighted the progress made over the past five years; mentioned participants willingness to take part in discussions and readiness to continue and expand the dialogue; expressed her belief that this is very important work.
- Summarizing the discussions of five meetings of Regional Organizations on Competition, Ms. Hakobyan proposed, with the consent of the regional organizations, to include the following text in the minutes of the 5th RO Meeting:

“REGIONAL INTEGRATION ORGANIZATIONS

RECOGNISING the role of competition policy in promoting fair trade and fostering economic growth across the region;

NOTING the challenges of competition policy and enforcement at the regional level;

POINTING OUT the profound background of the five Meetings of Regional Organizations on Competition that have built up a rich agenda and meaningful outcomes;

ACKNOWLEDGING the importance of the Meetings of Regional Organizations on Competition, as a valuable platform for dialogue and exchange of best practices;

AIMING to improve and strengthen competition policy and enforcement in the regional economic unions;

DISCUSSED AND CAME TO AN UNDERSTANDING THAT

Regional Organizations:

a) express a commitment to engage in ongoing cooperation to explore best practices in competition policy and enforcement;

b) express an interest to share successful experiences and valuable lessons learned in competition policy and enforcement;

c) are keen to promote competition issues in regional organizations within the framework of international organizations' agenda;

d) the Eurasian Economic Commission will continue to host regular Meetings of Regional Organizations on Competition;

e) all Regional Organizations are invited to contribute to the agenda of the Meetings of Regional Organizations on Competition by suggesting topics of mutual interest and presenting an experience of competition policy and regulation at the regional level."

- Concluded by thanking everyone again and expressing hope to have many interesting discussions and to attract new colleagues to this dialogue on competition in regional organizations.

Closing Remarks

Mr. Maksim Yermalovich thanked all participants and noted that the meeting not only clarified partners' expectations and produced key conclusions regarding the regional role of competition authorities, but also fostered consensus on the main points discussed and deepened mutual understanding of what participants hope to achieve through ongoing cooperation. Mr. Yermalovich suggest to conduct a survey that will compare the responsibilities of different regional organizations regarding competition, which will be distributed to all regional organizations. He acknowledged the expanding community and proposed that future meetings might need to be extended to two days to allow for comprehensive presentations and discussions. Mr. Yermalovich mentioned the possibility for the discussion of these issues during the UNCTAD Conference in July. Furthermore, he indicated that another RO meeting will be organized for the following year additional details to be confirmed.

Dr. Mahmoud Momtaz expressed his gratitude to all participants for their valuable contributions to the meeting and encouraged continued dialogue and cooperation among regional organizations, highlighting the importance of mutual learning from each other's experiences. He also mentioned the upcoming survey, emphasizing that everyone can support this initiative. Furthermore, Dr. Mahmoud Momtaz invited participants to suggest new initiatives for future collaboration.