



COMPETITION POLICY, COMPETITIVENESS,
AND INVESTMENT
IN A GLOBAL ECONOMY

AGENDA

Organized by the World Bank Group (Private Sector Development & Foreign Investment Advisory Services) and UNCTAD in co-operation with the European Commission

Dar es Salaam – Tanzania
10-12 May 2004

Royal Palm Dar es Salaam – Ohio Street, PO. Box 761
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Background and presentation

It is increasingly recognized that a sound business climate – in which investors face relatively low entry and exit barriers and are protected against the risk of expropriation and abuse, while consumers are protected against business malpractices – is a springboard for economic growth and poverty reduction. The enactment of competition law and its enforcement by specialized agencies is a key component in this dynamics. Competition law and policy (CLP) would result in equity among producers, reduce rent-seeking behaviour, complement the implementation of national economic policies and lead to employment and economic benefits to all segments of society. The number of countries having these two elements in place has risen from 35 in 1995 to around 100 – not counting those nations such as India, South Africa and the UK that have revamped their old competition laws to cope with changing realities.

African countries, and more specifically those in Eastern and Southern Africa, have found it difficult to participate in the FDI boom of the late 1990s and confront challenges in diversifying their export structure, improving the terms of their integration into the world economy, and more generally enhancing the functioning of domestic markets. Although in some selected economies FDI inflows in 2000-02 have not been trifling, including when measured as a share of GDP, by and large their ranking in the FDI Performance Index is disappointing. Few countries in the sub-region have made substantial progress in enacting and applying market-friendly reforms – and indeed modern CLP legislation is in place in six such countries only (Kenya, Namibia, South Africa, Tanzania, Zambia, and Zimbabwe).

The general objective of the conference is to analyse the relationship between competition, productivity, competitiveness, economic growth and poverty reduction – what is/is not known – and review the state of competition policy in Eastern and Southern Africa. Specific objectives include:

- i) to review the nature of public and private restraints to domestic and international competition;
- ii) to analyse the extent to which the existing institutional framework (liberalization of trade, investment, licensing, entry-exit of firms, competition law-policy, and their inter-face, effectiveness and limitations) provides adequate instruments (policies, laws, skills, and institutions) to promote competition;
- iii) to appraise the actual functioning of the regime, in particular through the discussion of selected case studies in the region and elsewhere;
- iv) to provide recommendations on how best to incorporate competition policy into broad-based investment and PSD promotion policies; and
- v) to evaluate instruments for international cooperation, capacity, and institution building.

The conference will last two and a half days. It will be organized around papers, analytical country and sector specific case examples, and participatory round-table discussions on key topics. It is expected that 50-75 persons (senior government officials, policy analysts, private sector business, representatives from civil society, NGOs, research and academic institutions, and other relevant groups) from the host country and the region will attend. Invited speakers, discussants, and chairpersons, selected in co-operation between the World Bank Group, UNCTAD and local authorities, will be drawn from governments, consumer groups, NGOs, the private sector, and multilateral organizations.

Monday 10 May 2004

Time	Topic	Speakers
08:30-09:00	Registration	
09:00-10:00	Welcome/opening addresses	<ul style="list-style-type: none"> • Ambassador William Hanna (Head of the European Commission Delegation in Tanzania) • Judy O'Connor, Country Director, World Bank • Enos Bukuku, Permanent Secretary, Planning and Privatisation, President's Office • Hassan Qaqaya (Chief, Advisory Services and Capacity Building Section, Competition Law and Policy Branch, UNCTAD)
10:00-10:15	Coffee Break	
10:15-11:45	<u>Session I:</u> Competition, Growth and Poverty Reduction (chairperson: Godfrey Mkocha)	<ul style="list-style-type: none"> • Nigel Twose (Manager, Foreign Investment Advisory Service, The World Bank Group)* (Presentation by R.S. Khemani & A. Goldstein) • Pradeep S. Mehta (Secretary-General, CUTS Centre for International Trade, Economics & Environment) • John Preston (Senior Advisor, DFID, UK)
11:45-13:15	<u>Session II:</u> Framework of Modern Competition Law – Policy (chairperson: Pippo Ranci)	<ul style="list-style-type: none"> • Rughvir (Shyam) Khemani (Advisor, Competition Policy, Investment Climate Department, The World Bank Group) • Hassan Qaqaya (Chief, Advisory Services and Capacity Building Section, Competition Law and Policy Branch, UNCTAD)
13:15-14:30	Lunch: Key Note speaker: <i>Economic Reforms and the Business Climate in Tanzania</i> (Chairpersons: Andrea Goldstein and Rughvir Khemani)	<ul style="list-style-type: none"> • H. E. Juma Ngasongwa (Minister for Industries and Commerce, Tanzania)

14:30-17:30	<u>Session III:</u> Anti-competitive Business Conducts (Cartels and Collusive Behaviour): Cases and Country Experiences (chairperson: Pradeep S. Mehta)	<ul style="list-style-type: none"> • David Anderson (Allen & Overy, United Kingdom) • Godfrey Mkocha (Commissioner, Fair Competition Commission, Tanzania) • Peter Muchoki Njoroge (Monopolies and Prices Commission of Kenya)
17:30-18:00	Closing remarks	<ul style="list-style-type: none"> • Andrea Goldstein (Senior Investment Policy Officer, Foreign Investment Advisory Service, The World Bank Group)
	Reception	

Tuesday 11 May 2004

Time	Topics	Speakers
09:00-12:30	<u>Session IV:</u> Issues in Market Dominance (Mergers, etc.): Cases and Country Experiences (chairperson: Hassan Qaqaya)	<ul style="list-style-type: none"> • Alexander Kububa (Commissioner, Industry and Trade Competition Commission, Zimbabwe) • Norman Manoim (Competition Tribunal, South Africa) • George Lipimile (Executive Director, Zambia Competition Commission)
12:30-13:30	Lunch	
13:30-15:00	<u>Session V:</u> Competition Advocacy and Regulated Industries: Cases and Country Experiences (chairperson: Trudi Hartzenberg)	<ul style="list-style-type: none"> • Matfobhi Riba (Senior Trade Legal Affairs Officer, Competition Law and Policy Branch UNCTAD) • Tomás Serebrisky (World Bank Institute) • Menzi Simelane (Commissioner, Competition Commission, South Africa) • Pippo Ranci (Past President, Italian Electricity and Gas Authority)
15:00-15:15	Tea Break	
15:15-17:45	<u>Session VI:</u> Private Sector Perspectives (chairperson: John Preston)	<ul style="list-style-type: none"> • Andrea Goldstein (Senior Investment Policy Officer, Foreign Investment Advisory Service, The World Bank Group) • Augustine Seyuba (Director, Group Corp. Affairs, Zambian Breweries PLC) • Richard d'Offay (Market Director, Trois Frères Distillery, Seychelles) • Clive Stanbrook (Stanbrook-Hooper) • Egas Mussanhane (President, Confederation of Business Assoc. of Mozambique)
17:45-18:00	Closing Remarks	<ul style="list-style-type: none"> • Rughvir (Shyam) Khemani (Advisor, Competition Policy, Investment Climate Department, The World Bank Group)

Wednesday 12 May 2004

9:00-12:15	<u>Session VII:</u> Global and Regional Competition Issues (chairperson: Shyam Khemani)	<ul style="list-style-type: none"> • Pierre Arhel (World Trade Organisation) • Mamadou Moustapha Sow (NEPAD) • Brian Chigawa (COMESA) • Austin Khulumula (SADC) • Gertruida Maria Hartzenberg (TRALAC, South Africa)
12:15-13:15	<u>Session VIII:</u> General Discussion and Conclusion	<ul style="list-style-type: none"> • Rughvir (Shyam) Khemani (Advisor, Competition Policy, Investment Climate Department, The World Bank Group) • Andrea Goldstein (Senior Investment Policy Officer, Foreign Investment Advisory Service, The World Bank Group)