

**SPEECH BY MR BONIFACE MAKONGO AT THE 9th ANNUAL COMPETITION AND
ECONOMIC REGULATION (ACER) WEEK (ACER IX) And 11th ANNUAL CAK SYMPOSIUM
17 October 2024
Nairobi, Kenya**

Mr Shaka Kariuki, Chair-Competition Authority of Kenya

Mr David Kemei, Director General-Competition Authority of Kenya

Mr Lloyds Vincent Nkhoma, CEO-Competition and Fair Trading Commission, Malawi

Ms Faith Odhiambo, President, Law Society of Kenya

Yasmin Carrim, Former deputy chair of Competition Tribunal South Africa

Distinguished, Ladies and gentlemen

It is my honour and privilege to deliver these remarks on behalf of the CEO of the COMESA Competition Commission (“Commission”), Dr Willard Mwemba.

Ladies and Gentlemen

The Commission is delighted to partner with the Competition Authority of Kenya (“CAK”) and the University of Johannesburg Centre for Competition and Economic Regulation (“CCRED”) in organizing the 9th Edition of the Annual Competition and Economic Regulation (ACER) week and 11th Annual CAK Symposium. Our three institutions have been working closely to enhance the knowledge and skills among enforcers on competition law in the COMESA Region. The last three days, for example, comprised of intensive learning and sharing of knowledge and experience on competition to better equip participants on how to analyse competition cases. The symposium is the cherry on the cake as it is a culmination of the capacity building and knowledge sharing by national, regional and international competition experts.

The collaboration between the Commission, CAK and CCRED has been bearing fruits as evidenced by the recent collaboration where the three institutions partnered with the Competition Commission of South Africa (“CCSA”) and competition experts, namely, Professor Eleanor Fox and Professor Mor Bakhoun on a special project under the umbrella of the International Competition Network (“ICN”) with respect to agriculture and food markets.

The ICN Special Project seeks to address competition concerns in agriculture and food markets, with a focus on developing countries. The project was informed by an assessment of agri-food markets where it was noted that developing countries, which tend to rely heavily on agriculture,

are heavily affected by competition concerns such as increasing market power, input of farmers prices being highly priced, high consumer prices, among others. The Heads of the various competition authorities and the Regional Economic Communities (RECs) have also expressed support for the ICN Special Project recognising that the competition issues identified in the agricultural sector are an Africa wide problem.

There are also joint studies that the Commission has been undertaking with CCRED and COMESA Member States in an effort to address competition concerns in the agricultural sector. Recent studies have been undertaken under the African Market Observatory Project, which were conducted jointly with COMESA Member States in phases, Phase I which targeted five (5) Member States (Kenya, Malawi, Uganda, Zambia and Zimbabwe) and Phase II which targeted seven (7) Member States (the five (5) countries for Phase I and including Rwanda and DRC). Phase I study focused on: maize, maize meal, soybean, soybean meal, rice and fertilizer. Phase II study focused on vegetable oil and fertilizer.

Nineteen (19) out of twenty-one 21 COMESA Member States have adopted competition laws and institutions pointing towards the need for more collaborative efforts on learning and experience sharing. We also recognize the presence of the Ministry of Commerce and Consumer Protection of Mauritius who have been with us in the training, the Commission is at an advanced stage of signing a Memorandum of Understanding with the Ministry.

We are also glad that the ACER training and symposium is also held in different COMESA Member States, thus contributing greatly to the increase in knowledge and experience sharing to build the skills of competition and consumer protection authorities. It is our hope that these annual trainings and symposium will thus continue to be held.

The Commission wishes you all a successful symposium.

Thank you.