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COMESA COMPETITION COMMISSION, RWANDA INSPECTORATE, COMPETITION AND CONSUMER PROTECTION AUTHORITY AND THE EAST AFRICAN COMPETITION AUTHORITY JOINTLY COMMEMORATE WORLD COMPETITION DAY IN RWANDA

The COMESA Competition Commission ('CCC'), Rwanda Inspectorate, Competition and Consumer Protection Authority ('RICA') and the East African Competition Authority ('EACA') jointly commemorated World Competition Day (WCD) in Rwanda today under the theme "***The Role of Competition Policy and Intellectual Property in tackling Climate Change***". The commemoration of WCD by the three institutions is momentous as it demonstrates that Regional Economic Communities and the Member/Partner States can work together to promote competition and therefore enhance the welfare of consumers for the benefit of the entire continent.

The event which was held in Kigali, Rwanda was graced by Mr. Richard Niwenshuti, the Permanent Secretary of Ministry of Trade and Industry. In his remarks, Mr Niwenshuti, highlighted that Rwanda is marking a milestone in commemorating WCD and commended the work that RICA is doing as a young competition and consumer protection institution. He highlighted that the theme resonates well especially when SMEs form the biggest percentage of our business in Africa and creativity and innovative solutions are essential if our companies need to advance to the next stage and fully benefit from the AfCFTA. Therefore, the linkages between competition and intellectual property are critical in bridging the gap and mitigating climate change through innovation so that, both the safety of consumers and dynamism of business are catered for. The linkage between competition law and IPR is one that needs to be discussed and the event is an opportunity to discuss not only how the two interact but how consumers can be protected. He also alluded to the fact that disruptions in world markets have led to high prices of commodities. In Rwanda deliberate policies have been put in place to monitor prices and measures to tackle such problems. RICA is also looking at reformulating the competition and consumer protection law to ensure that it aligns with international best practices.

Ms. Beatrice Uwumikiza the Acting Director General of RICA highlighted that the Commemoration of WCD is an important day for Rwanda. The theme aims to raise awareness among consumers, consumer associations and businesses to promote environmentally sustainable priorities that can deal with climate change. The theme is also in line with Rwanda's Vision 2050 a long term development strategy which aspires to take Rwanda beyond high income to high living standards by the middle of the 21st century. The theme is also in line with the complementarities between competition law, IPRs and climate change in generating market and non-market innovations to meet climate change challenges and in supporting environmental sustainability in Rwanda. The commemoration also gives an opportunity for stakeholders to network and work together in supporting economic development, thereby alleviating poverty in Rwanda.

Ms. Mary Gurure, Head of Legal Services and Compliance at CCC and representing the Director and Chief Executive Officer, Dr. Willard Mwemba highlighted that the interface and complementarities between Competition law, Intellectual Property, and climate change are paramount. Intellectual Property Rights (IPRs) are an essential incentive for invention and innovation of new technologies including green technologies or any technology that is environmentally sound, these can lead to improved production processes and products for the benefit of consumers. However, this does not mean that the holders of IPRs can engage in anti-competitive conduct to the detriment of the very consumers that the IPRs and competition law are expected to benefit. It is therefore important that IPRs in climate/environmentally sustainable technologies do not become an obstacle to competition while being mindful that the strict application of competition laws do not stifle climate neutral innovations. She further highlighted that Competition Policy is one of the important policy instruments that helps nations achieve economic prosperity and increase the welfare of society. It leads to greater dynamism in industry, and, perhaps, most important of all, to greater job creation, hence, poverty eradication and general improvement of consumer welfare. In the COMESA region, promoting competition and ensuring consumer welfare is considered a central element of the regional economic integration agenda. The regional law on competition and consumer protection helps to address cross border conducts that cannot be fully addressed at the national level due to jurisdictional limit challenges. Mrs. Gurure stressed that in addition to covid and conflict, climate change is a phenomenon that significantly threatens Africa's economic development and eradication of poverty. Therefore, the CCC shall have a deliberate policy of considering climate neutral issues in the application of the COMESA Competition Regulations.

Mrs. Stellah Onyancha Deputy Registrar of EACA representing the Registrar highlighted that climate change has become a big threat in the African region and globally considering even the challenges paused by global warming. Competition law has long been regarded as an obstacle to achieving environmental goals since enforcers target cooperation agreements including environmental ones among businesses which maybe anti-competitive. In the face of climate change, many competition authorities are currently rethinking their approach towards environmental agreements. There is need for both the national and regional competition agencies to cooperate in tackling climate change challenges. She highlighted that IPRs and competition policy are committed to providing investment incentives in research and development and to prohibit imitations without remuneration while retaining competitive pressure. The relationship between IPR and climate change has been the subject of critical discussions as it resonates with innovation and that there is need to come up with practical proposals to make this clearer and it make it easier for competition enforcers and the business community to play their part as a matter of urgency.

The commemoration also includes a stakeholder sensitization workshop which will be held on 14 December 2022 with other deliberations taking place on the sidelines to discuss cooperation in the enforcement of the respective competition laws, capacity building and other matters of common interest.



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