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# COMESA COMPETITION COMMISSION

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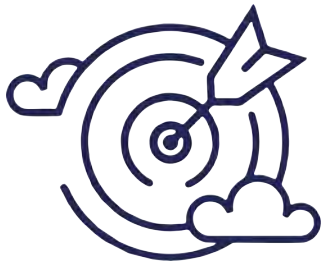
# ANNUAL REPORT 2024





# VISION

To be a centre of excellence for competition regulation and consumer protection by 2030.



# MISSION

To promote competitive markets and enhance consumer welfare within the Common Market by preventing and prohibiting anti-competitive business practices and protecting consumers, thereby deepening regional integration.

# CORE VALUE

The Board of Commissioners, Management, and staff of the CCC are guided by the following values:

**INTEGRITY:** We shall uphold integrity through operating in a manner that is fair, transparent, ethical, honest, and incorruptible.

**EFFICIENCY:** We shall deliver services in a timely and cost-effective manner ensuring that every function that is executed contributes to the achievement of competitive markets, enhancement of consumer welfare, and ultimately regional integration within the Common Market.

**EFFECTIVENESS:** We shall exhibit the highest level of ability and willingness to do work. This shall be accompanied by a learning attitude and recognition that we are all stewards of public trust and as such have a higher calling to deliver public service.

**ACCOUNTABILITY:** We shall ensure accountability to stakeholders in our operations and decision-making process.

**INDEPENDENCE:** We are independent in carrying out our mandate and reaching our decisions without undue influence.

**CONTINUOUS IMPROVEMENT:** We shall embrace and sustain a culture of innovation, responsiveness to change and best practices.

**COOPERATION:** We shall work in close collaboration and mutual assistance with Member States and Stakeholders.







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# Acronyms

ABA	America Bar Association
ACF	African Competition Forum
AFCAC	African Civil Aviation Commission
AfCFTA	African Continental Free Trade Area
AU	African Union
CAK	Competition Authority of Kenya
CARICOM	Caribbean Community and Common Market
CBC	COMESA Business Council
CC	Competition Commission of Mauritius
CCJ	COMESA Court of Justice
CCPC	Competition and Consumer Protection Commission
CCRED	Centre for Competition Regulation and Economic Development
CFTC	Competition and Fair Trading Commission
COMESA	Common Market for Eastern and Southern Africa
COMFWB	COMESA Federation of Women in Business
CID	Committee Responsible for Initial Determinations
CTC	Competition and Tariff Commission
EAC	East African Community
EAEU	Eurasia Economic Union
ECA	Egyptian Competition Authority
EC	European Commission
EEC	Eurasian Economic Commission
ESCC	Eswatini Competition Commission
EU	European Union
FTC	Fair Trading Commission
ICN	International Competition Network
ICPEN	International Consumer Protection and Enforcement Network
LAZ	Law Association of Zambia
OECD	Organisation for Economic Cooperation and Development
RICA	Rwanda Inspectorate of Competition and Consumer Protection Authority
SADC	Southern Africa Development Community
TFTA	Tripartite Free Trade Area
UNCTAD	United Nations Conference for Trade and Development







## CHAIRPERSONS MESSAGE

I am honoured to present the COMESA Competition Commission (the “CCC”) 2024 Annual Report. The report highlights the achievements and challenges recorded by the CCC in line with its strategic objectives as contained in the 2021-2025 Strategic Plan.

In the year under review, the global economic growth rate as projected by the International Monetary Fund (IMF) was at 3.2 percent, a reduction from 3.3 percent in 2023. Emerging markets and developing economies also experienced a decline from 4.4 percent in 2023 to 4.1 percent in 2024. In sub-Sahara Africa, the inflationary pressure emanating from geo-political tensions prompted higher interest rates, to manage the volatile exchange rates. The COMESA region was not spared from the world macroeconomic instability. According to IMF, COMESA's real GDP growth declined from 6.12 in 2023 to 5 percent in 2024. Average annual inflation was 22.8 percent, an increase from 20.8% in 2023. The macro-economic challenges generally impacted on the CCC's enforcement of the competition and consumer protection laws. Notably, the CCC received 56 merger transactions in 2024 compared to the 38 received in 2023.

Notable achievements were made by the CCC in undertaking its functions. In the year under review, CCC intensified its efforts in enforcement against restrictive business practices, mergers and consumer cases. With regards to restrictive business practices, the CCC initiated investigations in its own volition in the transport and non-alcoholic beverages sectors.

Additionally, noting that research and advocacy are equally as important in the enforcement of competition and consumer protection laws as are investigations, the CCC's research findings in the agriculture and food markets were used to advocate for policy changes among different stakeholders. The CCC engaged Member States at different levels including national competition, consumer protection or competent authorities, as well as Ambassadors from Member States who are permanent representatives to COMESA. The CCC took advocacy to the global level through various fora including the International Competition Network (ICN), Organisation for Economic Cooperation and Development (OECD) and the United Nations Conference for Trade and Development (UNCTAD), to raise awareness on some of the concerns in the agriculture and food markets that affect competition and consumer welfare as well as hinder its growth. Further, noting the various complaints in the airline market, the CCC undertook a survey in the market to understand the consumer concerns and the behaviour of market players so that the same could guide its actions to protect the consumers. The report of this survey is expected to be published in 2025.

To ensure it is more effective in its operations, the CCC submitted the amendments to the COMESA Competition Regulations (the “Regulations”), the COMESA Competition Rules (the “Rules”) and the Staff Rules to the Organs of COMESA. The COMESA Committee on Legal Affairs started the consideration of the Regulations, but did not complete the review of the document due to time constraints and as such the review would continue in 2025. However, the Staff Rules were approved by the Council of Ministers. The new Staff Rules have introduced significant changes with regard to the governance of staff matters and staff welfare. The expectation is that staff will be more motivated and execute the mandate of the CCC even more efficiently and effectively, raising the bar on its already excellent performance.

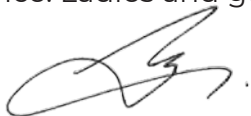
Further, the CCC continues to support the Member States through the provision of technical assistance and capacity building. In 2024, the CCC continued to assist Member States in the development and amendments of the laws, development and amendments of guidelines, supporting institutional strengthening and setup as well as training case handlers, management and Boards of National Competition or Competent Authorities (NCAs).

I recognise the continued collaboration with various institutions like the African Continental Free Trade Area (AfCFTA) Secretariat, International Competition Network (ICN), American Bar Association (ABA), International Bar Association (IBA), African Civil Aviation Commission (AFCAC), Organisation for Economic Co-operation and Development (OECD), European Union (EU), United States Federal Trade Commission (USFTC), United States Department of Justice (USDoJ), United Nations Conference on Trade and Development (UNCTAD), University of Johannesburg, Centre for Competition Regulations and Economic Development (CCRED), International Consumer Protection Enforcement Network (ICPEN), Eurasian Economic Commission (EEC), CARICOM Competition Commission (CARICOM), Consumer Unit Trust Society (CUTS), University of Mauritius, University of Zambia, University of Zimbabwe, Consumers International, Administrative Council for Economic Defense (CADE), National Competition and Consumer Authorities in the Common Market, Philippine Competition Commission, Netherlands Authority for Consumers and Markets, National Competition Authority of New Zealand, Competition Commission of South Africa and the African Competition Forum (ACF) among others.

The CCC continued to build its network and forging lasting relationships with different stakeholders. In this regard, MoUs were signed with the Shamba Centre for Food and Climate Change and Fidelis Leadership Institute. The CCC also continued its collaborations with various institutions especially those it has signed MoUs with. It continued its efforts of ensuring that Regional Competition Authorities (RCAs) work closely to support the implementation of the African Continental Free Trade Area Protocol on Competition Policy as it took part in the second meeting of the RCAs.

I am delighted to report that the CCC Board operated with all 13 members during the period under review. The Board and Committee meetings were held both physically and virtually to fulfil the CCC's mandate. In 2024, we bid farewell to six Commissioners, including former Board Chairperson, Commissioner Ellen Ruparanganda and welcomed six new Commissioners. I took over the role of Board Chairperson, having been elected by the new Board on 30 August 2024. I would like to thank my fellow Board Members for entrusting me with this role following a closely contested election. I also wish to recognise the dedication, leadership and achievements made by the previous Board during their tenure. I am committed to building on the work of my predecessor and to guide the CCC to be a centre of excellence for competition regulation and consumer protection.

As I conclude, I take this opportunity to sincerely thank the Board of Commissioners for their support, the CEO for his unflinching leadership and the Management, and staff of the CCC who have been very supportive in ensuring that both Board functions and the day-to-day administration of the CCC's affairs are executed with professionalism and excellence. Ladies and gentlemen, keep it up!



**Commissioner Vipin Naugah**  
Chairperson of the CCC







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FOREWORD  
OF THE  
**CHIEF EXECUTIVE  
OFFICER**

The year 2024 was yet another exciting year for the CCC. The CCC continued on its trajectory of vigour in addressing anti-competitive business conduct by undertakings operating in the Common Market. The CCC also heightened its resolve to address business mala fide that undermine the welfare of consumers in the Common Market, a situation that may result in eroded consumer confidence in the market and ultimately poorly performing economies.

The assessment of mergers, investigations of restrictive business practices and consumer protection violations are the cornerstones of implementing the CCC's mandate. In recent years, the CCC has prioritised research as an integral component of its fabric of market interventions and 2024 was not an exception.

In the year under review, the CCC considered and issued determinations on a record number of merger cases. A total of fifty-six (56) merger transactions were notified, representing 47.4 percent increase from 2023. In the period under review, most of the mergers occurred in the banking and financial services, energy and petroleum, ICT and agriculture sectors respectively. It is worth noting that the COMESA merger assessment regime is premised on the principle of subsidiarity, i.e the best placed competition authority deals with the matter. A carefully designed system of merger notification thresholds achieves this objective. Therefore, while there are so many mergers taking place in the Common Market, the majority of those are determined at national level in line with the principle of subsidiarity.

In the same year, the CCC continued the assessment of seven restrictive business practices cases, initiated two investigations and closed one case. The cases mostly affected the alcoholic and non-alcoholic beverages, wholesale and retail, ICT and transport, storage and logistics sectors. With regard to consumer protection, the CCC handled eighteen (18) cases representing a 137.5 percent increase compared to 2023. Thirteen of the cases were in manufacturing of fast-moving consumer goods, with two cases each received in the ICT, aviation and transport sectors. The increase in the number of cases could be attributed to various factors. For example, with respect to mergers, there is anecdotal evidence that this could be partly due to the global macroeconomic challenges resulting in companies restructuring their operations through mergers and acquisitions. The overall increase in the number of restrictive business and consumer cases have been attributed to the increased levels of awareness of the existence of the regional competition and consumer protection laws and enforcement mechanisms through the CCC's heightened enforcement and advocacy initiatives. In 2021, I made a statement that the CCC has now evolved from an era of soft enforcement into an era of hard enforcement, and we shall relentlessly follow that trajectory to ensure that the Common Market is free from business conduct that frustrate the single market imperative and hamper growth.

The CCC was also cognisant that well-functioning markets may be achieved not only through investigations but also through research which can inform policy amendment and formulation. The CCC was also heedful that its research interventions would be more meaningful in sectors that affect the majority of COMESA's citizens and are the main stay of most the COMESA Member States' economies. The food and agricultural markets were therefore identified as priority sectors because the improper functioning of these sectors would have significant consequences for the majority of the poor. Therefore, the CCC continued with its research work under the African Market Observatory project in collaboration with the University of Johannesburg's Centre for Competition Regulation and Economic Development (CCRED). The research identified a number of competition concerns in the food and agricultural markets which are a product of not only anti-competitive market conduct but also inadvertent anti-competitive policies. The findings of the research and its recommendations were disseminated to various stakeholders including the Ambassadors of Member States accredited to COMESA, the COMESA Council of Ministers and the public. Through the advocacy work, the CCC working with the Competition Commission of South Africa (CCSA) and the Competition Authority of Kenya (CAK) have played a key role in introducing at global level through the International Competition Network, the importance of competition issues in the agriculture and food markets.

The CCC engaged various stakeholders with the aim of raising awareness on the enforcement of competition and consumer protections laws. Among these stakeholders were Judges, legal practitioners, journalists, Diplomats and University Students both from COMESA Member States and beyond. Further, to promote transparency and accountability to the public, the CCC held its second press conference where it provided information to the media on some of the competition



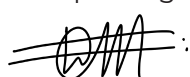
and consumer cases it has been handling, decisions made on some of the cases, the importance of its mandate in fostering regional integration and the envisaged policy and legal changes that would change the landscape of competition and consumer law enforcement in the Common Market.

In line with its functions of promoting national competition laws and institutions as provided in the Regulations, the CCC provided technical assistance and capacity building to several Member States. The technical assistance focused on review, development and amendments of laws for Eswatini, Egypt and Djibouti, while capacity building was undertaken for Comoros, DRC, Libya, Zambia and Zimbabwe. In ensuring efficiency and effectiveness in the implementation of the Rwanda competition legislation, the CCC assisted that country to develop guidelines to support its enforcement activities. The CCC also held specialised training for case handlers in the areas of mergers, restrictive business practices and consumer welfare from across the Member States.

The CCC also received financial and technical support towards the provision of technical assistance and capacity building to Member States and its own members of staff from various cooperating partners. I therefore wish to thank our cooperating partners that have been supporting some of the activities of the CCC and these include the Commonwealth Secretariat, Shamba Centre for Food and Climate, the EU, USFTC, USDoJ and UNCTAD.

The above is a snippet of the works of the CCC in the period under review. These achievements are not a mean feat especially with regard to regional competition and consumer law enforcement which comes with its own peculiar challenges. Therefore, I take this opportunity to express my immense gratitude to all our stakeholders without whom, this success story would have been improbable. The Board and staff of the CCC have been exceedingly supportive and steadfast and I do not take this for granted. Colleagues, I say thank you and together we should be proud that we have made our contribution in ensuring that well-functioning markets are benefitting our economies and consumers in the Common Market. It would be amiss of me not to recognise the commendable support and dedication to the CCC's mandate from the COMESA Secretary General, Her Excellency Ms. Chileshe Mpundu Kapwepwe and the entire COMESA Secretariat. Secretary General, we are thankful and shall continue to work tirelessly to contribute to the COMESA market integration agenda. We are also thankful to all our stakeholders among them government ministries of the Member States, national and regional competition and consumer authorities, non-governmental agencies, law firms, business undertakings and various individual competition and consumer experts that we interacted with in making our work easy.

I now invite you to buckle up, relax and enjoy reading the COMESA Competition Commission Annual Report. I guarantee you that it will be time well spent.

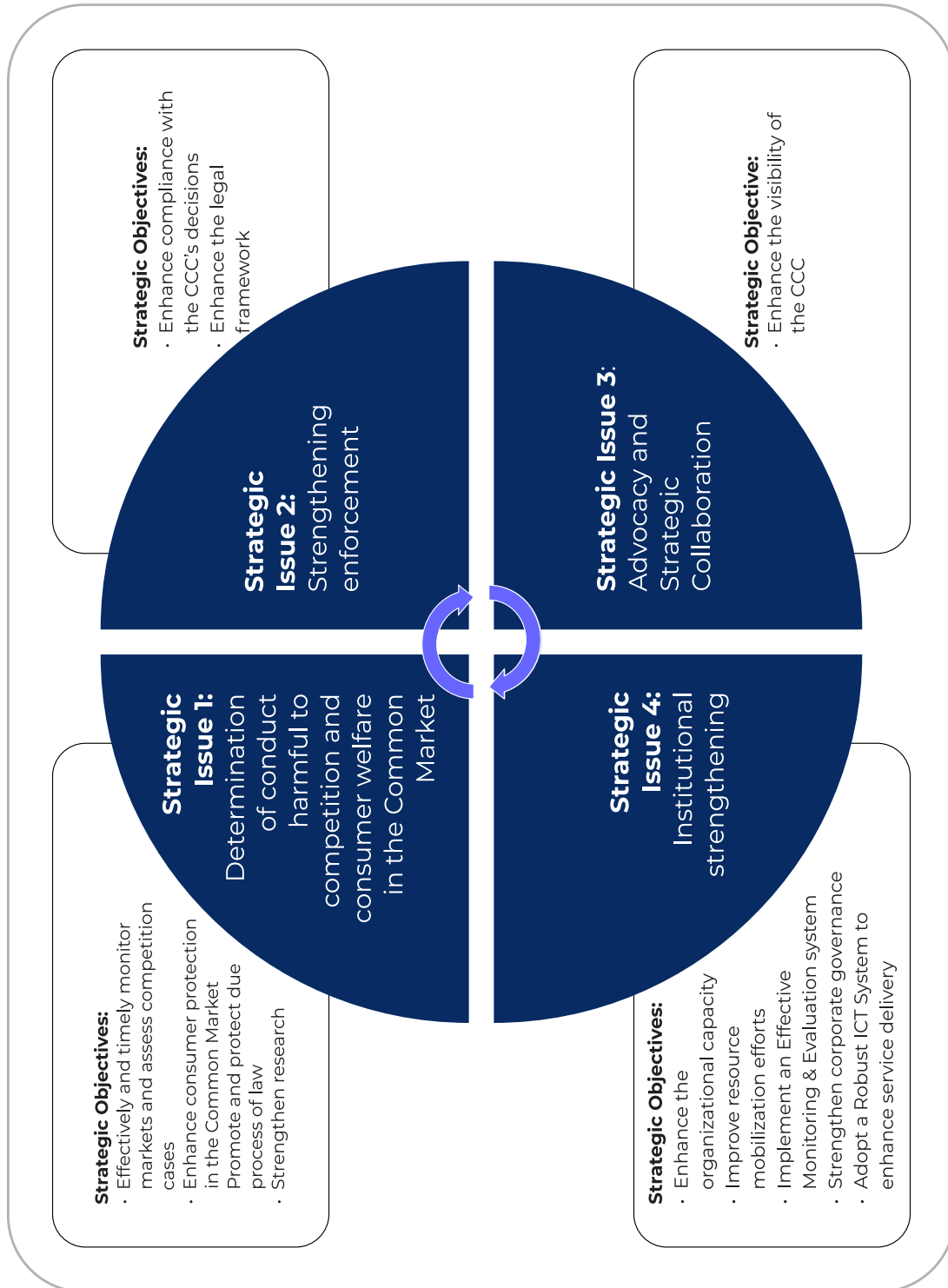


**Dr Willard Mwemba**  
Chief Executive Officer



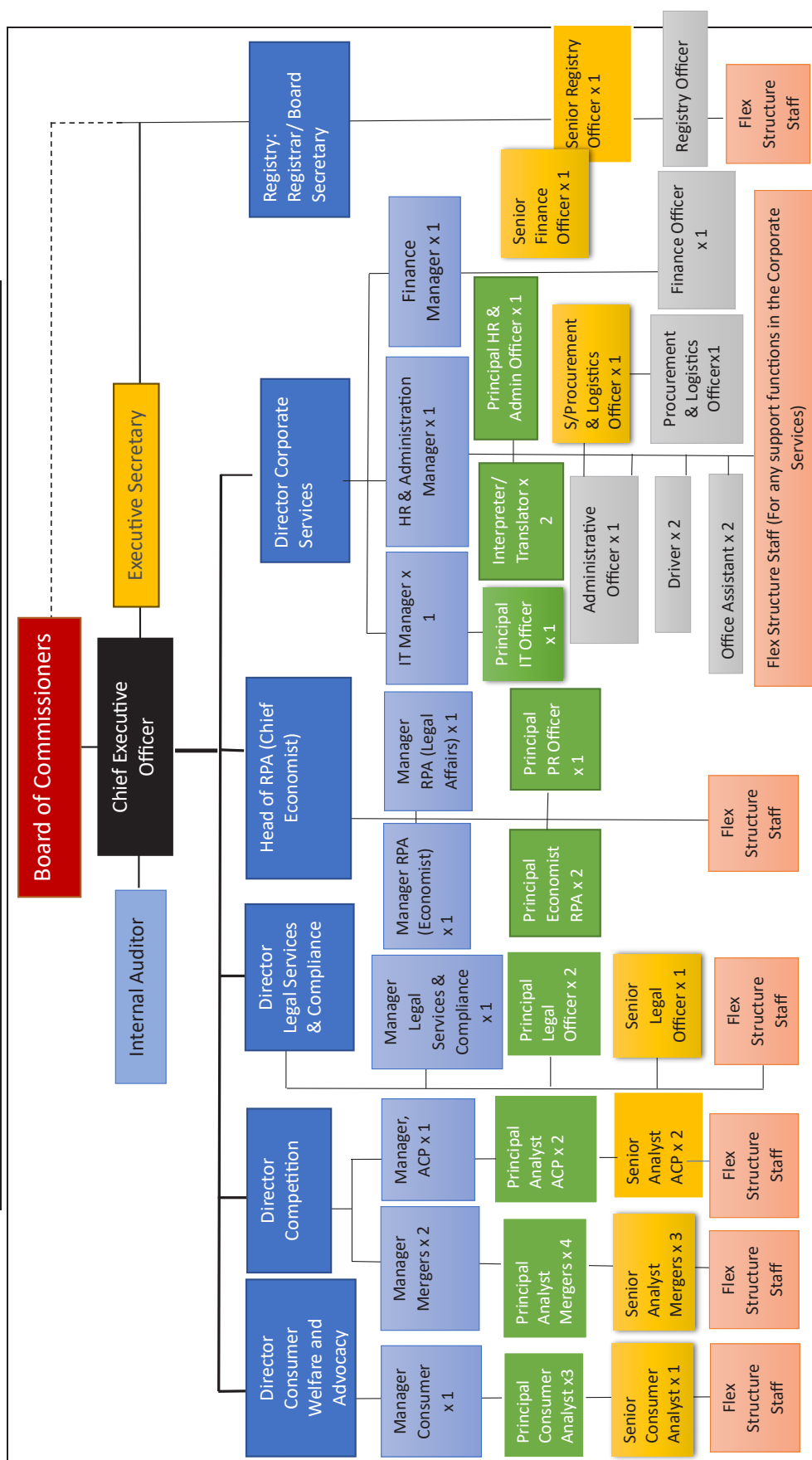
# OUR **FOCUS AREAS**





# ORGANISTIONAL STRUCTURE

## COMESA COMPETITION COMMISSION ORGANOGRAM- APPROVED BY THE BOARD - 2024



ACP - Anti-Competitive Practices; RPA: Research Policy and Advocacy; HR: Human Resources; PR: Public Relations and IT: Information Technology; S/: stands for Senior(P1)

Blue P4 Positions    Light blue P3 Positions    Green P2 Positions    Yellow P1 Positions    GS /IC Positions    Flex staff





# THE BOARD OF COMMISSIONERS

The Board is the supreme body of the CCC responsible for policy and adjudication. The CCC's Board is Non-Executive. This means that they are not involved in the everyday administration of the CCC. The Board is appointed by the COMESA Council of Ministers (the Council'). The maximum number of Board members to be appointed is thirteen (13) while the minimum number is nine (9). Appointed Board Members do not advance the interests of their Member States but the interest of the entire Common Market.

For purposes of Adjudication, the Board is divided into two organs namely the Committee Responsible for Initial Determinations (the "CID") and the Appeals Board. The CID consists of three (3) Members nominated from the Board. They are responsible for making initial determinations on cases that have been investigated by the CCC Secretariat. Where the parties are not aggrieved by the decision of the CID the decision is final. However, if the parties are aggrieved by the decision of the CID, they have an inherent right guaranteed by the Regulations to appeal the decision to the Appeals Board. The Appeals Board is ad hoc and comprises five (5) Members nominated from the Board. To ensure impartiality, the three (3) Members of the CID are precluded by law from sitting on the Appeals Board. If an appeal ensues from the Appeals Board, that appeal lies with the COMESA Court of Justice (the "CCJ").

## BOARD CHAIRPERSON COMMISSIONER **VIPIN KAMAL NAUGAH**



Commissioner Vipin Naugah is the Head of Legal and Cartels at the Competition Commission of Mauritius (CC). He is a Barrister-at-Law, called to the Bar of England and Wales in 2006 and was called to the Mauritian Bar in January 2008. He joined the CC since its inception in 2009. He holds an LLB (Hons) from London South Bank University, and an LLM in International Commercial Law from the University of Kent, UK and the Bar Vocational Course (BVC) from the University of West of England, Bristol, UK. He also holds a Post-Graduate Diploma in Economics for Competition Law and a Post-Graduate Diploma in EU Competition Law, both from King's College, London. Commissioner Naugah is also a member of the CID.

## VICE BOARD CHAIRPERSON COMMISSIONER **SAM KULOBA WATASA**



Commissioner Sam Kuloba Watasa is the Executive Director of the Uganda Consumer Protection Association (UCPA). He is also the Chairperson of the Technical Petroleum Committee under the Ministry of Energy and Mineral Development in Uganda and Commissioner of the East African Community Competition Authority. He holds a Master of Business Administration from the Makerere University and is a member of the Chartered Institute of Marketing, United Kingdom.

Commissioner Watasa is the Chairperson of the Finance and Administration Committee of the Board. He is also a member of the Building and the Technical and Strategy Committees of the Board.

## COMMISSIONER DÉVOTE HATANGIMANA



Commissioner Dévôte Hatangimana is currently the Legal Advisor at the Ministry of Trade, Transport, Industry and Tourism ("Ministry"), Burundi. She is also a member of the Procurement Management Unit of the Ministry. She has been a legal advisor at the General Directorate of Trade since 2020 and holds a Bachelor's degree in Law from the University of Burundi.

Commissioner Hatangimana serves as a member of the Audit and Risk Committee of the Board.

## COMMISSIONER ADELBERT EMMANUEL BOOTO NKAIMANA



Commissioner Adelbert Nkaimana is the Advisor to the Minister of Regional Integration and Francophonie in Charge of the East African Community (EAC). He was previously Provincial Minister of Mai-Ndombe in Democratic Republic of Congo (DRC) from 2018. Prior to this, he was the Commercial Manager in Charge of Key Accounts at Standard Telecom where he rose through the ranks from Sales Supervisor in 2007 until he left as the Commercial Manager in 2018.

He holds a bachelor's degree in law from the University of Kinshasa and was admitted to the Bar in 2012. He also holds a State Diploma from the Bomoyi College. Commissioner Nkaimana is a member of the Risk and Audit Committee of the Board.

## COMMISSIONER MAHMOUD MOMTAZ (PHD)



Commissioner Mahmoud Momtaz is currently the Chairman of the Egyptian Competition Authority (ECA). He serves as a board member of the Gas Regulatory Authority, the Supreme Council for Media Regulation, Egyptian Electric Utility and Consumer Protection Agency. Further he is a member of the Advisory Committee of Anti-Dumping, Subsidy and Safeguard.

Prior to assuming his position at ECA, He served as a Private Sector Development Specialist at the World Bank's headquarters in Washington D.C. where he was mainly responsible for several competition policy projects as well as private sector development in the MENA region and Southeast Asia. He has also lectured Competition Law & Economics at both Hamburg University, Germany and Cairo University, Egypt. Dr Momtaz holds a PhD in Competition Law and Economics from the University of Hamburg, Germany and a Master's Degree

in International Business from the German University in Cairo. Commissioner Momtaz is the Chairperson of the CID and the Technical and Strategy Committees of the Board.



## COMMISSIONER **TESHALE BELIHU KEFENI**



Commissioner Teshale Belihu Kefeni served as the State Minister of the Ministry of Trade and Regional Integration of Ethiopia between 2022 and 2024. Prior to that, he was the Director General of the Ethiopia Conformity Assessment Enterprise. He has also worked at the Walta Information Centre from 2006 to 2013 where he rose through the ranks from Head of News and Programmes to Business Development Manager. He served as a member of the Mayor Committee and Head of social and information sector office at the Awassa City Administration, and Department Head for Rural Energy and Mines at the Bureau of Water, Mines and Energy Resources. He has also served as a Board Member of various institutions including the WAFA marketing and business promotion Plc, Transport & Construction Design Authority, Mining Corporation, Dilla University and he is currently the Vice Chairman of Ethiopian Trading Business Corporation and Chairman of Adigrat

University

He holds a Masters in Business Administration in Industrial Management from Addis Ababa Science and Technology University; LLB,(Law) from Addis Ababa University, Master of science in chemistry (inorganic) from Punjabi University, Patiala, India; and Bachelor of Science in chemistry from Addis Ababa University. He holds various certificates for quality management, occupational health and health management and consumer product safety standards.

Commissioner Kefeni is a member of the Finance and Administration Committee of the Board.

## COMMISSIONER **SADIAH RAZAFIMANDIMBY**



Commissioner Sadiah Razafimandimby is currently the Director of the Department of External Trade at the Ministry of Industrialization, Trade and Consumption of Madagascar. She is also a member of the National Cocoa Board and General Commissioner of Exposition. She has thirteen years' experience dealing with competition, consumer protection policy, trade, multilateral and regional trade at the Ministry of Trade and a further eight years' experience in the diplomatic mission at the Embassy of Madagascar in Geneva, Permanent Mission of Madagascar in Geneva. She has served in various Directorates at the Ministry of Trade and is a former SADC focal point in competition and consumer protection policy. She was also part of the team who drafted the national competition law of Madagascar. She holds an English language Bachelor's Degree and Master's Degree in public administration, Economics and Public Management.

Commissioner Razafimandimby is a member of the Finance and Administration and the Technical and Strategy Committees of the Board.

## COMMISSIONER LLOYDS VINCENT NKHOMA



Commissioner Lloyds Vincent Nkhoma is the Executive Director of the Competition and Fair Trade Commission of Malawi. Prior to that, he was a professional expert in competition policy formulation, enforcement and application at national and regional level. He previously worked for both the CFTC and the CCC. He has vast experience working on trade, investment and industrial development programmes having worked at the Ministry of Trade and Industry as well as at the Malawi Consulate General in Johannesburg as Trade and Investment Attaché. He holds a Master's Degree and a Postgraduate Diploma in Economics for Competition Law from Kings College London. He also holds a Bachelor's Degree in Social Sciences majoring in Economics from the University of Malawi.

Commissioner Nkhoma is the Chairperson of the Building Committee of the Board. He is also a member of the CID and Finance and Administration Committees of the Board.

## COMMISSIONER BEATRICE UWUMUKIZA



Commissioner Uwumukiza served as the Director General of Rwanda Inspectorate, Competition and Consumer Protection Authority (RICA) between 2020 and 2024. She has also worked as the Director General of the Rwanda Agriculture and Livestock Inspection and certification Services (RALIS) where she coordinated the Sanitary and Phytosanitary (SPS) activities as well as the functions of the National Plant Protection Organization (NPPO).

She also served as a Board Member of the National Agricultural Export Development Board (NAEB) 2012-2015 and the Vice Chairperson on the Board of Directors for Rwanda Agriculture and Animal Resources Development Board (RAB) 2015-2018. She has vast experience in quality control, standards, regulations enforcement and development of several policies. She holds a Master's Degree in Plant Sciences with specialization in Plant Pathology and Entomology obtained from Wageningen University, the Netherlands.

Commissioner Uwumukiza is the Chairperson of the Audit and Risk Committee of the Board.

## COMMISSIONER NATALIE EDMOND



Commissioner Natalie Edmond is the Chief Executive Officer of the Fair-Trading Commission (FTC) of Seychelles. She has risen through the ranks from Competition Analyst, Senior Competition Analyst in 2012, Principal Analyst in 2014, Deputy Chief Executive Officer in 2017 and to the position of Chief Executive Officer in 2023.

Commissioner Edmond is a member of the Board of the Seychelles Communications Regulatory Authority. She holds a Bachelor of Arts in Economics and Social Policy (Hons) from the University of Manchester and a Post Graduate diploma in Economics for Competition Law from Kings College in England.

Commissioner Edmond is a member of the Audit and Risk Committee of the CCC.



## COMMISSIONER **MOHAMED HOUSSEM EDDINE TOUITI**



Commissioner Mohamed Housseem Eddine Touiti, is the Director General of Competition and Economic investigations in the Ministry of Trade and Export Development in Tunisia. He has risen through the ranks from serving as Economic Affairs Inspector in the Department of Competition and Economic Surveys to Director General of the same Department. He has also served as the Director of Economic Surveys. He holds a Master's Degree in Finance from the Tunis Faculty of Economics and Management, and a Bachelor's Degree in Economics from the same institution. He also obtained training for administrators at the École Nationale d'Administration).

Commissioner Touiti is the Vice-Chairperson of the Finance and Administration Committee of the Board.

## COMMISSIONER **LUYAMBA KIZITO MPAMBA**



Commissioner Luyamba Mpamba is the Director of Mergers and Monopolies at the Competition and Consumer Protection Commission in Zambia, a position she has held for over 10 years, she has also served as Director Consumer Protection from 2021 to 2022 and Director Restrictive Business Practices from 2020 to 2022. Prior to that, she was a Senior Investigator handling consumer protection and mergers cases and has also served as an investigator in the same institution. She has also served as a Board Member of the National Water Supply and Sanitation Council.

She holds a Master's Degree in International Business Administration and Management, Masters of Arts in Business Administration and Management, a Bachelor's Degree in Economics, Bachelor of Laws and a Post Graduate Diploma in Lecturing Methodology.

Commissioner Mpamba is the vice-chairperson of the Technical and Strategy Committee and a member of the Building Committee of the Board.

## COMMISSIONER **CICILIA MASHAVA**



Commissioner Cicilia Mashava is the Head of the Trade Tariffs and Trade Remedies Division at the Competition and Tariff Commission of Zimbabwe. Prior to that, she served as the Assistant Director for the Restrictive Practices Division at the same institution where she was instrumental in investigating and combating anti-competitive practices. She played a pivotal role in high-profile investigations involving restrictive practices and merger cases handled by the Competition and Tariff Commission. She led the negotiation of the European Union-East and Southern Africa (EU-ESA) Competition Chapter and was actively involved in negotiating the African Continental Free Trade Area (AfCFTA) Competition Protocol. She holds a Master's Degree in Strategic Management and Corporate Governance from Midlands State University and an Honours Degree in Economics from the University of Zimbabwe.

Commissioner Mashava is a member of the Audit and Risk and, the Technical and Strategy Committees of the Board.



## DR WILLARD MWEMBA, EX-OFFICIO MEMBER OF THE BOARD



Dr. Willard Mwemba is the Chief Executive Officer of the COMESA Competition Commission

Dr Mwemba has also held the position of Head of the Mergers and Acquisitions Division at the COMESA Competition Commission and prior to that he was Director of Mergers and Monopolies at the Competition and Consumer Protection Commission in Zambia. He serves as a member of the United Nations Conference on Trade and Development Competition Training Centre for Middle East and Africa Advisory Board. Dr. Mwemba also sits on the International Chamber of Commerce Competition Committee Task Force for Small and Insular Economies. He has written extensively and is a guest lecturer on the subject of competition and consumer law at various universities in Africa and beyond. He has wide experience in enforcing competition law at regional and national level as well as in the development of competition

and consumer legislation in COMESA Member States and beyond. Dr. Mwemba continues to advise governments in the Common Market on the fundamental importance of competition and consumer laws and the pitfalls of their absence or ineffective enforcement.

Dr Mwemba holds several qualifications inter alia, a Bachelor's Degree in Economics and a Bachelor's degree in Law both from the University of Zambia, a Master's degree in European Union Competition Law, from Kings College-London and a PhD in Competition Law from the University of Cape Town.

# THE MANAGEMENT TEAM



**Dr Willard Mwemba,**  
Chief Executive Officer

Dr Mwemba has also held the position of Head of the Mergers and Acquisitions Division at the COMESA Competition Commission and prior to that he was Director of Mergers and Monopolies at the Competition and Consumer Protection Commission in Zambia. He serves as a member of the United Nations Conference on Trade and Development Competition Training Centre for Middle East and Africa Advisory Board. Dr. Mwemba also sits on the International Chamber of Commerce Competition Committee Task Force for Small and Insular Economies. He has written extensively and is a guest lecturer on the subject of competition and consumer law at various universities in Africa and beyond. He has wide experience in enforcing competition law at regional and national level as well as in the development of competition and consumer legislation in COMESA Member States and beyond. Dr. Mwemba continues to advise governments in the Common Market on the fundamental importance of competition and consumer laws and the pitfalls of their absence or ineffective enforcement.

Dr Mwemba holds several qualifications inter alia, a Bachelor's Degree in Economics and a Bachelor's degree in Law both from the University of Zambia, a Master's degree in European Union Competition Law, from Kings College-London and a PhD in Competition Law from the University of Cape Town.



Ms Gurure is responsible for giving legal advice and attending to all legal matters at the CCC. She has over 32 years' experience as a legal practitioner. She has previously held various positions in the Ministry of Justice in Zimbabwe under the Attorney General's Office which included Principal Prosecutor in the High Court and Supreme Court of Zimbabwe and Chief Legislative Drafter. She also served as the Legal Advisor and Secretary of the Board for the Zimbabwe Competition and Tariff Commission.

She holds the following qualifications among others, a Bachelor of Laws Honours degree and a Masters' degree in Women and Human Rights Law both from the University of Zimbabwe, a Postgraduate Diploma in European Union Competition Law from Kings College London and Certificates in various fields including, Leadership and Command from the Zimbabwe Defence College, Legislative Drafting from the International Law Institute of Uganda and the Law of Treaties from UNITAR.



Mr Makongo is responsible for managing the examination of mergers and acquisitions and investigating and remedying restrictive business practices and has over 20 years working experience of which thirteen have been in enforcement of competition and consumer protection laws. Before joining the CCC, he was the Director for Competition and Consumer Protection at the Competition Authority of Kenya. He holds an LLM from the International Economic Law University of South Africa (Unisa) and a bachelor of Laws degree from Moi University in Kenya. He is a Member in good standing of the Law Society of Kenya and is a Certified Public Secretary (Kenya),





**Mr Steven Kamukama,**  
Director Consumer Welfare and Advocacy

Mr Kamukama is responsible for managing investigation and assessment of conduct with cross border effect that undermine consumer welfare in COMESA and consumer related advocacy and has over 21 years work experience part of which has been in competition and consumer protection law enforcement. Prior to joining the CCC, he held the position of Principal Commercial Officer at the Ministry of Trade, Industry and Cooperatives in Uganda and was also the Head of Competition and Consumer Protection Division in the Ministry. He has also held positions of Program Specialist at the Trade Capacity Enhancement Program and Trade specialist at the Uganda Trade Opportunities and Policy. He holds a Masters in International Business, Bachelor's Degree in Economics and a Diploma in Trade Policy Development and Analysis



**Mr Isaac Tausha,**  
Chief Economist

Mr Tausha is responsible for research, policy, and advocacy and has over 15 years of experience in enforcing competition and consumer laws as well as international trade policies. Prior to joining the CCC, he worked at the Zimbabwe Competition and Tariff Commission in various capacities from being an investigator, Head of Research Policy and Advocacy, and Assistant Director responsible for Tariffs, he left the CTC as an Assistant Director responsible for Mergers Examinations. He has wide experience in research in various fields including telecommunications, agriculture markets, and financial markets. He holds a Masters Degrees in Economics, Masters Degree in Strategic Leadership and a Bachelor of Science in Economics.



**Ms Meti Demissie Disasa,**  
Registrar

Ms Disasa serves as the Secretary to the Board, ensuring the highest standards of fairness, due process, and corporate governance in all the CCC's processes and proceedings and has over 18 years' experience as a legal practitioner, 12 of which have been at CCC. Prior to joining the CCC, she was a Public Prosecutor and has also served as a Justice Reform Expert with the Ministry of Justice in Ethiopia.

Ms Disasa holds a Masters Degree in International Economic Law, Master's Degree in Management and Leadership and a Degree in Law.



**Mr Roland Mhango,**  
Manager Finance

Mr Mhango is responsible for corporate affairs of the CCC which includes financial planning, compliance, and reporting, and he is in charge of administrative matters. He has over 15 years of progressive leadership experience in financial management, spanning diverse sectors and regional institutions. Prior to joining the CCC, he served as Finance and Administration Manager at the COMESA Business Council, Chief Accountant at Orange, Botswana, Regional Finance Officer at the SADC Secretariat, and Audit Manager at Deloitte Botswana.

He holds a Masters of Business Administration from Heriot-Watt University in Edinburgh, Scotland and a Bachelor of Accountancy from the University of Malawi. He is a Fellow of the Association of Chartered and Certified Accountants (FCCA).



# CORPORATE GOVERNANCE

The success of the CCC is dictated by its corporate governance and practices. The CCC's corporate governance involves various practices and policies that are critical in ensuring efficient decision-making and management. At the helm of this corporate governance system is the Board. The Board ensures that there is accountability, transparency, and due process in the CCC's decisions and other activities.

The CCC's Board meets regularly to provide regulatory and administrative oversight on the CCC's Management. The Board is governed by the Regulations, the Rules and Board Charter, and the Registrar is the Secretary to the Board. The Registrar has the responsibility of ensuring that Board procedures and rules are complied with. To provide effective and efficient oversight on the CCC, the Board has established committees and delegates to any such committee its functions as it considers necessary. To this end, the Board has five Committees to ensure effective oversight of the affairs of the CCC. These committees are:

1. Committee Responsible for Initial Determinations ("the CID")
2. The Audit and Risk Committee
3. The Finance and Administration Committee
4. The Technical and Strategy Committee.
5. The Building Committee

The CID is responsible for adjudicating and making determinations on competition and consumer cases and is established pursuant to Article 13(4) of the Regulations. The CID is composed of three members.

The Audit and Risk Committee ensures that it identifies all the risks to which the CCC is exposed and recommends measures to prevent these risks or remedy the effects of the risks if they have already materialized. Further, the Audit and Risk Committee is responsible for the maintenance of sound internal control and monitors the risk management framework. The Audit and Risk Committee is composed of four members.

The Finance and Administration Committee is responsible for ensuring that the CCC has effective and efficient internal financial controls, Human Resource Management and administration policies, systems and procedures; reviewing and recommending the CCC's long, medium and short term financial, human resource and management plans and ensure their consistency with the Strategic Plan; ensuring that the CCC has optimal liquidity for efficient and effective realization



of its mandate; reviewing financial reports and making appropriate recommendations to the Board; and assisting the Board in providing policy guidance, oversight, and advice on financial, human resource management, administration and corporate governance issues at the CCC. The Finance and Administration Committee comprises of four members.

The Technical and Strategy Committee oversees the development of processes and systems that relate to all technical operations of the CCC including legal review. It develops and recommends to the Board, Rules and guidelines that relate to the effective implementation of the Regulations. It also recommends to the Board, amendments to Regulations to ensure effective and efficient promotion of competition in the Common Market through the prevention, detection, and prohibition of anti-competitive practices. The Technical and Strategy Committee comprises of four members.

The Building Committee is a Committee with a definite lifespan and is tasked to oversee the project for the construction of the CCC's Headquarters and establishment of the competition and consumer law training centre in Lilongwe, Malawi. The Building Committee comprises of four members. The construction project was initially expected to conclude in 2026, however, due to unforeseen circumstances, the forecast has been adjusted, and the project is now expected to conclude not later than 2028.

In the period under review, the following meetings were held by the Board and its Committees.

**Table 1: Board and Committee Meetings held in 2024**

Meeting Type	Number of Meetings	Period
<b>Board Meeting</b>	4	April, June, August and November
<b>Extra Ordinary Board Meetings</b>	3	May, July and December
<b>Appeals Board</b>	1	November
<b>Committee Responsible for Initial Determinations</b>	11	Between February and December
<b>Finance and Administration Committee</b>	4	March, May, June and November
<b>Technical and Strategy Committee</b>	1	March
<b>Building Committee</b>	2	April and December
<b>Special Meeting of the Building Committee</b>	1	July
<b>Audit and Risk Committee</b>	1	November

# BOARD TRAINING

In August 2024, the newly appointed Board Members were trained in corporate governance and adjudication of cases. Training of Board Members is key in ensuring the effective enforcement of competition and consumer protection laws in the Common Market as well as supporting the operations of the CCC by providing policy guidance.



Board Members and the Chief Executive Officer of the CCC at the induction of newly appointed Board Members



# MANAGEMENT AND STAFF

The management and staff are responsible for the day-to-day operations of the CCC and make recommendations to the Board on investigations conducted and on other policy matters. The Chief Executive Officer who is appointed by the COMESA Council of Ministers is the head of the institution. Further, the CCC has four core and technical Divisions and Units namely: Competition Division (which is responsible for examining mergers and acquisitions and investigating and remedying restrictive business practices), Consumer Protection, Legal Services and Compliance and Research, Policy and Advocacy. The Divisions are composed of lawyers and economists who are experts in competition and consumer protection. In addition, the Commission has the Corporate Affairs Division, which is responsible for overseeing, finance, administration and IT matters.



SOME STAFF MEMBERS OF THE CCC IN 2024







# 2024 HIGHLIGHTS OF THE CCC'S INTERVENTION IN THE MARKET

The CCC's activities for the Year 2024 were implemented pursuant to the 2024 approved Annual Work Programme that was developed in line with the CCC's Strategic Plan. This section summarises the key achievements of the CCC under the four (4) Strategic Issues of the CCC.

# DETERMINATION OF CONDUCT HARMFUL TO COMPETITION AND CONSUMER WELFARE IN THE COMMON MARKET

The core mandate of the CCC is to detect, prevent and prohibit anti-competitive business practices including anti-competitive mergers and to protect consumers against offensive conduct by market players having operations in the Common Market.

This strategic issue entails the detection, investigation and elimination of anti-competitive conduct and consumer welfare violations in the Common Market to prevent any likely competition harm and the erosion of the welfare of consumers in the Common Market.

## REGULATING MERGERS AND ACQUISITIONS

Pursuant to the Regulations, it is mandatory for all mergers with a regional dimension to be notified to the CCC for review and determination on whether they are anti-competitive, pro-competitive or competitive-neutral. Parties to any notifiable merger are required to notify the CCC within thirty (30) days of the parties' decision to merge failing which sanctions may be imposed on the parties. A notifiable merger means a merger or proposed merger with a regional dimension and whose combined annual turnover or value of assets whichever is higher is at or above the thresholds prescribed in Rule 4 of the COMESA Competition Rules on the Determination of Merger Notification Thresholds and Method of Calculation (the "Rules on Merger Notification Thresholds").

The CCC offers free advisory opinions to parties who are not sure whether their transactions are notifiable or not. This facilitates commerce and ensures that the parties to a merger are properly guided to avoid sanctions for failure to notify a notifiable transaction. In instances where the CCC concludes that the transaction is not notifiable, it issues a comfort letter to the concerned parties. Comfort letters are granted based on, inter alia, a transaction not satisfying the definition of a merger as provided under Article 23(1) of the Regulations or a transaction not meeting the merger notification thresholds under Rule 4 of the Rules on Merger Notification Thresholds.



Where the CCC does not provide a comfort letter, the parties are required to complete merger notification procedures as provided for under Article 24(3) of the Regulations which includes payment of the related applicable merger notification fees. Significant importance is attached to effective and timely assessment of mergers in order not to frustrate businesses.

During the period under review, a total of fifty-six cases (56) cases were handled by the CCC, five (5) of these were granted comfort letters, one was abandoned and seven (7) cases were carried forward to 2025 as they were still under assessment. Therefore, the CID made determinations on forty-three (43) cases within the stipulated timeframe provided in the Regulations.

The figures below show the breakdown of cases handled by the CCC in 2024 in comparison to 2023.

**Figure 1: Merger Cases Handled by Outcome/Determination in 2024 in Comparison to 2023**

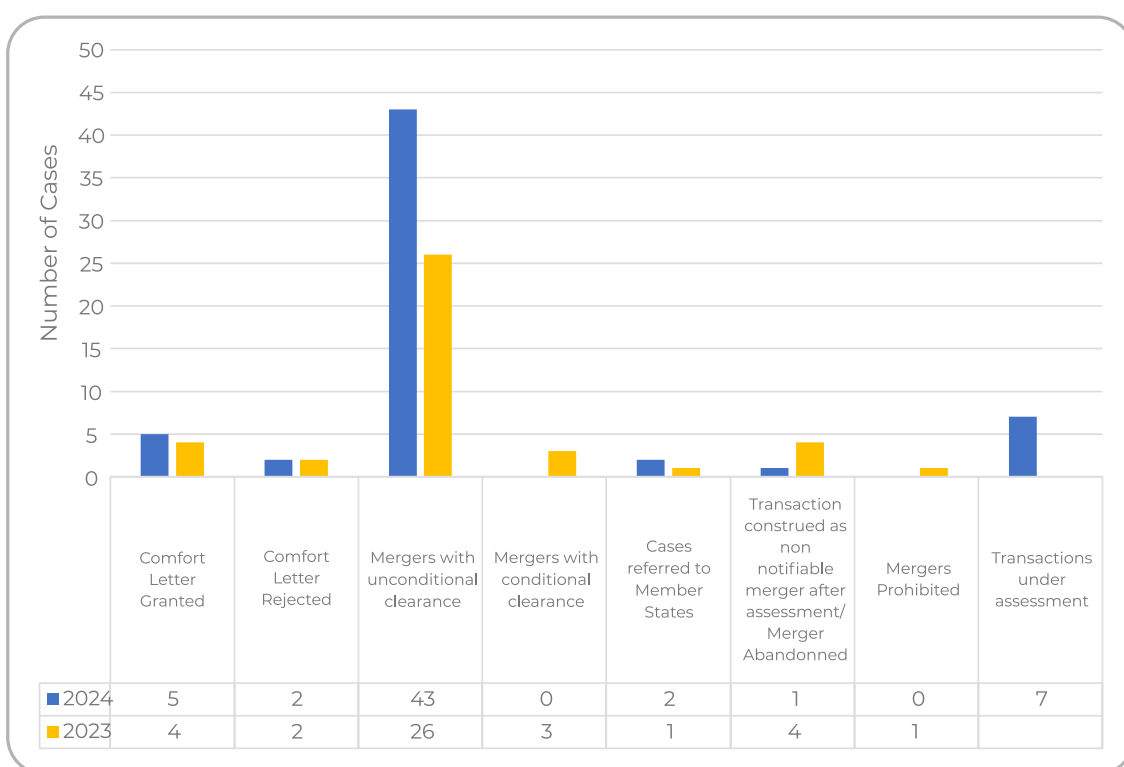
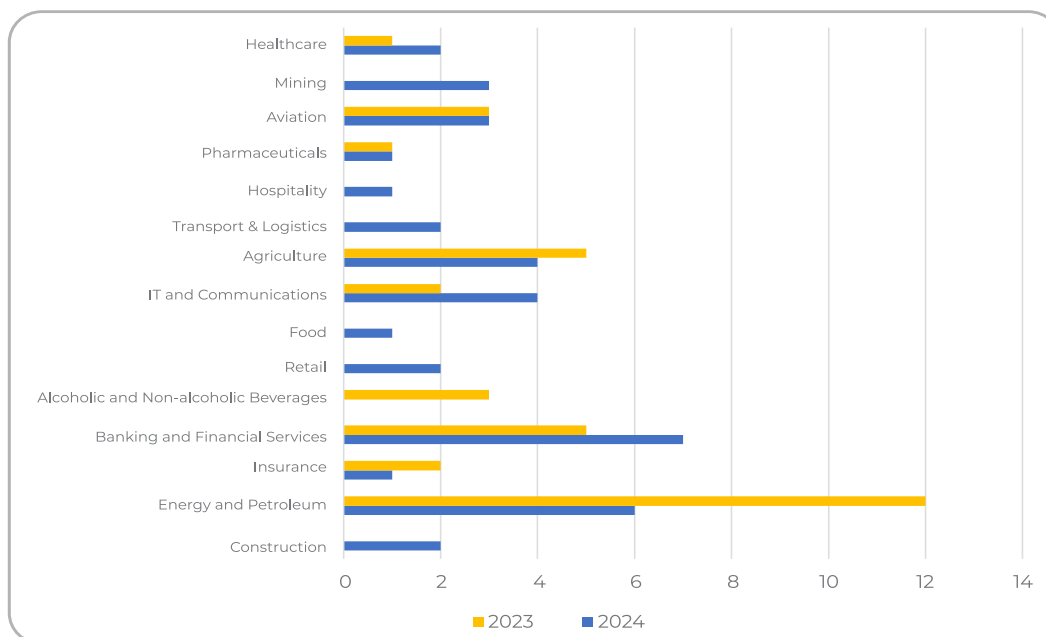


Figure 1 above shows the merger cases handled by the CCC by outcome/determination. It shows that in 2024, there was an increase in the number of mergers cleared, forty-three (43) compared to twenty-three (23) in 2023. All the forty-three (43) mergers were cleared unconditionally as they were unlikely to raise any competition concerns. None of the mergers were approved with conditions compared to 2023 where three (3) mergers were approved with conditions. Further, no mergers were prohibited compared to 2023 where one (1) merger was prohibited. Two (2) cases were referred to the Members States compared to one (1) in 2023.

Figure 2 shows the cases by economic sector in 2024 in comparison with 2023. The figure shows that most cases handled in 2024 were in the banking and financial services sector with 7 cases, followed by energy and petroleum sectors with 6 cases, an equal number of 4 cases were received in the agriculture and ICT sectors as well as mining and aviation sectors with 3 cases each with the rest of the cases distributed in the other sectors. The distribution of cases across the sectors showed a shift from 2023, where the energy and petroleum sector received the most cases of 12, followed by banking and financial services as well as agriculture sectors with 5 cases each. In 2024, sectors such as construction,

**Figure 2: Merger Cases by Economic Sector 2024 in comparison with 2023**



retail and transport and logistics received 2 cases each compared to 2023 where no cases from these sectors were assessed. Further the least number of cases assessed in 2024 were in the pharmaceutical, insurance, food and hospitality compared to 2023 where the least number of cases were in the healthcare and pharmaceutical sectors.

**Figure 3: Member States Affected by Merger Cases**

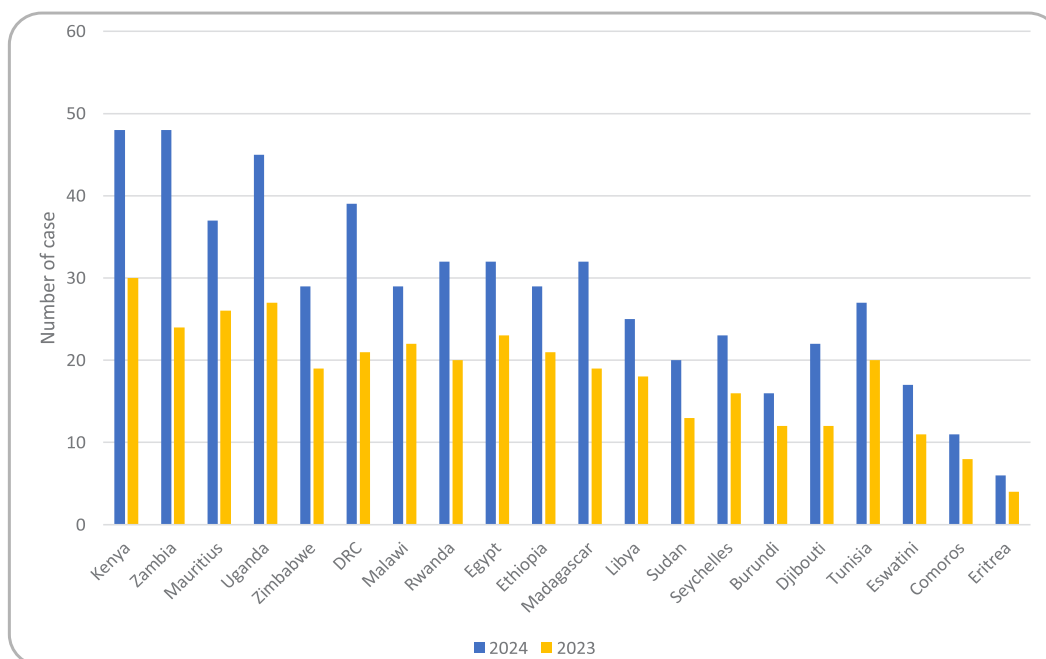


Figure 3 above shows the Member States affected by the merger cases notified to the CCC. The countries most affected by the cases assessed in 2024 were Kenya and Zambia with equal number of cases, followed by Uganda, then Democratic Republic of Congo (DRC) and Mauritius with the least number of cases affecting Eritrea and Comoros. It was noted that there were some changes compared to 2023 where the most number of cases affected Kenya, followed by Uganda and Mauritius with the least number of cases affecting Eritrea and Comoros.



# HIGHLIGHTS OF MERGER CASES ASSESSED BY THE CCC IN 2024

## MERGER INVOLVING THE ACQUISITION OF MC VISION LTD BY CANAL+ INTERNATIONAL SAS



In August 2024, the CCC received a notification of a merger involving the acquisition by Canal+ International SAS (“Canal+”) of MC Vision Ltd (“MC Vision”). Canal+ is incorporated under the laws of France and is a subsidiary of Groupe Canal+, which is owned by Vivendi SE, a global media conglomerate. Canal+ operates in both the upstream Pay-Tv segment comprising the commercialization of TV channels to Pay-Tv operators or Internet Service Providers (“ISPs”); and the downstream Pay-Tv segment consisting of the distribution of Pay-Tv offers to consumers and hotels. Within the Common Market, Canal+ operates in Comoros, Burundi, DRC, Djibouti, Egypt, Kenya, Ethiopia, Madagascar, Malawi, Mauritius, Rwanda, Seychelles, Tunisia, Uganda, and Zambia.

MC Vision, is incorporated in Mauritius and operates in the downstream Pay-Tv market, holding a Subscription Television Broadcasting License. MC Vision acquires broadcast rights from Canal+, Mauritius Broadcasting Corporation, and other providers. Canal+ has historically partnered with MC Vision in this market. In the Common Market, MC Vision operates only In Mauritius. On receipt of the notification, the Competition Commission (“CC”) of Mauritius requested for a referral of part of the transaction affecting Mauritius in line with Article 24(8) of the Regulations. This was on the basis that there were potential concerns which would disproportionately affect



The assessment identified the relevant markets as the upstream market for the production and wholesale distribution of Pay-TV channels in the Common Market; and the downstream market for the retail distribution of Pay-TV services in each of DRC, Rwanda, Burundi, Djibouti, Comoros, and Madagascar.

The assessment revealed that the transaction was unlikely to substantially prevent or lessen competition in the Common Market or a substantial part of it and was not likely to lead to public interest or negatively affect trade between Member States. The CID approved the transaction unconditionally. This approval did not apply to Mauritius as that part of the transaction relating to Mauritius was assessed under Mauritian law.

## MERGER INVOLVING THE ACQUISITION OF JOINT CONTROL OF CEMENTIS MADAGASCAR BY GAMMA CIVIC LTD AND WH INVESTMENTS PTE. LTD.

In May 2024, the CCC received a notification regarding the joint acquisition by Gamma Civic Ltd (“Gamma”) and WH Investments Pte. Ltd (“WH”) (together the “acquiring firms”) acquiring 99.99 percent of the share capital of Cementis Madagascar SA (“Cementis” or the “target firm”). Gamma is a Mauritian investment holding company which, through its subsidiaries, operates in various industries including cement manufacturing, construction, building materials, real estate, financial services, lottery and gaming technology and hospitality. Gamma has operations in Madagascar and Mauritius. WH is an investment holding company incorporated in Singapore with interests in various industrial entities including those in the production and distribution of cement and cement products. WH has no activities in the Common Market. Cementis is a Malagasy entity which is involved in the importation and distribution of cement and quarrying and mining of products such as limestone and pozzolana for the production of cement in Madagascar.



The assessment revealed that the relevant markets were the manufacture and supply of grey cement in Madagascar; the sale of various grades of bagged grey cement at wholesale level in Madagascar; and the sale of bulk grey cement at wholesale level in Madagascar. The CCC collaborated with the Competition Authority of Madagascar to undertake investigations of the effects of the transaction on the market. The investigations

revealed that despite the horizontal overlap in the activities of the parties in Madagascar, the market would remain competitive. The CID determined that the transaction was not likely to substantially prevent or lessen competition in the Common Market or a substantial part of it and was not contrary to public interest. The CID noted that while the merger was likely to increase market concentration from 71 percent to 76 percent, it was noted that the market was characterized by the presence of import competition which would continue to offer competitive constraint to the merged entity. The transaction was therefore approved unconditionally.

## MERGER INVOLVING THE ACQUISITION BY NATIONAL CEMENT HOLDING LIMITED OF CIMERWA PLC



In February 2024, the CCC received a notification regarding the proposed acquisition of 51 percent of the shareholding in Cimerwa PLC (“Cimerwa”) by National Cement Holding Limited (“NCHL”) from PPC International Holdings Proprietary Limited (“PPC International”). NCHL is a private company incorporated in Rwanda and a special-purpose vehicle established for the purposes of the proposed transaction. NCHL is directly controlled by ERC Holdings Limited, a company controlled by a trust where its beneficiary also controls National Cement Company Limited and National Cement Company Uganda Limited, which are both involved in the production and supply of cement and clinker in Kenya and Uganda, respectively. Within the Common Market, the acquiring group operated in Kenya and Uganda. Cimerwa is a public company incorporated in the Republic of Rwanda, with a portion of its shares listed on the Rwanda Stock Exchange. Cimerwa was controlled by PPC International, a company incorporated



in South Africa, which in turn is a wholly owned subsidiary of PPC Limited. CIMERWA is an integrated company which produced and supplied cement in Rwanda and had customers in the Democratic Republic of Congo (“DRC”). Within the Common Market, the target operated in Rwanda and DRC.

The assessment revealed that the relevant markets were the manufacturing and supply of various cement grades (22.5X, 32.5N, and 42.5N) in Rwanda and its neighbouring countries; and the manufacturing and supply of clinker in a market which is at least COMESA-wide. The assessment concluded that the proposed merger would not lead to significant market share accretion in the market for manufacturing of cement with the market share accretion manifesting particularly in Rwanda. It was noted that there would be no market share accretion in the market for manufacturing and supply of clinker. However, the transaction resulted in the vertical integration between the clinker and cement markets given that the acquiring undertaking was a significant supplier of clinker while the target was a cement manufacturer and a user of clinker. Nevertheless, the merged entity would continue to encounter competition from a diverse array of major competitors in the East African region, post-merger. Therefore, the assessment found no grounds for competition concerns stemming from either coordination or unilateral effects arising from the merger. Further, no competition concerns were identified on account of input or customer foreclosure. The CID unconditionally approved the merger

## MERGER INVOLVING THE CREATION OF A JOINT VENTURE, MAWEZI RDC S.A., BY AIRTEL RDC S.A., AND ORANGE RDC S.A



In November 2023, the CCC received a notification regarding the proposed merger involving the creation of a Joint Venture, Mawezi RDC S.A. (“Mawezi” or the “JVCo”), by Airtel RDC S.A. (“Airtel RDC”) and Orange RDC S.A. (“Orange RDC”). Airtel RDC is a subsidiary



of Airtel Africa Plc (“Airtel Africa”), a company registered and incorporated in accordance with the laws of England and Wales. Airtel Africa is a provider of telecommunications and mobile money services and has a presence in fourteen (14) countries across Africa in East, Central and West Africa. Within the Common Market, Airtel Africa has activities in Democratic Republic of Congo (“DRC”), Kenya, Madagascar, Malawi, Rwanda, Seychelles, Uganda, and Zambia. Orange RDC is a subsidiary of Orange S.A. (“Orange”), a multinational telecommunications service provider, which operates mobile and internet services.

The JVCo, Mawezi, was a newly established “full-function” greenfield joint venture incorporated by Airtel RDC and Orange RDC which intended to offer landing provider services to a Consortium responsible for the construction, operation and maintenance of the 2Africa West Cable System (the “2Africa cable”) in DRC. The JVCo had no operations, by way of deriving turnover or holding assets in the Common Market or elsewhere. The JVCo would provide space, facilities and services to the Consortium in terms of a Landing Provider Agreement. As the contracted landing party, the JVCo would build, operate and maintain an open-access cable landing station in Moanda, DRC. The JVCo would also build and own the cable landing station, as well as other civil works such as duct lines and backup power systems. In addition, the JVCo would bear the responsibility of obtaining all permits, licenses and approvals necessary for the landing of the 2Africa cable in DRC.

The CCC’s assessment identified the relevant markets as the provision of cable landing station services in the Central Africa region; the provision of mobile telecommunication services in DRC; and the provision of mobile money services in DRC. The CCC was initially concerned with likely foreclosure to the access of the cable landing services given that the joint venture’s parent companies were active downstream in mobile telecommunication services and mobile money services, which services depend on the mobile network provide accessing cable landing services. The CCC was also concerned that the JVCo would provide a platform where the Parent Companies would exchange sensitive commercial information.

However, the assessment revealed that the transaction was not likely to lead to horizontal overlaps in the identified relevant markets as the JVCo was operating as an independent company. In addition, there was a competitor, Societe Congolaise des Postes et Telecommunications (“SCPT”), in the market for cable landing station services which held 100 percent market and as such the merged entity was unlikely to unilaterally affect the market. With regards to foreclosure concerns, the parties confirmed that the JVCo would provide fair and open access to all its landing provider services. The CID considered that compliance by the merging parties with providing fair and open access would alleviate the risks of foreclosure. The CID observed that the 2Africa West Cable System Consortium was unlikely to accept restriction of access to the cable landing station services as more accessibility benefited the partners. The CID further observed that the JVCo was not likely to have the incentive to increase costs of access since it required more providers to access the submarine cables for the cable landing station to be viable. For the same reason, the JVCo was unlikely to stop supplying competitors for the JV parent companies as it would be counterproductive to the sustainability of the JVCo business.

The CID therefore approved the transaction unconditionally as it was unlikely to foreclose the access to the cable landing station services of the competitors of the Parent Companies in the market for the provision of mobile telecommunication services and mobile money market. Further, the JVCo was unlikely to provide a platform for the exchange of sensitive market information of the Parent Companies which are both active in the mobile telecommunication services and mobile money market.

## RESTRICTIVE BUSINESS PRACTICES

The Regulations prohibit all agreements between undertakings, decisions by associations of undertakings and concerted practices which may affect trade between Member States; and have as their object or effect the prevention, restriction, or distortion of competition within the Common Market. The CCC's initiatives under this area entail investigating and sanctioning anti-competitive business practices which are prohibited under Articles 16, 18 and 19 of the Regulations which include, inter alia, price fixing, collusive tendering, vertical and horizontal restraints, market allocation and abuse of dominance.

The CCC can initiate investigations against restrictive business practices upon a complaint from any person pursuant to Article 21 of the Regulations or suo moto under Article 22 of the Regulations. The CCC may also review anti-competitive agreements pursuant to Article 20 of the Regulations which empowers the CCC to authorize agreements following an application for authorisation by parties who wish to enter into or give effect to contracts, arrangements or understandings even if they are anti-competitive if the CCC determines that there are public benefits outweighing the anti-competitive effects.

The number of cases handled by the CCC in the period under review are highlighted in the figures below:

**Figure 4: Restrictive Business Practices by type**

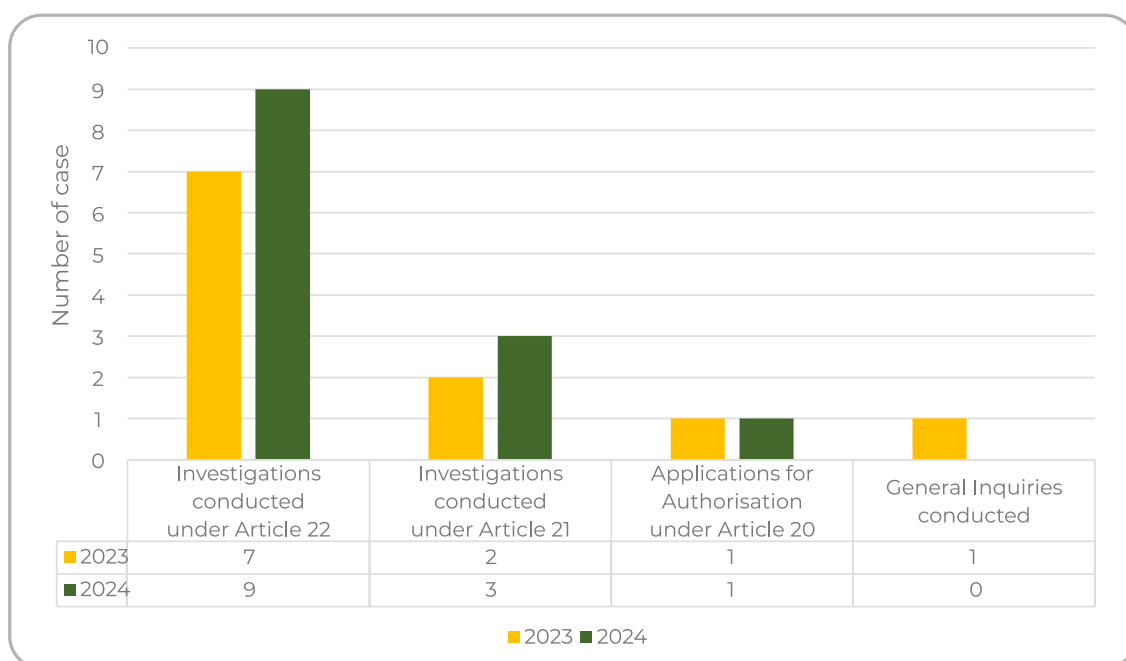
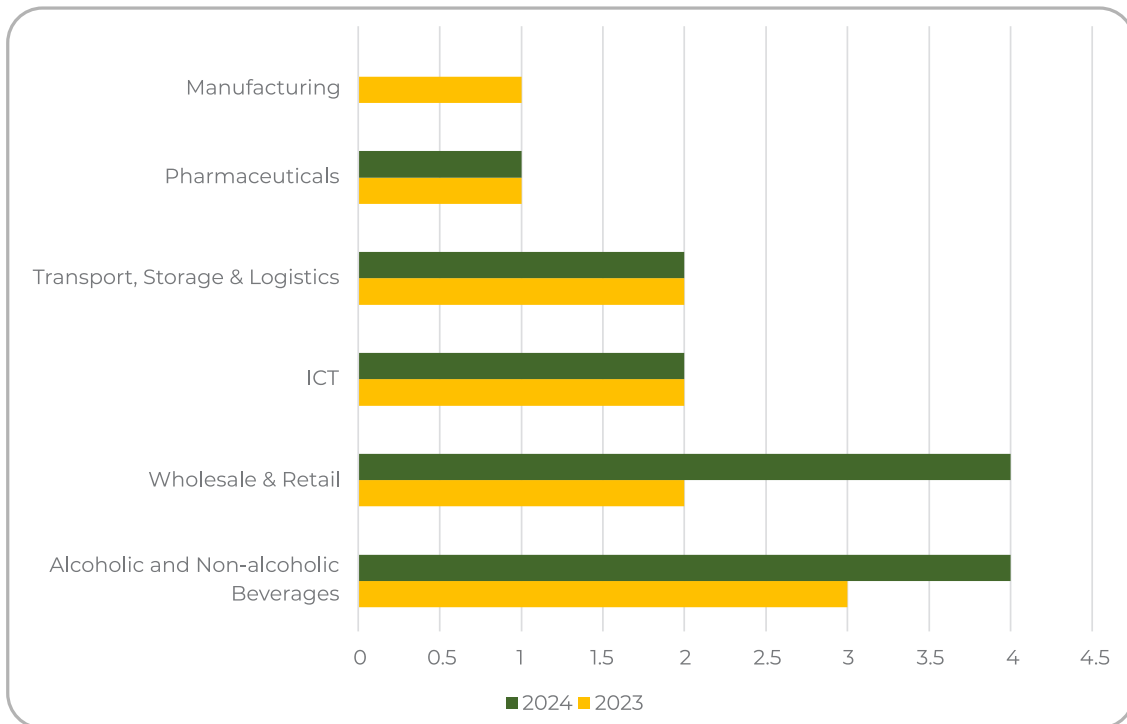


Figure 4 above shows that the CCC undertook 9 investigations pursuant to Article 22 of the Regulations an increase from 7 in 2023. There was also an increase in the cases investigated pursuant to Article 21 from 2 in 2023 to 3 in 2024. The number of applications for authorisations pursuant to Article 20 remained the same at 1 and there were no general inquiries conducted in 2024 compared to 1 in 2023.

Figure 5 shows the economic sectors for cases being investigated by the CCC. The largest number of cases investigated were those in alcoholic and Non-alcoholic Beverages with the number rising by 1 compared to 2023. The wholesale and retail sector also had an increase in the number of cases from 2 to 4 from 2023 to 2024 respectively. The number of cases in the ICT, Pharmaceuticals as well as transport, storage and logistics remained the same.

**Figure 5: Restrictive Business Practices by Sector**



**Figure 6: Member States Affected by the Cases**

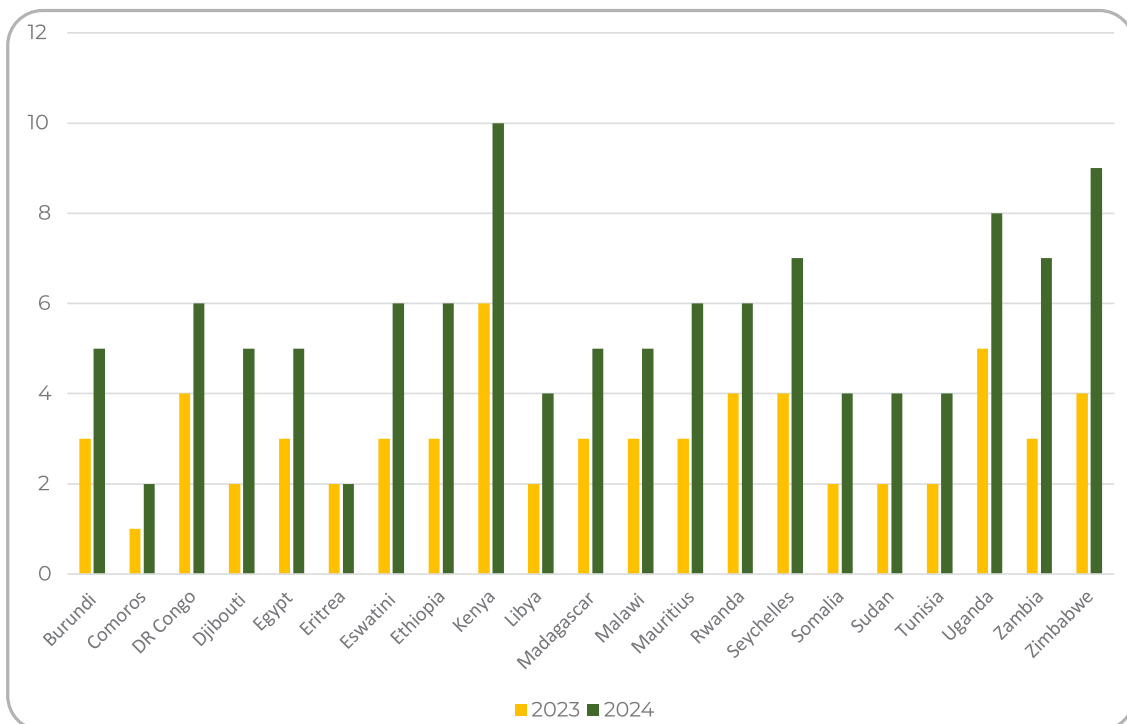


Figure 6 shows the Member States affected by the cases handled by the CCC. It can be noted that the majority of cases affected Kenya, followed by Zimbabwe in 2024 while as in 2023, the majority of cases affected Kenya followed by Uganda. Other countries such as Uganda, Seychelles, Zambia, DRC, Eswatini, Ethiopia, Mauritius and Rwanda also received a higher number of cases compared to Comoros and Eritrea which received the least number of cases. The smaller number of cases in Comoros and Eritrea can be attributed to the small size of these economies and nascent levels of competition enforcement in Comoros and the absence of a competition authority in Eritrea. To this end, the CCC is working tirelessly with authorities in Comoros and Eritrea to ensure robust competition law enforcement in those countries.





# HIGHLIGHTS OF RESTRICTIVE BUSINESS PRACTICES CASES IN 2024



Appeals Board decision on the appeal by CAF against the decision of the CID on the Memorandum of understanding between Lagardere Sports SAS ("Lagardère Sports") and SuperSport International (Pty) Limited ("SuperSport")

On 18 December 2024, the Appeals Board issued its decision on the appeal by CAF against the decision of the CID dated 4 December 2023 in the matter "Memorandum of understanding between Lagardere Sports SAS ("Lagardère Sports") and SuperSport International (Pty) Limited ("SuperSport")." The Appeals Board considered a new set of proposed undertakings by the parties and was satisfied that they were sufficient to address the competition concerns identified by the CCC. The Appeals Board, therefore, set aside the decision of the CID dated 4 December 2023. In line with the Canal+ Decision of the CID, the Appeals Board ordered CAF:

- i. To award all future exclusive media rights on the basis of an open, transparent, and non-discriminatory tender process, based on a set of objective criteria which shall be shared with

the CCC prior to launching the tender and to continue to publish the results of all tender exercises conducted on its website, subject to redaction of confidential information

- ii. Not to enter into new exclusive agreements for a duration that exceeds four years and where CAF has justifiable grounds to enter into a future agreement for a duration which exceeds four years to notify the CCC for authorisation of such agreements;
- iii. Offer the various media rights as separate, commercially viable packages. No single undertaking should be allowed to purchase all the media packages. Where CAF has justifiable grounds to grant all the media packages to a single purchaser, it shall inform the Commission

On 7 November 2024, the Appeals Board further had a pre-appeal conference regarding the appeal of beIN and CAF against the decision of the CID dated 22 December 2023 in the matter “the Memorandum of Understanding between Lagardere Sports S.A.S and beIN Media Group LLC in relation to media rights of competitions organised by Confédération Africaine de Football.” In the pre-appeal conference, the Appeals Board provided procedural directions which among others included a joinder of the two cases appealed by CAF and beIN as both appeals considered the same subject matter, i.e. the Memorandum of Understanding between Lagardere Sports S.A.S and beIN Media Group LLC in relation to media rights of competitions organised by Confédération Africaine de Football. The matter is expected to be heard by the Appeals Board in February 2025.

## MT GENERAL DEALERS COMPLAINT AGAINST MPANDE LIMESTONE LIMITED

In August 2023, the CCC received a complaint from HGMT General Dealers (“HGMT”), against Mpande Limestone Limited (“Mpande”) filed pursuant to Article 21 of the Regulations. HGMT is a company domiciled in Malawi and its main business is the wholesaling and distribution of hardware including cement. Mpande is a company incorporated in accordance with the laws of Zambia. It is owned by African Brothers Corporation Limited, a subsidiary of Sinoma Cement Company Limited, one of the largest cement manufacturers in the world and a comprehensive construction material manufacturer. Mpande manufactures the Sinoma cement brand.

HGMT alleged that it approached Mpande in Lusaka, Zambia to purchase 90 tonnes of 42.5CR export cement but Mpande declined to complete the sale on account that it had an agreement or understanding with its distributors based in Malawi. The CCC conducted investigations into the matter and reviewed Mpande’s distribution agreements but did not establish any contravention of the Regulations and therefore closed the investigation.

## INVESTIGATION INTO POSSIBLE ANTI-COMPETITIVE CONDUCT BY YAMAHA MOTORS CO., LTD.

In August 2024, the CCC initiated investigations against Yamaha Motors Co., Ltd (Yamaha) for possible violation of Article 16 of the Regulations. The investigation was initiated as the CCC had reason to believe that Yamaha had concluded exclusive distributor agreements or arrangements with affiliates in Africa which affect trade between Member States and may have the object or effect of preventing, restricting or distorting competition within the Common Market.

In the reporting period, this investigation was still on-going, and the Commission has not yet determined whether or not the conduct is anti-competitive. It’s noteworthy





that the commencement of investigations neither presupposes that the conduct being investigated has been determined as anti-competitive nor Yamaha Motors Co., Ltd has violated the Regulations.

## INVESTIGATION INTO THE COCA COLA COMPANY BOTTLER'S AND DISTRIBUTION AGREEMENTS.



In September 2024, the CCC initiated investigations against The Coca-Cola Company (TCCC) for possible violation of Article 16 of the Regulations. The investigation was initiated as the CCC had reason to believe that the TCCC had concluded restrictive bottlers and distribution agreements or arrangements with affiliates in Africa which affect trade between Member States and have as their object or effect the prevention, restriction or distortion of competition within the Common Market. The Commission is thus assessing this conduct to determine its effect in the Common Market. In the reporting period, this investigation was still on-going, and the Commission has not yet determined whether or not the conduct is anti-competitive.



## CONSUMER PROTECTION

The Regulations empower the CCC to protect consumers in the Common Market against offensive conduct by market actors. The consumer protection mandate of the CCC includes, inter alia, the prevention of false or misleading representation; protection of consumers against unconscionable conduct and the supply of defective and unsafe goods within the Common Market.

In 2024 the CCC investigated a total of eighteen (18) consumer cases against eight (8) cases handled in 2023. The cases dealt with in 2024 affected a cross section of economic sectors. The figures below show the distribution of cases handled in 2024 in comparison to 2023.

**Figure 7: Types of Consumer Complaints Received**

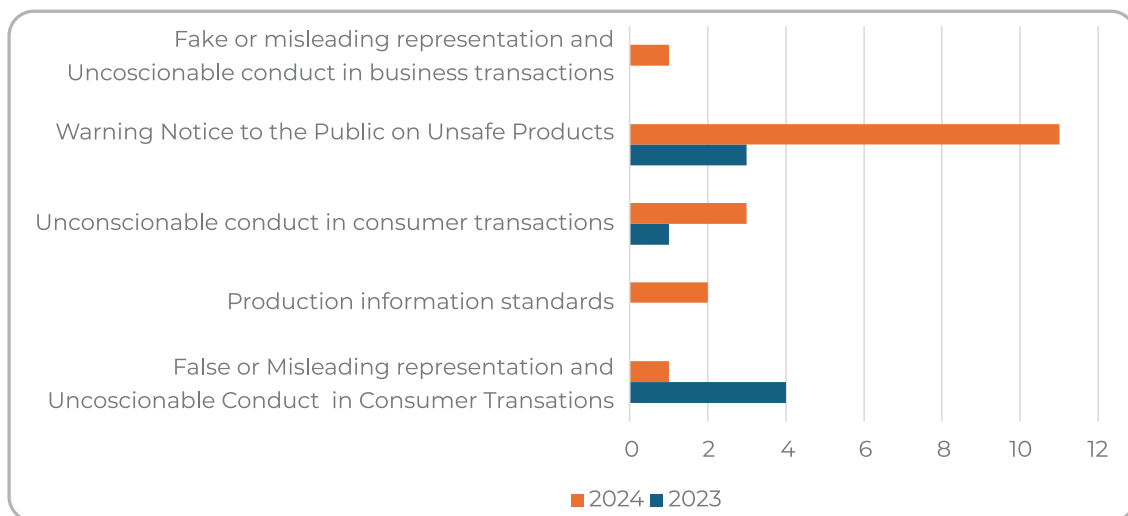


Figure 7 above shows the type of consumer complaints handled by the CCC in 2024 compared to 2023. The table shows that the CCC handled 13 cases relating to consumer product safety compared to 3 in 2023, 3 cases on unconscionable conduct in consumer transactions compared to 1 in 2023. The CCC also handled 1 case which violated both provisions on false or misleading representation and unconscionable conduct in business transactions provisions and 1 which violated both provisions on false or misleading representations and unconscionable in consumer transactions provisions.

**Figure 8: Consumer Cases Handled in 2024 in Comparison to 2023**

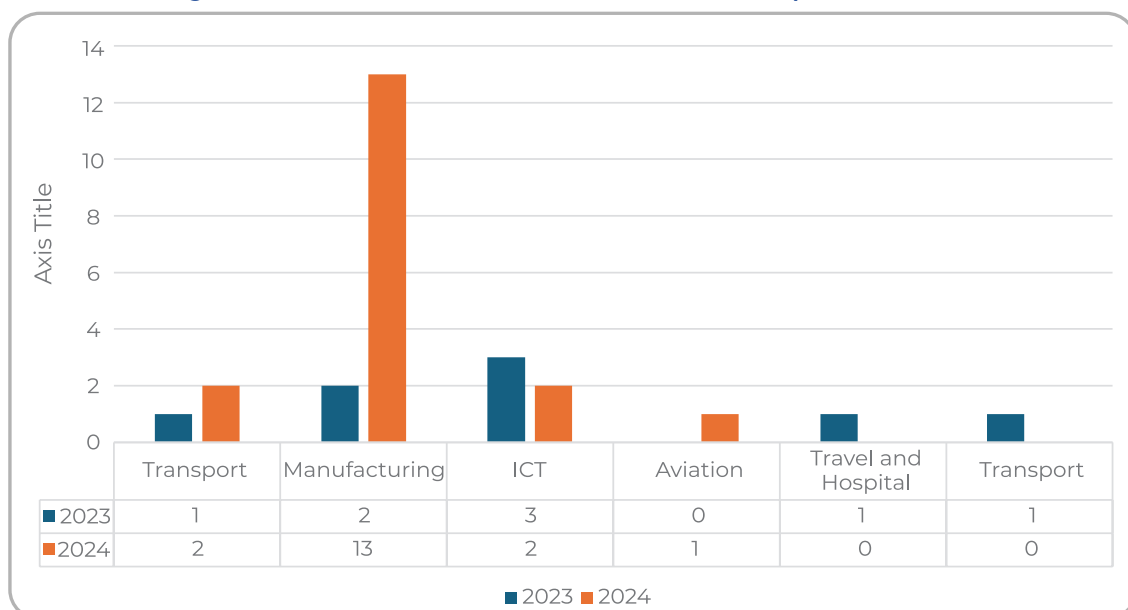


Figure 8 shows the distribution of consumer cases by economic sector for 2024 and 2023. The highest number of cases recorded were in the manufacturing sector with 13 cases in 2024 compared to 2 in 2023. There was a reduction in the number of cases recorded in the ICT sector from 3 in 2023 to 2 in 2024 with the aviation sector recording 1 case in 2024.

**Figure 9: Member States Affected by the Cases**

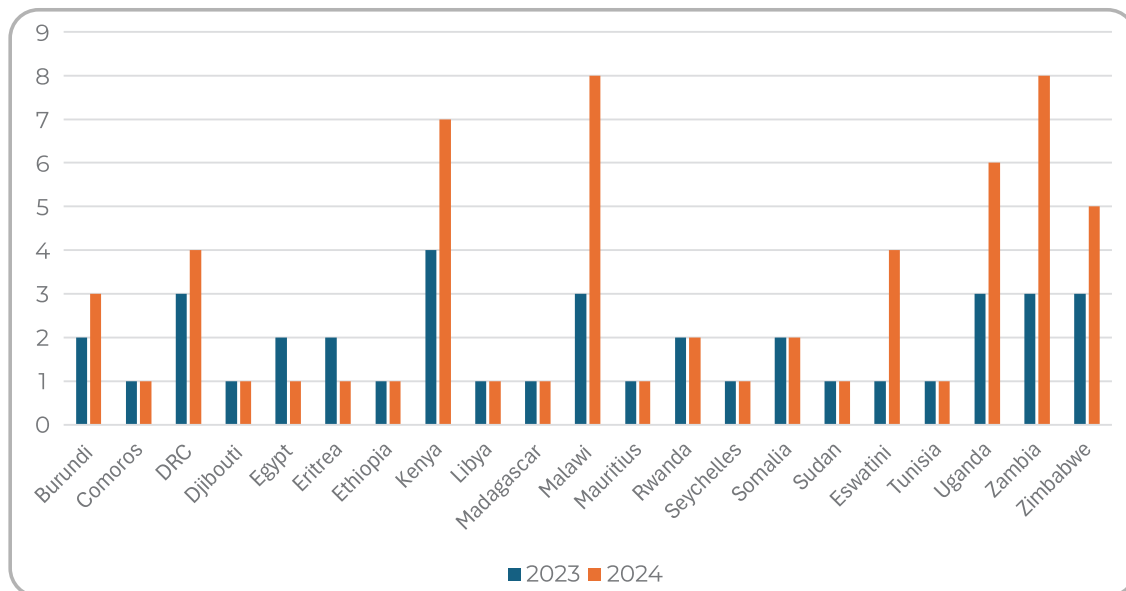


Figure 9 shows the Member States affected by the consumer cases handled by the CCC in 2024 in comparison to 2023. It can be noted that majority of cases handled in 2024 affected Malawi and Zambia followed by Kenya and Uganda. In 2023, majority of the cases affected Kenya, followed by Malawi, Uganda, Zambia and Zimbabwe. From the figure above, the countries with the least reported cases in 2024 were Comoros, Djibouti, Egypt, Eritrea, Ethiopia, Mauritius, Seychelles, Sudan and Tunisia.

# HIGHLIGHTS OF CONSUMER CASES

## INVESTIGATION INTO UBER BV IN KENYA, EGYPT AND UGANDA



The CCC undertook investigations against Uber specifically focusing on its Terms and Conditions with respect to its ride hailing services which were considered to be misleading and unconscionable and therefore in violation of the Regulations. The CCC was concerned that the Terms and Conditions by Uber reserved its right to change the displayed price to the consumer at any time. This meant that the consumer would be forced to pay for a higher price at the end of the transaction than the booking price which the consumer used, to enter the transaction.

It was also noted that Uber reserved the right to establish, remove and/or revise charges or terminate the contract for any reason even when it may not be the fault of the consumer at any time, at its sole discretion without giving due notice to consumers which would affect even ongoing transactions. The CCC was concerned that, as stated, the changes in the terms would affect even ongoing transactions and unfairly affect the consumer who could have relied on the existing terms to initiate the transaction. Uber also absolved itself from any liability with regard to quality of services and risks associated with the service provided by third parties (i.e. drivers);



and indemnity clauses which indemnify Uber from any and all claims by consumers for losses arising out of their use of Uber services or use of their content by Uber. The CCC was concerned that consumers contract with Uber but not with third parties and therefore the denial of liability by Uber would leave them without a recourse if they are dissatisfied with the service or aggrieved by the action of the third party.

The CCC further noted that Uber limited the application of national laws and instead conditioned the application of a foreign law (the Netherlands law) as the governing law in the dispute settlement. This implied that an aggrieved consumer in COMESA would have to fly to the Netherlands to pursue a case against Uber. However, such an approach would be very expensive for an ordinary consumer who may not have the capacity to pursue justice due to cost implications.

Upon the CCC's engagement with Uber, they were cooperative and agreed to amend their terms in accordance with the recommendations of the CCC, to ensure that consumers in the Common Market are protected. The identified concerns were therefore addressed with the amendments that were immediately implemented by Uber.

## TRADE KINGS (LABELLING-BOOM PASTE)



The CCC investigated a complaint relating to Boom Paste, a detergent washing paste supplied by Trade Kings Group, following allegations by a consumer in Malawi that she suffered cuts on her hands due to the glass like pieces observed in the paste.

The CCC established that Trade Kings is domiciled in Zambia and operated in other COMESA Member States, including Malawi, Zimbabwe and the Democratic Republic of Congo. The CCC undertook investigations in collaboration with national consumer

protection authorities of Malawi and Zambia to determine whether the product complied with the consumer safety standards and whether Trade Kings had provided sufficient information to consumers on the use of the product. The investigations involved testing of the product with the Bureaux Standards in Malawi and Zambia, and it was noted that the boom washing paste was crystallising at temperatures below 15 degrees to form glass like particles that were injurious to consumers. It was established that Trade Kings did not provide this information and the associated risks of using the product to the consumer. Following the CCC's intervention, Trade Kings amended its labels accordingly to guide on the safe use of the boom paste product and compensated the affected consumers in Malawi.

## PRODUCT RECALLS

The following product recalls were conducted by the CCC. The recalls were instituted with the aim to safeguard the health of the consumers in the COMESA region as the products raised consumer safety concerns:

### NUMEROUS VEHICLES RECALLED OVER FAULTY TAKATA AIRBAG INFLATORS:

The CCC learnt that there were numerous recalls in January 2024 in different countries with respect to vehicles (model years 2002 to 2015) equipped with defective Takata airbag inflators. Over 100 million vehicles equipped with the airbags had been recalled by more than 20 car manufacturers. Further, the airbags were linked to 22 deaths and more than 180 known injuries. Inquiries into the matter revealed that measures were being taken by government agencies such as the United States National Highway Traffic Safety Administration and the Ministry of Land, Infrastructure and Transport of Japan, to warn consumers and advising them to confirm whether they were affected by the faulty airbags. The CCC issued a consumer recall alert in the COMESA Region upon recognition that there is a high importation of used cars in the region which may have been affected by this problem.

### CONSUMER ALERT ON FALSIFIED OZEMPIC (SEMAGLUTIDE):

The CCC became aware that the World Health Organisation ("WHO") had issued an alert on 19 June 2024 indicating that three falsified batches of Ozempic had been detected in a number of countries. The alert indicated that Ozempic is from a group of medicines which are indicated for the treatment of hyperglycemia in type 2 diabetes mellitus in adults, adolescents and children over 12 years of age. The falsified products had been detected in Brazil in October 2023, in United Kingdom of Great Britain and Northern Ireland in October 2023 and in December 2023, in the US. WHO stated that the falsified Ozempic may result in ineffective treatment of patients due to incorrect dosage, contamination with harmful substances or use of unknown substituted ingredients including other serious risks to health. Noting that the WHO alert indicated that the falsified products could be marketed through unregulated websites to pharmacies, clinics and hospitals and are distributed prominently in low- and middle-income countries, the CCC issued a recall alert in the COMESA Region.

### WARNING NOTICE ON RECALL OF BATCH NO. A4042 OF EFFERALGAN VITAMINE C 500MG/200MG (COMMPRIME EFFEVERSCENT) MANUFACTURED BY UPSA/SAS, FRANCE:

The CCC learnt of a recall notice by the Rwanda Food and Drug Authority in June 2024 recalling Efferalgan Vitamine C 500mg/200mg (commprime effeverscent) manufactured by UPSA/SAS, France. The concern raised by the recall notice was the colour changes in the product which were compromising its quality standards and therefore directed certain actions to be taken by stakeholders involved in the importation, distribution and

prescription to consumers. Investigations by the CCC revealed that the product was also being distributed in other COMESA Member States such as Burundi and the Democratic Republic of Congo. The CCC thus took action to warn the COMESA Member States.

## **WARNING NOTICE ON THE RECALL OF 50ML SINGLE USE NEUTRALISING SHAMPOO CONTAINED IN DARK AND LOVELY MOISTURE PLUS KITS:**



The CCC learnt of a recall from a media statement issued by the National Consumer Commission of South Africa of the recall of 50 ml single use neutralising shampoo contained in Dark & Lovely Moisture plus kits (regular and super) and Dark & Lovely anti-breakage kit which statement indicated that these products contain bacteria that may lead to scalp infections leading to compromised immune systems. In South Africa, the consumers were advised to immediately discontinue the use of the product and return the products for a full refund. The CCC noting that there are COMESA Member States where the products subject to the recall were sold; Eswatini, Kenya, Zimbabwe and Zambia, issued a warning notice and also engaged the manufacturer, L'Oreal of South Africa requiring them to take actions to ensure the safety of consumers. The actions included recall of the products from affected COMESA Member States, notice identifying where products are to be returned, informing the public of replacement of the products and to report to the CCC indicating the actions taken to comply with these measures.

## **CONSUMER ALERT ON THE RECALL OF BENYLIN PAEDIATRIC COUGH SYRUP 100ML BATCH NO. 329304 MANUFACTURED BY JOHNSON & JOHNSON (PTY), SOUTH AFRICA:**

The CCC learnt of a public notice from the Zambia Medicines Regulatory Authority and Kenya Pharmacy and Poisons Board of a recall relating to Benylin Padeatric Cough



Syrup Batch No. 329304 used for relief of cough and its congestive symptoms, fever and other allergic conditions in children aged 2 to 12 years. The recall indicated that there was detection of high levels of Diethylene glycol following a laboratory analysis. Having established that the product was being exported to other Member States, the CCC issued a consumer alert guiding consumers to avoid its purchase or use and report to the CCC.

## **VOLUNTARY RECALL OF WOOLWORTHS PEANUT BUTTER DAIRY ICE CREAM:**

The CCC learnt of communication from Woolworths Proprietary Limited that it was recalling its peanut butter dairy cream 2 litres in February 2024 in Zambia with immediate effect indicating that there was a presence of high levels of aflatoxins. The CCC in its preliminary findings found that Woolworths distributes its ice cream products in Zambia and Zimbabwe and called upon consumers to avoid purchase or use of the recalled products where they establish its being distributed within the COMESA Region. Further, for those consumers who had consumed the product to undertake health check-ups and report to their respective consumer protection bodies.

# STRENGTHENING RESEARCH

The CCCC recognizes the need for, and importance of robust research to inform its investigations and decisions relating to the enforcement of the Regulations in the Common Market. The outcomes of a research are also used to inform policy formulation and amendment. In furtherance of this, the CCC undertook a survey in the aviation sector.

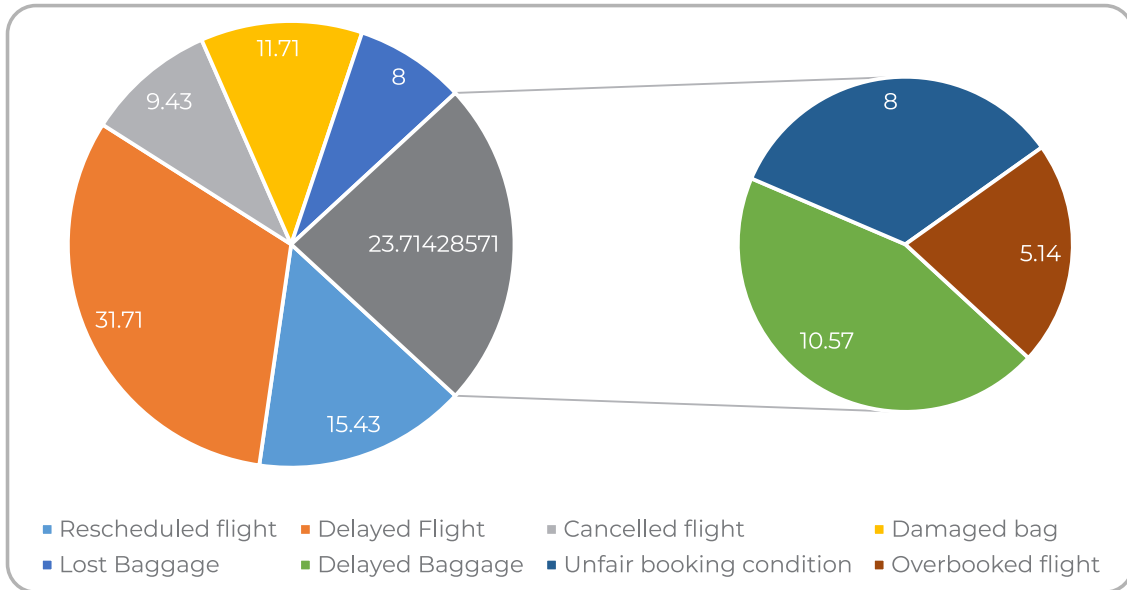
## CONSUMER SURVEY IN AIRLINE MARKET

The CCC had observed rising number of complaints by consumers from various sources, relating to the conduct of Airlines operating within the COMESA Region. The Commission's concern was mainly with the lack of regard by the Airlines, to the consequences suffered by passengers because of their conduct. The concerns were but not limited to frequent flight rescheduling, associated long delays and flight cancellations as well as challenging flight connections, leaving many consumers stranded and inconvenienced; increasing incidences of delayed, damaged or lost luggage; and failure by the Airlines to provide necessary support to affected passengers, failure to compensate passengers for the delays or cancellation, failure to provide accommodation or meals in case of prolonged delays or lack of guidance by the Airline to assist or follow up with passenger complaints.

The CCC therefore undertook a survey in the market which was aimed at establishing the extent of the spread of the issues affecting consumers in this sector. The main objectives of the survey were to identify the actual consumer concerns in the aviation sector; establish the extent of the spread of the consumer concerns in the common market; identify the practices by Airlines which infringe the rights of consumers in the Common Market; and based on the report, engage the airlines and other authorities to address the concerns identified in the report. The figure below shows the nature of the consumer complaints.

As shown in figure 10 the survey revealed that there are widespread consumer concerns which point to the likelihood of consumer rights violations. Out of the three hundred and fifty (350) complaints, the most common concern experienced by the consumers was delayed flights at 31.71 percent followed by rescheduled flights at 15.43 percent, damaged baggage at 11.71 percent, delayed baggage at 10.57 percent, cancelled flights at 9.43 percent, lost luggage and unfair booking conditions at 8 percent each while overbooked flights were at 5.14 percent. In respect of consumers who experienced a cancelled or delayed flight, it was noted that 71.63 percent of the consumers did not receive redress from the airlines while the rest received redress. The CCC is using the findings of the survey to undertake further action in the market within the confines of the

Figure 10: Distribution of consumer complaints in the airline market



Regulations. The CCC is expected to present policy recommendations to the COMESA Council of Ministers in 2025 or 2026. The recommendations will then be shared with all the Member States to guide the treatment of such cases.



# STRENGTHENING ENFORCEMENT

The CCC's goal under this strategic issue is to build its capacity and that of the National Competition Authorities in Member States to effectively enforce both the Regulations and the national competition and consumer protection laws. The CCC strengthens enforcement through comprehensive review of its competition and consumer protection legal framework, comprehensive reviews of national competition and consumer protection legislation and encouraging compliance with its decisions by Member States.

## COMPREHENSIVE REVIEW OF THE RULES AND REGULATIONS



The CCC is in the process of repealing the Regulations and Rules that were promulgated in 2004. The purpose of the Repeal is to address some of the practical challenges encountered during the course of enforcing and implementing the Regulations. The amended Regulations will also cover provisions that address the new and emerging issues in competition and consumer protection laws such as digital markets and climate change/environmental concerns. The new law will also have an expanded scope of justiciable consumer rights. The amended Regulations and Rules are expected to be considered by the COMESA Legal Affairs Committee and thereafter the Ministers of Justice and Attorney Generals Meetings, the Intergovernmental Committee and ultimately enacted in law by the Council of Ministers in 2025.

## REVIEW OF THE STAFF RULES

The CCC made amendments to the Staff Rules. The reviewed Staff Rules are now in force as they were approved by the Council of Ministers in 2024. The reviewed Staff Rules have progressive provisions in addressing staff matters at the CCC which will culminate in effective enforcement of the Regulations. For example, the reviewed Staff Rules have comprehensive provisions on recruitment which facilitate the recruitment of highly qualified staff.

# ENHANCE COMPLIANCE WITH THE DECISIONS OF THE CCC

To enhance compliance with its decisions, the CCC was deliberate in enhancing its efforts towards the provision of technical assistance and capacity building activities to selected Member States and the conclusion of enforcement cooperation agreements with national competition and competent authorities in Member States. The objective of these interventions was to harmonise national competition and consumer protection laws and policies with the regional laws and to support the setting up and/or operationalisation of national consumer protection and competition authorities. In this respect, the CCC engaged with the following Member States:

## MAURITIUS

The Commission and the Ministry of Commerce and Consumer Protection in Mauritius concluded the negotiation of a Memorandum of Understanding which shall be signed in the first quarter of 2025. The MoU seeks to facilitate the exchange of information, joint sensitization and advocacy programmes, capacity building and cooperation in the investigation of consumer cases. The MoUs are implemented through agreed Implementation Work Plans between the affected National Consumer Protection Authorities and the CCC.

## BURUNDI

The CCC virtually attended and presented at a national workshop organised by the newly formed Independent Competition Authority in June 2024. The workshop discussed the state of play on the implementation of the legal framework and competition regulation in Burundi. The CCC's presentation focused on institutional set up and strengthening.

## COMOROS





The CCC provided financial and technical support to the Commission De La Nationale Concurrence (CNC) in holding a national competition sensitisation week on three Islands in Comoros that is Moroni, Moheli and Anjouan from 6-10 May 2024. The aim was to raise awareness of the existence of the national competition law of Comoros and the interactions between the national competition laws and regional laws as enforced by the Commission. The sensitisation workshops were attended by more than 200 stakeholders, including the business community and sector regulators. The CCC also printed and distributed 450 copies of the Comoros national competition law among different stakeholders.

## DEMOCRATIC REPUBLIC OF CONGO

The Commission Nationale De La Concurrence (CONAC) was supported by the CCC through the attachment of three of its members of staff to the Competition Commission of Mauritius for one month. This was part of the process of building capacity among the national competition authorities in the enforcement of competition laws.

## DJIBOUTI



The CCC Director Legal Services and Compliance handing over the draft Competition Policy and the Competition and Consumer Protection Laws to the Minister in Djibouti in November 2024

The CCC has been assisting Djibouti in the review and development of the competition and consumer protection Policy and laws since 2022. In October 2024, the Consultant engaged to work on the project submitted the final drafts of the Djibouti National Competition Policy and the Competition and Consumer Protection laws in October 2024. The CCC submitted the draft Policy and Law to the Ministry of Commerce and Tourism on 5 November 2024. Djibouti is expected to implement the policy and enact the law in due course.

## EGYPT

The CCC supported the Egyptian Competition Authority (ECA) in undertaking the peer review of the Egyptian Competition law. The objective of the peer review was to identify areas for improvement in the legal framework in force in Egypt and to contribute to a better competition policy and its implementation, greater efficiency and effectiveness of the institution and greater protection of the general economic interest of Egypt.

## ESWATINI

The CCC engaged a Consultant to support the Eswatini Competition Commission in the effective enforcement of competition and consumer protection laws. The Consultant provided capacity building to the office of the Chief Executive Officer, developed

standard operating manuals for the institution and will be reviewing the competition and consumer protection laws to make recommendations for areas of amendment.

## ETHIOPIA

The CCC undertook a stakeholder validation workshop for the amendments of the competition and consumer protection laws, and the Strategic Plan developed as part of the technical assistance it provided to the Ethiopian, Ministry of Trade and Regional Integration (MoTRI). The stakeholder's validation workshop mission to Ethiopia was undertaken from 29 February to 1 March 2024. The amendments to the national competition law and the five-year strategic plan were submitted to MoTRI and the project finalized.

## KENYA



The CCC Chief Executive Officer (left) taking part in one of the sessions at the ICN Advocacy co-hosted by Kenya.

The CCC provided support to the Competition Authority of Kenya (CAK) in co-hosting the International Competition Network (ICN) Advocacy Workshop in February. The CCC also took part in speaking on some of the sessions including on 'Evaluating the Effectiveness of Advocacy Initiatives'; 'Building Economic Blocks: Advancing Regional Integration via Competition Advocacy'; and 'Advocacy in Promoting Competition in Agriculture and Food Markets'.

## LIBYA



The CCC representatives with representative from the Council for Competition and Anti-trust in Libya.



The CCC held a capacity building workshop for the Council for Competition and Antitrust of Libya ('the Council'). The objectives of the workshop were to raise awareness to the Council staff on the application of regional competition and consumer protection policies and laws; strengthen the CCC's cooperation with the national competition authority in enforcing the regional competition and consumer protection policy and law within the Common Market, through the alignment of the Libya competition and consumer protection Policies and Laws with the COMESA Competition Regulations. The workshop was also aimed at supporting Libya's efforts to implement the decisions of the COMESA Council and the CCC for the success of the COMESA regional integration agenda.

## MALAWI

The CCC provided support to the Competition and Fair-Trading Commission (CFTC) to facilitate the training of members of staff and Board Members on the enforcement of the newly enacted Competition and Fair-Trading Bill and Regulations in December 2024. The aim of the support was to equip the members of staff and Board Members with the best practices in the review, assessment and enforcement of competition and consumer protection laws.

## RWANDA

The CCC successfully facilitated the provision of financial and technical assistance to the Rwanda Inspectorate, Competition and Consumer Protection Authority (RICA) from the Commonwealth Secretariat. The support was extended for the development of Five Guidelines on buyer power, cartel conduct investigations, public interest considerations, complaint handling, and search and seizures. The Consultant finalized the development of the Guidelines, and a stakeholder validation workshop was held on 10 to 11 September 2024. The Project has since been finalized.

## TUNISIA

The CCC supported the Tunisian Competition Council to host the 5th Arab Competition Forum by sponsoring the attendance of representatives from competition authorities from Comoros, Egypt, Libya, Sudan, Somalia and Djibouti. The workshop was organised in collaboration with the United Nations Economic and Social Commission for Western Asia (UN-ESCWA).

The CCC also had side discussions on the MOU signing with Tunisia Competition Council and the Ministry of Trade and Export Development of Tunisia on the sidelines of the 5th Arab Competition Forum in Tunisia. The MoU is expected to be signed in 2025.



The CCC Chief Executive Officer delivered remarks during the Competition Forum



## ZAMBIA



CCPC officials attached to the CCC, from left to right, Ms Tabita Chola (attached to the Legal Services and Compliance Division), Ms Clara P. Kalanangwa (Attached to the Competition Division, Mergers), Ms Chisanga Chanda (Attached to the Competition Division, Enforcement)

The CCC assisted the Competition and Consumer Protection Commission (CCPC) by attaching its three members of staff at the CCC in Malawi for four and half months. The objective of the secondment was to enhance the CCPC's understanding of regional enforcement of competition and consumer protection laws. In this regard, two Officials were seconded to the Competition Division and one official to the Legal Division.

## ZIMBABWE

The CCC provided technical assistance to the Competition and Tariff Commission (CTC) in co-hosting the training of Judges in Zimbabwe in July 2024. The Judges from various courts including the High, Constitutional, and Supreme Courts were trained in competition law enforcement.



# ENGAGEMENT WITH RELEVANT STAKEHOLDERS

## THE COMMONWEALTH SECRETARIAT:

The CCC facilitated the provision of technical assistance to the Rwanda Inspectorate, Competition and Consumer Protection Authority (RICA) with assistance from the Commonwealth Secretariat. The Commonwealth Secretariat funded the engagement of a consultant to develop five Guidelines for RICA which have since been finalized, stakeholder consultation undertaken and submitted to RICA.

## THE FIDELIS LEADERSHIP INSTITUTE

In March 2024, the CCC signed an MOU with the Fidelis Leadership Institute (FLI). FLI is a training institution based in Uganda that offers a comprehensive range of training programs and resources aimed at nurturing leaders in character, skills, and visionary leadership. The MOU aims to establish a framework for collaboration between the CCC and FLI in conducting competition and consumer protection training programs, share expertise, and enhance knowledge in competition and consumer protection. Following the signing of the MoU, the CCC and FLI partnered in May and November in providing training and sensitization on competition and consumer protection laws to different stakeholders in Uganda and East Africa respectively. The CEO of the CCC is the current patron of FLI.

## THE SHAMBA CENTRE FOR FOOD AND CLIMATE

In February 2024, the CCC signed a Cooperation Framework Agreement with the Shamba Centre for Food and Climate (The Shamba Centre). The Shamba Centre is a non-governmental organization dedicated to ending hunger by disrupting the global food systems and empowering small and medium-sized agrifood enterprises. The Shamba Centre strives to foster fair and efficient markets and support governments to better enforce and reform competition law and policy to make agricultural and food markets more flexible, less concentrated, and more diversified. The purpose of the MoU is to jointly collaborate on competition and consumer protection matters among other things mainly in the agricultural and food markets. Following the signing of the MoU, the CCC worked with the Shamba Centre in conducting post-merger analysis of some mergers in the agriculture market.

## UNITED STATE FEDERAL TRADE COMMISSION

The CCC worked closely with the United States Federal Trade Commission (USFTC) in holding the 2024 Case Handlers Workshop in June which was attended by more than 70 case handlers from across different COMESA Member States and African Competition Forum members. It is worth noting that the USFTC funded part of this workshop.



## EAST AFRICAN COMMUNITY COMPETITION AUTHORITY



Officials from CCC and EACCA during the negotiation of the MoU and MoU Implementation Plan

The CCC held a meeting with the East African Community Competition Authority (EACCA) in October 2024 to conclude the MoU negotiations and developed the MoU Implementation Plan. The two institutions have concluded the negotiations, and it is envisaged that the MoU would be signed in 2025.





# CAPACITY BUILDING

## REGIONAL CASE HANDLERS

Under the Strategic Issue, 'Strengthening Enforcement', the CCC holds an annual regional programme for case handlers from National Competition and Consumer Agencies to enhance and strengthen their capacity to enforce the Regulations and their national competition laws. The programme is crucial to ensuring that the CCC and the NCAs have adequate skills and tools to prevent, detect and prohibit anti-competitive conduct at both national and regional level thereby contributing to the regional integration imperative. In this respect the CCC held trainings for both competition and consumer protection case handlers in the period under review.

In partnership with the United States Federal Trade Commission (USFTC) the CCC held the case handlers' workshops in June 2024 in Kigali, Rwanda. The training was attended by more than 70 case handlers from nineteen (19) of the twenty-one (21) Member States that is Burundi, DRC, Comoros, Djibouti, Egypt, Ethiopia, Eswatini, Kenya, Libya, Malawi, Madagascar, Mauritius, Rwanda, Seychelles, Sudan, Tunisia, Uganda, Zambia, and Zimbabwe and members of the African Competition Forum such as Namibia, Mozambique and Cape Verde. The participation of non-COMESA Member States underscores the important work that the CCC is undertaking in ensuring competitive markets not only in COMESA but beyond. We are mindful that anti-competitive markets elsewhere, would have effects in our own markets in COMESA due to the interconnections of markets in Africa and globally. The first three days of the workshop consisted of parallel competition and consumer protection workshops while the last 2 days were dedicated to the training facilitated by the United States Federal Trade Commission (US FTC) on digital platforms.



Facilitators and Participants in the 2024 Case Handlers Workshop

# ADVOCACY AND STRATEGIC COLLABORATION

The strategic issue on advocacy and strategic collaboration, aims to create a competition culture in the Common Market through enhancing the visibility of the CCC and increasing public awareness on the benefits of competition and competition law enforcement within the Common Market. The CCC's approach is to engage various stakeholders within the Common Market which include National Competition Authorities, the business community, consumer groups, business reporters, Judges, the legal fraternity and other stakeholders. The CCC also engages stakeholders outside the Common Market such as international organization dealing with competition and consumer matters. In 2024, the CCC implemented the following activities under this Strategic Issue:

## BID RIGGING WORKSHOP

The CCC in collaboration with the United States Department of Justice (USDoJ), held a bid Rigging Workshop in February 2024 in Eswatini.

The workshop's objective was to raise awareness on preventing bid rigging at the planning and design stage of tenders, detecting and reporting suspected bid rigging and investigating cases of bid rigging in public procurement. The workshop's participants were drawn from 13 Member States, Eswatini Public Procurement Regulatory Agency, COMESA Institutions and the Eswatini Ministry of Commerce, Industry and Trade.



Facilitators and participants in the Bid rigging Workshop

## WORLD CONSUMER RIGHTS DAY ACTIVITIES

The CCC joined the rest of the world in commemorating the World Consumer Rights Day by undertaking various activities. The CCC published a documentary in line with the theme 'Fair and responsible Artificial Intelligence for consumers' which was aired on both conventional and social media; held social media Campaigns and a virtual workshop involving different actors from the Member States. The virtual workshop brought together over 40 officials from competent authorities enforcing consumer protection laws across the Common Market as well as consumer bodies.

## RESEARCH WORKING GROUP

The CCC established the Research Working Group in 2022. The main purpose of the working group is to strengthen collaboration and coordination on research and market inquiries in the Common Market. In May 2024, a meeting was held for Heads of Competition, Consumer Protection and Competent Authorities and their researchers to discuss research undertaken by the CCC as well as the Member States. The meeting also provided capacity building for the researchers and sharing experiences in research, advocacy and undertaking of market inquiries. The meeting also discussed matters relating to the AfCFTA Protocol on Competition Policy. One of the outcomes of the Research Working Group was that Member States agreed to develop a common position on the negotiations of the competition Regulations under the AfCFTA Competition Protocol. Such a common position has since been taken up by the COMESA Member States.

## COMESA CONSUMER PROTECTION COMMITTEE

The COMESA Consumer Protection Committee, which was operationalized in 2021 comprises of Consumer Agencies from all the Member States and some Consumer Associations. The key focus and deliverables of the Committee is sharing information and experiences on topical consumer issues including those relating to product safety and information standards in the Common Market. In the period under review, the COMESA Consumer Protection Committee had virtual meetings for the Working Groups on education curriculum and consumer protection model law in November 2024.

The working group on education curriculum is in the process of developing training modules on consumer protection to be used by the Member States to train and promote the level of awareness on consumer protection among consumers, business community, government agencies, and other relevant stakeholders in the Common Market. The Working group on consumer model law developed a draft model law which will serve as a template or set of best practices that can be used to guide the Member States in drafting, amending and implementing their national consumer protection laws and policies. During the virtual meetings, the working group members discussed and gave input into the draft documents prior to them being presented to the COMESA Consumer Protection Committee for adoption. Both drafts of the education curriculum and the consumer model law are expected to be adopted by the COMESA Consumer Protection Committee in Mauritius in 2025.

## PRESS CONFERENCE

The CCC held its second press briefing in August 2024. The press briefings are aimed at informing the Member States and different stakeholders on the key enforcement decisions and achievements of the CCC made during the year. They are also a soft enforcement tool through advocacy and sensitization on the requirements of the COMESA Competition and Consumer law. The press briefings are attended by journalists and other stakeholders from within and outside the COMESA region.



## BUSINESS REPORTERS WORKSHOP

The CCC conducted the 8th regional annual sensitization workshop for the business journalists' who are also members of the COMESA Business Reporters Forum (COMBREF) in Livingstone, Zambia in August 2024.

The sensitization workshop attracted over 25 participants from print and broadcasting media. During the sensitization workshop, the CCC awarded the winners of the First CCC's Journalist Writing Competition on competition and consumer protection matters and launched its second writing competition for journalists. The Award is called the 'George Lipimile Award of Excellence', named after the first Chief Executive Officer of the CCC as he was the pioneer and founder of the COMBREF to which he continues to provide support.



In the Centre is the Chief Executive Officer of CCC and on his right is the former Chief Executive Officer during the award giving ceremony for the winning journalists

## DIPLOMATIC CONFERENCE

The CCC held its fourth Diplomatic Conference on Competition and Trade in August 2024 in Livingstone, Zambia under the theme 'Enforcing Competition Law to Address Food Inflation, Food Security and Eradicate Poverty'. The meeting was attended by ambassadors who are permanent representatives to COMESA from 13 COMESA Member States. The meeting was also attended by the Secretary General and Assistant Secretary General of COMESA. Various topical issues were discussed including the need for Governments to implement policies that do not stifle competition and the well-functioning of markets as these could hinder economic development.

The CCC emphasized the role that Ambassadors could play in supporting the enforcement of competition law and the regional integration agenda in the region as they report back to their capitals. The Ambassadors noted their role in supporting the enforcement of competition law at the national and regional level as well as the various initiatives undertaken in this respect. The CCC also took this opportunity to disseminate the research findings regarding the food and agricultural markets to the ambassadors. The research identified several concerns in this sector. Some of the concerns were a consequence of firm conduct but some were a consequence of well-intended government policies but resulting in unintended outcomes. The CCC expects that the ambassadors will assist to take this information to their capitals for consideration and potentially drive policy change.





Diplomats that took part in the CCC Fourth Diplomatic Conference, seated in the centre is Her Excellency Miss Chileshe Mpundu Kapwepwe, Secretary General of COMESA, on her right is Ms Lilian Bwalya, Permanent Secretary, Ministry of Commerce, Trade and Industry and on her left is Ambassador Dr Mohamed Kadah, Assistant Secretary General Programmes

## COMESA REGIONAL JUDGES TRAINING

The CCC held its third Regional Judges training workshop in October 2024 in Mauritius. The purpose of the meeting was to raise awareness on the enforcement of competition and consumer protection laws among Judges in the region. The workshop was attended by Judges from 15 Member States and Chief Justices from Comoros and DRC also attended the meeting while Deputy Chief Justices from Kenya, Malawi, Zambia, and Zimbabwe attended the meeting together with other senior Judges from the Member States. The Judges noted the importance of competition law in economic development and the role of various stakeholders including the Judiciary. There was commitment from the Judges to be an important stakeholder in contributing to the regional integration agenda through the utility of competition and consumer law tool.



Honourable Maneesh Gobin, Attorney General and Minister of Foreign Affairs, Regional Integration and International Trade, Mauritius (centre), Chief Justices, Deputy Chief Justice and other Senior Judges attending the Regional Judges Workshop



## LAWYERS TRAINING

The CCC undertook training for the lawyers in Mauritius. The training was held in collaboration with the Competition Commission (Mauritius) under the theme 'Enhancing Law Practitioners' Understanding of Competition Law'. The meeting was aimed at raising awareness among legal practitioners on competition law enforcement, institutional arrangements at national and regional levels as well as how the different institutions interact. The meeting also discussed emerging issues in competition law enforcement and noted the need for continued training and engagement between lawyers and enforcers.

## LECTURES AT UNIVERSITIES IN THE COMESA REGION



Students at the University of Mauritius attending the lecture facilitated by the CCC and Competition Commission (Mauritius) in partnership with the University's Faculty of Economics

The CCC conducted public lectures at three universities; that is the University of Mauritius, University of Zambia and University of Zimbabwe. The aim of the public lectures is to raise awareness on competition and consumer matters among students so that they can consider it as an area of specialization. The Commission will continue conducting public lectures at Universities in the Common Market.

## WORLD COMPETITION DAY

The CCC joined the rest of the World in commemorating World Competition Day which is held on 5th December every year. The 2024 World Competition Day was commemorated under the theme 'Competition Policy and Inequality'. The CCC commemorated the day in collaboration with the Consumer Unit and Trust Society and the United Nations Conference on Trade and Development.



## CORPORATE SOCIAL RESPONSIBILITY

The CCC donated various items to Zoe Orphanage in Malawi. This was done as part of the CCC's ongoing Corporate Social Responsibility programme where various items are donated to different organisations. The CCC is mindful that working closely with the community in which it operates is important in drawing the attention of those communities to the work that the CCC does. Such initiatives bring the CCC closer to the people. Such interactions are indispensable to the well-being of not only the CCC but of those communities as well.

## INTERNATIONAL COOPERATION, OUTREACH AND NETWORKING

In 2024, the CCC implemented and took part in several international and regional activities for purposes of international cooperation, outreach and networking. These included the following:

### AFRICA HEADS OF COMPETITION AUTHORITIES DIALOGUE

The CCC participated in the Africa Heads of Competition Authorities Dialogue which was held in March 2024 in Mauritius. The meeting discussed topical issues in competition enforcement. The main issues of discussion during the meeting included enforcement of competition in agriculture and food markets as well as digital markets.

### BOWMAN'S 12TH AFRICAN COMPETITION LAW CONFERENCE

The CCC attended the Bowmans 12th African Competition Law Conference, which was held in Nairobi in February 2024. The meeting aimed to discuss topical issues in the enforcement of competition and consumer protection laws across the globe. The CCC took part as speakers in the meeting.

### PACIFIC ISLANDS MEETING OF COMPETITION CONSUMER AND ECONOMIC REGULATORS (PINCCER):

The CCC attended and delivered a keynote address at the PINCCER. The workshop was held on in February 2024 in Tahiti, Faa'a, French Polynesia. Pacific Island nations are in the process of developing a Pacific Island network as a platform of cooperation. In view of this, the CCC was invited to share its experience on the regional regulatory framework which includes the COMESA Treaty and the COMESA Competition Regulations.

### BRICS: INTERNATIONAL WORKSHOP ON THE GLOBAL FOOD VALUE CHAINS: FOCUS ON THE GLOBAL GRAIN TRADE

The CCC attended and participated in a workshop on the Global Food Value Chains focusing on the Global Grain Trade held in February 2024. The main objective of the workshop was for the BRICS competition authorities to share experiences and academics to discuss how a more active and holistic application of competition law principles could help to bring forward a more sustainable and pro-competitive solution for the global grain trade regulation. The Commission's participation aimed at sharing its own experiences and enhancing its visibility.

### INTERNATIONAL CONSUMER PROTECTION AND ENFORCEMENT NETWORK (ICPEN)

The CCC participated in the International Consumer Protection and Enforcement Network (ICPEN) Annual Conference held in Poland in May and in September in Washington D.C in 2024 where it shared its experiences on enforcement activities in consumer protection.



The Chief Executive Officer, Dr Willard Mwemba (second left) and the Director Consumer Welfare and Advocacy (far right) attending the ICPEN Meeting in Poland

The Commission also took part in various virtual meetings organised by ICPEN on different consumer related matters. The ICPEN events presented the Commission team with an opportunity to share experiences on the enforcement of consumer laws and also learn from other Agencies' experiences as well as networking leading to the development of collaborative strategies.

## INTERNATIONAL COMPETITION NETWORK ANNUAL GENERAL CONFERENCE

The CCC, attended and participated at the ICN Annual Conference held in Sauipe Brazil in May 2024. The Commission continued to promote the ICN Special project on Competition Concerns in Agriculture and Food Markets ("ICN Special Project") which among other things discusses the competition concerns in agriculture and food markets, with a focus on developing countries and how they are being addressed in various jurisdictions. The CCC took part in different sessions including on Competition enforcement in Agriculture and Food Markets and reflections on pro-active research, monitoring, and price observatories.

## FIFTH ARAB COMPETITION FORUM.

The CCC partly funded, attended, and participated in the Fifth Arab Competition Forum organised by UNESCWA, in collaboration with UNCTAD, OECD, and the Tunisian Competition Council (TCC) pursuant to the MOU between the CCC and UNESCWA. The two-day event provided a common channel for advancing knowledge and best practices in competition and facilitating coordination and collaboration at the national, regional, and international levels. The CCC also participated as a judge in the Competition between students at Arab Universities, organized by UNESCWA and the Competition Council of Tunisia for which the winner was announced during the Forum in Tunisia on 22 May 2024.

## EURASIAN ECONOMIC FORUM

The CCC undertook a visit to the Eurasia Economic Commission in June 2024 with the view of sharing experiences on the enforcement of competition and consumer protection laws by the two regional enforcement institutions. The institutions discussed matters of mutual interest and how to further the collaboration between the two institutions as well as other institutions within the Eurasia Economic Union such as those responsible for advancing consumer protection matters.

## MEETING FOR REGIONAL ECONOMIC COMMUNITIES

The CCC took part in the second meeting for the competition authorities of Regional Economic Communities which was held in October 2024 in Ivory Coast. The meeting was attended by competition authorities from the West African Economic and Monetary Union (WAEMU), ECOWAS Regional Competition Authority (ERCA) and the East African Community Competition and Consumer Protection Authority (EACCA). The purpose of the meeting was to discuss the status of implementation of the agreed areas of collaboration from the first meeting as well as agree on the development of a cooperation framework among the authorities. The meeting agreed to continue its cooperation and established a committee that would be chaired by the CCC to drive the activities.

## OECD MINISTERIAL COMMITTEE MEETING ON CONSUMER PROTECTION



Her Excellency, Miss Chileshe Mpundu Kapwepwe, Secretary General of COMESA during the OECD Ministerial Meeting



Dr Willard Mwemba, CEO of the CCC during the OECD Ministerial Meeting

The CCC took part in the first OECD Ministerial Committee Meeting on Consumer Protection held in October 2024 in Paris. The CCC took part in the meeting with the Secretary General of COMESA. The CCC and the Secretary General took part as speakers in various sessions including consumer protection and economic development, green energy transition, protecting and empowering consumers in the digital transition, and addressing new consumer product safety risks in a fast-evolving and global marketplace.

## ACER WEEK

The CCC took part in the 9th Competition Authority of Kenya Symposium and the 11th Annual Competition and Economic Regulation Week which was held in October 2024 in Nairobi, Kenya. Members of staff of the CCC took part as facilitators and moderators in various sessions. The CCC also sponsored the attendance of various representatives from the Member States to attend the training.





Mr Steven Kamukama, Director Consumer Welfare and Advocacy and Mr Boniface Makongo, Director Competition took part as facilitators during the training

## ACF CARTELS WORKSHOP

The CCC took part in the African Competition Forum Cartels Workshop which was held in October in South Africa. The CCC also sponsored the attendance of officers from some of the Member States such as Malawi and Zimbabwe.

## INTERNATIONAL COMPETITION NETWORK (ICN) MERGER WORKSHOP

The CCC took part in the 2024 ICN Mergers Workshop which was held in November in Taiwan. The workshop offered an opportunity for competition authorities (NCAs) and non-governmental advisors (NGAs) to discuss and exchange experiences on topical merger issues, including potential/dynamic competition, innovation, theories of harm in both horizontal and non-horizontal mergers as well as other non-price parameters of competition. The workshop also discussed various hypothetical cases to elaborate on draft Merger Working Group products and discuss, among other topics, procedural aspects of merger investigations

## AFRICA -EU WEEK

The CCC took part in the Africa-EU Week on Competition Policy organised jointly by the College of Europe and the European Commission in September 2024. Officers from the CCC took part in various sessions and shared their experience on regional enforcement of competition law.

## COMPETITION COMMISSION OF SOUTH AFRICA, 18TH ANNUAL CONFERENCE ON COMPETITION LAW, ECONOMICS AND POLICY CONFERENCE.

The CCC took part in the CCSA 18th Annual Conference on Competition Law, Economics and Policy Conference which was held in September. The CCC staff took part as panellists on collaboration and co-operation between the CCC and the Competition Commission of South Africa (CCSA) on case specific cooperation, capacity building, through the African Competition Forum and International Competition Network (ICN) Special Project on Agriculture and Food Markets.

## OECD GLOBAL FORUM ON COMPETITION



The Chief Executive Officer Dr Willard Mwemba (centre) Chairing one of the sessions during the Meeting

The CCC took part and chaired a session in the OECD Global Forum on Competition held in December 2024. The CCC also shared its experience in competition law enforcement.

## JOINT COMESA/COMESA INSTITUTIONS AND THE COMESA COMPETITION COMMISSION'S PROGRAMS

The CCC as one of the COMESA Institutions in accordance with Article 175 (1) of the COMESA Treaty is required to consider the objectives, policies, programmes and activities of the Common Market during implementation of the Regulations. As provided under Article 175 (2) of the COMESA Treaty, the CCC and the COMESA Secretariat are expected to maintain a continuous working relationship which is meant to further the implementation of the COMESA Treaty and make cooperation arrangements to this effect. Additionally, pursuant to Article 175 (3) of the COMESA Treaty, the CCC is required to submit annual progress reports to the COMESA Council of Ministers on its activities. In view of this, in 2024, the CCC undertook the following activities under the framework of joint COMESA and COMESA Institutions programs and as part of its Corporate Governance responsibility to report to the Council:

### COMESA INVESTMENT FORUM

The CCC took part in the COMESA Investment Forum organized by the Regional Investment Agency in June in Tunisia which was held under the theme 'Unleashing Potential: Cross-Border Trade and Investments in COMESA'. The CCC represented by the Chief Executive Officer took part in the session on 'Financing and Facilitating COMESA Trade and Investment' where it highlighted its role in facilitating trade and investment in COMESA.





The Chief Executive Officer of CCC (far right) taking part in the RIA Meeting.

## COMESA SUMMIT AND COMESA BUSINESS FORUM

The CCC participated in the 17th COMESA Business Forum held in October 2024 where it took part in a Pannell discussion on COMESA Institutions Facilitating Regional Integration. The CCC highlighted its mandate and how it aids in ensuring free and liberalized trade in the Common Market.

## COMESA SENSITISATION WORKSHOP



Mr Boniface Makongo standing on the far right, representing the Chief Executive Officer at the COMESA Sensitisation workshop.

The CCC took part in the COMESA Sensitization Awareness workshop held in April, 2024 in Mauritius. The Workshop which was organized by the COMESA Secretariat brought together various COMESA institutions. The purpose of the Workshop was to enable the various COMESA institutions re-apprise themselves on each other's mandates and key focus activities for 2024. The Workshop also provided a forum for appreciating



the challenges and opportunities of trading within the Common Market. The CCC's presentation focused on the key cases handled in the recent past as well as the research undertaken under the African Market Observatory.

## **COMESA TWENTY SEVENTH MEETING OF THE LEGAL AFFAIRS AND THE 45TH INTERGOVERNMENTAL COMMITTEE MEETINGS**

The CCC participated at the Twenty eighth Meeting of the Committee on Legal Affairs and the Twenty-Seven Meeting of COMESA Ministers of Justice and Attorneys General held in November respectively and the 45th Intergovernmental Committee meeting held in November 2023. The 45th COMESA Council of Ministers meeting held in November considered and approved, the CCC Staff Rules and the 2025 Regular Budget of the CCC. On the sidelines of the meetings, the CCC also took part in the commemoration of COMESA Secretariat's 30th Anniversary where the Chief Executive Officer took part in a panel discussion with other Chief Executive Officers of COMESA Institutions.

# INSTITUTIONAL STRENGTHENING

To strengthen its operations, the CCC builds the capacity of both the Board of Commissioners and its staff. The CCC's ultimate success in implementing its mandate significantly relies on the recruitment, training, and retention of talented and competent staff. As such, in the period under review, the CCC undertook the following activities under institutional strengthening:

## ORGANIZATIONAL CAPACITY FOR THE CCC

The CCC implemented the following activities aimed at enhancing its capacity:

### REVIEW OF THE ORGANISATIONAL STRUCTURE

The CCC reviewed its organisational structure to ensure it supports the implementation of its mandate. The reviewed organisational structure is intended to enhance the effective and efficient implementation of the CCC's mandate.

### RECRUITMENT

In 2024, the CCC staff complement was boosted by two personnel, namely Mr Boniface Makongo as Director Competition, who joined on 1 February 2025 and Mr Griven Stasion Kangwa as the Principal Legal Officer, The CCC further engaged three temporary Officers i.e. the Documentation Officer under the Office of the Registrar and, the Finance Assistant and Administration Assistant under the Corporate Services Division.



Mr Boniface Makongo, Director Competition



Mr Griven S. Kangwa, Principal Legal Officer

## FAREWELL

In 2024, the CCC bid farewell to two of its staff members in the Competition Division, i.e. Ms. Siboniselizulu Maseko, who worked as Principal Competition Analyst and Ms. Sandya Booluck who worked as Principal Merger Analyst. The Commission wished the two Officers well in their next professional chapters.



Ms Siboniselizulu Maseko



Ms. Sandya Booluck

## TRAINING OF STAFF

The CCC undertook training for its members of staff as follows:

### ARTIFICIAL INTELLIGENCE IN MARKETING – PERSONALIZED MARKETING AND CUSTOMER ANALYSIS.

The course was offered by Eastern and Southern Africa Management Institute (ESAMI) and took place from Jul 29, 2024, to Aug 9, 2024, in Mombasa Kenya. The course enabled officers charged with enforcement of consumer protection provisions to understand how Artificial Intelligence (AI) works, and how businesses use this technology to interact with the consumers. The course also helped identify grey areas in AI marketing which may infringe on the rights of consumers, possibly breach the Regulations and which may require regulatory intervention. Among the topics covered during the course included Ethical considerations in AI marketing; Consumer pain points and opportunities in AI Marketing; Customer Analysis using AI; and AI driven customer segmentation.



## ACER WEEK



Mr Griven S. Kangwa, taking part in the ACER Week and CAK symposium

Staff of the CCC took part in the Annual Competition and Economic Regulation (ACER) Week and Competition Authority of Kenya Annual Symposium held in Nairobi, Kenya.

## CRESSE SUMMER SCHOOL AND LAWYERS TRAINING

CCC staff took part in the 18th Annual Competition and Regulation Summer School and Conference (CRESSE) on competition policy and regulation which was held from 29 June to 10 July 2024, in Crete Island, Greece. The Course, among others, covered modules such as recent developments in competition policy; competition policy and intellectual property rights; market definition and assessment of market power; data and competition policy; cartel screening, techniques and methods; collusive practices; dominance and its abuse; and economics of mergers and vertical mergers.

## COMPETITION POLICY AND LAW IN INTRA AFRICA TRADE TRAINING BY EASTERN AND SOUTHERN AFRICAN MANAGEMENT INSTITUTE (ESAMI)

CCC staff took part in the training on competition policy and law in intra Africa training conducted by the Eastern and Southern African Management Institute (ESAMI). The primary focus of the training was to inculcate the necessary knowledge and skills to deal with the issues relating to anticompetitive agreements, abuse of dominance, exclusion as well as exploitative practices, enforcement of competition law against anticompetitive agreements and addressing bottlenecks to competition enforcement in Africa. The training examined competition regimes from a policy and legal perspective. It also reviewed the rationale behind the setting up of competition policy institutions at national, regional and international levels. Further, it also considered cooperation in the sphere of competition law and policy, in combating anti-competitive practices as well as enforcement of competition policies and laws.

## OTHER TRAININGS

CCC staff also took part in various trainings relating to ICT, Finance and administration.

## ENSURING ROBUST ICT INFRASTRUCTURE

### Electronic Case Management System

The CCC is in the process of developing and implementing an Electronic Filing Case Management System and has engaged a quality assurance firm to manage the project. The firm commenced its work and assisted the CCC in mapping its internal flow of information, analysed the systems, IT infrastructure needs and developed a road map on the 'to be' processes. Going forward the firm shall assist the Commission in sourcing and selecting suitable software and hardware solutions for the system and have supervision of the project during implementation of the system.

### CCC Payroll Management System

In the period under review, the CC issued a request for proposals inviting service providers to assist the CCC to enhance its payroll system. The CCC finalised the selection process of the service provider and the project is expected to be implemented in 2025.

### Sunflow System

In view of automating the financial and administration processes, the CCC embarked in a scoping exercise and analysis the workflow process. The implementation of the system is expected to commence in 2025.









# TRANSCENDING INTO THE FUTURE

In the coming year, the CCC's focus will be reviewing and drafting its 2026-2030 Strategic Plan as the current strategic plan will expire in December 2025. The year 2025 will therefore be important for the CCC to reflect on the 2021-2025 Strategic Plan, identifying those issues that are pending and possibility of implementation prior to December 2025. The CCC will also identify the challenges it faced in the implementation of the 2021-2025 Strategic Plan and identify solutions to avoid the repetition of these challenges in the implementation of the 2026-2030 Strategic Plan.

In the year 2025, the CCC will focus on cartels. The CCC is aware that there could be a number of cartels operating in the Common Market which have not been detected, investigated and successfully prosecuted due to the complexities and covert nature of cross-border cartels. The Commission is aware that cartels cause the worst harm to markets compared to any other anti-competitive conduct. The Commission commenced investigations on cartels in 2024 and will heighten efforts and vigour in 2025. The CCC notes that for regional integration to be achieved, there is need to get rid of all forms of anti-competitive practices that prevent the well-functioning of markets and trade. The CCC will also direct its attention to promoting and safeguarding of the welfare of consumers especially in problematic sectors that it has identified through its market intelligence like the aviation sector, digital markets and product safety concerns.

The CCC is concerned that consumers are facing various challenges in the aviation sector relating to the conduct of airlines with regard to their interactions with passengers. This is based on the various complaints received and monitoring of the market through surveys undertaken by the CCC in the reporting year. The conduct of firms in the digital markets has also been concerning as there is anecdotal evidence that these firms are treating consumers unfairly in a manner that is unconscionable. The Commission has also observed a proliferation of unsafe products in the Common Market which may be hazardous to the consumers. The CCC will therefore enhance its enforcement actions in these areas of concern to ensure that consumers are well protected and do not lose confidence in the market, a situation that has the potential of depressing markets.


Research continues to play an important role in the enforcement of competition and consumer protection laws and in influencing policy across the region. In this regard, the CCC will continue undertaking research in the agriculture and food markets, focusing on the sugar and the poultry markets in 2025, to understand the competition and consumer welfare dynamics. This will assist the CCC in designing appropriate interventions to address observed concerns.

The CCC will continue to provide technical assistance to Member States to cover areas such as development of legal instruments, policies, guidelines, procedures, capacity building and sensitisation of various stakeholders. Capacity building is an ongoing activity as there is need to continuously train officials of national competition, consumer protection and competent authorities of Member States at national and regional level to ensure they remain abreast with developments in competition and consumer protection law enforcement.

The CCC is aware that advocacy is important in enhancing its visibility and as such will continue with its advocacy initiatives as well as forging strategic partnerships with national, regional and international stakeholders for effective enforcement of competition and consumer protection law. Notably, the CCC intends to cooperate and collaborate with other Regional Competition Authorities in and outside Africa in advancing competition law enforcement in Africa and therefore, support the call for an integrated continent. Enhanced visibility is important as the more aware stakeholders are of the CCC's work, the easier it becomes to identify and investigate anti-competitive conduct.

In conclusion, the CCC is optimistic that the amended Regulations and Rules will be approved by the relevant authorities in the COMESA structures. The amendments to the Regulations are expected to address some of the emerging issues as well as challenges encountered in the enforcement of the current Regulations over the years.





# MANAGEMENT ACCOUNTS FOR 2024



## CHIEF EXECUTIVE OFFICER'S COMMENTARY

1. The Chief Executive Officer of the COMESA Competition Commission ("the Commission") presents his commentary on the financial performance of the Commission for the year ending 31 December 2024.
2. The COMESA Competition Commission Financial Rules (2023) in Rule 6 (2) designates the Chief Executive Officer as the Chief Accounting Officer of the Commission responsible to the Council through the Board for the proper administration of the funds of the Commission.
3. The Management Accounts comprise the Statement of income and expenditure, Statement of financial position, Statement of changes in accumulated funds, Statement of cash flows, and explanatory notes to the amounts in the statements mentioned.
4. These Management Accounts combine the results of activities carried out with funding from both Member States (Regular Budget) and the Commission's self-generated resources (Operating Budget) as provided for in the Regulations and Rules. The Management Accounts provide a complete overview of the finances of the Commission for the financial year 2024. This includes information on the financial position of the Commission, its operations during the year, movements in the accumulated funds and reserves, its cash flows as well as the financial commitments and obligations of the Commission.
5. One of the key highlights of the 2024 Management Accounts is the strong financial position, which is backed by the very liquid asset of cash. The Commission has a strong cash position of USD 25.2 million, which is backed by accumulated funds and reserves of USD 18.3 million. The cash balances increased by USD 1.75 million from USD 23.4 million to USD 25.2 as a result of increased merger notifications.
6. The Office Building and Competition Law Training Center project commenced in 2024, and payments have been made on the project amounting to USD 221,803 relating to the design of the building. These payments have reduced the original balance on the Building reserve from USD 6,000,000 to USD 5,778,197 as of 31 December 2024.
7. The operations of the Commission for the year 2024 resulted in a deficit of USD 1.27 million, primarily due to the recognised low merger fees revenue of USD 2.8 million despite the Commission collecting a record USD

8 million during the year. This is because the Commission does not recognise revenue when the money is received but rather when a case is decided pursuant to the guidance of the external auditors in the audit report for the year ending 31 December 2020. In this case, USD 2.4 million of the USD 8 million collected will be recognised as revenue in 2025. This is a result of the majority of cases being notified towards the end of the year 2024. The USD 2.4 million can be seen as a significant increase in unearned revenue for merger fees in the balance sheet. Interest income slightly increased from USD 1.1 million to USD 1.3 million.

8. Other contributing factors to the deficit are:

8.1. the significant increase in program expenses, which have gone up by USD 0.8 million (explanations have been provided in the notes to the management accounts); and

8.2. the loss of USD 0.33 million on disposal of the old parcel of land

9. The detailed Management A-ccounts are presented in the next section.

A handwritten signature in black ink, appearing to be "DM", followed by a colon.

**Dr. Willard Mwemba**  
Chief Executive Officer

- MANAGEMENT ACCOUNTS -

## STATEMENT OF FINANCIAL POSITION IN UNITED STATES DOLLARS AS AT 31 DECEMBER 2024

	Notes	Unaudited 2024	Audited 2023	Audited 2022
<b>ASSETS</b>				
Capitalised software		6,669	6,669	6,669
Equipment	6	492,170	592,489	617,054
Amounts due from related parties	7	-	-	2,173,202
<b>Total non-current assets</b>		<b>498,839</b>	<b>599,158</b>	<b>2,796,925</b>
Inventory		11,098	-	-
Receivables	8	234,702	368,312	4,626
Related parties	7	3,425	5,744	-
Cash and cash equivalents	9	25,193,677	23,442,784	23,350,638
<b>Total current assets</b>		<b>25,442,902</b>	<b>23,816,840</b>	<b>23,355,264</b>
<b>TOTAL ASSETS</b>		<b>25,941,741</b>	<b>24,415,998</b>	<b>26,152,189</b>
<b>FUNDS AND RESERVES</b>				
Accumulated funds		12,560,824	13,617,933	19,537,762
Building reserve		5,778,197	6,000,000	-
Revaluation reserves		-	-	3,145
<b>Total funds and reserves</b>		<b>18,339,021</b>	<b>19,617,933</b>	<b>19,540,907</b>
<b>LIABILITIES</b>				
Related parties		-	2,696	5,312
Payables	10	6,918,004	4,142,612	6,007,158
Deferred revenue Member States	11	684,716	652,757	598,812
<b>Total current liabilities</b>		<b>7,602,720</b>	<b>4,798,065</b>	<b>6,611,282</b>
<b>TOTAL FUNDS, RESERVES AND LIABILITIES</b>		<b>25,941,741</b>	<b>24,415,998</b>	<b>26,152,189</b>



- MANAGEMENT ACCOUNTS -

## STATEMENT OF INCOME AND EXPENDITURE IN UNITED STATES DOLLARS FOR THE YEAR ENDING 31 DECEMBER 2024

		Unaudited <u>2024</u>	Audited <u>2023</u>	Audited <u>2022</u>
	<i>Notes</i>			
<b>Total Income</b>	<b>1</b>	<b>3,735,291</b>	<b>3,830,068</b>	<b>5,509,953</b>
<b>Expenditure</b>				
Programme expenses	2	(3,175,832)	(2,275,089)	(1,488,622)
Staff costs	3	(2,246,771)	(2,027,325)	(2,219,887)
Administrative expenses	4	(263,856)	(317,692)	(87,462)
Operational expenses	5	(151,666)	(162,174)	(74,173)
Disposal of assets		(337,486)	558	288
Depreciation	6	(100,551)	(88,852)	(74,153)
<b>Total Expenditure</b>		<b>(6,276,162)</b>	<b>(4,870,574)</b>	<b>(3,944,009)</b>
Interest received from investments		1,261,959	1,117,532	621,586
<b>(DEFICIT)/SURPLUS</b>		<b>(1,278,912)</b>	<b>77,026</b>	<b>2,187,530</b>

- MANAGEMENT ACCOUNTS -

## STATEMENT OF ACCUMULATED FUNDS IN UNITED STATES DOLLARS FOR THE YEAR ENDING 31 DECEMBER 2024

	Revaluation reserve	Building Reserve	Accumulated Funds	TOTAL
Balance at 1 January 2023	3,145	-	19,537,762	19,540,907
Profit for the period	-	-	77,025	77,025
Transfer to building reserve	-	6,000,000	(6,000,000)	-
Amortisation of revaluation reserve	(3,145)	-	3,145	-
<b>Balance at 31 December 2023</b>	<b>-</b>	<b>6,000,000</b>	<b>13,617,932</b>	<b>19,617,932</b>
<b>Balance at 1 January 2024</b>	<b>-</b>	<b>6,000,000</b>	<b>13,617,932</b>	<b>19,617,932</b>
<b>Deficit for the period</b>	<b>-</b>	<b>-</b>	<b>(1,278,912)</b>	<b>(1,278,912)</b>
<b>Transfer to accumulated fund</b>	<b>-</b>	<b>(221,803)</b>	<b>221,803</b>	<b>-</b>
<b>Balance at 31 December 2024</b>	<b>-</b>	<b>5,778,197</b>	<b>12,560,824</b>	<b>18,339,021</b>

- MANAGEMENT ACCOUNTS -

## STATEMENT OF CASH FLOWS IN UNITED STATES DOLLARS FOR THE YEAR ENDING 31 DECEMBER 2024

	Notes	Unaudited 2024	Audited 2023	Audited 2022
<b>(Deficit)/Surplus for the year</b>		<b>(1,278,912)</b>	<b>77,026</b>	<b>2,187,530</b>
<b>Adjustments</b>				
Depreciation	6	100,551	88,852	74,153
Amortisation of capital grants		-	-	(7,097)
Capital goods received		-	-	(321,525)
Disposal of assets		337,486	(558)	(288)
Interest income		(1,261,959)	(1,117,532)	(621,586)
		<b>(2,102,834)</b>	<b>(952,212)</b>	<b>1,311,187</b>
<b>Changes in</b>				
Inventory		(11,098)	-	-
Amounts due from related parties	7	2,319	2,167,458	10,867
Amounts due to related parties	7	(2,696)	(2,616)	(11,073)
Receivables	8	133,610	(363,686)	(984)
Payables	10	2,775,392	(1,864,546)	(372,281)
Deferred revenue Member States	11	31,959	53,945	77,893
		<b>2,929,486</b>	<b>(9,445)</b>	<b>(295,578)</b>
<b>Net cash generated from operations</b>		<b>826,652</b>	<b>(961,657)</b>	<b>1,015,609</b>
<b>Cashflows from investing activities</b>				
Capital expenditure	6	(337,718)	(65,597)	(206,235)
Proceeds from disposal of assets		-	1,868	288
Interest received from banks and other deposits		1,261,959	1,117,532	621,586
<b>Net cash generated by investing activities</b>		<b>924,241</b>	<b>1,053,803</b>	<b>415,639</b>
<b>Net increase in cash and cash equivalents</b>		<b>1,750,893</b>	<b>92,146</b>	<b>1,431,248</b>
<b>Cash and cash equivalents at the beginning of the year</b>		<b>23,442,784</b>	<b>23,350,638</b>	<b>21,919,390</b>
<b>Cash and cash equivalents at the end of the year</b>	<b>9</b>	<b>25,193,677</b>	<b>23,442,784</b>	<b>23,350,638</b>



- MANAGEMENT ACCOUNTS -

## NOTES TO THE MANAGEMENT ACCOUNTS

### FOR THE YEAR ENDING 31 DECEMBER 2024

<b>Note 1 - INCOME</b>	<b>Unaudited 2024</b>	<b>Audited 2023</b>	<b>Audited 2022</b>
Member States Contributions	894,650	720,859	719,286
Other income - Member States	-	-	337,486
Merger fees	2,809,914	2,783,061	4,445,133
Notice of Appeal	30,086	-	-
Authorisation fees	-	10,000	-
Fines	-	314,914	-
Amortisation of Capital grants	-	-	7,097
Other income	641	1,234	951
	<b>3,735,291</b>	<b>3,830,068</b>	<b>5,509,954</b>

<b>Note 2 - PROGRAMME EXPENSES</b>	<b>Unaudited 2024</b>	<b>Audited 2023</b>	<b>Audited 2022</b>
Conference and Logistics	485,516	450,026	175,239
Airfares	1,172,939	707,180	414,062
Allowances	1,090,048	855,183	713,436
Capacity Building	90,371	43,880	6,000
Information Technology	38,713	38,405	34,456
Office Support Services	298,245	180,414	145,429
	<b>3,175,832</b>	<b>2,275,089</b>	<b>1,488,622</b>

<b>Note 3 - STAFF COSTS</b>	<b>Unaudited 2024</b>	<b>Audited 2023</b>	<b>Audited 2022</b>
Basic salary	1,303,474	1,161,535	1,155,063
Housing Allowance	404,584	391,364	388,816
Medical Allowance	112,866	96,976	92,414
Education Allowance	74,761	67,732	62,885
Dependants Allowance	11,994	11,754	17,764
Staff overtime	-	1,745	284
Acting Allowance	-	4,040	1,416
Payment in lieu of leave	35,688	3,030	214,692
Gratuity	184,393	174,964	174,740
Leave pay	30,547	7,860	14,172
Staff training and development	34,440	41,972	85,417
Temporary and seconded staff	27,090	29,795	-
Spousal allowance	1,514	310	-
Statutory allowance	12,583	24,431	9,681
Group life insurance	12,012	7,121	-
Provident fund management costs	824	2,696	2,544
	<b>2,246,771</b>	<b>2,027,325</b>	<b>2,219,888</b>

- MANAGEMENT ACCOUNTS -

## NOTES TO THE MANAGEMENT ACCOUNTS (CONTINUED)

FOR THE YEAR ENDING 31 DECEMBER 2024

<b>Note 4 - ADMINISTRATIVE EXPENSES</b>	<b>Unaudited 2024</b>	<b>Audited 2023</b>	<b>Audited 2022</b>
Technical meetings	-	-	1,383
Recruitment and repatriation expenses	<b>29,957</b>	44,429	16,461
Publication and publicity	<b>53,431</b>	30,991	7,923
Rent and rates	<b>6,774</b>	19,355	8,155
Hospitality	<b>1,975</b>	4,571	173
Other expenses	<b>10,561</b>	9,109	575
Consultancy costs	<b>91,455</b>	134,420	-
PR and promotional activities	<b>8,742</b>	26,968	-
Travel expenses	-	-	15,420
Bank charges	<b>40,960</b>	23,045	28,344
Audit expenses - prior year	-	4,805	-
Audit fees provision for the year	<b>20,000</b>	20,000	9,028
	<b>263,856</b>	317,692	87,462

<b>Note 5 - OPERATIONAL EXPENSES</b>	<b>Unaudited 2024</b>	<b>Audited 2023</b>	<b>Audited 2022</b>
Motor vehicle expenses	<b>22,396</b>	25,247	17,147
Communication	<b>18,335</b>	28,445	19,500
Commissioner's honorarium	<b>60,077</b>	59,900	6,171
Translation and transcription	<b>12,890</b>	11,633	
Insurance	<b>6,700</b>	5,626	5,644
Office supplies	<b>3,945</b>	9,933	6,843
Office maintenance and security expenses	<b>27,324</b>	21,390	18,867
	<b>151,666</b>	162,174	74,173

## - MANAGEMENT ACCOUNTS -

# NOTES TO THE MANAGEMENT ACCOUNTS (CONTINUED)

## FOR THE YEAR ENDING 31 DECEMBER 2024

### Note 6 - PROPERTY PLANT AND EQUIPMENT

COST	Land & Buildings	Office Building	Motor vehicles	Furniture	Office Equipment	Computer Equipment	TOTAL
At 1 January 2023	337,486	-	180,308	77,947	68,953	179,296	843,990
Additions	-	-	-	2,216	37,881	25,500	65,597
Disposals	-	-	-	(9,356)	(4,931)	(8,019)	(22,306)
At 31 December 2023	337,486	-	180,308	70,807	101,903	196,777	887,281
At 1 January 2024	337,486	-	180,308	70,807	101,903	196,777	887,281
Additions	-	221,803	69,243	2,891	9,848	33,933	337,718
Disposals	(337,486)	-	-	-	-	-	(337,486)
At 31 December 2024	-	221,803	249,551	73,698	111,751	230,710	887,513
<b>DEPRECIATION</b>							
At 1 January 2023	-	-	51,066	45,463	43,311	87,096	226,936
Charge for the period	-	-	31,868	6,113	6,197	44,674	88,852
Depreciation overcharge in previous period	-	-	-	(9,356)	(4,931)	(6,709)	(20,996)
Restated at 31 December 2023	-	-	82,934	42,220	44,577	125,061	294,792
At 1 January 2024	-	-	82,934	42,220	44,577	125,061	294,792
Charge for the period	-	-	37,519	6,349	11,854	44,828	100,551
At 31 December 2024	-	-	120,453	48,569	56,431	169,889	395,343
<b>NET BOOK VALUES</b>							
At 31 December 2024	-	221,803	129,098	25,129	55,320	60,820	492,170
At 31 December 2023	337,486	-	97,374	28,587	57,326	71,716	592,489



- MANAGEMENT ACCOUNTS -

## NOTES TO THE MANAGEMENT ACCOUNTS (CONTINUED)

FOR THE YEAR ENDING 31 DECEMBER 2024

<b>Note 7 - RELATED PARTIES</b>	<b>Unaudited <u>2024</u></b>	<b>Audited <u>2023</u></b>	<b>Audited <u>2022</u></b>
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**Amounts due from related parties**

COMESA Secretariat	<b>3,425</b>	5,744	2,173,202
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**Amounts due to related parties**

COMESA Secretariat	<b>-</b>	2,696	5,312
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<b>Note 8 - RECEIVABLES</b>	<b>Unaudited <u>2024</u></b>	<b>Audited <u>2023</u></b>	<b>Audited <u>2022</u></b>
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Prepayments	<b>35,095</b>	31,650	-
Value Added Tax	<b>12,399</b>	8,268	3,626
Staff loans and advances	<b>185,872</b>	263,831	1,000
Other receivables	<b>1,336</b>	64,564	-
	<b>234,702</b>	368,312	4,626

<b>Note 9 - CASH AND CASH EQUIVALENTS</b>	<b>Unaudited <u>2024</u></b>	<b>Audited <u>2023</u></b>	<b>Audited <u>2022</u></b>
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Standard Bank Regular (USD)	<b>523,613</b>	335,239	279,039
Standard Bank Operating (USD)	<b>499,221</b>	1,054,381	1,810,029
Ecobank revenue (USD)	<b>492,538</b>	332,986	1,550,746
Standard Bank Regular (MWK)	<b>9,985</b>	33,309	5,369
Standard Bank Operating (MWK)	<b>71,600</b>	107,483	79,278
Ecobank short term call deposit	<b>7,438,625</b>	6,033,328	5,706,225
Standard Bank short term call deposit	<b>1,621,700</b>	2,543,044	7,871,637
NBS Bank short term deposit account	<b>7,904,012</b>	7,411,021	3,026,815
CDH Investment Bank short term deposit	<b>6,310,242</b>	5,334,772	3,021,500
CDH current account	<b>19</b>	-	-
Staff loans account	<b>322,123</b>	218,944	-
Cash in transit	<b>-</b>	38,277	-
	<b>25,193,677</b>	23,442,784	23,350,638

- MANAGEMENT ACCOUNTS -

## NOTES TO THE MANAGEMENT ACCOUNTS (CONTINUED)

FOR THE YEAR ENDING 31 DECEMBER 2024

<b>Note 10 - PAYABLES</b>	<b>Unaudited 2024</b>	<b>Audited 2023</b>	<b>Audited 2022</b>
Audit fee provision	20,000	20,000	10,000
Leave pay provision	236,603	214,695	208,516
Merger fees payable to Member States	2,807,700	2,707,791	4,549,421
Unearned revenue - Merger fees	3,616,266	1,200,127	1,200,030
Accrued expenses	237,435	-	39,191
	<b>6,918,004</b>	<b>4,142,613</b>	<b>6,007,158</b>

<b>Note 11 - DEFERRED REVENUE MEMBER STATE</b>	<b>Unaudited 2024</b>	<b>Audited 2023</b>	<b>Audited 2022</b>
Balance at 1 January	652,757	598,812	520,919
Deferred income release to income (see note 1)	(894,650)	(720,859)	(719,286)
Deferred income for year	926,609	774,804	813,140
Capital expenditure	-	-	(15,961)
Balance at 31 December	<b>684,716</b>	<b>652,757</b>	<b>598,812</b>

## SIGNIFICANT MOVEMENTS AND BALANCES IN THE 2024 MANAGEMENT ACCOUNTS

10. The income for the year has remained at the same level as the previous year, USD 3,735,291 (2023: USD 3,830,068). Notable is the fact that there were no fines in the current year, whereas in 2023, the income included fines amounting to USD 314,914. Merger fees revenue that was recognised in 2024 was USD 2,809,914 (2023: USD 2,783,061).
11. The income from interest on investments increased slightly in 2024 compared to 2023. Finance income in 2024 is USD 1,261,959 (2023: USD 1,117,532). The investments were reduced by USD 1.5 million, which was transferred from Investment accounts to the Operational account to cover the merger fees disbursed in December 2023.
12. On the expenditure side, Programme expenses increase from USD 2.2 million in 2023 to USD 3.1 million in 2024. This was primarily a result of increased capacity-building activities, including technical assistance to Member States. Staff costs also increased from USD 2 million to USD 2.2 million, as the headcount increased from 25 to 27 in 2024. However, the increase was mitigated by the exit of two staff members mid-year.
13. Regarding capital expenditure, the Commission was required to surrender the parcel of land in Area 34, as the Government of Malawi had allocated a new parcel of land in Area 20 which meant that the value of the land had to be removed from the books of the Commission. This resulted in a reduction of the balance of Property, plant, and equipment by USD 337,486, as well as a corresponding loss of the same amount in the income statement. This has also contributed to the deficit that the Commission recorded in 2024. There is no value for the new land in the Commission's books because the Commission has not received the title deeds yet.









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