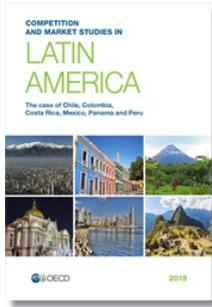


Launch of OECD report on competition and market studies in Latin America

The case of Chile, Colombia, Costa Rica, Mexico, Panama and Peru



Santiago, Chile, 18/19 March 2015 - The OECD, together with Chile's Fiscalía Nacional Económica, Chile's Ministry of Economy, the UN Economic Commission for Latin America and the World Bank Group, has held a two-day regional conference to promote the use of market studies by competition authorities in Latin America. The event was attended by Mr Luis Felipe Céspedes, Minister of Economy of Chile; Prof. Frédéric Jenny, Chair of the OECD Competition Committee; and senior competition officials and ambassadors from both OECD and non-OECD countries.

On this occasion, the OECD launched a report on "*Competition and Market Studies in Latin America: The case of Chile, Colombia, Costa Rica, Mexico, Panama and Peru*". The report contains the results of an OECD project sponsored by the UK Foreign and Commonwealth Office. It outlines the current status of market studies in the six countries, describes good practices, identifies areas for improvement and provides recommendations on how to make better use of this competition tool. Recommendations focus on the need for countries to have an appropriate legal framework and adequate resources to effectively perform market studies.

The main findings and ensuing recommendations include:

- All agencies should have express powers to perform market studies. Some undertake market studies under their general competition powers which leaves room for confusion and legal uncertainty.
- All agencies should have express powers to compel information to conduct market studies and to impose sanctions if their request is not complied with. However some agencies lack these powers.
- Market studies are an important competition tool that completes and integrates antitrust enforcement activities. However, not all countries commit enough financial and human resources to ensure that their competition agencies can perform these studies.
- All agencies should have a clear set of criteria for setting priorities among the markets they could study and should use them in a systematic way. Most agencies still have to do so.
- All agencies should have guidelines on market studies to inform stakeholders about the purpose and the possible outcomes of market studies, as well as procedural issues. However none of the agencies have done so.
- Governments should seriously consider recommendations resulting from market studies as they can suggest solutions to address the competition problems identified. However, in none of the six countries have the governments made a commitment to respond to these recommendations.
- The ex-post assessments of the actual impact of market studies can deliver helpful lessons for a better use of this tool. As they gain more experience, all agencies should start performing these assessments.

Implementation of the recommendations in the report will enhance national awareness of the value of market studies as an advocacy tool, and support national efforts to develop the skills, and the institutional and legal capabilities for performing market studies in Latin American countries.

Beyond its immediate impact on competition policy, implementing the recommendations in the report will lay the foundations for improving the business environment in the six countries, including a reduction of behind-the-border barriers to entry. A more competitive and open economy will have benefits for businesses seeking to operate in these countries, as well as for consumers.

Access the report:

www.oecd.org/daf/competition/competition-and-market-studies-in-latin-america-2015.htm

View the agenda and the material from the regional conference:

www.oecd.org/daf/competition/promoting-competition-market-studies-in-latin-america.htm