

**NATIONAL REFERENCE GROUP  
(NRG)  
First Meeting**

*Proceedings*



**STRENGTHENING CONSTITUENCIES  
FOR EFFECTIVE COMPETITION REGIMES  
IN SELECT WEST AFRICAN COUNTRIES  
(7Up4 Project)**

**Banjul (The Gambia)  
26<sup>th</sup> September 2008**

## **First National Reference Group Meeting (NRG 1) Jerma Beach Hotel, The Gambia**

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*The first of three National Reference Group Meetings (NRG 1) to span the two-year project entitled “Strengthening Constituencies for Effective Competition Regimes in Select West African Countries” (CUTS 7up4 Project) was held at the Jerma Beach Hotel, in Banjul the capital of The Gambia on Friday, 26<sup>th</sup> September 2008 and was attended by key Gambian stakeholder institutions that were identified and invited to be part of the National Reference Group. The NRG also includes individuals who by virtue of their knowledge and understanding of competition issues could add value to the project Pro-PAG and CUTS are jointly implementing. The following is a brief proceedings of this meeting.*

### **A. Background:**

The Pro-Poor Advocacy Group (Pro-PAG) signed a Memorandum of Understanding with the CUTS Centre for Competition, Investment and Economic Regulation (CUTS C-CIER) in August 2008, to undertake a two-year project entitled ‘Strengthening Constituencies for Effective Competition Regimes in Select Western African Countries (7Up4 Project). The project is being simultaneously executed in six other countries of West Africa: **Burkina Faso, Ghana, Mali, Nigeria, Senegal** and **Togo** and is supported by the Department for International Development (DFID), UK; the International Development Research Centre (IDRC), Canada; and the Ministry of Foreign Affairs, Sweden.

The thrust of the 7UP4 project is three-fold. It will document the state of competition in The Gambia through literature review and questionnaire based researches; On the strength of the evidence obtained, advocacy campaigns will be undertaken with a view to promoting a viable competition culture that delivers maximum utility and value to consumers. Stakeholder institutions participating in the National Reference Group will also benefit from capacity building interventions.

The purpose of the first NRG meeting held in The Gambia was to sensitize national stakeholders (in both the state and non-state actor spheres) of the need to promote a competition culture at the national level, as a means to evolving well-functioning markets to foster economic development and alleviate poverty. The preliminary country paper delivered at the regional project launch meeting held in Ghana, in June 2008 by the Policy and Budget Analyst of Pro-PAG (Mr. Omar Jobe), served as the basis for discussion.

The Pro-Poor Advocacy Group (Pro-PAG) had prior to that event been invited to a series of meetings in Mauritius, Botswana and Nairobi (as part of the 7UP3 Project. Sequel to those initial partnerships, Mr. Rijit Sengupta, Deputy Head of CUTS visited the Gambia in November 2007 to appraise the situation of competition in the Gambia with a view to developing a country-specific project that would take on board the concerns of relevant stakeholder institutions. The Department of State for Trade, Industry and Employment (DoSTIE), the Public Utilities Regulatory Authority (PURA), the Chamber of Commerce, the Standards Bureau and the National Assembly all expressed their readiness to throw their weight behind the project when launched in The Gambia.

## **B. Proceedings:**

The National Reference Group Meeting kicked off with an opening ceremony (session one) followed by a second session during which three presentations were delivered: two by the CUTS consultant, Mr. Lahcen Achy and a third one by the ProPAG policy and Budget Analyst, Mr. Omar Jobe. The third and final session brought into play the reactions of the NRG members to the information that was provided.

### **1. Opening Session:**

The opening session was chaired by the Administrator and Human Resource Manager of Pro-PAG and incidentally also, the Officer-in-Charge, Mr. John Charles Njie. After inviting the participants to observe a few minutes of prayers, he introduced the members of the high table comprising of the Secretary of State for Trade, Industry and Employment, Mr. Abdou Kolley; the President of the Gambia Chamber of Commerce, Mr. Bai Matarr Drammeh; the Vice-Chair of the Pro-PAG Board, Mr. Omar Badji and the CUTS consultant, Mr. Lahcen Achy of Morocco. The Chairperson deeply regretted the conspicuous absence of Mr. Rijit Sengupta, who it was reliably learnt, was stranded in Dakar and consequently could not make it on time for the NRG. Thereafter, he invited the Vice-Chair of Pro-PAG to deliver the first statement.

In his welcome address, the vice chairperson of Pro-PAG called the ceremony “auspicious” because it was the first time that the Pro-Poor Advocacy Group (Pro-PAG) and CUTS Centre for Competition, Investment and Economic Regulation (CUTS C-CIER) were holding their first meeting to formally launch the 7UP4 Project in The Gambia. Continuing, he said CUTS is at the forefront of the campaign to put in place good competition policy regimes and law and efficient institutions throughout the world. As a Civil Society Organization, he said, the institution was coming through Pro-PAG to engage the stakeholder institutions in The Gambia dealing with competition policy and consumer protection issues. He then informed the stakeholders that the 7UP4 project in The Gambia would be going through three stages: Research to establish the state of competition in The Gambia; Capacity building for Country Stakeholders; Advocacy for a viable competition culture and the promotion of consumer welfare. On a final note, he expressed the hope that the NRG members will be fully committed to the project.

The second statement was delivered by the President of the Gambia Chamber of Commerce, Mr. Bai Matarr Drammeh. He started by thanking the supporting institutions to the 7UP4 project and informed the audience that the Gambia Chamber of Commerce and Industry was delighted to be associated with the project. For the Chamber, he said, the issue of free and fair market competition was of paramount importance as the apex private sector organization. As he puts it, competition is first and foremost “an issue for the sector operators before being an issue for the consumers”.

Hailing the merits of competition between firms as being the lifeblood of strong and effective markets, Mr. Drammeh gave numerous examples to illustrate the benefits of a viable competition regime: good deal for consumers; better products, innovativeness of firm; efficient use of resources; downward pressure on cost and provision of incentives for the efficient organization of production. Competition, he insisted is a central driver for productivity and growth in the economy. Mr. Drammeh was however quick to add that if

not regulated competition could kill efficiency by creating market distortions to the detriment of all economic operators.

The GCCI President acknowledges that The Gambia private sector remained unregulated in most industries resulting in the creation of private monopolies in some sectors, cartels in others and many other anti-competitive practices, which at the end of the day are a cost to the economy. He then welcomed the “bold steps” taken by the government to arrest the situation with the enactment of the Competition Law and the imminent setting up of the competition Commission. He then congratulated the Secretary of State for Trade and assured him of the support of the private sector in the endeavour. He added that the 7UP4 Project came at the right time and will add value and will create a sound competition environment.

For his part, the Secretary of State for Trade, Honourable Abdou Kolley, expressed delight to have been associated with the project right from the design stages and reiterated the thrust of the 7UP4 project as being research, capacity building and advocacy focused. Continuing, he indicated that The Gambia was indeed privileged to benefit from the fourth phases of this ambitious project aimed at “strengthening constituencies for effective competition regimes in selected African countries”. The Gambia, he said will be able to draw from best practices and lessons learnt from preceding CUTS projects implemented in other regions of the World.

The Secretary of State then provided a concise outline of policy underpinnings and the driving forces behind the Gambian economy, emphasizing the fact that it is premised on free market policies. The Government he said believes in private sector-led growth and development as spelt out in the Vision 2020 blueprint and the country’s second generation PRSP. The Government’s role he emphasized consists of ensuring that the playing field is level for competition and growth to prosper; for the private sector to unleash its potential and for significant inroads to be made in the country’s poverty reduction strategy. The Secretary of State seized the opportunity to sincerely thank CUTS and all the other donors that have made the project possible. Acknowledging the fact that CUTS was at the cutting edge of things, he expressed the hope that the goals of the project to among other things promote fair markets and enhance consumer welfare will be achieved in The Gambia.

After briefly informing the meeting of the process that culminated in the enactment of the 2007 Competition Act, the Secretary of State informed the audience that his Department of State had prepared the accompanying Procedural Rules and Guidelines necessary for the determination of the cases that should be heard while the Procedural Rules are indispensable to clearly stipulate the various procedures the Commission should follow when dealing with cases. Continuing, he underscored the fact that the Department of State for Trade, Industry and Employment was in the process of establishing The Gambia Competition Commission to avail the Gambian business community and citizens of a place to channel their grievances on unfair business practices. He reckoned that the Gambian economy was rife with examples of uncompetitive practices in all sectors, citing examples of uncompetitive practices including collusive agreements, bid rigging, tied selling and market sharing.

In concluding Honourable Abdou Kolley underscored the challenge ahead: the need to go beyond just creating the laws and policies to nurture and sustain a culture of healthy

competition and highlighted the collective responsibility to ensure a vibrant and competitive business environment that promotes growth and poverty reduction.

## **2. Presentations:**

The two presentations that were supposed to be delivered by Rijit Sengupta were ably rendered by the CUTS consultant and project adviser, Mr. Lahcen Arcy, when the former could not make it to The Gambia due to flight problems.

### **2.1. Project Overview**

Rising to the occasion, Mr. Achy spelt out the project overview, first highlighting the features: countries involved; the project duration; the components; approach and beneficiaries. Thereafter, he delved into the project objectives, the expected outputs and outcomes; the activities involved and their sequencing over the two year period.

The project adviser enumerated the Project Objectives as being to:

- Evaluate obstacles to evolving national competition regimes
- Develop capacity of national stakeholders to appreciate competition concerns
- Establish communication channels between civil society-business-government
- Provide inputs into evolving competition legislations
- Elucidate linkage between competition and other public policy issues
- Identify a core group of national stakeholders with aptitude for competition and regulatory policy issues
- Develop linkages between national stakeholders and global networks/coalitions
- Promote a healthy competition culture

The 7UP4 Project seeks to deliver the following outputs and outcomes:

- Enhanced knowledge on competition policy and consumer welfare
- Accelerate evolution and implementation of national competition regimes, with civil society's inputs
- Continuous dialogue between government-civil society-business community on economic and regulatory policy
- Credibility of civil society organizations asserted as 'actors' in national competition reforms
- The international community made aware of the need to promote a healthy competition culture in country/region.

The anticipated development changes are reflected in the following outcomes:

- Profile of competition policy within the context of national development raised.
- Process to establish effective national competition regimes, evolved.
- Promotion of a healthy competition culture in countries/region.

The Activities and their sequencing encapsulate the strategy that CUTS intends to follow to successfully implement the 7UP4 Project in The Gambia. The CUTS project adviser took the participants through the different processes, highlighting the deliverables at every stage. The details are as follows:

- Groundwork: Preparation, Partnerships, Launch Meeting,
- Research: Analysis of the state of competition in project countries (legal, policy and practice)

- Specific Research Areas: political economy constraints, natural monopolies, agriculture markets, national Vs regional competition legislation, competition perception analysis
- Research Outputs: PCP, CRR, Perception Assessment
- Advocacy and Dialogues: NRG meetings (periodical, output oriented) – policy advocacy
- Trainings: National and Regional
- Outreach: Information dissemination within countries, region, international level (articles, e-newsletter, postings, representations, networking)

#### Sequence of Activities:

The Project adviser told the NRG members and the Press fraternity present that the activities would be rolled out as follows: Research Phase, Country Research Report (CRR); National Dialogues and Advocacy, NRG Meetings, Trainings, Outreach, Management & Administration

At the end of the first presentation, it was suggested that the presenter continue with the second presentation before inaugurating the question and answer sessions. The chair therefore urged Lahcen Achy to proceed with the presentation on the role of the NRG.

## **2.2. Role of NRG members:**

At the outset, the presenter described the NRG as an informal group of national stakeholders with aptitude for competition, regulatory policy and consumer protection issues. He told the newly co-opted partners that they as a body are to act as focal point for guiding project activities by providing inputs and reviewing outputs. That function, he said will be exercised in NRG Meetings, in Research Activities to be undertaken, in Policy Advocacy issues, Outreach & Sustainability. It entails giving feedback on project issues to partners; Outlining possible approaches to tackling specific project issues and review research reports, papers, etc.

He insisted that the NRG members would provide the necessary inputs into research work; Ensure access to relevant (and otherwise elusive) documents, etc. for research purposes; Send useful news/documents to partners/CUTS for use in project; Help organize interactions/interviews with key stakeholders

In the area of Policy Advocacy, the consultant informed the NRG meeting that partners will be guided in drawing advocacy lessons; that advice on specific policy advocacy measures will be provided and that linkages are established with other ongoing initiatives. In terms of outreach and sustainability, the project adviser told the participants that help will be provided in the area of outreaching and the dissemination of project findings through own contacts and networks. NRG members were also informed of the possibility to contribute occasional papers, articles, write-ups for publication in CUTS journal. They will also be beneficiaries of training workshops to further enhance their capacities and expertise in Competition. To conclude, he said the NRG must outlive the project period through ownership and commitment.

### **2.3. Preliminary Country Paper (The Gambia)**

The third presentation based on the Preliminary Country Paper was delivered by Omar Jobe, the policy and budget analyst of Pro-PAG. The document had earlier been circulated to the stakeholder institutions for comments and value addition. The participants were cautioned at the outset that the PCP should on no account be seen as a research paper as the underpinnings are not based on empirical evidence.

Mr. Jobe underscored the relevance of the project to The Gambia's socio-economic development; the small domestic market size and the lack of both expertise and resources to put in place a viable competition policy. There is compelling evidence he said to show that a good competition policy and law is pro-growth, pro-poor and pro-development. For that reason, he emphasized, the Pro-PAG Secretariat welcome the intervention of CUTS International to facilitate the operationalization of a viable competition regime for the Gambia. Continuing, he informed the NRG members that with its cutting-edge expertise, CUTS International will help in building the capacity of Gambian stakeholder Institutions and to engender the development of a healthy competition culture. That, he said could contribute significantly to the alleviation of poverty in The Gambia via price reduction as firms will be more efficient leading to enhanced consumer welfare.

The presenter then gave a series of examples of anti-competitive practices and the nature of the inefficiency caused to the Gambian economy affecting both the formal and the informal sectors. That he said brings to the fore a number of questions: safeguarding public interest; allowing market forces to operate and as much as possible reconciling the inherent conflict that the two embody. Upholding public interest he insisted is a function of good governance and implies that states like the Gambia in their quest and drive to promote efficient markets must of necessity be aware that the market does not always function properly due to lack of information, vested interest and outright corruption.

Thereafter, Mr. Jobe gave glaring examples of large scale market failures in The Gambia in recent times: the development of cartels, price fixing, market sharing, bid rigging, exclusive dealing, tied-selling and in certain instances, predatory pricing. It is therefore the responsibility of The Gambia government and its regulatory agencies he continued to protect the poor. By creating the Public Utilities Regulatory Authority, passing a Competition Act and having its sights at setting up a Competition Commission, The Gambia Government, it was acknowledged had taken a step in the right direction. But the presenter reckoned that it is one thing to have the structures and the policy documents, but what ultimately matters is a viable competition culture underpinned by strong enforcement measures and mechanisms and having in its purview the promotion of public interest. Challenges abound he posited as The Gambia is beset with various constraints: weak institutional environment that hinder the implementation of a regulatory regime; absence of consumer awareness and consumer groups to contribute to the regulatory process and the presence of stakeholders who are ill-prepared to accept the rules of engagement. Some business operators in the wholesale and retail business, he emphasized are yet to be immersed in the culture of competition and to appreciate its importance for growth, consumer welfare and poverty reduction. A level playing business environment that takes on board consumer welfare issues he said is a function of the competition and regulatory regime in place and the active participation of stakeholders in the regulatory process. More importantly, he said sector regulators like PURA and

officers of the emerging Competition Commission need to be shielded from undue interference by policymakers, lobby groups, political clients and other actors driven by their vested interest.

The presenter then gave concrete examples of anti-Competitive Practices in The Gambian economy that could be attributed to shortcomings in government policies (the contextual environment) as follows:

- ✚ There is a lack of clear policies to curb the desire by private sector operators to maximize profit at the expense of the state and other competitors. The tax system is not very efficient and the Gambia government is as a result losing a lot of quality revenue.
  
- ✚ Certain policy issues such as the granting of tax holidays and development certificates to institutions within an economy are by nature anti-competitive. Such an approach to lure investors into the country is one way of attracting foreign direct investments but it also introduces distortions into the economy, by making some firms more competitive than others (a view refuted by two participants).
  
- ✚ The refusal by the Department of State for Communication and Information Technology (DOSCIT) to grant licenses to interested parties to have their own TV stations is undoubted restricting competition.
  
- ✚ The non-existence of a Telecoms bill in the industry has given rise to anti-competitive tendencies in the Gambian economy.
  
- ✚ The divesture program of Government of key institutions was carried out without going through an international bidding process. This could have led to “arranged buying” with a view to dominating the market.
  
- ✚ The existence of government monopolies (like NAWEC – a natural monopoly) which are poorly run are by nature anti-competitive. In the absence of alternatives, the consumers may not be getting the best value for their money. The Independent Power Producers (IPP) has only been allowed to produce electricity, and are obliged to work with NAWEC – the only company in The Gambia with the distribution infrastructure. Monopoly the energy sector gives the consumer no room for an alternative. Consumers have to put up with whatever conditions laid down by NAWEC.

Anti-competitive practices due to private sector operators were also highlighted resulting from the interplay of private operators in the transactional environment.

They include: the development of cartels, the collusive horizontal agreements involving collusion between businesses operating in the same market and hence normally competitors is a reality; Vertical Agreements between importers and distributors in the consumers goods sector like rice, cooking oil and sugar; Bid Rigging; Tied-selling etc.

These the presenter said represent formidable challenges that need to be addressed.



Many sectors in The Gambia, he said lack sector specific (telecommunications and the water) laws, thus inhibiting regulatory effectiveness.

In conclusion, Mr. Jobe advocated for a freestanding Competition Commission whose operations will be entirely independent of both Government and private sector interests.

### **3. Question and Answers:**

During the question and answer session, the participants actively reacted to the three presentations delivered by Lahcen Achy (the CUTS consultant) and Omar Jobe (the Pro-PAG Policy and Budget Analyst). They shared their views and knowledge to enrich the deliberations of this meeting as follows:

#### **3.1 Issues from the floor:**

- The NRG members requested to know how much money was available to implement the CUTS project in The Gambia; the sequencing of the activities and the outputs to be delivered.
- The PURA representatives underscored the fact that their 2007 Annual report that provided a sizable proportion of the information in the PCP is outdated and that a lot is being implemented that is not captured in the report being discussed. Giving examples, the participants from PURA highlighted the progress registered in the area of sectoral policies; the launching of the Consumer Parliament etc.
- The Director of the Divestiture Agency insisted that the state of divestiture in The Gambia had not been adequately reflected in the PCP presentation. He pointed out that the absence of international bidding being alluded to had to do with GAMTEL.
- The participants expressed the desire to be given a clear terms of reference so that they know what is expected of them as NRG members.
- Contrary to the views expressed by the presenter and looking at the facts that are available, there are indeed laws that restrict competition in certain sensitive areas like petroleum and mineral exploitation in The Gambia.
- The money laundering act is also in place to regulate how funds move in and out of the country.
- CCOSPAG will not be the first consumer welfare organization to be registered in the Gambia. There is another Consumer Welfare organization called CPAG that has already done some substantive work in the area although it could be conceded that they have been somewhat quiet in recent times.
- Concerns were raised that most of the anti-competitive practices being alleged are the handiwork of the Government itself and see that as a formidable challenge.
- Instances of absolute monopoly that are yet to be relaxed have been alleged
- It was alleged that some of the suppliers of NAWEC are also the owners of NAWEC.
- The issue of tax holidays emerged as a bone of contention. Some participants argued that granting tax holidays to encourage investment does not necessarily introduce distortions into the economy.
- The issue of the Comium telephone handsets being restrictive and not accommodating other SIM cards was dismissed out of hand as not being anti-competitive. The premise of the argument put forward is that what really matters is the SIM card and not the handset and that Comium SIM cards work on all handsets, even if Comium handsets do not accommodate Africel and Gamcel SIM cards.

- Eyebrows were raised as to why the research should give undue prominence of the agricultural sector, as one of the research activities focuses specifically on agriculture. The CUTS consultant reassured PURA that the idea is to look at competition in the agricultural sector; both upstream and downstream and that would necessarily integrate sectors like water and electricity that are of great importance to the regulator.

#### **4. Closing Session:**

After the question and answer session, Gabriel Latjor Ndow of the Public Utility and Regulatory Authority (PURA) excellently summed up the salient points highlighted during the NRG meeting. Ansumana Sanneh of the same institution (who also attended the CUTS Regional Project launch meeting in Ghana) then delivered the vote of thanks on behalf of the NRG members and thanked CUTS most profusely for coming up with this timely project that will enhance capacity and promote a healthy competition culture for growth and poverty reduction.

The task of making the closing remarks was given to Mr. Dominic Mendy who for many years presided over the destiny of the Department of State for Trade, Industry and Employment, as Secretary of State. He also added his voice in thanking both Pro-PAG and CUTS for jointly implementing such a project that will immensely contribute to the Gambia's economic development. He said implementing a viable competition regime is fraught with challenges and underscored the issue of independence of the regulatory structures to be put in place to maximize social value for the consumers and favour the efficient allocation of resources.

## **Annex 1. Proposed National Reference Group (NRG) Members**

1. Department of State for Trade Industry and Employment (DoSTIE)
2. Public Utilities Regulatory Authority (PURA)
3. Gambia Chamber of Commerce and Industry (GCCCI)
4. National Planning Commission (NPC)
5. Action Aid The Gambia (AATG)
6. Standards Bureau (SB)
7. Department of State for Finance and Economic Affairs (DoSFEA)
8. University of The Gambia (UTG)
9. The Gambia Divestiture Agency (GDA)
10. Gambia Investment Promotion and Free Zone Area (GIPFZA)
11. The Competition and Consumer Advocacy Group (CCOSPAG)
12. The National Assembly of The Gambia
13. The Gambia Bureau of Statistics (GBoS)
14. The Gambia Bar Association
15. The Pro Poor Advocacy Group
16. The Gambia Competition Commission
17. Jawara Gaye
18. Dominic Mendy
19. The Gambia Press Union (GPU)
20. United Nations Development Project (UNDP)

**Annex 2. Statement by Secretary of State for Trade, Industry and Employment,  
Hon. Abdou Kolley:**

It is great pleasure to be invited to this very important meeting to deliver a statement on the opening ceremony of the first meeting of the National Reference Group (NRG). As we have been informed, this group is made up of all relevant stakeholders and individuals with knowledge on competition issues. The work of the group will revolve around three very important axes namely; research, capacity building and advocacy.

I am informed that the Group was formed in the context of the inception of the Seven up Four (7 up 4) Project in the Gambia, which is a two-year project signed between Pro-PAG and the Centre for Competition, Investment and Economic Regulation, CUTS. The Gambia is privileged to benefit from the fourth phases of this ambitious project aimed at “strengthening constituencies for effective competition regimes in selected African countries”, along side six other African countries. Coming in the fourth group of countries, we are hopeful that our countries would gain from the lessons learnt in the implementation of the project in other parts of the world.

At this juncture, I would like to sincerely thank CUTS and all the donors that have made the project possible. I have no doubt that given the wealth of experience accumulated by CUTS over the years in promoting fair markets and enhancing consumer welfare, this project will achieve its desired goals in The Gambia.

The Gambian economy thrives on free market policies. The Government believes in private sector-led growth and development as spelt out in our Vision 2020 and the country’s PRSP 11. It is therefore imperative to make sure businesses operate on a level playing field. Our role as a government is to reduce poverty and provide the enabling environment for a private sector-led growth. Competition Policy and Law is no doubt part and parcel of this right macroeconomic environment the Government endeavours to sustain. There is general consensus that unfair competition hurts everyone but more so the poor. Our fight against poverty and social exclusion will not be effective if the poor do not get their money’s worth.

Competition Policy is a relatively new area for most countries in the sub region. The Gambia is no exception. However, cognizant of the importance of competition policy in overall economic management the Gambia with assistance from the Commonwealth Secretariat Formulated a Competition Policy and Subsequently a Competition Act in 2007. The Act mainly seeks to foster fair competition that would not only increase the efficiency of businesses but also safeguard the well being of the general consumers.

My Department of State has therefore gone further by preparing the accompanying Procedural Rules and Guidelines. The Economic and Legal Guidelines are necessary for the determination of the cases that should be heard while the Procedural Rules are indispensable to clearly stipulate the various procedures the Commission intends to follow when dealing with cases.

I am pleased to inform you that my Department of State is currently in the process of establishing The Gambia Competition Commission. I am confident that when the Competition Commission is up and running, it would avail the Gambian business community and citizens for the first time a place to channel their grievances on unfair business practices. As you would agree with me our economy is rife with examples of

uncompetitive practices in all sectors that harm the interest of consumers and prejudice economic operators. These uncompetitive practices include collusive agreements, bid rigging, tied selling, market sharing, etc.

You would all agree with me that given the current atmosphere, we need to go beyond just creating the laws and policies to nurture and sustain a culture of healthy competition. The onus is therefore on all of us; the public and private sector operators as well as ordinary citizens to ensure a vibrant and competitive business environment. We all have a stake in this and therefore a role to play. I therefore enjoin all of us to rise to the challenge ahead.

Distinguished ladies and gentlemen, on that note, I thank you for your kind attention.

**Annex 3.** Statement by Bai Matarr Drammeh (President of the Gambia Chamber of Commerce and Industry):

It gives me great pleasure to speak at the opening ceremony of the National Reference Group established under the 7UP4 Project in The Gambia. I have been reliably informed that the 7UP4 Project is being executed in seven countries of West Africa: **Burkina Faso, The Gambia, Ghana, Mali, Nigeria, Senegal and Togo** and is supported by the Department for International Development (DFID), UK; the International Development Research Centre (IDRC), Canada; and the Ministry of Foreign Affairs, Sweden. I also understand that the objective of the project is Strengthening Constituencies for Effective Competition Regimes in the afore named Countries.

I would like to thank the supporting institutions to this project and to inform you that the Gambia Chamber of Commerce and Industry is delighted to be associated with such project. This is so because the issue of free and fair market competition is of paramount importance to GCCI as the apex private sector organization and it is first an issue for the sector operators before being an issue for the consumers.

Competition between firms is the lifeblood of strong and effective markets. Competition helps consumers get a good deal. It encourage firms to innovate by reducing slack, putting downward pressure on cost and providing incentives for the efficient organization of production. As such, competition is a central driver for productivity growth in the economy.

With competition consumers will enjoy better products at lower prices but also companies will always keep improving on the quality of their product and services to keep a step ahead of the competition, thus being more innovation and efficient in their use of resources.

When price competition is not enough to give private operators the edge they want over their competition, they take it further to non-price competition, offering the consumer an array of benefits that would make him even more comfortable. However, if not regulated, competition could kill efficiency by creating market distortions to the detriment of all economic operators.

The Gambia private sector has for long been suffering from lack of a regulatory authority in most industries resulting in the creation of private monopolies in some sectors, cartels in others and many other anti-competitive practices, which at the end of the day are a cost to the economy. However, we are happy to note that the Government, through the Department of State for Trade and Industry has taken bold steps to arrest this situation with the enactment of the Competition Law and they are working hard to set up the competition Commission. I must therefore use this opportunity to congratulate the Honourable Secretary of State for Trade, Industry and Employment for such an achievement and to assure him of the support of the private sector in this endeavour. We will do everything possible at the level of the Chamber of Commerce for the Competition Policy to be implemented successfully.

I believe that given all these developments in the area of competition in the Gambia, we can say that the 7UP4 Project comes at the right time and I have no doubt that it will add

value tremendously to what we are doing as a country to correct some of the market imperfections created by the lack of a healthy and sound competition environment.

I would like to assure all of you that the GCCI is with you in this endeavour and I wish you a successful implementation of the 7UP4 Project in West Africa.

I thank you all for your attention.

**Annex 4: Statement by Mr. Omar Badji, ProPAG Board Vice-Chairperson**

Welcome Address and Opening Remarks by The Pro-PAG Vice-Chairperson: Mr. Omar Badji:

- The Honourable Secretary of State for Trade, Industry & Employment, Mr. Abdou Kolley;
- The Deputy Head of CUTS International, Mr. Rijit Sengupta
- The President, Gambia Chamber of Commerce, Mr. Bai Matarr Drammeh;
- Mr. Lahcen Achy, CUTS Consultant
- Honoured Guests from key Stakeholder Institutions

On behalf of the board and staff of the Pro-Poor Advocacy Group, I want to first of all thank you for joining us on this very auspicious occasion. It is auspicious because it is the first time that The Pro-Poor Advocacy Group (Pro-PAG) and CUTS Centre for Competition, Investment and Economic Regulation (CUTS C-CIER) are holding their first meeting to formally launch the 7UP4 Project in The Gambia. Key players in competition, investments, consumer affairs and regulatory agencies have been brought together to discuss important issues relating to competition and consumer welfare for poverty reduction.

The Consumer Utility and Trust Society (CUTS International) is a Civil Society Organization based in Jaipur, India with long years of experience in competition law and policy and sectoral regulation. CUTS is in business to create both economic and social value in keeping with its mission to «promote fair markets and to enhance consumer welfare and economic development». The institution is at the forefront of the campaign to support the putting in place of good competition policy regimes and law and efficient institutions throughout the world. After Eastern and Southern Africa, CUTS has now come to West Africa. This project is being executed simultaneously in seven countries of West Africa: **Burkina Faso, The Gambia, Ghana, Mali, Nigeria, Senegal and Togo** and is supported by the Department for International Development (DFID), UK; the International Development Research Centre (IDRC), Canada; and the Ministry of Foreign Affairs, Sweden.

As a Civil Society Organization, they are coming through the Pro-Poor Advocacy Group (Pro-PAG) to engage the institutions in The Gambia dealing with competition policy and consumer protection issues.

Honored Guests,  
Ladies and Gentlemen,

This 7UP4 project in The Gambia will go through the following stages:

- Research to establish the state of competition in The Gambia
- Capacity building for Country Stakeholders
- Advocacy for a viable competition culture and the promotion of consumer welfare

This involves the constitution of a National Reference Group (NRG) that includes relevant stakeholder institutions and individuals knowledgeable in competition issues. This meeting also serves to formally launch the National Reference Group (NRG).



The purpose of this National Reference Group is to also sensitize national stakeholders (in both the state and non-state actor spheres) of the need to promote a competition culture at the national level, as a means to evolving well-functioning markets to foster economic development and alleviate poverty.

I truly hope that this NRG meeting will be a success and that the members will be fully committed to the project. With this, I would like to thank CUTS for partnering with Pro-PAG to implement this project that benefits The Gambia

I thank you all