

3rd Annual Meeting of ASEAN Consultative Forum on Competition

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The article is about the International Conference on Competition Policy and Law "Needs to build an effective Regional Competition Institution", the 3rd Annual Meeting of the ASEAN Consultative Forum on Competition (ACFC) on 13 & 14 Aug 2007 at the Melia Hanoi Hotel, Vietnam.

The event was organised by the Vietnamese Ministry and attended by Mr Ong Beng Lee, Chief Executive, CCS.

ASEAN insists on fair competition - Viet Nam News, 14 Aug, Pg 2

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HANOI — Competition law is one of the most important policies that provides a foundation for any market economy. A robust framework for competitive trading is essential if a fair business environment is to be maintained and economic efficiency improved.

Customer protection and satisfaction also has to be at the heart of any competition law.

These points were outlined by Deputy Minister of Industry and Trade Bui Xuan Khu who spoke at an international conference titled "Building an Effective Regional Competition Institution" in Ha Noi yesterday.

The event was organised by the Vietnamese Ministry of Industry and Trade, the US Agency for International Development, the French Adetef agency and Germany GTZ agency.

The conference, which took place in preparation for the third annual meeting of the ASEAN Consultative Forum for Competition, was hosted by Vietnamese officials from various ministries and agencies.

Representatives from the trade agencies of the ASEAN countries, officials from the ASEAN Secretariat and from the Asian Competition Forum and many international experts also attended.

Addressing the conference, Khu emphasised the importance of proper mechanisms to enforce regional co-operation in competition law.

"In the context of deeper integration between the ASEAN countries, establishing a stronger framework for co-operation that allows proper enforcement of competition law to deal with trade disputes is of great significance," he said.

Experience of anti-dumping and technical trade barriers should be shared between wealthy nations and those with less-developed economies, he added.

Stuart Chemtob, special counsel from the US Department of Justice stressed that co-operation among competition agencies is becoming increasingly important. He said: "Market integration at a bilateral or regional level can be fostered by convergent competition policies."

The need for competition law in the region stems from the fact that the ASEAN countries have a common market culture. To create a truly competitive environment to promote investment in each country, market economies should be equipped with a legal system supported by competition law, according to a representative from Indonesia.

Mohammad Iqbal, Chairman of the Commission for the Supervision of Business Competition in the Republic of Indonesia asserted that since the ASEAN crisis of 1997, most ASEAN countries realised the importance of competition policy to strengthen economic structures.

However, he also pointed out that there were many challenges for implementing healthy competition. These include the different points of view and characteristics of competition policy and law, the common perception that competition policy belongs only to developed countries and the need for a comprehensive approach to implement competition policies regarding legal infrastructure, advocacy and human resources.

The fears of losing national identity and sovereignty are also a barrier to implementing effective competition law, he said.

Several participants contributed their opinions about the structure of an effective regional competition institution.

Alice Pham from Consumer Unity and Trust Society International emphasised the role of civil societies in promoting competition culture and competition advocacy at a regional level.

"The mandate of civil society organisations is to check the balance between economic and social aspects of policies and to ensure that issues relating to public interest and consumer protection are considered judiciously in competition issues, and to discipline the behaviour of corporate companies," she said.

Son Stephanie from the International Affairs French Competition Council identified the key elements for effective regional organisations. These include a system of parallel competencies between the regional institutions and powerful national competition authorities of the member states.

In Viet Nam, the Competition Law was passed in December 2004 and came into effect on July 1, 2005.

The law prohibits five broad types of anti-competitive practices. These are competition restriction agreements, abuse of monopoly, anti-competitive concentrations of economic power, acts of unhealthy competition, and anti-competitive behaviours/decisions by officials or State administrative agencies.

The country's competition authority system, as prescribed by the Competition Law 2004, consists of Viet Nam Competition Council and Viet Nam Competition Administration Department. —VNS