

COFECE-005-2020

The OECD presents the Peer Review of Competition Law and Policy: Mexico 2020

- *This study acknowledges that COFECE and IFT are perceived by different audiences as solid, independent and ethical institutions, highly specialized and endowed with robust capacities for investigating anticompetitive conducts.*

Mexico City, February 13, 2020.- The *Peer Review of Competition Law and Policy: Mexico 2020* carried out by the Organisation for Economic Co-operation and Development (OECD) concludes that the Mexican Federal Economic Competition Commission (COFECE) and the Federal Telecommunications Institute (IFT) – the two competition authorities in Mexico – are perceived domestically and internationally as solid, independent, serious, reliable and ethical institutions, highly specialized and endowed with robust investigative capacities. This is the outcome of more than 25 years of competition policy in Mexico and of the entry into force of the 2014 Federal Economic Competition Law, aimed at establishing a “level playing field” for all economic agents participating in diverse sectors of the Mexican economy.

The document presented today by the OECD at the Ministry of Economy, is the result of an assessment, which took over a year, of the implementation of the competition policy in Mexico, based on interviews with relevant stakeholders such as academic experts, specialized judges, business representatives, practitioners, sectoral regulators and other public authorities, as well as officials from both COFECE and IFT.

The document contains more than 50 recommendations for further developing Mexican competition policy through actions that strengthen the technical independence and management of COFECE and IFT, the coordination and collaboration between these institutions and other public authorities, the development of guidelines and technical criteria that provide guidance and clarify new aspects of the law for improving the assessment of anticompetitive conducts potentially presented by economic agents, as well as to strengthen specialized courts in competition, telecommunications and broadcasting.

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During the presentation of the document, Alejandra Palacios Prieto, Chairwoman of COFECE, explained that, since its inception, the Commission has worked relentlessly to investigate and sanction monopolistic practices, to prevent concentrations that hinder competition and to promote pro-competitive laws and public policies.

Data shows that, with the support from the Mexican state through a larger assigned budget, COFECE has increased and improved; for example: currently, 20 dawn-raids are conducted per year, whereas none were conducted before; two criminal complaints have been filed before the Attorney General of Mexico; and in the field of advocacy, the Commission has contributed to opening markets traditionally closed to the participation of the private sector; additionally, it is an active voice for the regulation of new digital markets.

These numbers, Chairwoman Palacios added, reflect a stronger and more credible institution, while the economic agents receive a clear message on the consequences and costs of infringing competition law besides being more aware of the likelihood of being investigated. Consequently, and as a display of gratitude towards the Mexican government and the OECD, she expressed COFECE's commitment to analyze and comply with these recommendations.

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MORE COMPETITION FOR A STRONGER MEXICO

The Federal Economic Competition Commission is entrusted with safeguarding competition and free market access. Through this, COFECE contributes to consumer welfare and efficient functioning of the markets. Through its work, it seeks better conditions for consumers, greater output and better services and a “level playing field” for companies.

