

ICN Steering Group Statement: Competition during and after the COVID-19 Pandemic

- The ICN recognizes the unprecedented health, social, and economic challenges related to the COVID-19 pandemic. Competition agencies face new challenges in continuing their enforcement missions, due to the impact of COVID-19 on their work and the need to maintain the health and safety of their employees.
- Competition benefits consumers and economies by ensuring lower prices and new and better products and services. The application of competition law remains vital in a period when companies and the economy suffer from crisis conditions.
- The COVID-19 pandemic has prompted concerns that, while most businesses will act responsibly, some businesses might respond with anti-competitive conduct, e.g., by cartelizing or abusing a dominant position. It is of utmost importance to ensure that products and services remain available at competitive prices, especially those that are essential to urgent public health needs in the current situation, like medical supplies and equipment. Competition agencies intend to remain vigilant against anti-competitive mergers or conduct during this crisis.
- This extraordinary situation may trigger the need for competitors to cooperate temporarily in order to ensure the supply and distribution of scarce products and services that protect the health and safety of all consumers. Such joint efforts, if limited in scope and duration necessary to assist those affected by COVID-19, and in line with applicable laws or specific guidance from authorities, may be a necessary response to protect consumers and provide products or services that might not be available otherwise. It can be appropriate for competition agencies to accommodate collaboration between competitors necessary to address the circumstances of the crisis to the extent that their laws permit.
- Competition agencies aspire to engage in direct and open communication. We recognize this is critical during this crisis. Agency operational or procedural changes and new guidance about enforcement policies and business cooperation should be clear, transparent, and published in a timely manner.
- Competition agencies recognize that they also can have an important advocacy role in explaining the benefits of competition to the public and providing advice to their governments about the competitive implications and effects on consumers of proposed economic measures. Such expert advice on policy and legislative measures to ensure that markets function well may prove critical in the coming months and beyond.
- Maintaining competition in the long term is critical to benefit consumers, the functioning of markets, and our economies. As during past economic crises, competition agency enforcement and policy efforts to promote and protect competition will be vital to manage the

impacts of the crisis and create the best environment for economic recovery.¹ This is particularly important for consumers and newer and smaller businesses that are often hit hardest in a crisis.

- As a global community of competition agencies, the ICN serves as a forum to collect and exchange ideas, experiences, and best practices. We will continue to promote such collaboration within the network about the responses to this crisis. While many of our member agencies institute operational and procedural changes to address this crisis, we maintain the same shared and proven mission: to promote competition for the benefit of our consumers and economies.

¹ The ICN has articulated examples of the benefits of competition during an economic crisis in its statement “[The Case for Competition Policy in Difficult Economic Times.](#)”