

COFECE launches survey on sustainability and competition

Antitrust - January 12th, 2023

On December 13, 2023, the Federal Economic Competition Commission ("COFECE") published a questionnaire on sustainability from a competition perspective (the "Questionnaire")², requesting interested parties to submit their responses to all or part of the Questionnaire no later than **January 24, 2024**.

In recent years, sustainability in economic activity has gained prominence on the international public agenda, including commitments for sustainable social and ecological development. These commitments aim to address various issues such as global warming, inclusive economic growth, and dignified employment, among others.

While some of the challenges related to sustainable development stem from market failures addressable through legal frameworks, such as determining measures to reduce environmental impact or ensuring dignified working conditions, there are cases of regulatory failures where governments are not capable of applying in a timely manner, necessary regulations to address negative externalities.

In this regard, during the Sixth MootComp (2022), our partner **Carlos Orcí Berea** and other prominent panelists highlighted the need to promote cooperation and coordination between competition authorities and other market agents to make advances in sustainability; and the fact that, in certain cases, competition analysis should consider aspects of sustainability in order to prevent competition law from becoming a barrier which could hinder sustainability initiatives, without this compromising the protection of market competition ([watch video](#)).

In this context, some competition authorities have started to analyze the intersection between competition policy and sustainability and explore the possibility of incorporating aspects of sustainability into competition analysis.

² Available [here](#).

To align itself with international best practices and competition trends, COFECE has decided to include in its objectives for the next three years action to link competition policy and sustainability, and plans to produce a working document on sustainability.

COFECE will use the responses received to the Questionnaire as input in developing this working document, and will publish the responses in an aggregated and anonymous manner.

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