

Remarks delivered at the launch of the OECD Peer Review of Competition Law and Policy in Kenya report

Dr. Chris Kiptoo, Principal Secretary, National Treasury,
Mr. Lawrence Kibet, Director General Public Investments and Portfolio Management,
National Treasury,
Mr. Charles Mahinda, Board Chair, Competition Authority of Kenya
Mr. David Kemei, Director General of the Competition Authority of Kenya
Dr. Antonio Gomes, Dy. Director of the OECD for Financial and Enterprise Affairs, and
former President of the Portuguese Competition Authority

Colleagues from the OECD, and industry, distinguished ladies and gentlemen –

Good morning!

It is a pleasure to be here with you this morning at the launch of the **OECD Peer Review of Competition Law and Policy in Kenya**. It is a privilege for FSD Kenya to be associated with this significant milestone.

Allow me to start by congratulating the National Treasury, the Competition Authority of Kenya and the OECD team. This review is the result of extensive work and engagement with a wide range of stakeholders. It is more than a ceremonial publication; it offers a balanced, evidence-based picture of where Kenya stands and the opportunities to further strengthen our markets.

This kind of objective assessment is valuable, because it creates a joint understanding of where we are and where would like to go, and how we can together realize our joint ambitions.

From FSD Kenya's perspective, the timing could not be better. Kenya is seeking to mobilize more private investment, deepen financial markets, and unlock growth in agriculture, MSMEs, housing and the digital economy.

Effective competition policy is a quiet, but powerful, enabler of these ambitions: when markets are open and predictable, firms invest, innovate and pass benefits to consumers.

The review recognises how far Kenya has come. In just over a decade, the CAK has grown from a unit within the Treasury to an independent statutory body with its own budget and strategy. It has taken on a wide mandate – from mergers and cartels to consumer protection and abuse of buyer power – and has invested in guidance, outreach and advocacy.

At the same time, the report points to areas where further strengthening would have real impact. It flags the importance of

1. building a deeper enforcement track record on core competition cases and of
2. publishing fuller, reasoned decisions so that businesses, practitioners and the public can understand how the law is being applied.
3. It also underlines the need for adequate, predictable resourcing and specialist skills – including economics – as well as governance arrangements that support independence and continuity.

These issues matter for ordinary Kenyans. When markets are not competitive, it is consumers and smaller firms who feel it most – in higher prices, fewer choices and barriers to entry. **For an economy built on MSMEs, farmers and informal workers, competition policy is therefore not a niche legal topic; it is central to inclusive growth.**

For FSD Kenya, this agenda connects directly to our mission of making the financial system work better for Kenyans across the income spectrum. Competitive markets help ensure that digital payments, credit, insurance and capital markets **deliver choice, fair pricing and innovation, rather than entrenching a few dominant players.**

We also see strong alignment between the peer review recommendations and the CAK's own Strategic Plan, particularly its focus on priority sectors such as agriculture, MSMEs, healthcare and digital markets.

As I mentioned earlier, the launch of this report is not just a celebratory moment. It also gives us the additional fuel for concerted action.

First, to use this review as a basis for a shared reform roadmap that brings together the National Treasury, CAK, Parliament and key stakeholders. FSD Kenya is ready to support this through technical assistance, convening and research.

Second, to ensure that enforcement and advocacy work hand in hand. In digital payments and financial services, Kenyans have gained from innovation and scale, but there are also concerns about limited choice, barriers for smaller providers and difficulties for consumers who want to switch. A strong, well-resourced competition authority, working closely with financial sector regulators, can help manage these risks while protecting what has made Kenya a leader. Closer joint supervision will be

important to strengthen compliance and consumer protection where market power and essential infrastructure meet.

Third, to apply a stronger competition lens in sectors that matter most for livelihoods – from agricultural value chains and MSME finance to digital platforms and public procurement. Many of us are already active in these areas; by aligning our efforts more intentionally with competition goals, we can increase the impact of existing programmes and reforms.

In closing, let me again thank the National Treasury, CAK and OECD for embracing such a rigorous review, and for the constructive way in which it has been carried out. FSD Kenya is committed to being a long-term partner in turning these recommendations into real changes that make Kenya's markets more competitive, fair and inclusive.

Thank you.

Rashmi Pillai,
Chief Executive Officer,
FSD Kenya
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