

Paris, February 4th, 2020

Morocco – Fixed Broadband –310 million euros fine against Maroc Telecom for abuse of dominant position – Magenta secured a landmark decision for Wana

On January 17, 2020, the National Telecommunications Regulatory Agency (« ANRT »), which has jurisdiction to apply competition law in this sector in Morocco, issued a landmark decision by fining Maroc Telecom up to 310 million euros (3.3 billion DH) for abuse of dominance in the implementation of unbundling of the local loop (decision ANRT/CG/n°01/2020).

This decision follows a complaint filed with the ANRT by Wana, also known as Inwi, the latter reported several obstructive practices implemented by Maroc Telecom that hindered the unbundling of its local loop network and consequently blocked development of fixed broadband in Morocco.

As a matter of fact, though unbundling should have been effective for over 10 years, IAM still holds a 99.9% market share on the ADSL retail market in Morocco.

Founding that the practices denounced by Wana revealed a breach of competition law, the ANRT imposed a fine of almost 10% of IAM worldwide turnover (legal maximum), in addition to numerous injunctions subject to penalty payment aiming at immediately unlock the market that has been severely affected by these behaviors, the ANRT indicated. According to ANRT's [press release of February 2nd 2020](#), the improvement of competition induced by its decision is *“likely to benefit, like for mobile, to consumers and undertakings”*.

This decision is historical for several reasons: besides the amount of the fine, which reflects the gravity of the practices at stake and their impact on the economy and consumers, it is the first decision implementing antitrust law in Morocco.

Wana, also known as Inwi, was assisted in this procedure by Magenta team led by Sylvain Justier (partner) and Adrienne Salaün (associate).

About Magenta:

Magenta is a law firm specialized in competition law, regulatory and public law.

With a dozen10 lawyers, the firm holds a notable expertise in competition law, together with a high-end competence in regulatory law in sectors such as telecom, transport, energy, internet and new technologies.

Thanks to This dual specialization, key of its positioning, Magenta perfectly masters the technical, economical and industrial environment in which its clients operate and therefore provides them with a practical and relevant assistance in order to help them achieve their objectives.

Magenta recently distinguished itself through several cases before the French competition authority (metropolitan and Polynesian - antitrust and merger control) and through dispute settlement procedures before the sectorial regulatory Authorities (ARCEP and ART).

Magenta is recommended by Chambers and Legal500 for its expertise in competition law and in regulatory law, especially in the telecom and energy sectors.

Magenta is also ranked as « Excellent » in antitrust, merger control and regulatory law by the magazine Decideurs.

More information on www.magenta-legal.com

Contact :

Sylvain Justier : sylvain.justier@magenta-legal.com – + 33 1 42 25 10 62