

# Global Forum on Competition

7-10 December 2020

## PROGRAMME

## About the OECD Global Forum on Competition

Established in 2001, the OECD Global Forum on Competition brings together each year high-level officials from more than 100 competition authorities and international organisations worldwide, from both OECD and non-OECD economies. Joining with representatives of international organisations and invited experts, participants debate and discuss key topics on the global competition agenda. With a broad focus on development, the Forum promotes a wider dialogue that encompasses the linkages between competition policy and other cornerstones of economic development.

The programme includes OECD-style roundtable discussions, presentations from notable experts as well as peer reviews. Discussion topics benefit from the input of the Competition Committee whose work is at the forefront of debate on competition policy and enforcement. The Committee promotes the regular exchange of views, analysis and best practices on key competition policy issues and is supported by the Competition Division within the OECD Directorate for Financial and Enterprise Affairs.

[www.oecd.org/competition/globalforum](http://www.oecd.org/competition/globalforum)  
[www.oecd.org/daf/competition](http://www.oecd.org/daf/competition)

## Contacts

**James MANCINI** | Competition Expert - Manager GFC  
OECD Competition Division  
James.MANCINI@oecd.org | Tel. +33 (0)1 45 24 74 45

**Angélique SERVIN** | Event Co-ordinator  
OECD Competition Division  
Angelique.SERVIN@oecd.org | Tel. +33 (0)1 45 24 15 15

[www.oecd.org/competition/globalforum](http://www.oecd.org/competition/globalforum)



#OECDcomp @OECD\_BizFin



oecd-competition-law-and-policy

# DAY 1 – 7 DECEMBER 2020

## Opening session

🕒 13:00 - 13:40 CET

### Opening remarks



**Angel Gurría**

Secretary General  
OECD

### Keynote Address



**Margrethe Vestager**

Executive Vice President  
European Commission

### Introductory remarks



**Frédéric Jenny**

Chairman  
OECD Competition Committee

## Session 1. Competition policy: Time for a reset?

🕒 13:40 - 16:00 CET

There is a lively debate about whether fundamental changes are needed to existing competition policy frameworks. Proposals include legislative changes to capture a wider range of potentially anticompetitive mergers and conduct, to accelerate competition enforcement actions, or to enable different evidentiary standards and remedies. Others are proposing that the fundamental objectives and focus of competition policy be broadened, to include the consideration of industrial policy, competitive neutrality in trade, inequality, resilience and sustainability. These proposals are taking on new urgency as governments seek to promote growth in the wake of the COVID-19 pandemic. Critics of these proposals for fundamental change fear they will undermine the traditional focus of competition policy on consumers, and thus its effectiveness, suggesting that other regulators or policymakers may be better positioned to address these challenges. This session will seek to move this debate forward, and explore whether fundamental changes are needed to existing competition policy frameworks. The session will be led by a panel of experts from different policy areas to debate the question and discuss with delegates in an interactive Q&A format.

All related documentation is available at [oe.cd/cptr](https://oe.cd/cptr).

### Chair



**Frédéric Jenny**

Chairman  
OECD Competition Committee

### Speakers



**Bill Kovacic**

Director, Competition Law  
Center, George Washington  
University



**Diana Moss**

President  
American Antitrust Institute



**Damien Neven**

Professor  
Graduate Institute of Geneva



**Hiroshi Ohashi**

Professor of Economics  
University of Tokyo



**Thando Vilakazi**

Executive Director, CCRED  
University of Johannesburg



**Christine Wilson**

Commissioner  
US Federal Trade Commission

# DAY 2 – 8 DECEMBER 2020

## Session 2. Abuse of dominance in digital markets

🕒 13:00 - 15:00 CET

Many digital markets exhibit certain characteristics, such as low variable costs, high fixed costs and strong network effects, that result in high market shares for a small number of firms. In some cases, these lead to “competition for the market” dynamics, in which a single firm captures the vast majority of sales. Firms in these concentrated markets may possess market power, the ability to unilaterally and profitably raise prices or reduce quality beyond the level that would prevail under competition. There is an ongoing debate about whether competition policy is adequately making use of this tool in digital markets today.

However, authorities face numerous challenges when bringing abuse of dominance cases in digital markets:

- First, determining whether a firm is dominant is a substantial challenge.
- Second, authorities must decide whether to use new theories of harm, such as self preferencing, rather than existing theories such as tying and bundling, or refusal to deal.
- Third, abuse of dominance cases can be lengthy and resource-intensive.

This session will discuss the main types of abuse of dominance concerns that can emerge in digital markets, what makes these markets unique, and how have competition authorities around the world tackled the challenges described above.

All related documentation is available at [oe.cd/dmkt](https://oe.cd/dmkt).

### Chair



**Frédéric Jenny**

Chairman  
OECD Competition Committee

### Speakers



**Cristina Caffarra**

Vice President and  
Head of European  
Competition Practice  
Charles River Associates



**Amelia Fletcher OBE**

Professor of Competition Policy,  
Centre for Competition Policy  
and Norwich Business School  
University of East Anglia



**Pablo Ibáñez Colomo**

Professor of Law  
London School of Economics



**Lina Khan**

Associate Professor of Law  
Columbia Law School

# DAY 3 – 9 DECEMBER 2020

## Session 3. Economic analysis in merger investigations

### Expert panel 🕒 13:00 – 14:00 CET

Economic analysis is a fundamental part of merger control. It underpins the theories of harm that guide merger reviews, and it provides the tools to interpret evidence when assessing these theories. Economic expertise can be of value at each stage of a merger investigation, from evidence gathering to the assessment of remedies.

The quantitative economic techniques used by competition authorities to analyse mergers range from diversion ratios, to pricing pressure indices, to merger simulations, among others. Several practical considerations and questions arise when using economic analysis in merger control, including: how to integrate economists into case handler teams, whether to use external expertise, and how to ensure economic analysis is easily comprehensible by decision-makers and courts.

All related documentation is available at [oe.cd/eami](https://oe.cd/eami)

### Break-out sessions 🕒 09:00 – 11:00 CET and 16:00 – 18:00 CET

In addition to the expert panel discussion, this session will be divided into break-out sessions, organised in two time periods (morning and afternoon) to enable as many delegates to participate as possible. For each time period, there will be three break-out groups focusing on:

#### Topic 1: Surveys and other data gathering techniques

Break-outs A1 (09:00-11:00 CET) and B1 (16:00-18:00 CET)

#### Topic 2: Quantitative evidence

Break-outs A2 (09:00-11:00 CET) and B2 (16:00-18:00 CET)

#### Topic 3: The role of economists in merger teams and qualitative evidence review

Break-outs A3 (09:00-11:00 CET) and B3 (16:00-18:00 CET)

### Speakers and break-out session chairs

Panel speaker and  
Chair of break-out A3



**Jill Walker**

Member  
Australian Competition Tribunal

Panel speaker and  
Chair of break-out A2



**Herbert Fung**

Senior Director, Competition and Consumer  
Commission of Singapore

Panel speaker and  
Chair of break-out B3



**Guilherme Mendes Resende**

Chief Economist,  
CADE, Brazil

Panel speaker and  
Chair of break-out B2



**Pierre Régibeau**

Chief Competition Economist  
European Commission

Panel speaker and  
Chair of break-out A1



**Oren Rigbi**

Chief Economist  
Israel Competition Authority

Chair of  
break-out B1



**Sungick Cho**

Chief Economist  
Korea Fair Trade Commission

### Plenary chair



**Frédéric Jenny**

Chairman,  
OECD Competition Committee

# DAY 4 – 10 DECEMBER 2020

## Session 4. Using market studies to tackle emerging competition issues

🕒 13:00-15:00 CET

The debate on how best to use and adjust the current competition policy framework and tools to deliver benefits to society in a changing world continues to evolve as competition authorities gain experience in both antitrust and merger cases in various industries. This experience has shown that challenges to effective competition do not come solely from anti-competitive behaviour and merger strategies.

For example, when markets are characterised by high or discriminatory prices or poor quality, the cause may not be anticompetitive conduct by incumbents, or agreements between firms, but instead market features such as concentration, high barriers to entry, behavioural bias leading to consumer lock-in, network effects, anticompetitive regulation, or distortions of competitive neutrality.

This session will discuss the key questions facing competition authorities when considering market studies and emerging competition issues:

- What type of emerging competition issues are competition authorities currently facing?
- What role can the market study tool play to address them?
- What are the strategic considerations competition authorities take into account when deciding whether to use the market study tool?

All related documentation is available at [oe.cd/mstei](https://oe.cd/mstei)

### Speakers



**Andrea Coscelli**  
Chief Executive  
CMA  
United Kingdom



**Luis A. Gomez**  
Chair  
EMEA Competition Group  
Baker McKenzie LLP



**Alejandra Palacios Prieto**  
Chairwoman  
COFECE  
Mexico



**Hardin Ratshisusu**  
Deputy Commissioner  
Competition Commission  
South Africa



**Ana Sofia Rodrigues**  
Chief Economist  
Competition Authority  
Portugal



**Sangeeta Verma**  
Member  
Competition Commission  
India

### Chair



**Frédéric Jenny**

Chairman  
OECD Competition Committee

## OECD Competition & Global Relations

Using its vast storehouse of expertise accumulated over the past 50 years, the OECD has created a range of mechanisms to engage with authorities around the world to help reinforce their competition framework.

Two **annual fora** disseminate the work of the OECD Competition Committee and bring over 100 jurisdictions into the OECD family: Global Forum on Competition and the OECD-IBD Latin American and Caribbean Competition Forum.

[www.oecd.org/competition/globalforum](http://www.oecd.org/competition/globalforum)  
[www.oecd.org/competition/latinamerica](http://www.oecd.org/competition/latinamerica)

The three **regional centres** for competition provide regular training seminars for the countries and economies within their regions: the OECD/Korea Policy Centre Competition Programme in Seoul, Korea, the OECD-GVH Regional Centre for Competition in Budapest, Hungary and the Regional Centre for Competition in Latin America in Lima, Peru.

[www.oecd.org/competition/seoulrcc](http://www.oecd.org/competition/seoulrcc)  
[www.oecd.org/competition/budapestrcc](http://www.oecd.org/competition/budapestrcc)  
[oe.cd/lima-rcc](http://oe.cd/lima-rcc)

## Capacity building

Capacity building remains a cornerstone of the OECD's competition global relations activities.

Through bilateral or regional workshops, training, and advice, the OECD targets the specific needs of the participating authorities on topics ranging from cartel prosecution, merger analysis, competition economics for both specialists and non-specialists, abuse of dominance, legislative drafting, studies in sector specific regulation.

Fighting bid rigging in public procurement and competition assessment of laws and regulations are the OECD's flagship training programmes.



### Competition Assessment

Laws, regulations or other government-imposed barriers can unduly restrain market activities. One important step to eliminate these restraints is “competition assessment”, that is, the evaluation of policies to find those unnecessarily restricting competition in order to develop alternative policies which still achieve governments objectives.

The OECD has developed a Competition Assessment Toolkit which can be used by competition specialists and non-specialists alike. The OECD has led projects on competition assessment of specific sectors in Greece, Mexico, Portugal, Romania, Tunisia and is currently working with Iceland and 10 ASEAN member countries.

The toolkit is available for download in several languages at [oe.cd/cat](http://oe.cd/cat).

### Fighting Bid Rigging in Public Procurement

Bid rigging happens when groups of firms conspire to raise prices or lower the quality of goods, works or services offered in public tenders. OECD countries spend approximately 12% of their GDP in public procurement and this percentage can be higher in developing countries. Efficient and competitive procurement processes are thus key to obtaining goods and services at the best value for money.

The OECD Guidelines for Fighting Bid Rigging in Public Procurement help public officials reduce the risks of bid rigging, through the careful design of public procurement tenders, and to detect bid rigging conspiracies during procurement processes. The OECD can help governments assess their procurement process and provide policy recommendations for improvement. After working with several institutions in Mexico and Argentina, the OECD is now working with Brazil, Peru, and Ukraine.

The Guidelines are available for download in several languages at [oe.cd/gfbr](http://oe.cd/gfbr).



[www.oecd.org/competition/globalforum](http://www.oecd.org/competition/globalforum)

