



GLOBAL FORUM ON COMPETITION

Programme

7-8 December 2023



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
www.oecd.org/daf/competition

Contacts

Lynn ROBERTSON | Competition Expert - Manager GFC
OECD Competition Division
Lynn.ROBERTSON@oecd.org | Tel. +33 (0)1 45 24 18 77

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



#OECDcomp @OECD_BizFin



oecd-competition-law-and-policy

DAY 1 – 7 DECEMBER 2023

Opening Session

🕒 09:30 - 10:10 CET

Opening remarks



Mathias Cormann
Secretary-General, OECD

Introductory remarks



Carmine Di Noia
Director, OECD Directorate for
Financial and Enterprise Affairs

Keynote address



Clare Lombardelli
Chief Economist, OECD

Closing remarks



Frédéric Jenny
Chair, OECD Competition Committee

Session 1. From Globalisation to Regionalisation

🕒 10:10 – 12:30 CET

Competition is not a one-size-fits-all concept and can vary significantly across different regions around the world. This session will examine whether there is an increasing emphasis on regional competition interests, potentially hampering efforts to the detriment of globalisation. It will explore how competition is evolving, consider the different perspectives about competition in each region and look towards the future, discussing the potential impacts of evolving global trends on regional competition dynamics. The session will try to answer the following questions:

- What are the factors and dynamics influencing competition in different regions and what are the implications for the development of effective competition frameworks?
- What are the divergent perceptions and attitudes towards competition?
- To what extent do regional competition policies prioritise local or regional interests?
- Looking ahead, how might evolving global trends, such as digital technologies or changing trade dynamics, shape the future of competition in different regions?

All related documentation is available at oe.cd/fqtr.

Speakers



Thomas Cheng
Professor
University of Hong Kong



Angayar Kanni Ramiah
Senior Lecturer
UiTM Penang



Francis W. Kariuki
Senior Consultant in
Competition, Bowmans Law



Simon Roberts
Professor
University of Johannesburg



Mario A. Umaña
Lead Trade and Competition Specialist
IDB



Angela Zhang
Associate Professor of Law
University of Hong Kong

Chair



Frédéric Jenny
Chair
OECD Competition Committee

📷 & Lunch break

🕒 12:30 – 12:45 CET

🕒 12:45 – 15:00 CET

Leniency applications are often perceived as the primary or only method to detect cartels. Many competition authorities, however, do not have leniency programmes or their programmes are not sufficiently effective, yet they still successfully identify cartel activities.

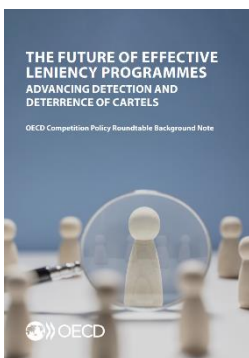
Authorities' detection toolboxes include not only reactive methods, such as complaints and whistleblowing programmes, but also proactive detection tools which rely on the use of economics, national/international case analysis, industry monitoring, agency co-operation, and advanced technology-led screens.

This session is an opportunity to explore in-depth alternatives to leniency programmes, and to discuss the policy approach to a diversified detection strategy. In particular, it will discuss:

- Experiences with proactive and reactive cartel detection tools, besides leniency;
- How alternative methods can be combined with leniency to benefit each other;
- The existence of potential conflicts between different methods and with leniency;
- What alternative methods are most successful in the absence of leniency;
- To what extent are subsidies currently incorporated by competition authorities in competition analysis?

All related documentation is available at oe.cd/atlp

Background note



[The future of effective leniency programmes](#)

Chair



Frédéric Jenny

Chair
OECD Competition Committee

🍸 **Cocktail - Launch of Gender Inclusive Competition Toolkit**

Co-hosted by Austria, Canada and Mexico

Château de la Muette

🕒 17:45 - 19:30 CET

DAY 2 – 8 DECEMBER 2023

Session 3. Use of Economic Evidence in Cartel Cases 🕒 10:00 - 13:00 CET

Plenary session 🕒 10:00 – 10:40 CET and 12:30 – 13:00 CET

Cartels are recognised as “the most egregious violations of competition law” because of their anticompetitive conduct nature (no efficiencies or pro-competitive benefits) and because they are secret practices. Across the world, cartel conduct is prohibited per se or by object, without the need to prove their anti-competitive effects or their actual implementation. Prohibitions on cartel conduct apply not only to explicit agreements but encompass a range of conduct where parties have reached a meeting of the minds.

This session will include two parallel break-out sessions which will provide an opportunity for participants to discuss the topic. The first break-out session will cover how economic evidence can be used to prove cartel conduct and the evidentiary value of economic evidence about the structure of a market. The second, will discuss how economic evidence can be persuasively presented to decision makers and courts.

An Issues Note is: [here](#) and all related documentation is available at oe.cd/egci.

Plenary Chair



Babatunde Irukera

Executive Vice-Chairman/CEO
FCCPC, Nigeria

Remarks by



Tina Søreide

Director General
Norwegian Competition Authority

Break-out sessions 🕒 10:40 – 12:30 CET

Breakout session 1. How can competition agencies use economic evidence in their enforcement work (Room CC4)



Moderator: K.C. Chan

Member & Adjunct Professor
Competition Commission Hong Kong & HKUST



Simon Roberts

Professor
University of Johannesburg

Breakout session 2. How can competition authorities effectively communicate economic evidence in court and to non-experts (Château Room C)



Moderator: Kabir Ahmed Sidhu

Chairman
Competition Commission of Pakistan



Cristina Camacho

Head of Cabinet
Portuguese Competition Authority



John Davies

Member
UK Competition Appeal Tribunal

🍴 Lunch break

🕒 13:00 - 14:45 CET

Session 4. Ex-post Assessment of Merger Remedies

🕒 14:45 - 17:45 CET

Merger control is an important part of any competition regime, and effective merger remedies are needed to ensure its efficacy. Remedies are a distinct process within merger control and represent a number of specific challenges that warrant careful consideration, including how remedies are designed as well as how they are implemented. Ex-post assessments of merger remedies allow competition authorities to look retrospectively at previous merger remedy decisions to review whether the remedy proceeded as expected or if things could have gone better. This enables competition authorities to refine and improve their practices and be confident in their decision making going forward.

This session will explore several aspects of ex-post assessments of merger remedies, including reviews that consider the implementation of the remedy as well as those that consider its design. It will also discuss the need for them in competition authorities' toolkits, and how best to implement them effectively according to the resources available. What criteria guide competition authorities when using remedies and commitments in addition or as an alternative to sanctions?

All related documentation is available at oe.cd/eamr.

Chair



Frédéric Jenny

Chair
OECD Competition Committee

Speakers



Amelia Fletcher

Professor of Competition
Policy
University of East Anglia



John E. Kwoka

Neal F. Finnegan Distinguished
Professor of Economics
Northeastern University



William Kovacic

Global Competition Professor of
Law and Policy,
George Washington University

Background note



[Ex-post assessment
of merger remedies](#)

Final session.

Other business and proposals for future work

🕒 17:45 - 18:00 CET

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-IDB Latin American and Caribbean Competition Forum.

oe.cd/gfc
oe.cd/lacoc

The OECD joins with UN-ESCWA and UNCTAD to hold an Annual Forum for the countries of the MENA region:
oe.cd/comp-mena

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.

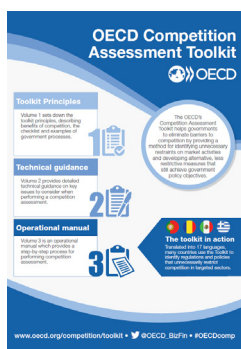
oe.cd/seoul-rcc
oe.cd/budapest-rcc
oe.cd/lima-rcc

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, competition assessment of laws and regulations as well as market studies are the OECD's flagship training programmes and are often accompanied by indepth country projects.



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.

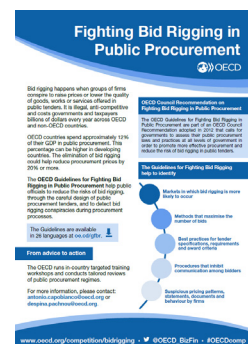
The toolkit is available for download in several languages at oe.cd/cat.

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.



For more information please visit

oe.cd/gfc

