

# Global Forum on Competition

7-8 December 2017

OECD Conference Centre, Paris

## 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)

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

 [#OECDcomp](https://twitter.com/OECDcomp) [@OECD\\_BizFin](https://twitter.com/OECD_BizFin)

# /// FORUM TIMETABLE ///

## DAY 1

07 DEC 2017

🕒 09:15 - 10:15 📍 CC1

Opening remarks 🎤

🕒 10:15 - 12:30 📍 CC1

Session 1  
Are competition and democracy symbiotic?

[oe.cd/283](https://oe.cd/283)

🕒 12:30 - 12:45 📍 Atrium

Group picture 📷

🕒 12:45 - 14:45 📍 Espresso café

Buffet lunch offered by the OECD 🍴

🕒 14:45 - 15:30 📍 CC1

Special remarks by Angel Gurría  
OECD Secretary-General 🎤

🕒 15:30 - 18:45 📍 CC1

Session 2  
Judicial perspectives on competition law

[oe.cd/jpcl](https://oe.cd/jpcl)

🕒 18:45 - 20:45 📍 Buffet du Parc

Cocktail 🍹

## DAY 2

08 DEC 2017

🕒 09:00 - 09:30 📍 CC1

Session 3  
Focus on small agencies and those in developing economies

PLENARY SESSION

[oe.cd/sda](https://oe.cd/sda)

🕒 09:30 - 11:30

Break-out sessions

📍 CC1	📍 CC2	📍 CC10
1. Advocacy	2. Enforcement	3. Creating legitimacy

🕒 11:30 - 13:00 📍 CC1

Wrap-up plenary

🕒 13:00 - 14:30

Lunch break 🍴

🕒 14:30 - 16:30 📍 CC1

Session 4  
Peer Review of Viet Nam

[oe.cd/vtn](https://oe.cd/vtn)

🕒 16:30 - 17:30 📍 CC1

Session 5  
Competition in public markets

[oe.cd/28n](https://oe.cd/28n)

🕒 17:30 - 18:00 📍 CC1

Final Session  
Other business and future work

## General information



### Documentation & Presentations

All Forum **documentation** is available on the Forum website [oe.cd/gfc](http://oe.cd/gfc) under each discussion page [see also the short URLs given throughout the agenda].

**Powerpoint presentations** will be uploaded progressively on the site after they are presented.



### Sharingbox & Social Media

Please note that a Sharingbox is available during the two days of the Forum so that you may take a picture as a souvenir and share it through social media.

When tweeting about the Forum, please use the hashtag **#OECDcomp**.



### Interpretation

Discussions will be held in the two OECD official languages (English and French), with simultaneous interpretation. Headphones are available for you under the main tables or in the side pockets of the chairs at the back of the room. Please choose one of the two channels to listen to English or French interpretation.



### Hot drinks available

Please note coffee and tea will be available continuously to Forum participants outside the entry of the room.

## Conference centre facilities



### Internet & WiFi

There is a free WiFi service in the room and in the Conference Centre. Please connect to the network "HotspotOECD", open a browser page and accept the OECD terms of use.



### Restaurants

There is a coffee bar (*red chairs*) and a self-service restaurant in the OECD Conference Centre.

Please note they do not accept credit card payment. If you need to withdraw cash, an ATM is available near the Bookshop at level -1 (Société Générale).



### Printing

The *Copycentre* can handle any printing jobs you may have. It is located at the bottom of the escalators.



### Bookshop

You are invited to visit the OECD Bookshop to discover our latest publications and a range of OECD souvenirs.

The bookshop is adjacent to the coffee bar (*red chairs*) area at level -1 and open Monday to Friday.

## KEY TIMES & EVENTS

### DAY 1

- 12:30 Official Photo & Buffet Lunch**  
The group photo will be taken on the stairs next to the escalators. A **buffet lunch** is offered to you at the Espresso Café in the Conference Centre (*red chairs*) directly after the official photo is taken.
- 14:45 Speech by OECD Secretary-General**
- 18:45 Cocktail**  
Buffet du Parc (restaurant on the entrance level of the Conference centre).


### DAY 2

- 09:30 Break-out sessions in Rooms 1, 2 and 10**
- 11:30** The break-out sessions for session 3 will allow for an informal and lively dialogue among participants. The allocation of participants per session will be displayed in room CC1.  
Participants are kindly invited to return to room CC1 immediately after the break-out sessions where they will hear reports from the session moderators and continue the discussions.
- 17:30 Evaluation questionnaire**  
We hope you enjoy your Forum experience. Please give us your views and choices for next year's topics by filling in the evaluation questionnaire before you leave.

# DAY 1 – 7 DECEMBER 2017

## Opening session

 7 December 2017

 09:15 - 10:15

 Room CC1

### Opening remarks



**Masamichi Kono**  
Deputy Secretary General,  
OECD

### Keynote speaker



**Hernando de Soto**  
President of the Institute for  
Liberty and Democracy (IDL)

### Introductory remarks



**Frédéric Jenny**  
Chairman,  
OECD Competition Committee

## Session 1. Are competition and democracy symbiotic?



7 December 2017



10:15 - 12:30



Room CC1

URL [oe.cd/283](https://oe.cd/283)

Democracy and competition law and policy are often considered as interwoven, and mutually beneficial. The argument being that competition supports democracy by dispersing economic power through by ensuring against concentrations and cartelisation. Economic power is thus shared across a wide range of economic actors rather than in the hands of a select few who could potentially exert undue influence over government and political decision-making processes. Democracies grow and thrive based on a multitude of factors such as strong rule of law, respect for institutions and a sufficiently large voting population.

This session will consider if competition can be included amongst the success factors for democratic government particularly when considering countries transitioning to democratic systems of government. Are there linkages between democracy, the degree to which a country is democratic, and the prevalence of competition across an economy? As competition enforcement evolves, does this change the nature to which it can or does support democracy? How can competition enforcement be a vector for democracy? Is it possible for market liberalisation and competition to thrive in the absence of democracy? This session will be held on the first day and led by a panel of experts from different policy areas who will debate the topic and discuss with participants in an interactive Q&A format.

### Panellists



**Lars P. Feld**

Member of the German Council  
of Economic Experts



**Ian S. Forrester**

Judge, General Court of the  
European Union



**Eleanor M. Fox**

Professor of Trade Regulation,  
NY University School of Law



**David Lewis**

Executive Director  
Corruption Watch



**Spencer Weber Waller**

Associate Dean and Professor,  
Loyola University Chicago  
School of Law

All related documentation is available at [oe.cd/283](https://oe.cd/283).



### Official group picture



7 December 2017



12:30 - 12:45



Stairs at the Atrium



### Buffet lunch



7 December 2017



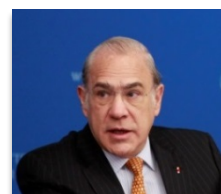
12:45 - 14:45



Espresso Café

## Special remarks

 7 December 2017  14.45 - 15.30  Room CC1



**Angel Gurría**  
Secretary-General,  
OECD

## Session 2. Judicial perspectives on competition law

 7 December 2017  15:30 - 18:45  Room CC1 URL [oe.cd/jpcl](http://oe.cd/jpcl)

Competition cases are often characterised by complex litigation and differing sets of economic evidence. This roundtable will be led by a panel of world senior members of the judiciary so as to address various dimensions of the judicial adjudication of competition law. While recognising the differences that exist across jurisdictions, the session will try to elicit the main common challenges that judges face when applying competition law, and find ways to address those challenges. Since the audience comprises not only other judges, but also representatives of competition agencies from around the world, the roundtable will provide a venue for an exchange of views regarding the interaction between competition agencies and courts.

**Topics explored:** **Standard of proof** and the evidence in judicial proceedings related to competition, **Interactions** between judges and competition authorities, and **Experiences** and lessons regarding the use of generalist and specialised competition courts.

### Panellists



**Paul Crampton**

Chief Justice, Federal Court,  
Canada



**Dennis Davis**

President of the Competition  
Appeal Court, South Africa



**Mouhamadou Diawara**

President, Competition  
Commission, Senegal



**Donghwan Shon**

Presiding Judge, Goyang  
district court, Korea



**Enrique Vergara**

President, Competition  
Tribunal, Chile



**Nils Wahl**

Advocate General, Court of  
Justice of the European Union

All documentation is available at [oe.cd/jpcl](http://oe.cd/jpcl).



## Cocktail

 7 December 2017  18:45 - 20:45  Buffet du Parc

# DAY 2 – 8 DECEMBER 2017

## Session 3. Overcoming adversity and attaining success: Focus on small agencies and those in developing economies

8 December 2017

09:00 - 13:00

URL [oe.cd/sda](http://oe.cd/sda)

### Plenary session

09:00 - 09:30

Room CC1

Every competition agency has to overcome obstacles to enforce its competition law. But for small and developing jurisdictions these obstacles are often more acute, numerous and reinforced by challenges specific to these jurisdictions.

Last June, the OECD circulated a survey among the Global Forum members, to discover what are the hardest challenges competition agencies are facing, and how they managed to overcome them.

The three most ranked challenges (Advocacy, Enforcement, and how can competition authorities overcome hostility or indifference?) will be discussed during three parallel break-out sessions during which speakers from different agencies will present case studies for their challenges and success stories.

### Break-out sessions

09:30-11:30

#### 1. Advocacy

Advocacy efforts within the government and creating a competition culture in the public “within the budget”.

Room CC1

#### 2. Enforcement

Co-operating with public prosecutors and work relations between the competition authority and the sectoral regulators.

Room CC2

#### 3. Creating legitimacy

Different techniques to develop authorities' credibility and legitimacy in particular through fighting bid-rigging in public procurement.

Room CC10

### Moderators



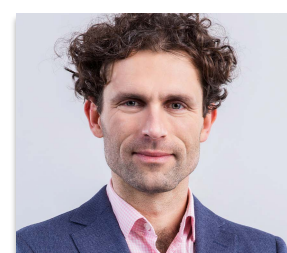
**Anna Wu Hung-yuk**

Chair, Competition Commission,  
Hong Kong, China



**Tebelelo Pule**

Chief Executive Officer,  
Competition Authority, Botswana




**Sarunas Keserauskas**

Chairman, Competition Council of  
Lithuania



## Break-out sessions Con't.

 09:30-11:30

### 1. Advocacy

### 2. Enforcement

### 3. Creating legitimacy

#### Room CC1

- **Paulus Ain**, Commissioner & Chief Executive Officer, Independent Consumer & Competition Commission, Papua New Guinea
- **Arsenio M. Balisacan**, Chairman, Philippine Competition Commission
- **Evelyn Olmedo**, Inter-agency Affairs and Cooperation Analyst, Superintendencia de Competencia, El Salvador
- **Daniela Trampert-Paparella**, Expert, Federal Competition Authority, Austria
- **Dato' Jagjit Singh A/L Bant Singh**, Commission Member, Malaysia Competition Commission
- **Mario A. Umaña**, Lead Trade and Competition Specialist, Integration and Trade Sector, IDB

#### Room CC2

- **Skaidrīte Ābrama**, Chairwoman, Competition Council of Latvia
- **Alexandre Barreto de Souza**, President, CADE, Brazil
- **Felipe Irrarrázabal**, Public Economic Prosecutor, FNE, Chile
- **Nika Sergia**, Head of the Division for the detection and prevention of competition restrictive agreements, Competition Agency, Georgia
- **Pradeep S Mehta**, Secretary General, CUTS International

#### Room CC10

- **Hardin Ratshisusu**, Deputy Commissioner, Competition Commission, South Africa
- **Teresa Moreira**, Head, Competition and Consumer Policies Branch, UNCTAD
- **Graciela Miralles Murciego**, Senior Economist, Trade & Competitiveness, World Bank

## Session 3. Wrap-up plenary

 11:30 - 13:00

 Room CC1

1. Report by Moderators
2. General Discussion
3. Summary and final remarks by session Chair

All documentation is available at [oe.cd/sda](http://oe.cd/sda).



## Lunch Break

 8 December 2017

 13:00 - 14:30

 N/a

## Session 4. Peer Review of Viet Nam



8 December 2017



14:30 -16:30



Room CC1

URL [oe.cd/vtn](http://oe.cd/vtn)

Open to country representatives and intergovernmental organisations only  
Report under restricted circulation on O.N.E

“Peer review” is a core element of OECD work. The mechanisms of peer review vary, but it is founded upon the willingness of a country to submit its laws and policies to substantive questioning by other peers. The process provides valuable insights into the country under study, getting to the heart of ways in which each country deals with competition and regulatory issues, from the soundness of its competition laws to the structure and effectiveness of its competition institutions.

In 2017, Viet Nam will be subject to such a review.

### Lead Examiners



Australia



France



Japan



Romania

### Introductory presentation



**Nicolas Taylor**  
Partner,  
Jones Day Australia

## Session 5. Competition in public markets



8 December 2017



16:30 - 17:30



Room CC1

URL [oe.cd/28n](https://oe.cd/28n)

Public markets, such as those in health, education and the provision of various public services, make up a large part of the economy, and the quality and efficiency of the services that they provide are fundamental to a country's ability to achieve inclusive growth. Yet these markets attract relatively little attention from competition authorities in many countries. It is well established that important market failures can arise in these services if markets are left entirely to themselves. These markets therefore tend to be heavily subsidised by governments, and highly regulated. Nevertheless, careful use of choice and competition in these markets has been shown to help improve quality and efficiency. As a result, competition agencies would appear to have opportunities to advocate for a broader role for competition in these markets, to provide expert advice on the design and regulation of those markets that do exist, and to enforce within these markets.

The aim of this session is to open up for discussion issues concerning the role of: choice and competition in public markets, and the enforcement of competition law in those markets.

### Keynote speaker



**Allan Fels AO**

Professor, University of Melbourne,  
Monash & Oxford and  
former Chair of the Australian  
Competition and Consumer  
Commission

All documentation is available at [oe.cd/28n](https://oe.cd/28n).

## Final session. Other business and future work



8 December 2017



17:30 - 18:00



Room CC1



## 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.

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

The two **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 and the OECD-GVH Regional Centre for Competition in Budapest, Hungary.

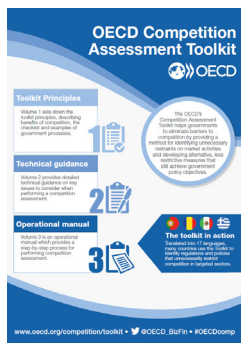
[www.oecd.org/competition/seoulrcc](http://www.oecd.org/competition/seoulrcc)  
[www.oecd.org/competition/budapestrcc](http://www.oecd.org/competition/budapestrcc)

## 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.

A number of approaches to competition assessment are possible and the OECD has developed a Competition Assessment Toolkit which is one of them. The OECD has led projects on competition assessment of specific sectors in Greece, Mexico, Portugal and Romania.

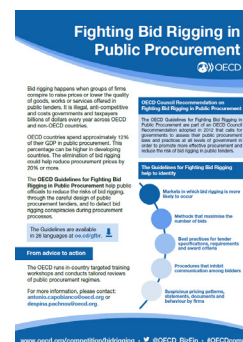
The toolkit is available for download in several languages at [oe.cd/cat](http://oe.cd/cat).

### 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 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)

