

Global Forum on Competition

29-30 November 2018

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
www.oecd.org/daf/competition

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www.oecd.org/competition/globalforum

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/// FORUM TIMETABLE ///

DAY 1

29 NOVEMBER 2018

🕒 09:00 - 09:30 📍 CC1

Opening remarks 🗣️

🕒 09:30 - 12:00 📍 CC1

Session 1
How can competition contribute to fairer societies?

🔗 oe.cd/cfs

🕒 12:00 - 12:20 📍 Atrium

Group picture 📷

🕒 12:20 - 14:30 📍 Espresso café

Buffet lunch offered by the OECD 🍴

🕒 14:30 - 15:30 📍 CC1

Session 2
Gender and competition

🔗 oe.cd/gnc

🕒 15:30 - 16:30 📍 CC1

Keynote address by Margrethe Vestager 🗣️

🕒 16:30 - 18:30 📍 CC1

Session 3
Regional competition agreements: Benefits and challenges

🔗 oe.cd/rca

🕒 18:30 - 21:00 📍 Château de la Muette

Cocktail 🍹

DAY 2

30 NOVEMBER 2018

🕒 09:00 - 10:00 📍 CC1

Session 4. Plenary session
Investigative powers in practice

🔗 oe.cd/invpw

🕒 10:00 - 12:00

Session 4. Breakout sessions

📍 CC6	📍 CC9	📍 CC4
1.	2.	3.
Unannounced Inspections	Requests for Information	Due Process

🕒 12:00 - 13:00 📍 CC1

Session 4. Wrap-up plenary

🕒 13:00 - 15:00

Lunch break 🍴

🕒 15:00 - 17:00 📍 CC1

Session 5
Competition law and state-owned enterprises

🔗 oe.cd/csoes

🕒 17:00 - 18:00 📍 CC1

Final Session
Other business and future work

General information



Documents & Presentations

All Forum **documents** are available on the website oe.cd/gfc. Use the short URLs in the agenda to access each discussion webpage, and the **PowerPoint presentations**.



Swapcard

Access the Forum agenda, connect with other participants, scan business cards and much more using our dedicated Swapcard app.

Download the app for iPhone or Android and use the code [gfc2018](#) to find the event.



Hot drinks

Coffee and tea is available continuously to Forum participants at the entry to the room.



Webcast

GFC Day 1 will be webcast live until the end of the Keynote Address. You are invited to share with colleagues who are unable to attend. Access the videos here: bit.ly/gfc2018webcast



Interpretation

Discussions are 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. **Choose** one of the two channels to listen to your preferred language.



Sharingbox & Social Media

Don't forget to take a souvenir photograph using the Sharingbox and share it on social media.

When tweeting about the Forum, please use [#OECDcomp](#) or [@OECD_BizFin](#).

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.



Printing

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



Restaurants

There is a café (*red chairs*) and a self-service restaurant in the OECD Conference Centre. Please note **most of them do not accept credit card payment**. If you need to withdraw cash, an ATM is available near the Bookshop at level -1 (Société Générale).



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 café (*red chairs*) area at level -1 and open Monday to Friday.

KEY TIMES & EVENTS

DAY 1

- 12:20 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.
- 15:30 Keynote by the EU Commissioner for Competition**
- 18:30 Cocktail**
G. Marshall/R. Okrent rooms, Château de la Muette (take the escalators and follow the banner to the Château rooms)

DAY 2

- 10:00 Break-out sessions in Rooms 6, 9 and 4**
12:00 This year we invite you **to choose your own break-out session** (Session 4) according to your preferred topic. It is a great opportunity to engage in an informal and lively discussion.
Please return to CC1 immediately after the break-out session where you will hear reports from the session moderators and continue the discussion.
- 17:00 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 – 29 NOVEMBER 2018

Opening session

 29 November 2018

 09:00 - 09:30

 Room CC1

Opening remarks



Ludger Schuknecht
Deputy Secretary General, OECD

Introductory remarks



Frédéric Jenny
Chairman,
OECD Competition Committee

Session 1. How can competition contribute to fairer societies?

 29 November 2018

 09:30 - 12:00

 Room CC1

URL oe.cd/cfs

The term “fairness” has emerged increasingly as part of the discourse of many antitrust enforcers without a universal definition, particularly in the competition context. Fairness, while innate to most individuals, is fluid, subject to the influence of many factors: culture, education, experience, society. Behavioural scientists have attempted to examine how fairness works; is defined relative to economic theory; and how “fairness” plays out in markets. While common tendencies may emerge, no consensus has been observed. Concerns with fairness in societies may reflect a growing, and positive desire, to reduce societal inequalities, and ensure that opportunities are shared more broadly across society, whether amongst individuals or firm.

Taken in this context, does fairness have a role to play in economic theory; and how can competition authorities and judges interpret fairness without becoming moralistic or undermining the proven criteria that underpin competition enforcement? This session will explore the concept of fairness, whether and how it can relate to competition and what fairness can mean in practical terms to competition enforcers. 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/cfs.

Chair



**Johannes
Laitenberger**

Director-General, DG COMP,
European Commission

Panellists



Pinar Akman

Professor of Competition Law,
University of Leeds



Jonathan B. Baker

Research Professor of Law,
Washington University



Arsenio M. Balisacan

Chairman, Philippine Competition
Commission



Frédéric Jenny

Chairman,
OECD Competition Committee



Official group photo

29 November 2018

12:00 - 12:20

Stairs at the Atrium



Buffet lunch

29 November 2018

12:20 - 14:30

Expresso Café

Session 2. Gender and competition

29 November 2018

14:30 - 15:30

Room CC1

URL oe.cd/gnc

Competition policy usually thinks in terms of consumers and firms, government and regulators. Traditionally, consumers have been considered only by their willingness to pay, their (rational) preferences, their ability to substitute between products offered by firms. Meanwhile firms are treated as entities that are defined by the profit-maximising objectives of their owners, and only rarely seen as collections of people. Competition policy is therefore largely gender blind and prides itself on its objectivity.

This session will explore whether a gender lens might in fact help deliver objective competition policy by identifying additional relevant features of the market, and of the behaviour of consumers and firms. We will also discuss whether a competition perspective can help inform policymaking on gender equality.

Speaker



Estefania Santacreu-Vasut

Associate Professor in Economics,
ESSEC Business School

Keynote address

29 November 2018

15:30 - 16:30

Room CC1

Followed by questions & answers with delegates



Margrethe Vestager

European Commissioner for
Competition

Session 3. Regional competition agreements: Benefits and challenges

 29 November 2018

 16:30 - 18:30

 Room CC1

URL oe.cd/rca

Regional competition agreements (RCAs) hold great potential for both developed and developing jurisdictions, for instance by promoting convergence in competition laws and instruments, ensuring effective and efficient cross-border enforcement, or by supporting young authorities in their efforts to create a competition framework coherent with international standards. However, serious obstacles to the success of RCAs can undermine the harvesting of these benefits. This roundtable discussion will explore the potential benefits and challenges of RCAs. During the session, the different approaches will be examined of geographic regions that have adopted a regional competition framework (including regional competition provisions and a regional competition authority) in order to strengthen their competition law and policy in their pursuit of increased regional integration.

The session will specifically focus on RCAs between three or more jurisdictions (so excluding bilateral agreements) that are located in the same geographic region, as they usually offer deeper levels of integration and a higher degree of co operation on competition enforcement than bilateral agreements. The discussion will be supported by an inventory of RCAs that will be developed by the OECD and shared before the session.

All documentation is available at oe.cd/rca.

Panellists



Mor Bakhoum

Affiliated Research Fellow, Max Planck Institute for Intellectual Property and Competition



G. Deniz Both

Independent Researcher, specialising in international competition and trade law



Mario A. Umaña

Lead Trade and Competition Specialist, Integration and Trade Sector, IDB



Cocktail hosted by INDECOPI Peru

 29 November 2018

 18:30 - 21:00

 Château de la Muette, R. Okrent & G. Mashall rooms

DAY 2 – 30 NOVEMBER 2018


Session 4. Investigative powers in practice

 30 November 2018

 09:00 - 13:00

URL oe.cd/invpw

Plenary session

 09:00 - 09:30

 Room CC1

Competition authorities assume a crucial and challenging mission: protecting competition in the markets. This mission requires intensive evidence and data gathering. To meet this end, competition authorities are armed with various investigative powers ranging from voluntary interviews to searches in non-business premises. This session will allow participants to discuss practical issues and share best practices regarding the use of investigative powers through three breakout sessions.

All documentation is available at oe.cd/invpw.

Breakout sessions

 10:00-12:00

1. Unannounced Inspections in the Digital Age

 Room CC6

Challenges and best practices regarding the unannounced inspections in a world where information is mostly produced and stored digitally.

2. Requests for Information: Limits and Effectiveness

 Room CC9

Requests for information, one of the most often used investigative powers, with a focus on the effective use and limitations of power to request information.

3. Due Process in relation to Evidence Gathering

 Room CC4

Due process and the protection of rights of subjects and third parties, without hindering effective investigations.

Moderators



Sophie Bresny

Head of the Inspection Unit, Autorité de la concurrence, France



Mario Ybar

National Economic Prosecutor, FNE, Chile




Amir Nabil Gamil Ibrahim

Chairman, Egyptian Competition Authority

- **Diego Thomson de Andrade**, Deputy Superintendent, CADE Brazil
- **Nuno Rocha de Carvalho**, Member of the Board, Portuguese Competition Authority
- **Makgale Mohlala**, Divisional Manager, Cartels Division, Competition Commission of South Africa
- **Ernest Bagopi**, Manager of Investigations and Research Analysis Unit, Competition Authority, Botswana
- **Tsai-Lung Hong**, Commissioner, Fair Trade Commission, Chinese Taipei
- **Christos Tsoumanis**, Case Handler, DG COMP, EU
- **Wang'ombe Kariuki**, Director General, Competition Authority of Kenya
- **Carolina Garayzar Gomes**, Deputy Director General for International Affairs, Mexico (COFECE)
- **Herbert Fung**, Director for Business and Economics, CCCS, Singapore

Session 4. Wrap-up plenary

 12:00 - 13:00

 Room CC1

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

Lunch Break

 30 November 2018

 13:00 - 15:00

 Free lunch

Session 5. Competition law and state-owned enterprises

 30 November 2018

 15:00 - 17:00

 Room CC1

URL oe.cd/csoes

Like private firms, state-owned enterprises (SOEs) might seek to maximise profit, even if they ultimately re-invest the surplus that they earn. Alternatively, their objective might be to expand their output, or they may have another goal. Regardless of their objectives, there remains a risk that their actions, agreements and mergers may sometimes harm consumers, causing competition agencies to sometimes investigate their behaviour. However, in undertaking such investigations there will be particular challenges, some relating to the status of these organisations, some to their different objectives which may affect the analytical tools that an agency uses.

This session will look at investigations into anticompetitive conduct, mergers, and agreements by SOEs, both those owned or controlled by a competition authority's own government, and those owned or controlled by other governments. In particular, it will examine the type of conduct that they have engaged in, the rationale for doing so, the key analytical questions that arose in these cases, and the way in which their status and objectives affected those investigations. In doing so, we aim to draw out the main challenges of enforcing competition law against SOEs and look for ways to address them.

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

Speaker



Deborah Healey

Professor, Faculty of Law,
University of New South Wales

Final session. Other business and future work

 30 November 2018

 17:00 - 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
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.

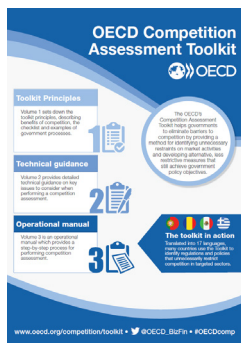
www.oecd.org/competition/seoulrcc
www.oecd.org/competition/budapestrcc

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.

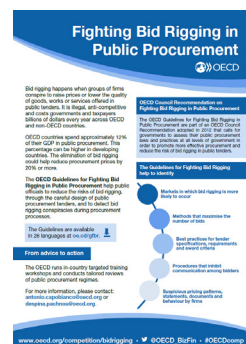
The toolkit is available for download in several languages at oe.cd/cat.

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.



www.oecd.org/competition/globalforum

