



ARAB COMPETITION FORUM

RIYADH, KINGDOM OF SAUDI ARABIA 23-24 May 2023



E/ESCWA/ACF/2023/L.1

Agenda

I. Background

Despite its many economic and social benefits, competition policy is still lagging in the Arab region. This can be attributed to several factors; inefficient market structures and governance systems are key obstacles in several Arab countries. The 2021 Arab Business Legislative Framework (ABLF)¹ revealed that most Arab countries lack autonomous institutions to enforce competition policies, which hinders consistent and coherent competition reforms. According to the 2021 ABLF assessment, the regional competition score was 3.73/7, indicating that there are still substantial reforms required in terms of regulations and enforcement when compared with international best practices.

In 2020, ESCWA, in partnership with United Nations Conference on Trade and Development (UNCTAD) and the Organisation for Economic Co-operation and Development (OECD), launched the Arab Competition Forum, aimed at establishing a continual knowledge-sharing platform on competition policy and enforcement for Arab stakeholders. The Forum provides a common channel for advancing knowledge and best practices in competition, and facilitating coordination and collaboration at the national, regional, and international levels.

The Fourth Arab Competition Forum is organized by ESCWA, in collaboration with UNCTAD, OECD, and the General Authority for Competition of the Kingdom of Saudi Arabia (GAC). The two-day event will build on the momentum of the previous forums. Competition authorities in member States will benefit from peer learning based on international case studies and best practices provided by their counterparts from different countries.

II. Objectives

Objectives of the Fourth Arab Competition Forum include the following:

- Provide a substantive contribution towards improving economic growth and governance in the Arab region, in line with the Sustainable Development Goals.
- Strengthen collaboration and coordination between competition authorities in ESCWA member States.
- Inform competition policymaking and enforcement in the Arab region, guided by international best practices.
- Collect concrete recommendations on future activities related to advancing competition policy and enforcement in the Arab region.

¹ ESCWA, [Arab Business Legislative Frameworks](#), 2021.



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III. Participants

The Forum will foster dialogue among participants from member States represented through competition authorities in the region, academia, UN and international organizations, regional organizations, and international experts engaged in competition policy and enforcement.

IV. Language

The meeting will be conducted in Arabic and English language. Simultaneous interpretation will be provided between Arabic and English for onsite and online participants.

V. Agenda

Day 1: 23 May 2023	
8.30–9 a.m.	Registration
9–9.45 a.m. <i>Format: Open session /Broadcasted live</i>	Opening remarks and introductory comments <ul style="list-style-type: none"> Ahmed bin Abdul Kareem Al-Kholifey, Chairman of The Board of Directors, The General Authority for Competition, Kingdom of Saudi Arabia Rola Dashti, Under-Secretary-General of the United Nations and Executive Secretary of the Economic and Social Commission for Western Asia (ESCWA) Rebeca Grynspan, Secretary-General of the United Nations Conference on Trade and Development (UNCTAD) Carmine Di Noia, Director for Financial and Enterprise Affairs, Organisation for Economic Cooperation and Development (OECD)
9.45–10.15 a.m. <i>Format: Open session /Broadcasted live</i>	Special session. Arab Youth in Competition (Local Universities) Participating universities in Saudi Arabia have been invited to prepare an original case study on a subject related to mergers and acquisitions. During this special ceremonial session, awards will be granted to the winners of the competition challenge.



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UNCTAD



10.15–10.30 a.m.	Coffee break and group photo
<p>10.30 a.m.– 12 p.m.</p> <p><i>Format: Open session/Hybrid</i></p>	<p>Session I. Enhancing the effectiveness of competition authorities in developing and least developed countries.</p> <p>Every competition agency must overcome obstacles to enforce its competition law. But for jurisdictions within developing countries these obstacles are often more acute, numerous and reinforced by challenges specific to these jurisdictions.</p> <p>A lack of a competition culture, or even a hostile environment can hinder the work of a competition agency with few resources. Relations with regulators as well as other parts of government can take on a particular complexity when competition authorities are young and lacking in resources and influence.</p> <p>The session will also discuss the challenges of young authorities, particularly those in developing countries and suggest mechanisms to address these challenges.</p> <p>The panellists will bring international, regional, and national perspectives and examples to the discussion.</p> <p>Session coordinator: ESCWA</p> <p>Moderator: Abdulaziz bin Abdullah Al-Zoom, Chief Executive Officer of The General Authority for Competition, KSA</p> <p>Speakers:</p> <ul style="list-style-type: none"> • Frederic Jenny, Chairman of the OECD Competition Committee, Emeritus Professor at ESSEC Paris Business School, France • Nathalie Khaled, Coordinator of the competition and consumer protection project, Economic Affairs Officer, ESCWA • Willard Mwemba, Director, and Chief Executive Officer of the COMESA Competition Commission • Mahmoud Momtaz, Chairman of the Egyptian Competition Authority (ECA), and the President of the Arab Competition Network (ACN) • BabaTunde Irukera, Executive Vice Chairman, Federal Competition and Consumer Protection Commission, Nigeria



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	Open Discussion
12–1.30 p.m.	Lunch
1.30–3 p.m. <i>Format: Open session/Hybrid</i>	<p>Session II. Abuse of dominance in digital markets</p> <p>Many digital markets exhibit characteristics such as low variable costs, high fixed costs, and strong network effects. These characteristics often 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 most sales.</p> <p>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.</p> <p>Session coordinator: UNCTAD</p> <p>Moderator: Teresa Moreira, Head, Competition and Consumer Policies Branch, Division on International Trade and Commodities, UNCTAD</p> <p>Speakers:</p> <ul style="list-style-type: none"> • William Kovacic, Professor George Washington University • Natalie Harsdorf-Borsch, Acting Director General, Austria Competition Authority • Uğur Bilgehan Burhan, competition expert in the Supervision and Enforcement Department, Turkish Competition Authority • Saurabh, Joint Director (Economics), Competition Commission of India • Cristina Caffarra, Expert Economist, Keystone Europe, and Visiting Professor UCL London. <p>Open Discussion</p>



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Day 2: 24 May 2023	
8.30–9 a.m.	Registration
9–10.30 a.m. <i>Format: Open session/Hybrid</i>	<p>Session III. Cross-border merger control</p> <p>Cross-border merger control is complex. It often involves jurisdictional, procedural, and substantive issues. These types of mergers raise specific challenges for competition authorities reviewing the transaction in multiple jurisdictions. Most importantly, the countries involved must have effective merger control regimes. The review of cross-border transactions to ensure consistent decisions requires close coordination and cooperation between the competition authorities.</p> <p>This session will discuss cross-border merger control and provide examples of regional efforts.</p> <p>Session coordinator: ESCWA</p> <p>Moderator: Nathalie Khaled, Coordinator of the competition and consumer protection project, Economic Affairs Officer, ESCWA</p> <p>Speakers:</p> <ul style="list-style-type: none"> • Paul Lugard, Partner at Baker Botts LLP • Willard Mwemba, Director, and Chief Executive Officer of the COMESA Competition Commission • Mohamad cheikhrouho, general rapporteur, Competition Council of Tunisia • Sabine Zigelski, Senior Case Manager, Bundeskartellamt, Germany • Esteban Greco, Former President, Comisión Nacional de Defensa de la Competencia (CNDC), Argentina, director, GAMES Economics <p>Open Discussion</p>
10.30–11 a.m.	Coffee break
11 a.m.–12.30 p.m. <i>Format: Open session/Hybrid</i>	<p>Session IV. Best practices in planning and conducting market studies.</p>



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	<p>Markets do not always work efficiently and thus negatively impact consumers and society. When this happens, competition authorities may seek to better understand the dynamics of competition in each market or sector, to identify the reasons for poor performance and recommend policy options for dealing with them.</p> <p>Market studies usually involve an in-depth assessment of market structures or competitive conditions in each sector; and aim to detect inefficiencies arising from weak competition, even if they do not identify behaviour violating competition laws. There are conceptual and procedural differences regarding market studies among competition authorities. This session will examine different approaches in identifying target markets, planning, and conducting market studies.</p> <p>Session coordinator: OECD</p> <p>Moderator: Lynn Robertson, Competition Expert, OECD</p> <p>Speakers:</p> <ul style="list-style-type: none"> • Antonio Capobianco, Deputy Head of the OECD Competition Division, OECD • Hesham Fahad Alogeel, Deputy CEO– Economic Affairs, General Authority for Competition, KSA • Anaid González Hernández, General coordinator of economic analysis in the General Directorate of Economic Studies, of the Federal Economic Competition Commission, Mexico. • BenKhelifa Jallal, Rapporteur, Competition Council of Algeria • Ana Sofia Rodrigues, Board Member/Commissioner at the Portuguese Competition Authority <p>Open Discussion</p>
12.30–1.30 p.m.	Lunch break
1.30–2.30 p.m. <i>Format: Closed Session /Hybrid</i>	<p>Session V. Roundtable Discussion: Competition developments in the Arab region</p> <p>Moderator: ESCWA and GAC</p>



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	In this session, competition authorities from member States will present national case studies and/or competition developments since the 3 rd Arab Competition Forum, held in May 2022.
2.30–3.30 p.m. <i>Format: Open session /Hybrid</i>	<p>Closing Session. Way forward on enhancing competition in the Arab region.</p> <p>Session coordinators: ESCWA and partners</p> <p>During this session, participants will point out the lessons learned, and main intervention areas needed to advance competition in the Arab region. The session strives to bring about an agreement on concrete recommendations for enhancing competition policies and enforcement in member States. ESCWA and its partners will present their plans moving forward, highlighting the important role of international cooperation in improving competition.</p>