

8th CUTS-CIRC Biennial Conference on Competition, Regulation and Development

Prioritising Socially Sensitive Sectors

09-10 October
2023

The Metropolitan Hotel, New Delhi
(Hybrid Event)

Background

Convergence of several crises like pandemic, armed conflicts, climate change and the ensuing geopolitical churning are adversely affecting the society, in general, and poorer sects, in particular. Broken supply chains, supply chain abuses, rising inflation, loss of jobs and lack of income opportunities, shortages of food and medicines, faltering infrastructure are some of the social pain points that can be attributed to such crises. All these are adding to the existing socio-economic inequality within and between nations, going against the essence of ‘building back better’ – a call given during the pandemic.

The polity and regulators in their endeavours, therefore, ought to prioritise socially sensitive sectors and issues, such as pharmaceuticals & healthcare, food & agriculture, information & communication, education, jobs etc. In socially sensitive sectors ‘equity’ is as important as ‘investment’ and ‘efficiency’.

In this backdrop, the 8th edition of the CUTS-CIRC Biennial Conference on Competition, Regulation and Development will deliberate upon some of the socially sensitive sectors and issues, from the perspective of the global south. This Biennial is being organised in collaboration with BRICS Competition Law & Policy Centre, Organisation for Economic Co-operation and Development (OECD), and European University Institute (EUI). This Biennial also precedes the 8th BRICS International Competition Conference to be hosted by Competition Commission of India (CCI) in New Delhi from 11 to 13 October 2023.

Though the COVID-19 global emergency is now over, the threat still remains. Most importantly the lessons from the pandemic demand that governments need to rectify the exposed fault lines in the healthcare sector, so that the world is better prepared for the next such emergencies. Relevant existing domestic and international regulations would also need to be revisited. The Biennial will, therefore, delve into some of such regulations that have bearing on competition as well as access to healthcare within and across borders.

Similarly, due to pandemic, climate change and armed conflicts global supply chains are broken, consequently many countries are facing food insecurity. In addition, there are

market-distortionary regulatory and non-regulatory practices having negative effects on production and supply of food and agricultural products within and across borders. This Biennial will deliberate upon some of such market distortionary practices that adversely affect trade and competition in the food and agriculture sector.

The Biennial will also discuss the grim employment scenario prevalent in most parts of the world, particularly the developing and least developed countries, with special emphasis on the gig economy. The fast-digitalising economies have increased the intake of gig workers or platform workers, which may not squarely fall under the traditional concept of ‘labour’, demanding newer approaches for their welfare. The prevalence of high concentration in the digital platform markets is also being seen as one of the causes for the plight of gig workers.

Further, jurisprudence on “climate change (or sustainable development including biodiversity) and competition policy” is taking shape in the west, particularly in Europe. While there is consensus on the graveness of climate change crisis, there are north-south divide on certain issues related with mitigation of and adaptation to climate change. For instance, green technology transfer is becoming a contentious issue, so is the financing of green transition. There is also a pressing consumer protection issue related with ‘greenwashing’. Some of such important, yet contentious, issues will be taken up during the Biennial.

Last but not the least; the Biennial will take up some of the burning issues with respect to the fast-changing paradigm of the Information and Communication Technology (ICT) sector, such as irresponsible use of artificial intelligence (AI) as well as social media, the blurring line between telecommunication and digital technologies etc. Many countries are discussing domestic regulatory frameworks for emerging technologies and their usage, however, there remains a vacuum vis-à-vis any global framework. Though significant clarity has emerged in the recent past, there are still some unsettled issues with respect to dealing with competition concerns in digital economy.

The two-day Biennial Conference will take up the aforesaid issues in its five technical sessions – Regulatory Deficit in Access to Healthcare; Food and Agriculture – Trade and Competition; Employment and Gig Economy – Role of Competition and Regulation; Sustainability, Climate Change and Competition Policy; and Responsible ICT and Inclusive Digital Economy. In addition, there will be an Inaugural Session featuring a few Keynote Speeches; a Dinner Speech by an eminent personality; and a Valedictory Session where thought leaders will chalk out a way forward.

Agenda

Day 1: Monday, 09 October, 2023	
1330 - 1400	Registration with Tea and Coffee
1400 - 1545	<p>Inaugural Session: Polycrisis and Social Welfare</p> <ul style="list-style-type: none"> • Moderator and Welcome Address: Pradeep S Mehta, <i>Secretary General, CUTS International and Chairman, CUTS Institute for Regulation & Competition (CIRC)</i> • Keynote Address: Bhubaneswar Kalita, <i>Member of Parliament and Chairperson Parliamentary Standing Committee on Health and Family Welfare, India</i> • Teresa Moreira, <i>Head, Competition and Consumer Policy Branch, Division on International Trade and Commodities, UNCTAD</i> • Willard Mwemba, <i>Director and Chief Executive Officer, COMESA Competition Commission (Virtual)</i> • Simeon Konan Koffi, <i>Executive Director, ECOWAS Regional Competition Authority (Virtual)</i> • Mahmoud Momtaz, <i>Chairman, Egyptian Competition Authority</i> • Andrey Tsyganov, <i>Deputy Head, Federal Antimonopoly Service (FAS), Russia</i> • Víctor Oliveira Fernandes, <i>Commissioner, CADE, Brazil</i> • Hardin Ratshisusu, <i>Deputy Commissioner, Competition Commission of South Africa</i> • Address and Vote of Thanks: Alexey Ivanov, <i>Director, BRICS Competition Law and Policy Centre</i>
1545 - 1600	Tea/Coffee
1600 - 1730	<p>Session 1: Regulatory Deficit in Access to Healthcare</p> <ul style="list-style-type: none"> • Moderator: Vikas Kathuria, <i>Associate Professor, BML Munjal University</i> • Regional Competition Policy Approach for Access to Healthcare: Simeon Konan Koffi, <i>Executive Director, ECOWAS Regional Competition Authority (Virtual)</i> • Competition and Access to Healthcare: Hardin Ratshisusu, <i>Deputy Commissioner, Competition Commission of South Africa</i> • Price Control vs. Competition: Milind Antani, <i>Leader, Pharma and Life Sciences Practice and Social Sector Practice, Nishith Desai Associates, India (Virtual)</i> • Regulatory Barriers in Pharmaceutical Exports and Its Impact on Access to Healthcare: Archana Jatkar, <i>Associate Secretary</i>

	<p><i>General, Indian Pharmaceutical Alliance (Virtual)</i></p> <ul style="list-style-type: none"> • Regulation of Biosimilars and its Impact on Competition: Samir Kulkarni, <i>Head, Department of Biological Sciences and Biotechnology, Institute of Chemical Technology, Mumbai</i> • Pro-competition Intellectual Property Policy: Leena Menghaney, <i>Global IP Advisor, Médecins Sans Frontières (MSF) - Access Campaign</i>
1730 - 1800	Tea/Coffee
1800 - 1930	<p>Session 2: Food and Agriculture – Trade and Competition</p> <ul style="list-style-type: none"> • Moderator: Tembinkosi Bonakele, <i>former Chairperson, Competition Commission of South Africa</i> • Competition Enforcements in Food Sector: Mahmoud Momtaz, <i>Chairman, Egyptian Competition Authority</i> • Dealing with Competition Concerns in the Food and Agriculture Sector in Russia: Andrey Tsyganov, <i>Deputy Head, Federal Antimonopoly Service (FAS), Russia</i> • Causes and Consequences of Price Volatility in Global Food Markets: Alexey Ivanov, <i>Director, BRICS Competition Law and Policy Centre</i> • Industrial Policy, Competition, and Trade in Food and Agriculture: Dina Waked, <i>Associate Professor, Sciences Po Paris' Law School</i> • Agriculture Subsidies and Trade Distortion: Sachin Kumar Sharma, <i>Associate Professor, Centre for WTO Studies, India</i> • Competition Policy and Global Food Value Chain: Claudio Lombardi, <i>Lecturer, School of Law, University of Aberdeen (Virtual)</i>
1930 Onwards <i>followed by dinner</i>	<p>CUTS 40th Anniversary Programme</p> <p>Panel Discussion on “India’s Economic Progress in the Current Global Economic Landscape”</p> <ul style="list-style-type: none"> • Moderator: Pradeep S Mehta, <i>Secretary General, CUTS International and Chairman, CUTS Institute for Regulation & Competition (CIRC)</i> • Nagesh Kumar, <i>Director and Chief Executive, Institute for Studies in Industrial Development (ISID)</i> • Rajat Kathuria, <i>Dean, School of Humanities and Social Sciences and Professor, Economics, Shiv Nadar University</i>

Day 2: Tuesday, 10 October, 2023	
0900 - 0930	Registration with Tea and Coffee
0930 - 1130	<p>Session 3: Employment and the Gig Economy – Role of Competition and Regulation</p> <ul style="list-style-type: none"> • Moderator: Bipul Chattopadhyay, <i>Executive Director, CUTS International</i> • Competition Reforms, Denationalisation and Workers’ Interests: Marat Omarov, <i>Chairman, Agency for Protection and Development of Competition of the Republic of Kazakhstan (Virtual)</i> • Emerging Roadmap for Gig Workers’ Welfare: Uma Rani, <i>Senior Economist, Research, International Labour Office (ILO) HQ, Geneva (Virtual)</i> • Use of Competition Law/Policy Tools Against Supply Chain Abuses in Labour Market: Joseph Wilson, <i>Executive Director, Markets for Social Justice and Adjunct Professor, McGill University, Canada (Virtual)</i> • Buyers’ Power and Labour Welfare: Thomas Cheng, <i>Professor, Faculty of Law, University of Hong Kong</i> • The Limits and Potentials of Competition Law in Protecting Gig Workers' Rights: Vellah Kedogo Kigwiru, <i>Doctoral Research Fellow, Technical University of Munich School of Governance (Virtual)</i> • Digital Markets and Gig Workers: Daria Kotova, <i>Expert, BRICS Competition Law and Policy Centre</i>
1130 - 1200	Tea/Coffee
1200 - 1330	<p>Session 4: Sustainability, Climate Change and Competition Policy</p> <ul style="list-style-type: none"> • Moderator: Augustine Peter, <i>Head, AP Regulatory Law Practice and former Member, Competition Commission of India</i> • Regional Competition Policy Approach vis-a-vis Climate Change: Willard Mwemba, <i>Director and Chief Executive Officer, COMESA Competition Commission (Virtual)</i> • Concerns of Small Islands: Joel Abraham, <i>Chief Executive Officer, Fijian Competition and Consumer Commission (Virtual)</i> • Reconciling ESG with Competition Law: Hee-Eun Kim, <i>Director of Competition Policy, Asia Pacific, Meta</i> • Towards Sustainability-Promoting Competition Law and Policy: Elena Rovenskaya, <i>Programme Director, Advancing Systems Analysis, International Institute for Applied Systems Analysis</i>

	<p><i>(IIASA), Austria</i></p> <ul style="list-style-type: none"> • Evolving Jurisprudence on Competition and Sustainable Development: Ettore Lombardi, <i>Professor of Private Law and International Business Law, University of Florence School of Law</i> • Dealing with Greenwashing: Rijit Sengupta, <i>Chief Executive Officer, Centre for Responsible Business (CRB), New Delhi</i> • Green Technology Transfer to Global South: Vitor Henrique Pinto Ido, <i>Programme Officer - Health, Intellectual Property and Biodiversity Programme, South Centre (Virtual)</i>
1330 - 1430	Lunch
1430 - 1630	<p>Session 5: Responsible ICT and Inclusive Digital Economy</p> <ul style="list-style-type: none"> • Moderator: Kiran N Meetarbhan, <i>Barrister At Law and former Executive Director, Competition Commission of Mauritius</i> • Dealing with Digital Monopolies in Russia: Andrey Tsyganov, <i>Deputy Head, Federal Antimonopoly Service (FAS), Russia</i> • Regulating Digital Economy in Uzbekistan: Farrukh Karabaev, <i>Deputy Chairman, Competition Promotion and Consumer Protection Committee, Uzbekistan (Virtual)</i> • Cyber-security Framework: Lessons from Australia: Greg Austin, <i>Co-founder, Social Cyber Group, Australia (Virtual)</i> • Regulatory Challenges due to Convergence of Telecom and Digital Technologies: Deepak Maheshwari, <i>Senior Visiting Fellow, Indian Council for Research on International Economic Relations (ICRIER)</i> • Regulation and Governance of AI in China: Jia Kai, <i>Leading Research Fellow, BRICS Competition Law and Policy Centre and Associate Professor, University of Electronic Science and Technology, China (Virtual)</i> • Ensuring ‘Platform Neutrality’: Nicolo Zingales, <i>Professor of Law, FGV Direito Rio, Brazil</i> • Competition Issues in Digital Finance Services: Ariadne Plaitakis, <i>Senior Programme Officer, Bill and Melinda Gates Foundation (Virtual)</i> • Implementing Deal Value Threshold: Rahul Rai, <i>Partner, Axiom5 Law Chambers</i> • Digital Platforms and Competition – Fiji Experience: Vinitesh Kumar, <i>General Manager People Culture & Corporate Services, Fijian Competition and Consumer Commission (Virtual)</i> • Potential Competition Issues in 6G: Ujjwal Kumar, <i>Associate Director, CUTS International</i>
1630 - 1700	Tea/Coffee

1700 - 1900	<p>Valedictory Session: The Road Ahead</p> <p>Rapporteur's Presentation</p> <ul style="list-style-type: none"> • Alice Pham and Sanchita Chatterjee, <i>CUTS International</i> • Moderator: Allan Asher, <i>Chair, Fairer Future and Chair and Managing Consultant, Foundation for Effective Markets and Governance (FEMAG), Australia</i> • Frederic Jenny, <i>Chairman, OECD Competition Law and Policy Committee (Virtual)</i> • Teresa Moreira, <i>Head, Competition and Consumer Policy Branch, Division on International Trade and Commodities, UNCTAD</i> • Eleanor Fox, <i>Walter J Derenberg Professor of Trade Regulation Emerita, New York University School of Law (Virtual)</i> • Sothi Rachagan, <i>Emeritus Professor, Nilai University, Malaysia and former Commissioner, MyCC (Virtual)</i> • Augustine Peter, <i>Head, AP Regulatory Law Practice and former Member, Competition Commission of India</i> • Tembinkosi Bonakele, <i>former Chairperson, Competition Commission of South Africa</i> • Alexey Ivanov, <i>Director, BRICS Competition Law and Policy Centre</i> • Thomas Cheng, <i>Professor, Faculty of Law, University of Hong Kong</i> • Navneet Sharma, <i>Director General, CUTS Institute for Regulation & Competition (CIRC)</i>
1900 onwards	High Tea

#Time is in IST (GMT+5:30)