

7th CUTS-CIRC Biennial Conference on Competition, Regulation and Development

Building Blocks for an Inclusive and Resilient Economy

16-17

November 2021 (Virtual Event)

#7thBiennial | @CUTSCIER

Background

The on-going Covid-19 crisis has had an unprecedented socio-economic adverse effect around the world, more severely in the Global South. Mitigating the gains that globalisation and liberalisation had brought vis-à-vis poverty alleviation, the pandemic has enhanced economic inequality within and between countries. It has vividly exposed the already existing economic divide within society. But as it is said, the worst crisis also presents best opportunities. Thus the pandemic brings an opportunity to craft a development paradigm that results in a resilient and inclusive economy. This opportunity can, however, be translated into reality only when there is a global political will, along with adequate resources and infrastructure.

In January 2021, Klaus Schwab, the founder and executive chairman of the World Economic Forum, called for ‘Great Reset’ of capitalism and requested the world to act jointly and swiftly to revamp all aspects of societies and economies, from education to social contracts and working conditions. Echoing the same resolve for an alternative pathway David Malpass, President of the World Bank Group, called for an approach to economic recovery that results in a broad and lasting rise in prosperity, especially for the poorest and most marginalized.

Several other calls such as ‘stakeholder capitalism’, ‘building back better’, ‘building back broader’ or ‘build back differently’ etc. fall under the same bracket.

Taking forward this resolve, the 7th edition of the CUTS-CIRC Biennial Conference on Competition, Regulation and Development will deliberate upon few macro and micro issues to crystallise the path for an inclusive and resilient economic recovery with a focus on the global south.

It is necessary to understand how multilateralism could be used as a building block for an inclusive economy, learning from its experience and growing dissatisfactions against it. Similarly, it would be interesting to understand how to deal with growing market power and concentration in economies, which is contributing to the increase in economic inequality.

There are also debates around the equitable access to vaccines and treatments for COVID-19, for which countries need to work together. It appears that the comity of nations is seeing reason in working together and particularly to negate the monopoly rights of producers.

Further, the growing digitalisation of businesses during pandemic has put e-commerce as an important mode not only to aid economic recovery but also as a tool for an inclusive economy. However, there are certain risks attached to this, which needs to be minimised, and gains maximised. Furthermore, creating more jobs and income opportunities has become imperative on the governments around the world, which demands focussed discussions in the context of the economic recovery approaches that can lead to more jobs and hence more equitable and resilient economy. Ecommerce certainly offers an avenue for new jobs.

In light of the above, the two-day event, in its six sessions, will deal with the following issues in the given context: Diminishing Multilateralism; Growing Market Power and Concentration; Equitable Access to COVID-19 Healthcare Solutions; E-commerce; Jobs and Income Opportunities. The last session will present the contours of the recovery path as the way forward.

AGENDA

DAY 1: TUESDAY, 16 NOVEMBER 2021

Inaugural Session
13:00 – 15:00 IST
08:30 – 10:30 CET

Diminishing Multilateralism and Economic Recovery

The protectionism that domino balled throughout the globe triggered by the Trump's call for 'America First' and the US-China trade war, seems to be gaining momentum with the broken supply chains during pandemic. Nation States seem to be adhering towards a policy of 'self-sufficiency' that may undermine the revival of multilateralism. How to revive the spirit of multilateralism? Is the global economic recovery possible without multilateralism and cross-border trade? What would be effect of growing protectionism on economic recovery and its inclusivity and resilience? What lessons can be learnt from the growing resentments against the present multilateral trading system and what reforms need to take place that promotes resilience in economies?

Pradeep S Mehta	Secretary General, CUTS International
Nitin Desai	Former Under-Secretary-General for Economic and Social Affairs, United Nations
William E. Kovacic	Professor of Law and Policy, George Washington University
Isabelle Durant	Deputy Secretary-General, UNCTAD
Aranca Gonzalez Laya	Former Minister of Foreign Affairs of Spain
Ashok Kumar Gupta	Chairperson, Competition Commission of India*
Rathin Roy	Managing Director – Research and Policy, Overseas Development Institute

Session 1
15:15 – 17:15 IST
10:45 – 12:45 CET

Growing Market Power and Concentration – Role of Competition and Regulation

The pandemic has hit the micro, small and medium-sized enterprises (MSMEs) hard, while at the same time dominant firms seem to gain from this. This phenomenon has further added to the growing concentration and market power in many sectors and markets, particularly in digital sector. At the time when job creation is prime agenda item for governments around the world, such growing market power and market concentration can pose big hurdles in achieving this, consequently adding to the growing economic inequality. How competition policy should respond to such a situation? Whether competition enforcement would be sufficient to deal with it, or we need whole-of-government approach? What types of regulations could aid in solving this problem?

Allan Fels	Professorial Fellow, University of Melbourne
Daniel Schwarz	Senior Associate, Clifford Chance and Ex-IMF Counsel
Nicolas Petit	Professor, European University Institute
Lynn Robertson	Competition Expert, OECD - Competition Division
Thula Kaira	Consultant, Competition and Regulatory Law and Policy, AB & David
Geeta Gouri	Former Member, Competition Commission of India

Session 2
17:30 – 19:30 IST
13:00 – 15:00 CET

Equitable Access to COVID-19 Healthcare

Equitable worldwide access to COVID-19 vaccines is necessary for economic growth and trade to bounce back, says the WTO Chief. While initial trade restrictions during pandemic have been largely rolled back, newer export controls related to vaccines and relevant drugs have surfaced. Further, the WHO has warned against ‘Vaccine Nationalism’ as the same can hinder wider equitable access. The age old debate on ‘Intellectual Property (IP) and Access to Health’ is also in vogue, fuelled by the India-South Africa’s proposal in the WTO for temporary waiver of IP protections under TRIPs for the prevention, containment or treatment of COVID-19. Why equitable access to COVID-19 healthcare is important for global economic recovery? What are the hurdles, IP and non-IP, to equitable access, and what are the ways to mitigate such hurdles? How can competition policy be used to enhance equitable access?

Mohan Kumar	Chairman, Research and Information System for Developing Countries (RIS)
Ellen ‘t Hoen	Lawyer and Public Health Advocate, Medicines Law & Policy
Alexey Ivanov	Director, International BRICS Competition Law and Policy Centre
Amadou Ceesay	Executive Secretary, Gambia Competition and Consumer Protection Commission
Bernard Hoekman	Professor and Director, European University Institute
Hardin Ratshisusu	Deputy Commissioner, Competition Commission South Africa

DAY 2: WEDNESDAY, 17 NOVEMBER 2021

Session 3
13:30 – 15:45 IST
09:00 – 11:15 CET

E-Commerce as a Vehicle for Inclusive Global Economy

Not only e-commerce benefited consumers during the pandemic, it is also being seen as an aid to build resilient and inclusive economy. Since, e-commerce has the potential to expand the outreach, including exports, of small businesses and women entrepreneurs, it can bring-in much desired inclusivity in an economy. However, the prevailing digital divide – lack of internet access and digital capacity – could enhance inequality within and between countries. Growing concentration and market power in the digital space is also a concern. What are the contours of an inclusive e-commerce ecosystem? Whether competition concerns in the e-commerce space pose hurdle in achieving economic inclusivity? Is competition enforcement

per se sufficient in dealing with prevailing competition concerns, or there is a need for ex ante regulation(s)? What are the barriers to cross-border e-commerce and how can they be addressed? Does promoting the creation of national champions in digital markets, including e-commerce, an optimal way forward?

Mia Mikic	Advisor at Large, ARTNeT
Jay Gullish	Senior Digital Policy Director, USIBC
Torbjörn Fredriksson	Head of the E-Commerce and Digital Branch, UNCTAD
Thibault Schrepel	Faculty Affiliate, Stanford University's CodeX Center
Chetan Krishnaswamy	Vice President, Public Policy India, Amazon
Katharine Kemp	Senior Lecturer - Faculty of Law & Justice, UNSW Sydney
Peter Mwencha	Assistant Professor, American International University, Kuwait
Vedika Mittal	Senior Research Fellow, Vidhi Centre for Legal Policy
Raymond Tavares	UNIDO Representative in Cameroon and Central African Countries

Session 4
16:00 – 17:45 IST
11:30 – 13:15 CET

Creating More Income Opportunities and Jobs

Hundreds of millions of people have lost their jobs and income opportunities due to pandemic, even more are predicted to be pushed into poverty. Thus, inequality is deepening and threatening not only to the achievement of Sustainable Development Goals, but also possible law and order problems in many parts of the world. 'Jobs' are also central argument for growing 'nation first' syndrome and consequent protectionism. What is the emerging global strategy to deal with job scenarios? How growing digitalisation of economies is going to affect job market? Is there a role of competition policy in enhancement of income opportunities?

Arun Maira	Former Member, Planning Commission of India
Kelvin Sergeant	Sustainable Enterprise Development Specialist, DWT, South Asia and Country Office, India, International Labour Organization
Phil Evans	Independent Consultant; former Inquiry Chair at Competition and Markets Authority, UK
Radhicka Kapoor	Fellow, Indian Council for Research on International Economic Relations (ICRIER)
Sumit Majumdar	Professor, Information Systems, The University of Texas at Dallas
Samar Verma	Program Officer, The Ford Foundation

Valedictory Session
18:00 – 20:00 IST
13:30 – 15:30 CET

The Emerging Roadmap for a Resilient and Inclusive Economy

With countries finding their way out of the pandemic to a more resilient and inclusive economy, it will be crucial to see what roadmap and approaches are taken. Is the potential of the digital economy leveraged, or will policies be redesigned to make the traditional more resilient? How will the increasing income and job inequalities be addressed? How will roadmaps ensure that global citizens have access to healthcare and education without exclusions? What measures must be taken to avoid such catastrophic impacts, whilst leveraging the digital economy in the context of competition and regulation?

Presentation by Rapporteurs

Arvind Mayaram	Former Finance Secretary of India and Chairman, CUTS Institute for Regulation & Competition (CIRC)
Frederic Jenny	Chairman, OECD Competition Law and Policy Committee
Pascal Lamy	Former Director General, WTO
Teresa Moreira	Head, Competition and Consumer Policies Branch, UNCTAD
Ioannis Lianos	President, Hellenic Competition Commission
Simon J. Evenett	Professor, University of St. Gallen, Switzerland
Allan Asher	Chair and Managing Consultant, Foundation for Effective Markets & Governance, Australia

Rapporteurs:

Garima Sodhi	Senior Policy Analyst, CUTS Institute for Regulation & Competition (CIRC)
Rajshree Agarwal	Research Associate, CUTS International