

**DIRECTORATE FOR FINANCIAL AND ENTERPRISE AFFAIRS  
COMPETITION COMMITTEE**

**GLOBAL RELATIONS:  
THE OECD GLOBAL FORUM ON COMPETITION**

**-- Note by the Secretariat --**

*This Note by the Secretariat reports on the 2014 GFC meeting and on plans for the 2015 meeting. It is submitted to the Competition Committee FOR INFORMATION at its forthcoming meeting to be held on 18-19 June 2014.*

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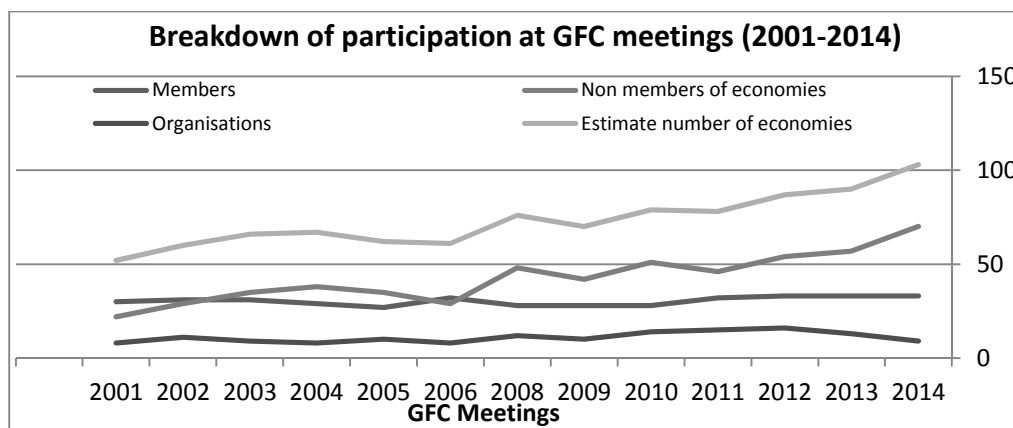
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## THE OECD GLOBAL FORUM ON COMPETITION: REPORT ON THE 2014 MEETING AND PLANS FOR THE 2015 MEETING

-- Note by the Secretariat --

### 1. Report on the 2014 Meeting

1. The Global Forum on Competition held its 13<sup>th</sup> meeting on 27-28 February 2014. The Forum was attended by 112 countries and organisations.<sup>1</sup> The number of non-members present at the GFC has grown dramatically: from 22 at the GFC creation in 2001 to 70 non-members this year.<sup>2</sup> It is clear from the requests received that budgetary constraints hampered attendance from a number of non-members who otherwise would have participated.



<sup>1</sup> At the 2014 Forum, 102 economies [compared to 89 in 2013] and the European Union participated as well as 9 international, regional and non-governmental organisations [compared to 13 in 2013]. At the 2001 inaugural Forum only 190 participants and 22 non-members were represented. 406 participants were present at the 2014 Forum against 383 in 2013. All member countries attended except for Denmark and New Zealand. All 16 Observers to the Committee were represented. Non-members represented were: Albania, Algeria, Argentina, Bahrain, Benin, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Cambodia, China, Colombia, Congo (Democratic Republic of), Costa Rica, Croatia, Dominican Republic, Ecuador, Egypt, El Salvador, Gabon, Gambia, Georgia, Honduras, Hong Kong China, India, Indonesia, Ivory Coast, Jordan, Kazakhstan, Kenya, Kosovo, Lao PDR, Latvia, Lebanon, Lithuania, Malaysia, Mali, Malta, Mauritius, Mongolia, Morocco, Myanmar, Namibia, Nicaragua, Nigeria, Pakistan, Panama, Peru, Philippines, Qatar, Republic of Moldova, Romania, Russian Federation, Rwanda, Senegal, Serbia, Seychelles, Singapore, South Africa, Swaziland, Chinese Taipei, Tanzania, Thailand, Tunisia, Ukraine, Uruguay, Vietnam, Yemen, Zambia, and Zimbabwe. Altogether 70 non-member economies attended the 2014 GFC against 57 in 2013, 54 in 2012, 46 in 2011, 48 in 2010 and 42 in 2009.

<sup>2</sup> The status of Designated Participant previously given to a number of non-members is no longer applicable following the adoption of the Resolution of the Council on Partnerships in OECD Bodies [C(2012)100/FINAL]. This means non-member economies now participate on an equal basis in the meetings of the Global Forum.

2. Participants discussed fighting corruption and promoting competition, peer reviewed Romania's competition law and policy and considered competition issues in the distribution of pharmaceuticals. Overall, 64 written contributions were received, highlighting the topical relevance of the Forum's agenda.<sup>3</sup>

3. Mr William Danvers, OECD Deputy Secretary-General, opened the Forum. He congratulated the GFC for putting Corruption on the agenda for this year, and underlined that fighting corruption is a top priority for the OECD. The OECD has done considerable work in this area, not least through its Anti-Bribery Convention which came into force in 1999 based on the realisation that some of the corruption in developing countries originates in the boardrooms in industrial countries. Today there are 40 Parties to the Convention: all of the OECD Members as well as Argentina, Brazil, Bulgaria, Colombia, the Russian Federation, and South Africa. At G20 Summit in St. Petersburg, world leaders encouraged all G20 Members to engage with the OECD's Working Group on Bribery with a view to possible adherence to the Convention. Mr Danvers emphasised that the OECD considers corruption as one of the biggest systemic threats to development in the 21st century. In addition, he highlighted, the OECD has been at the forefront of promoting competition reforms across member and non-member states, not least as a means to stimulate economic growth during the global financial crisis. Mr Danvers stated that the 2014 GFC provides a perfect platform for the OECD and its members to see examine the interface of corruption and competition. Finally, the OECD has also provided considerable policy guidance on the issue of the distribution of pharmaceuticals, a very important topic for developed and developing economies alike.

4. In her opening remarks, Mrs Obiageli Ezekwesili, Co-founder of Transparency International and former Minister of Education and Solid Minerals from Nigeria, emphasised that corruption is a universal problem, and not confined to certain types of countries. She also indicated that from a policy response perspective, it is important to understand that there are two categories of corruption – (i) “petty corruption” in which poorly paid government officials accept bribes to supplement their income and (ii) “grand corruption” on the part of senior politicians who determine major government contracts. Grand corruption affects the ability of governments to achieve developmental outcomes. Mrs Ezekwesili appealed to OECD countries to show zero-tolerance for corruption everywhere they operate, and not only within their own territories. She emphatically urged member and non-member states to strengthen policies and institutions to fight corruption, stressing that an effective competition regime is one way of achieving this: by creating a level playing field and a competitive market economy, countries are better placed to tackle corruption. Economic growth is necessary to fight corruption, she affirmed. An absence of economic development means reduced opportunities for wages and living standards to increase, and in those situations government officials will continue to look for bribes.

5. “Everything that corruption likes, competition dislikes,” she said. “Corruption wants to do things in a clandestine environment, but... the more transparency the greater the competition. Corruption does not care for value for money, but competition is about value for money. Corruption does not care about the interests of the greater majority, but competition cares about the interests of the greater majority.”

6. Following the opening speeches, the Chairman of the GFC, Mr Frédéric Jenny, reflected on the success of the Global Forum, which was now at its 13<sup>th</sup> meeting and in 2014 had over 400 participants from over 112 delegations. He added that the high and rising number of participants at the OECD 2014 GFC is a testimony to the increasing interest in the subject of competition worldwide. He then outlined the themes of the 2014 Forum, emphasising the importance of the Forum also discussing topics such as corruption which demonstrate the role that competition policy can play in the broader political spectrum.

7. The three main agenda items are summarised below.

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<sup>3</sup> Background documentation and contributions to the Forum are available on the Forum's website: [www.oecd.org/competition/globalforum](http://www.oecd.org/competition/globalforum).

### **1.1 *Fighting Corruption and Promoting Competition***

8. The half-day plenary discussion on Fighting Corruption and Promoting Competition was chaired by Mr Frédéric Jenny. The Secretariat received 24 written contributions from members and non-members alike. A panel of experts, including representatives from academia, the private sector and non-profit organisations gave presentations. A large number of delegations contributed from the floor.

9. The panellists were: Calvin S. Goldman (Partner, Goodmans LLP, representing BIAC); Drago Kos (Chairman of the OECD Working Group on Bribery); Michael Kramer (Attorney of Law and co-founder of International Anti-corruption Resource Centre, US); David Lewis (Executive Director, Corruption Watch, South Africa); and Tina Søreide (Post-doctoral researcher in law and economics, University of Bergen, Norway). The Keynote speaker, Mrs Obiageli Ezekwesili (Co-founder of Transparency International), contributed to the session as a discussant.

10. The roundtable discussion explored the interface between corruption and competition. Participants discussed issues related to rent-seeking behaviour; how competition policy can contribute to the fight against corruption and its limits in doing so; the extent to which competition authorities should deal with anti-corruption, leniency programmes, co-operation between competition and anti-corruption bodies, and how to prevent corruption inside competition authorities.

11. Davis Lewis who wrote the background paper stated that corruption is a ‘wicked problem’; i.e. there is no obvious or definitive solution. Policy interventions aimed at addressing corruption rather need to aim to change behaviour. There is often a fine line between ‘lobbying’ and ‘creating undue influence’ on a decision-maker. Rent seeking behaviour, if rewarded, means that rent is paid. Such rent payment results in a permanent change in a certain decision in a particular direction. Tina Søreide mentioned that mechanisms to combat corruption should be driven by the consideration to protect markets; therefore personal penalties should be looked at rather than only heavy fines on firms.

12. The discussion moved on to consider bid-rigging as one element of corruption in the public sector. Michael Kramer emphasised that bid-rigging and collusion are different from each other. Bid rigging involves a tacit agreement between a bidder and an individual (insider) involved in the bid process. Collusion on the other hand is a scenario when bidders agree not to compete and artificially inflate the value of the bid, in order to share the benefits from one of the colluding participants winning the bid. Investigative agencies, whether focused on competition or corruption, need to have experienced personnel. Authorities need to develop special investigative tactics, including the ability to collect and effectively present circumstantial evidence.

13. The role of stakeholders, notably from the private sector, was discussed. The work of both competition and anti-corruption practitioners needs to be supported by the larger community of stakeholders and citizens. Any form of collusion always involves corrupted practices. Enforcement should focus on the demand side of corruption as well as supply side: government officials who accept bribes should also be investigated and prosecuted. BIAC proposed that for the competition framework established in a corrupt country to be efficient, it needs to include three pistons of effective competition: the independence and accountability of the decision maker; the transparency of the process; and the application of normative substantive principles.

14. The chairman of the OECD Anti-bribery Working Group, Drago Kos, called for closer co-operation between the work of competition practitioners and those who fight corruption, as it is clear that the fight against corruption and competition promotion overlap.

15. When tackling bid rigging and other anti-competitive behaviour, competition authorities are well placed to identify corruption issues. This can – and in some jurisdictions does – include direct working relationships between competition agencies and corruption enforcers. Evidence gathered during dawn raids, for example, often reveals other issues besides competition violations.

## **1.2 *Peer Review of Romania's Competition Law and Policy***

16. The first peer review of the competition regime in Romania was held in the framework of the GFC on 27 February 2014. It occurred at a time when Romania, with the support of international donors, is emerging from a serious economic crisis; steps to improve Romania's competitiveness, and the performance of its competition regime are among the measures required by the international donors.

17. The Peer Review, chaired by Mr. Frédéric Jenny, was led by examiners from Colombia, France, Latvia, and the Netherlands: Pablo Felipe Robledo del Castillo and German Bacca Medina (Superintendent and Deputy Superintendent, SIC, Colombia), Elisabeth Flury-Hérard (Vice-president, Autorité de la Concurrence, France), Skaidrite Abrama (Chairperson, Competition Council, Latvia) and Anita Vegter (Member of the Board, Authority for Consumers and Markets, Netherlands). The Report by the OECD Secretariat and its recommendations provided the basis for questions and discussion.

18. The report overall provided a positive assessment of the Romanian competition regime and its efforts to undertake reforms in light of internationally recognised best practices promoted by the OECD and elsewhere. It made several recommendations for measures to further strengthen the Romanian competition regime, emphasising in particular the need for continuity and systematic implementation in pursuing recently initiated reforms. Other recommendations relate to a more systematic co-operation with public prosecutors; renewed efforts by the competition authority to secure in court proceedings higher fines in cartel and bid rigging matters; a review of merger review notification thresholds; ex-post reviews in particular of remedies in merger cases to ensure that behavioural remedies have been effective; a focus on co-operation with the regulator for electricity and gas markets with a view to ensuring that market liberalisation yields benefits for consumers; and continued efforts to improve the competition authority's institutional framework.

19. The Romanian delegation was led by Liviu Voinea (Minister Delegate for Budget) and by Bogdan Chiritoiu (President of the Romanian Competition Council).

20. The officials from Romania emphasised the usefulness of the review exercise as it provided additional guidance and support during the current reform efforts. They generally agreed with the recommendations, although the competition authority's president described how difficult it might be to implement some of the suggested institutional reforms such as the elimination of some territorial offices in order to increase the financial resources and financial flexibility of the competition authority.<sup>4</sup>

## **1.3 *Competition Issues in the Distribution of Pharmaceuticals***

21. The plenary discussion on competition issues in the distribution of pharmaceuticals which was chaired by Mrs. Michelle Cohen (President Procompetencia, Dominican Republic), was based on a Secretariat background paper and 34 written contributions, indicating the interest for the topic. A panel of

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<sup>4</sup> The Peer Review Report was launched on 8 April 2014 during a conference organised by the competition authority that was attended by the Romanian Prime Minister and received significant media attention. Chairman Jenny spoke at the conference and presented the main findings of the Report. The Report is now publicly available in English and Romanian at [www.oecd.org/daf/competition/competition-law-and-policy-in-romania.htm](http://www.oecd.org/daf/competition/competition-law-and-policy-in-romania.htm).

experts addressed the various complex issues that this market raises. It included: Farasat Bokhari (Senior Lecturer in Economics, University East Anglia), Aidan Hollis (Professor in Economics, University of Calgary), Panos Kanavos (Reader in International Health Policy, London School of Economics), Adrian Majumdar (Partner, RBB Economics), Pradeep S Mehta (Secretary General, CUTS), Sabine Vogler (Head of the Pharma Team, Austrian Health Institute and Head of the WHO Collaborating Centre) and Valérie Paris (Senior Health Policy Analyst, OECD Health Division).

22. The discussion took the form of a Hearing with participants providing an overview of how competition works in this market and where obstacles may stem from; it also helped to better understand the interplay between competition and regulation, which is heavily present in this market, from a panel of experts. The discussion started with a presentation by Prof. Kanavos (London School of Economics, UK) on how the market for the distribution of pharmaceuticals is organised, how competition works in this market, and what are the main competition problems that can arise at different level of the distribution chain. This was followed by an intervention by Mr Mehta (Cuts, India), who described the pharmaceutical market in India and analysed some of the competition problems that have arisen in this country. Ms Valerie Paris (Health Division OECD) questioned whether it would useful and feasible for the OECD to collect qualitative and quantitative information on retail and wholesale distribution systems for pharmaceuticals to have a snapshot of the situation in different countries that could allow an assessment in terms of performance, effectiveness and costs.

23. The discussion then moved on to more specific questions concerning the role of pharmacies in the distribution of medicines. Prof Aidan Hollis (University of Calgary, Canada) explained the role that insurers (whether private or public) can have in controlling the retail prices of drugs, but he also underlined that these efforts can be blocked by the market power held by pharmacies when consumers are not sensitive to prices. In particular he explained that price competition between generic manufacturers may in the end mostly benefit pharmacies, with insurers and consumers still paying high prices. Dr Sabine Vogler (Austrian Health Institute) examined the regulation of pharmacies in terms of number, location, ownership and nature of products sold and presented the not always positive results that deregulation has led to in some European countries. She warned against relying too much on deregulation on entry as a way to achieve wider and cheaper access to medicines.

24. The last part of the plenary session focused on more technical antitrust issues in this market and considered the challenges of assessing mergers in the market for the distribution of pharmaceuticals, both at retail and wholesale level. Mr Majumdar (RBB Economics, London) and Farasat Bokhari (University East Anglia, UK) explained the techniques that can be used to assess the likely impacts that these concentration can have on consumers in terms of prices and availability of products.

25. The practical experiences of competition authorities, both with enforcement and advocacy, were discussed in three smaller breakout sessions in the afternoon. Many cases of competition law enforcement actions, as well as sectorial studies and advocacy interventions, were examined. Each breakout session focused on a different aspect. Breakout session 1 discussed how the retail sector is regulated in different countries, the reasons behind these regulatory constraints and to what extent they can distort competition. Break out session 2 considered to what extent the costs of distribution affect the prices of pharmaceuticals, the role public insurers can play in reducing medicine prices and how the wholesale segment of this market is changing. Break out session 3 assessed vertical relationships between manufacturers, wholesalers/ distributors and retailers from a competition perspective and the risks, in terms of competition distortions, that vertical integration along the value chain can lead to.

## 2. Topics for the 2015 Meeting: 19-20 February 2015

26. Participants discussed future topics for the GFC 2015. Some of the topics suggested during the meeting were advocacy topics, such as adapting the competition policy framework to suit a changing global paradigm. Other topics mentioned were competition issues between new and old services providers (such a financial services provided over mobile phone networks). Sectorial topics were also discussed, especially the types of sectors that seem to be prone to anticompetitive practices. Finally, the Chairman concluded the Forum by inviting participants to submit in writing their suggestions for topics to be discussed at the 2015 Forum and future Forums.

27. 70 participants replied to the evaluation questionnaire circulated by the Secretariat. This ratio of responses (17.2%) is comparable to the ratio from 2013. 43 responses were received from non-member economies and 21 from members. The remaining 6 evaluations were anonymous. Very diverse proposals were received (for full details, see the Appendix). The suggestions included topics such as advocacy, notably in the form of the links between economic growth and competition and employment and competition; institutional design; international trade; enforcement; abuse of dominance; public procurement and sector studies.

28. In the light of this feedback, and taking into account topics already addressed at previous GFC meetings, the draft agenda of the next GFC (19-20 February 2015) is likely to include:

- Opening Session with a Keynote Speaker to be confirmed
- Day 1: Discussion, probably on issues at the interface of competition policy and another policy area such as the links between competition and employment
- Day 2: A roundtable on a competition enforcement topic, for instance a discussion on why some industries seem to be prone to anticompetitive behaviour
- A Country peer review. Possible candidates are Kazakhstan or Ukraine (the latter for a monitoring of its 2008 GFC review)

## 3. Participants' Evaluation of the 2014 Global Forum

29. The feedback received during and following the meeting suggests that the 13th meeting of the GFC was very successful. The overall evaluation is comparable to the 2013 meeting, indicating a high level of satisfaction with the GFC. A detailed analysis of the written evaluations provides some useful nuances. Regarding the relevance of the meeting, the responses to the evaluation show a high degree of satisfaction with the *overall usefulness and quality of the event* getting an average score of 4.2 (out of 5).

30. The feedback from delegates nonetheless highlighted that delegations wished to see fewer formal invitations to present contributions, and more time for general discussions in the roundtable discussions. It was their strong desire to see this format in the 2015 GFC.

31. Both substantive sessions (*Fighting Corruption & Promoting Competition*, *Competition Issues in the Distribution of Pharmaceuticals*) received an overall average of 4.1 out of 5. When analysing the results from each session separately, the discussion on *Fighting Corruption & Promoting Competition* seemed to have been of particular interest for non-members as they gave this session the average score of 4.2, compared to 3.7 for members, and 4.5 in the anonymous responses. The session on *Competition Issues in the Distribution of Pharmaceuticals* attracted attention of both members and non-members who scored it 4.2 compared to 3.7 from anonymous responses. The Peer Review of Romania received an average score

of 3.9. This peer review exercise was highly appreciated by non-members which have given it a score of 4.1, while members rated it at 3.8, and anonymous responses at 3.4. This Peer Review exercise was the highest score received for a peer review exercise since 2008.

32. The organisation of the meeting received an average score for the *quality of the preparations prior to the meeting* of 4.5, only slightly below the 2013 score of 4.6. Members and non-members scored it 4.5 while anonymous responses scored it at 4.1. The *quality of the Secretariat's background notes* received an average score of 4.4, although members gave this category a higher score of 4.5, compared to 4.3 for non-members, and 4.3 for anonymous responses. The overall *quality of the presentations* was rated at 3.9, with a score of 4.1 from members, 3.8 from non-members, and 4 from anonymous responses. The *overall amount of information and documentation provided* had an average rating of 3.8 on a scale of 1 "Insufficient" to 5 "Too much". The *time allocated to interventions and discussion* received an average score of 3.5 ("Sufficient"), like last year. It seems that overall participants were satisfied with the time allowed for exchanges among participants between the discussions.



## APPENDIX

I. Evaluation of the 13th Meeting of OECD Global Forum on Competition (Paris, 27-28 February 2014)								
SUMMARY OF RESPONSES - ALL EVALUATIONS (70 evaluations) (*)								
	Average	Number of answers	Number of answers as					
			5	4	3	2	1	
1. Relevance of the meeting								
1.1. What is your view of the overall usefulness and quality of this event? (Very High: 5 - Very Low: 1)	4.23	70	24	38	8	0	0	
1.2. What is your view of the overall usefulness for your work of the topics addressed? (Very High: 5 - Very Low: 1)	4.04	70	15	43	12	0	0	
1.3. What is your view of the overall usefulness and quality of the Forum materials? (Very High: 5 - Very Low: 1)	4.28	68	28	32	7	1	0	
2. Individual sessions: usefulness and quality								
2.1. Roundtable on Fighting Corruption and Promoting Competition (Very Useful: 5 - Not Useful: 1)	4.12	67	21	36	7	3	0	
2.2. Peer Review of Competition Law and Policy in Romania (Very Useful: 5 - Not Useful: 1)	3.93	58	18	24	11	4	1	
2.3. Roundtable on Competition Issues in the Distribution of Pharmaceuticals (Very Useful: 5 - Not Useful: 1)	4.13	69	25	29	14	1	0	
2.4. Breakout sessions on Competition Issues in the Distribution of Pharmaceuticals (Very Useful: 5 - Not Useful: 1)	3.82	67	16	27	20	4	0	
3. Organisation of the meeting								
3.1. What is your view of the overall quality of the preparations prior to the event? (Very High: 5 - Very Low: 1)	4.46	70	38	26	6	0	0	
3.2. What is your view of the overall amount of information and documentation made available in connection with the meeting? (Too much: 5 - Insufficient: 1)	3.80	69	17	21	31	0	0	
3.3. What is your view of the overall quality of the Secretariat notes? (Excellent: 5 - Unsatisfactory: 1)	4.40	68	33	29	6	0	0	
3.4. What is your view of the overall quality of the presentations? (Very High: 5 - Very Low: 1)	3.88	68	13	34	21	0	0	
3.5. What is your view of the time allocated to interventions and discussion? (Too much: 5 - Insufficient: 1)	3.45	69	9	21	31	8	0	

(\*) In table II to IV below, the results are split among: i) members, ii) non-members and iii) anonymous replies

II. Evaluation of the 13th Meeting of OECD Global Forum on Competition (Paris, 27-28 February 2014)								
SUMMARY OF RESPONSES - MEMBERS (21 evaluations)								
	Average	Number of answers	Number of answers as					
			5	4	3	2	1	
1. Relevance of the meeting								
1.1. What is your view of the overall usefulness and quality of this event? (Very High: 5 - Very Low: 1)	4.00	21	4	13	4	0	0	
1.2. What is your view of the overall usefulness for your work of the topics addressed? (Very High: 5 - Very Low: 1)	3.86	21	2	14	5	0	0	
1.3. What is your view of the overall usefulness and quality of the Forum materials? (Very High: 5 - Very Low: 1)	4.33	21	9	10	2	0	0	
2. Individual sessions: usefulness and quality								
2.1. Roundtable on Fighting Corruption and Promoting Competition (Very Useful: 5 - Not Useful: 1)	3.72	18	3	9	4	2	0	
2.2. Peer Review of Competition Law and Policy in Romania (Very Useful: 5 - Not Useful: 1)	3.78	18	6	5	4	3	0	
2.3. Roundtable on Competition Issues in the Distribution of Pharmaceuticals (Very Useful: 5 - Not Useful: 1)	4.19	21	10	5	6	0	0	
2.4. Breakout sessions on Competition Issues in the Distribution of Pharmaceuticals (Very Useful: 5 - Not Useful: 1)	3.74	19	5	6	6	2	0	
3. Organisation of the meeting								
3.1. What is your view of the overall quality of the preparations prior to the event? (Very High: 5 - Very Low: 1)	4.48	21	12	7	2	0	0	
3.2. What is your view of the overall amount of information and documentation made available in connection with the meeting? (Too much: 5 - Insufficient: 1)	3.85	20	6	5	9	0	0	
3.3. What is your view of the overall quality of the Secretariat notes? (Excellent: 5 - Unsatisfactory: 1)	4.55	20	12	7	1	0	0	
3.4. What is your view of the overall quality of the presentations? (Very High: 5 - Very Low: 1)	4.05	20	5	11	4	0	0	
3.5. What is your view of the time allocated to interventions and discussion? (Too much: 5 - Insufficient: 1)	3.55	20	3	7	8	2	0	

III. Evaluation of the 13th Meeting of OECD Global Forum on Competition (Paris, 27-28 February 2014)								
SUMMARY OF RESPONSES - NON MEMBERS (43 evaluations)								
	Average	Number of answers	Number of answers as					
			5	4	3	2	1	
1. Relevance of the meeting								
1.1. What is your view of the overall usefulness and quality of this event? (Very High: 5 - Very Low: 1)	4.33	43	18	21	4	0	0	
1.2. What is your view of the overall usefulness for your work of the topics addressed? (Very High: 5 - Very Low: 1)	4.14	43	12	25	6	0	0	
1.3. What is your view of the overall usefulness and quality of the Forum materials? (Very High: 5 - Very Low: 1)	4.24	41	16	20	4	1	0	
2. Individual sessions: usefulness and quality								
2.1. Roundtable on Fighting Corruption and Promoting Competition (Very Useful: 5 - Not Useful: 1)	4.23	43	15	24	3	1	0	
2.2. Peer Review of Competition Law and Policy in Romania (Very Useful: 5 - Not Useful: 1)	4.09	35	12	17	4	1	1	
2.3. Roundtable on Competition Issues in the Distribution of Pharmaceuticals (Very Useful: 5 - Not Useful: 1)	4.17	42	14	22	5	1	0	
2.4. Breakout sessions on Competition Issues in the Distribution of Pharmaceuticals (Very Useful: 5 - Not Useful: 1)	3.93	42	11	18	12	1	0	
3. Organisation of the meeting								
3.1. What is your view of the overall quality of the preparations prior to the event? (Very High: 5 - Very Low: 1)	4.49	43	24	16	3	0	0	
3.2. What is your view of the overall amount of information and documentation made available in connection with the meeting? (Too much: 5 - Insufficient: 1)	3.79	43	9	16	18	0	0	
3.3. What is your view of the overall quality of the Secretariat notes? (Excellent: 5 - Unsatisfactory: 1)	4.33	42	18	20	4	0	0	
3.4. What is your view of the overall quality of the presentations? (Very High: 5 - Very Low: 1)	3.79	42	7	19	16	0	0	
3.5. What is your view of the time allocated to interventions and discussion? (Too much: 5 - Insufficient: 1)	3.35	43	5	11	21	6	0	

IV. Evaluation of the 13th Meeting of OECD Global Forum on Competition (Paris, 27-28 February 2014)								
SUMMARY OF RESPONSES - ANONYMOUS (6 evaluations)								
	Average	Number of answers	Number of answers as					
			5	4	3	2	1	
1. Relevance of the meeting								
1.1. What is your view of the overall usefulness and quality of this event? (Very High: 5 - Very Low: 1)	4.33	6	2	4	0	0	0	
1.2. What is your view of the overall usefulness for your work of the topics addressed? (Very High: 5 - Very Low: 1)	4.00	6	1	4	1	0	0	
1.3. What is your view of the overall usefulness and quality of the Forum materials? (Very High: 5 - Very Low: 1)	4.33	6	3	2	1	0	0	
2. Individual sessions: usefulness and quality								
2.1. Roundtable on Fighting Corruption and Promoting Competition (Very Useful: 5 - Not Useful: 1)	4.50	6	3	3	0	0	0	
2.2. Peer Review of Competition Law and Policy in Romania (Very Useful: 5 - Not Useful: 1)	3.40	5	0	2	3	0	0	
2.3. Roundtable on Competition Issues in the Distribution of Pharmaceuticals (Very Useful: 5 - Not Useful: 1)	3.67	6	1	2	3	0	0	
2.4. Breakout sessions on Competition Issues in the Distribution of Pharmaceuticals (Very Useful: 5 - Not Useful: 1)	3.33	6	0	3	2	1	0	
3. Organisation of the meeting								
3.1. What is your view of the overall quality of the preparations prior to the event? (Very High: 5 - Very Low: 1)	4.17	6	2	3	1	0	0	
3.2. What is your view of the overall amount of information and documentation made available in connection with the meeting? (Too much: 5 - Insufficient: 1)	3.67	6	2	0	4	0	0	
3.3. What is your view of the overall quality of the Secretariat notes? (Excellent: 5 - Unsatisfactory: 1)	4.33	6	3	2	1	0	0	
3.4. What is your view of the overall quality of the presentations? (Very High: 5 - Very Low: 1)	4.00	6	1	4	1	0	0	
3.5. What is your view of the time allocated to interventions and discussion? (Too much: 5 - Insufficient: 1)	3.83	6	1	3	2	0	0	

## V. SUGGESTIONS FOR FUTURE DISCUSSION TOPICS

### SUMMARY OF RESPONSES

Comments	Source
Les programmes de conformité et leurs impacts sur la concurrence en termes de comportement des entreprises et de leurs administrateurs	Algeria
La concurrence et le marché informel	Algeria
Concurrence dans le secteur low-cost aérien	Algeria
Concurrence dans le domaine du transport	Algeria
Abuse of dominance in transport or infrastructure sectors	Australia
Competition policy and growth	Australia
Intellectual property rights and competition	Australia
Competition and new trade barriers	Australia
Abuse of dominance or vertical restraints	Bulgaria
Competition policy and economic growth	Bulgaria
Intellectual property rights and competition policy	Bulgaria
Advocacy: Successful experiences to share	Chile
Institutional design of competition authorities: Experiences to share	Chile
Non-tariff countries to trade competition barriers between countries	Chile
Auctions design and competition issues	Chile
Abuse of dominance position and right to contract	China
How to convince policy makers of the need for greater attention to competition?	CUTS
Competition issues in agricultural subsectors	CUTS
Professional associations and anticompetitive behaviour	Czech Republic
Telecommunications and mobile operators and related horizontal and vertical issues	Czech Republic
Maritime transport and in particular liner shipping agreements	EU
Latest developments in the area of exclusionary practices	IDB
Criminalisation of per se offenses	IDB
Impact of competition in the food sector	IDB
Small enterprise on competition policy and global practices	Indonesia
Leniency programme on global practices	Indonesia
Impact of the main office of MNC merger to local competition issues	Indonesia
Bidding (?) of medical instruments. See: policy and distributor behaviours	Indonesia

Vertical agreements in particular RPM and recommended retail prices	Malaysia
Institutional structures of competition authorities [This discussion should contribute to the quest of finding ideal models to guarantee competition in both private and public sectors and to guarantee due process in its proceedings. The title could be a follow-on topic to independence and autonomy of competition authorities].	Malta
Competition in the petroleum sector	Morocco
Pay for delay agreements (pharma sector)	Romania
Generics' penetration (pharma sector)	Romania
Legal barriers to entry (pharma sector)	Romania
Exploitative practices (unfair and excessive pricing) - When is price unfair?	Serbia
Is fine administrative or criminal sanction? Relation between competition cases and criminal procedure	Serbia
Definition of the transaction for the purpose of merger control. Ancillary restraints related to implementation of the proposed transaction	Serbia
Competitive neutrality	Sweden
Effectiveness of leniency and how to make it work	Sweden
Combating cartels	Sweden
Droit de la concurrence et commerce parallèle transfrontalier	Tunisia
Concurrence et partenariat public-privé pour la réalisation des infrastructures dans les pays en développement	UEMOA
Concurrence et transport maritime	UEMOA
Le passage au numérique universel et la concurrence	UEMOA
Public investment follow [up]	Yemen
Competition dynamics in the agricultural sector vis-à-vis fertiliser procurement in 3rd world countries	Zambia
Competition dynamics in the poultry sector / sugar sector [The above areas [see suggestions from Zambia] are generally going to be affected by government procurement agencies. This will affect consumers eventually]	Zambia
Competition dynamics in the cement sector	Zambia
Institutional design of antitrust	Member Americas
Energy	Member Americas
Telecommunications	Member Americas
Cartel investigation	Member Asia
Competition advocacy	Member Europe
Competition and economic growth	Member Europe
Pharmaceuticals	Non-Member
Concurrence et emploi: dictomie ou complémentarité	Non-Member Africa
L'application des règles de concurrence dans les contrats de franchise	Non-Member Africa
Impact assessment of consumer benefits or enforcement activities	Non-Member Africa
Structural organisation of competition authorities	Non-Member Africa
Comparative studies of different competition authorities	Non-Member Africa
Issue of harmonisation of competition law regimes without regional blocks as part of regional integration initiatives and obstacles/challenges/necessity!	Non-Member Africa

Le rôle de la concurrence dans les intégrations régionales et sous régionales	Non-Member Africa
Respect des règles de concurrence dans le service public et dans la gestion délégué (externalisation)	Non-Member Africa
Intellectual property and competition	Non-Member Americas
Links between international trade practices and competition (e.g. dumping and subsidies)	Non-Member Americas
Competition and public enterprises	Non-Member Americas
Internet services	Non-Member Asia
Sectors as professional transport, steel, cement industry	Non-Member Asia
Public transportation	Non-Member Europe
Competition in steel industry	Non-Member Europe
Competitive neutrality	Anonymous
Disruptive competition / innovation	Anonymous
Technology driven competition	Anonymous
Structure of competition authorities, specialisation to improve effectiveness	Anonymous
Intellectual property (audio-video)	Anonymous
Competition in Telecommunications	Anonymous
Transport services	Anonymous

\*Anon = Anonymous

## VI. THE WORK COULD BECOME MORE RELEVANT IN THE FOLLOWING WAYS

### SUMMARY OF ALL RESPONSES

It is very interesting for me but I wish the documents were translated in French. (Algeria)
The Forum could touch on (?) influences if acceptability of competition in various industries (China)
There should be dedicated sessions for developing countries (developing in terms of new competition authorities) in the country of origin. (Malaysia)
It is very important to understand that the need of third world countries is very different. In this regard, there must be an emphasis on more presentations to come from these countries. The problems of developed countries do not really affect developing ones.
The forum could be more useful to agencies if we invested more on specific cases to practitioners (UEMOA)
The work of the forum could be more outcome-oriented. Roundtable and discussions could result in drafting of best practices for example in the form of recommendations (Czech Republic)
There should be more and shorter presentations. Provide a broader scope - This is the advantage of the OECD. (Sweden)
Case studies in some details: procedures issues, investigation issues, prosecution issues, etc. (Anonymous)
More practical discussions, continuation of involvement of speakers from outside competition authorities in the discussions for broader view on the topic under discussion. Support for mix of institutional and sector specific topics. (Anonymous)
More time to specific cases of specific countries, breakout sessions are too short. (Anon.)
By including more specific market analysis (Anon)
Add on more emerging markets perspectives. Consider links of developed and developing countries and maybe more experts and scholars for perspectives from Asian countries. (Anon)
If we talked about merger review in pharmaceuticals sector. (Anon)
By focusing the topics on issues that are more of interest to developing countries, especially those [countries] which are still at a learning stage on the elaboration and application of their competition law and policy. (Anon)
If we discussed specific discussions on structural organisation of competition authorities and rating of different models (Anon)
Based on the issues discussed during the GFC (Corruption / Pharmaceuticals) the variety of issues treated will help in expanding the view of the respective authorities in the event that they undertake enforcement/ advocacy activities in their own territories. Also, networking is an important aspect of the Forum and it helps discern relevant expertise which may be requested by the relevant competition authorities [I refer here to the presentation by Mr Kramer and to his proposal to make authorities specialised affaire for analyses of bid patterns]. (Anon)
More practical case reviews. (Anon)

\*Anon = Anonymous



**VII. THE QUALITY OF THE GLOBAL FORUM PROCEEDINGS  
AND ITS ORGANISATION COULD BE IMPROVED IN THE FOLLOWING WAYS**

**SUMMARY OF ALL RESPONSES**

<b>Members</b>	Presentations and interventions with practical examples are much better than those containing only theoretical views on the themes debated. Having discussed with other participants, we all agreed 4-hour long sessions are too long. Coffee breaks can be a solution even if that we would waste some time given the number of participants (Austria)
	From our point of view the proceedings and organisation of the GFC are adequate and effective. (Czech Republic)
	The idea of holding Break-out sessions is very positive. Such sessions have the potential of generating a dialogue and sharing of experiences between delegates with different backgrounds. For this to function well it is best not to script the Break-out sessions too much as this risks to stifle a real debate and limit the added value of such sessions. (EU)
<b>Non-Member Economies / Organisations / Others</b>	The quality of proceedings and organisation are already perfect and I don't see how else to improve them (Algeria)
	Continue the way it organises its proceedings (Botswana)
	The GFC is good as it is (China)
	Relevant issues [should have the participation of] relevant staff. There should be a balance of information and staff from both developing and developed countries (Indonesia)
	More breakout sessions and more interactive sessions. Also, during the breakout sessions, it would be useful to allocate people by name. For example, if we had three delegates, they would not all go in the same one. (Seychelles)
	Cut the number of speakers. Allow more opportunities for participants to ask questions to speakers (Tunisia)
	In my view the discussions are too long without coffee breaks. Discussions must be streamlined with more practical speakers than academic personnel. There should be more case discussions and avoid abstract theories. (Zambia)
	The themes debated could be the subject of studies whose results would be discussed during the sessions (UEMOA)
	More time for discussions from the floor. There was not much interaction between panellists and delegates (CUTS)
	There was a poor management of the breakout discussion by the Chair (IDB)
	Distributing the list of participants would be helpful (Anonymous)
	By introducing more specific topics for discussion. (Anon)
	By inviting more higher-level experts and involving developing countries more. (Anon)
	Need for more frequent breaks. This would allow a more productive participation of delegates. After 2 hours the attention span gradually decreases. (Anon)
	It will be of help in the future investigations to be carried out in the pharmaceutical sector. (Anon)
	Breakout sessions: To the extent of the possible, the organisational committee could consider participants/delegations represented at the forum for their topic preferences as some issues discussed could be of more relevance to some than others. Also, the breakout sessions in my view, defeat their purpose because it ultimately left no room for debate among participants on complex and more challenging issues. The sessions were structured in a "lecture" type and at some point one tended to lose interest. (Anon)
	I think it should be kept in the same way. It is hard to me to evaluate since it is the first forum I attend and I enjoyed it. (Anon)
	It should be more interactive and presentations more focused and practical. (Anon)

\*Anon = Anonymous

## VIII. OTHER COMMENTS

## SUMMARY OF ALL RESPONSES

<b>Members</b>	We have cases in pharmaceuticals and face challenges in dealing with them - it was very interesting to compare our experiences. I thought the breakout sessions worked out well and enabled greater participation by smaller agencies. (Australia)
	Excellent help in organising side meetings (notably the one for FEMC). (Austria)
	Parallel discussions are very useful in roundtable formats. (Chile)
<b>Non-Members/ Organisations / Others</b>	Time allowed is too short. (Ivory Coast)
	Materials discussed on this Forum are very relevant to my work namely the issue of corruption and competition and vertical integration issues in the pharmaceutical business. The phenomenon of market domination by a global player in the pharmaceutical sector as well as other countries become an important fact for Indonesia in policy making in mergers. (Indonesia)
	As a director of prices and competition in Morocco, the issues discussed will be very helpful for me. (Morocco)
	I had never looked at competition and corruption in the angle that has been discussed here. From this, I will advocate on the issue with colleagues from public procurement and also take this into account when investigating bid rigging. Also, networking with colleagues is very important and hence from a small island state, we can get more experience. (Seychelles)
	We could do better in inviting some politicians from specific countries specially ones that we know face more problems. After all, our discussions are aimed at influencing policy and without politicians [policy makers] can be no change. (Zambia)
	Besides meeting in Paris, the Forum could continue to be prepared through networking so as to obtain more contributions. (UEMOA)
	High appreciation of the professionalism of Secretariat staff when liaising with participants. The GFC should consider sponsoring developing/ newly-established competition agencies participation if such participation was conditioned to certain criteria (to prevent free riding on expenses incurred). Developing countries comp. agencies are in the need of high-level capacity building and networking in order to match the quality of enforcement activities of their developed peers and produce high-impact results to their consumers/ economy. (Anon).
	It was useful to understand these issues in other countries and share experiences. I am sure that I heard some ideas that will be useful for my work. (Anon) I can use the conference material in developing a policy agenda in my country (Anon.)

\*Anon = Anonymous