

<b>Questions posed by the registered participants of the UNCTAD webinar: “Competition Issues in times of COVID19: is there role for international cooperation?”</b>
<b>International cooperation</b>
Has COVID crisis changed the future ways of implementing international cooperation? Can the video/on-line communication between countries replace exchange of ideas and contacts made in person?
How can small and emerging competition authorities from developing countries benefit from international cooperation to deal with various anti-competitive agreements during this COVID 19 period
How important is the role of international cooperation in assisting competition regulators to adapt internally i.e. remote working, IT infrastructure, human resources etc through crises such as COVID-19?
To what extent was international cooperation helpful/would have been helpful in responding to new competition challenges posed by the crisis?
Is international cooperation feasible for designing emergency state support to firms?
How will the international cooperation among the Competition Agencies will be formed ?.
UNCTAD has a birdseye view of international cooperation flows globally in the competition policy sphere. What new patterns have you seen emerging during the pandemic (e.g. thematic areas, modalities, or protagonists/countries reaching out to cooperate more)? Thank you!
<b>Agreements between competitors</b>
How can we encourage cooperation in researching non-overlapping methods of vaccines, even though some may be less promising, to achieve the benefits of portfolio diversity, while preserving the benefits of competition?
Have anti competitive behaviour among corporate organisation increased during this Covid 19 Pandemic
<b>Excessive pricing</b>
Can Competition Law effectively control the prices of essential commodities alone?
How did the competition authority you represent deal with maximum prices of essential goods and services, such as masks, alcohol gel, amongst others, established by the country’s authorities to protect consumer welfare?
how countries intervention on crazy price hiking due to the cause of covid19 pandemic, how countries do to curb the situation?
<b>Abuse of dominance</b>
What kind of restrictions on the abuse of dominant position in competition police in COVID19 Times
How to avoid the big companies to get stronger over the small, new and recent formed companies trying to enter in a very competitive market where a strong cash flow is needed to survive, and usually inexistent during this time in small business.
<b>Advocacy</b>
How to convince the public opinion of democratic countries to trust the antitrust agencies of countries which do not qualify as democracy?

How can co-operation in competition advocacy efforts by competition agencies counter protectionism, which is emerging as a narrative for post-covid economic recovery?

How are you carrying out your different advocacy measures during this time of COVID-19 crisis?

### **Mergers**

Considering that we might face more mergers due to the economic crisis resulting from the COVID19 health crisis, should competition authorities cooperate and exchange information to have a more solid "failing firm defense" acceptance?

How has Covid-19 pandemic impacted transnational mergers and what lessons can be learnt from this experience?

Do you expect a wave of merger & acquisitions triggered by the recession caused by Covid19? If yes, what consequences may emerge for merger control provisions?

### **Procedures (investigation)**

How do you see existing investigations into digital sector evolving as a result of covid

How do the Authorities intend to intensify their investigative roles in a context that potentially no private players will be willing to adhere to an amnesty/leniency program? What tools do the authorities intend to use to monitor market behaviour, in this situation?

How to make investigation that run effectively on pandemic?

### **Competition policy and other policy considerations**

DO THE PANELISTS FORESEE THAT POST COVID-19 SPECIAL RULES WILL BE REQUIRED TO PERMIT SEVERAL NATIONAL SUPPORT AND REGIONAL COOPERATION AGREEMENTS TO BOOST PRODUCTION

What position should a Competition Authority from an **EU** member state adopt in case another member state adopts policy which clearly favours their national champions?

How are economies with large and growing informal sector, employing large number of casual workers, coping with the pandemic outbreak?, and what measures were put in place by different economies and their corresponding experiences of adaptive outcomes (i.e some lessons for future policy options).

What are the best competition policies that can be adopted by developing countries during this season?

The massive capital injections in the economy made by many governments throughout the world may mitigate the immediate social and economic consequences of the pandemic. However, it may also exacerbate competition distortions, by keeping alive inefficient firms that happen to be based in countries with a more robust fiscal system, while causing efficient firms to leave the market if they are based in countries with less robust finances (e.g. because their competitive advantages are offset by the stronger subsidies granted to rivals). This may also discourage new entries in the latter countries. Can international cooperation play a role here?

Bearing the mind, the adverse effects of COVID 19 on the food supply chain with Countries adopting protective trade practices to ensure basic food supply, the work of a Competition Commission is highly curtailed. What is the role of a Competition Commission during these try times.

Which main challenges to antitrust do you see after the pandemic is gone and markets begin recovering?

How can UNCTAD and the government in a country like Nigeria support local NGOs in data collection to validate reports. Price check and monitoring is a challenge here despite government claims.
To what extent will new or strengthened foreign ownership restrictions distort competition policy?
Actions/Inactions of Governments versus Competition Policy in Times of COVID19
How CA deal with competition situation after Covid10 pandemic?
How do you think the pandemic will shift the current market structures/dynamics of different industries? How could these changes affect competition?
What are the biggest challenges when it comes to defending competition in the face of a crisis caused by COVID?
How far, in your opinion, has the Covid-19 pandemic challenged the legitimacy of "competition in the market at all costs"? Will countries with free market economies have to question the potential detriment of the orthodox view that competition is a must?
How far are the kinds of competition policy measures being taken in the light of the COVID19 crisis an application of traditional competition principles in changed market circumstances, and how far do such measures represent a deviation or derogation from normal competition principles? How far would such measures be relevant or beneficial in the market conditions of many developing countries even without such a crisis?
In the last two years the debate on the interaction between competition and industrial policy gained a new chapter after the <b>DG COMP</b> blocked the Siemens/Alstom merger. Furthermore, the Covid-19 outbreak exposed the necessity of countries in having a domestic industrial structure capable of properly answering to these challenges. Can we say that the pandemic reinforced the view in favour of introducing industrial policy goals in merger enforcement? Are we likely to see changes in merger assessment in the close future?
In your view, can the post Covid-19 era and the economic crisis bring a revival of SME buying groups to counter balance the concentration of the big companies that will more easily survive and ultimately benefit from acquisitions or bankruptcy of many companies? Is it a duty for the competition authorities to foster such moves from SME or is it a matter of public policy far from their jurisdiction?
What would you say are the main risks of making antitrust standards flexible amid the pandemic?
The outbreak has necessitated quite a substantial amount of public funds to be channelled towards emergency procurement, in an effort to comply to set health protocols and control the spread of the virus. This has led to a number of unethical behaviours from some firms, such as fronting, anticompetitive conduct and. corruption. How best can public entities ensure effective regulatory controls in order to uphold the principles of competition and value for money in the wake of Covid-19?
<b>Others</b>
Does market definition play a role in lockdown?
Do you prioritise enforcement differently during the pandemic than you did before? Do you think this period will lead to changes in competition policy more generally?
The role of competition policy within e-commerce given the increase in e-commerce activities during COVID 19 pandemic times by individuals and households due to limited and/or restricted movements and remote working.
I am really interested in the approach taken to this issue by the younger agencies, many of which have limited practical experience and have not yet used their exemption/exclusion provisions.

I would like to ask questions for **Indonesia Competition Commissioner Kodrat Wibowo**

1. Will ICC need support or help from other jurisdiction? Why does ICC need help? In what part does ICC need it? law enforcement? merger control?

2. Indonesia will enter a "new normal" situation and start to conduct antitrust public hearings again. How many pending hearings need to be continued? Which hearings need to be prioritized?

Thank you!

Is it time to consider an international Competition and Consumer Protection Court?

Como enfrentar las concentraciones económicas en los tiempos del Covid19, principalmente en los casos que deban autorizar concentraciones de manera condicionada

¿Considera que los aspectos discutidos aplican para las economía de países en desarrollo como en el caso de El Salvador?

What mechanisms ought to be put in place to address adverse competitive effects during pandemics like the COVID-19? Which policies and laws have to be revisited to curb such a lacuna.

Comment les autorités de concurrence peuvent-elle réussir une coopération au niveau international dans un contexte de lutte contre la pandémie de la COVID-19 marquée souvent par des mesures de restrictions de la concurrence ( restrictions à l'exportation) de la part de certains États ?

Q.1 How long the competition law enforcement proceeding shall be suspending in **BRICS countries**?

Q2. What are the "post COVID-19 Future Plans" dealing with digital market?

Q3. How "online mode" of considering complaints and other activity would help the "National Competition Law Authority"? Because "Digital market" in itself a major issue.

Q.4 what are the "Competition Policies" during COVID-19 Pandemic in **BRICS countries**?

1. What challenges do we expect competition authorities will be tackling in the advent of the 'new normal' posed by the COVID-19 pandemic? Where do we expect to see red flags?

2. Can the market recession caused by the pandemic be a viable economic justification for competition authorities to consider potential anti-competitive business transactions or ventures?

Comment peut se matérialiser la coopération internationale en faveur des pays en développement pour la relance de l'économie après le COVID 19 ? notamment sur le plan de l'emploi et la préservation du pouvoir d'achat des consommateurs? MERCI.