CPLG 02 2018 APEC WORKSHOP ON COMPETITION POLICY FOR REGULATING ONLINE PLATFORMS IN THE ASIA-PACIFIC REGION

AGENDA

1. OVERVIEW
Online platforms are changing markets, business models and competition in innovative, and sometimes, disruptive ways. Competition law enforcement and regulation of online platforms has become a priority for competition authorities, regulatory agencies and policy makers. This workshop aims at strengthening the capacity and understanding of competition authorities in the APEC region about economic and technological aspects of online platforms to timely reshape or strengthen their enforcement tools and advocate for competition-supportive and technologically neutral regulation.

The purpose of the APEC Workshop on Competition Policy for Regulating Online Platforms in the Asia-Pacific Region is to exchange best practices, information and tools used by competition authorities, regulatory agencies and policy makers to perform economic competition analysis of online platforms markets. It presents an opportunity to share different approaches, criteria, conceptual frameworks and tools for an adequate assessment, enforcement and intervention. The exchange of experiences on these topics seeks ways to define markets with multiple sides, in order to assess competition conditions or dominance, and to eliminate barriers to entry or market failures.

2. OBJECTIVES
- To build capacities in the current competition policy framework for regulating online platforms markets in APEC economies;
- To assess current competition policies and law enforcement for online platforms in the APEC region;
- To identify theoretical and analytical tools oriented at harmonizing a common ground for competition policy to regulate online platforms markets in the APEC region; and
- To identify innovative analytical and regulatory approaches that can be developed for a timely and adequate competition enforcement and advocacy.

3. LOGISTICAL ASPECTS
Dates: 7 – 9 May, 2019
Venue: Auditorium of Instituto Federal de Telecomunicaciones at Insurgentes Sur #1143, Nochebuena, Benito Juárez, Mexico City, C.P. 03720, Mexico.
Simultaneous Translation from/to English-Spanish will be available throughout the event.
# CPLG 02 2018 APEC Workshop on Competition Policy for Regulating Online Platforms in the Asia-Pacific Region

## Agenda

### DAY 1
**Tuesday 7 May 2019**

**Opening Session**

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<th>Time</th>
<th>Activity</th>
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<tr>
<td>15:00-16:00</td>
<td>Registration</td>
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<tr>
<td>16:00-16:30</td>
<td><strong>Auditorium</strong></td>
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<td></td>
<td><strong>Welcome and Opening Remarks</strong></td>
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<tr>
<td></td>
<td>• Ángel Villalobos, APEC Senior Official, Mexico</td>
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<td>• Mario Fromow, IFT Commissioner, Mexico</td>
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<tr>
<td></td>
<td><strong>Introduction and Workshop Overview</strong></td>
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<td></td>
<td>• Georgina Santiago Gatica, Head of the Economic Competition Unit, IFT, Mexico</td>
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<td>Moderator: Juan Carlos Hernández Wocker, Head of the International Affairs Bureau, IFT, Mexico</td>
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<th>Time</th>
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<tbody>
<tr>
<td>16:30-16:35</td>
<td><strong>Official photo</strong></td>
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<th>Time</th>
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<tr>
<td>16:35-16:40</td>
<td>Break</td>
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**Session 1. Types & Business Models of Online Platforms**

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<tr>
<td>16:40-18:00</td>
<td><strong>Keynote</strong></td>
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<td></td>
<td>This session will set the basis to understand online platforms. The session will answer the questions: what is an online platform? Moreover, why is it relevant for competition and regulatory authorities to understand these new services? The keynote speaker will discuss the types of online platforms, their business models and the challenges for competition authorities regarding online platforms.</td>
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<td>• Jason Furman, Professor of the Practice of Economic Policy, Harvard Kennedy School (videoconference)</td>
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### Session 2. Regulatory and Legal Framework

**9:30-11:30 Discussion**

The panelists will present a general overview of the competition law framework in the U.S and the regulatory framework for electronic communications, networks and services in the E.U., followed by regional and industry perspectives. The aim of this session is to discuss pros and cons of the regulatory and competition law frameworks in the U.S. and the E.U., as the jurisdictions setting international trends in focusing on new services such as online platforms and to gain insights on market developments of existing online platforms. The review will serve APEC economies to understand the importance of the accuracy of legal frameworks in order to face regulatory challenges for these new services.

- **Lauren Willard**, Counsel to the Assistant Attorney General, Antitrust Division, U.S. Department of Justice (DOJ), U.S.
- **Tonnie De Koster**, Adviser for Digital Single Market International Outreach, Directorate-General for Communications Networks, Content and Technology (DG CONNECT), European Commission, E.U.
- **Arturo Avendaño Morineau**, Legal Director, DiDi Mexico
- **Alehira Orozco Reyes**, Director of Public Policy and Government Relations, Mercado Libre
- **Sissi de la Peña Mendoza**, Digital Trade and International Organizations Manager, Latin American Internet Association (ALAI)

**Moderator:** **Víctor Manuel Rodríguez Hilario**, Head of the Regulatory Policy Unit, IFT, Mexico

**11:30-12:00 Break**
**DAY 2**
**WEDNESDAY 8 MAY 2019**

### SESSION 3. ECONOMICS OF ONLINE PLATFORMS

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<th>Time</th>
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<tr>
<td>12:00-14:00</td>
<td>Panel</td>
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This session will present the basics of the economics of online platforms. The panelists will discuss the economics behind online platforms considering them as multi-sided markets. The session will cover relevant topics ranging from the importance of the network effects to the inputs of online platforms as well as the importance of data generation and business strategies to reach a critical mass, as key factors of these services.

- **Howard Shelanski**, Partner at Davis Polk & Wardwell LLP, Professor of Law, Georgetown University
- **Jorge Arreola**, Head of Competition and Public Policy for Market Efficiency, Ministry of Economy (SE), Mexico
- **Sara Gabriela Castellanos**, Studies and Special Projects, General Direction of Operations and Payments systems, Central Bank of Mexico (Banxico)
- **Lucía Ojeda Cárdenas**, Partner, SAI Derecho & Economía
- **Alexander Elbittar**, Researcher, Center for Research and Teaching in Economics (CIDE)

Moderator: **Rodrigo Guzmán Araujo**, General Director of Instrumentation, Legal Affairs Unit, IFT, Mexico

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<th>Time</th>
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<tr>
<td>14:00-15:00</td>
<td>Lunch</td>
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### Session 4. Economic Competition Analysis

**15:00-17:00**

**Panel**

Traditional tools to define markets and assess market power are being challenged by multisided-markets. The aim of the panel is to discuss whether traditional tools remain sufficient to assess these competition issues or if they do not. The session should focus on market definition, market shares, barriers to entry, essential facilities and efficiencies on multisided-markets.

- **Sean Ennis**, Director, Centre for Competition Policy, Professor of Competition Policy, Norwich Business School, University of East Anglia, UK
- **Georgina Santiago Gatica**, Head of the Economic Competition Unit, IFT, Mexico
- **Elisa Mariscal**, Director, Global Economics Group, LLC
- **Carlos Castellanos**, Analyst Americas for Telecom, Media and Digital Economy, Cullen International
- **María José Contreras**, General Director for Competition Advocacy, Federal Economic Competition Commission (COFECE), Mexico

Moderator: **Rebeca Escobar Briones**, Researcher, Studies Center, IFT, México
### SESSION 5. MERGER AND MONOPOLISTIC PRACTICES CASES (PART 1)

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<td>9:30-11:30</td>
<td>Panel</td>
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This session will be divided into two general topics: mergers and abuse of dominance. Regarding mergers the session aims to discuss relevant topics that might be reformulated, for example, giving the innovative nature of the new services, when could it be adequate for the economic agents to present a merger to a competition authority? Should the traditional thresholds be maintained? Or, should new ones be set? Regarding abuse of dominance practices the session aims to discuss relevant topics that might be reformulated, for example, substitution of traditional services vs. platforms and zero-rating analysis in multisided-platforms.

- **Gail F. Levine**, Deputy Director of the Bureau of Competition, U.S. Federal Trade Commission (FTC)
- **Brad Callaghan**, Acting Assistant Deputy Commissioner, Monopolistic Practices Directorate, Competition Bureau (CBBC), Canada
- **Diana Yoseva**, Senior Analyst, Merger Directorate, Commission for the Supervision of Business Competition (KPPU), Indonesia
- **Akemi Aida**, Review Division, Mergers and Acquisitions Office, Philippine Competition Commission (PHCC), Philippines
- **Soslanbek Kardanov**, Counsellor of Methodology and Analytics Division, Department for Control over Government and Municipal Information Systems, Federal Antimonopoly Service (FAS), Russia
- **Iratxe Gurpegui**, Competition Expert, Organisation for Economic Co-operation and Development (OECD)

Moderator: **Rafael López de Valle**, General Director of Competition Procedures, IFT, Mexico

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<th>Time</th>
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<td>11:30-11:45</td>
<td>Break</td>
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**SESSION 5. MERGER AND MONOPOLISTIC PRACTICES CASES (PART 2)**

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<th>Time</th>
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<tr>
<td>11:45-13:30</td>
<td>Roundtable</td>
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In the second part of the session, APEC economies are invited to present relevant cases in their jurisdiction regarding mergers, abuse of dominance or collusions that involved online platforms or any other services related to the digital age, like data, cloud computing, etc.

- **Janet Chua**, Assistant Director of Policy and Markets, Competition & Consumer Commission (CCCS), Singapore
- **Danilo Lorenzo Atanacio**, Policy Research Officer, Philippine Competition Commission (PHCC)
- **Salvador Flores Santillán**, General Director of Economic Consultation, IFT, Mexico
- **Stanislav Kotelnikov**, Head of Information Technology Division, Department of Regulation of Telecommunications and Information Technology, Federal Antimonopoly Service (FAS), Russia
- **Raymundo Enriquez**, Partner, Principal Mexico, Antitrust and Competition, Baker & McKenzie

Moderator: **Ana Lilia Martínez Valdés**, Director of Competition Analysis and Market Efficiency, Unit of Competition and Public Policy for Market Efficiency, Ministry of Economy (SE), Mexico

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<td>13:30-14:30</td>
<td>Lunch</td>
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SESSION 6. FRAMEWORKS FOR LEGAL AND REGULATORY ISSUES RELATED WITH ECONOMIC COMPETITION IN ONLINE PLATFORMS AND ENFORCEMENT ACTIONS (PART 1)

14:30-16:15  Roundtable

In this session, APEC economies will present a general overview of their legal framework regarding competition assessment. The aim of this session is to identify potential improvements on the legal framework in order to face the challenges that online platforms represent regarding economic competition assessment. Active participation from the economies is expected.

- **Francisco Ochoa**, Technical Secretary, National Institute for the Defense of Free Competition and the Protection of Intellectual Property (INDECOPI), Peru
- **Michelle L. Álvarez**, Senior Economic Development Specialist, National Economic and Development Authority (NED), Philippines
- **Le Quang Lan**, Deputy Director General, Vietnam Competition and Consumer Authority (VCCA), Vietnam
- **Rafael López de Valle**, General Director of Competition Procedures, IFT, Mexico

Moderator: **José Agustín Pineda Ventura**, Deputy Prosecutor of Telecommunications, Office of the Federal Prosecutor for the Consumer (PROFECO), Mexico

16:15-16:30  Break
## DAY 3
**THURSDAY 9 MAY 2019**

### SESSION 6. FRAMEWORKS FOR LEGAL AND REGULATORY ISSUES RELATED WITH ECONOMIC COMPETITION IN ONLINE PLATFORMS AND ENFORCEMENT ACTIONS (PART 2)

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<tr>
<td>16:30-18:15</td>
<td><strong>Roundtable</strong>&lt;br&gt;In this session, APEC economies will present their enforcement actions regarding competition policy in the digital age. Online platforms, viewed as multisided-markets have several implications for policy enforcement. This session will serve APEC economies to interchange experiences and best practices in their competition enforcement policy. Active participation from the economies is expected.</td>
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- **Jagjit Singh S/O Bant Singh**, Member of the Commission, Malaysia Competition Commission (MyCC), Malaysia
- **Rachel Lee**, Assistant Director of Legal and Enforcement, Competition & Consumer Commission (CCCS), Singapore
- **Diego Martínez**, Economist, Antitrust Division, National Economic Prosecutor’s Office (FNE), Chile
- **Víctor Raúl Paredes Pérez**, General Director of Economic Analysis, Investigative Authority, IFT, Mexico

Moderator: **Sóstenes Díaz**, Commissioner IFT, Mexico

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### CLOSING SESSION

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<td>18:15-18:30</td>
<td><strong>Presentation of the draft report structure and, if possible, some preliminary results of the questionnaires. Summary of the workshop.</strong>&lt;br&gt;<strong>Final remarks</strong>&lt;br&gt;- <strong>Georgina Santiago Gatica</strong>, Head of the Economic Competition Unit, IFT, Mexico</td>
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Active Participants from APEC economies

1. Chia Chen Wu, Fair Trade Commission (FTC), Chinese Taipei
2. Irfan Adhitya Permadi, Coordinating Ministry for Economic Affairs (EKON), Indonesia
3. Roby Arya Brata, Coordinating Ministry of Economic Affairs (EKON), Indonesia
4. Rindang Mawardani, Coordinating Ministry of Economic Affairs (EKON), Indonesia
5. Izzatul Ufi Sarinasti, Coordinating Ministry of Economic Affairs (EKON), Indonesia
6. Mohamad Ridzuan Bin Abdul Rahman, Malaysia Competition Commission (MyCC), Malaysia
7. Ninisahfo Neheja, Independent Consumer and Competition Commission (ICCC), Papua New Guinea
8. Brian Umasin, Independent Consumer and Competition Commission (ICCC), Papua New Guinea
10. Thu Hang Dinh, Deputy Director, Ministry of Planning and Investment (MPI), Vietnam
11. Juan Manuel Hernández Pérez, Federal Telecommunications Institute (IFT), México
12. César Arias Hernández, Federal Telecommunications Institute (IFT), México
13. Vladimir Salazar Altamirano, Federal Telecommunications Institute (IFT), México
14. Benjamín Uriel Salinas Morales, Federal Telecommunications Institute (IFT), México
15. Alejandro Gutiérrez Cruz, Federal Telecommunications Institute (IFT), Mexico
16. Javier Contreras Navarro, Federal Telecommunications Institute (IFT), Mexico
17. Luis Lucio Lugo Soriano, Federal Telecommunications Institute (IFT), México
18. Jimena Sierra Navarrete, Federal Telecommunications Institute (IFT), México
19. Ivonne García González, Federal Telecommunications Institute (IFT), México
20. Perla López González, Federal Telecommunications Institute (IFT), México
21. Esthela Elizabeth Mendoza Guerra, Federal Telecommunications Institute (IFT), México
22. James Aguilar Armenta, Federal Telecommunications Institute (IFT), México
23. José Juan Bracamontes Zapien, Federal Telecommunications Institute (IFT), México
24. Vanessa Tena López, Ministry of Economy (SE), Mexico
25. Guadalupe Robles Samaro, Ministry of Economy (SE), Mexico
26. Erika Medina Piña, Ministry of Economy (SE), Mexico
27. Aurelio Limón Cruz, Ministry of Economy (SE), Mexico
28. Elías Mizrahi Alvo, Ministry of Economy (SE), Mexico
29. María Julia Escalante Rebollar, Ministry of Economy (SE), Mexico
30. Ana Isadora López Rivas, Ministry of Economy (SE), Mexico