Second Regional Dialogue
on policies for MSMEs and competition to face the crisis and promote economic reactivation

25 March 2021
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Opening remarks:

Teresa Moreira, Head of the Competition and Consumer Policies Branch, United Nations Conference on Trade and Development (UNCTAD); Mario Castillo, Chief of the International Trade and Integration Division, Economic Commission for Latin America and the Caribbean (ECLAC); and Eduardo Diogo, Administration and Finance Director at the Brazilian Micro and Small Business Support Service (SEBRAE)

The second regional dialogue on policies for micro, small and medium-sized enterprises (MSMEs) and competition to face the crisis and promote economic reactivation began with some words of welcome from three representatives of the participating institutions: Teresa Moreira, Officer-in-Charge of the Division on International Trade and Commodities and Head of the Competition and Consumer Policies Branch of UNCTAD; Mario Castillo, Director of the International Trade and Integration Division of ECLAC; and Eduardo Diogo, Administration and Finance Director at SEBRAE.

The authorities greatly appreciated and valued the opportunity to discuss what was an urgent and important issue in the context that the region was experiencing in the wake of the crisis unleashed by the coronavirus disease (COVID-19) pandemic and the health and economic emergency that its impact had entailed. The combined experience of those institutions had a vital role to play in supporting MSMEs and analysing the situation they were facing.

On that latter point, the participants outlined some preliminary ideas about the way the impact of the pandemic had been impairing the performance of MSME-related policies and the development of effective institutions capable of providing them with a framework of protection against crises of that magnitude and enabling them to adopt digital technologies in a process that, although not without its difficulties, was one of the cornerstones of the progress that would be needed if recovery was to take place.

Accordingly, the three representatives were at one in stressing the importance of policies to support MSMEs and of strong regional integration that included participation mechanisms and provides tools to highlight the importance of the issue in Latin America, given that in 2020 alone some 2.7 million companies were estimated to have closed down, which was one of the most worrying and visible indicators in the reports and data that ECLAC had been working with.

In that context, and considering the current health situation in Latin America, with the asymmetries that the vaccination process had entailed in some countries, it was crucial for the development of public policies aimed at economic recovery to be established as a priority.

According to the information gathered by ECLAC, more than 180 MSME support measures had been implemented in the region, and reports had highlighted the introduction of digital technologies as one of the approaches at the core of the countries’ capacity for reactivation and recovery, given their potential
to create jobs and generate an economic dynamism that could reactivate production chains which had gone through a very serious economic crisis.

Panel 1 The situation in Latin America in SME policies and competition policies
Moderator: Carlos Mussi, Director of the Brasilia Office of ECLAC

1. Presentation by Marco Dini, Economic Affairs Officer at ECLAC
The research was carried out in nine countries (Argentina, Brazil, Chile, Colombia, Costa Rica, Ecuador, Mexico, Panama and Uruguay), and its aim was to analyse the efforts of institutions that support MSMEs and provide recommendations to bolster the sector, with a view to strengthening the regional economy.

ECLAC researched 180 measures, classified into:

- **Short-term liquidity for businesses.**
- **Employment measures to protect the labour market.**
- **Support and stimulus for goods and services production.**
- **Financing to facilitate access to credit.**

### 180 MSME support measures

<table>
<thead>
<tr>
<th>Area of support</th>
<th>General objectives</th>
<th>Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Liquidity</td>
<td>Maintain short-term liquidity: deferral of payments for basic services, tax charges, employers’ contributions and credit obligations.</td>
<td>47</td>
</tr>
<tr>
<td>Employment</td>
<td>Labour market protection: part-payment by the State of wages and employers’ contributions, rules limiting layoffs and easing of contract terms (shorter working days or suspension of contracts).</td>
<td>38</td>
</tr>
<tr>
<td>Production</td>
<td>Promote production of goods and services: support for enterprise and innovation in the search for solutions to deal with the pandemic, and actions to support the reactivation of activities (biosecurity protocols, online sales platforms, etc.). This also includes simplification of official procedures.</td>
<td>39</td>
</tr>
<tr>
<td>Financing</td>
<td>Facilitate access to credit: new programmes and existing ones that have undergone substantial adjustments as regards credit amounts, access requirements, extension of payment deadlines, etc. Both special credit lines and guarantee funds were considered.</td>
<td>56</td>
</tr>
</tbody>
</table>

The analysis of those measures revealed, among other findings, the strong pressure that the crisis caused by the pandemic had exerted on the public institutions that support MSMEs in the countries evaluated. In that situation, although the limits and fragilities of the support system had become apparent, so had its capacity to react and create an unprecedented response to a year that had been so testing for the region and the world. A first factor related to that point were the very tight budgets that the institutions supporting MSMEs unfortunately had to work with in some countries as resources were diverted to other priority areas, such as health and medical supplies. According to the study, only Argentina had increased funding at the height of the crisis, allocating much of it to credit and liquidity and, in that particular case, to the adoption and improvement of digital technologies to increase productive capacity.

Another point mentioned during the presentation was the adoption of a novel approach to the management of support measures. The transition of institutions towards an adaptive approach (gradualism and flexible roles) as needs arose was vital to the learning process.

One aspect of that approach was the adoption of plans and measures differentiated by the needs of territories, bearing in mind that the degree of exposure to the ravages of the crisis had differed greatly from one geographical area to another. The response of local actors and a proper awareness of their capabilities and resources had helped to increase the effectiveness of measures, improving diagnostic capacity and ensuring that support action was better targeted where needed.

Public-private collaboration was a determining factor in the capacity for coordination and convergence towards MSME support policies.

Those common issues suggested the existence of a larger field for collaboration, which would enhance the productive development of the region’s countries by creating and supporting arrangements for ongoing dialogue and collaboration. The presenter concluded that there were areas where collaboration could be very fruitful.

2. Presentation by Georgina Núñez, Economic Affairs Officer of ECLAC
Some competition policy measures for addressing the crisis and helping to reactivate the economy were presented. Those included, for example, temporary agreements between smaller companies aimed at supporting the continuity of supply chains, avoiding bankruptcies and boosting recovery.

Among the effects of the health and economic emergency in the region had been the adoption of digital technologies and changes in the way businesses approached digitalization. The rapid adoption of digital channels and the large-scale use of technological platforms were highlighted. That was illustrated by the exponential increase in the number of websites during the early months of the pandemic in 2020.
The pandemic sped up the digitalization of the economy

Between March and April 2020, the number of commercial websites increased:

- Eightfold in Colombia and Mexico
- Almost fourfold in Brazil and Chile


The digitalization of the economy required involvement by competition authorities that went beyond addressing market failures. Many authorities in the region monitored platforms and sought solutions that limited harmful effects on consumers and smaller businesses. Thus, competition policies had supported MSMEs in the digitalization process by continuing to monitor markets, underwriting the proper functioning of those and pre-empting price wars or predatory behaviour as far as possible.

During 2020, new enforcement initiatives had been launched or existing ones reinforced within competition authorities, such as “Cerebro” in Brazil and “Sabueso” in Colombia. The same had happened with the use of evidence-gathering tools such as Apache Spark (for big data), web scraping and parallel computing in Mexico.

The digitalization of MSMEs had also accelerated and the large amount of data generated was captured by e-commerce platforms (Mercado Libre) or payment platforms (PayU), which had expanded very substantially in 2020, growing by more than 100% in the first case and 200% in the second.
Those business models had intensified economies of scope, exposing them to anti-competitive practices. During 2020, there had been a surge of acquisitions that particularly impacted technology MSMEs and start-ups, affecting innovation and eliminating potential competitors. The greatest incentive for such business models were the opportunities to obtain data by acquiring databases and networks and thus growing major markets. A trajectory of acquisitions, particularly technology acquisitions, which were 14% higher in 2020 than in 2019, has shown an upward trend, and in the first quarter of 2021 alone they reached 70% of the total for 2020.

Intraregional acquisitions versus those by Big Tech

The number of acquisitions in Latin America has risen by 14% during the pandemic, with technology acquisitions accounting for a substantial share:

- Acquisitions in the first quarter of 2021 alone amounted to 70% of the 2020 total, with both being record years.

![Graph showing intraregional acquisitions versus those by Big Tech](image)

<table>
<thead>
<tr>
<th>Acquisitions</th>
<th>Google</th>
<th>Microsoft</th>
<th>Apple</th>
<th>Facebook</th>
<th>Amazon</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>245</td>
<td>235</td>
<td>123</td>
<td>89</td>
<td>88</td>
</tr>
<tr>
<td>Pandemic</td>
<td>4</td>
<td>8</td>
<td>10</td>
<td>6</td>
<td>2</td>
</tr>
</tbody>
</table>

**Source:** G. Núñez, “Políticas para las mipymes y la competencia para enfrentar la crisis e impulsar la reactivación económica”, presented at the Second Regional Dialogue “Policies for MSMEs and competition to face the crisis and promote economic reactivation”, 2021, on the basis of data from Crunchbase.

One current concern was the need for regulations on barriers to access and data monopolies, as those issues were considered a priority in the design of governments’ digital agendas and in the various initiatives to create digital markets, with a view to improving access to markets for smaller companies. Lastly, the importance of appreciating the value of intangible “data” assets was highlighted, as it was crucial to an understanding of the dynamics of those markets.

In conclusion, the new platform models made the situation even more challenging for competition authorities, especially when they affected policy pillars such as the relevant market, notification thresholds and vertical and horizontal integration.

**Presentation of the findings and recommendations of national competition policy reviews: Brazil and Mexico**

1. **Brazil presentation, Fernando de Magalhaes Furlan**

The presentation on Brazil expounded some important points of competition policy and of policies aimed at supporting and strengthening MSMEs, emphasizing that the country’s institutions were still relatively uncoordinated. An example of that lack of coordination highlighted was the case of WhatsApp-Facebook...
as a payment platform: the competition authority, the Administrative Council for Economic Defence (CADE), had authorized the operation, but the Central Bank of Brazil disallowed it, underlining that body’s power in the financial market. There had also been a lack of dialogue between the competition authority and the MSME authority, which illustrated the need for better communication between the two.

Because of the pandemic, although following on from an existing trend, there had been a large and rapid increase in competition in the financial market in Brazil. However, smaller companies still did not have good access to credit. There was a lack of financial market legislation to facilitate processes for smaller companies. Cooperation between the competition and financial authorities had been institutionalized. Legislative steps had begun to be taken, an initiative that was now with the Senate and focused on establishing the freedoms and powers of both the competition and financial authorities.

The pandemic had helped many small firms gain access to digital marketplaces. The use of platforms had allowed them to grow their businesses and create economic momentum, improving their productivity and growth. In Brazil, more than 7 million people used e-commerce platforms to shop for the first time because of the pandemic. That information merited analysis, considering the concerns surrounding free competition at that level of purchasing and the impact on transactions around the world.

The presentation included some results from a survey conducted by SEBRAE of more than 4 million MSMEs, of which more than a thousand responded from all over Brazil. Of those responding, 91% already had some form of digitalization in place and 81% said they were planning investments to increase their level of digitalization. In contrast, between 43% and 49% reported difficulties in displaying and selling their products online. Of the companies that did not report any level of digitalization in the survey, 76% recognized the need to digitalize in the next 6 months. However, lack of knowledge about digital tools was found to be the biggest obstacle to the digitalization of companies.

From development to full operation, it had been necessary to ensure that digitalization did not just mean abusive or competition-distorting activities. That required regular training to keep the competition authorities and the members of the teams in charge of those functionalities abreast of the technicalities and complexities that the incorporation and systematization of those new digital tools could entail.

2. **Mexico presentation, Ignacio Navarro**

In the case of Mexico, the COVID-19 emergency resulted in severe restrictions on economic activities, strongly affecting businesses in terms of supply and changes in consumption patterns.

The authorities had responded with some support measures, such as the allocation of US$ 1 billion to a million SMEs, resources from official programmes and a few months’ extension of the moratorium on loan repayments for SMEs, among other actions.
With regard to competition policy-related activities, there were agreements to prevent collusion in the supply sector and supply chains, as well as policy recommendations for boosting the economy in different sectors that strengthen MSMEs, examples being energy, transport and access to public procurement.

Digitalization in Mexico also meant rapid adoption of tools and lessons that allowed MSMEs to mitigate the economic crisis to some degree. Companies started to use digital technologies both for supplies and for their interactions with customers and relationships with banks.

The trend towards the creation of stronger digital capacities in the MSME sector, with access to digital platforms under competitive conditions and regulation of their activities, was expected to continue. That had become a major issue around the world. The European Union had become a standard-setter in Mexico with regard to regulation and coordination of digital platforms and commitment to free market competition.

The opening up of digital markets in Mexico had meant the emergence of new forms of collusion without human intervention, of behavioural biases and of overexploitation of consumers by using their behavioural patterns to draw them into buying situations.

Regarding the challenges Mexico faced, academic development had been crucial in a field where there were still many uncertainties. There had also been legal progress, much as in Brazil, and, lastly, stricter law enforcement, often with a tendency to be less lenient towards digital companies, by virtue of when false negatives arose.

Lastly, the competition authority needed to be more emphatic and analyse what legal changes could take place to categorize how digital platforms were regulated, especially for the production environment of MSMEs. In Mexico, use was made of a tool that investigated any kind of structural or market barriers that might exist. Once companies grew and increased their productive capital, however, regulation became more challenging, and they acquired practices outside of the market.

Panel 2. Debate with the representatives of the countries of the region
Moderator: Pierre Horna, Legal Affairs Officer, Competition and Consumer Policy Branch, UNCTAD
The event was divided into conversations with:

- **Agencies responsible for promoting MSMEs:**
  Sandra Gisella Acero, Director for MSMEs at the Ministry of Trade, Industry and Tourism of Colombia,
  Guillermo Merediz, Secretary for Small and Medium-sized Enterprises and Entrepreneurs of the Ministry of Productive Development of Argentina,
  Arturo Arango, Deputy Director of the Micro, Small and Medium-sized Enterprise Authority (AMPYME) of Panama.

- **Authorities responsible for competition policies:**
  Gerardo Henríquez, Superintendent of Competition of El Salvador,
  Nikita Mayer, Fair Trading Commission of Barbados,
  Enrique Vergara, President of the Chilean Competition Tribunal.

As regards major policies and actions to support MSMEs within the countries, the panellists highlighted some common pillars:

1. **Joint coordination and strengthening measures by the public and private sectors**
   The countries of the region had implemented a variety of strategies to reactivate the economy and support the productive fabric of the MSME sector. Of those, partnership between the public and private sectors was of vital importance.

   Since the pandemic began, businesses and governments in some countries had worked together to build measures, protocols and processes that were coordinated between different sectors, but with a focus on identifying developments that included the adoption of new technologies to increase the participation of small businesses and companies in the market.

   In Colombia, Chile and Argentina, for example, the contribution of the private sector had been important for the design of biosafety protocols that were essential to the reactivation of production activities and economic recovery.

2. **Access to credit in a context of restrictions on economic activity**
   The measure had been one of the most important in the support strategies developed by the countries of the region. Countries such as Argentina, Colombia and Panama had provided guarantees of between 80% and 100% for small businesses, increasing the funds and resources earmarked for that tool and making the conditions for those applying to use it more flexible.

   Colombia had established new lines of financing and direct credit that were much more effective than those existing prior to the pandemic. That was viewed as an achievement, since it had reached about 40% of the formal business fabric, equivalent to about 1.6 million formally registered MSMEs.

   In Panama, meanwhile, financing for credit lines for entrepreneurs and small businesses had been increased by US$ 5 million, with loans ranging from US$ 2,000 to US$ 5,000, at rates of between 7% and
9% and with terms of up to 84 months. That had strengthened those at the bottom of the social pyramid, providing them with guarantees and greater opportunities in the interests of more flexible access and economic recovery.

3. Reworking the digital agenda to cope with the present and future

Undoubtedly, one of the points of agreement during the regional dialogue was the need to adopt and incorporate digital technologies to facilitate the recovery of MSMEs in the region. That aspect had not been strengthened in all countries, as existing digital divides had led to more disparities in the way the pandemic and the economic crisis were addressed, rather than providing suitable conditions for MSMEs to recover.

In Panama, a number of procedures that were formerly carried out in person could now be conducted online. As a result, in a country historically recognized for its services industry and strong regional trade, this aspect was strengthened, as companies had an incentive to rely on online registration and services. Consequently, the number of online applications processed rose from 15,000 per day to more than 175,000.

Policies and programmes to accelerate digital transformation had also been central in Argentina and Colombia, with efforts being made to provide online training, close the digital divide and provide access to platforms and tools that could be used to accelerate the dissemination of information and foster collective action.

4. Competition policies: benefits and opportunities for MSMEs

In the area of competition policy, the Barbados competition authority supported agreements between competitors, with the aim of helping smaller firms. There was a convergence of views on the goal of competition policy, which was to benefit consumers and allocate resources for their welfare. There had been a reduction in obstacles to the policy of assisting and supporting MSMEs in sectors such as tourism that had been hard hit by the crisis and accounted for a large share of employment.

There was informal collaboration with competition counterparts in the Caribbean region, specifically Trinidad and Tobago and Jamaica, which provided benefits in terms of information-sharing and cooperation. Countries of the region were collaborating on business, monitoring and information-sharing within their respective jurisdictions, which facilitated law enforcement. Competition agencies could also formally collaborate on market studies. Several countries in the region did not have merger legislation, and collaboration in that area could be a solid way to develop new practices and legislation.

The Chilean Competition Tribunal highlighted the tension between industrial policy and competition policy, which had been a problem in the last year, as the focus of competition policy had been on resource allocation and consumer protection rather than on the protection of small and medium-sized enterprises. Nevertheless, it had been possible to act, for example, by making procedures more flexible and temporarily authorizing cooperation agreements between competitors for essential goods and services (although they had yet to be used). Priority had been given to dealing with instances of overcharging by those same companies, and the criteria for companies in crisis had been reviewed.
In Chile, 92% of merger operations involved large firms, which had not led to overcharging and had not required action by the authority. Advocacy measures had been taken, e.g., the joint effort by the competition authority and the transport authority to explain the scope of the measures adopted to encourage companies in the sector with problems to share their assets with other companies and so weather the crisis, although none had taken advantage of those agreements.

In El Salvador, during the second quarter, the Competition Superintendency had supported the Consumer Ombudsman’s Office in a system of maximum prices for essential goods, such as food and health care. They had collected weekly market data to identify price increases and possible agreements. Informality in MSMEs, which represented more than 90% of businesses, complicated the issue of price control in an economy. Gradually, they had sought to include more MSMEs in the public procurement system, taking into account their level of digitalization.

5. Informality: one of the main threats for MSMEs in Latin America

The message from many of the authorities was that there was nothing to fear from the formalization of enterprises. Recognizing the situation in the region, there was a call to integrate and help formalize MSMEs in Latin America. There was strong agreement on the subject, and it was stressed that there were opportunities in the pandemic to incorporate MSMEs into the formal register, so that they could benefit from the credits and support funds they would need to carry on surviving, even after the pandemic.

The registration of enterprises was vital for the State to be able to properly allocate support resources and to carry out appropriate monitoring and evaluation of the measures implemented.

Panel 3. Training strategy for Phase III

**Moderator, Juan Luis Crucelegui**

**Georgina Núñez and Pierre Horna**

The event was used to present the main lines of a third phase aimed at capacity-building. Work was underway on the design of an online course that would cover issues related to the digital divide and formalization to boost exporting MSMEs. The dialogue had enabled participants to learn about the concerns, experiences and testimonies of the participating countries and the information gathered in the countries during the phase that was currently being concluded.

The Division of Production, Productivity and Management, the International Trade and Integration Division and the Latin American and Caribbean Institute for Economic and Social Planning (ILPES) of ECLAC were working on the proposed online course for the next phase of the capacity-building project. The course would focus on opportunities and challenges for MSMEs and cross-border e-commerce. Information was also provided on the characteristics of the course, the call for participants during May.
and the coverage of the four subregional areas: Mexico-Central America-Dominican Republic, the English-speaking Caribbean, Andean countries, and MERCOSUR countries. The planned contents were as follows:

| Contents |
|------------------|------------------------------------------------|
| Module 1:        | Introduction                                    |
| Module 2:        | Digital transformation and the role of e-commerce in MSMEs |
| Module 3:        | The role of logistics to facilitate cross-border e-commerce |
| Module 4:        | The importance of data strategies for cross-border e-commerce |
| Module 5:        | Competition policy in cross-border e-commerce    |

Source: Economic Commission for Latin America and the Caribbean (ECLAC)

UNCTAD, for its part, proposed the design of a code of good business practices for MSMEs and digital platforms, arguing that a manual of best practices contributed to the balance and transparency of business relationships established through digital platforms.

UNCTAD aimed to concentrate on the design of guiding principles for commercial relations between operators and a voluntary system of conflict mediation between economic operators. The objective was to facilitate the development of contractual relations, a fundamental element that emphasized the premise of market freedom, principles of fairness, transparency, clarity and simplicity, factors related to contractual issues and dynamic principles of economic efficiency that promote sustainability, which both UNCTAD and ECLAC had worked on. That responded to several of the concerns raised by some of the representatives of the countries participating in the Dialogue.

**Final comments and closure**

A variety of conclusions emerged from the debate, given different backgrounds of the representatives and their sometimes quite dissimilar policies and perspectives. What predominated, however, were similarities and agreement on the need to reactivate the MSME sector by reducing the digital divide and opening the way to formality through the registration of companies to secure improvements in skills, production growth and supply, those being essential pillars in the recovery of the region’s economy.

That reaffirmed the idea that it was important to provide training, education and feedback on the digitalization process to the MSME sector, while ensuring that the formalization of MSMEs took place in an appropriate institutional context and with proper advice, so that the regulation of market competition policies was as transparent as possible.

Despite the difficulties that MSMEs faced on the way to digital transformation, most businesses that were not yet selling online intended to invest in the strategy in the coming months. For the majority of MSMEs which had not yet gone digital, the greatest difficulty in doing so was the lack of skills and knowledge.

Use of the Internet and digital applications or platforms had improved the situation of those businesses. The digitalization of small firms was a one-way street and had been hastened by COVID-19. To achieve it,
it was essential to provide sectorized and customized tools and skills that enable priority to be given to the sectors worst hit by the pandemic, such as tourism and commerce.

The benefits of increased competition in the market were always necessary to MSMEs, which had been so hard hit during the pandemic, what with the effects of fresh outbreaks and vaccination processes and with large differences between sectors of the population that were part of MSME labour and production chain.

The conversation would continue in the months to come, since there were tools (especially courses) being designed whose chief purpose was precisely to strengthen the capacities of MSMEs and their access to the market. Special attention would be paid to levelling the playing field for digital commerce, since, despite the crisis, it would partly mitigate the economic effects of the pandemic.

Links to the event and presentations:

https://www.youtube.com/watch?v=U9diRIWPKqk