

Recent Developments of Antitrust Intervention on Hub-and-Spoke Agreements in China

On June 27, 2025, the Centre for Chinese and Comparative Law (CCCL) at City University of Hong Kong (CityUHK) hosted a highly engaging seminar titled “**Recent Developments of Antitrust Intervention on Hub-and-Spoke Agreements in China.**” The event featured **Dr. Peicheng Wu**, a renowned expert in competition law and digital governance, as the keynote speaker. The session was moderated by **Prof. Martin Lai**, with **Prof. Chen Yang** contributing as the discussant.

About the Speaker

Dr. Wu, a Zhejiang University 100 Young Professor at Guanghua Law School, specializes in competition law, intellectual property law, and digital governance. Having earned two PhDs from the University of New South Wales (UNSW) and Shanghai Jiao Tong University (SJTU), Dr. Wu brings a wealth of academic and professional experience. He has served as a visiting researcher at Chicago-Kent College of Law and the University of Warsaw and has contributed to numerous research projects supported by Chinese competition agencies, the Supreme People’s Court, and the Beijing International Arbitration Centre.

Seminar Highlights

Dr. Wu began the seminar by introducing the hub-and-spoke agreement, a concept that refers to collusion facilitated by a “hub” (e.g., a central operator) that connects multiple “spokes” (e.g., competitors) in a market. These agreements, which can occur without direct communication among the spokes, often blur the lines between vertical and horizontal monopoly agreements, posing unique challenges for antitrust enforcement.

Drawing on the 2022 amendments to China’s Anti-Monopoly Law (AML) and the Guidelines of the Anti-Monopoly Commission of the State Council for Anti-Monopoly in the Field of Platform Economy (2021), Dr. Wu elaborated on how hub-and-spoke agreements are increasingly relevant in the digital era. He explained how large platform operators use algorithms, data, and platform rules to coordinate anti-competitive practices, often resulting in significant harm to market competition and consumer welfare.

Key Themes Explored:

1. **Legal Ambiguities:** Dr. Wu discussed the ongoing debate over whether hub-and-spoke agreements should be classified as horizontal, vertical, or hybrid agreements. He emphasized the lack of a unified legal definition and highlighted differing scholarly interpretations of these agreements.
2. **Challenges in Identifying Collusion:** The complexity of hub-and-spoke agreements lies in their concealed nature, where collusion is achieved indirectly through the hub. Dr. Wu explained the difficulties in proving tacit collusion and the lack of clear legal standards for circumstantial evidence and intent.
3. **Case Study – Industrial Lubricants Hub-and-Spoke Conspiracy (2021):** Dr. Wu provided an in-depth analysis of this landmark case, which was the first hub-and-spoke monopoly dispute adjudicated by China’s Supreme People’s Court. The ruling clarified the legal nature of hub-and-spoke conspiracies, established principles for assessing their anti-competitive effects, and set a precedent for applying Article 19 of the amended AML.

4. **Impact of the Platform Economy:** Dr. Wu underlined how the rise of digital platforms has amplified the risks of hub-and-spoke collusion. He discussed how platforms' control over algorithms and data enables them to act as hubs, facilitating anti-competitive coordination among participants.

Discussant Remarks

As the discussant, **Prof. Chen Yang** provided valuable commentary on the implications of Dr. Wu's analysis. He emphasized the need for robust enforcement mechanisms to address the unique challenges posed by hub-and-spoke agreements in the digital economy. Prof. Chen also highlighted the importance of balancing strict enforcement with flexibility to foster innovation and economic growth.

Engaging Q&A Session

The seminar concluded with a lively Q&A session, where attendees explored topics such as the intersection of algorithms and collusion, the role of judicial discretion in regulating hub-and-spoke agreements, and the potential for international collaboration in antitrust enforcement.

Conclusion

This seminar offered a comprehensive examination of the evolving regulatory landscape surrounding hub-and-spoke agreements in China. Dr. Wu's expertise, combined with the insightful contributions from Prof. Chen and the active engagement of attendees, underscored the importance of continued research and policy development in this area.

The CCCL remains committed to fostering meaningful dialogue on contemporary legal issues and thanks all participants for contributing to the success of this event.