



ICN Cartel Workshop

2016 • Madrid, SPAIN

Novotel Madrid Center
3 - 5 October, 2016

Enhancing Cartel Enforcement

●●● Sunday, 2 October ●●●

17.00 - 20.00h **Registration** *Novotel Madrid Center (Calle O'Donnell, 53)*

19.30 - 21.30h **Welcome Reception** *CNMC Headquarters (Calle Alcalá, 47)*
Shuttle bus will leave from Hotel Novotel to CNMC at 19:00h.
PASSPORT / EU ID CARD WILL BE REQUIRED

●●● Monday, 3 October ●●●

08.00 - 09:25h **Registration** *Novotel Madrid Center*

09.30 - 10.00h **Opening Session** *[Convención Ballroom I, II & III]*

Speakers: **Dr. José María Marín Quemada.** President.
National Authority for Markets and Competition, Spain

ICN Cartel Working Group Subgroup 2 Co-Chairs:

Mr. Marcus Bezzi. Executive General Manager, Competition. Enforcement.
Australian Competition and Consumer Commission

Dr. Vladimir Kachalin. Assistant/Advisor to the Head of the Federal.
Anti-Monopoly. Service of Russia

10.00 - 10.25h. **Coffee/Tea Break** *[Hall]*



10.30 - 12.00h **Plenary I: Investigative strategies and techniques**

[Convención Ballroom I, II & III]

- Moderator: **Mr. Eduardo Prieto Kessler.** Competition Director.
National Authority for Markets and Competition, Spain
- Panellists: **Mr. Marcus Bezzi.** Executive General Manager, Competition.
Enforcement. Australian Competition and Consumer Commission
- Ms. María Luisa Tierno Centella.** Deputy Head of Unit G2, Cartels.
Directorate-General for Competition, European Commission
- Mr Hiroshi Yamada.** Deputy Secretary General for International Affairs.
Japan Fair Trade Commission
- Mr. Ragnath Kesavan.** Commission Member.
Malaysian Competition Commission
- Ms. Mbanangwa Naomi Moyo Fulaza.**
Chief Investigator, Cartels and Restrictive Practices.
Competition and Consumer Protection Authority, Zambia

12.00 - 13.25h **Lunch** *[Restaurant Lima]*

13.30 - 15.00h **Simultaneous Mini Plenary Sessions**

Mini Plenary 1: Achieving an efficient and effective leniency programme

[Convención Ballroom II]

- Moderator: **Ms. Isabel López Gálvez.** Head of Cartels and Leniency Unit.
National Authority for Markets and Competition, Spain
- Panellists: **Mr. Subrata Bhattacharjee.** Partner.
Borden Ladner Gervais LLP, Canada
- Mr. Gorka Navea Gomez.** Deputy Head of Unit, Cartels.
Directorate-General for Competition, European Commission
- Ms. Akari Yamamoto.** Chief Investigator Leniency Programme.
Japan Fair Trade Commission
- Ms. Stephanie Panayi.** Deputy Director, Legal and Enforcement.
Competition Commission of Singapore

Mini Plenary 2: Formal tools for detection of cartels, including the use of dawn raids, statutory powers, and covert investigation techniques (AGENCY ONLY SESSION) *[Convención Ballroom III]*

- Moderator: **Ms. Eva Pelayo.** Head of Services Unit, Competition Directorate.
National Authority for Markets and Competition, Spain
- Panellists: **Ms. Beatrix Krauskopf.** Team Leader Dawn Raids.
Austrian Competition Authority
- Ms. Hila Cohen.** Lawyer. Israel Antitrust Authority
- Mr. Francisco R. Téllez.** General Director of the Anti-Cartel Division.
Federal Economic Competition Commission of Mexico
- Ms. Jane Lin.** Director Enforcement
Australian Competition and Consumer Commission

Mini Plenary 3: Tools to fight bid-rigging cartels: public procurement screening and training programmes *[Convención Ballroom I]*

- Moderator: **Mr. John Kirkpatrick.** Senior Director Advocacy.
United Kingdom Competition and Markets Authority
- Panellists: **Mr. Philip Monaghan.** Executive Director (General Counsel).
Competition Commission Hong Kong
- Mr. Renato Ferrandi.** Senior Officer, International Affairs.
Italian Competition Authority
- Mr. Yonghun Lim.** Deputy Director, Bid-Rigging Investigation Division.
Korea Fair Trade Commission.
- Ms. Dina Lurje.** Council Member.
Competition Council of the Republic of Lithuania

15.00 - 15.25h **Coffee/Tea Break** *[Hall]*

15.30 - 17.00h **Simultaneous Breakout Sessions**

Breakout Session 1: Leniency, leniency Plus and penalty Plus: recent experiences and lessons learned to create incentives for the complete “cleaning” of a company

[París Meeting Room]

Discussion leaders:

- Ms. Amanda Athay de Linhares Martins.** Chief of Staff.
Administrative Council for Economic Defense, Brazil
- Ms. Anne Krenzer.** Leniency Officer.
Autorité de la concurrence, France
- Mr. Gian Luca Zampa.** Partner.
Freshfields Bruckhaus Deringer LLP, Italy
- Ms. Songrim Koo.** Senior Deputy Director.
International Cartel Division, Korea Fair Trade Commission
- Ms. Kalina Tulley.** Assistant Chief, Chicago Office.
United States Department of Justice

Breakout Session 2: Cartel leads/informants: experiences, challenges and difficulties (including challenges in obtaining reliable evidence) **(AGENCY ONLY SESSION)** *[Oslo Meeting Room]*

Discussion leaders:

- Ms. Frederike Finke.** International Competition Matters.
Bundeskartellamt, Germany
- Mr. Ádám Remetei- Filep.** International Section.
Hungarian Competition Authority
- Mr. Stijn van den Broek.** Head of Detection Unit.
The Netherlands Authority for Consumers and Markets
- Mr. Khotso Modise.** Cartels Principal Investigator.
Competition Commission of South Africa
- Ms. Emma Burnham.** Trial Attorney, Washington Criminal I Section.
United States Department of Justice



Breakout Session 3: Challenges related to evidence gathering after dawn raids and other formal investigation tools.

[Madrid & Viena Meeting Rooms]

Discussion leaders:

Ms. Jane Lin. Director Enforcement NSW and Serious Cartels.
Australian Competition and Consumer Commission.

Mr. Gideon Mokaya. Manager, Enforcement and Compliance.
Competition Authority of Kenya

Mr. Pedro Bom. General Director of Investigation.
Portuguese Competition Authority.

Mr. Mfundo Ngobese. Cartels Division Principal.
Competition Commission of South Africa

Mr. Peter Alstergren. Senior Advisor, Cartels and Mergers Unit.
Swedish Competition Authority

Breakout Session 4: The use of indirect evidence in cartel cases, including in leniency cases: how to make stronger cases.

[Caracas, La Paz & Bahía Meeting Rooms]

Discussion leaders:

Mr. Jindrich Kloub. Case Handler, Cartels Division.
Directorate-General for Competition, European Commission

Ms. Laura A. Méndez. Deputy General Director.
Federal Economic Competition Commission of Mexico

Ms. Hsuan Hung. Section Chief.
Fair Trade Commission, Taiwan

Ms. Li-Ya Wu. Officer.
Fair Trade Commission, Taiwan

Mr. Tai S. Milder. Trial Attorney, Antitrust
Division. United States Department of Justice.

Breakout Session 5: Making a leniency application: triggering factors and strategy (NGA Panel). *[Londres Meeting Room]*

Discussion leaders:

Mr. Luke Woodward. Partner.
Gilbert + Tobin, Australia

Mr. Marc Hansen. Partner.
Latham & Watkins, Belgium.

Mr. José Alexandre Buaiz Neto. Partner.
Pinheiro Neto Advogados, Brazil

Mr. Felipe Serrano Pinilla. Former Head Antitrust Advisor and Deputy
Superintendent. Superintendencia de Industria y Comercio, Colombia

Mr. Yoshihiro Sakano. Attorney-at-Law.
City-Yuwa Partners, Japan.

●●● Tuesday, 4 October ●●●

09.30 - 10.30h **Plenary II: Public and private enforcement - challenges**

[Convención Ballroom I, II & III]

Moderator: **Mr. Antonio Capobianco.** Senior Competition Expert.
Organisation for Economic Co-operation and Development

Panellists: **Mr. David Viros.** Chief of Staff.
Autorité de la concurrence, France

Mr. Jeremy J. Caslyn. Partner.
Cleary Gottlieb Steen & Hamilton LLP, United States

Dr. Katharina Krauß. Head of Special Unit for Combating Cartels.
Bundeskartellamt, Germany

Mrs. Maria João Melicias. Member of the Board.
Portuguese Competition Authority

10.30 - 10.55h **Coffee/Tea Break** *[Hall]*

11.00 - 12.30h **Simultaneous “Mini” Plenary Sessions**

Mini Plenary 4: Public enforcement - settlement.

[Convención Ballroom III]

Moderator: **Mr. Justin Oliver.** Partner.
Minter Ellison, Australia

Panellists: **Mr. Eric Van Ginderachter.** Director, Cartels.
Directorate-General for Competition, European Commission.

Mr. Pedro Bom. General Director of Investigation.
Portuguese Competition Authority

Mr. Joaquín Hortalá. Head of Legal Department.
National Authority for Markets and Competition, Spain

Mr. Kristian Hugmark. Partner.
Roschier, Sweden

Mini Plenary 5: Extra-territorial antitrust enforcement – how and why? *[Convención Ballroom I]*

Moderator: **Mr. Michael Corrigan.** Partner.
Clayton Utz, Australia

Panellists: **Mr. Marcus Bezzi.** Executive General Manager, Competition Enforcement.
Australian Competition and Consumer Commission

Ms. Amanda Athay de Linhares Martins. Chief of Staff.
Administrative Council for Economic Defense, Brazil

Mr. Antonio Capobianco. Senior Competition Expert. Organisation for
Economic Co-operation and Development

Mr. Christopher M. Ries. Global Antitrust and Indirect Sales Counsel.
Hewlett-Packard Enterprise, United States

Mini Plenary 6: Private enforcement – developments and challenges.

[Convención Ballroom II]

Moderator: **Dr. Vladimir Kachalin.** Assistant/Advisor to the Head.
Federal Anti-Monopoly Service of Russia.

Panellists: **Mr. Yoshihiro Sakano.** Attorney-At-Law.
City-Yuwa Partners, Japan

Ms. Anke Prompers. Head of Litigation.
The Netherlands Authority for Consumers and Markets

Ms. Evelyne Ameye. Founding Partner.
Evelyne Ameye Legal Services, Turkey

Ms. Sarretta McDonough. Of Counsel.
Gibson Dunn & Crutcher LLP, United States

12.30 - 13.55h **Lunch Break** *[Restaurant Lima]*

14.00 - 15.35h **Simultaneous Breakout Sessions**

Breakout Session 6: Building an investigation unit (AGENCY ONLY SESSION) *[Viena & Madrid Meeting Rooms]*

Discussion leaders:

Mr. Andrew D. Smyth. Competition Law Officer.
Competition Bureau, Canada.

Mr. Jens Larsen Underbjerg. Deputy Head of Division.
Danish Competition and Consumer Authority.

Mr. Tim Lear. Executive Director Operations.
Competition Commission Hong Kong.

Mr. Michiel Denkers. Director of Competition.
The Netherlands Authority for Consumers and Markets

Mr. Grant Chamberlain. Team Leader, Cartel Investigations.
New Zealand Commerce Commission

Ms. Carmen Cerdá. Deputy Head of Unit, Competition Directorate.
National Authority for Markets and Competition, Spain



Breakout Session 7: Achieving procedural fairness/due process in cartel investigations whilst maintaining efficiency and effectiveness

[Caracas, La Paz & Bahía Meeting Rooms]

Discussion leaders:

Ms. Sofia Vasileiou. Case Handler, Antitrust/Cartels.
Directorate-General for Competition, European Commission.

Ms. Anne-Sophie Delhaise. Advisor for European Affairs.
Autorité de la concurrence, France

Mr. Atsushi Yamada. Partner.
Anderson Mori & Tomotsune, Japan

Ms. Pia Ödqvist. Senior Case Officer.
Swedish Competition Authority

Mr. Yüksel Kaya. Advisor.
ENRE, Energy, Competition and Regulation Consultancy, Turkey

Breakout Session 8: Retos y problemas procedimentales en la realización de las inspecciones (en castellano) (SÓLO AGENCIAS)

[Session in Spanish - Dawn raids: procedural challenges (agency only Session)] [París Meeting Room]

Discussion leaders:

Mr. Felipe García Pineda. Head Advisor to the Superintendent.
Superintendencia de Industria y Comercio, Colombia.

Mrs. Geraldina Leiva Montoya. Lawyer.
Anticompetitive Practices, El Salvador Competition Superintendence.

Mr. Alberto Ramos Diego. Director, Cartel Division.
Federal Economic Competition Commission of Mexico.

Mr. Jordi Fornells. Head of Unit, Competition Directorate.
National Authority for Markets and Competition, Spain.

Breakout Session 9: Relationships between agencies and their prosecutors (AGENCY ONLY SESSION)

[Londres Meeting Room]

Discussion leaders:

Mr. Marcus Bezzi. Executive General Manager, Competition Enforcement.
Australian Competition and Consumer Commission

Mr. Jim Marshall. Deputy Chief Federal Prosecutor.
Public Prosecution Service of Canada

Mr. Leo Farmer. Legal Counsel.
New Zealand Commerce Commission.

Ms. Maureen Banda. Director Legal and Corporate Affairs.
Competition and Consumer Protection Commission, Zambia



Breakout Session 10: International coordination to increase the efficiency of multijurisdiction cartel investigations *[Oslo Meeting Room]*

Discussion leaders:

Ms. Anne Krenzer. Leniency Officer.
Autorité de la concurrence, France.

Mr. Hiroshi Nakazato. Director, Planning Office, Investigation Bureau.
Japan Fair Trade Commission

Mr. Antonio Capobianco. Senior Competition Expert.
Organisation for Economic Co-operation and Development

Ms. Cindy Chang. Senior Assistant Director (Legal & Enforcement).
Competition Commission of Singapore

Mr. Mehluli Nxumalo. Cartels Investigator.
Competition Commission of South Africa

15.30 - 15.55h **Coffee/Tea Break** *[Hall]*

16.00 - 17.30h **Plenary III: Sanctions and tools for deterrence** *[Convención Ballroom I, II & III]*

Moderator: **Ms. María Ortiz.** Member of the Council.
National Authority for Markets and Competition, Spain

Panellists: **Mr. Diogo Thomson de Andrade.** Deputy Superintendent.
Administrative Council for Economic Defense, Brazil

Mr. Carlos Mena-Labarthe. Chief Prosecutor.
Federal Economic Competition Commission of Mexico

Mr. Chris Fonteijn. Chairman of the Board.
The Netherlands Authority for Consumers and Markets

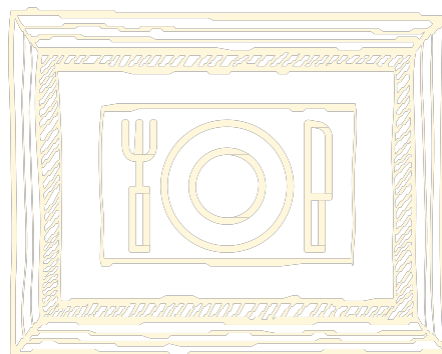
Mr. Makgale Mohlala. Cartels Division Manager.
Competition Commission of South Africa

Mr. Marvin Price. Director of Criminal Enforcement.
United States Department of Justice

20.30 - 23.00h **Social Event/Dinner - El Prado Museum**

[Entrance gate: Los Jerónimos (Calle Ruiz de Alarcón, 23)]

Shuttle bus will leave from Hotel Novotel to Prado Museum at 20:00





09.30 - 11.00h **Simultaneous Mini Plenary Sessions**

Mini Plenary 7: Sanctions, remedies and damage redress.

[Convención Ballroom III]

- Moderator: **Ms. Monique Van Oers.** Director, Legal Affairs.
The Netherlands Authority for Consumers and Markets
- Panellists: **Ms. Anne-Sophie Delhaise.** Advisor for European Affairs.
Autorité de la concurrence, France
- Mr. Luis García Santos Coy.** Partner.
Creel, García-Cuéllar, Aiza y Enriquez, Mexico
- Ms. Stephanie Panayi.** Deputy Director.
Legal and Enforcement Competition Commission of Singapore
- Dr. Javier García-Verdugo.** Chief Economist.
National Authority for Markets and Competition, Spain.

Mini Plenary 8: The intersection between cartel enforcement and the fight against corruption. *[Convención Ballroom I]*

- Moderator: **Mr. Stéphane Hould.** Deputy Commissioner Cartels Directorate.
Competition Bureau, Canada.
- Panellists: **Ms. Hila Cohen.** Lawyer.
Israel Antitrust Authority.
- Mr. Carlos Mena-Labarthe.** Chief Prosecutor.
Federal Economic Competition Commission of Mexico
- Mr. Makgale Mohlala.** Cartels Division Manager.
Competition Commission of South Africa
- Mr. Devon Mahoney.** Supervisory Special Agent.
United States Federal Bureau of Investigation

Mini Plenary 9: Fine setting: considerations and methodologies.

[Convención Ballroom II]

- Moderator: **Mr. Ross Zurrini.** Partner. Ashurst, Australia
- Panellists: **Mr. Daniel Andreoli.** Partner.
TozziniFreire Advogados, Brazil
- Mr. Gerald Miersch.** Head of Unit, Cartels.
Directorate-General for Competition, European Commission
- Mr. Takujiro Kono.** Senior Investigator.
Japan Fair Trade Commission
- Mr. Terence Minishi.** Analyst, Enforcement and Compliance.
Competition Authority of Kenya
- Mr. Baçak Tekcam.** Agency Enforcer.
Turkish Competition Authority

11.00 - 11.25h **Coffee/Tea Break** *[Hall]*



11.30 - 13.00h **Simultaneous Breakout Sessions**

Breakout Session 12: Compliance activities and priorities, including promoting compliance to prevent collusion.

[Caracas, La Paz & Bahía Meeting Rooms]

Discussion leaders:

Mr. Caio Mário da Silva Pereira Neto. Partner.

Pereira Neto, MacedoAdvogados and FGV Law School, Brazil

Mr. Kohei Yamamoto. Deputy Director, Investigation Bureau. Japan Fair Trade Commission

Dr. Luis Ortiz Blanco. Partner.

Garrigues, Spain

Ms. Lucília Falsarella-Pereira. Assistant Director, Cartel Enforcement. United Kingdom Competition and Markets Authority

Breakout Session 13: Innovative remedies *[Madrid & Viena Meeting Rooms]*

Discussion leaders:

Mr. Michael Corrigan. Partner.

Clayton Utz, Australia

Ms. Sharon Burnett. Competition Law Officer, Cartels Directorate. Competition Bureau, Canada

Mr. Iker Arriola. Partner.

White & Case LLP, Mexico

Mr. Michiel Denkers. Director of Competition.

The Netherlands Authority for Consumers and Markets.

Mr. Sergio Sinovas. Deputy Head of Unit, Competition Directorate.

National Authority for Markets and Competition, Spain

Breakout Session 14: Procedimiento y criterios para la fijación de las multas (en castellano) *[Session in Spanish – Fine setting: criteria for calculation]* *[Londres Meeting Room]*

Discussion leaders:

Mr. Felipe García. Head Advisor to the Superintendent.

Superintendencia de Industria y Comercio, Colombia.

Ms. Geraldina Leiva Montoya. Lawyer, Anticompetitive Practices.

El Salvador Competition Superintendence.

Mr. Alberto Ramos Diego. Director, Cartel Division.

Federal Economic Competition Commission of Mexico

Mr. Diego Castro-Villacañas. Deputy Head of the Legal Service.

National Authority for Markets and Competition, Spain



Breakout Session 15: Criminalisation of antitrust infringements in administrative jurisdictions: Yes or No? When and How?

[París Meeting Room]

Discussion leaders:

Mr. David Viros. Chief of Staff to the President.
Autorité de la concurrence, France.

Mr. Gian Luca Zampa. Partner.
Freshfields Bruckhaus Deringer LLP, Italy

Ms. Laura A. Méndez. Deputy Director General, Cartel Division.
Federal Economic Competition Commission of Mexico

Ms. Cani Fernández. Partner.
Cuatrecasas, Gonçalves Pereira, Spain.

Mr. Stephen Blake. Senior Director, Cartels and Criminal.
United Kingdom Competition and Markets Authority

13.15 - 13.45h **Closing Remarks and Completion of Feedback Forms**

[Convención Ballroom I, II & III]

Speakers:

Mr. Eduardo Prieto Kessler. Competition Director.
Spanish National Authority for Markets and Competition

ICN Cartel Working Group Subgroup 2 Co-Chairs:

Mr. Marcus Bezzi. Executive General Manager, Competition
Enforcement. Australian Competition and Consumer Commission

Dr. Vladimir Kachalin. Assistant/Advisor to the Head of the Federal
Anti-Monopoly. Service of Russia

13.45 - 15.00h **Lunch** *[Restaurant Lima]*

15.00h **Workshop concludes**





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