



ICN Steering Group Meeting
Wednesday, 16 February 2022, 2:00pm CET

Attendees

Australian Competition and Consumer Commission
Brazilian Administrative Council for Economic Defense
Competition Bureau Canada
Colombian Superintendencia de Industria y Comercio
European Commission DG Competition
French Autorité de la concurrence
German Bundeskartellamt
Hungarian Gazdasági Versenyhivatal
Italian Autorità Garante della Concorrenza e del Mercato
Japan Fair Trade Commission
Kenya Competition Authority
Korean Fair Trade Commission
Mexican Federal Economic Competition Commission
Portuguese Competition Authority
Federal Antimonopoly Service of the Russian Federation
Competition and Consumer Commission of Singapore
Competition Commission of South Africa
Turkish Competition Authority
United Kingdom Competition and Markets Authority
United States Department of Justice
United States Federal Trade Commission

Item 1: Approval of Agenda and Minutes

The SG approved the proposed agenda and the minutes of the SG meeting on 19 January 2021.

The Chair and SG members thanked Rod Sims, Chair of the ACCC, for the close cooperation, the commitment to ICN and work as SG member, Vice Chair, Co-chair, annual conference host and Horizontal Coordinator. The SG meeting was the last one for Rod Sims as his term as head of ACCC will come to an end in March 2022.

Item 2: NGA Liaison

After consultation with the SG the Chair nominated Alexandre Cordeiro Macedo, President of CADE Brazil, as new ICN NGA Liaison. Mr Cordeiro Macedo accepted.

Item 3: ICN Annual Conference

The 2022 Annual Conference host updated the SG members on the planning of the 21st ICN Annual Conference in Berlin from 4-6 May 2022 and presented an updated agenda including the breakout session topics.

The host also presented the press policy for the conference which follows the approach applied in previous years:

ICN Plenary Sessions (hybrid) are open to press.

All other sessions, including break-out sessions (in-person only), are open to press, but neither the identity nor the affiliation of the speaker(s), nor that of any other participant, may be revealed.

This allows participants in break-out sessions to participate fully and speak freely, regardless of whether they are mandated to speak on behalf of their agencies. Quotes are subject to approval of the speaker.

Agency-only break-out sessions are closed to press.

The SG members approved the press policy.

Item 4: Workshops

The Spanish CNMC provided a debrief on the successful 2022 Advocacy Workshop that took place from 9-10 February. The Chair and SG members congratulated and thanked the CNMC.

The virtual 2022 Unilateral Conduct Workshop will take place from 22-23 March and will be hosted by the Competition Commission of India. The workshop will follow the overarching topic, i.e. types of abusive unilateral conduct in digital markets – “traditional” and “novel issues”.

The 2022 Merger Workshop will be held in Salvador, Brazil, between 29 March and 1 April, in a hybrid format.

Item 5: Agency Effectiveness Working Group

The Agency Effectiveness Working Group (AEWG) is co-chaired by the competition agencies from Botswana, Mexico and Singapore. AEWG provided an update on the various ongoing workstreams including the following projects and webinars:

- Agency Effectiveness Post-COVID-19 Project (led by COFECE): Survey emailed to all AEWG members on January 26, 2022.
- Planning, Monitoring and Measuring Effectiveness (led by Singapore): aims to update the ICN Competition Agency Practice Manual on Strategic Planning & Prioritization.
- March 1, 2022 – Senior Economist webinar on the Use of Screens in Cartel Detection (organized by the Competition Bureau Canada). Moderator: Prof. Robert Clark (Queen’s

University) & Panelists: Jens Roat Kultima (Danish Competition and Consumer Authority), Ricardo Medeiros de Castro (CADE), Robin Noble (Oxera)

Item 6: ICN at 20

The ICN Secretariat provided an update on the book project “The International Competition Network at Twenty” which compiles essays on the ICN and its 20th anniversary. The book will be presented at the ICN Annual Conference 2022. It will be financed by the Bundeskartellamt as the Conference host, Concurrences that will offer the book for sale to the general public after the annual conference, and the law firms of the editors Dave Anderson (Bryan Cave Leighton & Paisner LLP) and Paul Lugard (Baker Botts). The book will bear the logos of the ICN conference, the Bundeskartellamt, BCLP, Baker Botts and Concurrences.

Item 7: OECD

The ICN-OECD Liaison updated the SG members on current and future OECD projects including the Competition Open Day on 23 February 2022, the High Level Symposium on competition and the economic recovery in May/June and highlights of the OECD June meeting.

- Competition Open Day (23 February)
 - Panel I - Green Innovation and Competition
 - Panel II - Competitive Neutrality and the Role of the State in the Market
 - Keynote Address by Joseph E. Stiglitz (Columbia University)
 - Panel III - Regulation and Competition Enforcement in Digital Markets
 - Panel IV - Competition, Media and Digital Platforms
- High Level Symposium "Pro-growth Measures for Stronger Open Markets" (May/June)
- Highlights of the 20-24 June meetings program
 - Competition and Regulation in the Provision of Local Transportation Services (WP2)
 - Scoping Note on Competitive Neutrality Toolkit (WP2)
 - Interim Measures in Competition Cases (WP3)
 - Hearing on Existing Enhanced Cooperation Mechanisms in Other Policy Areas (WP3)
 - Revision of Recommendation on Fighting Bid Rigging in Public Procurement
 - Roundtable on Purchasing Power and Buyers' Cartels (CC)
 - Concept of Market Power in the Digital Economy (CC)
 - Disentangling Consummated Mergers – Experiences and Challenges (CC)
 - Integrating Behavioral Insights in Competition Enforcement (CC)
 - Revision of Recommendations on Intellectual Property Rights (IPR)

Item 8: SG members' hot topics presentation

The hot topics discussion was focused on a presentation by Matthew Boswell, Commissioner of Competition, Canadian Competition Bureau (CBC), on the CBC's increased budget as well as the recent announcement by the Government of Canada to launch the review of the Canadian competition laws. Leila Wright, Acting Deputy Commissioner, Digital Enforcement & Intelligence Branch, presented the new role of the CBC's digital unit.

Item 9: Other Business

The ICN Secretariat has received expressions of interest from representatives wanting to attend the 2022 Merger Workshop, which will be held in Brazil in March, and asked for approval to provide funding by email prior to the next SG meeting. In this context, the Secretariat also pointed out any possible financial implications COVID may have with respect to the funding of participants.

Item 9: Future SG Meetings

The next SG meeting will take place on 30 March 2022.