



ICN Steering Group Meeting
Wednesday, 23 January 2019, 2pm CEST

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
Japan Fair Trade Commission
Italian Autorità Garante della Concorrenza e del Mercato
Korean Fair Trade Commission
Mexican Federal Economic Competition Commission
Netherlands Authority for Consumers and Markets
Portuguese Competition Authority
Russian Federal Antimonopoly Service
Competition Commission of Singapore
Competition Commission of South Africa
Spanish National Authority for Markets and Competition
United Kingdom Competition and Markets Authority
United States Department of Justice
United States Federal Trade Commission

Item 1: Approval of Agenda and Minutes

The Chair welcomed the Steering Group (SG) members. The SG approved the proposed agenda including and the minutes of the SG meeting on November 28, 2018.

Item 2: ICN Framework on Procedures

The Chair updated the SG about the ICN Framework on Competition Agency Procedures. He informed the SG members that after the SG meeting on 28 November 2018, the Chair's Office received strong support as well as comments and suggestions from different parts of the world leading to an updated draft presented in a group call on working level on 9 January 2019 and second update presented by the Chair in the SG meeting on 23 January.

SG members including the US DOJ, the US FTC, FAS, DG COMP, the Italian competition authority, the ACCC, the Portuguese AdC, the UK CMA and the Canadian Competition Bureau expressed their support for the ICN Framework. The SG agreed to continue developing the ICN

Framework including the corresponding template and registration form aiming at a formal opening of the Framework at the 2019 ICN Annual Conference.

Item 3: Annual Conferences

The Chair invited the Steering Group members to discuss the informal expression of interest to host the 2020 Annual Conference provided by the US competition agencies. The US FTC was not able to provide a formal commitment at this stage due to a government shutdown but was hopeful to be able to do so in the near future. The DOJ explained its commitment to host the conference. The Chair and the SG members very much welcomed the expression of interest and will deal with it again as soon as the SG receives a formal expression of interest from both US competition agencies.

The Superintendent of Industry and Commerce, Colombia, update the SG members on the planning of the 2019 ICN Annual Conference that will take place in Cartagena, Colombia, on 15-17 May 2019, in the Hotel Las Americas.

The SG approved the following breakout session topics:

AEWG

BOS #1: Organisational design - Getting in shape for the digital economy

BOS #2: Starting on the Right Foot, Early Case Development

BOS #3: Amex: How many sides does it take?

BOS #4: The Digital Revolution and the Death of Competition (Agency Heads only session)

AWG

(Update after Kyiv, 28 Feb – 1 March 2019)

BOS #1: Advocacy strategy

BOS #2: Advocacy and digital markets

BOS #3: Competition assessment

BOS #4: TBD

CWG

BOS #1: Interaction of public and private enforcement for cartels

BOS #2: Optimizing the design and coordination of leniency for cross-border cartel enforcement

BOS #3: Triggering inspections ex-officio: going beyond the passive cartel policy

BOS #4: Cartel enforcement in the digital era: technological developments and collusion

MWG

BOS #1: Digital Economy and Innovation

BOS #2: Non-horizontal Mergers

BOS #3: Retail Mergers

BOS #5: Topic related to globalization

BOS #5: Procedural infringements in merger investigations

UCWG

BOS #1: New Challenges to the Assessment of Market Power: Time for a Rethink?

BOS #2: Online vertical restraints; recent enforcement experiences and challenges.

BOS #3: Fidelity rebates; discussion of assessment criteria and evidence.

BOS #4: Topic & format: still to be decided

Item 4: Workshops

The Advocacy Working Group Co-Chairs provided an update on the Workshop in Kyiv, 28 February – 1 March 2019.

Item 5: ICN-OECD Liaison

The ICN-OECD liaison, Margarida Matos Rosa, updated the SG members on OECD topics (Vertical restraints and exclusionary practices in e-commerce, Non-price competition in digital markets, Excessive prices in pharma and Gun-jumping), events (Workshop on (i) Recent Challenges in Competition and IP in Pharmaceutical Markets and Workshop on (ii) Competition in Publicly Funded Markets, both held at the OECD Headquarters in Paris in February 2019, and the OECD Open Day to be held at the OECD Headquarters in Paris on Wednesday 27 February 2019). The ICN/OECD liaison highlighted that work was being carried out by both organisations in the area of transparency and procedural fairness and was working to ensure synergies and avoid overlap. Furthermore, the ICN-OECD Liaison informed the SG members that the OECD has expressed an interest in participating both in the upcoming ICN Advocacy Workshop in Kiev and at the ICN Annual Conference in Cartagena.

Item 6: Other Business

No other business was reported.

Item 7: Future SG Meetings

The next SG meeting will be held on 27 February 2019.