



**ICN Steering Group Meeting**  
**Wednesday, 28 November 2018, 8:15am CEST, Paris**

**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 including the new SG members Matthew Boswell, Interim Commissioner of Competition, Canada, Andrés Barreto, Superintendent of Industry and Commerce, Colombia, and host of the 2019 ICN Annual Conference, and Martijn Snoep, Chairman, Netherlands ACM. The SG approved the proposed agenda including a change of order of the agenda items, and the minutes of the SG meeting on September 26, 2018.

**Item 2: Recent initiatives in the area of investigative process**

The Chair updated the SG about the Multilateral Framework on Procedures in Competition Law Investigation and Enforcement (MFP). The Chair reminded the SG that he reported on the MFP in the SG meeting on 26 September 2018 because in an MFP meeting in New York on 4 September 2018 several participants mentioned an ICN-based approach as a possible alternative and raised the question whether the goals of MFP could be implemented under the umbrella of ICN. After the SG meeting in September 2018, the Chair developed an ICN-

based concept which was circulated with the SG documents for the November 2018 SG meeting. SG members discussed this possible ICN SG initiative.

### Item 3: Workshops

The Cartel Working Group Co-Chairs reported on the workshop ‘How to crack a cartel step by step’ in Tel-Aviv, Israel, 15-18 October 2018, with over 200 ICN members in attendance. The Israel Antitrust Authority was assisted by The Netherlands ACM and the European Commission and the Russian authority in the preparations. The workshop was organised using a themed approach; intelligence first, followed by investigation and finishing with legal deterrence on day 3.

The Unilateral Conduct Working Group reported on the successful workshop hosted by the Competition Commission of South Africa in Stellenbosch, on 1-2 November 2018, with over 150 participants representing over 33 jurisdictions, which addressed the challenges in assessing exploitative conducts such excessive pricing and exclusionary ones (predatory pricing, rebates and exclusive dealing), with the help of interactive panel presentations and hypothetical case studies.

The Merger Working Group Co-Chairs reported on the workshop in Tokyo, Japan, 7-8 November with over 200 participants from about 40 jurisdictions that discussed the role of merger review in the digital economy and the challenges of globalization under the theme “Merger Review in the 2020s: Do Digitalization and Globalization Change the Analysis?”

The Advocacy Working Group promoted the Advocacy Workshop which will take place in Kiev, Ukraine, on 28 February – 1 March 2019.

### Item 4: Annual Conference

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 discussed the draft agenda of the 2019 ICN Annual Conference including plenary topics and format. The Chair highlighted that the draft agenda includes as a new format mini key notes before the plenary sessions. Furthermore, it includes the well-established sessions for younger agencies, NGAs and heads of agencies, the latter titled “Digital Revolution and the Death of Competition”. The Special Project will be titled: “Implication of disruptive innovations for competition policy”.

The SG approved the following plenary session titles:

- Advocacy: *“The Art of Advocacy – Sun Tzu’s Strategies and Tactics for the Competition Advocacy Challenges of Today and Tomorrow”*
- Agency Effectiveness: *“Effectiveness Through Organisational Design”*
- Cartel: *“Deterrence & Enforcement”*

- Merger: *“Merger Review in the 2020s: Do Digitalization and Globalization Change the Analysis?”*
- Unilateral Conduct: *“New Challenges to the Assessment of Market Power: Time for a Rethink?”*

#### Item 5: Website

The Chair informed the SG members that the new ICN website is online.

#### Item 6: ICN-OECD Liaison

The ICN-OECD liaison updated the SG members on future OECD topics, possible overlaps with ICN work and possibilities for joint work particularly in the area of investigative process.

#### Item 8: Other Business

No other business was reported.

#### Item 9: Future SG Meetings

The next SG meeting will be held on 23 January 2019.