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23 September 2019

**DIRECTORATE FOR FINANCIAL AND ENTERPRISE AFFAIRS
COMPETITION COMMITTEE**

Cancels & replaces the same document of 23 September 2019

Draft Agenda: LATIN AMERICAN AND CARIBBEAN COMPETITION FORUM

24-25 September 2019, San Pedro Sula, Honduras

The attached document contains the draft agenda of the seventeen meeting of the Latin American and Caribbean Competition Forum on 24-25 September 2019 in San Pedro Sula, Honduras.

All LACCF documentation is available in: oe.cd/lacsf.

The meeting will take place at the Copantl Hotel & Convention Center (Res. Los Arcos, Bulevar del Sur, San Pedro Sula 21104, Honduras).

Ms. Lynn Robertson, Manager GFC, LACCF. Competition Expert - Lynn.Robertson@oecd.org.

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**Seventeenth Annual Meeting of the Latin American and Caribbean Competition Forum
24 – 25 September 2019 – San Pedro Sula, Honduras**

**Draft Agenda
Chairman: Frédéric Jenny**

For all materials and documentation, please see: oe.cd/laccf
For practical information, please visit: www.oecd.org/competition/latinamerica/2019forum/

Tuesday 24 September 2019

14.00-14.45

Item 1. Opening Session

Opening remarks:

- Alberto Lozano, Commissioner President, Commission for Defense and Promotion of Competition, Honduras
- Mario Umaña, Lead Trade and Competition Specialist, Integration and Trade Sector, Inter-American Development Bank
- Frédéric Jenny, Chairman, OECD Competition Committee, Latin American and Caribbean Competition Forum
- Mauricio Oliva Herrera, President of the National Congress, Honduras

Group picture and coffee break 14.45 – 15.00

Item 2. Session I – Fining methodologies for competition law infringements

15.00-18.00

Across Latin America and the Caribbean, competition law offenders are often subject to fines. These fines can play a critical role in deterring anti-competitive conduct such as collusion and abuse of dominance by making unlawful conduct less profitable. Even when other penalties are present, fines are an important element of the competition authority's toolkit. The existence of substantial fines can, in the case of cartels, contribute to instability of the cartel conduct by increasing the likelihood of leniency applications. Since 2013, when the LACCF last examined the issue of fining methodologies, much has changed, not only in the region but also internationally, in fining methodologies, guidelines and legislation. This session will review current fining methodologies in a variety of jurisdictions, highlighting both similarities and differences in the way fines are calculated and applied.

Session Chair: Mario Umaña, Lead Trade and Competition Specialist Integration and Trade Sector, IDB

Presentation by Lynn Robertson, Manager LACCF, GFC ; Competition Expert, Competition Division, OECD

Speaker:

- Juan David Gutiérrez R., Partner, Avante Lawyers

Coffee break 16.45 – 17.00

General Discussion and Final Comments

For Reference:

Call for Country Contributions: DAF/COMP/LACF(2019)1

Background note by the OECD Secretariat: DAF/COMP/LACF(2019)5

Contributions from: Chile (FNE), Costa Rica (COPROCOM), Dominican Republic, Ecuador, Honduras, Mexico (COFECE and IFT), Peru, Portugal, United States.

Welcome reception at the Copantl Hotel hosted by the Comisión para la Defensa y Promoción de la Competencia (CDPC) – 19.00 – 21.00

Wednesday 25 September 2019

09.30-13.00

Item 3. Session II - Peer Review of El Salvador's Competition Law and Policy

The mechanisms of peer review vary, but it is founded upon the willingness of a country to submit its laws and policies to substantive questioning by other peers. The process provides valuable insights into the country under study, getting to the heart of ways in which each country deals with competition and regulatory issues, from the soundness of its competition laws to the structure and effectiveness of its competition institutions. In 2019, El Salvador's competition law and policy will be subject to such a review.

Session Chair: Frédéric Jenny, Chairman, OECD Competition Committee, Latin American and Caribbean Competition Forum

Introduction: Diego Petrecolla, President, GPR Economía

Lead Examiners:

- *Colombia*
Juan Pablo Herrera Saavedra, Deputy Superintendent for Competition Protection, SIC
- *Honduras*
Alberto Lozano Ferrera, Commissioner President, CDPC
- *Peru*
Ivo Gagliuffi, President, INDECOPI

For discussion:

Draft Report by the Secretariat – DAF/COMP/LACF(2019)3

Lunch Buffet 13.00 – 15.00

15.00-18.00

Item 4. Session III – Practical approaches to assessing digital platform markets for competition law enforcement

Platform markets are not new: competition authorities have been assessing competition in radio, television, newspaper, and classified advertisement markets, among others, since the introduction of competition law. However, with digitalisation, the size of these markets, and the frequency with which competition authorities will be required to assess them, is on the rise. Competition authorities face the challenge of applying the growing academic literature on platform markets in the context of the usual constraints of case work; namely, limited time, access to data and resources. This session will focus on practical approaches for assessing

platform competition for mergers and antitrust cases, and highlight the types of platform markets that may be particularly relevant in a Latin American and Caribbean context.

Session Chair: Frédéric Jenny, Chairman, OECD Competition Committee, Latin American and Caribbean Competition Forum

Presentation by Iraxte Gurpegui, Competition Expert, Competition Division, OECD

General Discussion and Final Comments

For Reference:

Call for Country Contributions: DAF/COMP/LACF(2019)2

Background note by the OECD Secretariat: DAF/COMP/LACF(2019)4

Contributions from: Brazil, Colombia, Ecuador, Mexico (COFECE and IFT).

Coffee break 16.30 – 16.45

18.00-18.30

Item 5. Session IV - Evaluation and Future work

Session Chair: Frédéric Jenny (Chairman, OECD Competition Committee, Latin American and Caribbean Competition Forum)

General discussion, topics for LACCF 2020 and closing remarks.

Reception at the Club Hondureño Arabe hosted by the Central American Bank For Economic Integration (BCIE) – 19.00 – 21.00

** Meetings of the week and venue:*

Venue: Copantl Hotel & Convention Center (Res. Los Arcos, Bulevar del Sur, San Pedro Sula 21104, Honduras).

23 September: Special session of the Peer Review of Mexico's Competition Law and Policy

24 September: National Competition Day of Honduras

24-25 September: Latin American and Caribbean Competition Forum

26 September (morning): Ibero-American Forum on Competition

26 September (afternoon): Meeting of the Latin American Regional Centre for Competition