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

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SUMMARY RECORD

LATIN AMERICAN COMPETITION FORUM

(13th Meeting, 23-24 September 2015, Jamaica)

-- Note by the Secretariat --

This document prepared by the OECD Secretariat is a summary record of the thirteenth meeting of the Latin American Competition Forum held on 23-24 September 2015 in Jamaica.

*More documents related to the Forum can be found at:
<http://www.oecd.org/competition/latinamerica/2015-latin-american-competition-forum.htm>*

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English - Or. English

THIRTEENTH ANNUAL MEETING OF THE LATIN AMERICAN COMPETITION FORUM

Montego Bay, 23-24 September 2015

Introduction

1. The Latin American Competition Forum was held in Montego Bay, Jamaica on 23-24 September 2015 and was hosted by the Jamaica Fair Trading Commission (FTC). It was preceded by Jamaica's National Competition Day on the morning of 23 September, and followed by the Ibero-American Forum on Competition and the third seminar of the Regional Competition Center of Latin America on 25 September 2015. This note will focus on the Latin American Competition Forum (LACF) and will summarise: i) the discussions at the meeting; and ii) the results of participants' evaluations and suggestions for future work.

1. Summary of the LACF meeting

2. The thirteenth annual meeting of the *Latin American Competition Forum* (LACF) took place on the afternoon of 23 September and on 24 September. The agenda included three sessions: i) *Structural issues in the groceries sector: Mergers and regulatory issues*; ii) *Measuring competition advocacy's impact in Latin America and the Caribbean*; and iii) *Competition issues in the groceries sector: Focus on conduct*.¹ The LACF is jointly sponsored by the OECD and the Inter-American Development Bank (IDB). The Forum's objective is to promote dialogue, consensus building and networking between the region's competition policymakers and law enforcers, and to identify and disseminate best practices in competition law and policy in a collegial setting. The emphasis is on sharing experiences among agencies. The participants are Heads of Agencies and senior officials of Latin American competition institutions. Competition experts from OECD countries and international organisations are invited to participate to provide additional perspectives and experiences.

3. The LACF was attended by 21 country delegations, as well as representatives from the IDB, OECD, and UNCTAD.² Once more, the IDB played a key role in providing financial support to the event, notably by financing Latin American country participants.

4. Around 85 people attended Jamaica's Competition Day which preceded the Forum. Around 70 people from 21 delegations, the IDB, and the OECD attended the LACF and the Ibero-American Competition Forum.

¹ See the agenda for the thirteenth meeting of the LACF: [DAF/COMP/LACF/A\(2015\)1](#). All the documentation for all LACF meetings held to date, including Secretariat background notes and country contributions, is available at: <http://www.oecd.org/competition/latinamerica>.

² The twenty one countries were: Brazil, CARICOM, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guyana, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Portugal, Spain, Trinidad and Tobago, United States and Uruguay.

5. The morning of 23 September was devoted to the **Jamaica Competition Day Seminar**, in the presence of the Minister of State from the Ministry of Industry, Investment and Commerce, Sharon Ffolkes Abrahams, and the Minister of Science, Technology, Energy and Mining, Julian Robinson. The seminar was attended by around 85 participants. In her opening remarks, Minister Ffolkes Abrahams recognised the importance of competition for the economy and affirmed that the Jamaican Government pays close attention to competition and to the work of the Jamaican Fair Trading Commission. Minister Robinson provided a general overview of the state of the telecommunications industry in Jamaica. The sector has undergone vast changes since the 1990s, moving from a state of one single company the current situation in Jamaica with competition between 15 players. Mr Robinson underlined that such developments allowed the industry to attract foreign investment.

6. The seminar focused on developments in the ITC sector, under the title: “Transforming Jamaica Digitally: From Flintstones to Jetsons”. The panellists were the competition authorities of Chile, Spain and the US FTC, Professor Kamau Chionesu from a local Business School, the Jamaican Office of Utilities Regulation and two local providers, Digicel and Cable & Wireless. The debate focused on the challenges and opportunities for delivering telecommunications services in Jamaica in the near future and on the evolution of the telecommunications sector in the countries represented in the panel. The opening of the telecoms sector in Jamaica to competition has enabled a huge expansion in Internet access and telephony. The use of mobile phones has grown exponentially with Jamaica now having more mobile phones than inhabitants. Allowing access to essential facilities is a challenge that is being debated in the push to extend broadband to a wider share of the population.

7. The **Latin American Competition Forum** was opened by the Minister of State from the Ministry of Industry, Investment and Commerce, Sharon Ffolkes Abrahams who reminded the audience that Jamaica was the first country in the Caribbean to have a Competition Law. The Jamaica FTC has been active for over 20 years. Minister Abrahams emphasised that competition promotes innovation and choice. She also highlighted the fact that competition law exists to protect competition, not competitors. The local IDB representative, Juan Pedro Schmid welcomed the opportunity afforded by the LACF to broaden the regional competition work. The Chairman of the Jamaica FTC, Christopher Samuda, focused his talk on the ethics of competition and society and the importance of the legal framework evolving with the norms of society. Frédéric Jenny, Chairman of the OECD Competition Committee, then opened the Forum. He emphasised that the fact that this is the 13th edition of the Forum is proof of the continued relevance of the work of the Forum. The LACF allows for a deeper and more open discussion than many other such fora owing to the communality of interests, culture and shared problems of its attending jurisdictions.

1.1 Session I - Structural issues in the groceries sector: Mergers and regulatory issues

8. This session focused on Structural issues in the retail sector, with a focus on mergers. The OECD Secretariat presentation by Ania Thiemann highlighted the fact that competition in the retail groceries sector needs to be seen in the context of the major challenges facing the agri-food sector today, such as food security (availability and affordability), and sustainability, whether economic, environmental or social. The recent evolution of the food chain towards closer vertical integration poses a particular problem for the competition enforcer as there may be a dichotomy between on the one hand favouring consumers, who broadly benefit from strong competition and buyer power in the retail sector which has driven down retail prices and, on the other hand, the issue of “fairness” towards producers and farmers, that tend to be protected by regulation. The political debate needs to differentiate between these two, and the scope for intervention by competition authorities may be one, but not the other.

9. The session key-note speaker was Professor Paul Dobson, Professor of Business Strategy and Public Policy and Head of Norwich Business School, who discussed the difficulties in defining markets in the retail sector, as both the product and the geographical markets may need to be determined for the purpose of merger review. The US FTC, Brazil and Chile provided examples of recent merger analysis in the retail sector. It was found overall that concentration may not necessarily be an indication of market power. Often mergers were cleared with remedies such as selling outlets or smaller subsidiaries. In general, retail markets tend to be local in nature, and remedies such as those mentioned above can work well when competition is defined locally.

10. There was some discussion of whether large stores (hyper-markets) compete with supermarkets. One indication may be whether the store allows for a “one-stop-shop” or not. Costa Rica and Portugal provided example of merger analysis that had taken place, focusing on the difficulties in defining markets and the analysis used to do so. They tended to use the same methodology as the one presented by the US FTC of concentric circles from a central store, to assess geographical markets. Peru provided evidence of the work undertaken by an authority in expectation of a large in-rush of foreign investors in a sector, as the country is poised to receive large new investments in the super market sector.

1.2 Session II - Measuring competition advocacy's impact in Latin America and the Caribbean

11. This session focused on measuring the impact of advocacy. The session was stimulating and lively, and provided many concrete examples of how jurisdictions have attempted to define a methodology for measuring something which is largely intangible. The key note presentation delivered by William Kovacic highlighted the usefulness of trying to measure the impact of advocacy to demonstrate to policy makers (and tax authorities) the direct worth of the work of competition authorities. There are many obstacles to doing so: Evaluation might be seen as a source of discord, or it may show that it has accomplished nothing (no result); or even that the results were perverse. An agency may want to ignore that and leave it to external evaluators to prove that they were ineffective. Also, it may be very hard to prove effectiveness, to demonstrate causation. Furthermore, Kovacic reminded us, advocacy is not free – agencies need to devote resources to this (people, money). Agencies will be reluctant to remove resources for the more ‘visible’ actions (litigation, investigations). Advocacy effects take place over time and are in fact an ‘act of faith’ – with an expense that is visible today, but with an uncertain result. Even so, there can be no doubt of the importance of continuing with advocacy work. Kovacic emphasised that many studies have documented that public restrictions on business rivalry (market entry) are some of the worst impediments to economic performance. Finally, and this point was repeated by the IDB and other speakers, advocacy is a long-term effort, but it is central to the advancement of good competition policies, in Latin America and elsewhere. Mario Umaña, Lead Trade and Competition Specialist from the IDB, highlighted the importance of using tools to assess the impact of advocacy, to help demonstrate the value of the work undertaken.

12. Many jurisdictions proposed examples of how they have attempted to concretely evaluate their efforts. Spain and Mexico have a long-standing experience in assessing the impact of advocacy and proposed examples, but it was also interesting to hear from CARICOM, Peru and Brazil who are moving forward with defining their own toolkits. Other jurisdictions such as El Salvador, Costa Rica and the Dominican Republic are yet to develop a framework, but are in the early stages of determining which methodology they might use. It was clear also that a solid qualitative assessment can be as valuable as quantitative tabulations. The examples of methodology presented by the delegations were so impressive that the Chairman, Mr Jenny, in his closing remarks proposed that the OECD Secretariat should compile a booklet with all the country contributions submitted on measuring the impact of advocacy.

1.3 *Session III - Competition issues in the groceries sector: Focus on conduct*

13. This session looked more in-depth at the issue of conduct in the retail sector, following on from the discussion in Session I. After the opening presentation by Juan Delgado, Director of Global Economics Group, which highlighted the complexity of the retail landscape across Latin America, the delegates debated two issues: the use of market studies, and abuse of dominant position. It was found that many if not most jurisdictions have used market studies to assess conduct in the retail session. This may be because it is a “softer” approach than a full-blown sector inquiry, and allows the authority to get a fuller picture of the conduct of the main players, often leading to the formulation of recommendations to regulators, or a Code of Conduct.

14. El Salvador, Mexico, Spain, and Portugal reported back on market studies that they had conducted. Often, there is little evidence that concentration entails abuse of dominance, but occasionally, as in Costa Rica and Spain, market studies may lead to the formulation of a Code of Conduct.

15. Uruguay reported on a case of abuse of dominant position in a horizontal agreement in the frozen goods sector, while Chile has uncovered an upstream poultry cartel in a retail sector investigation of vertical restraints that lead to sanctions.

16. A presentation by Taimoon Stewart, Associate Senior Fellow, University of the West Indies, Trinidad & Tobago, highlighted the fact that in small communities (and small economies), it can be hard to prove the existence of collusion as the local business leaders all know each other and meet and socialise frequently. This point was repeated by many delegations around the table. The issue of cartel detection was raised again in the closing session as a potential subject matter for the next LACF. Finally, Silvia Carrieri from the OECD Secretariat presented the forthcoming OECD Guidance on Ex-post Evaluation.

17. Although ex-post evaluation does not in the strictest sense measure the impact of advocacy, it was nonetheless pointed out that ex-post evaluation is a powerful tool for an agency to measure its work, and this in itself it a useful argument to policy makers. After all, politicians love numbers.

1.4 *Final session*

18. In the closing session, Mexico proposed to host the next LACF, in March 2016. This was seconded by the Chair and by the IDB. Nicaragua offered to host the LACF in 2017, and Honduras, in 2018.

19. The roundtable discussion on future topic revealed a strong desire to discuss cartels in the next LACF, in particular the detection of collusion using forensic evidence and screens, and also to discuss leniency programmes. In light of the particular nature of small economies, as discussed in Session III, it is not clear that a better leniency programme would lead to better detection, but the US FTC pointed out that there are approaches to inferring the existence of a cartel through indirect evidence, known as tacit collusion. (Conduct can be inferred through actions that make no economic sense but for the presence of a cartel.) There was also support for continuing the work on advocacy which started in 2014, although the precise way to do so remains to be defined. Other topics proposed included competition in pharmaceuticals, and bid-rigging in public procurement, especially in medical supplies.

20. Note that a meeting to discuss the 2016 LACF, including the topics that will be debated, took place on Friday 30 October at 8.30 am at the Headquarters of the OECD, in Paris, during the Global Forum on Competition.

2. Results of participants' evaluations and suggestions for future work

21. The participants considered the Forum to have been successful, judging by their feedback in the concluding session and replies to the evaluation questionnaires. Evaluation questionnaires were received from 17 out of 21 participating countries, and from two international organisations (see summary results in **Annex I**).

22. All the meeting documentation, including the calls for contributions, background papers and country contributions, was made available in English and Spanish prior to the meeting.³

23. Twenty-nine evaluation forms were returned (representing a very respectable turnout of 81%), the results of which are analysed in detail in **Annex II** of this report. Participants rated the *overall usefulness of the meeting* at a high mark of 4.6 out of 5 (the same as last year's rating); showing that the Forum continues to be an event of high importance in the agenda of Latin American competition authorities.

24. Participants were in strong agreement about the high quality and relevance of the papers and sessions. The overall usefulness of *forum materials* received an average score of 4.6. The overall usefulness for participants of *the topics addressed* was equally highly rated (4.6). The overall *quality of the presentations* was almost equally rated (4.3) compared to last year result (4.4). The sessions on "Measuring competition advocacy's impact in Latin America and the Caribbean" and "Competition issues in the groceries sector: Focus on conduct" received the highest scores with regards to *interest in the topic* (4.7 and 4.3), while the session "Structural issues in the groceries sector: mergers and regulatory issues" received a good score in terms of *usefulness of the Background/issues papers* (4.3). The *overall quality of the facilities* was rated at 4.6 equal to 4.6 last year, while the *overall quality of the Forum preparations* received the score of 4.2 out of 5, below to last year's rate (4.9). The *overall average score across all 6 categories* is at 4.5 (out of 5), compared to 4.6 for last year's meeting [see Evaluation table in **Annex I**].

25. As far as future work is concerned, a high interest (above 4 out of 5) was expressed for 14 of the 30 topics identified for future discussion in the questionnaire (see the full list in **Annex II.2.1**), as follows:

- Cartels: Estimation of harm from cartels
- How to raise competition to the mainstream of a country's economic policy?
- Competition in financial sector
- Abuses or unilateral conduct in network industries
- Public procurement and the role of authorities in protecting free competition
- Gathering of evidence in cartel investigation
- Interaction between Competition Authorities and Sector Regulators
- Evidence in court proceedings
- Guidance to the private sector
- Statistical methods applicable to competition law
- Ex-officio investigations-with a focus on economic evidence

³ Full documentation is available in English and Spanish on the website of the Latin American Competition Forum at: www.oecd.org/competition/latinamerica, as well as on OLIS.

- Competition in infrastructure sectors
- Handling of confidential information in light of the right of defence
- Intellectual property and competition

26. The 16 remaining topics scored between 4 (e.g. “Competition in the health sector”) and 3.2 (“Failing Firm Defence in Merger Reviews”). Further details are available in **Annex II.2.1**. Participants were also asked to suggest additional topics of interest to authorities; the entire list is provided in **Annex II.2.2**.

3. Additional meetings held alongside the Latin American Competition Forum

27. The *Ibero-American Forum on Competition* was held after the LACF in the morning of 25 September. A principal aim of this Forum is further co-operation between the Heads of Latin American competition authorities, as well as the Heads of the competition agencies in Spain and Portugal. This year, the event included two sessions: i) *Sanctioning competition law and protection of fundamental rights* and ii) *Providing guidance to business: challenges and experiences*. The roundtable on *Sanctioning competition law and protection of fundamental rights* included presentations by Mr Tomas Suarez-Inclan Gonzalez (Secretary of the Council, National Commission for Markets and Competition, CNMC, Spain), Ms Maria de la Luz Domper (Judge, Competition Tribunal of Chile, TDLC) and by Mr Delroy Backford (Senior Legal Counsel, Fair Trading Commission, Jamaica) under the moderation of Ms Michelle Cohen (Chairwoman, Dominican Republic Competition Commission, Dominican Republic). The roundtable on *Providing guidance to business: challenges and experiences*, moderated by Mr Cristian Ruíz (General Intendent, Superintendency for the Control of Market Power, Ecuador), included presentations by Antonio Gomes (President, Portuguese Competition Authority), Javier Nuñez (Commissioner, COFECE, Mexico), Ana Carolina Carvalho (Senior Advisor, CADE, Brazil) and Juan Pablo Herrera Saavedra (Coordinator of the Economic Studies Group, Superintendency of Industry and Commerce, Colombia).

28. The discussions engaged authorities present in a peer-exchanging exercise, with agencies sharing case studies and data in a lively discussion. While the first session focused on the best solutions to confront the trade-off between the need to impose behaviour restrictions to protect competition and the will to protect fundamental rights, the second session presented successful examples of advocacy campaigns and initiatives adopted by Competition Authorities to increase the awareness of business about the benefits of competition and the consequences of non-compliance with competition law.

29. The fourth *Seminar for the Regional Competition Center for Latin America* took place in the afternoon of 25 September. The objective of the Seminar was to present the results of the survey and to discuss themes and future topics of the CRC; also to present a database of cartels in charge of the World Bank. Topics included: cartels, cartels cases and techniques to obtain evidences, multimedia tools.

ANNEX I

EVENT SUMMARY

EVENT TITLE	LATIN AMERICAN COMPETITION FORUM
PLACE	Montego Bay, Jamaica
DATES (DAY, MONTH, YEAR)	23-24 September 2015
OECD/IDB STAFF AT EVENT	Ania Thiemann (OECD), Silvia Carrieri (OECD) and Frédéric Jenny; Mario Umaña (IDB)
EXPERTS (NAMES AND COUNTRY)	Paul Dobson (UK), Brett Wendling (USA), Ana Carolina Lopes de Carvalho (Brazil), Javier Tapia (Chile), Javier Nuñez (Mexico), Mario Umaña (IBD), William E. Kovacic (USA), Mateo Silos Ribas (Spain) Vanessa Facuse (Chile), Juan Delgado (Spain), Taimoon Stewart (Trinidad & Tobago)
TOTAL NUMBER OF PARTICIPANTS	Approximately 70, including participants from Jamaica.
PARTICIPANT COUNTRIES (NUMBER FROM EACH)	Brazil (1), CARICOM (2), Chile (3), Colombia (1), Costa Rica (2), Dominican Republic (4), Ecuador (1), El Salvador (2), Guyana (2), Honduras (3), Jamaica (7) Mexico (3), Nicaragua (1), Panama (3), Paraguay (1), Peru (7), Portugal (2), Spain (3), Trinidad and Tobago (4), United States (2), Uruguay (1), OECD (3), IDB (3), UNCTAD (2), World Bank (3)

OVERALL EVALUATION OF THE 2015 LACF

OVERALL AVERAGE SCORE FOR EVENT ACROSS ALL CATEGORIES	4.5 (OUT OF 5)
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Detailed Responses to Questions (Numerical score for each category)	Average Score	Number of Responses	% in Highest Category	Number of Responses				
				Very High (5)	High (4)	Moderate (3)	Low (2)	Very Low (1)
Overall usefulness of this event	4.6	29	66%	19	9	1	0	0
The overall usefulness for your work of the topics addressed	4.6	29	69%	20	7	2	0	0
The overall quality of the presentations	4.3	29	38%	11	15	3	0	0
The overall usefulness of the Forum materials	4.6	29	59%	17	11	1	0	0
The overall quality of the facilities	4.6	29	62%	18	9	2	0	0
The overall quality of the Forum preparations prior to the event	4.2	29	41%	12	12	5	0	0

ANNEX II

**PART 1. EVALUATION OF THE THIRTEEN MEETING OF THE
LATIN AMERICAN COMPETITION FORUM ON 23-24 SEPTEMBER 2015**

Detailed Responses to Questions (Numerical score for each category)	Average Score (out of 5)	Number of Responses	% in Highest Category	Number of Responses				
				Very High 5	High 4	Moderate 3	Low 2	Very Low 1
1.1 Organisation of the meeting								
The length of the meeting was appropriate	4.3	29	41%	12	15	1	1	0
The amount of information made available to participants in advance of the meeting was satisfying	4.4	29	66%	19	6	3	0	1
The overall amount of documentation made available in connection with the meeting was appropriate	4.3	29	52%	15	9	3	2	0
The time allocated to interventions and discussion was appropriate	4.1	29	41%	12	12	3	1	1
Jamaica, supported by the OECD, organised the meeting in an effective way	4.4	29	52%	15	11	3	0	0
1.2 Individual sessions: Interest in the topic								
Structural issues in the groceries sector: mergers and regulatory issues	4.2	29	45%	13	13	1	1	1
Measuring competition advocacy's impact in Latin America and the Caribbean	4.7	29	76%	22	4	3	0	0
Competition issues in the groceries sector: Focus on conduct	4.3	27	44%	12	12	2	0	1
1.3 Individual sessions: Usefulness of the Background/Issues Papers								
Structural issues in the groceries sector: mergers and regulatory issues	4.3	29	52%	15	11	2	0	1
Measuring competition advocacy's impact in Latin America and the Caribbean	4.4	28	50%	14	12	2	0	0
Competition issues in the groceries sector: Focus on conduct	4.3	28	43%	12	15	0	0	1
1.4 Individual sessions: Usefulness of the discussion								
Structural issues in the groceries sector: mergers and regulatory issues	4.2	29	38%	11	15	2	0	1
Measuring competition advocacy's impact in Latin America and the Caribbean	4.5	29	59%	17	9	3	0	0
Competition issues in the groceries sector: Focus on conduct	4.2	28	43%	12	12	3	0	1

Detailed Responses to Questions (Numerical score for each category)	Average Score (out of 5)	Number of Responses
2.1 Future Discussion Topics		
Cartels: Estimation of harm from cartels	4.7	25
Public procurement and the role of authorities in protecting free competition	4.5	25
Ex-officio investigations-with a focus on economic evidence	4.5	24
Guidance to the private sector	4.4	24
Competition in infrastructure sectors	4.4	24
Gathering of evidence in cartel investigation	4.3	26
Interaction between Competition Authorities and Sector Regulators	4.3	24
Competition in financial sector	4.2	26
Handling of confidential information in light of the right of defence	4.2	22
How to raise competition to the mainstream of a country's economic policy?	4.2	23
Abuses or unilateral conduct in network industries	4.2	24
Intellectual property and competition	4.1	25
Evidence in court proceedings	4.1	25
Statistical methods applicable to competition law	4.1	26
International co-operation in competition law enforcement	4.0	23
Competition in the health sector	4.0	25
Cross-border mergers and practices	4.0	25
Cartels: jurisdictional challenges to enforcement	4.0	25
Evaluation of the actions and resources of competition authorities	3.9	25
Use of collusion as a means to balance market power, or to exit price wars	3.9	24
Sanctions, remedies in abuse/monopolisation cases	3.9	23
Analysis of the subsidiary role of the state and how it affects (or not) competition	3.9	23
Legal exceptions in competition	3.9	25
Merger analysis, methodology and use of merger indicators	3.8	24
Efficiency analysis in vertical agreements and abuses	3.8	24
State Owned Enterprises	3.8	24
Exclusive rights	3.7	23
Independence of Competition Authorities	3.5	23
Competition policy and environmental protection/green energy	3.3	23
Failing Firm Defence in Merger Reviews	3.2	23

**PART 2. SUGGESTIONS FOR FUTURE WORK
OF THE LATIN AMERICAN COMPETITION FORUM**

[In bold, topics having score above 4]

Detailed Responses to Questions (Numerical score for each category)	Average Score (out of 5)	Number of Responses
2.1 Future Discussion Topics		
Cartels: Estimation of harm from cartels	4.6	14
How to raise competition to the mainstream of a country's economic policy?	4.6	15
Competition in financial sector	4.6	14
Sanctions, remedies in abuse/monopolisation cases	4.5	15
Abuses or unilateral conduct in network industries	4.5	15
Efficiency analysis in vertical agreements and abuses	4.4	14
Use of collusion as a means to balance market power, or to exit price wars	4.4	14
Competition in the health sector	4.4	14
Public procurement and the role of authorities in protecting free competition	4.3	15
Evaluation of the actions and resources of competition authorities	4.3	14
Gathering of evidence in cartel investigation	4.3	14
Interaction between Competition Authorities and Sector Regulators	4.3	15
Evidence in court proceedings	4.2	15
Guidance to the private sector	4.1	14
Exclusive rights	4.1	14
Statistical methods applicable to competition law	4.1	14
Legal exceptions in competition	4.1	14
Ex-officio investigations-with a focus on economic evidence	4.1	15
Merger analysis, methodology and use of merger indicators	4.1	15
Competition in infrastructure sectors	4.1	15
Handling of confidential information in light of the right of defence	4.1	14
Intellectual property and competition	4.1	14
Analysis of the subsidiary role of the state and how it affects (or not) competition	4.1	15
Cartels: jurisdictional challenges to enforcement	4.0	14
State Owned Enterprises	3.9	14
Failing Firm Defence in Merger Reviews	3.9	15
International co-operation in competition law enforcement	3.9	14
Independence of Competition Authorities	3.8	15
Cross-border mergers and practices	3.7	14
Competition policy and environmental protection/green energy	3.7	14

2.2 List of additional topics raised by participants:

- Cartels:
 - cartels detection / prevention / damages in cartels / regulatory cartels
 - The use of screens/screening in cartels
 - Quantification of damages by international cartels to subsidiaries on behalf of economic groups
 - Digital evidence as instruments for detecting cartels
 - Leniency Programmes
 - Public procurement
 - Issues faced when there is interaction with other commission in a country
- Information / evidence / communication:*
 - The use of forensic evidence
 - Handling communications as evidence
 - Exchange of sensitive information
 - Confidentiality of information obtained immunity program
 - Treatment of confidential information
 - Mobile forensic investigations
 - Data storage (Cloud) in forensic investigations
- Peer reviews
- Market definition in triple and quadruple play
- Ex-post evaluation of CA's enforcement decisions
- Advocacy:
 - Market studies as efficient tools for competition advocacy
 - Providing guidance to business advocacy
 - Advocacy (“never enough”)
 - Regulation and competition
- Abuse of dominance:
 - How to assess abuse of dominance
 - Collusive practices and abuse of dominant position trans-border
 - Quantifying technique for the abuse of dominance
 - Preliminary analysis of concentrations
- Disruptive technologies
 - Digital economy: dialectics between regulation and competition
- Trans/cross-borders mergers:
 - How to handle cross-border in competition cases
 - Collaborative economy themes in trans-borders mergers
 - Mergers in telecoms (cross-border mergers)
 - Trans-border aspects of anti-competitive practices

- Institutional Design
 - Focus on new & emerging authorities - best practices
 - Government relations with the Competition Authority
 - Professionalisation of competition authorities and revolving door
 - Institutional design: merging of functions of competition authority & sector regulators
 - Planning of work of agencies
- Platforms:
 - Competition among two-sided platforms
 - Two side markets / platform and financial sector
- Economy / Finance:
 - Collaborative economy
 - Informal economy and competition
 - Competition and development
 - Social economy
 - Sharing economy
 - Responsibilities notices to subsidiaries on behalf of economic groups
 - Financial sector
- Predatory pricing in airline industry
- Informal sector
- Interface with consumer protection
- Damage impact with consumer conduct
- Football rules and competition
- Distribution of Medicine / Pharma products
- Request for Capacity building:
 - Training of authorities / Training of judges / training of technical staff