ICN Cartel Workshop
2016 · Madrid, SPAIN

Novotel Madrid Center
3 - 5 October, 2016

Enhancing Cartel Enforcement

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**Sunday, 2 October**

17.00 - 20.00h **Registration** Novotel Madrid Center (Calle O'Donnell, 53)

19.30 - 21.30h **Welcome Reception** CNMC Headquarters (Calle Alcalá, 47)
Shuttle bus will leave from Hotel Novotel to CNMC at 19:00h.
PASSPORT / EU ID CARD WILL BE REQUIRED

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**Monday, 3 October**

08.00 - 09:25h **Registration** Novotel Madrid Center

09.30 - 10.00h **Opening Session** [Convención Ballroom I, II & III]
Speakers:
- **Dr. José María Marín Quemada.** President. National Authority for Markets and Competition, Spain
- **ICN Cartel Working Group Subgroup 2 Co-Chairs:**
  - **Mr. Marcus Bezzi.** Executive General Manager, Competition. Enforcement. Australian Competition and Consumer Commission
  - **Dr. Vladimir Kachalin.** Assistant/Advisor to the Head of the Federal. Anti-Monopoly. Service of Russia

10.00 - 10.25h **Coffee/Tea Break** [Hall]
10.30 - 12.00h **Plenary I: Investigative strategies and techniques**
*Convención Ballroom I, II & III*

**Moderator:** Mr. Eduardo Prieto Kessler. Competition Director. National Authority for Markets and Competition, Spain

**Panellists:**
- Mr. Marcus Bezzi. Executive General Manager, Competition. Enforcement. Australian Competition and Consumer Commission
- Ms. María Luisa Tierno Centella. Deputy Head of Unit G2, Cartels. Directorate-General for Competition, European Commission
- Mr. Hiroshi Yamada. Deputy Secretary General for International Affairs. Japan Fair Trade Commission
- Mr. Ragunath Kesavan. Commission Member. Malaysian Competition Commission

12.00 - 13.25h **Lunch** [Restaurant Lima]

13.30 - 15.00h **Simultaneous Mini Plenary Sessions**

**Mini Plenary 1: Achieving an efficient and effective leniency programme**
*Convención Ballroom II*

**Moderator:** Ms. Isabel López Gálvez. Head of Cartels and Leniency Unit. National Authority for Markets and Competition, Spain

**Panellists:**
- Mr. Subrata Bhattacharjee. Partner. Borden Ladner Gervais LLP, Canada
- Mr. Gorka Navea Gomez. Deputy Head of Unit, Cartels. Directorate-General for Competition, European Commission
- Ms. Stephanie Panayi. Deputy Director, Legal and Enforcement. Competition Commission of Singapore

**Mini Plenary 2: Formal tools for detection of cartels, including the use of dawn raids, statutory powers, and covert investigation techniques**
*(AGENCY ONLY SESSION)*

**Moderator:** Ms. Eva Pelayo. Head of Services Unit, Competition Directorate. National Authority for Markets and Competition, Spain

**Panellists:**
- Ms. Beatrix Krauskopf. Team Leader Dawn Raids. Austrian Competition Authority
- Ms. Hila Cohen. Lawyer. Israel Antitrust Authority
- Mr. Francisco R. Téllez. General Director of the Anti-Cartel Division. Federal Economic Competition Commission of Mexico
- Ms. Jane Lin. Director Enforcement. Australian Competition and Consumer Commission
Mini Plenary 3: *Tools to fight bid-rigging cartels: public procurement screening and training programmes* [*Convención Ballroom I*]

**Moderator:** Mr. John Kirkpatrick. Senior Director Advocacy. United Kingdom Competition and Markets Authority

**Panellists:**
- Mr. Philip Monaghan. Executive Director (General Counsel). Competition Commission Hong Kong
- Mr. Renato Ferrandi. Senior Officer, International Affairs. Italian Competition Authority
- Mr. Yonghun Lim. Deputy Director, Bid-Rigging Investigation Division. Korea Fair Trade Commission.
- Ms. Dina Lurje. Council Member. Competition Council of the Republic of Lithuania

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15.00 - 15.25h **Coffee/Tea Break** [*Hall*]

15.30 - 17.00h **Simultaneous Breakout Sessions**

**Breakout Session 1:** Leniency, leniency Plus and penalty Plus: recent experiences and lessons learned to create incentives for the complete “cleaning” of a company
[*Paris Meeting Room*]

Discussion leaders:
- Ms. Amanda Ath de Linhares Martins. Chief of Staff. Administrative Council for Economic Defense, Brazil
- Ms. Anne Krenzer. Leniency Officer. Autorité de la concurrence, France
- Mr. Gian Luca Zampa. Partner. Freshfields Bruckhaus Deringer LLP, Italy
- Ms. Songrim Koo. Senior Deputy Director. International Cartel Division, Korea Fair Trade Commission
- Ms. Kalina Tulley. Assistant Chief, Chicago Office. United States Department of Justice

**Breakout Session 2:** Cartel leads/informants: experiences, challenges and difficulties (including challenges in obtaining reliable evidence) *(AGENCY ONLY SESSION)* [*Oslo Meeting Room*]

Discussion leaders:
- Ms. Frederike Finke. International Competition Matters. Bundeskartellamt, Germany
- Mr. Ádám Remetei-Filep. International Section. Hungarian Competition Authority
- Mr. Stijn van den Broek. Head of Detection Unit. The Netherlands Authority for Consumers and Markets
- Mr. Khotso Modise. Cartels Principal Investigator. Competition Commission of South Africa
- Ms. Emma Burnham. Trial Attorney, Washington Criminal I Section. United States Department of Justice
Breakout Session 3: Challenges related to evidence gathering after dawn raids and other formal investigation tools.

[Madrid & Viena Meeting Rooms]

Discussion leaders:

- **Ms. Jane Lin.** Director Enforcement NSW and Serious Cartels. Australian Competition and Consumer Commission.
- **Mr. Gideon Mokaya.** Manager, Enforcement and Compliance. Competition Authority of Kenya
- **Mr. Pedro Bom.** General Director of Investigation. Portuguese Competition Authority.
- **Mr. Mfundo Ngobese.** Cartels Division Principal. Competition Commission of South Africa
- **Mr. Peter Alstergren.** Senior Advisor, Cartels and Mergers Unit. Swedish Competition Authority

Breakout Session 4: The use of indirect evidence in cartel cases, including in leniency cases: how to make stronger cases.

[Caracas, La Paz & Bahía Meeting Rooms]

Discussion leaders:

- **Mr. Jindrich Kloub.** Case Handler, Cartels Division. Directorate-General for Competition, European Commission
- **Ms. Laura A. Méndez.** Deputy General Director. Federal Economic Competition Commission of Mexico
- **Ms. Hsuan Hung.** Section Chief. Fair Trade Commission, Taiwan
- **Ms. Li-Ya Wu.** Officer. Fair Trade Commission, Taiwan
- **Mr. Tai S. Milder.** Trial Attorney, Antitrust Division. United States Department of Justice

Breakout Session 5: Making a leniency application: triggering factors and strategy (NGA Panel). [Londres Meeting Room]

Discussion leaders:

- **Mr. Luke Woodward.** Partner. Gilbert + Tobin, Australia
- **Mr. Marc Hansen.** Partner. Latham & Watkins, Belgium
- **Mr. José Alexandre Buaiz Neto.** Partner. Pinheiro Neto Advogados, Brazil
- **Mr. Felipe Serrano Pinilla.** Former Head Antitrust Advisor and Deputy Superintendent. Superintendencia de Industria y Comercio, Colombia
- **Mr. Yoshihiro Sakano.** Attorney-at-Law. City-Yuwa Partners, Japan

20.30 - 23.00h **Cocktail AEDC, Club Financiero Génova (Calle Marqués de la Ensenada, 14-16 Madrid)**
Tuesday, 4 October

09.30 - 10.30h  **Plenary II: Public and private enforcement - challenges**  
(Convención Ballroom I, II & III)  
Moderator:  **Mr. Antonio Capobianco.** Senior Competition Expert. Organisation for Economic Co-operation and Development  
Panellists:  **Mr. David Viros.** Chief of Staff. Autorité de la concurrence, France  
**Mr. Jeremy J. Caslyn.** Partner. Cleary Gottlieb Steen & Hamilton LLP, United States  
**Dr. Katharina Krauß.** Head of Special Unit for Combating Cartels. Bundeskartellamt, Germany  
**Mrs. Maria João Melicias.** Member of the Board. Portuguese Competition Authority  

10.30 - 10.55h  **Coffee/Tea Break**  
(Hall)

11.00 - 12.30h  **Simultaneous “Mini” Plenary Sessions**  
**Mini Plenary 4: Public enforcement - settlement.**  
(Convención Ballroom III)  
Moderator:  **Mr. Justin Oliver.** Partner. Minter Ellison, Australia  
Panellists:  **Mr. Eric Van Ginderachter.** Director, Cartels. Directorate-General for Competition, European Commission.  
**Mr. Pedro Bom.** General Director of Investigation. Portuguese Competition Authority  
**Mr. Joaquín Hortalá.** Head of Legal Department. National Authority for Markets and Competition, Spain  
**Mr. Kristian Hugmark.** Partner. Roschier, Sweden
Moderator: Mr. Michael Corrigan. Partner. Clayton Utz, Australia
Panellists: Mr. Marcus Bezzi. Executive General Manager, Competition Enforcement. Australian Competition and Consumer Commission
Ms. Amanda Athay de Linhares Martins. Chief of Staff. Administrative Council for Economic Defense, Brazil
Mr. Antonio Capobianco. Senior Competition Expert. Organisation for Economic Co-operation and Development
Mr. Christopher M. Ries. Global Antitrust and Indirect Sales Counsel. Hewlett-Packard Enterprise, United States

[Convención Ballroom II]
Moderator: Dr. Vladimir Kachalin. Assistant/Advisor to the Head. Federal Anti-Monopoly Service of Russia.
Panellists: Mr. Yoshihiro Sakano. Attorney-At-Law. City-Yuwa Partners, Japan
Ms. Anke Prompers. Head of Litigation. The Netherlands Authority for Consumers and Markets
Ms. Evelyne Ameye. Founding Partner. Evelyne Ameye Legal Services, Turkey
Ms. Sarretta McDonough. Of Counsel. Gibson Dunn & Crutcher LLP, United States

12.30 - 13.55h Lunch Break [Restaurant Lima]

14.00 - 15.35h Simultaneous Breakout Sessions

Breakout Session 6: Building an investigation unit (AGENCY ONLY SESSION) [Viena & Madrid Meeting Rooms]
Discussion leaders:
Mr. Andrew D. Smyth. Competition Law Officer. Competition Bureau, Canada.
Mr. Jens Larsen Underbjerg. Deputy Head of Division. Danish Competition and Consumer Authority.
Mr. Tim Lear. Executive Director Operations. Competition Commission Hong Kong.
Mr. Michiel Denkers. Director of Competition. The Netherlands Authority for Consumers and Markets
Mr. Grant Chamberlain. Team Leader, Cartel Investigations. New Zealand Commerce Commission
Ms. Carmen Cerdá. Deputy Head of Unit, Competition Directorate. National Authority for Markets and Competition, Spain
Breakout Session 7: Achieving procedural fairness/due process in cartel investigations whilst maintaining efficiency and effectiveness
[Caracas, La Paz & Bahía Meeting Rooms]
Discussion leaders:

**Ms. Sofia Vasileiou.** Case Handler, Antitrust/Cartels. Directorate-General for Competition, European Commission.

**Ms. Anne-Sophie Delhaise.** Advisor for European Affairs. Autorité de la concurrence, France

**Mr. Atsushi Yamada.** Partner. Anderson Mori &Tomotsune, Japan

**Ms. Pia Ödqvist.** Senior Case Officer. Swedish Competition Authority

**Mr. Yüksel Kaya.** Advisor. ENRE, Energy, Competition and Regulation Consultancy, Turkey

Breakout Session 8: Retos y problemas procedimentales en la realización de las inspecciones (en castellano) (SÓLO AGENCIAS) [Session in Spanish - Dawn raids: procedural challenges (agency only Session)] [París Meeting Room]
Discussion leaders:

**Mr. Felipe García Pineda.** Head Advisor to the Superintendent. Superintendencia de Industria y Comercio, Colombia.

**Mrs. Geraldina Leiva Montoya.** Lawyer. Anticompetitive Practices, El Salvador Competition Superintendence.

**Mr. Alberto Ramos Diego.** Director, Cartel Division. Federal Economic Competition Commission of Mexico.

**Mr. Jordi Fornells.** Head of Unit, Competition Directorate. National Authority for Markets and Competition, Spain

Breakout Session 9: Relationships between agencies and their prosecutors (AGENCY ONLY SESSION)
[Londres Meeting Room]
Discussion leaders:

**Mr. Marcus Bezzi.** Executive General Manager, Competition Enforcement. Australian Competition and Consumer Commission

**Mr. Jim Marshall.** Deputy Chief Federal Prosecutor. Public Prosecution Service of Canada

**Mr. Leo Farmer.** Legal Counsel. New Zealand Commerce Commission.

**Ms. Maureen Banda.** Director Legal and Corporate Affairs. Competition and Consumer Protection Commission, Zambia
Breakout Session 10: International coordination to increase the efficiency of multijurisdiction cartel investigations [Oslo Meeting Room]

Discussion leaders:

Ms. Anne Krenzer. Leniency Officer.
Autorité de la concurrence, France.

Mr. Hiroshi Nakazato. Director, Planning Office, Investigation Bureau.
Japan Fair Trade Commission

Mr. Antonio Capobianco. Senior Competition Expert.
Organisation for Economic Co-operation and Development

Ms. Cindy Chang. Senior Assistant Director (Legal & Enforcement).
Competition Commission of Singapore

Mr. Mehluli Nxumalo. Cartels Investigator.
Competition Commission of South Africa

15.30 - 15.55h   **Coffee/Tea Break** [Hall]

16.00 - 17.30h   **Plenary III: Sanctions and tools for deterrence** [Convención Ballroom I,II & III]

Moderator:   Ms. María Ortiz. Member of the Council.
National Authority for Markets and Competition, Spain

Panellists:   Mr. Diogo Thomson de Andrade. Deputy Superintendent.
Administative Council for Economic Defense, Brazil

Mr. Carlos Mena-Labarthe. Chief Prosecutor.
Federal Economic Competition Commission of Mexico

Mr. Chris Fonteijn. Chairman of the Board.
The Netherlands Authority for Consumers and Markets

Mr. Makgale Mohlala. Cartels Division Manager.
Competition Commission of South Africa

Mr. Marvin Price. Director of Criminal Enforcement.
United States Department of Justice

20.30 - 23.00h   **Social Event/Dinner – El Prado Museum**

[Entrance gate: Los Jerónimos (Calle Ruiz de Alarcón, 23)]

Shuttle bus will leave from Hotel Novotel to Prado Museum at 20:00
09.30 - 11.00h Simultaneous Mini Plenary Sessions

Mini Plenary 7: Sanctions, remedies and damage redress. [Convención Ballroom III]
Moderator: Ms. Monique Van Oers. Director, Legal Affairs. The Netherlands Authority for Consumers and Markets
Panellists: Ms. Anne-Sophie Delhaise. Advisor for European Affairs. Autorité de la concurrence, France
Mr. Luis García Santos Coy. Partner. Creel, García-Cuéllar, Aiza y Enriquez, Mexico
Ms. Stephanie Panayi. Deputy Director. Legal and Enforcement Competition Commission of Singapore

Mini Plenary 8: The intersection between cartel enforcement and the fight against corruption. [Convención Ballroom I]
Moderator: Mr. Stéphane Hould. Deputy Commissioner Cartels Directorate. Competition Bureau, Canada.
Panellists: Ms. Hila Cohen. Lawyer. Israel Antitrust Authority
Mr. Carlos Mena-Labarthe. Chief Prosecutor. Federal Economic Competition Commission of Mexico
Mr. Makgale Mohlala. Cartels Division Manager. Competition Commission of South Africa
Mr. Devon Mahoney. Supervisory Special Agent. United States Federal Bureau of Investigation

Mini Plenary 9: Fine setting: considerations and methodologies. [Convención Ballroom II]
Moderator: Mr. Ross Zaurrini. Partner. Ashurst, Australia
Panellists: Mr. Daniel Andreoli. Partner. TozziniFreire Advogados, Brazil
Mr. Gerald Miersch. Head of Unit, Cartels. Directorate-General for Competition, European Commission
Mr. Takujiro Kono. Senior Investigator. Japan Fair Trade Commission
Mr. Terence Minishi. Analyst, Enforcement and Compliance. Competition Authority of Kenya
Mr. Baçak Tekcam. Agency Enforcer. Turkish Competition Authority

11.00 - 11.25h Coffee/Tea Break [Hall]
Simultaneous Breakout Sessions

Breakout Session 12: Compliance activities and priorities, including promoting compliance to prevent collusion.
[Caracas, La Paz & Bahía Meeting Rooms]
Discussion leaders:

- **Mr. Caio Mário da Silva Pereira Neto.** Partner. Pereira Neto, MacedoAdvogados and FGV Law School, Brazil
- **Mr. Kohei Yamamoto.** Deputy Director, Investigation Bureau. Japan Fair Trade Commission
- **Dr. Luis Ortiz Blanco.** Partner. Garrigues, Spain
- **Ms. Lucília Falsarella-Pereira.** Assistant Director, Cartel Enforcement. United Kingdom Competition and Markets Authority

Breakout Session 13: Innovative remedies [Madrid & Viena Meeting Rooms]
Discussion leaders:

- **Mr. Michael Corrigan.** Partner. Clayton Utz, Australia
- **Ms. Sharon Burnett.** Competition Law Officer, Cartels Directorate. Competition Bureau, Canada
- **Mr. Iker Arriola.** Partner. White & Case LLP, Mexico
- **Mr. Michiel Denkers.** Director of Competition. The Netherlands Authority for Consumers and Markets.
- **Mr. Sergio Sinova.** Deputy Head of Unit, Competition Directorate. National Authority for Markets and Competition, Spain

Breakout Session 14: Procedimiento y criterios para la fijación de las multas (en castellano) [Session in Spanish – Fine setting: criteria for calculation] [Londres Meeting Room]
Discussion leaders:

- **Mr. Felipe García.** Head Advisor to the Superintendent. Superintendencia de Industria y Comercio, Colombia.
- **Mr. Alberto Ramos Diego.** Director, Cartel Division. Federal Economic Competition Commission of Mexico
- **Mr. Diego Castro-Villacañas.** Deputy Head of the Legal Service. National Authority for Markets and Competition, Spain
Breakout Session 15: Criminalisation of antitrust infringements in administrative jurisdictions: Yes or No? When and How?

[París Meeting Room]

Discussion leaders:

Mr. David Viros. Chief of Staff to the President. Autorité de la concurrence, France.

Mr. Gian Luca Zampa. Partner. Freshfields Bruckhaus Deringer LLP, Italy

Ms. Laura A. Méndez. Deputy Director General, Cartel Division. Federal Economic Competition Commission of Mexico


Mr. Stephen Blake. Senior Director, Cartels and Criminal. United Kingdom Competition and Markets Authority

13.15 - 13.45h  Closing Remarks and Completion of Feedback Forms

[Convención Ballroom I, II & III]

Speakers:

Mr. Eduardo Prieto Kessler. Competition Director. Spanish National Authority for Markets and Competition

ICN Cartel Working Group Subgroup 2 Co-Chairs:

Mr. Marcus Bezzi. Executive General Manager, Competition Enforcement. Australian Competition and Consumer Commission

Dr. Vladimir Kachalin. Assistant/Advisor to the Head of the Federal Anti-Monopoly. Service of Russia

13.45 - 15.00h  Lunch [Restaurant Lima]

15.00h  Workshop concludes
Enhancing Cartel Enforcement