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27 September 2021

DIRECTORATE FOR FINANCIAL AND ENTERPRISE AFFAIRS
COMPETITION COMMITTEE

Cancels & replaces the same document of 10 September 2021

Agenda: LATIN AMERICAN AND CARIBBEAN COMPETITION FORUM

20-22 September 2021 16h30
Paris, France

The attached document contains the agenda of the eighteen meeting of the Latin American and Caribbean Competition Forum on 20-22 September 2021, virtually via Zoom.

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

Ms. Lynn Robertson, Competition Expert - Lynn.Robertson@oecd.org.

JT03481578

Nineteenth Annual Meeting of the Latin American and Caribbean Competition Forum 20 – 22 September 2021 – virtual Zoom meeting

Agenda Chairman: Frédéric Jenny

For all materials and documentation, please see: oe.cd/lacsf
For the 2021 Forum page, please visit: www.oecd.org/competition/latinamerica/2021forum/

Monday 20 September 2021

16.30-16.50 CEST

Item 1. Opening Session

Opening remarks:

- Frédéric Jenny, Chairman, OECD Competition Committee, Latin American and Caribbean Competition Forum
- Mario Umaña, Lead Trade and Competition Specialist, Integration and Trade Sector, IDB

Item 2. Session I – Compliance Programmes in Antitrust Enforcement

16.50-19.30 CEST

Compliance programmes can complement public enforcement activity, ideally by preventing competition law violations in the first place. Many competition agencies have implemented changes in their enforcement and sanctioning policies regarding competition compliance programmes. Furthermore, we have also seen the rise of interesting advocacy initiatives to promote compliance. This session will explore the main characteristics for effective compliance programmes, as developed in case practice and guidance, through presentations by agencies of the region.

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

Presentation by Lynn Robertson, Competition Expert, Competition Division, OECD

Speakers:

- Anne Riley, Independent Ethics and Compliance Consultant, BIAC
- Agency cases studies: Brazil, Canada, Colombia, Ecuador, Mexico, Peru, Spain, United States

General Discussion and Final Comments

Documentation:

Hearing letter: DAF/COMP/LACF(2021)3

Background paper by the OECD Secretariat: DAF/COMP/WP3(2021)1

Contributions from:

Brazil - DAF/COMP/LACF(2021)16

Ecuador - DAF/COMP/LACF(2021)13

Mexico - DAF/COMP/LACF(2021)17

Spain - DAF/COMP/LACF(2021)6

United States - DAF/COMP/LACF(2021)19

See also the contributions from the OECD Competition Committee's Working Party No. 3 held on 8 June 2021 on "Competition compliance programmes" ([oe.cd/ccp](https://www.oecd.org/ccp/)):

Brazil - DAF/COMP/WP3/WD(2021)18

Canada - DAF/COMP/WP3/WD(2021)15

Colombia - DAF/COMP/WP3/WD(2021)7

Peru - DAF/COMP/WP3/WD(2021)22

Tuesday 21 September 2021

17.00-19.30 CEST

Item 3. Session II – Efficiency Analysis in Vertical Restraints

Vertical restraints are agreements and contractual provisions between vertically related firms that may restrict the conditions under which these firms do business with each other. Vertical agreements which simply determine the price and quantity for a specific sale and purchase transaction do not normally restrict competition. However, a restriction of competition may occur if the agreement contains certain types of restraints on the supplier or the buyer. Examples of such vertical restraints are an obligation on the buyer to charge customers a certain price for the supplier's product (i.e. resale price maintenance); a restriction on the buyer not to purchase competing brands (i.e. non-compete obligation); or an obligation on the supplier to only supply a particular buyer (i.e. exclusive distribution).

It is well established in the economic literature that vertical agreements are generally less harmful than horizontal agreements and may provide substantial scope for efficiencies. The appropriate treatment of vertical restraints under competition law has therefore been widely debated in recent years, in particular due to the rapidly increasing e-commerce and digital economy. This session will firstly provide an overview of different vertical restraints as well as discuss their potential justifications and anti-competitive effects. Following this overview, the discussion will focus on the role that potential efficiencies can play, what are relevant factors to consider for the assessment and some procedural issues.

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

Presentation by Wouter Meester, Competition Expert, Competition Division, OECD

Speakers:

- **Priscila Brolio Gonçalves**, Owner, Brolio Gonçalves Advogados
- **Javier Coronado**, Chief Economist, Garrigues

General Discussion and Final Comments

Documentation:

Call for country contributions: DAF/COMP/LACF(2021)1

Background paper by the OECD Secretariat: DAF/COMP/LACF(2021)4

Contributions from:

Brazil - DAF/COMP/LACF(2021)23

Colombia - DAF/COMP/LACF(2021)11

Honduras - DAF/COMP/LACF(2021)9

Mexico - DAF/COMP/LACF(2021)12

Panama - DAF/COMP/LACF(2021)7

Wednesday 22 September 2021

17.00-19.30 CEST

Item 4. Session III – Competition and payment card interchange fees

Card payment systems are complex and dynamic, and mostly regarded as two-sided markets. There is consensus in literature as to the fundamental elements of the structure of said markets: firstly, the existence of two groups of economic agents, the merchants and cardholders, requiring services from a platform with interdependent demands; secondly, the resulting network externalities from this interdependence; thirdly, the Non-Neutrality present in the price structure, and finally, the role of platforms within the market scheme.

Some of the difficulties that arise in these types of markets are associated with the assessment of the social efficiencies that are generated by the price structure of payment platforms and how to define interchange fees and charges and the potential antitrust issues that may arise, among others. The goal of the session is to dive into a series of key questions on the topic and to explore how enforcement and regulatory efforts have evolved recently.

Session Chair: Juan Pablo Herrera Saavedra, Deputy Superintendent, Superintendency of Industry and Commerce (SIC)

Presentation by María Manuela Palacios, Lawyer, Superintendence of Industry and Commerce (SIC)

Speakers:

- **Esteban Greco**, Antitrust, Competition Policy and Regulation Economist Director, Global Economics Group
- **Beatriz Yemail**, Director, Global Economics Group
- **Rosa M. Abrantes-Metz**, Practice Co-Leader, Global Antitrust & Competition, Brattle

General Discussion and Final Comments

Documentation:

Call for country contributions: DAF/COMP/LACF(2021)2

Background paper by the SIC Secretariat: DAF/COMP/LACF(2021)5

Contributions from:

Brazil - DAF/COMP/LACF(2021)22

Costa Rica - DAF/COMP/LACF(2021)8

Chile (FNE) - DAF/COMP/LACF(2021)10

Chile (TDLC) - DAF/COMP/LACF(2021)15

Mexico - DAF/COMP/LACF(2021)18

Peru - DAF/COMP/LACF(2021)14

** Meetings of the week:*

20-21-22 September: Latin American and Caribbean Competition Forum

27 September (15.30-16.30 CEST): Meeting of the Latin American Regional Centre for Competition

27 September (17.00-19.30 CEST): Ibero-American Forum on Competition