



**Asia-Pacific
Economic Cooperation**

2012/SOM1/CPLG/029

Agenda Item: 9

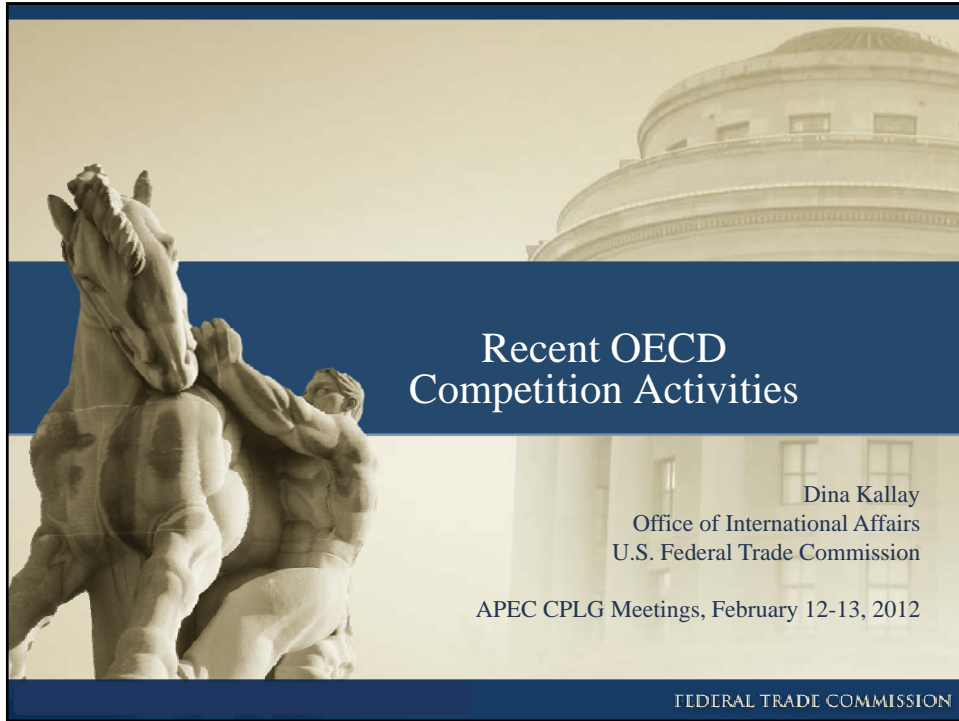
Recent OECD Competition Activities

Purpose: Information

Submitted by: United States



**Competition Policy and Law Group Meeting
Moscow, Russia
12-13 February 2012**



Recent OECD
Competition Activities

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APEC CPLG Meetings, February 12-13, 2012

FEDERAL TRADE COMMISSION

Waiver

I do not speak for the OECD but, rather, only as a delegate who attended OECD meetings.

Any views I express are my own and not those of the Federal Trade Commission.

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June 2011 Roundtable Topics

- Impact Evaluation of Merger Decisions (Competition Committee)
- Promoting Compliance with Competition Law (Competition Committee)
- Remedies in Merger Cases (Working Party No. 3 on Cooperation and Enforcement)
- Competition Concerns in Ports and Port Services (Working Party No. 2 on Competition and Regulation)

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June 2011 Agenda Items (cont'd)

- A Hearing on Network Neutrality
- A Roundtable on Remedies in Merger Cases (Working Party No. 3 on Cooperation and Enforcement)
 - The U.S. DOJ unveiled its new merger remedy guidelines
- A Discussion on *De Minimis* Rules in Competition Cases

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October 2011 Roundtable Topics

- Excessive Prices (Working Party No. 2 on Competition and Regulation)
- Relationship between Competition Authorities and Courts and Update on Developments in Procedural Fairness and Transparency (Working Party No. 3 on Cooperation and Enforcement)
 - The European Commission unveiled its new procedural package

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October 2011 Agenda Items (cont'd)

- A Digital Economy Hearing
 - Access and interoperability issues relating to proprietary software
 - Supplier-imposed restraints on e-commerce
 - The importance of network effects in the digital economy
 - The competitive implications of open source versus closed platforms for mobile applications developers
- A Discussion on Competition Publicly Provided Services
 - Rationale for government intervention
 - Problems unique to publicly provided services
- A discussion on Mergers in Markets with Systemic Effects

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Pursuing Two Long Term Themes

In October 2011, the Competition Committee agreed to develop a long term planning approach, and pursue two themes under it:

1. International Cooperation; and
2. Evaluation of Competition Regimes

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February 2012 Roundtable Topics

- **Competition in Hospital Services**
 - Conditions for and repercussions of price and quality competition in the hospital services sector
 - What could be appropriate institutional frameworks and policy reforms for economies to introduce to allow more worthwhile competition in hospital services?
- **Unilateral Disclosure of Information**
 - Identifying criteria that can help agencies distinguish anticompetitive unilateral announcements from legitimate business practices
 - Exploring whether there are legal impediments to pursuing purely unilateral conduct which has anticompetitive effects

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February 2012 Meeting (cont'd)

- A report on the implementation on the 2005 OECD Merger Recommendation
 - A questionnaire was circulated to identify developments during the 7 years since the recommendation was adopted
- Digital Economy Hearing (cont'd)
- Continued thinking on the long term strategic themes (cooperation and impact evaluation)

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February 2012: Global Forum on Competition

- The Global Forum of Competition (GFC) this year will be attended by delegates from 92 economies and 16 non-governmental organizations

GFC Roundtable Topics

- Competition and Commodity Price Volatility
- International Cooperation in Cartel Investigations

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