

OECD/KPC Competition Law Workshop for Asia-Pacific Judges: Relevant markets and significant lessening of competition test

CO-SPONSORED BY GIZ and in coordination with ASEAN Secretariat

 Manila, Philippines  5-7 April 2017

This Workshop provided judges with an opportunity to explore in greater depth the economic principles underlying competition cases, the methods used by economists, and their application in cases before the courts. It focused in particular on the economics of abuse of dominance cases and mergers.

The goal of the Workshop was to make judges more familiar with economic concepts, to be more confident when presented with economic based arguments. The panel of speakers included judges to address the judicial perspective on economic evidence as well as economists with experience in competition authorities and academia and with ample familiarity with presenting economic evidence to courts.

Agenda

Wednesday 5 April

OPENING SESSION 09:00 – 09:45	OPENING REMARKS Mr. Soohyun Yoon Director General, OECD/KPC Competition Programme INTRODUCTION TO THE OECD-KOREA POLICY CENTRE PR Video Participants briefly introduce themselves and their agency to the group
09:45 – 10:30	COMPETITION LAW IN CONTEXT Mr. Ruben Maximiano (Senior Competition Expert, OECD)
10:30 – 10:45	COFFEE BREAK
10:45 – 12:15	THE ROLE FOR MARKET DEFINITION IN COMPETITION CASES <i>Some economic principles and tools</i> Ms. Rhonda Smith (Professor, Melbourne Law School, Australia)
12:15 – 13:45	GROUP PHOTO AND LUNCH
13.45 – 14.45	SOME CASE EXAMPLES OF MARKET DEFINITION IN COMPETITION CASES Mr. Miguel de la Mano (Executive Vice President, Compass Lexecon)

14:45 – 15:00	COFFEE BREAK
15:00 – 16:15	THE ECONOMICS OF MARKET POWER AND DOMINANCE Ms. Rhonda Smith (Professor, Melbourne Law School, Australia)
16:15 – 17:15	SOME CASE EXAMPLES OF FINDING SUBSTANTIAL MARKET POWER Mr. Miguel de la Mano (Executive Vice President, Compass Lexecon)
18:00	DINNER

Thursday 6 April

9:00 – 10:30	HYPOTHETICAL CASE SESSION I <i>Market definition and market power</i>
10:30 – 10:45	COFFEE BREAK
10:45 – 11:45	THE ECONOMICS OF MERGER CONTROL Mr. Miguel de la Mano
11:45 – 12:45	USING ECONOMICS IN COURTS : THE JUDICIAL PERSPECTIVE FROM THE EU <i>Procedures and principles</i> Mr. Vivien Terrien (General Court, EU)
12:45 – 14:00	LUNCH
14:00 – 15:00	USING ECONOMICS IN COURTS : THE JUDICIAL PERSPECTIVE FROM THE EU <i>Case examples</i> Mr. Vivien Terrien (General Court, EU)
15:00 – 15:15	COFFEE BREAK
15:00 – 16:00	USING ECONOMICS IN COURTS : THE JUDICIAL PERSPECTIVE FROM AUSTRALIA <i>Procedures and principles</i> Justice A Robertson (Federal Court of Australia)
16:00 – 17:00	KOREAN CASES USING ECONOMIC EVIDENCE – A JUDICIAL PERSPECTIVE Mr. Donghwan Shon, (Presiding judge, Uiejongbu District Court, Goyang Branch Court)

Friday 7 April

9:00 – 10:00	USING ECONOMICS IN COURTS : THE JUDICIAL PERSPECTIVE FROM THE AUSTRALIA <i>Case examples</i> Justice A Robertson (Federal Court of Australia)
10:00 – 10:15	COFFEE BREAK
10:15 – 11:45	HYPOTHETICAL CASE SESSION II <i>A merger case</i>
11.45 – 12:45	HOW JUDGES LEARN <i>Experiences from Australia, EU, OECD and participating countries</i>
12:45 – 13:00	CLOSING CEREMONY