

ICC GLOBAL COMPETITION COMMISSION

Annual ICC/DG COMP meeting

12 December 2022, 15h - 16h30 CET

To be preceded by a preparatory meeting with ICC members: 13h30-14h30

Both hybrid, venue to be confirmed

List of issues for discussion with Olivier Guersent

1. Competition and Sustainability

Discussion on:

- the point that competition policy is inhibiting initiatives to fight climate change/ support the EU's Green Deal;
- real-life examples provided (and will continue to provide) by ICC members to the EC. We would confirm that ICC members have provided;
- ICC White Paper on Competition and Sustainability to be presented at COP27 on 15 November 2022.

2. Merger Control

Discussion on the ICC merger control initiative:

- ICC draft recommendations, in particular on local nexus for international joint ventures, proportionality of fines for gun-jumping, which DG should consider adopting;
- how DG Comp could support some of the other recommendations, which could be implemented in other jurisdictions, e.g. suppression of market share and/or asset-based thresholds, suppression of minority interest monitoring, suppression of filing fees;

- potential area of collaboration with respect to ICC's aim to present the 11 recommendations at the next ICN conference (Barcelona, October 2023).

3. State Aid

Exchange of views on:

- the key issues raised by the new EU Foreign Subsidies regulation and the need for EU guidelines;
- participation of DG Comp in a one-hour webinar ICC will organize on the new Foreign Subsidies regulation with the support of the International Trade and State Aid Task Force and ICC national committees (strong interest in Asia, South America and Australia/Oceania).

4. Antitrust Compliance Policy Harmonization

There is currently growing thinking about initiatives to harmonize how agencies can help improve and encourage compliance programs e.g.

- harmonized parameters for what would constitute robust/credible compliance programmes;
- referencing compliance programmes/efforts in agency decisions;
- compliance programmes as a factor in sanctions.

5. Non-target RFI:

Presentation on the draft ICC paper on Non-target RFIs and advocacy campaign for starting next year.

6. ICC Conference on “Antitrust Enforcement Between Globalisation and Deglobalisation”, Tokyo, July 2023: Invitation to DG Comp to participate alongside JFTC and FCA.