



# Competition Agency Leaders Executive Programme (CALEP)

Saturday, June 27<sup>th</sup> – Wednesday, July 1<sup>st</sup>, 2020  
Heraklion, Crete, Greece

## Detailed Course Contents

(Minor changes on the timing of the sessions can be made at any time)

**Dr. Matthew Bennett**

*(Charles River Associates)*

**Prof. Olga Epitropaki**

*(Durham University Business School)*

**Prof. Amelia Fletcher**

*(University of East Anglia)*

**Dr. António Gomes**

*(OECD)*

**Prof. Frederic Jenny**

*(ESSEC Business School)*

**Prof. Yannis. Katsoulacos**

*(Athens University of Economics and Business)*

**Prof. Assimakis Komninou**

*(White & Case)*

**Prof. William Kovacic**

*(Director, Competition Law Center, The George Washington University)*

**Dr. Federica Maiorano**

*(OECD)*

**Prof. Nancy Papalexandris**

*(Athens University of Economics and Business)*

**Prof. Maarten Pieter Schinkel**

*(University of Amsterdam)*

**Ms. Sabine Zigelski**

*(OECD)*



<p>Friday, June 26th, 11:20 - 19:40</p>	<p><b>OPTIONAL</b> (free of charge) participation in the sessions and material of the first four sessions of the CRESSE Lawyers' course, taking place on Friday the 26th of June 2020, focusing on a review of fundamental economic concepts (for non-economists).</p> <p>For the contents of these sessions see:  <a href="http://www.cresse.info/uploadfiles/LC_timeschedule_2020_v1.pdf">http://www.cresse.info/uploadfiles/LC_timeschedule_2020_v1.pdf</a>                      Lecturers: Prof. Thomas Ross, Prof. Patrick Rey, Prof. Maarten Pieter Schinkel</p>
<p>Saturday, June 27th, 09:00 - 10:40</p>	<p><b>SESSION 1 (Substantive Assessment Methods): Market Definition and the Determinants of Market Power</b>                      by Prof. Yannis Katsoulacos (Athens University of Economics and Business)</p> <p>The role of product and geographic market definition in the enforcement of competition law. Demand and supply substitution. The hypothetical monopoly test. Critical loss analysis. Shortcomings and fallacies. Legal definitions, concepts, basic economics of and measurement of "market power". Factors that influence market power.</p>
<p>Saturday, June 27th, 11:00 - 12:40</p>	<p><b>SESSION 2 (Substantive Assessment Methods): Assessment of Mergers I</b>                      by Dr. Matthew Bennett (Vice President, Charles River Associates)</p> <p>Horizontal Mergers: Legal and economic framework; unilateral effects; the role of diversion ratios; merger simulation models; upward pricing pressure (UPP); coordinated effects; analysis of efficiencies. Conglomerate and vertical mergers.</p>
<p>Saturday, June 27th, 14:00 - 15:40</p>	<p><b>SESSION 3 (Substantive Assessment Methods): Assessment of Mergers II</b>                      by Dr. Matthew Bennett (Vice President, Charles River Associates)</p> <p>Horizontal Mergers: Legal and economic framework; unilateral effects; the role of diversion ratios; merger simulation models; upward pricing pressure (UPP); coordinated effects; analysis of efficiencies. Conglomerate and vertical mergers.</p>
<p>Saturday, June 27th, 16:00 - 17:40</p>	<p><b>SESSION 4 (Substantive Assessment Methods): Cartels and Other Coordinated Practices</b>                      by Prof. Maarten Pieter Schinkel (University of Amsterdam)</p> <p>Economic theory of collusion. Tacit collusion. Different forms of collusive practices including horizontal price fixing, horizontal market sharing, restrictions in production, collusive tendering, information exchanges, bid rigging. Structural factors conducive to coordinated conduct. Facilitating factors. Detecting and discouraging cartels. The role of leniency programs.</p>
<p>Saturday, June 27th, 18:10 - 18:45</p>	<p><b>SPECIAL KEYNOTE LAWYERS' LECTURE</b>                      by                      Prof. Einer Elhauge                      (Harvard Law School)</p>



<p>Sunday, June 28th, 08:30 - 10:10</p>	<p><b>SESSION 5 (Substantive Assessment Methods): Assessment of Pricing Abuses by Dominant Firms</b> by Prof. Frederic Jenny (ESSEC Business School)</p> <p>When does foreclosure lead to competitive harm? Tests for unilateral anticompetitive abuse by dominant firms: predatory pricing, loyalty rebates, margin squeeze.</p>
<p>Sunday, June 28th, 10:20 - 12:00</p>	<p><b>SESSION 6 (Substantive Assessment Methods): Assessment of Non-Pricing Abuses by Dominant Firms</b> by Prof. Amelia Fletcher (University of East Anglia)</p> <p>Refusal to sell; anticompetitive and pro-competitive exclusive dealing; anticompetitive and pro-competitive tying; bundling and bundled discounts.</p>
<p>Sunday, June 28th, 14:00 - 15:45</p>	<p><b>SESSION 7: Recent Developments in Competition Law I</b> by Dr. Assimakis Komninos (White &amp; Case)</p> <p>Enforcement Priorities &amp; Policy Developments. Article 101 TFEU Developments: Part a) Cartels (infringement decisions /settlements / appeals: mainly parental liability and standard of proof), Part b) Horizontal and Vertical Agreements. Article 102 TFEU Developments: Part a) Pending investigations, Part b) Commitment decisions, Part c) Pricing abuses. Procedural Developments: Part a) Payment of Fines, Part b) Rights of Defence Part c) Due Process, Part d) Cartel Parallel Investigations. Access to Documents &amp; Private Damages Actions. EU Courts - New Developments. Prospects for the Year Ahead.</p>
<p>Sunday, June 28th, 16:00 - 17:35</p>	<p><b>SESSION 8: Recent Developments in Competition Law II</b> by Dr. Assimakis Komninos (White &amp; Case)</p> <p>Enforcement Priorities &amp; Policy Developments. Article 101 TFEU Developments: Part a) Cartels (infringement decisions /settlements / appeals: mainly parental liability and standard of proof), Part b) Horizontal and Vertical Agreements. Article 102 TFEU Developments: Part a) Pending investigations, Part b) Commitment decisions, Part c) Pricing abuses. Procedural Developments: Part a) Payment of Fines, Part b) Rights of Defence Part c) Due Process, Part d) Cartel Parallel Investigations. Access to Documents &amp; Private Damages Actions. EU Courts - New Developments. Prospects for the Year Ahead.</p>
<p>Sunday, June 28th, 17:40 - 18:40</p>	<p><b>SPECIAL LECTURE: The Implications for Competition Policy of Behavioural Economics</b> by Prof. William Kovacic (Director, Competition Law Center, The George Washington University)</p> <p>The session examines a significant new development in competition policy. It considers the role that behavioural economics is already playing, and how this might be expected to develop going forward.</p>



<p>Monday, June 29th, 10:30-12:10</p>	<p><b>SESSION 9: Assessing Economic Evidence in Courts</b> by Prof. Frederic Jenny (ESSEC Business School)</p> <p>The session will cover three main issues: 1) the difference between the legal and the economic approach to law enforcement; 2) the different ways to improve the understanding of economics by judges and 3) The lessons from experience on how to present complex evidence in courts.</p>
<p>Monday, June 29th, 12:30 -14:10</p>	<p><b>SESSION 10: Legal and Substantive Standards in Competition Law Enforcement</b> by Prof. Yannis Katsoulacos (Athens University of Economics and Business)</p> <p>What are the appropriate substantive (or liability) standards that should be used in competition law enforcement? Protecting the Competitive Process vs. Consumer Welfare vs. Total Welfare substantive standards. The role of public interest concerns. What are the appropriate legal standards (or decision rules) that should be used in the assessment of different conducts? Per Se vs. Effects-Based legal standards. Choice criteria. Explaining the difference in legal standards in different countries.</p>
<p>Monday, June 29th, 15:40 - 17:20</p>	<p><b>SESSION 11: Managing the External and the Internal Environment of Competition Agencies I</b> by Prof. William Kovacic (Director, Competition Law Center, The George Washington University)</p> <p>Managing external politics; Dealing with the agency's enabling environment. Dealing with the Ministers, the Parliament and Regulators. Formulating the agency's program and getting the required support and budget. Measuring the agency's impact and performance indicators. Advocacy strategies.</p>
<p>Monday, June 29th, 17:40 -19:10</p>	<p><b>SESSION 12: Managing the External and the Internal Environment of Competition Agencies II</b> by Prof. William Kovacic (Director, Competition Law Center, The George Washington University)</p> <p>Managing internal politics; Conflict management and building consensus. Leadership techniques; Prioritisation strategies. Streamlining of decision making processes. Dealing with budget constraints. How to be a successful chairman - the main factors behind success and the main factors behind failure. Managing human resources and developing talent.</p>



<p>Tuesday, June 30th, 09:00-10:45</p>	<p><b>SESSION 13: Competition Assessment of Regulations</b> by Dr. Federica Maiorano (Senior Competition Expert, OECD)</p> <p>Governments are called to regularly identify and revise policies that may unduly restrict competition. While multiple approaches exist to dealing with this challenge, the OECD Competition Assessment Toolkit is a very popular choice amongst governments, due to its holistic approach and efficacy. This session will illustrate the Toolkit in detail, and explain how to draw the most benefit from its application.</p>
<p>Tuesday, June 30th, 11:00 -12:40</p>	<p><b>SESSION 14: Public Procurement and Fighting Bid Rigging</b> by Ms. Sabine Zigelski (Senior Competition Expert, OECD)</p> <p>Bid rigging in public procurement is one of the anticompetitive practices with the strongest negative impact on an economy. This session will provide insights on the OECD tools developed to address this: the Recommendation on fighting bid rigging in public procurement, and the Guidelines on the design of tenders and on identifying suspicious elements of collusion.</p>
<p>Tuesday, June 30th, 14:00 - 15:45</p>	<p><b>SESSION 15: Best Practices in Conducting Market Studies</b> by Dr. Federica Maiorano (Senior Competition Expert, OECD)</p> <p>Market studies, as an alternative to enforcement, allow competition authorities to analyse a market and identify problems, and solutions to make it more efficient. This session describes the extensive experience the OECD has in this field, including the recent OECD Market Studies Guide, a highly regarded guide in the execution and design of market studies for competition authorities.</p>
<p>Tuesday, June 30th, 16:00 -17:40</p>	<p><b>SESSION 16: Competition in the Digital Era</b> by Dr. António Gomes (Acting Deputy Director, Directorate for Financial and Enterprise Affairs, OECD)</p> <p>This session provides insights on recent challenges posed by digitalisation to competition authorities. It will explore, in particular, how various aspects of digitalisation may affect competition enforcement, such as in relation to algorithms, e-commerce, big data, platforms, disruptive innovation, multi-sided markets or other areas.</p>



<p>Wednesday, July 1st, 09:00 - 10:45</p>	<p><b>SESSION 17: HR management issues, developing talent and career development</b> by Prof. Nancy Papalexandris (Athens University of Economics and Business)</p> <p>Career and talent development is a critical challenge for HR professionals as it is essential for sustaining organizations and giving each individual within the organization a meaningful focus for the future. It involves career management interventions which are not necessarily a distinct HRM activity since they are related to a number of other HR processes such as recruitment, performance management and appraisals, training and development, career guidance and development assignments. It also involves the active participation of line managers who must be prepared to provide career guidance and offer development opportunities to their people. The lecture will focus on various definitions for “talent” which may vary across organizational settings, discuss the role of effective career self-management, describe and evaluate various career management practices, and stress implications for organizational change and effectiveness.</p>
<p>Wednesday, July 1st, 11:00 - 12:40</p>	<p><b>SESSION 18: Leadership and Leading Change</b> by Prof. Olga Epitropaki (Durham University Business School)</p> <p>In this session we will discuss current research ideas and practices on leadership for organizational change, presenting existing approaches and strategies for introducing, implementing and institutionalizing change. We will highlight the importance of creative and paradoxical leadership for dealing with organizational complexity and uncertainty. The overall aim of the session is to introduce participants to the state-of-the-art thinking in leadership for organizational change by acknowledging the paradoxical nature of modern organizations and the need for leaders to balance a series of paradoxical demands such as stability and change, efficiency and innovation, cost-cutting and growth, clarity and ambiguity, among others.</p>