



European
Commission

European Competition Forum

2 February 2012

Programme

<http://ec.europa.eu/competition/ecf>

Competition

Welcome

Welcome to the first European Competition Forum organised by the European Commission. The Forum is designed to offer a fresh and inspiring environment for dialogue on competition policy and to engage a wider audience beyond competition experts.

In this first Forum, the debate revolves around three broad themes: competition policy's contribution to growth and competitiveness, possible reforms to state aid control to reinforce the single market, and the unique competition-enforcement model that we have developed in the EU over the decades. These themes share a common premise: competition is vital for the single market to remain Europe's engine of growth, as it drives companies and markets towards efficiency, innovation and higher productivity. The current financial and economic crisis provides a clear example. Once again, competition policy has been at the core of the Union's response. In these turbulent times, it is more important than ever that we keep the single market competitive and fair and protect Europeans from the higher prices and poorer choice that always result from a lack of competition.

This first European Competition Forum will explore these and other aspects of competition policy and control. I hope that the debate will help us find better ways to help public and private actors revive growth; generate employment opportunities; and offer our people better prospects for the future.

Joaquín Almunia

*Vice-President of the European Commission
and member responsible for competition policy*

Programme

- 8:30 – 9:00 Welcome coffee
- 9:00 – 9:15 **Keynote speech**
José Manuel Barroso, *President of the European Commission*
- 9:15 – 10:45 **Competition Policy and Competitiveness**
Moderator:
Kai-Uwe Kühn, *Chief Economist, Competition DG, European Commission*
Speakers:
Sharon Bowles, *Member of the European Parliament (MEP),
Chair of the Economic and Monetary Affairs Committee (ECON)*
Agnete Gersing, *Director General, Danish Competition Authority*
Leif Johansson, *Chairman, Ericsson and European Roundtable of
Industrialists*
Ren Zhengfei, *CEO of Huawei Technologies*
- Contribution of competition policy: As part of the EU's overall policies, has competition policy contributed to competitiveness and growth? Should it contribute more, or in different ways?
- Competition policy and the economic crisis: Should competition policy be relaxed to help firms bridge the crisis? Would such an approach strengthen or weaken the economy?
- Competition at home versus global competition: Is there a balance to be struck between a strict competition policy and sheltering companies from competition "at home" to strengthen them for international competition?
- Competition and innovation: Can competition policy do more to ensure the competitive use of IP rights and the dissemination of innovation? How can competition policy support innovative SMEs, for example?
- Competition policy and industrial policy: Is there a conflict between these policies? Competition policy focuses on consumer welfare and industrial policy on growth, but both have the same long term aim of optimising welfare, innovation and growth. Further, how can competition policy contribute to further integration of the single market?
- 10:45 – 11:15 Coffee
- 11:15 – 11:45 **Keynote speech**
Joaquín Almunia, *Vice-President of the European Commission and
member responsible for Competition Policy*

11:45 – 13:30

**State Aid control at a cross-road:
Reform initiatives to strengthen the single market**

Moderator:

Alex Barker, *EU correspondent, Financial Times*

Speakers:

Mercedes Bresso, *President, Committee of the Regions*

Vítor Gaspar, *Minister of State and Finance, Portugal*

Gert-Jan Koopman, *Deputy Director-General for state aid,
Competition DG, European Commission*

Wolfgang Kopf, *Senior Vice President Public & Regulatory Affairs,
Deutsche Telekom. Convenor of the European Round Table
of Industrialists Working Group on Competition Policy*

André Sapir, *Professor of Economics, Université Libre de Bruxelles*

Lessons learned from the financial crisis: How did the financial crisis highlight the importance of the interplay between regulation and state aid control, and the utility of state aid control as a coordination instrument?

Lessons learned from the recent reform of state aid control: What was learned from the changes made during the 2005 reform of state aid policy and procedures? Should the balancing test be adapted? Should it be more broadly introduced?

Way forward - Clarification and consolidation: Can state aid rules be clarified, simplified and improved further? Is there scope to consolidate certain guidelines? Would this help to build a more productive working relationship with Member States?

Way forward - Prioritisation: Should state aid control be better prioritised and focussed more on the most important distortions of competition? Could there be a shift from complaints and notifications of small cases to more significant *ex officio* cases, possibly on a sectoral or thematic basis?

13:30 – 15:00

Buffet Lunch

15:00 – 16:30 **The European Competition Model**

Moderator:

Robert McLeod, CEO of MLex Ltd, Editor-in-Chief of MLex market intelligence

Speakers:

Hendrik Bourgeois, Vice-President, European Affairs, GE;
Chair of AmCham EU

Carles Esteva Mosso, Director for Policy and Strategy,
Competition DG, European Commission

John Fingleton, Chief Executive, Office of Fair Trading (OFT),
Chair of the International Competition Network (ICN) Steering Group

Eleanor Fox, Professor of Trade Regulation, New York University School of Law

Marc van der Woude, Judge, General Court of the European Union

The European administrative model: Is the European administrative model providing efficient antitrust enforcement? Have the main reforms delivered what was promised? In particular, is the Commission able now to focus on the right cases/priorities?

The European model compared: How does the European model compare to other systems around the globe? Perhaps uniquely in the world, competition policy in the EU is part of the overall Commission policies - are there other noteworthy differences that define the model?

The European Competition Network: Do the objectives of the European Competition Network need to be re-defined? How is the ECN contributing to coherent application of competition law throughout the EU? Is the ECN exportable as a network model?

Where do we go from here? Are there areas where competition enforcement could further develop over the next decade and beyond? For example: private damages actions, penalties for individuals, convergence of procedures, extension of merger one-stop shop system. Should we move towards a Single Merger Area (i.e. same merger control law across the EU?)

16:30 – 17:00 **Closing address**

Alexander Italianer, Director-General, Competition DG

Speakers and panelists



José Manuel Barroso

José Manuel Barroso became President of the European Commission in July 2004, and his mandate was renewed in 2009. He was Prime Minister of Portugal from April 2002, when the Social Democratic Party (PSD) won the general election under his leadership, until July 2004. He had been named President of the PSD in 1999 and was re-elected three times. He also served as State Secretary for Foreign Affairs and Cooperation and Minister for Foreign Affairs.

In parallel with his political career, Mr Barroso has worked in academia, at both the University of Lisbon and the University of Geneva as a teaching assistant, and as a visiting professor at the Department of Government and School of Foreign Service, Georgetown University. In 1995, he became Head of the International Relations Department of Lusíada University, Lisbon. In 1979, he founded the University Association for European Studies.

He graduated in law from the University of Lisbon, and subsequently completed a Diploma in European Studies at the European University Institute, University of Geneva, and a Master's degree in Political Science from the University of Geneva. He has authored numerous publications on political science, international relations and the European Union.



Joaquín Almunia

Joaquín Almunia was appointed Commissioner for competition and Vice-President of the European Commission in February 2010. Before that, he was Commissioner for economic and monetary affairs between 2004 and 2010.

He was previously spokesman for the Spanish Socialist Workers' Party (PSOE) from 1994 to 1997, when he was elected leader of the party, a position which he held until 2000. Before that, Mr Almunia was elected a member of the Spanish Parliament in 1979 and re-elected for the following 25 years, until 2004 when he became European Commissioner. He was also Minister of Public Administration (1986-1991) and Minister of Employment and Social Security (1982-1986), and chief economist of the Unión General de Trabajadores, a Spanish trade union, from 1976 to 1979.

In 2002 he founded and served as director of the think tank "Laboratorio de Alternativas", and from 1991 until 1994 he was director of the research program on "Equality and redistribution of income" at the Fundación Argentaria.

Mr Almunia graduated in Law and Economics from the University of Deusto, and completed his studies at the École Pratique des Hautes Études in Paris and the Kennedy School of Government at Harvard University.



Alex Barker

Alex Barker is an EU correspondent for the Financial Times. He joined the Brussels bureau in 2011 after a four year stint as a political correspondent in London, covering the Gordon Brown administration, the 2008 banking crisis and the election leading to the formation of Britain's coalition government.

His beat in Brussels includes competition, financial regulation, the single market and some aspects of the eurozone crisis. He joined the FT in 2005 after spending several years working in current affairs television, and his assignments for the FT have taken him to New York, Washington, Brussels and Ankara. He was educated at the University of Cambridge and Columbia University in New York.



Hendrik Bourgeois

Hendrik Bourgeois is Vice President European Affairs at GE (General Electric Company). His most recent prior positions at GE include General Counsel EMEA, Senior Counsel, Competition, Regulation and Government Relations for Europe, and European Competition Counsel, serving all GE businesses on a wide variety of competition law matters involving mergers and acquisitions, distribution, R&D activities and compliance issues.

In his preceding role, he headed the legal department of one of GE's business divisions, GE Industrial Systems, as European General Counsel.

Prior to joining GE, Mr Bourgeois was an attorney with Jones Day, based in Washington DC and Brussels, where he practised mainly US antitrust and European competition law.

He obtained his law degree at the Rijksuniversiteit Gent, Belgium and has an LL.M degree from Harvard Law School. He is a former member of the Brussels Bar and current member of the New York Bar. Mr Bourgeois is a frequent speaker and writer on competition law issues.



Sharon Bowles

Sharon Bowles MEP is Chair of the Committee on Economic and Monetary Affairs in the European Parliament. She has a scientific and mathematical background, having completed her doctorate at Oxford University. She later trained and worked as a Chartered and European Patent Attorney, setting up her own practice in 1981, and has been active in politics since the mid 1980s.

She became a member of the European Parliament for the UK South East region in May 2005 and was re-elected in June 2009. Ms Bowles has been a full member of the Economic and Monetary Affairs Committee since her arrival as an MEP and was elected as Chairwoman in July 2009. She has also been a substitute member of the Legal Affairs committee since January 2007.

Ms Bowles is currently rapporteur on a European System of National and Regional Accounts, the report on increase in shares of EBRD capital for the EU; shadow rapporteur on CRD4, EMIR, and the Securities Law Directive; and she will be shadow for PRIPs, though as Chair she follows all dossiers through to trialogue stage.



Mercedes Bresso

Mercedes Bresso is President of the Committee of the Regions. She holds a PhD degree in Economics and Commerce. Before she started her political career, she was university professor in Economics, most recently at Turin Polytechnic. From 1985 to 1995 Ms. Bresso was elected to the Regional Council in Piedmont.

After that she was elected President of the Turin Provincial Council, and in 1998 she joined the Committee of the Regions and its Bureau. From 2004 to 2005 she held a mandate in the European Parliament. She subsequently held the positions of President of the Piedmont Regional Council until 2010 and, simultaneously, President of the Association of Elected Representatives from mountainous areas (AEM). She is currently Co-president of the Euro-Mediterranean Regional and Local Assembly (ARLEM). In February 2010, Ms Bresso was elected as the first female President of the Committee of the Regions.



Carles Esteva Mosso

Carles Esteva Mosso is Director for Policy and Strategy in the Competition DG. He also coordinates the European Competition Network and the international dimension of competition policy.

He was previously Head of the Private Enforcement Unit, developing initiatives to facilitate damages compensation; Head of the Merger Control Unit in the field of telecoms, media and IT related industries; and Head of Unit for Merger Control Policy and Scrutiny. Between 1999 and 2004, he was a Member of the Monti Cabinet. Prior to joining the European Commission in 1994, he worked in legal private practice. He is a member of the Barcelona Bar.

Mr Esteva holds a Masters degree in European Law from the Institut d'Etudes Européennes, Université Libre de Bruxelles. He graduated in Law and in Economics from the Universitat de Barcelona and in Political Science (International relations) from the Universitat Autònoma de Barcelona. He is a guest professor on competition law at the Barcelona Graduate School of Economics.



John Fingleton

John Fingleton was appointed CEO at the Office of Fair Trading in the UK in 2005. He has overseen a range of consumer and competition enforcement activity, a variety of market studies and market investigation references. Mr Fingleton is Chair of the Steering Group of the International Competition Network and sits on the board of a number of academic journals. In 2000, he was appointed Chair at the Irish Competition Authority, overseeing the implementation of the 2002 Competition Act. In this position, he also sat on Ireland's National Competitiveness Council.

He holds degrees in economics from the Universities of Dublin and Oxford, and completed his doctorate at Nuffield College Oxford. He worked as an academic economist at the Financial Markets Group at the London School of Economics, and at Trinity College Dublin, spending visiting periods at Université Libre de Bruxelles and the Graduate School of Business at the University of Chicago.



Eleanor Fox

Eleanor M. Fox is the Walter J. Derenberg Professor of Trade Regulation at New York University School of Law. Before joining the faculty of NYU Law School, Ms Fox was a partner at the New York law firm Simpson Thacher & Bartlett. She has served as a member of the International Competition Policy Advisory Committee to the Attorney General of the U.S. Department of Justice (1997-2000) (President Clinton) and as a Commissioner on President Carter's National Commission for the Review of Antitrust Laws and Procedures (1978-79). She has advised numerous younger antitrust jurisdictions, including South Africa, Egypt, Tanzania, The Gambia, Indonesia, Russia, Poland and Hungary.

Ms Fox received an honorary doctorate degree from the University of Paris-Dauphine (2009). She was one of 10 individuals awarded an inaugural Lifetime Achievement award in 2011 by the Global Competition Review for "substantial, lasting and transformational impact on competition policy and/or practice."

She has written extensively on competition law, and the third edition of her casebook, *U.S. antitrust law in comparative perspective*, will be published by West in spring 2012.



Vítor Gaspar

Vítor Gaspar was appointed as Portugal's Minister of State and Finance in June 2011. He has been Professor of Economics at the Universidade Nova de Lisboa since 1992. He holds a PhD in Economics from the same University.

He was Head of the Bureau of European Advisers of the European Commission from January 2007 to February 2010. Before that, from September 1998 to December 2004, he was Director-General for Research at the European Central Bank. Mr Gaspar was Director of the Research Department at Banco de Portugal from October 1994 to September 1998, and before that, from January 1993 he was Advisor to the Board at Banco de Portugal. From 1989 to 1992 he was Director of Economic Studies at the Ministry of Finance.

He has published numerous articles (including in EER, JEEA, Macroeconomic Dynamics, International Finance, Journal of Development Economics) and books.



Agnete Gersing

Agnete Gersing was appointed Director General of the Danish Competition and Consumer Authority in August 2006. She was Permanent Under Secretary of State in the Prime Minister's Office from September 2005, and Head of Department in the Ministry of Finance from 2000 to 2005. Before that she was Director General of the Institute of Food and Resource Economics (1999-2000). Ms Gersing previously held several other posts in government, mainly in the Ministry of Finance but also in the Ministry of Economics.

She has served as chairman for a number of committees and working parties including the three party committee for life long education and improvement of qualifications for everybody on the labour markets, the committee for local government councils and boards, and the committee for senior citizens' economic conditions. She has also acted as chairman for OECD's Network on Fiscal Relations across Levels of Government, and as member of the board for National Economic Society, AKF, Risø National Laboratory for Sustainable Energy and SEDIRK.

Ms Gersing holds a Master of Economics from the University of Copenhagen



Alexander Italianer

Alexander Italianer was appointed Director-General of the European Commission's Directorate-General for Competition in February 2010.

He previously held the position of Deputy Secretary-General of the European Commission in charge of the Better Regulation Agenda and was Chairman of the Impact Assessment Board. Prior to that, Mr Italianer worked in the cabinets of Commission Presidents Barroso and Santer, and Commissioners Verheugen and Telička. He was also Director for International Economic and Financial Affairs between 2002 and 2004.

He holds a graduate degree in econometrics and a Ph.D. in economics from the University of Groningen (the Netherlands), and was a research associate at the Catholic University of Leuven (KUL) before joining the European Commission in 1985.



Leif Johansson

Mr Johansson is Chairman of the Board of Ericsson and the European Round Table of Industrialists, and a member of the Board of Bristol-Myers Squibb Company, USA and Svenska Cellulosa Aktiebolaget SCA. He belongs to the Confederation of Swedish Enterprise and the Royal Swedish Academy of Engineering Sciences.

Mr Johansson was President of AB Volvo and CEO of the Volvo Group from 1997 until August 2011. Before joining Volvo, he was CEO of the Swedish Electrolux Group, having started at Electrolux as a division manager in 1984. He holds a Masters degree in Science and Engineering from Chalmers University of Technology, Gothenburg, Sweden.

He has been honoured by the Swedish government (King's Medal with ribbon of Order of the Seraphim) and the Royal Swedish Automobile Club, and is a Chevalier dans L'Ordre national de la Légion d'Honneur. Mr Johansson also holds honorary doctorates from the Blekinge Institute of Technology and Göteborg University.



Gert-Jan Koopman

Gert-Jan Koopman has been Deputy Director-General for state aid at the European Commission's Competition DG since November 2010.

Prior to this, he was Director for Policy Strategy and Co-ordination and for the Economic Service and Structural Reform Directorate at the Economic and Financial Affairs DG, from May 2008.

Mr Koopman was also a member of the Commission's Impact Assessment Board.

He was previously Director for Industrial policy and economic reforms in the Enterprise and Industry DG from January 2005. From 1995 to 2004, he advised Commissioner Neil Kinnock, initially as a Member of his Cabinet with responsibility for Transport, and later as Head of Cabinet.

He studied Economics and Latin and Greek at the University of Amsterdam and worked as a researcher and policy adviser for the University of Utrecht and the CPB Netherlands Bureau for Economic Policy Analysis before joining the European Commission's Economic and Financial Affairs DG in 1991.



Wolfgang Kopf

Wolfgang Kopf has been Senior Vice President for Public and Regulatory Affairs at Deutsche Telekom AG since November 2006. He is responsible for Regulatory Affairs, Competition and Media Policy, Spectrum Strategy and Public Affairs. Mr Kopf joined Deutsche Telekom Group in 1995 as Senior Manager responsible for International Business Development and M&A. In 1997 he became Head of DT's Competition Law department and in 2000, Head of International Government Affairs. From the end of 2002 to November 2006 he led T-Mobile International's Public and Regulatory Affairs Department.

He studied Arts and Law at the Universities of Mainz and Speyer, specializing in European and International Law, and holds a Master of Laws (LL.M.) degree from the University of London. During his training as a lawyer, he worked for a leading international law firm and the European Commission.

Mr Kopf chairs the Chief Regulatory Officers Group at GSMA Europe, and serves as Convenor of the European Round Table's Competition Policy Working Group and as Vice-Chair of the OECD BIAC Competition Policy Committee. He co-edits two German Law Journals, and is a Member of the Foundation Board of the International Charlemagne Prize of Aachen, a Board Member of BRUEGEL, and serves as Lay Judge at the Public Procurement Tribunals of the German Federal Cartel Office.



Kai-Uwe Kühn

Kai-Uwe Kühn is Chief Economist at the European Commission's Competition DG. He is on leave from the University of Michigan where he has been an Associate Professor of Economics since 1998. Mr Kühn holds an MSc from the London School of Economics, and a PhD from Oxford University. He has previously held positions at Nuffield College Oxford, Princeton University, the Institute of Economic Analysis (CSIC) in Barcelona, and CEMFI, Madrid.

His research in recent years has focused on theoretical, empirical, and experimental work related to antitrust, in particular on issues concerning collusion, coordinated effects of mergers, information exchanges, vertical integration, foreclosure incentives, entry and exit, and financial constraints. Prior to his appointment at the European Commission, Mr Kühn advised clients in competition cases before several competition authorities including the Commission, as well as in litigation in the US and Europe.



Robert McLeod

Robert McLeod is Chief Executive of MLex Ltd, Editor-in-Chief of MLex market intelligence and publisher of MLex magazine. He founded MLex, a service focussed on antitrust and trade intelligence, in 2005 and has overseen the expansion of the subscription based news service to cover energy and climate change regulation, financial services and telecommunications and media, and in the US, where it has operations in Washington and New York covering antitrust enforcement and financial services regulation.

Mr McLeod writes extensively on antitrust and competition policy and is a frequent conference speaker on issues relating to policy implementation in Brussels. As well as MLex, he is a frequent contributor to other publications including The Banker, IP Law and Business, e-Concurrences and the Competition Policy International Antitrust Journal.

Prior to launching MLex, he worked for Bloomberg News in London, Paris and Brussels covering financial services, mergers and acquisitions, and antitrust.



Ren Zhengfei

Mr Ren Zhengfei established Huawei with a capital of RMB 21,000 in 1987. He became the President of Huawei in 1988 and has held the position ever since.

After graduation from the Chongqing Institute of Civil Engineering and Architecture, he was employed in the civil engineering industry until 1974 when he joined the military's Engineering Corps. Subsequently, he worked as a Technician, an Engineer, and lastly as a Deputy Director. Because of his outstanding performance, Mr Ren was invited to attend the National Science Conference in 1978 and the 12th National Congress of the Communist Party of China in 1982. Mr Ren retired from the army in 1983 when the Chinese government disbanded the entire Engineering Corps. He then worked in the logistics service base of the Shenzhen South Sea Oil Corporation, until founding Huawei in 1987.



André Sapir

André Sapir is a professor of economics at the Université Libre de Bruxelles. He teaches international trade and European integration at the Solvay Brussels School of Economics and Management. He is also a Senior Fellow of Bruegel, the Brussels-based think tank, and Research Fellow of the Centre for Economic Policy Research. In addition he currently (2011-14) serves as vice-chair of the Advisory Scientific Committee and as a voting member of the General Board of the European Systemic Risk Board (ESRB).

From 2005 to 2009 he was member of the Economic Advisory Group to European Commission President José Manuel Barroso. Previously, he worked 12 years for the European Commission, first serving as Economic Advisor to the Director-General for Economic and Financial Affairs, then as Economic Advisor to President Romano Prodi.

Mr Sapir has written extensively on various aspects of European integration.



Marc van der Woude

Marc van der Woude is the Dutch judge at the General Court of the European Union. He started his career as a tutor at the College of Europe in Bruges (1984-1986) and as a lecturer at Leiden University (1986-1987). He then joined the European institutions where he worked for the Competition DG (1987-1989, 1992-1993), the European Court of Justice as a legal secretary (1989-1992) and the Commission's Legal Service (1993-1995). He resigned from the European civil service to become a member of the Brussels bar, where he practiced European and competition law for fifteen years (1995-2010).

Mr van der Woude became a professor in competition law at the Erasmus University of Rotterdam (since 2000) and served for four years as an advisor on energy policy for the Dutch government (2002-2006). He is the author of numerous publications on European and competition law and still teaches at Rotterdam University.

Information sources on competition

Competition websites <http://ec.europa.eu/competition>



Competition: making markets work better

The website for professionals covering cases, legislation, policy and more.
Site in English (language versions of documents may vary)



Vice-President Joaquín Almunia

Speeches, calendar and interviews.
Site in English, French, German and Spanish



Consumers' corner

Competition policy explained, with examples of cases from daily life.
Site in 22 languages

Key publications



Competition Policy Newsletter

Articles on policy issues and key cases, written by staff of the Competition DG.
Published three times a year in English
<http://ec.europa.eu/competition/publications/cpn/>



Weekly news summary

Short summaries on key competition developments (press releases, selected speeches and judgements)
Sent out every Friday in English
http://ec.europa.eu/competition/publications/weekly_news_summary



State aid Weekly e-news

Comprehensive update on the latest state aid developments: press releases, new legislative texts and proposals, invitations to submit comments, decisions of the European Commission and the Courts of the EU, speeches, block exempted measures introduced by Member States and more
Sent out every Friday in English.
http://ec.europa.eu/competition/state_aid/newsletter

More publications <http://ec.europa.eu/competition/publications>

The competition website features also other publications such as the Annual Report on Competition policy (since 1971), brochures, factsheets, studies commissioned or carried out by the European Commission, and compilations of legislation

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Conference materials, including videos, will be available at:
<http://ec.europa.eu/competition/ecf>