

INTERNATIONAL COMPETITION NETWORK
ADVOCACY WORKING GROUP
SUBGROUP: ADVOCACY INFORMATION CENTER

Presentation at the Merida Conference by Adriaan Ten Kate (25-06-03)

The mandate of the first Subgroup to the Advocacy Working Group was to establish an Information Center about competition advocacy in general and about the advocacy activities of members. The sort of information to be collected would be about contact persons at member agencies, outside experts, bibliography, advocacy filings by members, courses on competition issues and a bulletin board on current workshops seminars and conferences. The Subgroup was chaired by the US and Russia but because the persons involved could not be present at this Annual Conference they apologize and asked me to do the presentation.

To comply with the mandate it was decided at an early stage to construct a website, either as an independent site or as a subsite to the general ICN website. The idea was not to make a site heavily loaded with documents about all sorts of advocacy activities of members but rather with information about where to find those documents. I.e. visitors of the site do not find the information itself but links that direct them to what they are looking for. The site is meant to be a directory rather than a comprehensive set of documents.

The site we have developed consists of two parts: a part with general information, which is permanent and a part with specific information, which we expect to receive from ICN members and other persons of the competition community. The permanent part contains the Naples Report "Advocacy and Competition Policy" in four different languages (English, French, Spanish and German), the text of the 2002 questionnaire, answers to that questionnaire and the final reports of the Subgroups on Model Advocacy Provisions and Advocacy in Special Sectors. The part of special information features the following items: (i) country contact persons, (ii) outside experts, (iii) bibliography, (iv) courses, (v) seminars, conferences, workshops and (vi) advocacy filings.

As we do not have sufficient personnel to monitor what is going on in different parts of world in each of these items, we simply decided to put a platform, available to all ICN members and outside persons who wish to post information on our site about their current activities.

At the beginning our idea was to design our website in such away that everybody would be able to post his information completely automatically; i.e. without any intervention by ourselves. They would simply enter the site, register the information in a format established by us and send it. Posting would follow automatically.

However, after realizing that such a mechanism would probably give rise to all sorts of junk, spam and undesired propaganda, which would cannibalize our site, we decided that there should be some kind of filter. So we designed the site in such a way that ICN members and outsiders cannot post directly but can request posting of their information on-line. After a quick look at the requests to see if it is serious we then decide to load it or not to load it. Confirmation of receipt of the request and confirmation of posting is sent automatically to the person who requests. Upon posting he is invited to check if the posting is correct.

In order to minimize the work involved in assisting all the requests, these requests must come in a pre-established format. Part of the design of the site was precisely to establish those formats. Once the request comes in those formats, loading it to the site is a matter of pushing a button. Otherwise, the web administration would be too cumbersome.

The site was opened to the public two weeks ago. Since then it has had approximately 300 visitors, i.e. about 30 per working day. This is a positive development. However, for the site of the Information Center to become successful it is necessary to achieve critical mass. If the content of the site is poor, it will attract few visitors and if there are few visitors there will be few requests for posting and the content will remain poor. If, on the other hand, the content is interesting, the site will attract more visitors, there will be more requests for posting and the content will become even more interesting. Therefore, it is of utmost importance to overcome initial inertia and for that it is absolutely necessary that all ICN members take an active part in it. Therefore, I invite all of you to first have a look at the site, add it to your favorites, ask yourselves what kind of information you have and you are willing to share with the world's competition community and launch your requests for posting. On one hand, this would be an important contribution to make the Information Center work; on the other, you may consider this as an excellent opportunity for public relations and to make your activities public to the benefit of the competition community of the world. Thus, herewith I call upon all of you to actively participate. It's a win-win game. It's good for you and it's good for the ICN!

There are number of challenges for the future. First, the different items listed on the website as it stands now, roughly correspond to the mandate given to the Subgroup in Naples. However, it is quite possible to incorporate new items of interest, following the suggestions of the members. Second, specific items, such as, for example, bibliography and advocacy filings may be so heterogeneous that it will be necessary to install further searching devices for consultation in the future. Rather than doing this right from the start, we have preferred to wait until more information is posted. Third, it may be necessary to develop further criteria for accepting information. Now it seems easy but in practice it may turn out not to be self-evident. Fourth, at present our website is linked to the general website of the ICN which has recently undergone a face-lift. As the new look of the ICN website appeared only a week ago, we have not had the opportunity to adjust our site to the new templates. This will be done in brief. Finally, until now our site has focused

mainly on the advocacy part of competition policy. However the separation line between what is advocacy and what is enforcement is not always easy to draw and the features of the advocacy Information Center as it stands now may be easily transferable to certain aspects of enforcement. To give just a few examples, one might consider introducing a new item to the menu of options for private litigators. Under those options private litigators in different jurisdictions might advertise themselves revealing their specific fields of expertise and drawing the attention of private parties to their availability to represent them in competition litigation. Another example is competition statutes in different jurisdictions. Not the statutes themselves, but links to the sites where they are available might be posted. I am sure that there are many other items, both under competition advocacy and under law enforcement that could be incorporated into the Information Center and we are more than ready to consider any suggestions.