

Planning for ICN's Second Decade
Minutes of the NGA conference call of September 3, 2010

On September 3, 2010, the NGA Liaison Bruno Lasserre, in cooperation with the Vice Chair for Outreach Bill Kovacic, held a conference call to solicit feedback from NGAs as part of the project, "Planning for ICN's Second Decade." For more information about the project, see here: www.internationalcompetitionnetwork.org/second-decade.aspx.

Prior to the call, the NGAs were asked to complete a short survey about their involvement in the ICN, communications, and satisfaction with ICN work product and aspects of the ICN's governance and structure. The results of the survey are attached to these minutes.

The Vice Chair for Outreach opened the call by presenting the preliminary results of the ICN member interviews that took place in July and August as part of the Second Decade project. The NGA Liaison then invited the NGAs on the call to provide feedback on the ICN, organized among four themes.

1. First, the NGA Liaison asked the NGAs to outline the main benefits that they have realized from participating in the ICN.

Most NGAs emphasized a principal benefit of their participation was networking. Similar to members, NGAs agreed that building relationships with other stakeholders from the competition community was a key asset. They underscored that the ICN provides a venue for them to be better acquainted with enforcers, and to better understand enforcers' views, outside of their regular contact with one another, by sharing thoughts through collaborative work on projects or discussions on the margins of ICN events.

There was a discussion about the specific roles that NGAs play within the network. Some participants on the call said that that NGA participation is extremely valuable, as their participation promotes transparency and fosters the ICN's legitimacy by reflecting diverse views. This diversity of views was considered particularly beneficial when creating standards.

2. Second, the NGA Liaison solicited views on NGA recruitment and diversity.

All NGAs agreed that it was important to ensure that the diversity of views and interests of all ICN members and NGAs are represented. Broader engagement of NGAs from diverse professions and geographical scope was viewed as one of the core challenges for the ICN in the future. The NGA Liaison presented initial work the ICN has done in this area, and NGAs on the call welcomed new recruitment efforts that will be designed in the coming months.

There was support, particularly from current NGA academics, for additional academics to participate as NGAs. It was identified that the ICN curriculum project led by the Vice Chair for Outreach had already begun to engage more deeply academics, and that this project would

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likely interest additional academics as well, because the project involves teaching and also because there may be room for academics to promote their research on competition issues. There was support for targeting not only individual academics, but also research centers on competition topics (in law or economics) to better identify potential academics with the relevant expertise for participation in ICN work.

Second, there was recognition that NGA recruitment, particularly in those geographical areas where NGAs are currently underrepresented, could be difficult. NGAs on the call explained that finding the relevant NGAs requires expertise, resources, and a solid understanding of how the ICN works. They underscored that ICN members may benefit from assistance in identifying and recruiting NGAs. One NGA proposed that in some circumstances, existing NGAs could further recruitment efforts by making recommendations for potential NGA candidates. Since many current NGAs have an extensive knowledge of their local competition communities and have already participated in cross-border projects on competition issues, they are well placed to identify potential participants.

Finally, most NGAs highlighted that NGA participation, regardless of professional background, has already proved to be a strong asset for ICN members who have few resources, as NGAs and members share the resource burden of participating in ICN projects. This would certainly be of interest to other competition agencies, particularly those with limited resources.

3. Third, the NGA Liaison sought views on how the ICN could improve NGA participation, particularly regarding communications.

NGA survey responses as well as discussions on the call made clear that the ICN can improve its communications with respect to NGAs, including by identifying the precise roles and expectations of NGAs. This would be helpful for recruitment of new NGAs and for deepening participation of existing NGAs.

4. Fourth, the NGA Liaison sought input on the future of the ICN.

The NGAs encouraged the ICN to continue to build on its successes, while maintaining a focus on the practical.

NGAs underscored the important role they can play in identifying topics for ICN's future work, including by academics with their expertise gained from research. Specific topics that were identified for future work include: the relationship between competition and protectionism, and private enforcement on competition rules, as well as increased follow up on ICN work products and their impact at a domestic level, notably in terms of convergence

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on international standards. One NGA thought the ICN should include judges more closely in its work.

Some NGAs suggested dedicating more time at the annual conferences to breakout sessions, which are from their point of view the best way to facilitate open dialogue. One NGA said the ICN has managed to maintain a coherent line of thinking from its inception until today, but that to substantiate the second decade project, the ICN should not lose track of its primary objective which is convergence.