



**International
Competition
Network**

**Summary of ICN Work Product
2014-2015**

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ICN**

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Section I: Working Groups

Advocacy Working Group

The mission of the Advocacy Working Group ([AWG](#)) is to improve the effectiveness of ICN members' advocacy activities in advancing the adoption of competition principles in government and promoting the development of a competition culture within society through the development of practical tools and guidance, and the facilitation of experience sharing among ICN member agencies. During the 2014-2015 ICN year, the French *Autorité de la Concurrence*, the Competition Commission of Mauritius and the Italian Competition Authority were the co-chairs of the AWG. The AWG has been engaged in the following main activities:

- the Benefits Project;
- the Competition Assessment Project;
- the Competition Culture Project;
- the organization of the third Advocacy Workshop; and,
- the organization of a Competition Advocacy Contest jointly with the World Bank Group.

Benefits Project

The Benefits Project seeks to provide ICN members with knowledge, strategies and arguments for explaining the benefits of competition in support of their competition advocacy efforts toward government and non-governmental stakeholders. The output will be a web-based toolbox, integrated within the Advocacy Toolkit, providing users with examples of messages and arguments, documents and case studies regarding the benefits of competition to assist them in their advocacy effort.

In 2014-2015 the AWG completed the first section of the online interactive platform dedicated to "Explaining the Benefits of Competition to the Government and the Legislator", which was uploaded on a dedicated page of the ICN website.

Competition Assessment Project

Competition assessment is a key tool in promoting a competition-friendly legal environment and a decisive factor in building a strong competition culture. In an effort to implement the [Recommended Practices on Competition Assessment](#) approved at the 2014 Annual Conference in Marrakech, the AWG has developed a Framework of competition assessment regimes to be presented at the 2015 Sydney Annual Conference. The purpose of this Framework is to provide a broad overview of the range of competition assessment regimes and processes that exist, in order to: a) share and disseminate alternative illustrations of competition regimes across jurisdictions and b) provide a useful guide of how competition assessment is operationalised and the role of competition agencies in the process. In addition, the AWG organized two teleseminars to promote the implementation of the Recommended Practices and other key AWG work-products.

Competition Culture Project

The Competition Culture Project seeks to define competition culture, to learn how members interact with the constituent parts of a competition culture and to see what role each constituent plays or potentially could play. In 2014-2015 the AWG has finalized the Competition Culture Report to be adopted at the ICN Sydney Annual Conference. A major benefit to newer agencies is that the report may be referred to for guidance on how to approach a wide range of constituents including politicians, government officials, journalists, business associations, the judiciary, the antitrust legal community and academics.

2014 Advocacy Workshop

The third Advocacy Workshop was held in Balaclava, Mauritius on November 6th and 7th, 2014. The Workshop's main theme was around the establishment of the foundations for advocacy activities in an agency, development of advocacy strategies and assessment of the effectiveness of advocacy efforts in promoting a competition culture. The current projects of the Advocacy Working Group were also discussed at the Workshop. There were 55 participants from 23 countries and 6 NGAs.

ICN – World Bank Group Competition Advocacy Contest 2014

The Contest Project aims to raise awareness of the key role of competition agencies in promoting competition and to showcase their successful advocacy stories. In 2014 the ICN and the World Bank Group launched the [2014 Competition Advocacy Contest](#) after the successful [2013 edition](#) carried out by the World Bank. The general topic of the 2014 edition is “Inclusive growth for shared prosperity” with the following sub-themes: “Promoting pro-competitive reforms that foster growth and reduce inequality”; “Promoting awareness of competition benefits in a time of crisis”; “Promoting cooperation with relevant public bodies in order to balance other public interests with competition goals”. The Contest represents a useful opportunity to collect relevant information about advocacy experiences of the ICN members. The top three applicants will be announced at the 2015 ICN Annual Conference, invited to present their stories at an ICN-World Bank Group event and be featured in a joint publication.

Agency Effectiveness Working Group

The mission of the Agency Effectiveness Working Group ([AEWG](#)) is to identify key elements of a well-functioning competition agency and develop best practices for agency strategy, planning, operations, and investigative tools and procedures. The AEWG's work examines a variety of factors that affect how competition agencies achieve their objectives in an efficient and effective way. For the 2014-15 ICN year, the Finnish Competition and Consumer Authority, Norwegian Competition Authority, and United States Federal Trade Commission co-chaired the AEWG. The AEWG had three areas of focus during 2014-2015: the Investigative Process Project, the AEWG R&D subgroup, and oversight of the ICN Training on Demand Project.

Investigative Process Project

In 2012, the AEWG began a multi-year project on competition agencies' investigative processes. The Investigative Process Project is co-led by the US FTC and the European Commission's Directorate General for Competition. The Project provides a forum for members to discuss how investigations are conducted, with a view to improving the effectiveness of agency processes and decision-making. The Project addresses both the enforcement tools and procedures available to and used by competition agencies within their legal frameworks. From 2012-2014, the Project issued three reports on Investigative Tools (2013), Agency Transparency Practices (2013), and Agency Confidentiality Practices (2014), and organized an ICN Roundtable on investigative process (2014).

In 2014-2015, the Project developed ICN guidance on investigative process to promote fair and informed enforcement. The guidance covers enforcement tools, agency transparency, agency-party engagement and the protection of confidential information. The ICN guidance was developed from member responses to surveys about their investigative practices, existing ICN and other international work on investigative process, the 2014 Roundtable, and a series of consensus building discussions and comment periods over the span of four months. The ICN Project is the most far-reaching agency-led effort to articulate guidance on investigative process.

AEWG's R&D subgroup

In 2014, the AEWG created a new initiative to develop topics of interest for working group discussion. The AEWG's R&D work is volunteer driven. Members and/or NGAs select a topic of interest to explore and report on to the subgroup. The results of our volunteers' work can take many formats aimed at informing members, but the group maintains a commitment not to issue comprehensive member surveys nor draft extensive group reports. This year's volunteers have: 1) organized a teleseminar on case management tools; 2) produced an issues paper on the practice of "the revolving door" at competition agencies; 3) identified available resources and organized an annual conference breakout discussion on agency ethics and integrity; 4) developed appropriate topics for an agenda for a future agency effectiveness workshop; and 5) organized a series of annual conference breakout discussions focused on a) new agency challenges and b) topics relevant to running an agency. Based on the R&D work, the topic of agency ethics and integrity has been included in the Working Group's annual work plan for wider attention in 2015-2016. The Working Group uses its regular R&D calls to help develop topics for teleseminars, workshops, and ideas for future work, providing more opportunities for all members to help determine the Working Group's direction.

ICN Training on Demand Project

The mission of the [Training on Demand Project](#) is to create a comprehensive curriculum of training materials to serve as a virtual university on competition law and practice for competition agency officials. The Project is led by the US FTC and a dedicated Project Group that includes representatives from each ICN Working Group and additional

interested members and NGAs. The project engages the skills and talents of ICN members and NGAs, particularly academics, to provide a valuable new resource to build capacity and to strengthen competition policy and enforcement. Training modules, consisting of video lectures and accompanying ICN materials, provide an on-line educational center for competition authorities and others in the competition community from around the world. The modules promote ICN work products and incorporate ICN members' experiences. In 2014-15, the Training on Demand Project finalized new modules on interviewing techniques and an introduction to the Project. In addition, individual agencies and NGAs prepared "short-form" modules for the Project focusing on 1) a predatory pricing case study (Turkish Competition Authority), 2) proving horizontal agreements (collaboration between an NGA and the US FTC), 3) merger remedies (NGA offering), and 3) unilateral effects in merger cases (NGA offering). The Project also continues to improve its offerings of viewing formats, translations, and links to additional ICN work that enhance the usability and usefulness of the modules.

Cartel Working Group

The ICN Cartel Working Group ([CWG](#)) brings together antitrust enforcers to address the challenges of anti-cartel enforcement, enhancing the ability to eliminate both domestic and international cartels. The Working Group aims to reduce obstacles that antitrust agencies face in deterring and detecting cartels through the examination of important legal and policy topics and the exchange of effective investigative techniques. For the 2014-15 ICN year, the CWG was co-chaired by the US DOJ, the German Bundeskartellamt and the Netherlands Authority for Consumers and Markets (ACM).

The CWG consists of two subgroups:

- *Subgroup 1 (SG1): Legal Framework* was co-chaired by the European Commission, the Japan Fair Trade Commission (JFTC) and the Colombian Superintendency of Industry and Commerce in 2014-15. It addresses legal and conceptual challenges of anti-cartel enforcement. The focus of the subgroup is examining policy-level issues of the institutional and investigative framework for the detection and punishment of hard-core cartel conduct.
- *Subgroup 2 (SG2): Enforcement Techniques* was co-chaired by the Australian Competition and Consumer Commission (ACCC), the Brazilian Administrative Council for Economic Defense (CADE) and the Russian Federal Antimonopoly Service in 2014-15. It aims to improve the effectiveness of anti-cartel enforcement by identifying and sharing specific investigative techniques and advancing the education and information sharing agenda of the CWG.

SG1: Legal Framework

Discussion Call Series

The call series format facilitates exchanges of experiences, sharing of ideas, and learning about specific enforcement and policy efforts in other jurisdictions. Over the past working

year, SG1 held two series of substantive discussion calls on a) investigative powers to fight international cartels, and b) on sanctioning international cartels in the context of multi-jurisdictional investigations. Altogether six calls were organized, complemented by two “Asia-Pacific friendly” timed calls. Participants in the calls were representatives from member agencies and, where such participation was permitted, also NGAs.

In the framework of the call series on investigative powers to fight international cartels, in two separate webinars agencies shared views on ex-officio cartel investigations and interview techniques; in the third webinar agencies and NGAs discussed the interplay between criminal and civil/administrative cartel investigations.

In the framework of the call series on sanctioning, in the first webinar agencies and NGAs discussed different types of sanctions (e.g. administrative/criminal/behavioral) as well as existing discretionary factors when sanctioning international cartels. In the second and third webinar, agencies exchanged their views on the co-existence of different sanctioning regimes and their experiences on achieving synergies and preventing negative spillovers when sanctioning international cartels, as well as specific issues relating e.g. to private enforcement, the use of direct/indirect sales for the purpose of sanctioning or the consideration of undertakings' inability to pay. Both call discussion series were well received and attracted significant CWG participation from member agencies and NGAs worldwide.

SG2: Enforcement Techniques

Drafting of the Anti-cartel Enforcement Manual Chapter on Cooperation with Procurement Agencies

During 2014 – 15, SG 2 members drafted a chapter of the Anti-Cartel Enforcement Manual on Cooperation with Procurement Agencies. The Chapter draws together key practices concerning relationships with procurement authorities.

The aim of this Chapter is to provide the competition authorities with practical tools for building constructive relationships with public procurement bodies in order to ensure free and fair competition in public bidding procedures. These tools are intended to facilitate the efficiency of public procurement as well as to improve the competitive environment in the relevant markets.

The Anti-Cartel Enforcement Manual continues to draw contributions from many members. The Working Group seeks member feedback on draft chapters and evaluates the success of such written work product from its impact on member practices and the use of the work products and materials for training, reference or other purposes.

The drafting team was led by FAS Russia and included competition authorities of Brazil, Canada, Italy, Sweden, Zambia and a Colombian NGA.

Update to Anti-cartel Enforcement Templates

During 2014-2015, SG2 continued the process of updating the Anti-Cartel Enforcement Templates, which provide public access to information about ICN members' anti-cartel enforcement regimes. The templates cover a range of topics, including the process for

filing a complaint, decision-making, sanctioning cartel conduct, investigative tools, leniency, rights of defendants and confidentiality. Templates can be found on the [ICN website](#).

2014 Cartel Workshop

The 2014 Annual Cartel Workshop took place in Taiwan in October 2014. The 2014 Workshop examined effective strategies to investigate cartel conduct. The Workshop also highlighted existing CWG work products, including the Anti-Cartel Enforcement Manual and waiver templates. Preparations for the Workshop were coordinated by the SG 2 Co-Chairs, in partnership with the Taiwan Fair Trade Commission. The Annual Cartel Workshop continues to bring together competition agencies with a diversity of experiences from a variety of regions. Therefore, the Workshop is an important venue to promote existing CWG work products, and to encourage implementation of the strategies and best practices outlined in many of these work products. The ICN Cartel Workshop continues to draw members from many jurisdictions that have an active interest in presenting and discussing timely enforcement issues. Subgroup 2 co-chairs and workshop hosts assess the workshops via evaluation forms and review the feedback made by participants for future workshops.

Merger Working Group

The mission of the ICN Merger Working Group ([MWG](#)) is to promote the adoption of best practices in the design and operation of merger review regimes to: (i) enhance the effectiveness of each jurisdiction's merger review processes; (ii) facilitate procedural and substantive convergence; and (iii) reduce the public and private time and cost of multi-jurisdictional merger reviews. For the 2014-2015 ICN year, the Competition Commission of India, the European Commission's DG Competition and the Canadian Competition Bureau co-chaired the MWG.

Project on International Merger Enforcement Cooperation

This project aims at developing a practical guidance on cooperation among agencies in the review of multijurisdictional mergers. An Interim Report on the Status of the International Merger Enforcement Cooperation Project was adopted at the 2014 ICN Annual Conference. The Interim Report compiled the main take-aways of a series of experience-sharing MWG teleseminars on merger enforcement cooperation held in 2013-2014. A draft Outline of Principles on international cooperation in merger review, distilling core principles of effective cooperation from the Interim Report, other ICN MWG work products and discussions held during the MWG plenary and break-out sessions of the 2014 ICN Annual Conference, was prepared. That draft Outline of Principles was meant as an intermediate step towards the drafting of a more detailed guidance work product. That draft Outline of Principles was discussed by the MWG membership during a teleseminar on 30 October 2014 and at the plenary and break-out sessions of the MWG Workshop held in New Delhi in December 2014. Further to that

preparatory work, a draft ICN MWG Practical Guide to International Enforcement Cooperation was developed. The Practical Guide elaborates on the draft Outline of Principles and existing ICN MWG work products by setting out principles, tips and practices which cooperating agencies may seek to apply, to the extent consistent with their respective laws and enforcement obligations. In doing so, it draws on the practical experiences of MWG member agencies and NGAs. It is intended to serve as: (i) a voluntary and flexible framework for interagency cooperation in merger investigations; (ii) practical guidance for agencies seeking to engage in such cooperation; and (iii) practical guidance for parties and third parties seeking to facilitate cooperation. Drafts of the Practical Guide were discussed by the MWG during a teleseminar on 27 February 2015 and through e-mail exchanges. The final work product, that is, the ICN MWG Practical Guide to International Enforcement Cooperation, will be presented at the ICN 2015 Annual conference in Sydney. The road testing, implementation and dissemination of the Practical Guide will be discussed at the MWG Workshop that will be hosted by the European Commission in Brussels (Belgium) from 24-25 September 2015.

Project on Remedies in Merger Review Project

During 2014-2015, the objective of this Project was to take-stock, review existing work products, including the 2005 Merger Remedies Review Report (“Report”) and engage in fact finding and information sharing amongst members. The MWG aims at formulating a work product in the course of 2015-2016 which may serve to update the previous Report and/or provide other guidance. Since 2005, there have been new studies on merger remedies and various types of remedies have been implemented by agencies around the world which require a revisit of the understanding of the international competition community concerning effective and efficient remedies. In addition, this Project will benefit from the Project on International Merger Enforcement Cooperation as remedies in cross-border mergers are increasingly becoming a key area of cooperation and new challenges need to be addressed. The fundamental principles of appropriate and effective remedies have already been discussed in a teleseminar held on 25 September 2014. A second teleseminar on "Choice and Design of remedies" was held on 10 November 2015 and a third teleseminar on the "Implementation and the Monitoring of remedies" was held on 22 January 2015. These topics were also discussed during plenary and breakout sessions at the MWG Workshop in New Delhi in December 2014. During 2016-2017, the MWG will implement and road-test the work-product developed. Teleseminars may be held to discuss drafts of the work product. 2017-2018 will be dedicated to the implementation and dissemination of the final work product.

2014 Merger Workshop (New Delhi, India)

The Competition Commission of India hosted the 2014 Merger Workshop in New Delhi, India. 1-2 December 2014. The first Plenary and Breakout Sessions focused on the guidance work product on international merger enforcement cooperation, which is to act as a voluntary framework to help guide cooperation between agencies reviewing the same

merger. The main themes discussed related to (i) establishing and maintaining communication between agencies; (ii) alignment of timetables; (iii) sharing of information; (iv) cooperation on substance; and (v) cooperation on remedy design and implementation. The second Plenary and Breakout Sessions were dedicated entirely to the issue of International Cooperation with regard to Remedies. Further breakout sessions explored remedies topics including the use and implementation of different remedy types, the role of third parties, and lessons learned from ex-post reviews of remedies. In terms of Outreach and Implementation, Plenary 3 discussed the objective of Outreach and what more is required. The Plenary looked into two case examples: on the one hand the experience of Brazil CADE with the more recent introduction of ex ante merger control; and the EU perspective on international cooperation in the field of multijurisdictional mergers: both experiences point at the valuable guidance provided by ICN for cooperation and the modalities of cooperation. The last Plenary consisted of an interactive discussion between all participants on the basis of a hypothetical multijurisdictional merger case. It allowed bringing all issues of international cooperation together in a very concrete way with a good mix of younger agencies and older jurisdictions making comments.

Work to Promote Familiarity, Use, and Implementation of MWG Work Product

In 2014-2015, the MWG continued to promote the use familiarity of recent work-products, including the Recommended Practices. A Plenary session dedicated to outreach was organized during the Merger Workshop held in New Delhi in December 2014. Specific attention will also be given to promoting the familiarity, use and implementation of MWG Work Products (including the new International Merger Enforcement Cooperation guide) during the Merger Workshop that will be hosted by the European Commission in Brussels (Belgium) from 24-25 September 2015. In September 2015, the MWG released an updated version of the [Merger Notification and Procedure Template](#). The Template provides background on the jurisdiction's merger laws, rules, and procedures and serves as a tool to help competition agencies and the public learn about merger control in ICN jurisdictions. In particular, competition agencies can use templates as a transparency tool, i.e., a tool for benchmarking themselves against other agencies, allowing agencies to see what their international counterparts are doing in terms of ICN recommended practices and whether they are converging or diverging. The templates are also beneficial for the private sector/merger parties since they help provide an agency-led source on merger rules to the private sector and can help to clear up any misunderstanding of an agency's merger rules. The updated Template includes a new section on substantive analysis, expands the section on confidential information and, in general, it seeks any guidance/practice that may provide insights/information on agency merger policy that may not be available in the commercial guides. It also includes relevant information for international cooperation. Member agencies are asked to fill in the template that will be uploaded on a dedicated [MWG page](#). Finally, the MWG also continued to update and improve the MWG's page on the ICN website, including adding materials from the 2014-2015 MWG teleseminars and the MWG Workshop in Delhi.

Self-assessment Tools

The MWG continued its efforts to assess the level of use and implementation of the MWG's work product, in particular both sets of RPs, by using the RP self-assessment tools. In April 2014, the MWG held a teleseminar presenting results of self-assessment undertaken by some volunteering agencies and inviting participants to share their experiences when carrying out the revision process and using ICN standards to advocate or target their reforms. Dedicated plenary and break-out sessions were held during the MWG Workshop held in New Delhi in December 2014.

Framework for Merger Review Cooperation

In 2012, a [Framework for Merger Review Cooperation](#) among interested member agencies was established. The Framework provides contact details of agency liaison officers and facilitates information exchange among agency case teams. The JFTC administers the Framework. As of March 2015, 57 competition authorities have joined this Framework. This Framework was further promoted at the Workshop in Delhi, particularly during the plenary on Outreach.

Unilateral Conduct Working Group

The Unilateral Conduct Working Group ([UCWG](#)) was established at the fifth annual ICN conference in May 2006. Its primary objectives are to examine the challenges involved in analyzing unilateral conduct of dominant firms and firms with substantial market power, facilitate greater understanding of the issues involved in analyzing unilateral conduct, and promote convergence and sound enforcement of laws governing unilateral conduct. For the 2014-15 ICN year, the Swedish Competition Authority, the Turkish Competition Authority and United Kingdom Competition and Markets Authority co-chaired the UCWG.

Chapter on Tying and Bundling

During the last year, the Working Group continued to develop a “workbook” on the analysis of unilateral conduct, producing a chapter on tying and bundling. Previous chapters drafted by the Working Group focused on [Assessing Dominance/Substantial Market Power](#), [Objectives of Unilateral Conduct Laws](#), [Predatory Pricing Analysis and Exclusive Dealing](#). The Chapter on Tying and Bundling concerns the use of tying and bundling as a potentially exclusionary practice subject to competitive laws prohibiting abuse of dominance or monopolization. The chapter provides guidance on conducting a tying and bundling investigation, including the nature of tying arrangements, assessment of anti-competitive effects of the arrangements, and possible justifications and defences that could be put forward by the parties.

Webinars

The Working Group also held three successful webinars. The first dealt with the assessment of dominance in fast-moving markets, the second with categorization and the

assessment of non-price abuses, and the third with refusal to deal in regulated industries. Recordings of the webinars are posted on the [ICN website](#).

Discussion series on recent unilateral conduct cases

In connection with the Working Group's monthly Member & NGA conference calls, a number of member agencies presented on recent unilateral conduct cases in their jurisdictions. The purpose of the presentations was to promote greater convergence and increase understanding regarding differences in unilateral conduct standards.

Section II: Steering Group Initiatives

Advocacy and Implementation

This Steering Group (SG) project aims to promote and advocate for the use of ICN work product by competition authorities throughout the world.

Vice-Chair for Implementation

During the 2014-2015 ICN year, the Vice-Chair for Implementation sought to launch a discussion about the ICN Implementation Agenda, with a particular emphasis on drawing in the various strands of implementation initiatives with consistent, coherent and focused objectives in an overarching framework for implementation.

At the 2014 ICN Annual Conference, in Marrakech, the Vice-Chair for Implementation presented a strategy based on three main aspects: (i) raising awareness and improving access to ICN work products; (ii) implementation on the working group level, including assessment of the ICN work products; and (iii) reinforcing the framework for technical assistance within the ICN.

These proposals were further discussed at the Town Hall Meeting in November of 2014. This work was also taken to the Working Group Chairs, who undertook a discussion on what tools and initiatives already exist in the Working Groups, which would feed into future work to assist and support Working Group Chairs in their implementation initiatives.

Advocacy and Implementation Network (AIN)

The JFTC, the AIN Chair and AIN members which is comprised of Co-Chairs of each Working Group updated and reorganized the ICN Work Products Catalogue which is used for identifying work products relevant to the needs of recipient agencies. To make it much easier for all users, especially younger agencies to refer, work products promoted for implementation in 2014-2015 ICN year by each Working Group are marked with a star in the catalogue. It is available on the ICN website. AIN introductory kit containing the ICN Work Products Catalogue was disseminated to new ICN members in cooperation with the Membership Working Group. Furthermore, the JFTC distributed USB memory sticks including the electronic data of ICN Work Products at various ICN and other relevant events such as those organized by UNCTAD and APEC.

With respect to promoting AIN and AIN Support Program (AISUP), the JFTC, as the AIN Chair, contributed to an optional breakout session on the ICN introduction by making a brief report on the outline of the AIN and the implementation of AISUP during the 2014 Annual Conference in Marrakech. In addition, the activities of AIN including AISUP were introduced at the implementation session held to share experiences of implementation at the 2014 ICN Annual Conference. Also, the JFTC made a brief presentation on the activities of AIN including AISUP at the technical assistance program for developing countries held in Japan in September 2014. In addition, as already mentioned, the USB sticks including [AISUP Flyer](#) were distributed at various ICN and other relevant events.

In 2014-2015, new technical assistance through AISUP was decided to be provided to Ethiopia and Trinidad and Tobago. As a result, the technical assistance through AISUP has been implemented or is to be implemented to recipient agencies from Ethiopia, India, Kazakhstan, Kyrgyzstan, Moldova, Mongolia, Tanzania, Trinidad and Tobago, and Zambia by supporting agencies from the following jurisdictions: France, Germany, Italy, Mexico, Russia, United States (US FTC) and other agencies.

In addition, to build awareness of ICN work products, the AIN promotes ICN work products by taking advantage of opportunities at various events including the ICN related events. For example, ICN work products relevant to Cartel Working Group and a module of ICN Training on Demand were explained at the ICN session during the 14th UNCTAD Intergovernmental Group of Experts on Competition Law and Policy.

Outreach

ICN Blog

In November 2009, the ICN launched an online ICN Blog & Bulletin Board. The ICN Blog serves as a virtual bulletin board for updates and highlights about ICN events, ICN work, member agencies, and the international competition community at large. The ICN Blog's audience has grown substantially, with 19000-24000 visits each month during 2014-2015. Typical postings include notices of ICN teleseminars, ICN newsletters, workshop and conference updates, and policy and enforcement news from member jurisdictions. The US FTC manages the ICN Blog at www.icnblog.org.

NGA Liaison

The NGA Liaison helps better engage NGAs from diverse backgrounds and geographic distribution to participate more actively in the ICN, so that the network can benefit from a wide spectrum of views and interests.

Initiatives in support of NGA Engagement

Building on the NGA Toolkit, produced in the year 2011-2012 and addressed to members and NGAs on how NGAs can be more active, the Welcome Track was launched and approved in the year 2012-2013, again under the leadership of Vice Chair and NGA Liaison Bruno Lasserre.

With the view to foster not only NGA engagement, but also member engagement, especially new members and less or non active members, the Welcome Track is intended to members to encourage them to be more active. Available on the ICN website, the Welcome Track is organized like a checklist to guide interested members through important phases of the ICN. It includes the eight following steps:

- Step 1 - Applying for membership, Step 2 - Becoming a member,
- Step 3 - Getting the assistance of "a welcoming guide",

- Step 4 - Getting familiar with the ICN through calls for new members,
- Step 5 - Getting involved in one or more Working Groups,
- Step 6 - Recruiting NGAs,
- Step 7 - Interacting in person with other members and NGAs, and
- Step 8 - Having rendez-vous calls with your “welcoming guide”,

Breakout session on NGA engagement at ICN Annual Conferences

The 10th ICN Annual Conference in The Hague was the first to include a dedicated breakout session on NGA Engagement. A draft of the NGA Toolkit was discussed during the session. The NGA Engagement breakout session at the 11th ICN Annual Conference in Rio was about building an effective partnership between NGAs and agencies and sharing experience in the context of different jurisdictions. The NGA Engagement breakout session at the 12th ICN Annual Conference in Warsaw included a presentation of the “Academic Hubs Project” led by Mr. Bill Kovacic, as well as a panel discussion on the interaction between competition authorities and the private sector in relation to the design and implementation of competition laws in various jurisdictions. The “Academic Hubs Project”, which originated from the discussion held at the NGA Engagement breakout session in Rio, seeks to foster cooperation between academics and the ICN by mapping out all academic hubs specialized in competition law and policy in the world. The first results of this Project were presented at the NGA Engagement breakout session of the 13th ICN Annual Conference in Marrakech, which also organized a discussion on how to build and develop constructive relationships between NGAs and competition agencies. A high level panel of NGAs who were former enforcers shared their experiences.

At the 14th Annual Conference in Sydney, the full results of the mapping effort carried out toward the Academic Hubs Project will be presented by William Kovacic. Another part of the NGA Engagement breakout session will be the occasion to discuss how to enhance NGAs’ involvement and coordination.

Section III: Operational Working Groups

Operational Framework Working Group

The Operational Framework Working Group ([OFWG](#)) was established at the first ICN Annual Conference in Naples, Italy in September 2002. The mission of the OFWG is to provide recommendations on operational and governance issues of the ICN to the SG. In 2014-2015, the Brazilian Administrative Council for Economic Defense (CADE) and the Federal Antimonopoly Service of the Russian Federation chaired the OFWG.

2014-2015 Summary of Work

In 2014-2015, the OFWG continued the discussion on how the role and the terms of ex-officio SG members could be reconciled with those of the elected SG members. The group discussed the current system of ex officio membership and the alignment of ex officio membership with elections to the Steering Group. The group also initiated a discussion regarding alternative means of financing of ICN events. This included a stocktaking exercise of past ICN event hosts, both workshops and annual conferences, and an ensuing discussion within the OFWG.

Membership Working Group

The Membership Working Group, co-chaired by the Korea Fair Trade Commission and the Comision Nacional de los Mercados y la Competencia of Spain, was established at the first ICN Annual Conference in September 2002. Its main purpose is to accept applications for ICN membership from competition agencies around the world, examine them under the criteria for membership set out in the Operational Framework of the ICN and refer the case to the SG for the members' review and consensus.

Since the 2014 ICN Annual Conference, the Membership Working Group has reviewed applications for entry to the ICN and the SG approved the following new ICN members:

- Competition Agency, Georgia;
- Trade Competition and Consumer Protection Authority(TCCPA), Ethiopia;
- Competition and Consumer Protection Tribunal(CCPT), Zambia; and,
- Trinidad and Tobago Fair Trading Commission, Trinidad and Tobago.

The new and successive members noted above help make the total number of the ICN membership mark 130 agencies from 118 jurisdictions as of 18 March 2015.

Appendix: Overview of ICN Working Group Achievements 2014-2015

Advocacy WG	<ul style="list-style-type: none"> ▪ The Competition Benefits Project: web-based tool on practical guidance, on explaining the benefits of competition to government. ▪ The Competition Culture Project: Final Report ▪ The Competition Assessment Project: Framework of competition assessment regimes and two teleseminars ▪ Third Advocacy Workshop ▪ ICN – World Bank Competition Advocacy Contest
Agency Effectiveness WG	<ul style="list-style-type: none"> ▪ ICN Guidance on Investigative Process ▪ ICN Training on Demand project <ul style="list-style-type: none"> ▪ ICN modules on Interviewing Techniques and Introduction to Training on Demand ▪ Individual member and NGA short form modules on predatory pricing, merger remedies, proof of agreement, and unilateral effects in merger cases ▪ Teleseminar on Case Management Tools ▪ R&D subgroup work on agency ethics and the revolving door practice
Cartel WG	<p>Sub Group 1</p> <ul style="list-style-type: none"> ▪ Discussion call series on investigative powers ▪ Discussion call series on sanctioning of international cartels <p>Sub Group 2</p> <ul style="list-style-type: none"> ▪ Annual ICN Cartel Workshop hosted by the Taiwan Fair Trade Commission, October 2014 ▪ Drafting Anti-Cartel Enforcement Manual Chapter on Cooperation with Procurement Agencies ▪ Anti-Cartel Enforcement Template Update

Merger WG	<ul style="list-style-type: none"> ▪ Draft guidance on International Merger Enforcement Cooperation ▪ 3 teleseminars held on the issue of Remedies ▪ Workshop held in December 2014 in Delhi (sessions held on international cooperation, remedies, dissemination, implementation and outreach projects). ▪ Work to promote the familiarity, use and implementation of MWG work product: (i) panels dedicated to outreach and implementation during MWG workshops in New Delhi and Brussels; (ii) updated version of the merger notification and procedure template; (iii) Update of webpage ▪ Framework for Merger Review Cooperation (continued administration)
Unilateral Conduct WG	<ul style="list-style-type: none"> ▪ Workbook chapter on Tying and Bundling ▪ 3 Webinars on (i) Assessment of dominance in fast-moving markets; (ii) Categorization and the assessment of non-price abuses; (iii) Refusal to deal in regulated industries. ▪ Discussion of recent Unilateral Conduct cases (in the context of regular Member and NGA calls)
AIN	<ul style="list-style-type: none"> ▪ Activities to engage the Advocacy and Implementation Network ("AIN")(reaching out to younger agencies; updating catalogue of work products) ▪ Activities to promote the AIN and the AIN Support Programme (AISUP) ▪ Implementation of AISUP assistance ▪ Building awareness of ICN work products
Operational Framework WG	<ul style="list-style-type: none"> ▪ Discussion at SG request concerning (i) role of ex officio membership of the Steering Group and alignment with elections for the Steering Group and (ii) alternative financing of ICN events
Membership Working Group	<ul style="list-style-type: none"> ▪ This year four new member agencies joined the ICN (competition authorities from Georgia, Ethiopia, Zambia and Trinidad and Tobago)