

## International Competition Network Outreach Study Concept Paper

Vice Chair for Outreach  
William E. Kovacic

In October 2001, fifteen competition agencies established the International Competition Network to provide a forum for antitrust agencies to address enforcement and policy issues of common interest and formulate proposals for procedural and substantive convergence through a results-oriented agenda and structure. Eight years later, the ICN's membership includes 107 competition agencies, with hundreds of non-governmental advisors (NGAs). Designed as a "project-based" organization, the number of projects increased from a handful to more than 30.

In a number of noteworthy instances, the ICN has achieved success in serving as a mechanism by which competition agencies collectively can identify superior procedures, conceptual frameworks, and analytical techniques. In doing so, it has supplied focal points for convergence based on commonly accepted standards. The network also has provided a forum for agencies to gain a better understanding of how and why their procedures and substantive approaches differ. Recent ICN projects also have placed needed emphasis on important operational issues concerning the implementation of competition policy programs.

For all its successes, the expansion of the ICN's membership and work program has created new challenges for the network. These include collective action problems associated with the growth in the number of participants and the diversity of needs among member agencies. The Network's positive contributions also have yielded the welcomed difficulty of meeting increasingly higher expectations of the global competition community.

Through the contributions of its individual members, working groups, and Steering Committee, the ICN has made considerable efforts to address these challenges and set a foundation for improvements in its work. For example, in 2007, the ICN Chair prepared a questionnaire for Steering Group members to provide their views on how to address these and other challenges. In 2008, David Lewis, who then served as Vice-Chair for Outreach, conducted an in-depth survey to understand whether the ICN is meeting members' needs and to identify which of its activities the members find most useful. This past year, the ICN Chair and Vice Chairs organized focus groups to engage in an interactive dialogue about ways the ICN could better achieve its mission. Working Groups and individual members and NGAs have engaged in a number of other evaluative initiatives.

These evaluations have clarified the hurdles that ICN must surmount to attain still more widespread and energetic participation. The network's members face many

intense demands on their resources, and there is a keen awareness that the future ICN's future success depends on its capacity on a continuing basis to identify activities that members regard as valuable and worthy of their efforts. Reviewed together, the ICN's evaluation measures to date have pointed to new opportunities for outreach initiatives and have suggested themes that can guide the network's outreach program.

Four specific endeavors could help the ICN identify solutions to the challenges mentioned above. The first is to examine the ICN in light of a growing academic literature that discusses the development of international policy networks and considers how different approaches to governance influence the effectiveness of these networks. This literature offers larger conceptual perspectives on how a network can improve the quality of policy making across borders, and it presents insights on a number of practical matters that could inform the ICN's future development. Relevant topics in the latter category include the establishment of a superior organizational form, techniques for improving operational effectiveness, and approaches for engaging non-government officials in the work of a network. In the year ahead, the outreach activities of the ICN might include efforts to relate this literature to its own work. Means to this end could include a review of the literature on international network, consultations with its leading contributors, and the identification of possible lessons for the elaboration of the ICN's program going ahead.

A second approach is for the ICN to study and learn from the experience of other international networks whose core membership consists of government bodies (*e.g.*, IOSCO, BASEL II). The period since World War II has featured the establishment of many networks whose purpose, membership, and form resemble the ICN's. These groups have played a substantial role in promoting international acceptance of superior substantive concepts and operational methods in many fields of law. In building their programs, these networks have wrestled with many of the same issues of organization and operations that face the ICN. By reason of the work of other networks, there is a large body of experience for the ICN to consider. To this point ICN infrequently has tapped this source of ideas. Looking ahead, the ICN's outreach program could consult with representatives of other networks to identify organizational structures and mechanisms that might provide models for the ICN to consider. Among other subjects, the ICN could ask what steps other networks take to facilitate member and advisor inclusiveness.

A third focus for future work is to expand cooperation with academic institutions to engage academics more extensively in the work of the ICN. Relevant points of contact would include (a) individual academic programs in business, economics, law, political science, and public sector management and (b) networks of academic organizations. There is a large and growing global community of scholars whose research and teaching interests include competition policy. A significant number of scholars have affiliations with research centers that focus on the design and operation of competition policy systems and use comparative perspectives to

formulate specific research programs and conferences. The ICN's outreach activities could strengthen ties with academic researchers and their institutions with the aims of gaining their participation in ICN working groups, learning of research related to the ICN's work, and encouraging the pursuit of research projects that can inform the network's operations.

The fourth initiative is to engage in further consultations with ICN members and non-government advisors about the future direction for the network. As noted above, the ICN's leadership has undertaken several steps to enlist the assistance of members and NGAs in assessing the network's effectiveness and charting the course ahead. The coming of the network's tenth anniversary in 2011 provides an occasion to extend these consultations to carry out a still more extensive assessment of where the ICN stands today and what can do to improve upon a most encouraging beginning. The consultations can take several forms, including focus groups and individual interviews.

The inquiries sketched here can help insure that the network sets an agenda that addresses the most serious needs of its members and chooses the best possible means for dealing with them. This kind of self-assessment will help press the ICN toward fulfilling a central aim that motivated its creation: to be a demand-driven institution that promotes acceptance of superior methods, enables agencies to understand more deeply their common interests and differences, and to realize, through collective action, results that elude individual initiative.