

STATEMENT OF ACHIEVEMENTS ***2001 - 2011***

In October 2001, competition authorities from 14 jurisdictions launched the International Competition Network (ICN) as an international forum of enforcement authorities exclusively devoted to competition issues.

As of 2011, the ICN has grown to include 114 agency members from 100 jurisdictions, making it the most extensive network of competition authorities worldwide. Within the ICN, member agencies work closely with their peers, as well as with non-governmental advisors (NGAs) from business and consumer groups, academia, the legal and economic professions, and international organizations such as the OECD and UNCTAD.

Over the first ten years of its existence, the ICN has had impressive achievements, both in terms of the breadth and depth of its work products as well as the use and implementation of this work product by its members. The ICN's informal working methods, consisting of open discussion and mutual trust that leads to broad-based consensus, have proved highly effective in creating valuable work products that have been well received worldwide. Competition authorities of all ages and sizes benefit enormously from their participation in the ICN and the ICN work product. The ICN's work also influences a broader sphere of policymakers as well as legislators around the world.

The ICN's remarkable body of work products is a tool for continuous improvements in antitrust enforcement and competition advocacy. As the network matures, the ICN increasingly focuses efforts on use and implementation of existing work product.

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This Statement of Achievements provides an overview of the ICN's work during its first decade, organized according to the relevant working and project groups. Currently active groups include the Working Groups on Advocacy, Agency Effectiveness, Cartel, Merger, and Unilateral Conduct, as well as the Advocacy and Implementation Network Support Program, the Blog & Bulletin Board, and the Curriculum Project. Formerly active Working Groups dealt with Antitrust Enforcement in Regulated Sectors, Capacity Building and Competition Policy Implementation, and Telecommunications Services.

Currently Active Working Groups

Advocacy Working Group

Recognizing the importance of competition advocacy, one of the ICN's first initiatives was the establishment of the Advocacy Working Group (AWG) in 2001. The mission of the Advocacy Working Group (AWG) is to develop practical tools and guidance to improve the effectiveness of ICN members' competition advocacy activities.

The AWG's original mandate was to undertake projects with a view to recommending best practices and to provide information to members in support of their advocacy functions. This work took place from 2001 through 2003. In 2008, the AWG was reconvened and a revised work plan reflecting the needs of ICN members in sharing experience in competition advocacy and market studies, was approved by the Steering Group. In 2008-2009, the AWG engaged in a review and update of existing ICN advocacy work, and examined in greater detail members' experiences conducting market studies as part of their advocacy efforts, with the goal of developing good practices for conducting studies.

The ICN Report on Advocacy, presented at the ICN's inaugural Annual Conference, defined competition advocacy in the following terms:

"Competition advocacy refers to those activities conducted by the competition authority related to the promotion of a competitive environment for economic activities by means of non-enforcement mechanisms, mainly through its relationships with other governmental entities and by increasing public awareness of the benefits of competition."

The ICN's work in the area of advocacy is intended to be particularly useful for competition agencies in developing or transition countries, where the competition and regulatory framework is relatively young. The original mandate of the Advocacy Working Group was to undertake projects with a view to identifying effective approaches and providing information to members in support of their

advocacy functions. This work took place from 2001 to 2003. In 2003, an “Advocacy Toolkit” was produced, including elements on promotion mechanisms, educating decision makers, media relations, plain language, internal communications, websites, and research and consultation. A number of agencies have reported that the toolkit has influenced and improved their outreach activities. In 2010-2011 the Toolkit was updated to include recent examples of advocacy efforts by competition authorities and increase its practicality for ICN Membership.

The Advocacy Working Group places an emphasis on the active dialogue between agencies on best practices with regard to advocacy. The group holds a series of experience-sharing calls, which facilitate dialogue on and the exchange of best practices in a number of areas dealing with institutional and sectoral aspects of competition advocacy. In 2008 – 2011 the AWG conducted a series of the experience sharing teleseminars on a variety of topics related to planning and implementation of the competition advocacy programmes and broader competition policy issues, including striking balance between competition advocacy and enforcement activity as a means to achieve competition policy goals, competition advocacy in the time of economic crisis, the role of government in markets, competition advocacy with lawmakers, building relations between the competition authority and private bar, and evaluation of efficiency of competition advocacy efforts, as well as sector specific advocacy experience in such areas as transportation and finance. The teleseminars proved to be a popular form of experience sharing and generally assembled a significant number of participants. The seminar records and slides are put on the AWG web-page to serve as a reference for ICN Membership while planning advocacy efforts and market interventions.

In 2010 AWG created a platform for ongoing discussion and sharing views on advocacy and competition policy issues by means of launching a ‘Postings’ Section on its web-page. The Section complements to the AWG ongoing projects and helps to solicit the ICN Membership views on competition advocacy issues.

A Market Studies Good Practice Handbook, developed for 2010, highlights common approaches in conducting market studies and covers the different phases

of such a study. It was decided to road-test the Handbook, which was drafted in 2010, before publishing the final version at the Annual Conference in 2011. The road-testing was conducted with the help of two instruments. A questionnaire was sent to all ICN member agencies requesting them to rank the good practices identified in the Draft Market Study Handbook. Also, more detailed road-testing was conducted by individual members of the Advocacy Working Group. Furthermore, an "ICN Information Store of Market Studies" was launched as an online resource for agencies. The information store provides, by sector, ICN member studies on a particular topic.

The Market Studies Handbook enjoys a growing popularity among the ICN Membership . Road-testing of the Handbook has produced very positive results, with the almost all of the good practices cited in the Handbook having been rated at or above 4 out of 5 on a scale of usefulness.

The experience sharing teleseminars proved to be popular and efficient means of sharing views and good practices in a variety of competition advocacy issues by the ICN Membership. It also helped to draw greater attention to high-level competition policy issues like advocacy in crisis or striking balance between advocacy and enforcement in achieving competition policy goals, as well as to address institutional (stakeholder related) and sectoral issues of competition advocacy and policy.

[Agency Effectiveness Working Group](#)

*Recognizing that the manner in which an agency organizes its operations deeply shapes the quality of its substantive initiatives and affects the costs that firms bear in complying with an agency's orders and decisions, the **Agency Effectiveness Working Group (AEWG)** was formed in 2009 when the Competition Policy Implementation Working Group's (CPI WG) title and focus were changed. AEWG, as successor of the CPI WG, continues work on agency effectiveness with the objective to prepare a comprehensive "Competition Agency Practice Manual" (Agency Manual). The Agency Manual is expected to address a wide range of institutional and organizational subjects through chapters on strategic planning and*

prioritization, effective project delivery, effective knowledge management, ex-post evaluation, human resources management and communication and accountability.

In line with the objective of preparing the Agency Manual, the AEWG has finalized its first chapter on Strategic Planning and Prioritization in 2010. The chapter addresses, inter alia, the objectives of strategic plans, the prerequisites of and constraints related to effective strategic planning, internal processes and external consultations, communication on strategic planning, and the use of prioritization criteria and the process of prioritization. The AEWG is currently working to finalize the second chapter on Effective Project Delivery. Furthermore, the AEWG also started to work on the third chapter on Effective Knowledge Management. As a preparatory work on the third chapter, the AEWG, with the help of a questionnaire, has explored how competition agencies should invest in knowledge, what kind of research activities should be undertaken and how it can be ensured that knowledge is retained. The draft of the chapter on Effective Project Delivery and the draft summary of answers to the questionnaire on Effective Knowledge Management will be presented for discussion at the Annual Conference in The Hague in May 2011.

Even before the AEWG was created, its predecessor CPI WG, in January 2009, hosted a high-level seminar in Brussels for competition agency heads and senior officials to hold frank discussions about strategy, project management, evaluation, and accountability and communication. At this seminar many ideas were exchanged and the merits of different organizational and planning tools used by the respective agencies were discussed. AEWG held a follow-up seminar in London, in July 2010, addressing topics such as current challenges faced by competition agencies, agency culture, staff recruitment and development, and leadership and succession.

[Cartel Working Group](#)

*Virtually all competition agencies around the world consider the fight against cartels a primary enforcement priority. One of the **Cartel Working Group's (CWG)** initial reports found near universal agreement on the definition of cartel conduct, its scope, and agency commitment to anti-cartel enforcement. The harmful effects of*

hard core cartels are well understood. Consumers benefit from competition through lower prices and better products and services. When competitors agree to forego competition for collusion, consumers lose these benefits. The competitive process works only when competitors set prices independently. Secret cartel agreements to fix prices, share markets, allocate customers or rig bids are a direct assault on the principles of competition and are universally recognized as the most egregious of all types of anticompetitive conduct.

The fight against cartels is a technically demanding task. First of all, cartelists are by definition secretive about their illicit behavior, and therefore agencies have to undertake great efforts to detect concealed cartels. Secondly, agencies need specific legal powers and practical skills to collect sufficient evidence to mount a viable case against sometimes uncooperative defendants. Thirdly, in the cartel area, agencies operate sophisticated leniency programs to destabilize such conspiracies. Fourthly, the investigation of international cartels can present jurisdictional challenges (legal and practical). Last but not least, the growing trend to criminalize cartel behavior obliges many agencies to work to a particularly high standard of procedure and proof.

*In the cartel area, the main focus of the ICN has been to assist agencies in honing their operational and practical skills, and facilitating dialogue on important policy developments. In this vein, the Cartel Working Group organizes the **ICN Cartel Workshops**, a continuation of the successful series of agency-led international cartel conferences that began in 1999 in Washington. This annual event provides a venue for agencies' anti-cartel enforcers to share experiences and best practices. ICN Cartel Workshop participants also discuss ways of strengthening international co-operation and coordination in the fight against cartels. The first workshop under ICN auspices took place in Sydney, Australia, in 2004, including a special leniency workshop (the proceedings of which were made available on a DVD). The conclusions of the 2004 workshop on leniency have proven influential in the introduction and reshaping of many leniency programs. Subsequent workshops have been hosted in Seoul (2005), The Hague (2006), San Salvador (2007), Lisbon (2008), Cairo (2009) and Yokohama (2010). At the 2010 workshop, participants explored the efficient detection, investigation and punishment of cartel conduct with the aim of*

making the best use of agency resources. Approximately 150 participants from more than 50 jurisdictions joined the workshop, including about 40 Non-Governmental Advisors. The next workshop – to be hosted by the European Commission – will be held in Bruges, Belgium in October 2011. The upcoming workshop will focus on ways of enhancing the effectiveness of the fight against cartels.

*The ICN Cartel Working Group work product offers a set of “**Building Blocks for Effective Anti-Cartel Regimes**,” which are intended to help agencies, especially those new to anti-cartel enforcement, in building their own anti-cartel strategy on a solid foundation. As a first step, the Cartel Working Group prepared in 2005 three such building blocks covering (i) a discussion of the appropriate scope of the term “hard core cartel”; (ii) a review of agencies’ experiences with setting up dedicated cartel units, and (iii) an analysis of effective sanctioning systems. At the 2006 Annual Conference, the Working Group presented three more reports addressing inter-agency co-operation in cartel investigations, private enforcement of cartel rules, and obstruction of cartel investigations. In 2008, the Working Group completed reports on negotiated settlements in cartel investigations and on setting fines for cartel violations.*

*In addition, the Cartel Working Group has developed an Anti-Cartel Enforcement **Manual**. This Manual is a compilation of the investigative approaches used by ICN members possessing differing levels of experience. Each chapter explores measures employed at various stages of anti-cartel enforcement and identifies good practices. Chapters exist on: 1) Searches, raids and inspections, 2) Drafting and implementing an effective leniency program, 3) Digital evidence gathering, 4) Cartel case initiation, 5) Investigative strategies, 6) Interviewing techniques, and 7) Case resolution. In 2010-2011 the good practices contained in the various Manual chapters have been compiled into a single document, the *Compilation of Good Practices*.*

The Cartel Working Group has also facilitated periodic enforcer discussions of important policy issues. Through a series of ‘roundtable’ discussion calls, members have been able to share practical expertise and exchange ideas on effective anti-cartel enforcement. The discussion series’ have attracted unprecedented

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participation and number of speakers. They have become the largest, longest-running and most participatory group discussions within the ICN, and have prompted numerous member-to-member exchanges on enforcement practices and policy issues. In 2009-2010, the Working Group's discussion series explored the growing trend of jurisdictions imposing sanctions on individuals and criminalizing cartel conduct. In 2010-2011, the discussions were focused on the topic of cartel awareness and outreach. This call series is complemented by a collection of examples of public messages and materials used by ICN members in cartel-related outreach efforts. The collection has received an overwhelming response from members, amounting to the world's largest collection of cartel awareness and outreach materials. This collection is available through the ICN website.

Finally, the ICN Cartel Working Group has assembled Anti-Cartel Enforcement Templates, which provide public access to information about ICN members' anti-cartel enforcement regimes. The templates also 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. To date, almost fifty ICN members have provided cartel templates for their jurisdictions. These templates continue to be revised and are available on the ICN website.

In 2010, the Cartel Working Group surveyed its members for a project on Trends and Developments in Cartel Enforcement. In response, 39 ICN members reported using the Anti-Cartel Enforcement Manual to advance their cartel enforcement programs. For example, competition authorities in Argentina, Brazil, Chile, Croatia, Egypt, Mexico, New Zealand, Portugal, South Africa, and Turkey have used the chapter on Drafting and Implementing an Effective Leniency Program to help shape the design or modification of their leniency programs. Similarly, the Bulgarian CPC, Chilean FNE, Mexican CFC, Portuguese Competition Authority, and Swedish Competition Authority have used the chapter on Searches, Raids and Inspections to elaborate or update internal procedures for the performance of searches. Authorities from Mexico, Portugal, Russia, Romania, Greece, and Bulgaria reported using the Manual to train employees.

[Merger Working Group](#)

*Founded in October 2001, the **Merger Working Group (MWG)** presented its first work product at the First Annual ICN Conference in Naples in September 2002. Since then, the MWG has prepared a large body of work product and organized many ICN activities, including nine annual ICN conference presentations, and eight multi-day ICN Merger Workshops. More recently, the MWG has also begun to conduct teleseminars on merger-related topics of interest to its membership. In 2010, the Merger Working Group surveyed ICN members for a comprehensive assessment of the use and impact of its existing work, and the needs of ICN members going forward. With one of the highest response rates for a Working Group project in ICN history, this project has produced a wealth of information that provides insights on the use and impact of its work product and will substantially impact Merger Working Group priorities and activities in the years to come. Overall, the results indicate a high degree of satisfaction with the MWG and its impressive array of accomplishments. Over 90% of the responding agencies indicated that they have used MWG work product, and the vast majority indicated plans to continue to use MWG work in the future. Thirty two members identified the Recommended Practices for Merger Notification and Review Procedures as contributing to change in their merger regimes; likewise, twenty-five members reported that the Recommended Practices for Merger Analysis have contributed to change.*

ICN Merger Workshops

The Merger Working Group has organized eight ICN Merger Workshops: hosted in Washington (2002), Brussels (2004), Washington (2006), Dublin (2007), Pretoria (2007), Brno (2008), Taipei (2009) and Rome (2010). These workshops have highlighted MWG work on notification and procedures, investigative techniques, and merger analysis. The MWG's workshops were the first within the ICN to use comprehensive, real-world styled hypotheticals throughout multi-day training exercises for investigators. Many member agencies have adapted and used the merger workshop materials in their own internal training. The 2010 Merger Workshop included merger policy discussions and training-style merger practice sessions. The workshop was hosted by the Italian Competition Authority in Rome and was attended by approximately 135 agency representatives and NGAs from 50 jurisdictions.

Merger Notification and Procedures

*In its first year (2001-2002), the ICN adopted a set of **Guiding Principles** for agencies developing and revising merger regimes. The Guiding Principles outline eight precepts on which merger regimes should be based: sovereignty; transparency; non-discrimination on the basis of nationality; procedural fairness; efficient, timely and effective review; coordination; convergence; and protection of confidential information. The ICN has also adopted a set of **Recommended Practices for Merger Notification and Review Procedures** ("N&P Recommended Practices"). The N&P Recommended Practices aim to facilitate convergence toward best practices in the procedural aspects of merger review. The N&P Recommended Practices are designed to accommodate different legal traditions and stages of development. Adherence to these Principles and Practices has brought, and continues to bring, greater consistency, efficiency, and effectiveness to the multijurisdictional merger review process, benefiting agencies, merging parties, and consumers across the globe.*

Since the N&P Recommended Practices were first adopted, many ICN member jurisdictions with merger control provisions have made or planned changes that bring their merger regimes into greater conformity with the N&P Recommended Practices. As of 2010, over half of the ICN member jurisdictions with merger laws had done so or are planning conforming revisions. Nearly two-thirds of ICN members that have made such changes have cited the N&P Recommended Practices as having played a role in initiating or shaping their merger reforms. ICN members' use of these Recommended Practices is usually either as a benchmark to review their own practices or as a means of support for reform or both.

Comparing their systems to the Recommended Practices has allowed agencies to evaluate and identify specific areas for improvement. For example, the Czech, Swedish, and Finish agencies have relied on the Recommended Practices in designing reforms to merger thresholds. Other agencies, such as in Colombia and Costa Rica, have relied on the Recommended Practice on review periods to formulate reforms to their procedures. The Recommended Practices also appear to influence non-members. For example, when a draft Chinese antimonopoly bill was circulated, many agencies and bar associations urged the Chinese government to

adopt merger rules consistent with the ICN Practices. Changes in successive drafts of the antimonopoly law reflected many of these comments. In other cases, such as India and the Slovak Republic, bar associations and business groups have used the Recommended Practices to highlight for the agency or legislature areas of the merger regime that would benefit from reform. Written comments from bar associations, business groups, or other agencies on proposed laws or amendments often use the Recommended Practices to suggest areas for reform.

ICN members have also used the Recommended Practices as a stamp of legitimacy for changes the agency wanted to make. Agencies have used the Recommended Practices to convince the legislative body of the soundness of proposed reforms, because they conform to international standards. For example, in Germany, the Practices are cited in official documents for the legislature as a rationale for change. In Ireland, the Competition Authority cited the ICN Recommended Practices in a consultation document on proposed reforms, saying the reforms would make the Irish regime consistent with international standards. Many other agencies, such as those in Belgium, Brazil, Finland, Mexico and Portugal have used the Recommended Practices to promote their reforms with the legislature. These and other agencies (e.g., Zambian Competition Commission) have used the Recommended Practices to build support with the private sector as well, by showing how proposed changes would measure up to best practice. The Recommended Practices often appear in agency press releases or speeches announcing change. For example, the 2003 EU merger reforms eliminating the definitive agreement requirement and the filing deadline explicitly referenced the ICN Recommended Practice on timing of notification. In 2004 the Australian Competition and Consumer Commission introduced indicative timelines for informal merger reviews, and in the press release explained that these changes were underpinned by the Recommended Practices.

Merger Investigation and Analysis

The Merger Working Group has also produced important work on the analytical framework and investigative techniques for merger review, including the substantive standards for prohibiting mergers, the criteria for applying those standards, and the tools and techniques used for developing reliable evidence. The

ICN has adopted the MWG's Recommended Practices for Merger Analysis on (1) the legal framework for competition merger analysis, (2) market definition, (3) the use of market shares, thresholds and presumptions, (4) competitive effects analysis in horizontal merger review, (5) unilateral effects, (6) coordinated effects, (7) entry and expansion, and (8) failing firm / exiting assets. According to the 2010 MWG survey, over 90% of responding agencies were familiar with the Recommended Practices for Merger Analysis, and 85% of responding agencies reported using the RPs, for example, in considering merger review laws, regulations, guidelines, policies or procedures, or during merger reviews.

In addition to the Recommended Practices for Merger Analysis, the Merger Working Group has developed an extensive range of work related to investigation and analysis, notably including the ICN Merger Guidelines Workbook, the ICN Handbook on Investigative Techniques for Merger Review and a Report on Merger Remedies Review. These practical guidance work products scored consistently high in the 2010 MWG survey with respect to member familiarity and use. They were cited by several members as contributing to change in their merger regimes and ranked just behind the Recommended Practices in merger-related work product that agencies plan to continue to use in the future.

The Workbook serves as a checklist of topics that the authors of new or revised merger guidelines may wish to cover, with an explanation as to why those topics have value in merger assessment and suggestions as to how those topics might be assessed in practice. The Workbook covers the key factors commonly used to evaluate mergers, including market definition, concentration, competitive effects, entry, and efficiencies. The Handbook is designed to inform ICN members of the various tools and techniques used in merger investigation, to help members organize and use their tools more effectively, and to provide for an effective process for the evaluation of evidence. Its format makes it available for immediate use by all agency staff directly involved in the investigation of merger cases. Thus, it has directly inspired internal staff instructions for investigating mergers in many agencies – thirty two agencies have reported using the Handbook. The Merger Remedies Report provides practical guidance and outlines key principles on available tools and their use in merger remedies. It is based on and illustrated by remedy practice in a variety

of jurisdictions. A number of agencies cited the Report as contributing to their approach to merger remedies.

Unilateral Conduct Working Group

*The **Unilateral Conduct Working Group (Working Group)** was established in May 2006, at the Fifth Annual ICN Conference. Its primary objectives are to examine the challenges involved in analyzing unilateral conduct of dominant firms and firms with substantial market power, to facilitate greater understanding of the issues involved in analyzing unilateral conduct, and to promote convergence and sound enforcement of law and policy governing unilateral conduct.*

In the first phase of its work, the Working Group studied the objectives of unilateral conduct laws and approaches to the assessment of dominance/substantial market power and the treatment of state-created monopolies. Based on this study and subsequent report, the UCWG developed UC Recommended Practices on Dominance/Substantial Market Power Analysis under unilateral conduct laws and on State-Created Monopolies Analysis.

The UC Recommended Practices on Dominance/Substantial Market Power Analysis address: (1) using a sound analytical framework firmly grounded in economic principles in determining whether dominance/substantial market power exists; (2) assessment criteria, including market shares, conditions of entry and expansion, that affect the durability of market power, and, where appropriate, other criteria such as buyer power, economies of scale and scope/network effects, and access to upstream markets/vertical integration); (3) dominance/substantive market power analysis in small and/or isolated economies; and (4) transparency. The UC Recommended Practices on State-Created Monopolies Analysis address: (1) the enforcement role of competition agencies; (2) the advocacy role of competition authorities during the liberalization and privatization process; and (3) effective competition advocacy instruments.

In the 2007-08 ICN year, the Working Group began to study how members analyzed specific types of unilateral conduct, including predatory pricing (2008),

exclusive dealing/single branding (2008), tying and bundled discounting (2009), single product loyalty discounts and rebates (2009), and refusal to deal with rivals including margin squeeze and refusal to provide access to essential facilities (2010). For each type of conduct, the Working Group gathered information through questionnaires on agencies' approaches to assessing the conduct and the criteria used to distinguish pro-competitive from anti-competitive conduct. The relevant reports were adopted at the annual conferences; the underlying responses are available on the ICN website.

To explore in greater depth the issues raised in the conduct reports and UC Recommended Practices and to promote their implementation, the Working Group held a workshop in Washington, D.C. in 2009 and in Brussels in 2010. The workshops have been complemented by webinars designed to increase mutual understanding of different approaches. These programs enabled members to delve into discrete issues of mutual concern, identify commonalities and differences in agencies' approaches, and better understand the relative advantages and drawbacks of different policies.

Today many agencies around the world are using the UC Recommended Practices and conduct reports to help analyze cases or as a reference guide. One member reported that it cited ICN work product in an abuse of dominance case and that the court had looked favorably that the member's approach comported with those of other jurisdictions referenced in the ICN report. Several others use the Group's work product for training or to benchmark their practices against those of other agencies. Most recently, the hypothetical case study and materials prepared for the 2010 workshop have been used by members and NGA in their in-house training programs and by law professors as a teaching tool for students studying competition law.

Other Active Projects

[Advocacy and Implementation Network Support Program](#)

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*In order to support the ICN's overall mission, the "Support System" was established in 2008 and renamed the "**Advocacy and Implementation Network Support Program**" (AISUP) in 2009. AISUP acts as the central coordinator of ICN expertise to complement the project-oriented nature of the network's activity. Members request assistance through AISUP, and the Vice Chair for Advocacy and Implementation pairs the requesting agency with expert staff from other ICN member agencies. Through this program, ICN members can seek advice about specific ICN work products or receive assistance on how ICN recommendations and other guidance documents might be implemented within their jurisdiction.*

The program has been implemented to recipient agencies of Kazakhstan, Kyrgyzstan, Moldova, Mongolia, Vietnam and Zambia by supporting agencies of Japan FTC, Russian FAS and German Bundeskartellamt with the cooperation of other agencies. To learn about the benefits of the AISUP and discuss how to better implement it, an optional breakout session on AISUP will be held during 2011 Annual Conference in The Hague.

[ICN Blog & Bulletin Board](#)

*In November 2009, the ICN launched an online **ICN Blog & Bulletin Board**. As a virtual bulletin board for updates and highlights from ICN work, member agencies, and the international competition community at large, the ICN Blog's audience has grown substantially, with over 800 unique visitors each month. Since the 2010 annual conference, the ICN Blog has featured updates, highlights, and happenings from over 60 member agencies. Examples from the past year include series of posts on explaining competition to young people and ICN online resources, and many posts that highlight existing ICN work products. Member announcements of policy reviews and updates, as well as innovative outreach efforts are frequently posted on the ICN Blog.*

[ICN Curriculum Project](#)

*At the annual conference 2010, the **ICN Curriculum Project**, under the auspices of the Vice Chair for Outreach, was launched with the aim to create a*

comprehensive curriculum of training materials that would serve as a virtual university on competition law and practice for competition agency officials. 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.

During its first year, the Curriculum Project team prepared educational modules on "The Origins and Aims of Competition Policy," "Major Characteristics of Competition Policy," "Market Definition," and "Market Power." These training modules consist of a combination of video lectures, slides and vignettes, and a test on the material at the end. The modules will be showcased at the Annual Conference, posted on the ICN website, and made available on DVD.

Formerly active Working Groups

[Antitrust Enforcement in Regulated Sectors Working Group](#)

*Two past ICN working groups were dedicated to sector specific issues. From 2003 to 2005, the **Antitrust Enforcement in Regulated Sectors Working Group** explored the legal and practical aspects of the relations between antitrust agencies and sectoral regulators. In its 2004 report, this Working Group presented the Annual Conference with valuable examples from enforcement practice, emphasizing that when establishing or re-evaluating a regulatory framework, it is crucial that the decision on the division of labor between regulators and antitrust authorities take into account efficiency considerations, and that, irrespective of the institutional set-up, co-operation and information sharing (both formal and informal) between antitrust authorities and regulators are very important, both for achieving more pro-competitive regulation and an antitrust enforcement practice that is more in line with sectoral specifics. In preparation for the 2005 conference, the work focused on two subjects: the antitrust and regulatory challenges faced by the ongoing competition-oriented reform in the banking industry, and a report on interrelation between antitrust and regulatory authorities, based on information supplied by a number of ICN member jurisdictions.*

[Capacity Building and Competition Policy Implementation Working Group](#)

*The **Capacity Building and Competition Policy Implementation Working Group (first CBCPI WG, later CPI WG, currently AEWG)** was established in 2002 to assess those elements that have contributed to successful capacity building and competition policy implementation in developing and transition economies. The support for capacity building has been a key priority since the inaugural ICN Annual Conference. The group focused on the effectiveness of technical assistance, enhancing the standing of competition authorities with consumers and competition advocacy in regulated sectors.*

To deepen its understanding of the underlying capacity building issues, the ICN began with an intensive stock-taking exercise. Agencies' experiences were summarized in a comprehensive report on "Capacity Building and Technical Assistance", which the ICN presented at the 2003 Annual Conference. The report sets out examples of successful types of technical assistance and examines the circumstances in which different types of assistance are more, or less, appropriate. Notably, it concludes with a useful "checklist of issues," which donor bodies and competition agencies should consider when designing new assistance projects.

The ICN has built further on the foundation laid in 2003 by focusing on identifying which elements make for a successful program of technical assistance that will enable a developing competition agency to more effectively implement competition policy. Other notable work product of the group includes a consumer outreach toolkit, reports on agency effectiveness, competition agencies and the judiciary, business outreach, and advocacy.

These work products have encouraged younger member agencies to focus on capacity building as a strategic factor when promoting sound competition policy and increasing the overall effectiveness of the agency. For example the Mexican CFC has established strong and formal relationships with the judiciary, sectoral regulators and local governments, by conducting various activities to increase the understanding of the work and overall economic benefits of the Mexican CFC's work.

Telecommunications Services Working Group

*Following up on the work on regulated sectors, for the 2005-2006 year, the ICN decided to look at the telecommunications sector, by creating a **Telecommunications Services Working Group**, with the overall purpose of providing insight into the role of competition authorities with respect to their enforcement and advocacy efforts in the rapidly evolving telecommunications sector.*

In particular, the working group sought to examine how technology is affecting competition in this sector and the challenges that such technological innovation presents for competition authorities. In order to achieve its purpose, the working group produced a comprehensive report on antitrust enforcement issues in the telecommunications sector, including experience and examples from members, and a set of suggested best practices for the role of competition in the sector.

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