

Updated Role of the AIN - Toward further support for younger agencies -

March 2012 (revised in October 2012)

As the Chair of the AIN noted in the AIN call held on February 6, 2012, there is a concern over whether current AIN/AISUP framework is working well though the need for assistance generally seems to grow and we are doing the efforts of raising awareness of AISUP¹. In addition, AISUP sometimes seems to require substantial amount of efforts to seek appropriate supporting agency in terms of the compatibilities with geography, language, agency resource, etc.

On the other hand, President Pérez Motta, the new ICN Chair, emphasized the importance of AISUP from the viewpoint of “Improved hands-on assistance to members” in his vision statement² and elaborated his statement in the subsequent SG meetings.

In this regard, the JFTC would like to suggest that the AIN could take some new roles for promoting ICN work product for younger agencies in addition to the existing efforts based on the discussion, comments and suggestions of AIN members during the AIN call on February 6 and the following interactions with the ICN Chair and others. The suggested future AIN activities as revised are as follows:

1. Preparing the introductory kit to new/younger agencies of the ICN

To introduce the new/younger agencies of the ICN to the activities of the ICN and have them more actively participate in the ICN related events, and furthermore, raise the awareness of the ICN as a whole, the AIN can prepare the introductory kit for them, which includes the materials on the activities of the ICN and the information about useful contact points, experts, work products, ICN conference calls / events, etc. by collaborating with other working groups including the Membership

¹ For example, AIN/AISUP Optional Breakout Session in the Hague Annual Conference in 2011, the creation of AISUP Flyer and its dissemination in many events.

² <http://www.internationalcompetitionnetwork.org/uploads/library/doc792.pdf>

Working Group³, Curriculum Project as well as Vice Chair, President Lasserre, who is proposing the preparation of the “welcome track”.

The AIN can also consider, for example, appointing initial contact point that can respond to the initial inquiries from new/younger agencies depending on the requesting agencies’ need, preference of issue, time zone, etc.

2. Enhancement of AIN membership

It is important to update regularly the AIN contact list in accordance with the rotation of Co-Chairs of each Working Group and strengthen the AIN as a whole by adding the members and NGAs in order to accommodate increasing demands to the extent possible.

3. Implementation of the existing and new technical assistance via AISUP for younger agencies

The AIN members can continue to implement the existing technical assistance via AISUP for younger agencies such as Kazakhstan, Kyrgyzstan, Malaysia, Moldova, Mongolia, Vietnam and Zambia. If there are new requests for assistance, they can also be considered.

4. Collecting the information about the capacity building and taking advantage of other capacity building opportunities by other organizations

As the OECD, UNCTAD or the existing framework of regional cooperation such as APEC is updating the calendars of capacity building events, the AIN can collect the information on future capacity building events on a bilateral and multilateral basis from them as useful sources of information⁴.

The AIN can also cooperate with these multilateral organizations or development assistance organizations which provide various kinds of

³ There have been optional introductory sessions (“ICN-troduction”) during the Annual Conference in the past several years. There were two introductory calls for new members organized by the USFTC in 2011. Aside from these efforts, some Steering Group members pointed out during the Steering Group meeting on April 20, 2012 in Rio that it would be good to provide some kind of orientations for new/younger agencies about the ICN.

⁴ For example, see OECD Calendar of Global Capacity Building Events on Competition Issues in 2012 available at <http://www.oecd.org/dataoecd/40/41/50271168.pdf>

practical technical assistance programs, taking advantage of such opportunities to promote and implement the ICN work product by, for example, sending speakers.

5. Reviewing and commenting on the draft laws, regulations and guidelines under the SG and AISUP framework

At the Steering Group conference call held on July 19, 2012, the SG agreed on a process for the SG, under the name of the SG Chair or a Vice-Chair, to review and comment on the draft laws, regulations and so forth. This process is detailed in the Chair's letter and minutes for that meeting. To summarize, at member request, the SG will describe how a member's proposed reforms conform to ICN practices or principles. Often the results of this analysis will take the form of a letter, but it may take other forms as well, such as presentations or speaking engagements.

Together with individual SG members, individual AIN members will be invited to help prepare or review the comments. When the request comes to the SG, either SG Chair or AIN Chair will distribute the request to the AIN, and AIN members can indicate whether they want to participate in that particular initiative.

It was agreed by the SG that the AIN will continue to provide technical assistance through AISUP including comments on laws, regulations, or guidelines (under the procedures agreed in 2011⁵). This may be because the member wants more detailed assistance or other circumstances that make the AIN more appropriate vehicle for comments. As previously agreed, technical assistance by the AIN can be much broader than comments on laws, regulations, or guidelines. At recipient's request, the AIN assistance can cover any topic addressed by the ICN (including enforcement, advocacy, and agency operational issues), and be delivered via whatever format the recipient and provider agree.

The AIN takes into consideration requesting agency's preference on reviewer, if applicable.

6. Further promotion of ICN Work Product through ICN Work Products

⁵ <http://www.internationalcompetitionnetwork.org/uploads/library/doc815.pdf>

Catalogue

Some AIN members appreciated the existing efforts of the AIN on the update of ICN Work Products Catalogue. The JFTC believes that distributing ICN Work Products Catalogue in various international events is helpful to promote AIN/AISUP to the participants. With this in mind, the JFTC would like to continue to update regularly this catalogue and promote the awareness of the ICN activities and its work product through the catalogue.