

January 2013 Chair's Update



Dear ICN Community,

It is my pleasure to wish all of you a very happy new year, and send my best wishes for 2013.

With three months to go until our next annual conference, which will be held in Warsaw on April 23-26, 2013, I thought an update on current project and initiatives would be timely. Before moving onto working group updates, I would like to draw your attention to a few upcoming events and new projects.

- **ICN's Second Town Hall Meeting:** On February 20, 2013, ICN Vice Chairs Bruno Lassere and Andreas Mundt will host an open session about working group projects and member and NGA engagement.
- **Annual Conference:** The hosts of this year's annual conference, the Polish Office of Competition and Consumer Protection (UOKiK), made live the conference website, at www.icnwarsaw2013.org. The Polish Office of Competition and Consumer Protection (UOKiK) is working closely with ICN Working Groups to finalize preparations for the annual conference and prepare the host's "special project" on ICN member experience working with courts and judges.
- **Increasing the Visibility of Competition Policy:** Initiatives on carrying the messages on the benefits of competition policy continue to mushroom around the globe, including:

New ICN project on competition assessments: Earlier this month the ICN's advocacy working group launched a new project to prepare guidance on reviewing the competitive effects of proposed and existing government regulations.

The UOKiK will have a special opening session of the annual conference that brings together economic policymakers to discuss "competition at the top of the global agenda – the road to the economic welfare?"

The World Bank will host a one day conference on the margins of the ICN annual conference on how competition policies make markets work for sustainable growth.

- **Economists:** To explore how the ICN can better engage economists, there will be a special breakout session at the annual conference dedicated to this topic. In addition, the Merger Working Group will have sessions dedicated to economic analysis, and the Unilateral Conduct Working Group will have a debate among lawyers and economists on exclusive dealing. We encourage agency economist participation at the annual conference and in particular at these sessions.

Working Groups Updates

Detailed Working Group updates are available [here](#).

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Advocacy Working Group

In addition to the new project above, the Advocacy Working Group continues work on its Benefits and Competition Culture projects. In the Benefits project, the AWG is developing messages for regulators and legislators on the benefits of competition as part of a good practice manual for competition agencies. The Competition Culture project held its first in a series of four teleseminars the group will host in the lead up to the Annual Conference in April 2013. These calls will result in an outline for a report on Competition Culture.

Agency Effectiveness

The new ICN project on investigative process is developing written work product based upon its stocktaking and survey of agency investigative tools and transparency practices. The drafts of the knowledge management and human resources chapters of the Agency Practice Manual are also under evaluation and revision. For the curriculum project, the group is preparing modules on developing countries, investigative skills, advocacy, and cartels.

Cartels

The Cartel Working Group is working on a chapter on international cooperation and information sharing for its Anti-Cartel Enforcement Manual. The Working Group also hosts an ongoing series of agency and NGA discussion calls on leniency programs, with upcoming calls scheduled for February 12 and March 13.

Mergers

The Merger Working Group is discussing drafts of a chapter on economic analysis in merger review for the ICN Investigative Techniques Handbook. The Working Group is also preparing a report on the ICN Framework for Merger Review Cooperation and identifying future work for merger enforcement cooperation. In addition, the Working Group is finalizing a self-assessment tool on conformity with the Recommended Practices for Merger Analysis.

Unilateral Conduct

Building on prior ICN work, the working group has developed an initial draft chapter on exclusive dealing for the Unilateral Conduct Workbook, for discussion with members and NGAs over the next months leading up to the conference. The group will hold a teleseminar on the role of intent in unilateral conduct cases on February 14. The co-chairs invite members and NGAs to reflect on the ideas of convergence and enhanced participation by economists in the UCWG highlighted in a recent [ICNblog entry](#).

Steering Group Initiatives

The Chair's note and minutes for each Steering Group meeting are available [here](#).

International Enforcement Cooperation: Survey results from the ICN-OECD joint project on international enforcement cooperation are in, and the project team is considering various types of prescriptive work product based on survey responses. A report will be presented at the February OECD Competition Committee meetings and at the Annual Conference.

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Working Group Coordination: The ICN Vice Chair Andreas Mundt and the ICN Horizontal Coordinator from the ACCC have developed a template for rolling three-year work plans and a process to evaluate and improve the focus, quality, and inclusiveness of ICN work product.

Welcome Track: In response to feedback from new members for a clearer path to ICN participation, Vice Chair Bruno Lassere is developing a "Welcome Track", designed to enhance member engagement by providing a guide to materials and projects available to new participants as well as a sequential process for engagement.

Chair's Initiatives

Member Engagement: In addition to the ICN Town Hall, outreach to economists, and the Welcome Track projects described above, the ICN is making a concerted effort to reach out to new agencies to invite them to join the ICN. The ICN is also partnering with other organizations, such as UNCTAD, to help with peer reviews, and networks, such as the African Competition Forum, to provide support and explore joint events.

Member Assistance: For the initiative designed to provide ICN support for domestic reforms, the ICN Steering Group agreed on a [process for ICN support](#) for member reforms, as identified in the last Update. If you are considering reforms to your competition law and are interested in support, please contact [here](#).

Visibility of Competition Policy: The Advocacy Working Group's new work on the messages about the benefits of competition and on guidance work for competition assessment are two practical tools the ICN is developing to help promote the importance of competition policy with a broader audience. In addition, as Chair I continue to work with member initiatives to promote competition policy. For example, earlier this month ACCC Chairman Rod Sims presented on the Australian experience with broad-based microeconomic and competition reform at the 2013 Foro Mexico. For the full text of his speech, see [here](#). Next month, I will participate in the 2013 European Competition Forum, organized by Joaquín Almunia, Vice-President of the European Commission. The event brings together participants from governments and competition enforcement agencies, the business world, and the legal and economic communities for a debate about EU competition policy in the context of important wider economic issues for the EU.

For more ICN news, see the [ICNblog](#) and Competition Policy International's [ICN column](#).

I am most grateful to all of you working on these projects, and encourage those of you who are not closely involved in the work to consider participating more actively in the lead up to the 2013 annual conference. For more information about how to get involved, please email [here](#).

With best wishes for 2013,

Eduardo Pérez Motta
Chair, ICN Steering Group