

**ICN STEERING GROUP MEETING**  
**Wednesday, June 19, 2013**  
**OECD Conference Center, Room E**  
**8:15am – 9:30am (Paris)**

**Attendees**

Australian Competition and Consumer Commission  
Brazilian Administrative Council for Economic Defense  
Competition Bureau Canada  
European Commission DG Competition  
French Autorité de la concurrence  
German Bundeskartellamt  
Japan Fair Trade Commission  
Italian Autorità Garante della Concorrenza e del Mercato  
Korea Fair Trade Commission  
Mexico Federal Competition Commission  
Netherlands Competition Authority  
Polish Office of Competition and Consumer Protection  
Russian Federal Antimonopoly Service  
Spanish Comisión Nacional de la Competencia  
South African Competition Commission  
Turkish Competition Authority  
United Kingdom Office of Fair Trading  
United States Department of Justice  
United States Federal Trade Commission

Item 1. Approval of Agenda and Minutes

The Steering Group approved the proposed agenda and minutes of the April 26 meeting, subject to any comments submitted to the Secretariat before July 5.

Item 2. Work Plans

The Steering Group approved the three-year work plans of the advocacy, agency effectiveness, cartel, merger, and unilateral conduct working groups.

The ACCC, as Horizontal Coordinator, led the work plan discussion, noting that the Coordinator's role is to help the Steering Group achieve consistency and avoid overlap of work product across working groups, and that work plans identify ways to promote implementation of work product. The Horizontal Coordinator found that the new template used for developing work plans worked well. Next year additional attention will be paid to ensure that plans are aligned with ICN goals.

Approximately 30 projects are contemplated for this next ICN year, although one Steering Group member noted that some are big projects, whereas others are not as resource intensive. The working groups presented their plans and Steering Group members were invited to comment, including on how the process of developing, reviewing, and finalizing work plans might be improved.

Vice Chair Andreas Mundt raised the previous Steering Group discussion on workload. Mundt suggested the Steering Group use this year to observe whether the groups are taking on too many projects. He also urged inclusiveness in the process of developing work product, and advocated that work be carried out by more agencies, including those not active in the past.

Given the importance of the ICN's work for members and consumers, some members urged the working groups to be ambitious in their efforts to produce quality work product. Others noted the

need to find the right balance so as to not overwhelm smaller agencies. One suggestion was to stagger questionnaires. Another suggestion was to focus more on promoting quality and implementation of work product rather than adding new projects. The OECD liaison also suggested a focus on complementarity with OECD work.

The Chair observed that on the supply side, the ICN is doing well, but that we need to focus on demand as well. The Steering Group needs to further consider how to promote implementation in younger agencies that don't have a lot of resources. The Chair informed the Steering Group of an upcoming meeting with the World Bank and IADB to consider ways to promote ICN best practice and mentioned that the IADB and Latin American Regional Center are interested in possibly working with the ICN to support implementation of international best practice.

### Item 3. Cooperation

OECD Liaison Phillip Collins led a discussion on the cooperation project and areas for future work, suggesting that the ICN consider how its work can feed into any revisions to the OECD Recommendation of the Council Concerning Cooperation between Member Countries on Anticompetitive Practices affecting International Trade.

A summary of work on cooperation contemplated by ICN working groups was presented (see Horizontal Coordinator Report Annex B), including: a multi-year merger cooperation project, which could tie in to the OECD recommendation, addressing practical issues; development of a common leniency waiver, and discussion calls, including on cartel settlements; and work on confidentiality in the agency effectiveness working group, which could link to OECD work. The unilateral conduct group has nothing specific planned for cooperation, but contemplates that its case presentation calls could promote cooperation. Collins suggested the Steering Group consider informal cooperation with the OECD on cooperation initiatives. Collins noted that it is important to embed work on cooperation into upcoming cartel and unilateral conduct workshops.

OECD work was discussed and Collins considered that the work was largely complementary to that of the ICN. It was mentioned that working with courts and judges also was as a project that both ICN and OECD are considering.

### Item 4. Other Business

The Chair thanked those members that provided comments on the letter submitted in May to the COMESA Competition Commission summarizing how their draft market definition and merger assessment guidelines' conform with ICN best practice. COMESA requested an ICN resource person attend the COMESA meetings where the guidelines will be discussed – these meetings are likely to be late August or early fall. The Chair supports doing so and solicited support and volunteers from the Steering Group. The Chair will ask for additional information on the request and reach out to members of the Steering Group to help identify someone with the right skill set to assist COMESA.

The Chair announced that the Mexican telecommunications and competition constitutional reform was enacted on June 10, 2013. These reforms create two new autonomous authorities, the Telecommunications Institute and the Federal Economic Competition Commission. Pérez Motta intends to step down both as President of the CFC and as ICN chair when the new agency is effective. According to Section 3.4 (iii) of the Operational Framework, in the event the Chair leaves the Steering Group before the end of the two-year term, the Steering Group shall elect a member from among themselves to serve as Chair for the remainder of the two-year term. The selection process for a new ICN chair to fill the remainder of the term, concluding at the 2015 annual conference, will be conducted by the Secretariat.

### Item 4. Future Meetings of the Steering Group

The next Steering Group meeting will take place on Wednesday, July 17, 2013 at 7:00 Mexico City / 8:00 Ottawa / 14:00 Brussels.