



ICN 2021

International Competition Network Conference
Budapest | 13-15 October

20 YEARS

20

years history of ICN
Annual Conferences



International
Competition
Network



HUNGARIAN
COMPETITION
AUTHORITY



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Responsible publisher: Csaba Balázs RIGÓ
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The GVH is grateful for the substantial contribution provided by the colleagues of the competition agencies organising the previous ICN annual conferences and the former Chairs of the ICN Steering Group to the preparation of this publication.

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Andreas Mundt



Bundeskartellamt



International
Competition
Network

Dear colleagues,

Each annual conference opens a new chapter of the ICN in which we can look back at past conferences and reflect on the history of the network.

This year's conference, which will be organized by the Hungarian Competition Authority, GVH, marks 20 years of ICN and the GVH has taken this anniversary as an opportunity to invite all past annual conference hosts to present their events. This makes for a wonderful project because it traces the history of the ICN in an accessible form and illustrates the ICN's special features.

Each annual conference is a milestone. Here the Steering Group is confirmed, the work products presented, draft work plans discussed and future working group leadership selected. At the annual conference the course is set, new working groups are established, projects launched and structures readjusted.

The conferences themselves are a journey around the world. They weave a web from continent to continent and illustrate the essence of the ICN, a worldwide network with the national competition authorities as anchor points.

Many thanks to President Rigó and the Hungarian authority for providing all interested parties with this wonderful overview of the ICN. There is actually a small group of colleagues who attended all the conferences, such as József Sárai from Hungary as well as Allan Fels from Australia, Bill Kovacic, Randy Tritell and Liz Kraus from the USA, and myself. For everyone else, this compilation will not only be a source of nostalgic reflection over old times but also one which will promote understanding for the network, help to track developments and make informed decisions for the future.

Yours sincerely,

Andreas Mundt
ICN Steering Group Chairman &
President, Bundeskartellamt



Csaba Rigó



Dear colleagues,

The Hungarian Competition Authority (Gazdasági Versenyhivatal – GVH) is proud to host the 20th Annual Conference of the ICN between 13-15 October 2021.

With the passing of 20 years since its launch, now is the perfect time to review the past events and achievements of the ICN.

This compilation aims to meet this goal by collecting some information about the 20 annual conferences of the Network, beginning in Naples in 2002 and ending in Budapest in 2021.

In order to provide a real insight into these events, the presented information covers the venues and timing of the conferences, the agendas of the conferences, the reminiscences of the organising competition agencies (including some of their highlights, key topics and achievements), and a number of conference photos that will enable you to appreciate the atmosphere of the events.

We believe that the list of the work products over these two decades provides a valuable historical summary of the ICN's efforts and achievements over this period.

I am very grateful to all the previous ICN Steering Group Chairs for contributing to this publication by sharing their reminiscences, as well as to the organisers of the 19 previous ICN annual conferences for providing us with information and materials about their conference, which preceded the jubilee, Budapest event.

I hope you will enjoy this compilation and the other two jubilee publications as well, prepared in the form of a video and Prezi presentation – we have worked on their preparation enthusiastically. You may view them all on the conference website under the 'Conference Publications'.

Yours sincerely,

Csaba Rigó
President of the GVH

Venues and dates of the ICN Annual Conferences

Year	ICN SG Chair	Town/country	Venue	Date of the conference
2002	Konrad von Finckenstein Q.C., Canada	Naples / Italy	Castel dell'Ovo, Naples	28-29 September 2002
2003		Mérida / Mexico	Hotel Fiesta Americana Mérida Paseo Montejo No. 451, Mérida, Yucatán, Mexico	23-25 June 2003
2004	Fernando Sanchez Ugarte, Mexico	Seoul / Korea	Lotte Hotel: 30, Eulji-ro, Jung-gu, Seoul, Republic of Korea	21-22 April 2004
2005	Ulf Böge, Germany	Bonn / Germany	International Congress Centre Görresstraße 15, 53113 Bonn	6-8 June 2005
2006		Cape Town / South Africa	Cape Town International Convention Centre Convention Square, 1 Lower Long Street, Cape Town	3-5 May 2006
2007	Sheridan Scott Canada	Moscow / Russia	Radisson SAS Slavaynskaya Square of Europe, 2, Moscow	30 May – 1 June 2007
2008		Kyoto / Japan	Kyoto International Conference Center Takaragaike, Sakyo-ku, Kyoto 606-0001 Japan	14-16 April 2008
2009	David Lewis, South Africa	Zurich /Switzerland	Kongresshaus Zurich Gotthardstrasse 5, 8002 Zurich, Switzerland	3-5 June 2009
2010	John Fingleton, United Kingdom	Istanbul / Turkey	Swissôtel The Bosphorus Istanbul, Vişnezade, Acısu Sokağı NO 19, 34357 Maçka/Beşiktaş/İstanbul/TURKEY	27-29 April 2010
2011		The Hague / The Netherlands	World Forum The Hague Churchillplein 10, 2517 JW Den Haag	17-20 May 2011
2012	Eduardo Pérez Motta, Mexico	Rio de Janeiro / Brazil	Royal Tulip Hotel	18-20 April 2012
2013	Andreas Mundt, Germany	Warsaw / Poland	Sheraton Warsaw Hotel Prusa 2 Street, 00-493 Warsaw	23-26 April 2013
2014		Marrakesh / Morocco	Palmeraie Golf Palace Hotel Circuit de la Palmeraie Marrakesh 40000, Marokko	23-25 April 2014
2015		Sydney / Australia	Sheraton on the Park (now called Sheraton Grand Sydney Hyde Park) 161 Elizabeth St, Sydney NSW 2000	29 April – 1 May 2015
2016		Singapore	Sands Expo and Convention Centre 10 Bayfront Avenue Singapore 018956	26-29 April 2016
2017		Porto / Portugal	Porto Convention Centre (Alfândegado Porto) Cedofeita, Santo Ildefonso, Sé, Miragaia, São Nicolau e Vitória	10-12 May 2017
2018		New-Delhi / India	The Ashok Hotel 50-B, Diplomatic Enclave, Chanakyapuri, New Delhi- 110021	21-23 March 2018
2019		Cartagena / Colombia	Hotel "Las Américas" Anillo Vial, Sector Cielo Mar Cartagena de Indias, Colombia	15-17 May 2019
2020		Los Angeles / USA	Virtual Conference	14-17 September 2020
2021		Budapest / Hungary	Virtual Conference	13-15 October 2021



2002
Naples / Italy



2003
Mérida / Mexico



2004
Seoul / Korea



2005
Bonn / Germany



2006
Cape Town / South Africa



2007
Moscow / Russia



2008
Kyoto / Japan



2009
Zurich / Switzerland



2010
Istanbul / Turkey



2011
Hague / Netherlands



2012
Rio de Janeiro / Brazil



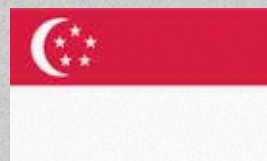
2013
Warsaw / Poland



2014
Marrakesh / Morocco



2015
Sydney / Australia



2016
Singapore



2017
Porto / Portugal



2018
New-Delhi / India



2019
Cartagena / Colombia



2020
Los Angeles / USA



2021
Budapest / Hungary

2001–2003



Konrad von Finckenstein, Q.C.

ICN Steering Group Chair:
October 2001 to August 2003

The ICN is about to celebrate 20 years of successfully promoting concepts and practices of competition around the world. How did this all begin?

Globalization has led to the need for greater harmonization or at least compatibility between competition regimes. Attempts to build it into the WTO were unsuccessful and progress before the OECD was painfully slow and hampered by need for consensus between governments. However in 1997 the International Competition Policy Advisory Committee set up by the US recommended exploring:

“...the scope for collaborations among interested governments and international organizations to create a new venue where government officials, as well as private firms, nongovernmental organizations (NGOs), and others can consult on matters of competition law and policy.”

The rationale being:

“...a recognition that countries may be prepared to cooperate in meaningful ways but are not necessarily prepared to be legally bound under international law.”

At that time, I was Commissioner of Competition for Canada and participated in a meeting at Ditchley Park to discuss the launch of such an organization that was subsequently agreed upon by the US and EU at the 10th anniversary of EU merger review in Brussels with the informal blessing of all major competition agencies attending the event.

A steering group of agencies endorsing the concept was set up. I became interim chairman of the steering group and the Canadian Competition Bureau became the de facto secretariat in terms of coordination and communication. It also held the pen for the creation of the constituent documents. Most of the work on the ICN was done at the margins of OECD meetings and competition conferences.



Many persons were involved in the creation of the ICN. The leading drivers that I recall were Alex Schaub and Mario Monti from the EU, Tim Muris, Bill Kovacic and Charles James from the US, Alan Fels from Australia, Ulf Boege from Germany, Fernando Sanchez Ugarte from Mexico and Giuseppe Tesauero from Italy. Non-agency persons playing a major role were Jim Rill, Merit Janow, Cal Goldman and Bill Rowley. Jim Rill also created a consultation group of his own with members from around the globe who provided thoughtful input and reviewed early drafts.

The ICN was designed to avoid some of the obstacles or difficulties encountered in other international bodies:

- the ICN would be an informal group of experts from both the public and private sectors;
- there would be no government funding or support;
- its members would be agencies charged with competition enforcement (not governments) and other bodies interested in competition (non-government agencies);
- non-government advisors would have the same role as agencies in the elaboration of work products of the ICN;
- it would advise and try to persuade but not direct or recommend/demand;
- there would be no secretariat (which inevitably drives the agenda and produces the main work product); the work product would be produced by virtual working groups led by a specific agency;
- annual meetings would be hosted by one of the competition agencies; the costs of attending borne by attendees and the costs of staging the event borne by the host agency;
- attending agency personnel would vote on any issue as experts not as country representatives; and

- the name ICN was most appropriate as it reflected both collaborative effort but non-binding effects.

To create the ICN, we borrowed heavily from the Memorandum of Understanding which set up the International Marketing Supervision Network but made some major changes.

Specifically, we made the NGA's full participants, agreed on virtual working groups and provided that the steering group each year would set up its slate for the next year. It would try to assure sufficient change-over and regional and developmental representation but also that core competencies and contributions would be recognized.

The ICN was formally launched at the annual Fordham Competition Law conference in 2000. I also had the privilege of presiding as steering group chairman over the first two annual conferences in Naples, Italy and Merida, Mexico.

The success of the ICN was instant and showed the value of the ICN approach. The conferences generated excitement, intensive but productive discussions and best practices that were widely accepted. Given its structure, the absence of a secretariat, the active participation of NGAs and having attendees voting as experts allowed best products to be produced and endorsed within one year. This was close to lightning speed compared to other international organizations.

I am delighted to see how the ICN has grown in the last 20 years and has become the preeminent body in competition policy.

The model of a network of international experts in both public and private spheres working together virtually to agree on best practices hopefully will serve as a model for achieving policy consensus in other areas of activity in the modern digital world.

2002

1st: Naples, Italy

28-29 September 2002

Castel dell'Ovo, Naples

ICN Event History – 1st Annual Conference of the ICN in Naples, Italy

Roberto Rustichelli

President

Italian Competition Authority

The first annual conference of ICN was held in Naples, Italy, on 28th and 29th September 2002. It was an historical event: the ICN had been launched in October 2001 by the competition authorities of 14 countries including Italy, following the development of an interesting and intense debate on the need for a new global initiative in the field of international antitrust cooperation.

The Naples conference provided the opportunity to discuss the reasons why the ICN was set up and the objectives assigned to it. As the then Chairman Tesauro declared it in its inaugural speech, *“the globalisation of the economy requires globalisation of competition enforcement”*.

Indeed, the greatest achievement of the Naples conference was the approval of the first set of the ICN Recommended Practices on Merger Notification and Procedures. They represented a first step of the convergence process in both procedural and substantive assessment of global mergers which has been shaping the ICN since then and provided a response to the criticism raised by the conflicting decisions which were taken in relation to some global transactions occurred in the 1990s. The approval of these recommendations also showed the success of the ICN working methods, based on open discussions on differences in approaches in an effort to build common understanding.

Twenty years after, I am very proud that the first ICN annual conference has been hosted by the Italian Competition Authority which continues to renew its

strong commitment not only as one of the founding members but also as an active participant to the life of the network, while appreciating the ICN benefits in terms of networking and experience sharing.

At its first annual meeting in Naples, attended by top officials of around sixty competition authorities from both developed and developing countries, together with non-government advisors, the ICN has lived up to the ambition to become a wide and informal initiative which has turned out to be most important forum of dialogue between competition agencies worldwide, with the ultimate purpose of fostering convergence and mutual understanding in the field of international antitrust.

Key topics / achievements:

- The greatest achievement of the first annual conference was the approval of the first set of the ICN Recommended Practices on Merger Notification and Procedures.
- The Working Group presented a set of guiding principles and a first set of recommended practices which were meant to be concrete applications of the guiding principles, with detailed rules and practices which should govern an ideal merger review system.
- The first annual conference approved the following guiding principles addressing sovereignty, transparency, non-discrimination on the basis of



International
Competition
Network

Naples



nationality, procedural fairness, efficient, timely, and effective review, coordination, convergence and protection of confidential information.

- The ICN also approved specific recommendations in three merger control areas, which have been selected given their potential for reducing costs, burdens and delays, thereby promoting efficient and effective enforcement, and achieving consensus within the ICN. These areas were: sufficient nexus with the reviewing jurisdiction; clear and objective notification thresholds; and flexibility in the timing of notification filing.
- In Naples, the Advocacy Working Group presented a report on “Advocacy and competition

policy”, setting out a conceptual framework for competition advocacy and presenting the results of the first questionnaire compiled by 53 competition agencies. The report recognises that advocacy can play a particularly important role in economies in transition, where the State often maintains a strong presence in the economy by both State-owned industries and public interference in most markets by way of unnecessary regulatory interventions.

Work products

AWG: Advocacy and Competition Policy [pp 61]
MWG: Analytical Framework for Merger Control (OFT paper) [pp 18]

2003

2nd: Mérida, Mexico

23-25 June 2003

Hotel Fiesta Americana Mérida

Paseo Montejo No. 451, Mérida, Yucatán, Mexico

ICN Event History – 2nd Annual Conference of the ICN in Mérida, Mexico

Alejandra Palacios Prieto

Chairwoman

Mexican Federal Economic Competition Commission (COFECE)

The Second Annual Conference of the International Competition Network (ICN) took place in June 23-25th, 2003, in Merida City, Mexico. This conference was organized by the Federal Competition Commission (CFC), Mexico's former competition authority, which in 2013 was replaced by the Mexican Federal Economic Competition Commission (COFECE or Commission) after a comprehensive constitutional reform on competition, telecommunication and broadcasting matters.

The conference had 225 participants, of whom 120 attended as representatives of 52 member agencies, and 105 as non-governmental advisors (NGAs) and special guests. The conference served as a venue to present the work of the three existing ICN Working Groups on: 1) Capacity Building and Competition Policy Implementation; 2) Merger Review, and 3) Competition Advocacy. Also, operational framework issues of the ICN and the future work of the network were discussed.

This Annual Conference coincided with the tenth anniversary of the enactment of Mexico's first competition law and the creation of the CFC. Therefore, the President of Mexico at that time gave a keynote address in which he backed competition policy, stating it is “a priority issue in the country” and expressing that “economic efficiency, compliance with competition law, and free access to markets are of great relevance to promote social welfare in Mexico”. He also stressed: *The fact that*

this discussion forum is held in Mexico shows the country's interest in strengthening competition policy and (...) to provide a venue that facilitates enhanced international cooperation, for sharing successful experiences and stories so as to make its convergence possible (...).”

[Fox, Vicente: Inaugural speech, Second International Competition Network Annual Conference, Merida, México, June 23, 2003]. This endorsement to competition policy was particularly relevant in Mexico, given the context of the nascent competition regime and because it put the spotlight on the benefits of competition for Mexico's economic growth.

Since the 2003 Annual Conference, competition policy in Mexico has evolved substantially. The legal and institutional frameworks have been modified several times, providing for a more efficient enforcement of the competition law and a strengthened competition authority. In these important changes the ICN has been instrumental in facilitating international best practices, experiences and knowledge that have been adopted in Mexico's competition policy and its implementation by COFECE. In parallel, the ICN has also transformed itself into a well-equipped network that has developed a very important body of work products in all areas of competition policy and law that are of utmost relevance to the global antitrust community.



Mérida

Mérida



Finally, COFECE is honored to be an ICN member and for its Chairwoman, Alejandra Palacios, it has been a privilege to serve as Vice-Chair for Younger Agencies and Regional Diversity since 2016.

Key topics / achievements:

- Operational Framework of the ICN;
- Report on Capacity Building and Technical Assistance. Building credible competition authorities in developing and transition economies;
- Recommended Practices for merger notification procedures;

Work products

AWG: Model Advocacy Provisions [pp 65]

AWG: Case Studies [pp 164]

CPI: Capacity Building and Technical Assistance – Building credible competition authorities in developing and transition economies [pp 84]

MWG: Recommended Practices for Merger Notification Procedures [pp 44]

MWG: The Report on Investigative techniques employed by member agencies in the area of merger review

MWG: Paper Developing Reliable Evidence in Merger Cases

2004

3rd: Seoul, Korea

21-22 April 2004

Lotte Hotel: 30, Eulji-ro, Jung-gu, Seoul, Republic of Korea

ICN Event History – 3rd Annual Conference of the ICN in Seoul, Korea

Mr. Tae Ho Hwang

*Director of the International Cooperation Division
Korean Fair Trade Commission*

The Seoul ICN Annual Conference was the first conference held in Asia. A total of 260 people attended, including heads of 55 competition authorities from 49 countries, lawyers and economists, and personnel from international organizations such as OECD, WTO, etc.

The Conference enhanced the KFTC's international status, which has played a bridging role between developed and developing countries. Many foreigners who attended the conference were highly satisfied with the smooth progress of the event, and evaluated that the ICN has become an international community to discuss competition issues since the Seoul ICN Annual Conference.

The Seoul ICN Annual Conference contributed to Korea's advancement as a central country in Northeast Asia by raising foreigners' awareness and confidence about the Korean government's efforts to build a market economy. In the process of overcoming the Asian financial crisis, positive changes were made including enhancement of corporate transparency and governance, and it was recognized that the Korean government will continue to promote a fair market order in a consistent manner. It was also an opportunity to instill the perception that promoting fair competition is the most important task for Korea to become an advanced market economy.

Key topics / achievements:

- four additional recommended practices regarding mergers;
- setting up of the Cartel Working at the Seoul ICN Annual Conference;
- Korea as the Co-Chair of the Competition Policy Implementation Working Group

Work products

AERS: Report to the Third ICN Annual Conference [pp 5]

AERS: Limits and constraints facing antitrust authorities intervening in regulated sectors [pp 22]

AERS: Enforcement experience in regulated sectors [pp 25]

AERS: Interrelations between Antitrust and Regulatory Authorities [pp 108]

CBCPI: Competition Advocacy in Regulated Sectors: Examples of Success [pp 21]

CBCPI: Report: *Workshop on Capacity Building "Strengthening Co-operation with Donor Bodies"* (Paris, 11 February 2004) [pp 19]

MWG: Project on Merger Guidelines [22]

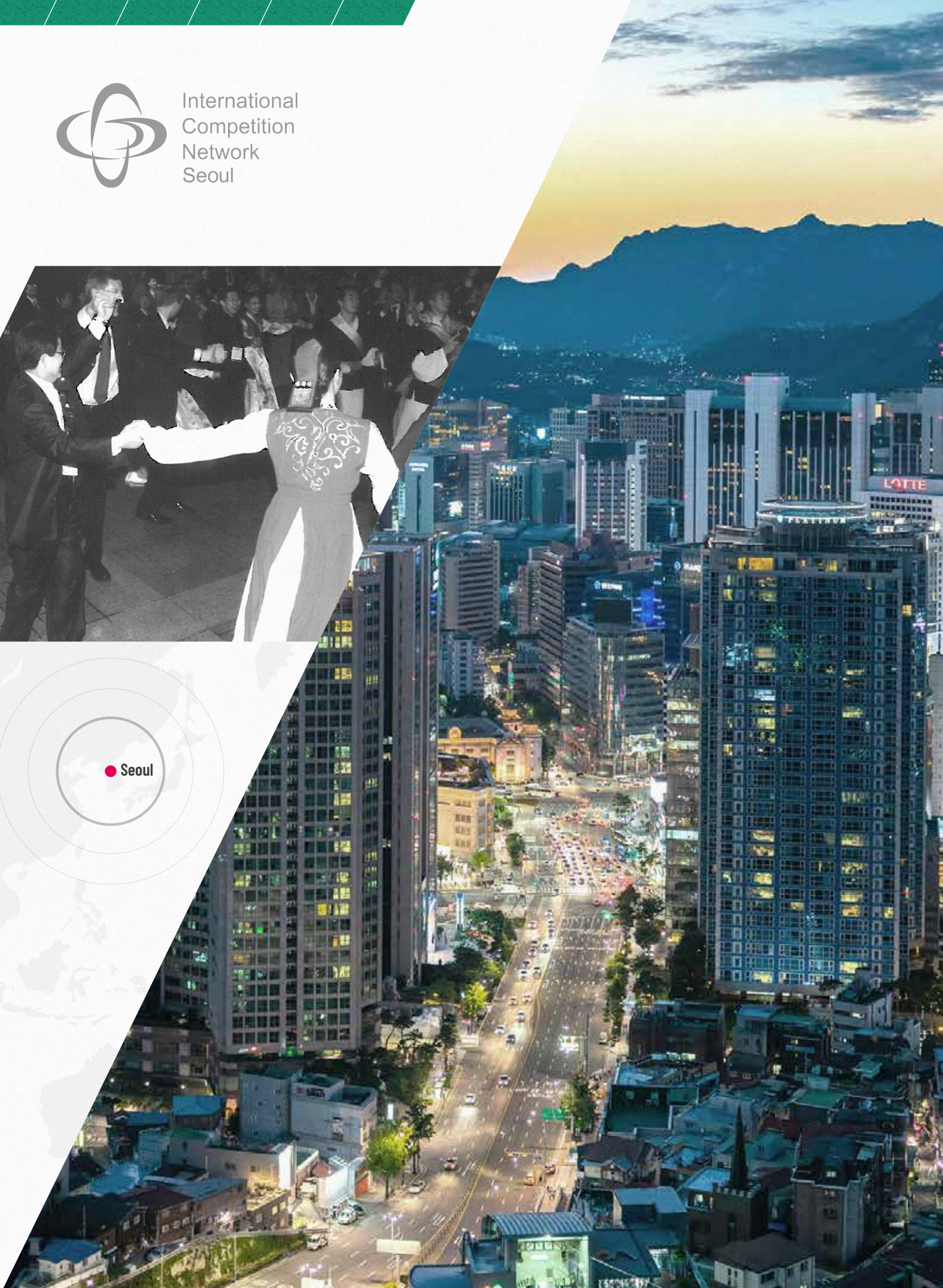
MWG: Report on the Costs and Burdens of Multijurisdictional Merger Review [pp 26]

[AERS: Antitrust Enforcement in Regulated Sectors Working Group;]

[CBCPI: Working Group on Capacity Building and Competition Policy Implementation]



International
Competition
Network
Seoul



2005

4th: Bonn, Germany

6-8 June 2005

International Congress Centre

Görresstraße 15, 53113 Bonn

ICN Event History – 4th Annual Conference of the ICN in Bonn, Germany

Andreas Mundt

President

Bundeskartellamt

The ICN Annual Conference is the highlight of every ICN year. It structures the network's schedule, brings together ICN members and NGAs, and sets the scene for the network's future. Hosting the annual conference is a great opportunity and privilege. It opens all doors as for one year the host agency is the hub connecting the various workstreams, including the plans of the working group co-chairs for their sessions, the Steering Group's visions, and the vice chairs' projects. Organising the 2005 Annual Conference in Bonn – not as head of the authority but as head of the International Unit – and my great memories of that unique week might very well have been some of the reasons why my personal ties to the ICN are so strong.

In 2005 we combined the 4th ICN Annual Conference with our own biannual International Conference on Competition, a challenging task for a young organising team. Everything was “handmade” by the team, even the direction signs for buses. The conference took place from 6 to 8 June 2005 in the inspiring setting of the former Plenary Hall of the German Bundestag in Bonn, situated right next to the River Rhine. In keeping with the venue's spirit and culture of debate, in a circular hall made for debates among parliamentarians discussing laws, we witnessed extremely lively plenary sessions, unconceivable today. But for a conference organizer it is not just the speeches and sessions that make lasting

impressions: sometimes it is the moments of shock, such as when the President of the Federal Republic of Germany, Prof. Dr Horst Köhler, who was scheduled to open the conference, had to cancel on the day of his planned appearance. Fortunately, we found a solution with the President of the German Central Bank, Axel Weber. Organizing the Annual ICN Conference is like the ICN itself, teamwork and flexibility are always required.

An ICN conference also lives from the special moments of shared activities, often at special places. On the Sunday before the conference, in the late afternoon, we all boarded a boat for a cruise on the River Rhine, which was followed by a rustic dinner in the Chestnut Garden of the “Rheinhotel Dreesen”. The hotel, which was established in 1894 and was the scene of many important political gatherings, exudes the authentic “Rhinish” ambience. The Gala Dinner took place at the “Hotel Petersberg” located high above the River Rhine and was accompanied by a short violin concert by two young women who we had “discovered” and who gained worldwide reputation in the following years.

The ICN is a network of authorities. Here members can meet, discuss and work in an authentic and open way. This openness can also be felt at annual conferences and is perhaps particularly well illustrated by the Steering Group meeting at the end of the Bonn



Conference, which took place at the Bundeskartellamt and included a guided tour of the authority. It was during this Steering Group meeting that I was told about my promotion to head of the General Policy Division at the Bundeskartellamt – my memories couldn't be better.

Key topics / achievements:

- ICN “Mission and Achievements” Statement
- Panel discussion of young competition authorities for the first time in ICN history;

Work products

AERS: An Increasing Role for Competition in the Regulation of Banks [pp 30]

AERS: An Increasing Role for Competition in the Regulation of Banks – the Experience of a Selected Group of Countries: BR, HU, ID, KR, MX, (Appendix [pp 76])

AERS: An Increasing Role for Competition in the Regulation of Banks – Best Practices [pp 2]

AERS: Interrelations between Antitrust and Regulatory Authorities [pp 71]

CPI: Assessing Technical Assistance: Preliminary Results [pp 88]

CPI: Consumer Relations: Consumer Outreach / Effect of Institutional Structures [pp 45]

CPI: Competition Advocacy Review – Case Studies in Regulated Sectors Case Studies in Regulated Sectors [pp 30]

CPI: Aspects of Independence of Regulatory Agencies and Competition Advocacy – a Getúlio Vargas Foundation (NGA) contribution [pp 44]

CWG: Anti-Cartel Enforcement Manual Chapter 1: Searches, Raids and Inspections, Chapter 2: Drafting and Implementing an Effective Leniency Programme [pp 64]

CWG: Anti-Cartel Enforcement Template [pp 14]

CWG: Building Blocks for Effective Anti-Cartel Regimes Vol 1: Defining Hard Core Cartel Conduct / Effective Institutions / Effective Penalties [pp 84]

MWG: Waivers of Confidentiality in Merger Investigations [pp 22]

MWG: Merger Guidelines Workbook (Draft for Discussion) [pp 55]

MWG: Merger Notification Filing Fees [pp 27]

MWG: ICN Investigative Techniques Handbook for Merger Review [pp 81]

MWG: Report on the Merger Remedies Review Project [pp 59]

[AERS: Antitrust Enforcement in Regulated Sectors Working Group]

2006

5th: Cape Town, South Africa

3-5 May 2006

Cape Town International Convention Centre

Convention Square, 1 Lower Long Street, Cape Town

ICN Event History – 5th Annual Conference of the ICN in Cape Town, South Africa

Mapato Ramokgopa

Divisional Manager

Office of the Commissioner

Precious Mathibe

International Relations Specialist

Competition Commission of South Africa

The Competition Commission and Competition Tribunal, South Africa, had the great honour to host the 5th annual conference of the International Competition Network (ICN) in Cape Town from 3-5 May 2006. Approximately 300 representatives of competition authorities from various jurisdictions, and legal practitioners and economists who specialize in competition law participated in this conference. South Africa was the first developing country to host an ICN conference, and it was proud to not only to show-case our beautiful country, experience our cuisine and rich culture. We also threw the best evening parties, that had everyone on the dance floor after long sessions and rich debates during the day sessions. The conference was a great success and reinforced South Africa's leadership role in this forum.

Dr Ulf Böge, chairman of the ICN and head of the Federal Cartel Office at the time, Mr Shan Ramburuth, Competition Commissioner South Africa, and Mr Dave Lewis, all gave a moving and momentous opening address, all highlighting the importance of competition policy for economic development, particularly to developing economies such as ours. Other prominent competition officials who were in attendance included:

Fredrick Jenny - Judge of the Appeal Court in France and Chairman of the OECD Competition Commission, Thomas Barnett - US Assistant AG, Deborah Majoras - Chair of Federal Trade Commission, Philip Lowe - DG of EU Competition Directorate, Eduardo Pérez Motta - head of the Mexican Competition Authority and Elizabeth Farina - from the Brazilian Competition Authority. We are proud that it was at this conference, that David Lewis, Chairperson of South Africa's Competition Tribunal at the time, was elected deputy chair of the ICN, which once again affirmed the critical role South Africa plays in the ICN.

The ICN was born out of the reality that while markets are international, competition authorities are national. For this reason inefficiencies had crept in to the regulation of international cross-border mergers and the detection and prosecution of international cartels was proving difficult because of their cross-border character. There was also an acknowledgement that international competition regimes are only as effective as each national component. Which is why the ICN's work in capacitating and strengthening competition authorities, particularly those in developing countries, is so important in fostering a strong, global competition network.



„If the system is to work effectively it pre-supposes the engagement of developing countries”, mentioned David Lewis at the conference.

South Africa has provided crucial leadership in this area. The South African Competition Authorities sponsored and hosted the participation of twenty African countries at the conference to ensure the maximum participation for developing and newly established competition authorities.

There were many takeaways from these sessions hosted by the conference. Our highlights include the work of the **Telecommunication, Mergers and Cartels Working Groups**. Chaired by one of our own, Mr Noman Manoim, the telecommunications sessions, focused on four country case studies: South Africa, Turkey, Taiwan and Jamaica, as they were all at the time undergoing changes in their telecoms sector and are good examples of developing countries going through liberalization and convergence. The ICN had focus on the telecommunications sector for the 2005 -2006 year, as the sector was considered vital and having a huge impact on competitiveness but has proved, everywhere to be difficult to regulate and monitor. The ICN has set up a Telecommunications Services Working Group with the overall purpose of providing insight into the role of competition authorities. The focus has been on technological advances, impediments to competition and the

interface between the competition authority and sector-specific regulator. Telecommunication Services WG reported “Suggested Best Practice” in this field.

The Fight against Cartels also took the centre stage, as virtually all competition agencies recognised that the fight against cartels as their foremost enforcement priority. Secret cartel agreements to fix prices, share markets, allocate customers or rig bids are a direct assault on the principles of competition. Given that the fight against cartels is a technically demanding task amongst things, agencies considered extraordinary legal powers to collect sufficient evidence to mount a viable case against sometimes uncooperative defendants. The outcome of this session focused on clear outcomes on detect cartels, fostering co-operation amongst authorities and tools for investigating cartels, the interaction of public and private enforcement, and developing digital evidence gathering and the drafting and implementation of an effective leniency program.

A significant accomplishment at the conference was the roll-out of a Merger Implementation Handbook which collects the competition agency’s published articles and guidelines in conformity with “Recommended Practices for Merger Notification and Review Procedures”. The Merger working group also published “ICN Merger Guideline Workbook” designed to be a

useful source for analysing the competition effects of mergers.

Lastly, new focus area that includes a working group on unilateral conduct was established.

South Africa will remain forever grateful for the confidence shown to the authority and our developing country, for being entrusted with hosting such a memorable world class event. We look forward to hosting even more such events in South Africa.

Key topics / achievements:

- focus on the telecommunications sector for the 2005 -2006 ICN year;
- setting up a Telecommunications Services Working Group;
- focus has been on technological advances, impediments to competition and the interface between the competition authority and telecoms sector-specific regulator;
- Telecommunication Services WG reported “Suggested Best Practice”;
- fight against cartels as enforcement priority for competition agencies;
- Merger Implementation Handbook collecting the competition agency’s published articles and guidelines in conformity with “Recommended Practices for Merger Notification and Review Procedures”;
- “ICN Merger Guideline Workbook” designed to be a useful source for analysing the competition effects of mergers;
- establishment of the Unilateral Conduct Working Group.

Work products

CPI: Business outreach by ICN Members: Challenges and Case Studies [pp 29]

CPI: Competition and the Judiciary [pp 19]

CPI: The Effectiveness of Technical Assistance, Socioeconomic Development, and the Absorptive Capacity of Competition Authorities (NGA study [pp 17])

TAI: Assessing the efficiency of antitrust/competition policy technical assistance programs [pp 28]

CWG: Co-operation between Competition Agencies in Cartel Investigations [pp 36]

CWG: Anti-Cartel Enforcement Manual Chapter 2: Drafting and Implementing an Effective Leniency Program [pp 17]

CWG: Anti-Cartel Enforcement Manual Chapter 3: Digital Evidence Gathering [pp 31]

CWG: Interaction of Public and Private Enforcement in Cartel Cases [pp 57]

CWG: Obstruction of Justice in Cartel Investigations [pp 23]

MWG: ICN Merger Guidelines Workbook [pp 102]

TSWG: Report of the ICN Working Group on Telecommunications Services [pp 36]

TSWG: Appendix I: Recent Case Law with Respect to Anti-competitive activity in Telecommunications [pp53]

TSWG: Appendix II: Different Models of Allocating Oversight Responsibilities [pp 4]

TSWG: Appendix III: Country Studies (Jamaica, South Africa, Taiwan, and Turkey) [pp 86]

TSWG: Appendix IV-V: Glossary & References [pp 7]

[TSWG: ICN Working Group on Telecommunications Services]





2007–2009



Sheridan Scott

ICN Steering Group Chair:
2007-2009



It was my great honour to chair the Steering Committee of the International Competition Network (ICN) from 2007-2009. During its first five years or so the ICN was largely led by established and experienced anti-trust agencies, drawn from its founding members, who focused initially on developing recommended practices relating to bread-and-butter merger review procedures, cartel enforcement, and advocacy—issues that generally enjoyed consensus among its members. However, during that time the ICN's membership was changing significantly, reflecting the development of new market economies around the world, with newly created antitrust agencies. By 2007, the ICN had quadrupled in size to more than 60 antitrust agencies, opening the door to a new period in its existence, with a new set of issues.

Inclusion: From a Few Agencies to Many

As the number and diversity of its members increased, the ICN needed to find ways to involve a wider range of agencies in setting the agenda for the organisation and in playing an active role in its activities. Without this inclusion, the ICN feared that it would run the risk of undermining its credibility as a representative and relevant organization. An obvious first step to address this challenge was for the ICN to broaden the composition of its leadership, including the Steering Committee and Working Groups. However, the newer agencies often lacked the resources and experience to take on responsibilities of participating in the Steering Group. To combat this challenge, the ICN enacted two changes.

First, beginning in 2007, the three ICN Vice-chairs each took on responsibility for three priority areas - Outreach, Advocacy and Implementation and International Coordination - and each was assisted by a separate member of the Steering Committee. This division allowed the sharing of responsibility and created an opening for

newer agencies to participate. Second, the Steering Group actively sought out representatives from newer agencies to co-chair the Working Groups along with a member from a more experienced agency. This pairing provided newer agencies with leadership opportunities without requiring them to bear the entire resource burden that often accompanies a Chair's responsibilities.

Having focused on recommended practices around merger review and cartel enforcement in its initial years, the ICN was interested in exploring new areas like unilateral conduct. However, the growing diversity in membership presented challenges to finding consensus and it therefore decided to proceed somewhat cautiously, by focusing only on defining key terms relating to this topic rather than on the development of recommended practices. In this way it was possible to discover where potential areas of convergence might lie and ultimately develop shared definitions and concepts. Some agencies were also interested in exploring areas that were particularly relevant to their own unique circumstances; however, there was some concern that this approach might increase the likelihood of diverging views and would devote ongoing resources to topics that were less likely to result in a consensus around recommended practices. The ICN therefore decided that the host of each annual conference could select a "special project" that could draw on members' resources and expertise and result in useful information; meanwhile, the topic would not represent an ongoing area of work with recommended practices.

As the number of countries represented by the ICN grew, new day-to-day challenges cropped up. The arrival of newer, less experienced members increased the demand for information, expertise, and focused discussions on work-related issues. The ICN's growth in membership from different countries also raised language issues with respect to the ICN's work product. In its initial years, the ICN produced work product only in English, in accordance with its operational framework. In response to the ICN's growing diversity in membership, a number of ICN members stepped up to the challenge and volunteered to translate various ICN work product into Chinese, French, and Spanish among other languages.

Implementing Recommended Practices

The ICN's initial focus on merger review and cartel enforcement resulted in considerable consensus around recommended practices for a wide range of procedural and substantive issues. However, by the end of the ICN's initial phase, it had received criticism from the private bar for its inability to implement many of the recommended practices. Tackling the challenge of implementation was an important focus of our work from 2007-2009. First, the ICN leadership developed strategies to persuade countries to adopt the ICN's recommended practices. The Vice-chair Advocacy and Implementation, assisted by another member of the Steering Group, was mandated to find new

and different ways to encourage implementation of recommended practices. The ICN also became more proactive in its attempts to establish its recommended practices as the standard against which legislators would measure legislative change around the world. During my tenure, the ICN participated in legislative reviews in India and Chile. Finally, the ICN developed strategies to persuade other agencies to adopt the ICN's recommended practices. It increased pressure on its members, particularly with respect to changes within their purview. For example, the ICN embarked on a project aimed at increasing members' self-assessment of how well they complied with the recommended practices.

Building a Complementary, Supportive Relationship with the OECD

A third challenge that the ICN faced during its initial phase was differentiating its role from that of the Competition Committee of the Organisation for Economic Co-operation and Development (OECD) and developing a good working relationship. There was some early concern that the attention of OECD members would be diverted away from the Competition Committee and non-members would be discouraged from participating in OECD outreach events. However, by 2007 their relative strengths were coming into sharper focus, leading to fruitful discussions about the ways the ICN and the OECD's Competition Committee could complement each other's role and could work in partnership. In 2009 there were also examples of joint projects, such as, partnering to provide technical assistance to Eastern Europe using materials that the ICN developed.

Conclusion

The ICN began its life as a network of 15 competition agencies from 14 jurisdictions and is now the most extensive network of competition authorities worldwide. In its early stage, the ICN was led by representatives of its founding members, who focused on areas where convergence was most likely. These tended to relate to issues associated with merger review, cartels and advocacy. As the ICN grew in size, it began to face a new set of challenges, which arose in part from the growing diversity of members who were not content to sit on the sidelines and desired to play an active role in the organization. The years 2007-2009 thus marked a form of transition as the ICN found new ways to increase the participation of these less experienced agencies and to prepare the way for attacking more controversial and multi-dimensional issues. It also marked a shift towards a more proactive approach to encouraging implementation of its recommended practices and towards a more harmonious relationship with the OECD. All these steps formed some of the important building blocks for the strong foundation on which the ICN now stands.

2007

6th: Moscow, Russia

30 May – 1 June 2007

Radisson SAS Slavaynskaya
Square of Europe, 2, Moscow

ICN Event History – 6th Annual Conference of the ICN in Moscow, Russia

Andrey Tsyganov
Deputy Head
FAS Russia

The Russian Federation had the honor to host the Sixth Annual Conference of the International Competition Network (ICN) in Moscow during the period from the 30th of May to the 1st of June, 2007.

More than 500 individuals took part in the Conference, including the heads and the leading experts from more than 70 competition authorities from all around the world, the representatives of major international organizations (the OECD, the World Bank, the UNCTAD, the Interstate Council for Antimonopoly Policy) and Russian government authorities, lawyers and economists, as well as academics and business representatives.

The Prime Minister of the Russian Federation, Mr. Mikhail Fradkov, the Mayor of Moscow, Mr. Yuri Luzhkov, and the Minister of Economics and Trade of the Russian Federation, Mr. Herman Gref, took part in the opening ceremony of the Conference. The greeting speech of Mr. Vladimir Putin, the President of the Russian Federation, was also presented to the participants of the Conference in the course of the opening ceremony.

The meetings of the Merger Working Group, the Working Group on Implementation of Competition Policy, the Cartel Working Group, and Unilateral Conduct Working Group were held within the framework of the Conference. The following reports of the ICN Cartel Working Group were presented within the framework of the Conference: “The cooperation

between foreign competition authorities in the course of cartel investigations” and “Public engagement and private enforcement in cartel cases”. The presentation of the report of the ICN Working Group on unilateral conduct dedicated to the assessment of the dominant position and the issues of significant market power became one of the important items of the agenda of the Conference.

A wide range of key issues that concerned the international competition community was examined embracing the ones related to the economic and legal aspects of competition regulation and possible restructuring of natural monopolies, the interaction between the small innovative businesses and large companies in the course of knowledge-intensive production, the international cooperation in cartel investigations, the application of existing competition practices of the ICN member countries and possible ways of their harmonization.

The extensive cultural programme involving the Reception on behalf of the FAS Russia which took place in a picturesque State Integrated Museum-Reserve “Kolomenskoye” and the Reception on behalf of the Mayor of Moscow engaging the artists and the Orchestra of the Bolshoi Theatre was organized as a part of the Conference.

The FAS Russia received rave reviews from the participants of the Conference, who noted the high level of the event, the relevance and the importance of the presented





reports, the diverse composition and high professional skills of the speakers.

Holding such a progressive event in the territory of the Russian Federation contributed to the intensification of international trade and investment relations and active integration of the Russian Federation into the world economic system.

Key topics / achievements:

- Discussion on key topics related to the anti-cartel enforcement and especially the focus was on the international cooperation between competition authorities when investigating cartels. Besides, a relatively new topic at that time related to the private enforcement issues was in the agenda of the discussions. The comprehensive discussions held by eminent delegates resulted in the presentation of the new working products of the ICN namely “The cooperation between competition authorities in the course of cartel investigations” and “Public engagement and private enforcement in cartel cases”.
- The Conference brought together a huge number of professionals in the field of competition law enforcement, allowed them to discuss urgent problems, as well as to develop the ICN agenda for the next year. For example, one of the topics of the Conference was the assessment of dominance.

This topic continued and continues to be studied by experts within the framework of the ICN, new documents are being developed and new practical solutions are being developed for the international competition community.

Work products

- CPI: An Assessment of Institutional Machinery: Methods Used in Competition Agencies and What Worked for Them [pp 14]
- CPI: Competition and Judiciary: 2nd Phase – Case Studies [pp 21]
- CPI: Findings Related to Technical Assistance for Newer Competition Agencies [pp 13]
- CWG: Interaction of Public and Private Enforcement in Cartel Cases [pp 64]
- CWG: Anti-Cartel Enforcement Manual Chapter 4: Cartel Case Initiation [pp 41]
- CWG: Cooperation between Competition Agencies in Cartel Investigations [pp 44]
- MWG: Defining “Merger” Transactions for Purposes of Merger Review [pp 30]
- UCWG: Report on the Objectives of Unilateral Conduct Laws, Assessment of Dominance/ Substantial Market Power, and State-Created Monopolies [pp 99]

2008

7th: Kyoto, Japan

14-16 April 2008

Kyoto International Conference Center

Takaragaike, Sakyo-ku, Kyoto 606-0001 Japan

ICN Event History – 7th Annual Conference of the ICN in Kyoto, Japan

Kazuyuki Furuya

President

Japan Fair Trade Commission

The Japan Fair Trade Commission (“JFTC”) hosted the 7th ICN Annual Conference (“Kyoto Annual Conference”) at the Kyoto International Conference Center in Kyoto from 14th to 16th April, 2008. A total of more than 500 people participated in the Kyoto Annual Conference, including representatives from competition agencies and NGAs (lawyers, economists, academics etc.) from around the world.

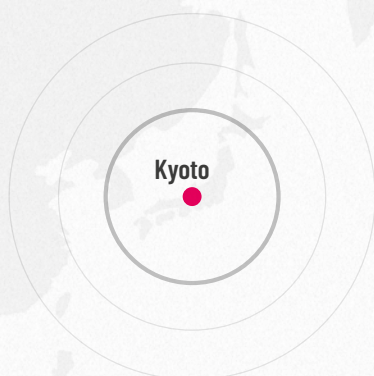
To celebrate the twentieth anniversary of the ICN, let me look back on the experience that the JFTC gained through organizing the Kyoto Annual Conference and the significance of organizing it.

Organizing the Annual Conference in Kyoto made it possible for many Japanese participants to directly attend and listen to the discussions of the plenaries and the breakout sessions. This was extremely significant since we could provide these participants with international perspectives on competition law and policy, and an opportunity to consider the Antimonopoly Act of Japan as well as the JFTC’s activities in the context of international development of competition law and policy. In addition, considering that the Kyoto Annual Conference was widely reported in the Japanese media, it was also a precious opportunity for the general public in Japan to recognize competition regime including the Antimonopoly Act of Japan, as well as the JFTC’s activities.

At the Kyoto Annual Conference, the JFTC arranged a special session focusing on the topic of “abuse of superior bargaining position”. At the session, panellists from jurisdictions with various policies on this issue had active discussions. There were different views on the way to regulate abuse of superior bargaining position. For example, in some jurisdictions, competition laws regulate a conduct in which one party unjustly imposes a disadvantage on the other party by making use of its superior bargaining position between the transacting parties, whereas in other jurisdictions, such conducts are dealt with by contract laws. Although different views were expressed by the panellists, the session played a significant role in inspiring international discussion on the topic.

It was a fruitful challenge for the JFTC to host an ICN Annual Conference in our country. As described above, it contributed to the further development of competition law and policy in Japan, and it was a valuable experience for the JFTC as a member of the ICN to provide an opportunity to discuss issues related to competition law and policy with the ICN, which is an indispensable international network for competition agencies and NGAs.

The JFTC will continue to actively contribute to the activities of the ICN.



Key topics / achievements:

- Special Project “Abuse of Superior Bargaining Position”

Work products

CPI: Agency Effectiveness Project [pp 42]
 CWG: Anti-Cartel Enforcement Manual Chapter 6:
 Interviewing Techniques [pp 29]
 CWG: Setting of fines for cartels in ICN jurisdictions
 [pp 52]
 CWG: Cartel Settlements [pp 41]
 MWG: Recommended Practices for Merger Analysis
 [pp 8]
 MWG: Setting Notification Thresholds for Merger
 Review [pp 31]

UCWG: Recommended Practices: Dominance/
 Substantial Market Power Analysis pursuant to
 Unilateral Conduct Laws [pp 7]

UCWG: Recommended Practices: State-created
 Monopolies Analysis pursuant to Unilateral
 Conduct Laws [pp 3]

UCWG: Report on Predatory Pricing [pp 43]

UCWG: Report on Single Branding/Exclusive Dealing
 [pp 29]

Special Project: Report on Abuse of Superior
 Bargaining Position [pp 69]

Report from the Outreach Questionnaire (by David
 Lewis, ICN Vice Chair for Outreach) [pp 44]

2009



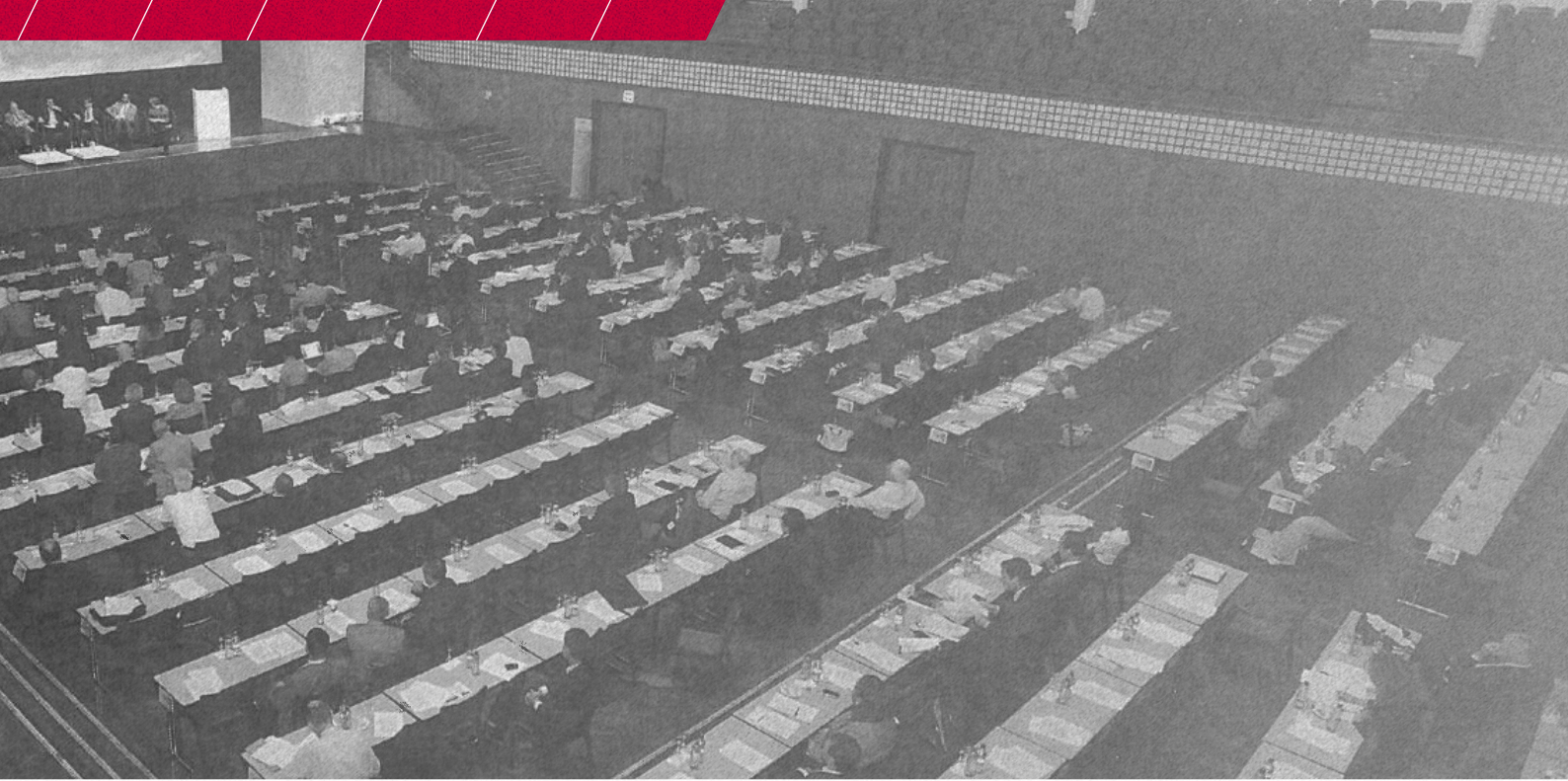
David Lewis

ICN Steering Group Chair:
2009



It is well over 10 years since I served as Interim Chair of the International Competition Network. Try as I might I have not been able to locate the chairperson's address that I made on that occasion in Zurich and, compounded by the fact that I have, since the end, in 2009, of my term of office at the Competition Tribunal, turned my attention to fighting corruption – a full-time task if ever there was one – I cannot possibly recall what the live issues of that time were.

Oddly I have a fairly clear recollection of what happened on the day preceding the formal ICN conference. If my memory serves me well, this was the first time to which we devoted a day to discussing competition law and policy in developing countries, an event which was repeated for several years after that and may well continue to this day. The event was funded by the Canadian foundation, the International Development Research Centre, which had taken a leading role in publishing scholarly work on competition law and policy in developing countries. All the developing countries attending the ICN conference were naturally invited to participate in the day-long workshop but so were the developed countries' agencies. I recall the presence of stalwart supporters of the developing countries' efforts to break into this esoteric, but intellectually compelling, field of law and economics, hitherto the preserve of the most developed counties in the world. I recall iconic figures in the field – Fred Jenny, Eleanor Fox, Alan Fels, Randy Tritell are among those that I recall – spending the day with us, as engaged with the issues under discussion as we ourselves were.



It is perhaps not surprising that I recall this day in particular. When we, in South Africa, opened our doors in 1999, we were immediately introduced to the extraordinary global community of anti-trust practitioners and scholars. My introduction to this community – and I suspect that of many others of my ilk – came courtesy of the annual Fordham Conference, itself a pretty extraordinary institution. There I came across people like the c Mario Monti – equivalent in my mind to a rock star – going head-to-head with hard-bitten American private sector lawyers. In fact Fordham had its own pre-conference day hosted by Merit Janow at Columbia University. I will never forget serving on a panel with Joseph Stiglitz, Jagdish Bhagwati and Mario Monti. There I sat, awe-struck and consumed by nerves, only to realise that we in the developing world had important things to say, and that sometimes a little practical experience trumped a Nobel prize!

Fordham was undoubtedly one of the events but it was essentially focused on European competition law and although Barry Hawk, the gracious Fordham conference founder, made room for discussion of developing country issues and approaches, it remained in essence an occasion for wrapping one's head around the most sophisticated issues in anti-trust.

And then came the ICN, announced at a Fordham conference.

Because developing countries were present at the founding of the ICN, we were able to claim a share of ownership. And this we did, reflected in the ubiquitous

presence of developing country concerns on the ICN work programme. We were not given anything. We had fight for our place on the agenda, but, with a lot of help from our developed country friends we succeeded in putting our stamp on the organization. And an extraordinary institution it was. It was a pre-Zoom virtual organization that met on the telephone and anyone who has experienced chairing a meeting of 50 opinionated lawyers and economists on the telephone will find today's virtual meetings a walk in the park.

The ICN was one of the highlights of my term in the competition world. The debates were as hard as the partying; the gains made, possibly for developing countries in particular, were inestimable; the friends made were for life. I'm not one for keeping a detailed CV. But one entry that is always there is my period as ICN interim chair, an achievement of which developing countries can be justifiably proud.

2009

8th: Zurich, Switzerland

3-5 June 2009

Kongresshaus Zurich

Gotthardstrasse 5, 8002 Zurich, Switzerland

ICN Event History – 8th Annual Conference of the ICN in Zurich, Switzerland

Prof. Dr. Andreas Heinemann

President

Swiss Competition Commission

The Swiss Competition Commission (ComCo) hosted the International Competition Network's 8th Annual Conference, which was held in Zurich on June 3-5, 2009. Federal Councillor Doris Leuthard opened the conference and welcomed more than 450 delegates, including representatives from more than 80 agencies and 130 non-governmental advisors. The Federal Councillor stressed the importance of international cooperation between the competition authorities. In the globalization process, cartels would organize themselves not only internationally but also inter-continently. She also urged representatives of competition authorities not to react to the economic crisis with protectionist measures, but to continue to ensure unrestricted access to markets – an appeal that could or should meet with a strong response, especially today.

The event was a notable success, marking nearly a decade of the ICN's existence as a forum for discussion and dissemination of competition-related law and policy issues. The program was organized around plenary sessions reporting on projects undertaken by five ICN Working Groups during the preceding year. It also covered, inter alia, topical issues, a panel devoted to the future of the network, and a plenary session on a Special Project "*Competition Law in Small Economies*".

The Israel Antitrust Authority and ComCo took lead in organizing and researching this Special Project

with contributions from a number of ICN-members. The Project followed an OECD study („OECD Global Forum on Competition, Competition Policy and Small Economies", Note by the Secretariat), which had found that small economies face unique issues in enforcing competition law. The Project's report revealed, inter alia, the difficulties in defining "small" economies (e.g., due to cross-border commerce), the relative higher importance of open trade policies, or the relative importance of business associations. The report, however, did not reveal definite conclusions but collected a large amount of valuable data.

ComCo is and has been proud to have had the opportunity to host the conference. It also gave our authority the chance to emphasize three – in the words of ComCo's then President Walter A. Stoffel – parameters that not only shape our daily live but also the way competition law is established and enforced in Switzerland: Market economy, democracy, and the rule of law. The work of ICN is but one big effort to integrate these parameters into a coherent set of actions, on a global scale.

Key topics / achievements:

- Special Project "Competition Law in Small Economies"



Work products

AWG: Report on Assessment of ICN Members' Requirements and Recommendations on Further ICN Work on Competition Advocacy [pp 68]
 AWG: Market Studies Project Report [pp 160]
 CPIWG: Report on the Agency Effectiveness Project Second Phase – Effectiveness of Decisions [pp 45]
 CPIWG: Seminar on Competition Agency Effectiveness [pp 46]
 CWG: 2008-2009 Member Materials from Conference Call Series [pp 32]
 CWG: Anti-Cartel Enforcement Manual Chapter 1: Searches raids and inspections [pp 51]

MWG: Proposed Recommended Practices for Merger Analysis [pp 12]
 MWG: Information Requirements for Merger Notification [pp 24]
 UCWG: Report on Tying and Bundled Discounting [pp 25]
 UCWG: Analysis of Loyalty Discounts and Rebates under Unilateral Conduct Laws [pp 42]
 Special project: Competition Law in Small Economies [pp 38]
 [CPIWG: Competition Policy Implementation Working Group]

2009-2012



John Fingleton

ICN Steering Group Chair:
2009-2012



I have been asked to share my personal experience as former Chair of the ICN Steering Group, focusing in particular on how the Network developed during my chairmanship (2009-2012). I took over as chair at a pivotal point in the ICN's development. The network was formed in the wake of a rapid proliferation of laws and agencies and a few high profile transatlantic divergences, so it was necessarily cautious in its scope. Eight years on, the network had shown its approach worked, and ICN had built up a degree of success and trust that likely surpassed even its most ardent supporters' expectations. The ICN in 2009 was brimming with promise and potential to expand that success more broadly.

Together with the other members of the Steering Group, we set our sights on a more pluralist agenda. Pluralism involved bringing in a broader range of issues and stakeholders, and wider member engagement. The network moved away from its early strong focus on mergers and cartels, tackling head-on the difficult area of single firm conduct and reinvigorating its approach to advocacy. It encouraged a greater role for members' external engagement, developing messaging on the role of competition policy in times of economic crises for a wider set of policymakers. The ICN recognized the value of its own voice, publicly supporting members' efforts to reform their laws and practices toward agreed international best practice. At the same time, we encouraged a wider range of



participation within the ICN by bringing in NGAs from more diverse jurisdictions and heterogeneous professional backgrounds. While recognizing and pursuing the important goal of achieving consensus, particularly in the form of “recommended practices”, we also encouraged a multiplicity of views, an informed divergence of approaches to difficult areas of competition law and policy.

In addition to pluralism, the other focus during my tenure was to engage the network in a self-reflection process to formulate a longer-term vision for the network, the “Second Decade” project. Translating this vision into action led to a greater inclusiveness of people, such as structural changes to require rotation of working group and project leadership positions, which doubled the number of ICN members in leadership positions, and enhanced participation more broadly. One indicator of that participation is the popularity of the ICN annual conference, oversubscribed for many of the past years, and workshops and webinars that regularly have over 100 participants. The Second Decade project also led to greater inclusiveness of topics, going beyond fundamentals of competition law, witnessed today in projects on vertical restraints in digital markets, destructive innovation, and guidance on platforms. The broadening of topics is also evident in the ambitious cross cutting projects, notably on cooperation and procedural fairness, both producing major work, and the newest project on the intersection of competition,

consumer, and privacy. Finally, the Second Decade project set the stage for continued self-reflection, an exercise underway in the Third Decade self-assessment project.

Looking forward, to maintain the ICN’s continued arc of success, I have three suggestions. First, the network needs to be more externally focused and resist the gravitational pull to the center where only the pure experts engage. ICN should play in the middle of the field where specialists find agreement and engage at the perimeter with non-experts as well as more radical views on the left and right. Second, to ensure continued evolution of diverse participation, the network can consider applying its very successful rotation policies introduced for working group chairs to Steering Group membership and chair and vice chair roles, and to dedicate a more prominent role for NGAs within or alongside the Steering Group. Finally, to fully realize the network as a global voice for competition principles, ICN should address the difficult area of competition policy within and against broader policy, articulating the role of competition policy and adjacent policies in order to provide guidance for a coherent approach.

2010

9th: Istanbul, Turkey

27-29 April 2010

Swissôtel The Bosphorus Istanbul,

Vişnezade, AcısuSokağı NO 19, 34357 Maçka/Beşiktaş/İstanbul/TURKEY

ICN Event History – 9th Annual Conference of the ICN in Istanbul, Turkey

Zeynep MADAM

Head

External Affairs and Competition Advocacy Department

Turkish Competition Authority

The Turkish Competition Authority hosted the ICN's 9th Annual Conference in Istanbul in 27-29 April 2010. It was a big pleasure for us to be the host of respected member agencies and the NGAs of the ICN.

This organisation was a great opportunity to share the ideas and expectations, to increase dialogue among member agencies and to create networking for attendees. Especially as a host, we had the chance to increase effective and practical working relationships with our counterparts and all the attendees benefited from experience sharing among each other.

During the conference, the ICN's recent work was discussed in plenary and breaking out sessions. Moreover, these sessions created a forum for shaping the ICN's second decade. Whether agencies were old or young, large or small; whether other colleagues were from business or legal/academic communities; all could share ideas and experiences of their own.

Five ICN Working Groups reported their projects of the preceding year in plenary sessions. A special project named "*The Report on Interface between Competition Policy and Other Public Policies*" prepared by the TCA was also presented in a plenary session. The breakout session were also very rich in content and academicians, competition law enforcers and practitioners had the opportunity to discuss issues such as agency

effectiveness, prioritization and some other competition law issues such as margin squeeze and refusal to deal, all of which were hot debates of that time.

The TCA has been very proud to invite all the attendees to İstanbul by saying "let's meet where the continents meet" and to host this conference successfully.

Key topics / achievements:

- The theme of the Special Project of the 9th ICN Annual Conference was "The Interface between Competition Policy and other Public Policies". Turkish Competition Authority offered this specific topic with the aim of understanding the interaction between the competition policy and other policy areas such as environmental policy, consumer policy and industrial policy. Furthermore, it is of crucial importance to understand how these policy areas interact and need to be reconciled especially for developing countries as any incoherence may undermine the efforts of the Authorities. With this perspective, a questionnaire was conducted to provide an insight into the approach of ICN countries about this matter. The responds were shared through a Background Report.





Istanbul



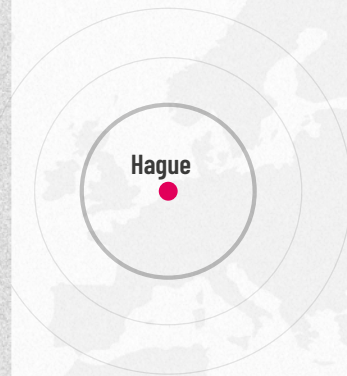
Work products

AEWG: Agency Effectiveness Handbook Chapter 1: Strategic Planning and Prioritisation [pp 57]
 AEWG: Draft Agency Effectiveness Handbook Chapter on Effective Project Delivery
 AWG: Market Studies Good Practice Handbook [pp 151]
 AWG: Report and Summary of the Presentations of the 2009-2010 ICN Competition Advocacy Teleseminars Prepared by the ICN Competition Advocacy Working Group [pp 29]
 CWG: Anti-Cartel Enforcement Manual Chapter 3: Digital Evidence Gathering (revision) [pp 37]
 CWG: Anti-Cartel Enforcement Manual Chapter 4: Cartel Case Initiation (revision) [pp 67]
 MWG: Recommended Practices for Merger Analysis: Market Definition and Failing Firm/Exiting Assets [pp 15]

UCWG: Analysis of Refusal to Deal with a Rival under Unilateral Conduct Laws [pp 36]
 Special Project: Report on Interface between Competition Policy and other Public Policies [pp 46]
 A Statement of Achievements [pp 13]
 Summary of ICN Work Product [pp 27]
 Vice Chair Advocacy & Implementation: Activity Report
 Vice Chair Advocacy & Implementation: Advocacy and Implementation Network Support Program flyer
 Vice Chair International Coordination: 2010 Activity Update
 Vice Chair International Coordination: World Bank East African haulage project

2011

10th: Hague, Netherlands



17-20 May 2011

World Forum The Hague

Churchillplein 10, 2517 JW Den Haag

ICN Event History – 10th Annual Conference of the ICN in The Hague, The Netherlands

Siún O’Keeffe

Manager of the Netherlands

Authority for Consumers and Markets (ACM) Academy

The ICN Conference was held in The Hague from 17 to 20 May 2011. It was the 10th anniversary of the International Competition Network and the theme was consumer welfare. The venue was the World Forum in The Hague. We had a balloon-filled venue, and a dynamic drumming opening act. The opening reception was held at the Gemeentemuseum in The Hague, hosted by the Mayor of The Hague and Henk Don, acting Chairman of the Netherlands Competition Authority (the NMa). The IDRC held a pre-ICN event on corporate compliance and alliance *building*. On 18 May, the conference was officially opened with speeches from Henk Don, Maxine Verhagen (Minister of Economic Affairs, Agriculture and Innovation) and Joaquín Almunia, (European Commissioner for Competition). Then ICN Chairman, John Fingleton, Chief Executive, UK Office of Fair Trading, took the stage and spoke on the ICN’s vision for its second decade. William Kovacic, Commissioner, US Federal Trade Commission and David Lewis led a presentation on The ICN curriculum project.

The ICN conference in The Hague had a mix of plenaries and break-out sessions, highlights included the Cartel working group plenary on public outreach and awareness, chaired by Alexander Italianer, the Director-General of Competition at the European Competition. The special project plenary on consumer welfare was led by Jarig van Sinderen, chief economist at the NMa

and Professor Barbara Baarsma of the University of Amsterdam. The Agency Effectiveness Working group had a plenary focused on ‘managing effectiveness: issues from the Agency Manual’, led by CADE Commissioner, Olavo Chingalia. Vladimir Kachalin, of Russia’s FAS led the Advocacy Working Group plenary, on promoting competition principles in government. The Mergers Working Group Plenary was on current trends and developments in merger enforcement, and was led by Christine Varney. There were optional break-out sessions; one for new ICN members, an AISUP session, a session on the ICN curriculum project as well as sessions on regional platforms, and an NGA session. The Unilateral conduct working group designed their plenary in the form of a trial. The title was “Arguing the case: Scrutinizing an Loyalty Discount & Rebate Case from all sides”, with one team of authority expert and NGAs representing the authority, and the other team representing the defence!

The first evening we had a network dinner at Madurodam, the Netherlands in miniature. The gala dinner was hosted at the Kurhaus hotel in Scheveningen. We had an unforgettable reception on the terrace of the Kurhaus hotel, looking out at the North Sea, in glorious sunshine, followed by the gala dinner, and lots of dancing. The closing remarks on the 10th Anniversary of ICN were made by John Fingleton. It was announced that



Brazil would hold the 2012 conference, and the delegates took a packed lunch and a bus to Amsterdam for the final tour. It was a memorable conference, and the last big event hosted by the NMa, before the competition authority merged with the consumer authority, and the telecommunications regulator to become the Netherlands Authority for Consumers and Markets, the ACM.

Key topics / achievements:

- **ICN The Hague 2011 – Special project on consumer welfare**

The ACM's special project was focused on Consumer Welfare. The aim of the survey was to assess how different ICN members approached the topic of consumer welfare in their competition legislation and decision-making. The results of the survey illustrated how different authorities had a different approach to consumer welfare. Very few authorities felt that it was appropriate to focus exclusively on consumer welfare when assessing competition law infringements, but many authorities were increasing their reference to economic analysis and taking the effects of competition law breaches on consumer welfare into consideration in their decisions. There were breakout sessions at the conference on the importance of references to consumer welfare in the authority's mission and legislation, a session focused on economists, dealing with definitions of consumer welfare. We had a session on the legal quantification of consumer welfare, and finally two sessions on consumer welfare from the consumer's perspective, and from a business perspective. The plenary on consumer welfare was led by Jarig van Sinderen, chief economist at the NMa and Professor Barbara Baarsma of the University of Amsterdam.

- **ICN The Hague – Second decade**

To mark the 10 year anniversary of the ICN, ICN Chair, John Fingleton, called upon members and

NGAs to take stock of ICN's accomplishments and identify goals for the future.

- **ICN 10th Anniversary Publication**

With NGA Paul Lugard as editor, a book of essays was published, entitled "The International Competition Network at Ten; Origins, Accomplishments and Aspirations).

Work products

AEWG: Draft Competition Agency Practice Manual: Effective Project Delivery

AEWG: Effective Knowledge Management Handbook Chapter (Draft Summary)

AEWG: Knowledge Management Survey

AWG: Advocacy Toolkit

AWG: Draft Market Studies Good Practice Handbook and Market Studies Information Store Road-Testing: Report to Conference

CWG: Anti-Cartel Enforcement Manual Chapter on Case Resolution

CWG: Compilation of "Good Practices" from the Anti-Cartel Enforcement Manual of the ICN Cartel Working Group [pp 15]

MWG: Report on Conclusions Resulting from 2010-11 Merger Working Group Comprehensive Assessment 2010-2011 [pp 173]

MWG Merger Working Group Survey

UCWG: Unilateral Conduct Workbook: Chapter 3: Assessment of Dominance [pp 39]

Special Project: Competition Enforcement and Consumer Welfare – Setting the Agenda [pp 92]

Summary of ICN Work Product [pp 23]

Statement of Achievements 2001 – 2011 [pp 19]

The ICN's Vision for its Second Decade [pp 40]

ICN NGA Toolkit

ICN Curriculum Project

AISUP

2012



Eduardo Pérez Motta

ICN Steering Group Chair: 2012

As most members of the ICN may recall, the network was born following the initiative to include competition matters in the WTO. More specifically, the initiative in the WTO was to incorporate competition elements in trade negotiations and eventually include them in the international trade rules, causing concerns in many competition authorities around the world since competition policy and enforcement was going to be directed in international trade negotiations. In 1996, Trade and Competition Policy was introduced as a WTO Working Group and it was in 2001 that Trade and Competition was included in the multilateral negotiation agenda of the Doha Round. It was precisely that year that 15 competition authorities decided to form the International Competition Network. Since the origin of the ICN, major achievements have been obtained by the participation of many persons representing their antitrust authorities. However, the WTO and the international negotiations have experienced an impasse in multilateral negotiations. I had the opportunity to be part of the WTO during the inclusion of Trade and Competition in Doha and the elimination of Trade and Competition in the multilateral trade agenda in the July 2004 package adopted by the General Council of the WTO.

I was president of the network in 2012. During my presidency, I focused the network's efforts in three main areas: i) member engagement; ii) members' assistance in efforts to implement ICN best practices; and iii) the ICN and its members to play a more visible role in economic policy debate. Firstly, we were especially concerned in engaging economist in the network for them to share experiences and learn from each other, therefore under my presidency we started an economist group that meet regularly. Also on this matter, we started the "Town hall" sessions on a variety of topics to keep members and NGAs up to date about ICN activities. Secondly, there was a significant uptick under my leadership in terms of the recommended



practices (RP) the ICN developed. This includes an RP on efficiencies in merger review, RPs on predatory pricing developed, and RPs on competition assessment (the last two formally adopted in 2014). Furthermore, we set a framework for the ICN to support members in effecting change; for example, we sent letters of support for COMESA and Peru. Thirdly and lastly, we made efforts for the ICN and its members to play a more visible role in economic policy debates for the network to be well placed to draw policymakers' attention to the importance of sound competition policy, and of the competitive implications of policy choices. Together with the Advocacy Working Group, we developed messages on the benefits of competition policy, a tool for competition authorities in raising awareness of the benefits of competition by way of a practical guidance document; and we delivered messages on the importance of competition policy aimed at legislators, governments, and economic policymakers more generally, messages on topics such as the importance of attention to microeconomic considerations in formulating economic policy and development policy, the role of government in markets, and sector-specific messages. I would like to express my gratitude for Maria Coppola of the USA FTC who helped me during my chairmanship in the ICN to a great extent.

There are relevant achievements the ICN has accomplished in these twenty years since its creation, to name a few: the inclusion of a major number of antitrust authorities as part of the network, the development of best international practices and to be an effective forum to discuss methodologies and experiences of the agencies. However, the reality today reveals important challenges. There are two elements that distinguish the new reality that the ICN is facing today and require a serious reflection for the future of the ICN in the following years. First, the growing global political movement in favor of economic nationalism and

populism that has fostered a loss of confidence in market policies and competition as an important instrument to promote an inclusive global growth. These phenomenon calls for a need to have a strong international voice in favor of operative legal frameworks that promote market efficiencies and defend the value of competitive markets through effective competition law enforcement as well as a pro efficiency regulatory settings. Second, the increasing significance of digital platforms as a service' input on a large number of markets has been an important source of market globalization at a speed not seen in a recent history, opening major opportunities for producers and consumers. However, being a sector with crucial economies of scale and network, the few players in the digital sector has generated concerns in different regulators and antitrust authorities. This new situation imposes risks of different enforcement actions in various jurisdictions and regulatory decisions in relatively similar circumstances, creating potential major distortions in global markets. A reflection should be made in the role that ICN should have in the digital economy, either by proposing general regulations or a better homologation of antitrust laws.

The celebration of the twentieth anniversary of the ICN is an appropriate time to reflect on how the ICN should face the challenges that is facing for the next years to come to effectively protect market efficiency. One way is to encourage a general discussion in the ICN to evaluate the pros and cons to convert the ICN in a more formal international organization, learning from the experience of other international organizations and building in the impressive development that the ICN has acquired in these twenty years of experience. An efficient way to do it could be to name a commission with the mandate to make a detailed diagnostic and a proposal to be originally discussed by the ICN Steering Group before is discussed with the general membership.

2012

11th: Rio de Janeiro, Brazil

18-20 April 2012
Royal Tulip Hotel

ICN Event History – 11th Annual Conference of the ICN in Rio de Janeiro, Brazil

Mariana Boabaid Dalcanale Rosa
Managing Director
CADE

The 11th ICN Annual Conference in Rio de Janeiro saw CADE, the Brazilian competition authority, introduced the feature of sustainability to the event, while it also helped the authority in its development.

The conference was made environmentally sustainable by making conference materials, such as the list of participants, available on tablets and online, besides using recycled and recyclable materials in pens and notebooks. The most exciting examples were briefcases handcrafted of reused paper by Amazonian communities and the badges made of paper embedded with flower seeds that could be planted after the conference.

ICN Rio proved that an annual conference does not have to be expensive to be effective. Economic sustainability was achieved by reducing the cost of the conference to the third of the previous one while still hosting approximately 500 participants, including 400 foreign attendees from 82 jurisdictions. Despite the considerably smaller budget, the satisfaction rate was 90.32%.

The conference program was designed to allow space for discussion and interaction fostering convergence - of practices, procedures, rules and approaches - and celebrating diversity - of policies, cultures and legal traditions. The special project for this annual conference was „Leniency and Settlements Procedures in Competition Enforcement”.

Holding the ICN Annual Conference was a valuable opportunity to get insights from the international anti-trust community on how to enforce the new Brazilian

competition law, which came into force in the year of the event. The multifaceted discussions and the exchange of experiences proved to be extremely helpful in improving CADE's policies and practices.

In addition, hosting the first ICN conference on South-American soil confirmed CADE's leading role in competition matters in the region and was a considerable step towards becoming a widely recognised competition authority on a global level.

Key topics / achievements:

- The ICN's Framework for Merger Review Cooperation

Work products

AEWG: Agency Effectiveness Handbook Chapter 3: Effective Knowledge Management [pp 59]

AEWG: Competition Agency Practical Manual Chapter 2: Effective Project Delivery [pp 66]

AEWG: Draft Results of the Survey on Human Resources Management [pp 18]

AWG: Market Studies Good Practice Handbook [pp 168]

AWG: Advocacy Toolkit Part II: Effective Communication of a Competition Advocacy Message [pp 136]

AWG: Interim Report on the Explaining the Benefits of Competition Project [pp 96]



CWG: Anti-Cartel Enforcement Manual Chapter on
Cartel Awareness, Outreach and Compliance [pp 37]
CWG: Aggregated Info Sharing Charts
MWG: Review of ICN Merger Working Group
Webpages [pp 13]
UCWG: Unilateral Conduct Workbook: Chapter 1:
The Objectives and Principles of Unilateral Conduct
Laws [pp 21]

UCWG: Unilateral Conduct Workbook: Chapter 4:
Predatory Pricing Analysis [pp 66]
SG: International Enforcement Cooperation Project
[pp 9]
SG: Project on Working with Courts and Judges [pp 5]
Special project: Criteria for Settlements Summary of
ICN Work Product 2011-2012 [pp 21]
ICN Statement of Achievements 2001-2012 [pp 22]

2013

12th: Warsaw, Poland

23-26 April 2013

Sheraton Warsaw Hotel

Prusa 2 Street, 00-493 Warsaw

ICN Event History – 12th Annual Conference of the ICN in Warsaw, Poland

Julia Kozłowska

(on behalf of the UOKiK team organizing the 2013 conference)

International Cooperation Office

UOKiK – Polish Competition Authority

The International Competition Network is an unquestionable success and its continuously expanding character proves that the network provides the best platform to produce and develop sound competition standards and procedures. Many important and useful job items have been developed and implemented by competition bodies and non-governmental consultants from around the world, demonstrating an impressive contribution to the ICN. Over the 20 years since ICN's establishment, this diverse international community has created a wonderful tradition of meeting annually to recognize the work performed during the year, and to discuss upcoming challenges and future work, and more generally to exchange experiences.

This year you will be the host of the 2021 ICN Annual Conference. We would like to take this opportunity to send you our sincere congratulations on this occasion. Based on the above, we are delighted to notify you of the outcomes of the **12th Annual Conference of the International Competition Network**, which was held in Warsaw on April 23-26, 2013 by the Office of Competition and Consumer Protection (hereafter: UOKiK) in the Sheraton Warsaw Hotel (*Prusa 2 Street, 00-493 Warsaw*).

This conference was arranged for the first time by UOKiK and drew over 500 representatives from various

countries, opening the discussion for the heads and experts of antitrust regulators, law firms, and researchers gathered in Poland. The conference was inaugurated by Mr. Bronisław Komorowski, President of the Republic of Poland, Ms. Małgorzata Krasnodębska-Tomkiel, President of UOKiK and Mr. Eduardo Pérez Motta, Chair of the ICN. Following their welcome remarks, UOKiK held a special opening session entitled: *“Competition at the Top of the Global Agenda – the Road to the Economic Welfare?”*.

The 12th Annual Conference sessions concentrated on five major areas of interest for ICN and its Working Groups: Advocacy, Agency Effectiveness, Cartels, Mergers, and Unilateral Conduct. The ICN working groups met intensively in plenary sessions over the three days to discuss core areas of collaboration. Advocacy and Agency Effectiveness Working Groups raised the issue of the most effective method of communication and the benefits of improving communication channels between institutions. They were working on transparency tools and measures used in the investigative process, as well as knowledge and human resource management in competition agencies. Plenary sessions for the Merger Working Group were arranged to discuss dynamics and policy challenges in economic analysis in merger analysis. Participants had the opportunity to



review economic facts, obstacles and prospects for solutions in mergers, as well as procedural aspects of department coordination in merger examination. Meanwhile, the Unilateral Conduct Working Group focused its plenary and breakout sessions on exclusive dealing, as well as unilateral standards in developing countries and emerging markets and justifications and defences for unilateral conduct. The last day of the conference was devoted, inter alia, to the effective detection and elimination of cartels. A lot of attention was drawn to the international cooperation in this area, which is of great significance at the time of globalization. The conference attendees pointed out that the exchange of information allows for identifying similar prohibited practices on the domestic market that previously appeared in other states as well as applying methods and analyses used by foreign authorities when handling similar cases. Main challenges for cooperation were identified, among others various definitions of secret and confidential data, as well as different legal regimes. It was stressed that both the formal and informal methods of cooperation are of equal importance, including the exchange of cooperation within the ICN. Cartel Working Group presented the latest chapter of the anti-cartel compliance manual on “*International cooperation and information sharing*”.

Following tradition, UOKiK prepared a special project, namely the relationship of competition authorities with the judiciary, with a particular emphasis on three key areas of cooperation: presentation of decisions given in competition proceedings in courts, presentation of

economic facts, and other aspects of the dialogue with courts and judges entitled “*Working with Courts and Judges*”. The project diagnosed the problem, identified measures and good practice applied by authorities in the scope of enhancing cooperation with courts based on the experience of 45 ICN members. The report demonstrates that both courts and authorities realize how vital it is to maintain positive relations between them and broaden their knowledge. Furthermore, respondents indicated that judges who work on competition cases gain their knowledge with experience, thus for many national authorities it is a priority to disseminate knowledge of antimonopoly law by way of conducting trainings and holding conferences.

One ICN conference special session focused on market enforcement and regulation in a geographic region. Given Poland’s participation in the European Union Eastern Partnership Program, UOKiK decided that it would be beneficial to dedicate one panel to the countries of Caucasus, Eastern and South Eastern Europe. As one of the main international challenges, UOKiK supported the structural reform within competition protection in Georgia and in Ukraine.

Furthermore, it should be mentioned that the event was accompanied by the Pre-ICN Forum entitled “*Making markets work for development: a reform agenda on competition*”, which took place on April 23rd, 2013. During the first session of this forum, panellists discussed the issue of “Competition policy reforms to foster well-functioning markets”, and during the second

session the topic of “Promoting competition in key sectors: agribusiness and air transport”.

UOKiK also prepared many interesting activities where each event represented different aspects of Polish culture: historic, modern and creative. Besides the legal aspect of the conference and attendance in the ICN Working Groups, our international guests had the possibility to integrate during the interesting happenings. The National Museum in Warsaw was selected as the venue for the Welcome Ceremony due to the institution’s historical and cultural importance, as well as its stunning modernist architecture and central location. Guests had the ability to see the museum’s remarkable collections, which include masterpieces of Polish and foreign painting, sculpture, handicraft and numismatics ranging from ancient to contemporary times. Our guests had chance to take part in the social event in the heart of Warsaw’s nightlife – Club Foksal XVIII. The integration and strengthening of relations between the conference participants was fostered by the creation of a relaxed atmosphere and the provision of entertaining musical setting at a high level.

Another cultural festival hosted by UOKiK is „*Show In Blue*,” which combined pantomime, dance, circus, street theatre, and acrobatics. The main star of this performance was the “*Melkart Ball duet*” – hand balancing act, a high caliber artistic and technical performance which tests the limits of human body. This Show took place in one of the most creative and inspiring districts in Warsaw – Soho Factory. The Soho Factory was chosen as the venue for the event because of its magnificent, post-industrial space. Soho is located in Warsaw’s Kamionek district, one of the oldest parts of Warsaw. And last but not least, UOKiK prepared a few special tours for visitors interested in the city showing them Warsaw’s most valuable places and objects:

- *Tour No. 1. The Wilanow Palace Museum*
- *Tour No. 2. The Park-Palace Complex (Łazienki Królewskie – the Old Orangery and the Palace on the Isle)*
- *Tour No. 3. The Palace of Culture and Science*
- *Tour No. 4. The Fryderyk Chopin Museum*

It is important to note that each event UOKiK presented to the visitors was embellished by the significant cultural legacy, which was the most delectable Polish menu in a contemporary version, so the guests had the opportunity to taste various exquisite dishes that Poland is famous for.

With a large number officials in attendance, the event was highly successful. It was an exciting challenge for UOKiK, which resulted in the creation of valuable assets required for future work in the competition sector. We look forward to celebrating this extraordinary experience and are delighted to share our memories with you in order to continue the tradition of fruitful and prosperous conferences.

Key topics / achievements:

- Special Project: “Working with Courts and Judges”;
- “Competition at the Top of the Global Agenda – the Road to the Economic Welfare?”
- ICN Statement of Achievements 2001-2013

Work products

AEWG: Agency Effectiveness Handbook: Chapter 3 on Knowledge Management [pp 62]

AEWG: Investigative Tools Report [pp 47]

AEWG: Competition Agency Transparency Practices [pp 30]

AEWG: ICN Curriculum Project: 2013 modules [pp 2]

AWG: Explaining the Benefits of Competition

Descriptive outline of Chapter and Annex [pp 18]

AWG: Competition Assessment Project: Identifying the nature of regulatory restrictions [pp 16]

AWG: Competition Culture Project – Status Update

CWG: Anti-Cartel Enforcement Manual: Chapter on International Cooperation and Information Sharing [pp 16]

MWG: Merger Analysis Self-assessment: Assessing whether Merger Analysis Practices Conform to the ICN’s Recommended Practices for Merger Analysis [pp 46]

MWG: Updated Chapter 4 of the ICN Investigative Techniques Handbook for Merger Review: The Role of Economists and Economic Evidence in Merger Analysis [pp 75]

UCWG: Unilateral Conduct Workbook: Chapter 5: Exclusive Dealing [pp 39]

Special project: Appendix – Working with Courts and Judges Project: Summary of responses collected [pp 59]

Special project: Working with Courts and Judges [pp 16]

Report on the OECD/ICN Survey on International Enforcement Co-operation [pp 173]

ICN Report on OECD/ICN Questionnaire on International Enforcement Cooperation [pp 13]

ICN Statement of Achievements 2001-2013 [pp 26]



2014

13th: Marrakech, Morocco

23-25 April 2014

Palmeraie Golf Palace Hotel

Circuit de la Palmeraie Marrakesh 40000, Morocco

ICN Event History – 13th Annual Conference of the ICN in Marrakech, Morocco

Maria Sbai Idrissi

Head of International relations

Competition Council of the Kingdom of Morocco

The Competition Council of the Kingdom of Morocco organized the annual meeting of the ICN in Marrakech in April 2014. As a young competition authority it was a real challenge; in one hand in terms of the very limited human resources designated to organize the event and in the second hand as a new member of the network.

We are proud to have taken up the challenge and to have succeeded both on the organizational level and on the richness of the program.

This meeting also allowed us to carry out a special project whose theme was important to us, namely competition and public enterprises.

This meeting was also an opportunity to concretely initialize the African Competition Forum, a regional network that is very active and of capital importance for its members.

Moreover, the meeting gave more visibility to the Council in Morocco and to contribute fully to the promotion of the competition culture in our country.

The year 2014 is also an important date in the history of the Competition Council of Morocco because of the passage of this one of consultative authority to decisional authority.

Key topics / achievements:

- Special Project “State-owned Enterprises under Competition Law”

Work products

AEWG: Competition Agency Confidentiality Practices [pp 46]

AEWG: Competition Agency Practice Manual: Updated Knowledge Management Chapter

AEWG: Competition Agency Practice Manual: Updated Human Resources Management Chapter

AWG: Recommended Practices on Competition Assessment [pp 11]

AWG: Report on the Benefits of Competition

CWG: Anti-Cartel Enforcement Manual Chapter on Digital Evidence Gathering [pp 35]

CWG: Anti-Cartel Enforcement Manual Chapter 2: Drafting and implementing an effective leniency policy [pp 24]

CWG: Waivers of Confidentiality in Cartel Investigations – Explanatory Note [pp 5]

CWG: Full waiver of confidentiality in cartel investigations [p 1]

CWG: Procedural waiver of confidentiality in cartel investigations [p 1]



MWG: Interim Report on the Status of the
International Merger Enforcement Cooperation
Project [pp 7]
UCWG: Recommended Practices: Predatory Pricing
Analysis pursuant to Unilateral Conduct Laws [pp 7]

Special project: State-owned Enterprises and
Competition [p 72]
Activity Report on ICN Advocacy and Implementation
Network 2013-2014

2015

14th: Sydney, Australia

29 April – 1 May 2015

Sheraton on the Park (now called Sheraton Grand Sydney Hyde Park) 161 Elizabeth St, Sydney NSW 2000

ICN Event History – 14th Annual Conference of the ICN in Sydney, Australia

Marcus Bezzi

Executive General Manager

Specialist Advice and Services Division, ACCC

The Australian Competition and Consumer Commission was delighted to host the 2015 ICN Annual Conference in Sydney, and it provided significant benefits to our agency. ICN Annual conferences always provide excellent networking opportunities for attendees, and this is especially the case for hosts. The engagement with agency heads, senior officials, and competition experts in the lead up to and during the conference allowed us to deepen many of our relationships. These relationships form the basis for ongoing cooperation with the ACCC's counterparts and a variety of non-government organisations, as well as allowing informal benchmarking of the ACCC's functions and processes. Strengthening these relationships is particularly important in fostering cooperation with the ACCC's international counterparts to improve outcomes in matters involving extra-territorial evidence or conduct; encouraging an international regulatory environment that enhances the welfare of Australians; and in promoting the ACCC in international fora to influence action supporting ACCC aims.

Hosting the conference helped us to promote the vital role that competition has in enhancing the welfare of Australians during an important time domestically for Australia's competition law. Competition issues were front page news, with the Australian Government considering its response to the final report of an independent

Competition Policy Review. The conference also helped to promote competition in our region, which was important at the time as ASEAN member states had committed to implement competition policy by the end of 2015. Delegates from several ASEAN member states attended the Annual Meeting and there were sessions designed to assist younger competition agencies, such as some of those from within ASEAN member states, to assist in developing effective competition agencies and learn from lessons provided by others. Some of these delegates also participated in a study visit which took place in Sydney during the week following the Annual Meeting.

Key topics / achievements:

- The conference had a strong connection to the digital economy which was an emerging priority area for international competition agencies and international cooperation. Before the conference the ICN had commenced a multi-year project on practical issues relating to the application of competition law to online vertical restraints (VRs). As the host of the 2015 ICN Annual Conference, the ACCC undertook the first phase of the project, which was a stocktake on the current climate for online VRs among ICN members. We wanted to understand differences in legal frameworks around the world,



the prevalence of VRs across jurisdictions, and the extent to which competition agencies considered tackling VRs a priority. To get to the heart of these issues, we conducted a literature review and a survey of ICN members.

- The ACCC's report identified areas of possible future ICN work to assist members identify and deal with competition issues relating to online vertical restraints. Following a plenary session moderated by ACCC Commissioner Jill Walker on at the conference, there were several breakout sessions, each focusing on particular issues raised in this report. With the findings of the report as a backdrop, the ICN's work on VRs continued in the Unilateral Conduct Working Group. This work presaged a lot of the work that has subsequently happened within the ICN in relation to competition and the digital economy.

Work products

AWG: Competition Assessment Project
 AWG: Competition Culture Project
 AEWG: Investigative Process Project
 AEWG: ITOD: Interviewing Techniques Module
 CWG: Anti-Cartel Enforcement Manual Chapter 10:
 Cooperation with Procurement Agencies [pp 43]
 CWG: 2014 Cartel Workshop (Taiwan, October 2014)
 MWG: Practical Guide to International Enforcement
 Cooperation in Mergers [pp 14]
 MWG: Project on Remedies in Merger Review: Interim
 Report [pp 10]
 MWG: 2014 Merger Workshop (New Delhi, December
 2014)
 UCWG: Unilateral Conduct Workbook: Chapter 6:
 Tying and Bundling [pp 34]
 Special project: Online Vertical Restraints Special
 Project Report [pp 190]

2016

15th: Singapore

26-29 April 2016

Sands Expo and Convention Centre

10 Bayfront Avenue, Singapore 018956

ICN Event History – 15th Annual Conference of the ICN in Singapore

Sia Aik Kor

Chief Executive

Competition and Consumer Commission of Singapore

The Competition and Consumer Commission of Singapore (CCCS) had the privilege to host more than 500 delegates from over 80 jurisdictions, at the 15th ICN Annual Conference, held from 26 to 29 April 2016. It was the first time that the Conference was held in Southeast Asia. This was especially meaningful as some economies in the region were in the developmental stages of establishing and implementing competition policy and law then. Having the global competition community gathered in Singapore for the Conference to discuss the latest competition policy and law developments served as a catalyst that further strengthened the competition policy and law developments in this region. The Conference also provided the platform, through the Heads of Competition Agencies Meeting organised by CCCS, for senior competition agency officials from the region, Australia and New Zealand to network, exchange views and share experiences on the challenges faced in developing and implementing competition law.

In addition to the rich and engaging discussions lined up in the Conference's programme and interactions with one another, the global competition community also had first-hand experience of Singapore's vibrant and competitive economy, which is driven by the foundation of open and contestable markets championed by CCCS. They also had the opportunity to enjoy the diverse tapestry of Singapore's heritage, cuisines and

ethnic cultures through the Conference's social events and food.

For CCCS, organising and hosting the Conference enhanced our relationships with the ICN and the many competition agencies in the ICN family. This opened up more opportunities for us to contribute actively to the development of competition globally through the ICN. It also provided us with more avenues to forge stronger enforcement and technical cooperation relationships with our key overseas counterparts. Besides this, the Conference also provided us with the platform to familiarise a larger number of Singapore's competition practitioners and academics as well as CCCS staff on the role and work products of the ICN, which encouraged them to use these work products and participate in ICN's work to build up their skills and knowledge for their competition work.

Key topics / achievements:

- Special Project: Government Advocacy and Disruptive Innovations

One of the key themes of the Conference was disruptive innovations. CCCS with the assistance of the ICN Advocacy Working Group and other ICN member agencies undertook a special project on government advocacy and disruptive innovations. A report discussing ICN members' experiences



and challenges they faced when advocating competition considerations to governmental and legislative entities in their respective jurisdictions with regard to disruptive innovations was shared at the Conference.

- Special Plenary: Building Economic Communities with Competition Policy

The Conference kicked off with a special plenary on “Building Economic Communities with Competition Policy”. Johannes Laitenberger, then Director-General, DG Competition of European Commission shared the European Union’s experiences on how competition policy has facilitated in the success of the single economic market in the European. Ong Keng Yong, former Secretary-General of ASEAN, highlighted that ASEAN’s millennials were changing markets and consumption in ASEAN as they were better educated, had higher spending power and were more technologically savvy. As such, they looked for brands that resonate with them and welcomed competition and choice. Thus, he encouraged policy makers to develop and enforce competition policy which

would lead to better outcomes in the form of lower costs, wider range of choices and higher quality of goods and services.

Work products

AWG: Explaining the Benefits of Competition to Businesses [pp 26]

AWG: Market Studies Good Practice Handbook [pp 55]

AEWG: Report on Agency Ethics and Integrity [pp 23]

AEWG: Report on Agency Evaluation [pp 23]

AEWG ITOD Work Product

AEWG: NGA-drafted Issues Paper: The “Revolving Door” [pp 15]

CWG: Catalogue of Investigative Powers for Cartel Investigations [pp 4]

MWG: Merger Remedies Guide [pp 54]

Special Project: Government Advocacy and Disruptive Innovations [pp 127]

Summary of ICN Work Product 2015-2016 [pp 20]

The future of the ICN in its second decade Draft Final Report [pp 82]

2017

16th: Porto, Portugal

10-12 May 2017

Porto Convention Centre (Alfândegado Porto)

Cedofeita, Santo Ildefonso, Sé, Miragaia, São Nicolau e Vitória

ICN Event History – 16th Annual Conference of the ICN in Porto, Portugal

Ms Margarida Matos Rosa

President

Autoridade de Concorrência (AdC)

Portuguese Competition Authority



Organising the 2017 ICN Annual Conference was an enriching and unique opportunity for the AdC.

In 2003, when the agency was created, the AdC was able to hit the ground running because we could incorporate lessons learned internationally. Experience-sharing and discussions with the international community, and in particular with the ICN, had and still have a tangible effect on the way we work. The AdC had been workshop hosts, working group chairs and an active member of the ICN in all 5 working groups. Hosting the Annual Conference was therefore a natural next step for our engagement as ICN member, contributing to the advancement of the network through the lively exchanges of experiences and expertise.

Furthermore, the ICN Annual Conference also created a momentum to gather the national competition community. The strong participation from Portuguese NGAs was a testament to the consolidation of the competition culture in Portugal, with the joint effort from academia, private practice and public enforcement.

This momentum coincided with positive dynamics, competition-wise, in other Portuguese-speaking countries also attending the ICN. This is why we organized a session fully in Portuguese, engaging with this specific competition community. The session brought together

circa 100 ICN participants from several geographical areas, in particular Africa, Europe and Latin America.

At the internal level, it was an extremely gratifying experience for all the staff. Being involved in the organization and being the host of such a key antitrust event strengthened our teamwork and sense of belonging. Having the opportunity to attend the ICN Annual Conference, provided the AdC staff with first-hand experience on different perspectives on competition enforcement and advocacy and enabled us to reflect on our own internal procedures and approach.

This was also my first ICN Annual Conference after taking office six months before, in late 2016. Representing the AdC as president and host was therefore a significant responsibility toward not only the ICN community, but also the AdC's staff. The conference was a culminating point of a renewed focus and commitment, for the AdC, on international cooperation, under the vision of my predecessor and of the AdC's board as a whole. From a personal point of view, this was naturally aligned with my well-grounded conviction for international cooperation.

Key topics / achievements:

For the ICN 2017 Special Project, the AdC presented the topic *“Amplifying the impact of enforcement:*



Proactive strategies for deterrence", in order to share experience and good practice among ICN members and NGAs on the interface between enforcement and proactive strategies that promote deterrence, and particularly on how competition authorities can engage stakeholders in these efforts.

The Special Project comprised a plenary session and four breakout sessions. The Plenary carried the same title of the Special Project and was planned to be a high-level discussion on proactive strategies for deterrence that build upon the enforcement activity of competition authorities. The breakout sessions were designed to approach more practical issues (how to) and to focus on particular situations in which this interaction is particularly relevant. They are outlined below:

- a) Intensifying the impact on an investigation: An agency's toolbox
- b) Strategic thinking in communicating for deterrence: From planning to implementation
- c) Engaging public and private partners in deterrence: The case of bid-rigging in public procurement
- d) Deterrence: The role of private enforcement

Work products

AEWG: Report on: ICN Chief/Senior Economists Workshop [pp 35]

AEWG: ICN Agency Practice Manual: Competition Agency Use of Social Media [pp 42]

AEWG: Competition Agency Staff Training Programmes [pp 63]

AWG: Explaining the Benefits of Competition to the General Public [pp 20]

AWG: Guiding Principles for Market Studies [pp 19]

AWG: Planning Advocacy Initiatives [pp 9]

CWG: Setting of Fines for Cartels in ICN Jurisdictions [pp 66]

CWG: Checklist for Efficient and Effective Leniency Programmes [pp 5]

CWG: Compilation of "Good Practices" from the Anti-Cartel Enforcement Manual of the ICN Cartel Working Group [pp 22]

MWG: Recommendations I: Definition of a Merger Transaction [pp 6]

MWG: Recommendations VII: Assessment of Potential Efficiencies [pp 4]

MWG: Recommendations IX: Remedies [pp 5]

UCWG: Unilateral Conduct Workbook: Chapter 2: Analytical Framework for Evaluating Unilateral Exclusionary Conduct [pp 12]

UCWG: Vertical Restraints Report to Steering Group on Outcomes of Consultation Process [pp 8]

Special project: Amplifying the Impact of Enforcement: Proactive Outreach Strategies for Deterrence

Summary of ICN Work Product 2016-2017 [pp 22]

2018

17th: New Delhi, India

21-23 March 2018

The Ashok Hotel

50-B, Diplomatic Enclave, Chanakyapuri, New Delhi- 110021

ICN Event History – 17th Annual Conference of the ICN in New Delhi, India

Competition Commission of India

Competition Commission of India (CCI) successfully hosted the 17th International Competition Network (ICN) Annual Conference during 21st - 23rd March 2018 in Hotel Ashok, New Delhi. The Conference was attended by around 500 professionals from over 70 countries. The participants included heads of Competition Agencies, representatives of international organisations, economics and legal professionals and the academia.

Shri P. P. Chaudhary, Hon'ble Minister of State for Law and Justice and Corporate Affairs, inaugurated the 2018 ICN Annual Conference and Shri Manoj Sinha, Hon'ble Minister of State for Telecommunications (I/C) and Railways gave the valedictory address.

The conference was spread over for three days which included eight Plenaries and twenty-four Breakout Sessions. The ICN Working Groups namely Advocacy, Agency Effectiveness, Cartel, Merger, Unilateral Conduct, each had a plenary and breakout sessions. In the special project plenary, Shri Devender Kumar Sikri, Chairperson, CCI presented a special project on Cartel Enforcement and Competition during the conference. The deliberations of these sessions provided insights to various issues related to competition law and policy. Conference has helped in facilitating international cooperation and sharing of best practices on competition law and its application amongst member countries.

As part of the conference, CCI also organised social events providing a glimpse of the vast cultural heritage

of India through classical Indian dance forms on the 21st March 2018 followed by dinner at Hotel Ashok. The delegates were taken on a tour to the Rashtrapati Bhavan, the official home of the President of India to showcase its architectural and historical grandeur on 23rd March 2018.

The conference concluded with CCI handing over the baton to the Superintendence of Industry and Commerce, Colombia for hosting the ICN Annual Conference in 2019.

The conference offered exposure to the officers of CCI and participants from India on international best practices and provided a platform to interact with the delegates from different countries/Competition Authorities.

Key topics / achievements:

- The Competition Commission of India released a Special Report at the Conference on "Cartel Enforcement and Competition" which was presented by Shri Devender Kumar Sikri, Chairperson, CCI. The findings of the report included among others the role played by trade associations in facilitating cartels, low awareness about competition law amongst small and medium enterprises and tender design undermining competition. The project also highlighted the need for strong and focused advocacy with stakeholders.



Work products

AEWG: *Annotated ICN Guidance on Investigative Process* [pp 19]

AEWG: ICN Guiding Principles for Procedural Fairness in Competition Agency Enforcement [pp 2]

AEWG: ICN Guidance on Investigative Process [pp 9]

AEWG: ICN Training on Demand [pp 12]

AWG: Strategy Project Part II: Monitoring and Assessing the Results of Advocacy Efforts [pp 18]

CWG: Survey on the key elements for an efficient and effective leniency programme and its application [pp 1]

MWG: Revised RP for Merger Notification and Review Procedures III. Timing of Notification [pp 2]

MWG: Revised RP X: Interagency Enforcement Cooperation [pp 4]

MWG: Revised RP for Merger Notification and Review Procedures IV: Review Periods [pp 4]

MWG: Vertical Mergers Survey Results [pp 53]

UCWG: Vertical Restraints Multi Year Project 2016-2018 Interim Report [pp 4]

Special project: Cartel Enforcement and Competition [pp 96]

2019

18th: Cartagena, Colombia

15-17 May 2019

Hotel "Las Américas"

Anillo Vial, Sector Cielo Mar, Cartagena de Indias, Colombia

ICN Event History – 18th Annual Conference of the ICN in Cartagena, Colombia

Cristina Rodríguez Corzo

Head of International Affairs

Superintendence of Industry and Commerce (SIC)

As representatives of the Superintendence of Industry and Commerce (SIC) of Colombia, we are very honored to have been able to host the 2019 ICN Annual Conference in the beautiful city of Cartagena de Indias.

It goes without saying that organizing an event of such magnitude was an impressive logistical challenge, but that it brought us many rewards as a competition agency and as a country. Being able to receive more than 500 people from more than 63 different countries allowed us to have direct conversations with several international counterparts, one of the direct consequences being the possibility of negotiating agreements of technical cooperation with many of them and a significant positioning at a regional and international level.

Since then, our agency has assumed a much greater leadership role within the International Competition Network, but has also managed to increase its leadership position in other international forums related to competition, with greater confidence.

One of the things that we managed to highlight the most to our international counterparts is the vast number of missionary topics that we pursue as an agency, which has allowed us to find several points of intersection between issues of competition protection, consumer protection, personal data protection, and even industrial property. Which, it is important to mention, was

closely related to the development of the Special Project presented by the SIC to the rest of the ICN delegations.

The Special Project consisted, among other things, on the impact of creative industries and digitization, understood as pillars of economic development, in the surveillance and control tasks of the competition authorities and the challenges posed by their accelerated growth in free economic competition. But it was also an important reminder about the innovation and updating needs for competition agencies, especially at these intersection points that increasingly afflict issues of free economic competition and that require much more interagency articulation.

It is also worth highlighting the support given by the President of the Republic, Iván Duque Márquez, for the development of the Conference. His opening notes showed to the whole world the importance that as a country we are giving to the protection of markets and free economic competition. An element that, it is worth saying, caused a very positive impact on the participating delegations.

Key topics / achievements:

- Special Project "Challenges and Perspectives for Competition Law in Creative and Cultural Economy"





Work products

AEWG: Report on agency effectiveness through organisational design [pp 64]
 AEWG: Recommended Practices for Investigative Process [pp 10]
 AWG: Report on ICN Members' Recent Experiences (2015-2018) in Conducting Competition Advocacy in Digital Markets [pp 59]
 CWG: Good practices for incentivising leniency applications [pp 77]
 CWG: Development of Private Enforcement of Competition Law in ICN Jurisdictions [pp 19]

MWG: Framework for Merger Review Cooperation [pp 1]
 MWG: ICN Framework for Merger Review Cooperation Survey Report [pp 22]
 MWG: Merger Cooperation and Information Exchange Types of Information [pp 4]
 MWG: ICN Vertical Mergers Comparison Study [pp 49]
 UCWG: Vertical Restraints Multi Year Project 2016-2019 [pp 43]
 Special project: Challenges and Perspectives of Competition Policy in Creative and Cultural Economy [pp 56]

2020

19th: Los Angeles, USA

14-17 September 2020

First virtual Annual Conference of the ICN
(originally planned to hold in Los Angeles)



ICN Event History – 19th Annual Conference of the ICN in the USA

Cynthia Lagdameo

*Counsel for International Antitrust
Federal Trade Commission*

Paul O'Brien

*Counsel for International Affairs
Federal Trade Commission*

Michelle Rindone

*Assistant Chief
Antitrust Division, International Section
U.S. Department of Justice*

Tim Longman

*International Counsel
Antitrust Division,
U.S. Department of Justice*

The year 2020 was like no other, for the world as well as for the ICN and its members. During the global pandemic, the U.S. agencies (the Federal Trade Commission and Department of Justice, Antitrust Division) remained fully engaged in our shared mission to protect consumers. Our sister agencies across the ICN demonstrated similar perseverance in responding to the pandemic and its economic consequences. Despite the strain on all of our domestic operations, the ICN remained a vibrant forum for the exchange of experiences, including through its showcase gathering, the Annual Conference.

The 2020 Annual Conference was a collaboration between the host U.S. agencies and numerous partner agencies and non-governmental advisers around the

world. An incredible amount of work went into transitioning from the planned conference in Los Angeles to executing the ICN's largest, longest, and most intricate online event to date, with a global audience of over 2500.

The four-day event included an impressive slate of speakers from around the world discussing the ICN's work across a wide range of timely competition issues. Notably, the theme running throughout the conference sessions focused on competition in the digital economy. The U.S. hosts also organized an innovative, eight-week webinar series linked to the conference to highlight work across all ICN working groups and additional ICN projects.

Even with its all-virtual nature, the enthusiasm and dedication of the participants enabled the 2020 ICN Annual Conference to deliver a communal experience for the network, continuing the tradition of promoting engagement, facilitating cooperation, and pursuing convergence. Indeed, an unforeseen benefit of the virtual conference was the opportunity to expand the ICN member participation to enable a wider group of staff from the agencies to participate. Based on this experience, we look forward to future conferences incorporating the benefits of both in-person and virtual approaches.

Key topics / achievements:

- As hosts, the U.S. agencies worked with the working groups to focus the 2020 Annual Conference agenda on the theme of competition in the digital economy. Speakers from across the network



addressed this key, developing area of competition law, policy, and enforcement. We also encouraged video submissions from members, paired with learning lessons from notable academics, to create an innovative, online resource of perspectives, the largest such collection of contributions in ICN history.

- During the conference, the ICN unveiled its plan to conduct a comprehensive “Third Decade” organizational review of its substantive coverage, tools, and operational framework, co-chaired by the Federal Trade Commission, German Bundeskartellamt, and the Netherlands Authority for Consumers and Markets, with a view to preparing for future developments and challenges as the ICN enters its third decade in 2021. Under the Antitrust Division’s leadership, the ICN also finalized guidance on enhancing cross-border leniency cooperation, which aims to make international enforcement efforts more effective and reduce disincentives for prospective leniency applicants.

Work products

AEWG: Organizational Design (multi-year project)

AWG: Update of the Online Market Studies Information Store

AWG: Advocacy and Digital Market Project (multi-year project)

AWG: ICN Advocacy Handbook: Approaches to

Identify Policies for Competition Assessment [pp 14]

CWG: Guidance on Enhancing Cross-Border Leniency Cooperation [pp 26]

CWG: Project on “Big data and Cartels” The impact of digitalization in cartel enforcement – Scoping paper [pp 12]

MWG: Report on Procedural Infringements of Merger Control Proceedings [pp 50]

MWG: CMA Report on Sound Decision-making (seminar series) [pp 32]

MWG: Report on Conglomerate Mergers [pp 85]

UCWG: Report on the Results of the ICN Survey on Dominance/Substantial Market Power in Digital Markets [pp 38]

UCWG: Report on the Results of the ICN Survey on Dominance/Substantial Market Power in Digital Markets

ICN SG: Competition during and after the COVID-19 Pandemic (Statement)

ICN SG: Competition law enforcement at the intersection of competition, consumer protection, and privacy Scoping Paper

ICN-OECD Joint Project on International Cooperation

ICN NGA Toolkit (2020)

2021

20th: Budapest, Hungary

13-15 October 2021

Second virtual Annual Conference of the ICN
(originally planned to hold in Budapest)

ICN Event History – 20th Annual Conference of the ICN in Hungary

Csaba Balázs Rigó

President

Hungarian Competition Authority

On 25 October 2021 the International Competition Network celebrates the 20th anniversary of its establishment.

The Hungarian Competition Authority, the GVH, joined the ICN in January 2002, which means that Hungarian membership of the ICN membership is also approaching its 20th anniversary.

The GVH has greatly benefitted from its almost 20 years of membership. Through its participation in the ICN, the staff of the GVH has been able to establish excellent professional and personal relationships with the staff of competition authorities from around the world, especially as a result of the active cooperation that takes place within the ICN Working Groups.

The work products of the ICN – recommendations, workbooks, manuals and good practices – served as inspiration when it came to improving internal processes and rules on competition law in Hungary.

During the last two decades, the ICN has acknowledged the GVH's efforts in several ways. The ICN invited our authority to be the co-chair of the newly established Cartel Working Group in 2004, which was held by the GVH until 2012 when – due to the introduction of the rotation system – this position was handed over to another ICN member agency. For 16 years, the GVH has been fostering the Anti-Cartel Enforcement Template project of the Cartel Working Group. The

GVH has been the co-chair of Sub-group 1 of the Cartel Working Group since 2016. In 2016, the GVH was awarded an “Honourable mention” in the “Competition Advocacy Contest 2015” organised jointly by the World Bank Group and International Competition Network for its innovative cartel detection tool, the Cartel Chat application. Furthermore, our colleagues participated as speakers at the webinars of the ICN Working Groups, thereby allowing for continued engagement.

The GVH was offered the opportunity to organise the 20th, jubilee ICN Annual Conference in 2021, which is a great honour for our authority. Keeping health and safety in mind, the 2021 ICN Annual Conference will take place virtually. Although we will miss the opportunity to interact in person, we are pleased that the virtual format will enable a larger circle of the representatives of the competition community to participate in the conference.

On behalf of the Hungarian Competition Authority, the GVH, I wish every success to the ICN Community in achieving its goals and in promoting competition for the benefit of consumers also in the upcoming 3rd decade of its operation.

2021 –Hungary key topics

- intersection between competition, consumer protection, and privacy laws



ICN 2021

International Competition Network Conference
Budapest | 13-15 October

20 YEARS



- post-COVID law enforcement
- 20th Anniversary of the ICN
- ICN's 3rd Decade is ahead of us
- Special project: Sustainable Development and Competition Law

2021 – work products

AEWG: Report on “Digitalisation, Innovation and Agency Effectiveness”

AEWG: Report on “Case Prioritisation and Initiation”

AWG: Report on “Competition Compliance”

AWG: Reviewed of the components of the Part I of the Advocacy Toolkit

CWG: ICN Member Survey on “Trends and Developments in Anti-Cartel Enforcement in the Second Decade of the ICN (2011-2020)”

CWG: Updated Chapters 3, 4 and 5 of the ICN Anti-Cartel Enforcement Manual (Digital Evidence Gathering, Cartel Case Initiation and Investigative Strategy)

MWG: Survey and report on „Joint Ventures”

MWG: Update to the merger notification and procedures template

UCWG: Paper on “Dominance in Digital Markets”

Special project: Sustainable Development and Competition Law