

Personal reflections on ICN@20

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1. Introduction

Congratulations on the 20th anniversaries of the ICN. As a staff member of an ICN member agency who have long been participating in its activities, it is my great pleasure to celebrate ICN's 20th birthday and provide some reflections on impressive work products and activities of the ICN and share experiences from it. The views expressed in this short essay are solely of my own and all possible errors are mine.

2. ICN Work Products and activities in the Second Decade

Coincidentally, I joined the Japan Fair Trade Commission (hereinafter "JFTC") in November 2001, just after the establishment of the ICN, and participated in the MWG workshops in early 2000s and the 2008 Annual Conference in Kyoto, I got more involved in its activities from 2010 at the JFTC's International Affairs Division. Therefore, my reflections on impressive ICN work products and activities focus on those during the Second Decade as below:

(1) Frameworks for Cooperation in Merger Review and Cartel Investigation

Promoting international cooperation among competition agencies is one of the

objectives of the ICN and also an important issue for the Second Decade Project. The JFTC proposed to create a framework for merger review cooperation within the ICN at the 2011 Annual Conference in Istanbul, and lead the discussion. With the support of the members, the ICN Framework for Merger Review Cooperation was launched at the 2012 Annual Conference in Rio. Furthermore, the JFTC suggested creating another cooperation framework for cartel enforcement and after some relevant work (e.g. leniency waiver templates) was completed, the Framework for Sharing Non-Confidential Information in Cartel Enforcement was established within the Cartel Working Group in 2016.

(2) Asia-Pacific Friendly Calls

The ICN and its working groups organize various teleseminars and webinars as part of their activities. Due to time differences, the global calls/webinars are usually organized at night time for the agencies in the Asia-Pacific. Such time differences were pointed out as one of the obstacles for them to participate in the ICN activities. To address the issue, the JFTC took the initiative to organize Asia-Pacific Friendly Calls for Cartel SG1 calls/webinars and then, for Merger WG Calls. Such regional calls are now more common for the ICN to promote participation of members.

(3) In person workshops

While ICN's regular activities are organized virtually, in-person events such as annual conferences and workshops are important opportunities for the members and NGAs to share experiences, deepen discussions and develop ideas, and build networks. The JFTC organized two WG workshops in the Second Decade: one is 2010 Cartel Workshop in Yokohama, and the other is 2018 Merger Workshop in Tokyo. Hosting and preparing workshops required a lot of efforts for an agency, but was also a great opportunity to interact with working group co-chairs and its members.

3. Advocacy, inclusion and implementation activities

To advocate the ICN work, include members and implement ICN work products are continuous issues that need to be addressed. From this angle, below activities can be highlighted:

(1) ICN Work Products Catalogue

When the ICN's Second Decade started, a vast amount of ICN work products in the first decade had already been compiled and the ICN was indeed a treasure trove. However, if they are not used, they could lose its value. To help the members to find the treasure (i.e. the relevant work product) as a guide, the JFTC created the first version of the ICN Work Products

Catalogue in September 2010. Since then, the JFTC has regularly updated the catalogue and it is put on the top page of the ICN website. The JFTC also distributed flyers and USB thumb drives containing the work products on the catalogue at various international events in early days to raise awareness of the work products.

(2) "ICN-troduction" (ICN Introduction)

"ICN-troduction" refers to an informal breakout session that has been organized at yearly ICN annual conference from around 2010 to introduce its organization, WGs, work products and activities of the ICN to members and NGAs new to the ICN. Thanks to the colleagues of the USFTC and the French Competition Authority, the JFTC has long cooperated to organize the session.

(3) AIN and AISUP

Advocacy and Implementation Network (AIN) was established in 2008 as the fora where group of experts gather to discuss advocacy and implementation of the ICN work and share information about the needs and the experiences of the advocacy and implementation. The AIN also supported the AISUP (Advocacy and Implementation Network Support Program), to support specific ICN members to implement ICN work. AIN ended its role in 2018, but some

functions of it were succeeded by the P&I (promotion and implementation) project.

4. Experiences learned from the ICN activities

(1) ICN, whenever

I have provided a quick overview of the ICN work that are impressive to me, but they are just one aspect of the whole work the JFTC contributed to the ICN and if I ask my colleagues, they would have their own list of work they are involved. Most recently, I worked with a group of JFTC colleagues for 2021 ICN-WBG (World Bank Group) Advocacy Contest and the JFTC was selected as one of its winners with an advocacy initiative about cashless payments under the Covid-19 pandemic, which, I believe, gave a sense of accomplishment, to my colleagues, especially younger ones. The ICN has grown to become closer to many agency staff members.

At the same time, keeping continuous participation of member agencies and its staff members in the ICN activities may be a key to grow ICN community and culture of international cooperation in a wider sense. While I have moved across divisions such as international affairs, cartels, and mergers, I could continue to get involved in the ICN as a member of the CWG, the MWG and now the AWG. One of the huge merits of the ICN is that it has five WGs that cover all the matters of competition that enables such a transition.

(2) ICN, wherever

It is without saying that another merit of the ICN is that it is a virtual network. The Covid-19 pandemic affected ICN activities as well, especially in a sense that it made it difficult to organize in-person events such as annual conferences and workshops, which I miss a lot. However, as the ICN is a virtual organization, I think it also showed resilience to the changes and successfully transitioned to do online.

(3) ICN in the 3rd Decade, and forever

To conclude, ICN has made achievements in the Second Decade, given more new and younger agencies are participating in the WG Chairs and the SG, more agencies implement ICN work in its review of competition law and enforcement, etc. The ICN also demonstrated resilience to changes in facing Covid-19 pandemic.

Its challenges will continue e.g. with regard to the responses to digitalization, especially as it matters across existing sectors and different policies and regulations. Enhancing members' inclusiveness and cooperation not only among members, but also with other stakeholders such as NGAs, other international organizations, regulators, etc. might be a key. I wish all the good luck for the 3rd Decade and hope I can continue to work with the colleagues of the ICN community.