

Note from the Chair for the September 25, 2012 Steering Group Meeting

September 18, 2012

Dear colleagues,

We will use next week's Steering Group meeting for updates on the international enforcement cooperation project and the autumn workshops, and to make brief mention of operational issues such as funding, possible changes to the operational framework, and dates of the 2014 annual conference.

We will also have an opportunity to discuss two topics in greater detail: Recommended Practices and the 2013 annual conference.

If you would like to include additional items for discussion, please contact the ICN Secretariat (Secretariat.ICN@bc-cb.gc.ca) by Friday, September 21.

Recommended Practices

Last week I had the opportunity to participate in the International Bar Association's annual competition conference in Florence.¹ I was asked to discuss the how the ICN has made and can make the greatest contribution to the establishment of sound international standards. Interestingly, the event coincided with the tenth anniversary of the first recommended practices: we presented the first three recommended practices for merger notification and review procedures at the ICN's first annual conference on September 29, 2002.

In preparing my talk, I was struck by the volume of good practice the ICN has developed. These practices have been extremely helpful to us in Mexico – particularly the work on merger notification and procedures and the anti-cartel manual.

I also realized, however, that we need to be thinking very carefully about the ICN's longer term efforts to promote convergence. While we have had impressive results with the Recommended Practices we have developed to date, it is notable that the most recent set of ICN's Recommended Practices was adopted more than two years ago. While all topics or projects are not suited for recommended practices, experience suggests that when appropriate, they are well worth the effort in terms of value to members and to the ICN's reputation. The Second Decade exercise reaffirmed this value, and clearly showed member demand for additional best practice.

¹ The text of my speech is available here:

<http://internationalcompetitionnetwork.org/uploads/library/doc837.pdf>.

I would like to use a portion of our meeting to hear from Steering Group members about what more, if anything, we should be doing to make sure we have new practices in the pipeline. We might consider addressing questions such as the following:

- Is it important for the ICN to continue to develop new recommended practices?
- If so, how should the Steering Group encourage this development? For example, should the Steering Group take a more active role in identifying topics that are appropriate for Recommended Practices, and prioritize that work? Should we be asking each Working Group, during their 2013-2014 annual planning process, to consider the place or timeliness of developing Recommended Practices?

2013 Annual Conference

With annual conference planning well underway, the Polish competition and consumer authority will update the Steering Group on preparations for the annual conference. I thought we could use our meeting to continue the April discussion on bigger picture themes and goals of the annual conference. We can have a short discussion on objectives, such as whether we use the conference as an opportunity to promote existing work product or teach about new work product, whether we want to have heads of agency dedicated breakout sessions, and whether we want to have opportunities for member feedback along the lines of the second decade brainstorming breakout sessions we held in The Hague.

Upcoming Meetings

Please note the new date for our March meeting, and the new proposed time for the December meeting as reflected in the meeting agenda. Also, we are considering moving the Steering Group meetings in Paris from morning to lunch or evening, to allow Steering Group members not present at the OECD meetings to join the discussions by phone. We will discuss this at the September meeting.

For upcoming topics, at the October meeting we have agreed to discuss implementing the visibility of competition policy and principles goal of the vision statement. We originally agreed to discuss the investigative process project, but with your agreement we will postpone that discussion to a later meeting, and instead use the face to face opportunity to have a discussion on workload led by Andreas Mundt.

Other Business

Please see the working group updates included with the materials for this meeting.

I look forward to speaking with all of you next week.

Best regards,

Eduardo