

Note from the Chair for the February 27, 2013 Steering Group Meeting

February 20, 2012

Dear colleagues,

Next week we will have an opportunity to continue our discussion earlier this month on international cooperation and to consider use and implementation of ICN work product.

Other agenda items include an update on the 2013 Annual Conference, presentation of a topic proposal for the 2014 Special Project, and approval of the ICN Work Products Catalogue and AISUP Flyer. Under other business we will have a brief update on the 2nd ICN Town Hall which was held on February 20, a proposal from KFTC on a membership application from Ecuador's Superintendency for Market Power Control, and there will also be a discussion on the selection process for the Steering Group and Chair elections for the 2013 – 2015 term.

If you would like to include additional items for discussion, please contact the ICN Secretariat (Secretariat.ICN@bc-cb.gc.ca) by Friday, February 22.

International Cooperation

We will use the ICN-OECD Project on Enforcement Cooperation document prepared for the February 12 Steering Group meeting to guide our discussion at next week's meeting. In particular, we will consider the possible areas of future work identified in that document, including:

- cataloguing existing ICN work to disseminate knowledge;
- serving as a platform for interaction among agencies and building better networks of agency officials;
- developing additional recommended practices on cooperation or other guidance work;
- engaging in new work on waivers;
- developing model agreements or multilateral frameworks;
- creating templates for cooperation agreements or on confidentiality matters;
- advocacy to Governments or NGAs considering changes on international cooperation or information exchange; and
- enhancing cooperation by addressing divergences in competition law.

The UK Office of Fair Trading and US Department of Justice will lead this discussion, and our OECD colleagues, including Mr. John Davies, Mr. Antonio Capobianco, and Ms. Alessandra Tonazzi will participate.

Implementation

Recognizing the consensus view we have heard over the past year that ICN needs to focus more on implementation, and since we will be reviewing Working Group work plans at the March 14 meeting, next week we will have an opportunity to discuss implementation and use of ICN work product. We can exchange ideas about individual Working Group level initiatives and hear feedback from the February 20 Town Hall meeting.

At the Working Group level, for example, we see interesting initiatives to promote work product use and implementation, such as marketing work product via workshops and teleseminars; road testing work products to determine both whether they need refining and to understand better how they are used; and developing benchmarking tools for self-assessment, among others.

Vice Chair Andreas Mundt, who led the implementation discussion during the Town Hall meeting, will highlight some ICN-wide suggestions that were raised during that meeting. Some of the suggestions from members and NGAs include: to keep Recommended Practices current; to promote implementation within agency staff; to engage, as appropriate, in "soft" peer pressure and leading by example; to revise the website to make it easier to find work product and points of contact; to record more teleseminars and webinars; to have a plenary session of the annual conference dedicated to implementation, and other suggestions.

Questions we may want to discuss during next week's meeting:

- What methods are Working Groups using to gauge and promote implementation?
- Should other Working Groups replicate any of these initiatives?
- Are implementation efforts best left to specific Working Group initiatives on individual work products or is there room for additional ICN-wide efforts, other than the existing ones such as AIN, AISUP, and the new Steering Group process for commenting on proposed amendments?
- Are there any other ideas for implementation drawn from our domestic experiences, for example, in our advocacy with other entities or efforts to encourage compliance with competition rules?

Other business

We have four items to address under other business. First, Vice Chair Bruno Lasserre and US FTC's Randy Tritell will provide a brief report back on the February 20 Town Hall meeting. Second, KFTC will propose we accept the membership application from Ecuador's Superintendency for Market Power Control. If the authority is approved, the ICN will have 127 members from 110 jurisdictions. Third, in accordance with our processes for Steering Group and Chair elections, the ICN Secretariat will outline the process for the coming months. Finally, the ICN Secretariat will provide an update

to the Steering Group on members who have expressed an interest in hosting the 2015 annual conference.

Upcoming Meetings

At the March 14 Steering Group meeting we will discuss future work plans for all of the Working Groups. At the April 3 meeting, we will be reviewing the work products submitted for approval and the Steering Group and Chair elections for the 2013 – 2015 term. At the April 10 meeting, we will be reviewing work products submitted for approval and approve the 2015 Annual Conference host agency .

I look forward to seeing many of you next week.

Best regards,

Eduardo