



ICN Steering Group Meeting
Wednesday, 4 December 2024
OECD Paris, Château Room D, 8:15-9:15 (hybrid format)

Attendees

Australian Competition and Consumer Commission
Brazilian Administrative Council for Economic Defense
Competition Bureau Canada
Competition Commission of India
European Commission DG Competition
French Autorité de la concurrence
German Bundeskartellamt
Hong Kong Competition Commission
Hungarian Gazdasági Versenyhivatal
Italian Autorità Garante della Concorrenza e del Mercato
Japan Fair Trade Commission
Kenya Competition Authority
Korea Fair Trade Commission
Mexican Federal Economic Competition Commission
Philippine Competition Commission
Portuguese Competition Authority
Competition and Consumer Commission of Singapore
Competition Commission of South Africa
Spanish National Markets and Competition Commission
United Kingdom Competition and Markets Authority
United States Department of Justice
United States Federal Trade Commission

Item 1: Approval of Agenda and Minutes

The SG approved the proposed agenda, including a change of order regarding agenda items 2. and 3. The SG approved the minutes of the SG meeting of 6 November 2024.

Item 2: Annual Conference

The UK CMA, which will host the 2025 Annual Conference in Edinburgh from 7 to 9 May 2025, presented the draft agenda for the event circulated in preparation of this SG meeting.

The working group plenary sessions will deal with the following topics:

- AWG: Balancing regulatory interventions and advocacy for economic development

- AEWG: New antitrust powers and tools in a fast-changing world
- CWG: Opportunities and challenges: the fight against cartels
- MWG: Entrenchment theories of harm in merger reviews
- UCWG: Challenges ahead in antitrust enforcement: Assessing dominance/exclusionary abuses/standard of proof/economic assessment

The host is planning sessions on “The key role of competition in driving growth” and a “Global update on competition in digital markets”. Another session will focus on public procurement and competition. A plenary session will be dedicated to the special project on food and agricultural markets. Some sessions will build on the ICN Technologist Forum, which will take place the day before the Annual Conference. Furthermore, two head-of-agency only sessions will focus on industrial policy and growth as well as on emerging competition issues.

Item 3: ICN Transition

In accordance with the process and timing established by the SG at its meeting on 4 September 2024, Andrea Marván, President of COFECE Mexico, expressed her preliminary interest in the Chair position. The Chair selection process as specified in the ICN Operational Framework will be initiated three months before the 2025 Annual Conference.

The Italian AGCM, as potential anchor agency of a future multi-agency Secretariat, shared an update on the structure and team. SG approval and handover are scheduled for the SG meeting on 15 January 2024.

Item 4: Operational Framework

The Operational Framework Working Group (OFWG) presented the status of the review process to inform the discussion and invite initial feedback from SG members on membership eligibility and SG membership.

Regarding membership eligibility, the SG members advised the OFWG that, given the SG’s well-established practice (having one subset of competition law and policy is not sufficient nor is having full authority over one sector), it is not necessary to adapt the Operational Framework text to reflect these principles. The SG will continue to deal with requests on a case-by-case basis using the established approach.

Regarding SG membership, the SG members noted that it will be necessary to try and find the right balance between the need for representation and inclusion and the need for continuity, experience and stability. Given the virtual structure of the ICN, the SG members emphasized that all SG members are expected to be actively involved, engaged and committed at leadership/senior level. To encourage rotation, the SG members considered tools such as the setting of targets.

The OFWG will continue its series of working group calls and report back to the SG. The next meetings are scheduled for December 2024 and January 2025, with the aim of completing the draft text by April 2025 and seeking approval of the Operational Framework by members at the 2025 ICN Annual Conference.

Item 5: Workshops

The Operational Framework Working Group provided advice on the event host selection process as defined in the Operational Framework: The Operational Framework clearly states the intention that ICN events are hosted by member agencies and that one of the SG's functions is to approve these (member) hosts. Furthermore, the Operational Framework provides information on the sponsoring of ICN events.

Based on this information, the CWG Co-chairs proposed that the 2025/26 ICN Cartel Workshop be hosted by the KFTC, which is planning to partner with the KMOJ, meaning the "ICN Cartel Workshop in Korea" would be organised by the KFTC with the KMOJ in partnership. The SG approved the Cartel Working Group's proposal.

The SG approved the competition agency of Armenia as the host of the 2025/2026 Advocacy Workshop.

The Merger Working Group Co-chairs reported back from the successful Merger Workshop in Taipei, Taiwan, which took place from November 13 - 15, 2024.

Item 6: NGA Engagement

The ICN/NGA Liaison shared plans to take stock of the current state of NGA engagement in the ICN in order to provide a solid basis for future SG discussions. The ICN/NGA Liaison presented plans for an NGA session at the next ICN Annual Conference. The SG members welcomed the ICN/NGA Liaison's initiatives and considered continuing the exchange at SG level at a meeting prior to the Annual Conference.

Item 7: OECD

The ICN/OECD Liaison shared a brief overview of relevant OECD activities and, inter alia, highlighted the OECD activities and corresponding ICN projects in the areas of merger control and competition in the food supply chain.

Item 8: Other Business

The Competition Commission of South Africa (CCSA) reported on the ICN special project on Competition Concerns in Food and Agricultural Markets, which is led by the CCSA and the Competition Agency of Kenya (CAK). The project group has completed the drafting of a report and will share the findings in a webinar scheduled for 12 December 2024.

Item 9: Future SG Meetings

The next SG meetings will take place on 15 January, 19 February, 19 March, April (tbc) and 9 May (Edinburgh).