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8 January 2016

Note from the Chair for the Steering Group Meeting on 13 January, 2016

Dear colleagues,

First of all, I wish you and your loved ones a Happy New Year!

I would like to invite you to our first Steering Group Meeting in 2016. I will start the meeting with an update on the discussion on the working group structure we had last October in Paris. We already had this topic on the agenda a couple of times, but I think it is so important that we should invest our time to carefully balance the pros and cons of the different options. There is agreement that the ICN is open for new topics. There is agreement that flexibility is one of the ICN's unique features and that the ICN should keep working groups as flexible instruments. And there is agreement that focus and inclusiveness are key for the ICN and that we should not add to the overall workload. But it is still open how to best proceed.

After our many intense discussions here in the SG, but also on the Working Group level and bilaterally I see two main options. The first option is to broaden the mandate of existing working groups to incorporate vertical restraints in the digital economy as well as online platforms and two-sided markets, non hardcore horizontal restraints and joint ventures. The second option is to create a new working group to deal with these topics while keeping the balance regarding the overall workload by possibly merging two existing working groups.

I take from our discussions that there is some openness regarding the establishment of a new working group to cover new topics but there also remain serious concerns at this stage, including that this might lead to overlaps between the different groups. To move things further I therefore tend to take an evolutionary approach as I think it is now most important to create space and responsibilities for "hot" topics and start work in Singapore. As a first step we could create a project team within or linked to the Unilateral Working Group (UCWG) that takes on vertical restraints in the digital economy and might continue to work on online platforms and two-sided

markets. Reviewing our progress we may then consider how to go forward and whether to develop the project team into a new working group or transform it into a permanent structure within UCWG. I am looking forward to hearing your views on this.

In our last meeting we heard reports of the Co-chairs of the Merger Working Group, the Cartel Working Group and the Unilateral Conduct Working Group. In the next meeting, the Advocacy Working Group and the Agency Effectiveness Working Group will each provide an update on their projects.

The next topic I would like to raise concerns inclusiveness and outreach. It is one of my key priorities to better include young authorities and the topics relevant to them in the ICN and I want to invite you to discuss how to design breakout sessions in a way most beneficial to them. I think every working group should strive for at least one breakout session in Singapore focusing on capacity building and I will share some initial thoughts on how we can achieve this goal.

Finally, the Competition Commission of Singapore will update us on the 2016 Annual Conference.

With best regards,

Andreas Mundt