



ICN Steering Group Meeting
Wednesday, 6 June 2018, 8:30 a.m.
OECD, ROOM E (Château)

Attendees

Australian Competition and Consumer Commission
Brazilian Administrative Council for Economic Defense
Competition Bureau Canada
Colombian Superintendencia de Industria y Comercio
European Commission DG Competition
French Autorité de la concurrence
German Bundeskartellamt
Competition Commission of India
Japan Fair Trade Commission
Italian Autorità Garante della Concorrenza e del Mercato
Korean Fair Trade Commission
Mexican Federal Economic Competition Commission
Netherlands Authority for Consumers and Markets
Portuguese Competition Authority
Russian Federal Antimonopoly Service
Competition Commission of Singapore
Competition Commission of South Africa
Spanish National Authority for Markets and Competition
United Kingdom Competition and Markets Authority
United States Department of Justice
United States Federal Trade Commission

Item 1: Approval of Agenda and Minutes

The Chair, Andreas Mundt, welcomed the Steering Group (SG) members. The SG approved the proposed agenda and the minutes of the SG meeting on May 9, 2018.

Item 2: Work Plans

The Horizontal Coordinator (HC) presented the final report on the WG work plans. The Chair thanked the HC for the report as it forms a very good basis for the SG discussion. The Chair reminded the SG that in New Delhi at the 2018 ICN Annual Conference heads of agencies highlighted in the heads of agencies session and in the SG meeting that although the ICN is already dealing with digital topics, the working groups might consider taking on additional projects in this field. Furthermore, the Chair reminded the SG members that the ICN membership suggested a couple of topics in the second decade follow up namely intellectual

property, joint ventures and non-cartel horizontal agreements, public interest considerations and sector regulation.

The working groups presented new projects not included in the initial draft work plans: AEWG added the new product, Efficient, Effective, Evidence-Based Enforcement. Furthermore, AEWG is open to the idea to develop the “ICN Guidance on Investigative Process” into RPs. As part of the implementation project, AWG specified that it will explore the use of hypothetical scenarios in a series of teleseminars. AWG also proposed to update and promote the use of the Market Studies Information Store. CWG presented the new product “Big Data and Cartels”, which will involve producing a scoping paper based on various sources and may lead to an update of the Anti-Cartel Enforcement Manual in the future. UCWG plans to test the familiarity of the 2006 ICN Recommended Practices on Dominance/Substantial Market Power among the ICN members, especially the younger ones and will offer a tool to self-assess the adherence or conformity of their law and practice to the ICN standards.

The SG approved the work plans with the potential addition of the investigative process project in the AEWG work plan.

Item 3: Annual Conference

The Chair invited the SG members to continue the discussion on future ICN Annual Conferences. SG members agreed that more oversight of the SG would be appropriate and that guidance for the working groups should be developed. Furthermore, a process and a structure should be developed that might include a report on conference planning in line with the presentation of the work plans by the Horizontal Coordinator building on experience in the CWG with the planning of cartel workshops.

SG members agreed that planning should start early and should aim at lively discussions. SG members suggested to increase audience participation using real time polling platforms. SG members agreed that diversity in plenary sessions and BOS discussions is essential. SG members agreed to keep a certain level of flexibility and refrained from establishing strict rules based on numerical figures and quota. Instead ICN members should exercise self-restraint when offering speakers and should not put pressure on WGs.

SG members suggested to select some topics that are particularly relevant to the region, where the conference takes place or invite speakers, e.g. entrepreneurs, from that region to increase the impact of the conference in the region.

Item 4: Website

The website team informed the SG that the company which is working on the new ICN website re-established the navigation plan for the new website by May 22, 2018. At that point, the website team was able to re-upload the ICN’s library of documents. By May 30, the company recreated the necessary templates and document categories to assist with ‘searchability’ and made fixes to the navigation plan requested by the website team. The

team is now proceeding to populate the working group webpages as all such content was lost in the server accident. The upload of documents is very resource intensive. The website team expects to re-present proposed final pages to the WG chairs within two weeks and incorporate any final suggestions for a launch in the near future.

Item 5: ICN-OECD Liaison

The ICN-OECD Liaison provided an update of future OECD topics and highlighted “investigative process” as a potential field of cooperation.

Item 6. Other Business

No other business was reported.

Item 7: Future SG Meetings

The next SG meeting will be held on July 11, 2018.