



# Department of Justice

FOR IMMEDIATE RELEASE  
FRIDAY, APRIL 20, 2012  
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AT  
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## **INTERNATIONAL COMPETITION NETWORK LAUNCHES NEW INITIATIVES ON ENFORCEMENT COOPERATION, INVESTIGATIVE PROCESS AND WORKING WITH THE COURTS**

### *Antitrust Division Promotes Collaboration and Cooperation at ICN Conference*

WASHINGTON – The International Competition Network (ICN) launched and approved three new initiatives on international enforcement cooperation, the investigative process in competition cases and working with the courts, the Department of Justice announced today. The ICN also adopted new materials on unilateral conduct investigations, raising anti-cartel awareness and explaining the benefits of competition.

The 11<sup>th</sup> annual ICN conference, hosted by the Brazilian Competition Policy System, was held on April 18-20, 2012, in Rio de Janeiro. More than 450 delegates participated, representing more than 80 antitrust agencies from around the world, and included competition experts from international organizations and the legal, business, consumer and academic communities. Acting Assistant Attorney General Sharis A. Pozen of the Department of Justice's Antitrust Division and Federal Trade Commission (FTC) Commissioner Edith Ramirez led the U.S. delegates at the conference. The conference showcased the achievements of ICN working groups on mergers, unilateral conduct, cartels, competition advocacy and competition agency effectiveness.

"The ICN has become a central forum for dialogue within the global antitrust community to share experiences and develop practical recommendations," said Acting Assistant Attorney General Pozen. "Its work is enabling more effective and efficient antitrust enforcement worldwide, to the benefit of competition agencies and, ultimately, consumers."

The ICN Steering Group introduced and members approved three new initiatives. The Department of Justice and the Turkish Competition Authority co-chaired the international competition enforcement cooperation initiative, which was presented by the Acting Assistant Attorney General Pozen. The FTC and the European Commission's Competition Directorate co-chaired the investigative process initiative, which was presented by the Competition Directorate's Director General Alexander Italianer. The working with courts and judges initiative, co-chaired by the Chilean Competition Tribunal and Poland's Office of Competition and Consumer Protection, was presented by Malgorzata Krasnodebska-Tomkiel, President of the Polish authority.

The ICN's working groups also presented their work to the conference. The Merger Working Group, co-chaired by the Department of Justice, the Irish Competition Authority and the Italian Competition Authority, aims to promote best practices in the design and operation of merger review regimes. Acting Assistant Attorney General Pozen led the conference discussion of current trends and developments in merger enforcement, including developments in economic analysis and effective merger remedies.

The Cartel Working Group produced a paper on cartel awareness and outreach efforts and compiled comparative information on information exchanges in cartel cases. Deputy Assistant Attorney General of the Department of Justice's Antitrust Division Scott D. Hammond, led a panel discussion focused on the challenges of bid-rigging enforcement.

The ICN's Unilateral Conduct Working Group, co-chaired by the FTC, Germany's Bundeskartellamt and the Swedish Competition Authority, promotes convergence and sound enforcement of laws governing conduct by firms with substantial market power. The working group drafted chapters on the objectives of unilateral conduct laws and on predatory pricing for its workbook for agency investigators. FTC Counsel Cynthia Lagdameo led a panel discussion on predatory pricing by dominant firms.

The Advocacy Working Group finalized a competition advocacy toolkit with guidance tools for agencies and a handbook on conducting market studies. In addition, the group issued a report on raising awareness of the benefits of competition.

The conference also highlighted the work of the Agency Effectiveness Working Group, which is developing a competition agency manual as a resource to enhance agencies' effectiveness and presented new material on knowledge management and human resources management. Former FTC Chairman William E. Kovacic participated in a discussion on resource management for competition authorities.

The conference's Brazilian host agencies conducted a special project devoted to effective settlements in competition cases, including cartel, merger and unilateral conduct enforcement areas. FTC Commissioner Ramirez presented remarks and participated in the discussion focusing on settlements of unilateral conduct cases.

"Designing and implementing effective remedies in unilateral conduct cases presents one of the most important, yet daunting challenges competition authorities face," stated FTC Commissioner Ramirez. "While the right remedy can restore much needed competition in a market, an ill-advised remedy can turn what could be a big victory for consumers into little more than a Pyrrhic victory."

The conference showcased the ICN Curriculum Project, a project led by the FTC to create a "virtual university" of training materials on competition law and practice. Randolph W. Tritell, Director of the FTC's Office of International Affairs, presented the curriculum project at the conference.

The ICN also approved new leadership positions. Chairman Eduardo Pérez Motta of the Mexican Federal Competition Commission was selected as the new chair of the ICN Steering Group. He succeeds outgoing chair Chief Executive John Fingleton of the United Kingdom's Office of Fair Trading. The Department of Justice will co-chair the Cartel Working Group and the FTC will co-chair the Agency Effectiveness Working Group.

The ICN was created in October 2001, when the Department of Justice and the FTC joined antitrust agencies from 13 other jurisdictions to increase understanding of competition policy and promote convergence toward best practices around the world. The ICN now includes 123 member agencies from 108 jurisdictions.

ICN documents are available at [www.internationalcompetitionnetwork.org](http://www.internationalcompetitionnetwork.org).

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