
INTERACTIVE ICN – MAXIMISING NETWORK EFFECTS¹

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Facilitation of technical assistance

The likely benefits from having the ICN facilitate technical assistance efforts are enormous, especially in the context where we seek financial assistance from donor and/or developmental Agencies such as the USAID, EU and IADB. Having the ICN as a facilitator can also serve to create and develop useful and beneficial links between its members. In the past, the Jamaica Fair Trading Commission have benefited from linkages which have helped us in the conduct of several investigations and in our advocacy activities. The supporting information and materials provided by the ICN has provided guidance in our work.

We believe that ICN provides access to sound procedures. Its branded material implies best practices and universal methodologies, which are developed together by agencies at various stages in the administration of competition law and policy. These materials are of a very high standard and are found to be very reliable.

Knowledge of and reliance on ICN best practices and recommendations are key to our development; and the adoption and consideration of those practices demonstrate our willingness to advance and be effective in carrying out our function. To some extent, we rely on donor/development Agencies to assist in our technical capacity improvement and public education programmes and we have benefited immensely from these entities. In our experience with USAID, IADB and EU funded projects, one of their objectives is the impact of their funds not only on the FTC and Jamaica, but also on the region. They also consider the impact on development of the recipient country vis-à-vis other countries within the region as well as with countries of a similar size which may be outside of our geographical region. Two of the

performance indicators used by the IADB in assessing the impact of their funds on the FTC are the Global Competitiveness Index and Business Competitive Index; and the FTC plays a major and significant role in the improvement of Jamaica's ranking.

In evaluating our work processes the IADB gives consideration to the manner in which our operations are aligned to those of more established Agencies. Using the ICN best practices and recommendations to guide our work is therefore viewed as a positive step by donor Agencies; and this is one of the questions asked by the IADB and the EU when consideration is being given to funding our programmes.

In addition to the wide resources of materials the ICN could establish a pool of experts from which developing countries can select for training, consultation and speaking engagements.

The FTC as a member of the ICN has worked with and provided guidance to other countries within the CARICOM region that are considering the implementation of competition law. What we learn from our interaction in ICN has assisted us in performing such an important task. It has always been our policy to share all information gathered at ICN, OECD and UNCTAD events with our parent Ministry and where applicable, our Ministry of Foreign Affairs and Foreign Trade. This is another way in which we inform and influence policy in Jamaica and within the CARICOM region including the five Caribbean countries which have yet to enact competition legislation. Encouraging agencies to use this information must yield to all our benefits.

Developing focussed discussions within our region or among similar sized countries to share experiences can only be useful. We believe that specified conduct in markets with similar characteristics and economic conditions serve as a better guide for our investigations, than that same conduct in other size economies.

Facilitation of Access to Information:

Access to information from peers and having a means through which ideas and issues can be discussed should be fostered, particularly in instances involving investigations and market research. Investigation techniques used by others can serve as a valuable guide to the process. It is our experience that having access to such information always speeds up the investigation

¹ This presentation was made at the 8th Annual ICN Conference, Zurich, Switzerland in the Panel Discussion on

and at the same time facilitating completeness. The experiences of others provide a foundation on which we can build.

An interesting question is therefore, how can the ICN better facilitate access to information?

Currently our searches take us to the websites of other competition agencies, the OECD and UNCTAD for example. We also rely on our relationships with independent consultants and experts from other agencies for valuable bits of information.

Maybe the ICN can further aid research efforts of its members by:

- Improving its system and medium through which discussions can take place, e.g. website, on-line discussions, blogs.
- Having a point that serves as a ‘first port of call’. This could include for example information on decided cases.
- ICN members could form small groups based on similarity of economic conditions or geographical location, through which information and experiences can be shared.

Consideration should also be given to how best to provide access to information that is deemed confidential. We recognise that edited documents do not necessarily provide full information to young investigators;

- Therefore a forum for discussion on all the thinking and considerations that go into an investigation could better facilitate the learning process.
- How more experienced agencies share information among themselves can guide the interaction between agencies within our region.

There is no doubt that there is benefit from the ICN in facilitating the dialogue among competition agencies of all sizes. To the extent that it can diversify its product to provide

additional value to its members, without reducing the value of its core function then such effort should be undertaken.

Care, however, must be taken to properly manage the resources available to the network to ensure maximum reach. The economic space in which all countries operate has undergone significant changes and the change is continuing. It is therefore important that the ICN be flexible enough to serve the needs of its members at all times.

Thank you.