

International Competition Network Fifth Annual Conference took place in Cape Town

May 10, 2006

Fair Trade Commission of Japan

The International Competition Network (hereinafter “ICN”) Fifth Annual Conference took place from May 3 to 5 in Cape Town, South Africa. The Chairman Takeshima and the Deputy Secretary General (International Affairs) Nakajima attended this conference from the Fair Trade Commission of Japan (hereinafter “JFTC”).

Nearly 300 representatives of competition authorities from various jurisdictions and attorneys at law who specialize in competition law participated in this conference. The Chairman Takeshima held talks with representatives of other competition authorities concerning recent competition policy.

1. The overview of the ICN

The ICN is an international network established in October 2001, which consists of nearly 100 competition authorities. Not only competition authorities but competition experts from international organizations and the legal, business, consumer, and academic communities (referred to as “Non-Governmental Advisors”, NGA) take part in the ICN’s activities. The purpose of this network is the convergence in competition laws and practices through non-binding outcomes based on the consensus among all participants. The ICN has already held annual conference four times, the first conference in September 2002 in Naples, Italy, the second in June 2003 in Merida, Mexico, the third in April 2004 in Seoul, Korea, and the last one in June 2005 in Bonn, Germany. From Japan, the Chairman Takeshima, the Deputy Secretary General (International Affairs) Nakajima and a NGA, participated in the Fifth Annual Conference.

2. The contents of the conference

First of all, the achievements in each Working Group (hereinafter WG) through the discussion since the Fourth conference were reported in the Fifth Annual Conference. For example, in the Cartel WG, in-depth review of cartel investigation techniques was made, with a focus on combating obstruction of justice, the interaction of public and private enforcement, inter-agency cooperation, digital evidence gathering

and the drafting and implementation of an effective leniency program. The Merger WG published Implementation Handbook which collects the competition agency's published articles and guidelines in conformity with "Recommended Practices for Merger Notification and Review Procedures". The Merger WG also published "ICN Merger Guideline Workbook" which examines merger investigation and analysis. In addition, the Competition Policy Implementation WG created Business Outreach Toolkit in order to promote "competition advocacy" to business undertakings. Finally, the Telecommunication Services WG reported "Suggested Best Practice" in this field.

Moreover, the annual conference approved that the ICN establish a new WG to examine members' approaches to business conducts by a dominant firm (unilateral conduct).

### 3. Upcoming Annual Conferences

The Sixth Annual Conference will be held in Moscow, Russia from May 30 to June 1 2007. The Seventh Annual Conference will be held in Japan.

### 4. Conference Materials

Conference Materials of the Fifth Annual Conference is available at the ICN website; <http://www.internationalcompetitionnetwork.org/annualconferences.html>