

Influence and Legitimacy in the International Competition Network: A Deep Dive into Global Antitrust Collaboration

The International Competition Network (ICN) is a unique forum where competition authorities from around the world come together to share information, cooperate on enforcement, and develop best practices in antitrust law.



The Law and Politics of Global Competition: Influence and Legitimacy in the International Competition

Network by Christopher Townley

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This article explores the intricate relationship between influence and legitimacy within the ICN. We examine the factors that shape the ICN's influence, the challenges it faces in maintaining legitimacy, and the opportunities it has to enhance its effectiveness.

The Importance of Influence

Influence is essential for the ICN to achieve its objectives. It allows the ICN to shape the global antitrust landscape, promote convergence in enforcement approaches, and contribute to the development of sound competition policies.

The ICN's influence stems from several factors, including:

- Its membership, which includes competition authorities from over 120 jurisdictions
- Its expertise, which is drawn from the collective knowledge of its members
- Its legitimacy, which is based on its perceived objectivity and impartiality

The Challenges of Legitimacy

While the ICN has a strong track record of influence, it also faces a number of challenges to its legitimacy.

One challenge is the potential for capture by powerful stakeholders. The ICN is a voluntary organization, and its decisions are made by consensus. This creates the risk that the ICN could be dominated by the interests of a few large jurisdictions.

Another challenge is the ICN's limited enforcement powers. The ICN cannot impose sanctions on its members, and it relies on voluntary compliance to achieve its objectives. This can make it difficult for the ICN to address serious antitrust violations.

Opportunities for Enhancement

Despite the challenges it faces, the ICN has a number of opportunities to enhance its effectiveness.

One opportunity is to strengthen its collaboration with other international organizations. The ICN could work with the World Trade Organization (WTO), the Organisation for Economic Co-operation and Development (OECD), and the United Nations Conference on Trade and Development (UNCTAD) to develop a more comprehensive approach to antitrust enforcement.

Another opportunity is to increase its transparency. The ICN could publish more information about its activities, its decision-making process, and its funding. This would help to build trust and confidence in the ICN.

The ICN is a vital forum for global antitrust collaboration. It has a strong track record of influence, but it also faces a number of challenges to its legitimacy.

By addressing these challenges and seizing the opportunities for enhancement, the ICN can continue to play a leading role in shaping the global antitrust landscape.



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