

MINUTES OF MEETING OF INCSOC STEERING COMMITTEE AT SYDNEY ON 30TH OCTOBER, 2007

Present:

1. Pradeep S Mehta, India
2. Phil Evans, UK
3. Robin Brown, Australia
4. Bob Kerton, Canada
5. Breda Kutin, Slovenia
6. Bharat Jairaj, India
7. Marimuthu Nadosan, Malaysia
8. Oscar Lanza, Bolivia

Leave of absence was granted to Allan Asher of UK and Indah Sukmanisigh of Indonesia being held up in other meetings.

1. The meeting was held on the sidelines of the Consumer International's 18th World Congress. It took on record the fringe meeting organised by CUTS International and Consumers Federation of Australia as another contribution in INCSOC's pursuance of raising the ante on competition law & policy issues among the consumer movement. A brief report on the same is attached herewith as a short press release which captured the main points of the discussions.
2. The meeting noted that INCSOC does not yet have independent funding, yet continues to operate through the efforts of CUTS because of a strongly held view that the Network needs to be sustained to continue to make contributions as a countervailing voice in the world of competition, dominated by competition authorities and competition lawyers, mainly from the richer part of the world.
3. Pradeep reported about the successful publication of the almanac: "Competition Regimes around the World--A Civil Society Report" and that has its own dedicated website. Following that, the next such project is on doing an almanac on the "Consumer Protection Regimes around the World". Consumers International has indicated its interest in a joint publication and the arrangements are yet to be worked out formally. In the meanwhile CUTS has already launched the project and has received about 30 commitments, while more are in the pipeline.
4. On new projects and campaigns, there was substantial discussion and the following decisions were taken:
 - a) Membership drive should continue, and more vigorously. It was noted that Allan Asher and Robin Brown had made forceful pleas at the 29th fringe event on Why Consumers Should Want Competition. Pamphlets on INCSOC have been placed at the display tables and members should make individual efforts to invite new members to join the Network. The existing membership is about 117 from over 50 countries.

b) A campaign on an International Competition Fund to be created out of fines levied on international cartels to be launched. Such a Fund should be dedicated for improving competition regimes in the developing world through competition agencies and NGOs. The idea has been explored in an article by Pradeep published in the London Financial Times on 16th October. It would be very helpful to get support from as many competition authorities as far as possible and then move the ICN to put it on their agenda.

c) A campaign on how abuse of dominance cases are to be treated under competition laws be launched as the second one because of concerns on how the same are being treated leniently under the US jurisdiction. A 2-3 page draft will be written up by Phil in association with Bert Foer and Pradeep and then a 800-word article be published in the FT. The campaign will be addressed to the ICN members.

d) Another education and advocacy campaign needs to be done on the pharmaceutical sector and the anti-competitive practices that prevail in the sector. Pradeep gave an example of Bristol Squibbs Myer being penalized in the US recently with heavy fines for influencing doctors to prescribe their drugs through lures. Such a campaign will help the consumer movement to create allies in the development sector, particularly the health movement.

e) CUTS will draft a proposal to do competition education in the consumer community (which speaks about recent successes), and others will help fund raise. One hopes that IDRC and DFID can be a good source, on the basis of the large number of competition projects that they are supporting, which include some by CUTS.