Regional Competition Center for Latin America Presents:

Regional Database Containing Rulings from National Competition Authorities

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The Regional Competition Center for Latin America (or CRCAL by its acronym in Spanish) continues to foster collaboration and knowledge-sharing among competition agencies in Latin America. CRCAL's latest initiative seeks to overcome hurdles that prevent some agencies from developing advanced and reliable information technology tools.

For this purpose, the CRCAL, assisted by consultants David Stallibrass and Aitor Ortiz, is committed to design and implement a region-wide platform for sharing agency experience and knowledge about competition law enforcement and furnish agencies with information about markets and industries in the region, and investigative tools, etc. It also is envisaged that the database will eventually include advocacy tools such as opinions, sector studies, guidelines, etc.

Initially, the CRCAL expects to provide a regional database containing the resolutions issued by the competition agencies across Latin America. The database project is divided into three stages: 1) design the criteria to classify the resolutions, 2) undertake pilot testing; and 3) incorporate the existing resolutions from all the participating competition authorities to the back-end database.

The first stage consists of defining the structure or taxonomy of the database. This is probably the most complex part of the project. To meet the CRCAL requirements, the database should be user friendly, customized to the agencies' needs and capabilities and provide a comprehensive set of search criteria. For this to happen, it is necessary to determine the scope of each document record (i.e type of entry), which information will be contained in the record attributes (i.e. categories to classify) and even what the front-end database will look like.

Given the large number of diverse competition regimes involved, the alternatives to design classifying criteria grew exponentially. To narrow the options and create a workable database, it was necessary to identify common anticompetitive conduct across jurisdictions and categorize them into fewer groups. This information will enable the consultants to define the most adequate search criteria for the database taking into account agencies' current criteria and best international practices. To ensure a satisfactory result in gathering information and determining the search criteria, national competition authorities will be consulted.

Once the taxonomy is defined, the second step will consist of creating the virtual platform where the database can be tested. This exercise will help refine the classifying criteria and will ensure that the search engine retrieves relevant

documents. Finally, the third step will be to upload a substantial number of resolutions into the database.

This is an ambitious project that will require substantial time and resources to accomplish. However, this project aims to fulfill a need in the region for agencies to be able to store and retrieve their own enforcement information from a database. Besides, the benefits of a Regional database are numerous and straightforward: (i) national competition authorities without a database now will be able to offer stakeholders more transparency about their procedures, (ii) agencies, institutions, judges, practitioners and academics will have access to information about competition developments in Latin America in just one place, (iii) the database will offer a unique opportunity to promote competition in the region and, (iv) to a certain extent it will enhance a common understanding of legal principles, industries, competition issues and investigative tools, which, in turn, may advance convergence in some areas.

The project is currently at the end of the first stage and it is expected that by the end of the summer, the CRCAL will finalize the pilot test phase and start incorporating resolutions. Should this project be successful, it could be extended to other jurisdictions in the continent or replicated in other fields, such as the judiciary.

The database will be hosted in the CRCAL's website. By adding the database to the already existing guidelines, sector studies and regional events the CRCAL's website could soon become the reference site for consulting competition law enforcement and advocacy activities in Latin America.