

Informant practice Norway

Russian Competition Week
Director General Lars Sjørgard



KONKURRANSE·
TILSYNET
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Current methodology

- Detection based upon complaints, anonymous information and leniency applications = retroactive approach.
- Cases are motivated by the needs of external players, on a case to case basis.
 - “what`s in it for me...”

Wanted methodology

- Facilitate uncovering of cartels in designated areas where our resources are likely to have most impact = Proactive approach.
- Cases motivated by the NCA's strategic goals
 - Not let the inbox be decisive for the case load

How?

- Identify markets and type of cases
- Identify key individuals and forums
- Open source intelligence
- Networking by investigation unit
- Facilitate information flow
- Minimize barriers to contact NCA
- Long-time horizon

Informant - definition

- The NCA considers a person providing a "tip off" as an "informant". This applies whether the person is anonymous or not.
- Anonymous emails, phone calls, or personal meetings.
- Complainants are not considered as informants.

Challenges for anonymity

- No communication channel allowing two-way communication with truly anonymous informant.
- The ID of the informant is in most cases known to NCA staff.
- Risk of leaking identity.
- Can in theory be challenged in court.

Use of info from informants

- Intelligence – not evidence
- Ex officio investigations
- Basis for dawn raids
- Investigation seeks to obtain similar info through other sources

General principles

- No reward to informants
- Case-to case basis
- So far, no long-term recruitment of informants for future cases
- No written guidelines, but established practice
 - Secure communication channel
 - Minimize internal use of informant`s identity

