

Computational Antitrust – Contribution by CNDC, Argentina

In recent years, digitalization and information technology as a whole have proved to be the cornerstone of modern life. Noteworthy, the current Covid-19 pandemic has boosted the need to update all computational tools for every field.

As the Computational Antitrust Project highlights, “legal informatics and computational law can foster automation of antitrust procedures and improve antitrust analysis more generally.”

In that regard, the National Commission for the Defence of Competition (CNDC, for its Spanish acronym) of Argentina has been working on developing an IT system upgrade and pretends to move towards fully digitalized procedures.

The first step of this transformation was taken in 2017 when all paper files became electronic records and started to run in a system called *Electronic Document Management (GDE)*, for its Spanish acronym). Implementing this system was the beginning of a significant change that was followed by other critical processes.

Indeed, an IT system called *Remote Procedures (TAD)*, for its Spanish acronym) was one of those key processes. Electronic records in *GDE* meant an important development, but every firm's submission was still on paper and scanning and uploading had to be done by the Commission's personnel. Therefore, the *TAD* completed the gap by allowing companies to upload digital submissions with their company identification number - CUIT (national tax identification). The filing made through *TAD* gets linked to the *GDE* file. Thus, CNDC's *GDE* users can immediately see the submission uploaded by the *TAD* system.

On the one hand, this system implies an improvement for the CNDC because terms shorten. On the other hand, companies can make submissions more easily and at any convenient time. Moreover, it is easier for the parties to process the files through *TAD* and check on any case file development as many times as needed.

To complement this, an IT system exclusively designed for the Commission staff was developed. During 2020-2021, CNDC chose to restructure the Registry Directorate, the area where all procedures are submitted. This rearrangement had the main objective of enhancing the registry and the processing of the records dealt with by the Commission. The new IT system that allows the management of files, records, and CNDC's reports is called *Mordelon*.

Mordelon system is comprised by:

- 1 - An archive module that contains the record of all saved files and their exact location, with a search engine that immediately allows users to know that location;
- 2 - A (legal and administrative) document and file management module that is integrated with an administration and information upload interface used by the registry area;
- 3 - A management interface for the "instructing-users" of the different areas, which allows legal and economic analysts to know the state of progress of each of the files assigned to them;
- 4 - A local control interface for "directors-users", which allows directors to know all the files assigned to their area, their status and the users interacting with them, and;

5 - A general control interface for the "authorities-users", which allows commissioners to know all the files assigned to each Directorate of the CNDC, their state of progress and the users who interact with them.

Control users ("directors" and "authorities") have an overview that provides them with a real-time report on:

- . Rulings handed down in the last seven days and communicated to the CNDC by the courts that have dealt with appeals or complaints related to the agency's files;
- a. Case files that are due to expire in the next fifteen days and therefore require urgent action on the part of the instructor;
- b. Submissions made during the day by firms in ongoing cases;
- c. Relevant documents that were signed over the last five days (decisions or resolutions);
- d. Documents that had any developments over the day and;
- e. Files initiated at the front desk over the previous seven days.

The control users are also provided with a dashboard that allows them to access specific information:

- . Number of cases in process, classified into those with a final decision and those that are still being processed;
- a. Number of files, classified according to the stage of processing;
- b. Timeline of each file, with details of the stages it went through during its processing and the respective dates and duration of each stage;
- c. Record of signed documents, classified into the type of act;
- d. Register of documents to be signed by the Secretariat of Domestic Trade, which is updated weekly and provides information on their progress;
- e. Register of documents to be signed by the CNDC, which is updated daily and includes information on their progress;
- f. Register of documents in circulation and pending signature;
- g. Register of the amount of times that the parties viewed each case file, and;
- h. Register of the official notices issued within the framework of each file and their status in real-time.

To sum up, the upgrade of the *GDE/TAD* systems and the *Mordelon* system has allowed the CNDC to have a report in real-time of fundamental indicators and to work more effectively. Nevertheless, there is still a long way to go towards an integrated digitized work system, and the CNDC will keep on working in that direction.