

**INTERNATIONAL COMPETITION NETWORK  
COMPETITION POLICY IMPLEMENTATION WORKING GROUP**

**Work Plan - 2008-2009**

**March, 2008**

**1. Objectives**

The basic objective is to address the issue of effectiveness of competition policy and the design of the competition agencies' organization that are best related to the agencies' effectiveness objectives.

**2. Background**

Since its founding, CPI has developed projects related to technical assistance, advocacy and implementation policies for young agencies through different approaches.

In 2007, CPI Working Group members concluded that two issues should be addressed by projects carried out by two subgroups: (i) competition policy effectiveness; and (ii) the strength of mentorship/partnership programs.

Subgroup 1, carrying out the "Agencies Effectiveness Project," developed the first phase of a two-year project, in which the group concluded a survey to examine the operational and organizational aspects of competition agencies that are important for successful competition policy implementation.

The survey was conducted by Subgroup members and advisors, principally through telephone and in-person interviews. The interviewers prepared a summary description of the interviews that serves as the basis for this report, all following a common guide, that was organized in three main topics: (i) Defining objectives and priorities; (ii) Resource allocation; and (iii) Decisions' effectiveness.

Strategic planning and its instruments have been discussed as mechanisms to improve the effectiveness of the agencies having budgetary, human resources and legal constraints. The relationship between organizational design, the definition of priorities and procedures, and legal powers agencies have to enforce when making their decisions, has been analyzed as well.

Interviews conducted with twenty agencies led to identify relevant characteristics and patterns that serve as a basis for this Report to be presented at the 2008 Annual Conference. The information and conclusions of this Report will be used to introduce the second phase to be implemented in 2008-2009.

The Subgroup 2 continued its “Mentorship/Partnership Programs” aiming the strength of its programs, and sought ways to improve the sharing of information and experience between competition agencies.

### **3. Projects**

To continue work in the two projects carried out by the subgroups, the next steps are: (i) second phase of the Effectiveness Project, and (ii) improving the sharing of competition enforcement experience between agencies through the existing partnership/consultation program and conference calls attended by younger and more experienced competition agencies.

#### **3.1 Subgroup 1 – Agencies Effectiveness Project – Second Phase**

##### **3.1.1 Objective**

The first phase of the project identified that there is a close relation between the effectiveness objective and the definition of priorities and allocation of resources in the agencies.

The second phase of this project aims to more deeply analyze the relation between the definition of priorities and resource allocation and agency effectiveness, with a focus on the compliance with agency decisions (e.g. payment of fines, accomplishment of behavioral and structural remedies imposed, such as divestitures, amendments to contracts etc).

The monitoring decisions and the assessments of the institutional powers for the non-compliance of decisions are also key-issues to be analyzed in this stage.

Taking this into account, the second phase of the project intends to go deep into the planning issues and to assess authorities' ability to obtain compliance with remedies and sanctions it orders or obtains. The focus will be in the procedures involved in the decision, monitoring and implementation stage, but will not generally extend to the use of specific remedies for particular types of conduct.

**Methodology:**

- a) Identify the main problems faced by the agencies and the strategies, successful and unsuccessful, already tried to address the problems; and
- b) Report on shortcomings in compliance with its decisions, and how strategic management and other actions can contribute to improving these results.

**3.2 Subgroup 2 – Follow-up of the Mentorship/Partnership Programs**

**3.2.1 Objective:** Expansion and Strengthening of the mentorship/partnership programs.

**3.2.2 Methodology**

- a) to implement a program to make available to other agencies the experience of other agencies through a combination of the partnership/consultation program and the conference calls among agencies that have been the subject of experimental calls in recent months;

- b) to publicize more broadly the programs, by coordinating with the Advocacy and Implementation Vice-Chair of ICN; and
- c) Recruit new participants in both programs and effectively integrate them into it.