

Some Thoughts on “Advocacy: A Driver For Change”

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In December, the Italian Competition Authority hosted the ICN's second workshop dedicated to advocacy in Rome.¹ The title chosen for this workshop – “*Advocacy: a driver for change*” – underlines that fact that competition advocacy is now seen as a core part of a competition agency's work, alongside enforcement. By changing the competitive environment and by promoting pro-competitive reforms, competition agencies can play an important role in meeting the challenges of the current economic climate and in fostering growth.

Participation in the workshop reinforced this preeminent role for advocacy. There were more than 120 participants, representing 57 jurisdictions. The event was introduced by former Italian Prime Minister Mr. Mario Monti and Mr. Bruno Lasserre, ICN vice chair.

Why is advocacy important? Mr. Lasserre highlighted many reasons, including that advocacy increases the expertise of a competition agency (for instance through market studies) and consequently its credibility; advocacy encourages market self-corrections and signals to sectors where competition appears not to be functioning that the competition agency is taking notice. He warned that advocacy is not a way for the competition agency to gain popularity, but rather provides the agency opportunities to explain the benefits of competition and relate them to multiple objectives: efficiency, innovation, equity, and upward social mobility.

Participants were invited to share their experiences with the various advocacy tools and strategies used in an economic recession, during liberalization, in emerging economies, as well as when dealing with public procurement procedures. The workshop provided a platform for agencies to share their respective tools and experiences across diversified backgrounds. Tools include market studies, formal opinions delivered to government entities, outreach activities with consumers and other stakeholders (e.g., media) and everyday “conversations” with them.

From the discussions it clearly emerged that a particular advocacy tool should be selected based on the target audience and the timing of the action, and that, for successful advocacy, it is a key challenge to identify and select advocacy opportunities. Lessons learned from past experiences indicated that it is important for a competition agency to engage in a dialogue and develop relationships with the various stakeholders; however, some participants cautioned against the risks of being “captured.” Also, many delegates underlined the importance of a timely advocacy intervention, for example by exploiting a political cycle “favorable” to pro-competitive reforms.

The workshop highlighted the importance of pro-active advocacy: some agencies reported that, in some instances, it was effective to engage, for example by providing an opinion

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¹ For the agenda and materials, please visit <http://www.agcm.it/component/content/article/6634.html>

even when one was not formally requested: the recipients of opinion felt enriched with these new perspectives, and in some cases, may have helped influence an outcome.

Delegates also reflected on things that were not successful. For example, competition agencies may sometimes create an expectation of overnight change behind a suggested reform, and this overly optimistic approach can be counterproductive. Similarly, ignoring political realities or important stakeholders has meant, in some cases, a waste of the agency's time and resources.

It was clear that providing workable, even if not optimal, suggestions were preferable, particularly because advocacy is an iterative process, which allows for fine-tuning and adjustments along the way. In this sense, "incremental" success should not be disregarded.

Another issue raised at the workshop was the evaluation of the advocacy activities. In a world where competition agencies are more and more accountable to the governments and public at large, assessments of the effectiveness of the advocacy function is particularly relevant. A representative of the Competition Policy Group of the World Bank stressed the importance of measuring outputs. She explained that many agencies now send feedback questionnaires to recipients of their opinions and keep track of the status of their recommendations to the various stakeholders.

While acknowledging that it can be difficult to evaluate advocacy activities in some cases, particularly because outcomes may take time to be achieved, participants agreed that there are benefits to publicizing successful advocacy stories. Making them widely known both helps gain the support of the relevant stakeholders domestically, and internationally, can provide inspirations to agencies around the world. In this regard, the World Bank has organized a "best advocacy story of 2013" contest. The winner will be announced in Washington, D.C. in January 2014.

The experiences of the representatives from new or younger competition agencies were especially informative, and highlighted the importance of advocacy to these agencies.

For example, the Competition Council of Morocco said that before it could engage in meaningful advocacy, it was necessary to first gain credibility by building up an enforcement record, by studying domestic markets, and, interestingly, by taking active part in international organizations like ICN to learn best practices in the field of competition advocacy.

In Malaysia, a working committee on advocacy was established to devise a three-year strategy and identify professional sectors as potential areas for advocacy. In the first two years of existence, the agency produced guidance leaflets for the various stakeholders (SMEs, media, etc.) and launched research grants to attract academic interest on the subject of competition law and policy. Work with academia was cited by other agencies as well. For example, the Kenyan competition authority worked with universities to introduce competition law as a course topic.

The South Africa Competition Commission hired a media agency to get its market studies covered also in the front page and not just in the business sections of newspapers. In Mexico, the competition agency invited judges from the United States to run training courses for Mexican judges, using hypothetical competition cases as a learning tool. In Ecuador, the competition agency organized 21 regional workshops with international experts to raise awareness of the new competition law.

Common to all of these experiences is that they all seek to build a culture of competition. In this regard, the workshop explored the role of international organizations such as the ICN, the World Bank, OECD, and regional networks in supporting domestic advocacy efforts to promote competition culture and advocate pro-competitive reforms at national level and regional level.

The workshop was both thought-provoking and practical: it provided examples useful for everyday work and allowed participants, having engaged with colleagues from around the world, to bring home new ideas to develop their agencies' advocacy strategies.