

# 7UP INITIATIVE: CIVIL SOCIETY PERSPECTIVE ON COMPETITION ADVOCACY

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# OUTLINE

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- ▶ About CUTS
- ▶ Competition advocacy: A tool for reform...
- ▶ Key stakeholders in competition advocacy and recognising our Role as a CSO
- ▶ The 7Up Project
- ▶ Challenges and specific actions
- ▶ Benefits of the 7Up Methodology
- ▶ Lessons learnt
- ▶ Key Takeaways

# ABOUT CUTS

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- ▶ Independent, non-profit, economic policy research and advocacy organisation
- ▶ Working for improving quality of competition, regulation, investment, governance, consumer protection and trade
- ▶ Worked in > 35 emerging economies in last 35 years
- ▶ Headquartered at Jaipur, present at grassroots, national, regional and global level

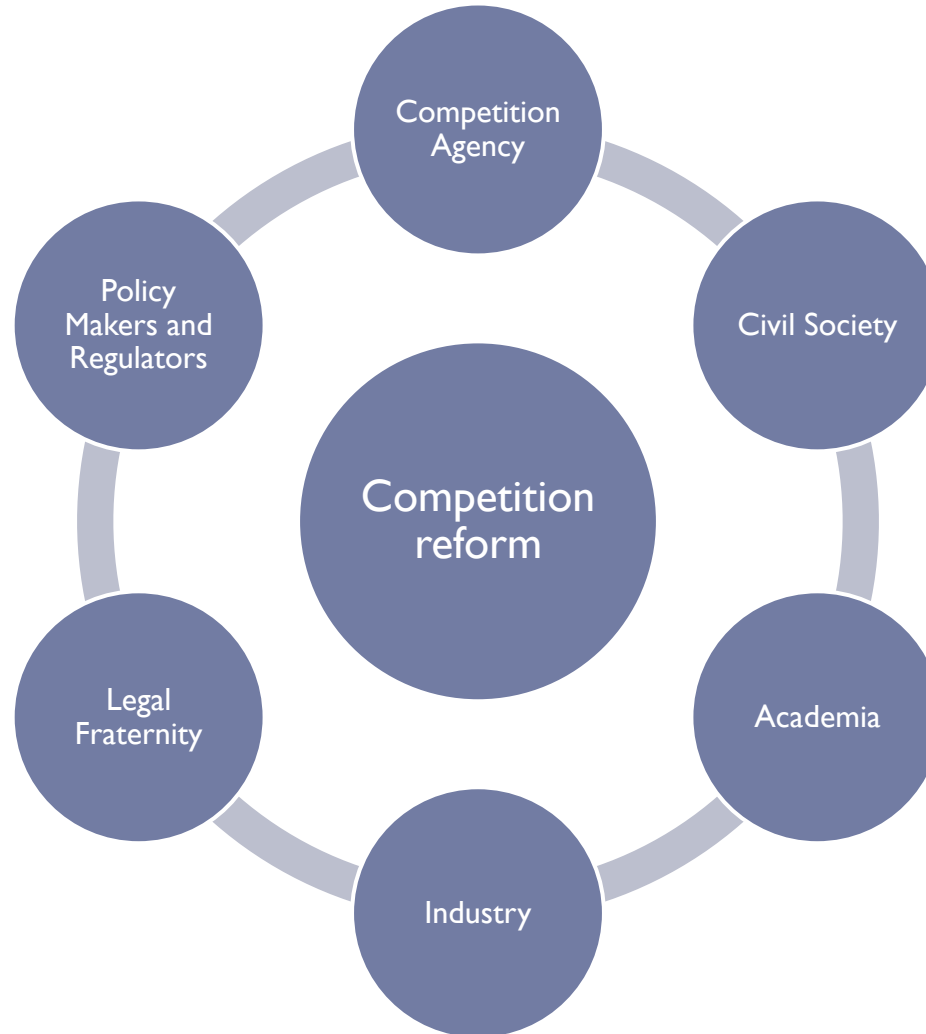
# COMPETITION ADVOCACY: A TOOL FOR REFORM...

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- ▶ Competition enforcement actions are not enough (need for ex-ante/preventive approach)
- ▶ Promoting competition in key markets through advocacy measures – leading to desirable outcomes for beneficiaries (consumers and producers)
- ▶ Advocacy of government officials – leads to well-designed government policies, effective competition regime and sector regulation
- ▶ Different stakeholders need to be engaged in the reforms process, civil society being an important one (Bottom-Up Approach)

# KEY STAKEHOLDERS IN COMPETITION ADVOCACY

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# RECOGNISING OUR ROLE AS A CSO: CUTS

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- ▶ Advocating for the rights of consumers
  - ▶ Acting as a watchdog for competition and consumer authorities
  - ▶ Mobilising consumers voice on need for protection
  - ▶ Advocacy and pressure for competition reforms to help achieve desirable goals for consumers

# 7UP PROJECT

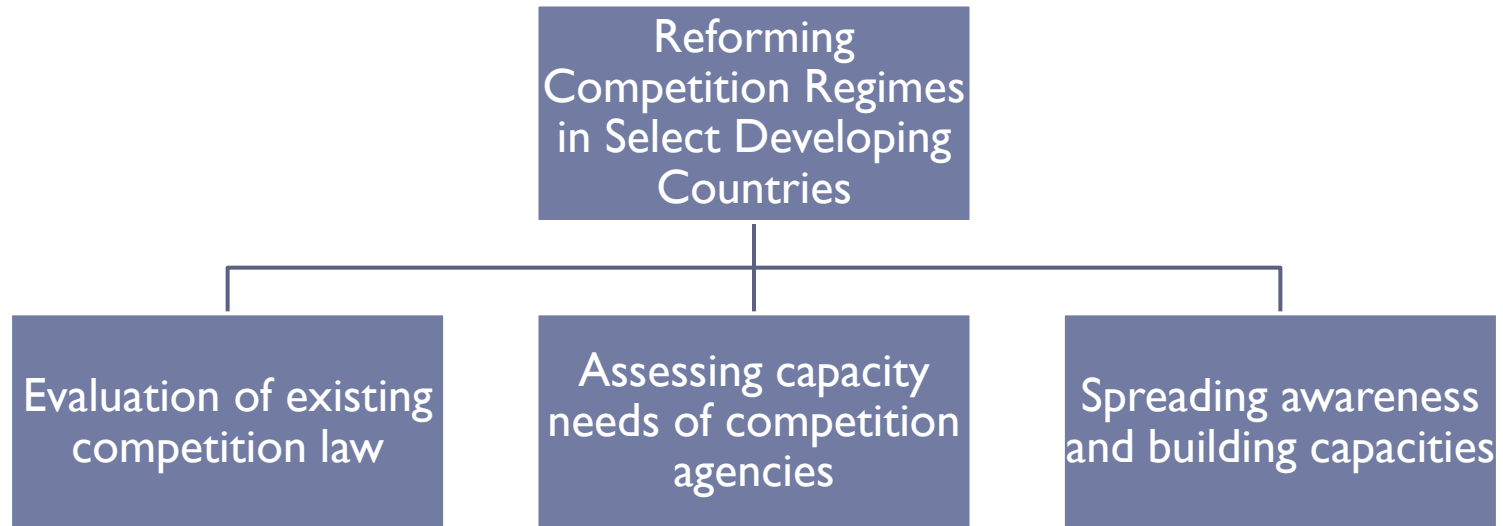
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- ▶ The multi-country project was implemented in select African and Asian countries to advocate, build capacities and strengthen constituencies *vis-à-vis* Competition Law and Policy. Details of all projects can be found at [www.cuts-ccier.org/7Up1](http://www.cuts-ccier.org/7Up1); [www.cuts-ccier.org/7Up2](http://www.cuts-ccier.org/7Up2); [www.cuts-ccier.org/7Up3](http://www.cuts-ccier.org/7Up3) and [www.cuts-ccier.org/7up4](http://www.cuts-ccier.org/7up4)
- ▶ Spread over a timeframe of 10 years
- ▶ Played a very important part in the movement towards better understanding of the benefits of competition in developing countries

# 7UP PROJECT

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- ▶ Our Underlying Motivation: To Reform Competition Regimes and Ensure Consumer Welfare through a Bottom-Up Approach





# 7UP MODEL = COMPETITION REFORMS



# CHALLENGES AND ADVOCACY ACTIONS

Challenge	Specific actions	Result	Supporting Illustrations
Lack of Political Will	National dialogues on Competition	- Initiation of a discourse on competition reforms, involving key stakeholders/actors/institutions, led to the emergence of a conducive climate	<p>- National Reference Group (NRG) acted as the platform to raise the ante on competition issues. In some countries like Pakistan and The Gambia – there was even some progress in transforming the NRGs into National Committee/Working Groups on Competition and consumer Protection.</p> <p>- Related output: Framework for Competition Reforms (<a href="http://www.cuts-international.org/crew/pdf/FCR_Practitioners_Guidebook.pdf">http://www.cuts-international.org/crew/pdf/FCR_Practitioners_Guidebook.pdf</a>)</p>



# CHALLENGES AND ADVOCACY ACTIONS

Challenge	Specific actions	Result	Supporting Illustrations
Lack of prioritisation of competition issues	Awareness Generation events for National Stakeholders on Competition issues	<ul style="list-style-type: none"> <li>- Increase of competition and consumer protection related news/articles/ features in local media</li> <li>- Enhancement in the ability and confidence of national stakeholders (NRG members) to contribute to the competition reforms agenda.</li> </ul>	<ul style="list-style-type: none"> <li>- Partners and NRG members continued their mission of competition reforms beyond the life-span of the 7Up project by implementing individual projects on competition issues in Kenya, Sri Lanka, Nepal, Mozambique, The Gambia.</li> <li>- Related output: World Competition Day initiative(05<sup>th</sup> December) (<a href="http://incsoc.net/world_competition_day.htm">http://incsoc.net/world_competition_day.htm</a>)</li> </ul>

# CHALLENGES AND ADVOCACY ACTIONS

Challenge	Specific actions	Result	Supporting Illustrations
Lack of Capacity	Building capacity of national stakeholders to advocate for competition reforms through seminars and training	<ul style="list-style-type: none"> <li>- Competition agency professionals gained knowledge on diverse competition enforcement mechanisms and tools</li> <li>- University courses on competition policy and law helped generate initial level capacities</li> </ul>	<ul style="list-style-type: none"> <li>- Improvement in officials' ability to enforce competition legislation, in Namibia, Mauritius, Zambia, etc.</li> <li>- University courses done in Bangladesh, The Gambia and Vietnam.</li> <li>- Related output: CUTS Competition Impact Assessment Toolkit (<a href="https://goo.gl/KF7DdZ">https://goo.gl/KF7DdZ</a>)</li> </ul>

# CHALLENGES AND ADVOCACY ACTIONS

Challenge	Specific actions	Result	Supporting Illustrations
Slow movement towards reform	Contribution towards policy and administrative reforms on competition by working with partners	<ul style="list-style-type: none"> <li>- Partners/ contacts rose to 'positions of influence' in the national competition circuits</li> <li>- Refinements in competition law undertaken in line with the views expressed by stakeholders</li> <li>-Fast-tracking the competition reforms movement</li> </ul>	<ul style="list-style-type: none"> <li>- Partners from The Gambia, Senegal and Nepal took up positions in the Competition agencies as senior officials</li> <li>- In countries like The Gambia and Mauritius, the process of competition reforms gained significant momentum.</li> </ul>

# BENEFITS OF THE 7UP METHODOLOGY

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- ▶ Evidence-based mechanism for competition advocacy
- ▶ Flexible and consensus building approach for maximum stakeholder activation and participation
- ▶ Snowball effect: Builds momentum and prevents the competition reforms agenda from slowing down in the long-run (by creating capacitated individuals and identifying national champions)
- ▶ National government/departments (in charge of competition) have developed confidence in the ability of the civil society groups (including consumer organisations) to contribute meaningfully in the process of developing and implementing national competition regimes
- ▶ Helped sensitise the international development community of the need to look at competition as an integral component of national (public) policies that help reduce poverty in the developing world

# LESSONS LEARNT

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- ▶ Integral to identify potential frontrunners in the political milieu
- ▶ Important to forge partnerships for better and continued advocacy
- ▶ Important to utilise advocacy tools such as media outreach and advocacy seminars
- ▶ Important to build capacities through training workshops
- ▶ Importance of National Working Groups in sustainability of competition reforms agenda

# KEY TAKEAWAYS

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- ▶ Competition advocacy an essential tool for creating competition culture
- ▶ The ability and willingness of all stakeholders to work together influences the pace of reform considerably
- ▶ Advocacy by civil society plays a key role in creating a dynamic and robust competition culture
- ▶ Advocacy efforts should look at competition as a means to an end...i.e. economic development and consumer welfare



**THEME FOR 2017**  
**“COMPETITION AND DISRUPTION”**

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**WORLD**  
**COMPETITION**  
**DAY 5 DEC**



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# THANK YOU

[usm@cuts.org](mailto:usm@cuts.org), [www.cuts-ccier.org](http://www.cuts-ccier.org),  
[http://incsoc.net/World\\_Competition\\_Day.htm](http://incsoc.net/World_Competition_Day.htm)

