

CUTS Centre for Competition, Investment and Economic Regulation (CUTS CCIER)

Annual Retreat | 22-23 July 2006

Participants: PSM, RDM, BC, GK (External Observer), USM, NN, MA, VRP, RSG, VB, UC, PK, NA2, ML, VS2, RS, RB2, SJ5.
(Please refer 'Annexure 1', for the names of the participants)

Purpose: To take stock of the progress and the outcomes of the past one year and to brainstorm on a strategy for the next five years, and also to discuss about new project ideas.

Report Arrangement: Please refer 'Annexure 1'

Highlights:

- Active participation and involvement of colleagues resulting in an interactive and informative event
- Ideas and discussions generated during the retreat
- A rich experience in terms of knowledge, widened perspective and better understanding of the centre's activities
- Proceedings held in a manner that encouraged all to respond and participate
- Fruitful breakout sessions
- Useful & gainful interventions by external observer Gitika Kapoor during discussions
- Enhanced inter-personal relationship and sense of responsibility among participants (especially new colleagues)

Lowlights:

- PAR-FORE not being covered in any of the discussions held during the retreat
- Gaps in presentations
- Poorly lighted conference room – lack of natural light
- Hectic round of events, in particular first day of retreat
- Poor logistics on part of hotel

1. **Executive Summary:**

- 1.1 PSM welcomed those in attendance and began the session, introducing Ms. Gitika Kapoor, Director, Poddar Institute of Management, invited to the retreat as an ‘external observer’. The session progressed with PSM asking colleagues to start with a brief round of introduction. Subsequently, speaking about the centre, PSM elaborated on the milestones that C-CIER had achieved, notable among them being the 7Up model, the brand-name for the research-based advocacy project on competition undertaken in various parts of the developing world, that has achieved considerable recognition globally. The execution of this project proved to be a ‘Turning Point’ in the history of CUTS, especially in view of its work on competition policy and regulatory issues at the international level.
- 1.2 PSM spoke briefly about the recently launched CUTS Institute for Regulation and Competition (CIRC), which was established in response to the need for in-depth training on Competition Policy & Law (CPL) and regulatory issues, especially in the developing countries. He envisaged CIRC as a fully operational and autonomous body with its own staff by over the next few years, but until then it will continue to function as another CUTS centre.
- 1.3 Speaking about another path-breaking activity implemented by the Centre – the ‘Competition Regimes around the World’, PSM said that the report is a compilation of competition law and regulatory policy scenario in 119 countries. He mentioned, that it is a unique report and has already become quite popular in the global competition fraternity. He highlighted that the challenge for the centre in future would be to embark on a similar global Consumer Report in future. One aspect of the CompRegimes Report, which was underscored was the fact that the entire project (spread over a duration of over two years) was self-funded by CUTS and supported by CUTS networking partners. In the immediate future, C-CIER would be undertaking another project out of its own resources – *‘Why Do Countries Adopt New Competition Laws?’* Contributions will be invited from scholars on a voluntary basis as in the CompRegimes Report. This publication would try to answer the question based on experiences of 20-odd countries, which have scrapped old laws and adopted new ones. It will be another first of its type, as such a volume does not exist which lays out the experiences of countries which have moved on to a second generation law, when many countries are still struggling with drafting a totally virgin law.
- 1.4 Briefing about the proposed fourth CUTS overseas office: CUTS Southeast Asia Office – PSM stated that the office is an offshoot of the 7Up2 Project, which will soon become fully operational at Hanoi, Vietnam to work on competition, regulation and trade issues in the Southeast Asian region. The Lusaka office was a product of the 7Up1 Project. Nairobi office was planned to be made operational with the initiation of the 7Up3 project. However, the office started functioning even before that as the project funding had got delayed.
- 1.5 PSM also underscored one of the achievements of the previous year being considerable scaling-up of activities in the programme area of ‘*Economic Regulation*’ in C-CIER, with notable initiatives being: Seminar on ‘Regulatory Framework for Infrastructure Sector in India’; three-session policy retreats on ‘Regulatory Autonomy and Accountability’; RegFrame I and RegFrame II projects.
- 1.6 Then PSM spoke about the new project: Competition, Regulation & Development Forum which is expected to be launched in a couple of months. This is another unique project with several goals, *inter alia*: a) to look at the good practices of developing countries which despite political economy problems have been able to effectively implement (or not) their regulatory regimes, and b) to develop research interest and capacity in developing countries.

- 1.7 In winding up the opening session, PSM took the opportunity to thank the C-CIER International Advisory Board whose guidance and suggestions have helped the Centre traverse the path so far, and our various funders, such as DFID; NORAD; SECO; IDRC; AFD, FCO and the Planning Commission of India, without whose strong support we would not have been able to travel so far and set so many milestones. More importantly, that we will continue to receive their support in future also. He especially highlighted DFID's support as the pivotal one, which had recognised both CUTS and the issues as important for economic development of developing countries and have been supporting us through various singly- and co-funded projects since 2000. And that we need to continue to develop newer funding sources, as competition and regulation are an intrinsic subject/intervention for private sector development, which is now recognised as one of the vital economic tools for growth and poverty reduction.
- 1.8 In conclusion, PSM expressed his hope that the next one and a half days would be productive and fruitful. He urged the participants to actively participate and come up with innovative ideas and identify ways and means to implement those ideas.

2. Strategic Business Plan CUTS C-CIER 2006-10

2.1 Introduction:

Based on the Strategic Business Plan prepared after incorporating suggestions and recommendations received during the Mini Retreat 2006 brainstorming, NN presented an overview of the same. The presentation titled '*Dare to Dream High... and Make it Happen*' by NN highlighted the centre's mission and vision, focused on the key programme areas, listed progress of the various projects undertaken by the centre, all future plans proposed (including the corresponding *revenue projections*) to be taken up and attempted to bring forward the impact created by the centre by way of its multitude of publications. It also prescribed a roadmap for the future while listing out the limitations and constraints to follow same. (*For details of the presentation, please refer 'Attachment A'*)

2.2 Discussions/Suggestions

- 2.2.1 CCIER has elected to work in five areas: Competition Policy & Law; Regulatory Policy & Law; Consumer Protection; Investment and Services. The meeting discussed the five programme areas to see where we have been able to work or not. It was realised that though huge amount of work has been done in Competition and Regulation, among others areas, reasonable amount of work has been done in the area of Investment and a few projects are in the pipeline, Services has more or less been a dormant programme area, which made it necessary to rethink if it should at all be retained as one of the programme areas.
- 2.2.2 As regards *Services*, it was reported that more than half of the country's GDP constitute services and hence it may not be a good idea to scrap this area totally from the activities of the Centre. It was suggested that FDI in services as part of our Investment portfolio could be a very interesting issue to work upon and needs further exploring.
- 2.2.3 It was further suggested that in light of the WTO agreement on GATS, services has assumed significant profile in recent years and hence more focused research in services towards making it an active area of C-CIER's activities was emphasised.
- 2.2.4 As regards *Investment*, it was noted that C-CIER had done a project on investment and there are several interests on investment policy issues. Hence the consensus was

- to keep this particular programme area intact. Further suggestion was also made to rename the programme area as ‘Investment Climate’.
- 2.2.5 It was emphasised that, ‘Competition Policy & Law’, is how the programme area should be referred to instead of ‘Competition Law and Policy’, as it is generally referred to in many circles. Participants appreciated the proper sequencing CUTS has been following in this regard and accepted that the appropriate policy sequencing requires a Competition Policy before enactment of the Competition Law. This approach has been followed in Malawi and is being followed in Botswana, which has been picked up by Mozambique and Namibia as well.
- 2.2.6 In response to a query raised to distinguish between *Economic Regulation and/or Competition* as a programme area for C-CIER and as a stream of capacity building for CIRC, it was clarified that while C-CIER’s activities in this regard is research and advocacy oriented, CIRC is mainly concerned with training and education on the issue. However, both the centres compliment each other in the sense that the extensive research outputs produced by C-CIER can be gainfully utilised in the trainings by CIRC.
- 2.2.7 It was further elaborated that the activities of C-CIER in the area of ‘Economic Regulation’ were specifically targeted towards – *independent regulation* and *re-regulation*.
- 2.2.8 Concern was expressed that Economic Regulation is a vast area and that there is a need to work upon sector specific regulations. In response it was noted that specific sectors have been identified by the centre – electricity and telecom being the prominent ones.
- 2.2.9 Education and Health/Pharmaceuticals were the other two key sectors requiring regulation - in terms of quality and content in education; and access to medicine and delivery in health services respectively. The group unanimously felt a need to take up projects looking into education policy and regulation in line with the above (quality and content) because the activities will be quite meaningful in terms of reforms and in line with the principles of MDGs.
- 2.2.10 With regard to regulation in the financial sector, C-CIER is not doing anything at present but it was suggested that a possibility to explore always exists. During the discussions, agriculture and consumer finance were also identified as prospective areas of work under competition and regulation that need to be further explored
- 2.2.11 The group discussed that Global Competition Review has come up with a *Global Perception Survey of Competition Authorities on Competition Policy Regimes* in 44 developed and advanced developing countries however; the respondents to the survey were practicing lawyers only. In light of the same, the group felt that C-CIER could also come up with a similar survey involving multi-stakeholders covering developing countries as well.
- 2.2.12 Further, the idea of developing a simplified ***Toolkit on Competition Policy and Law*** was proposed. The group discussed that the toolkit should be designed in such a manner that it successfully identifies the gaps between the basic questions of where a country was at the current stage of development vis-à-vis competition, and where it wanted to reach over a specific period of time in terms of enforcing its competition legislation.
- 2.2.13 In this context, external observer Gitika Kapoor (GK) enlightened the group with her suggestions and opinion as to how C-CIER should go about this toolkit. It was realised that in light of the fact that C-CIER has done considerable amount of work

in the area of Competition Policy and Law, developing such a toolkit would not be very difficult. Existing research findings could serve as the base to build a strong structure. Following was the outline suggested by GK for the purpose:

- Studying existing research in depth, identifying the gaps
- Conducting fresh research based on the gaps identified
- Mapping
- Pre-existing roadmap for Competition Policy and Law
- Market as the basis - Identify where a country stands?
- Project growth: Chart the way ahead
- Capacity building specific to the stage of CPL

- 2.2.14 Several participants were of the view that such a toolkit should be the way ahead and should form an integral part of the second phase of 7Up2 and 7Up3 projects to leverage the study and research already undertaken during the implementation of the project. It was suggested to develop country specific toolkit/advocacy document.
- 2.2.15 As regards the whole range of C-CIER's *Publications*, the group discussed on the outcome of a survey which was carried out by the Centre recently to review CUTS' publications and outreach policy in order to make it more effective and useful for its target readers. Based on the feedback received and analysis undertaken, it was felt that it was fairly representative. Though the sample was small, the group unanimously agreed upon the fact that the result obtained was intuitively a fair representation and enough reflection of the centre's activities. (*For details of the analysis, please refer 'Attachment E'*).
- 2.2.16 The group discussed that an appropriate marketing strategy has to be evolved for the sought after publications such as '*FunComp*' and '*CompRegimes*' Reports which can be done through tie-ups with well established international publication houses as well as by creating a CUTS Book Shop website (an idea which came as an outcome of breakout discussions).
- 2.2.17 As regards the *presentation*, the group observed that some of the recommendations made during last retreat (CUTS Retreat 2005) were not properly addressed and incorporated in C-CIER's 'Strategic Business Plan 2006-2010'. In this context, the prominent observations included the following:
- The presentation did not explicitly mention strategic partnerships with other organisations with whom C-CIER works in close association/collaboration for implementing its international projects.
 - Contributions made by other centres of CUTS in implementing some aspects of C-CIER's projects were not captured in the presentation.

3. CUTS South East Asia Office (CUTS SEAO)

3.1 Introduction:

Next in the agenda was CUTS SEAO presented by RDM, as Alice Pham was held up in Hanoi due to some exigencies. The presentation gave a brief about the centre, identifying the gaps and attempted to put across the rationale for setting up a resource centre in Hanoi, Vietnam. (*For details of the presentation, please refer 'Attachment B'*)

3.2 Discussions/Suggestions:

- 3.2.1 It was felt by the group that instead of CUTS SEAO, the centre can be named as Hanoi Resource Centre (HRC) following the nomenclature used for other resource

centres of CUTS. It would be an addition to the already existing family of CUTS' resource centres across the globe.

- 3.2.2 The group felt that the authoritarian government in Vietnam may pose a challenge and therefore transferring knowledge and experience from other Asian and African countries may not be useful in totality under the set up. Participants were concerned if the centre has any experience of working in authoritarian governmental environment, to which it was clarified that the centre has worked in a similar set up in countries including Vietnam, Lao PDR and Ethiopia and the experiences so far have been quite encouraging. Secondly, Vietnam has adopted a market economy and they are much more receptive to social and economic changes. In light of same, the centre is hopeful to overcome political-economic barriers (as and when they emerge).
- 3.2.3 With regard to the revenue model of the centre it was suggested to ensure as well as assure that proper flow of funding is well in place and in line with the activities of the centre before the centre becomes fully operational. In this context, it was informed that several donor agencies (SECO, Switzerland; DFID, Vietnam; Ford Foundation, Vietnam) have expressed their interest to support the Hanoi centre's activities
- 3.2.4 The group further expressed its concern over the setting up of the centre in Hanoi being person-driven or need driven. In response it was clarified that starting the centre with the person who is aware of organisation's functioning will only smoothen the process. Further, provisions under the registration laws/regulations in Vietnam enables us to hire non-Vietnamese residents and in case of any vacuum CUTS can depute its own staff to work in this centre. Here an example was shared about the London Centre, which was also set up by a British colleague who had worked at Jaipur. She later left for further studies, and it was not difficult to find a replacement.
- 3.2.5 In response to why Hanoi as the choice for setting up a centre instead of say Bangkok, it was mentioned that Hanoi can play a strategic role in light of:
- Receptiveness of Vietnamese government to CUTS' presence in the area
 - Less number of competitors and sufficient associations in Vietnam, as compared with even Bangkok
 - Donors' interest in the region, which is fast growing
- 3.2.6 The group unanimously agreed that with all its pros and cons, it is important to remember that it would always be a challenge to create an appropriate balance between our advocacy role and the environment and to synchronise with the government. The concern was well taken and the group was assured that the centre would hopefully overcome all barriers and would add value to the CUTS' work and growth.

4. CUTS Institute for Regulation and Competition (CIRC)

4.1 Introduction:

MA gave an overview of CIRC's activities and future plans, briefly reflecting about the inception of CIRC, how its need was felt and how it came into being. The presentation reflected the institute's progress made so far in terms of resources, activity and financials, the key lessons that were the outcome of these activities, the critical issues and the strategy that CIRC would implement in regards to emerging out as a successful, independent and

resource generating unit. Light was also thrown on the motto, perspective, the streams offered and the product range. *(For details of the presentation, please refer 'Attachment C')*

4.2 **Discussions/Suggestions:**

- 4.2.1 A question was raised if the institute will engage an external agency to market the courses under the training portfolio, in response to which, it was clarified that the institute is into in-house event-specific marketing.
- 4.2.2 It was reflected that several efforts are going on for better outreach, of which the bi-monthly newsletter: CIRCular is one important means which is being targeted on 600 HRD Managers all over India. Additionally, it is going out to various governments in Asia and Africa.
- 4.2.3 Further, it was observed that the CUTS Delhi Resource Centre (DRC) is constantly engaged in networking with the various Ministries to support training seminars in the three streams.
- 4.2.4 The group unanimously agreed that the institute should look for collaborations, especially when organising 'Academic Lectures' as this would help in cutting down the cost of the events and could also help generating surplus. Further, with a local well-known partner in a region, it becomes easy to attract participants. However, few colleagues contended that there is not only a need of getting collaborations but also to have an appropriate strategy, innovative thinking and techniques, which could bring about a difference.
- 4.2.5 It was suggested that the institute should aim at collaborating with various business chambers as the courses offered by the institute also targets the business community (Chambers and corporate groups).
- 4.2.6 The group further reflected that the institute should first aim at creating a name and engraving its impact on the minds of the target group and then go in for offering independent online courses, which it intends to come up by 2007. The suggestion was well taken and it was expressed that various efforts are being taken towards meeting this target.
- 4.2.7 The group observed that the institute needs to engage champions as the Director General. In this context, example of Australian New Zealand School of Government (ANZSOG) was given which is being run by a champion, Allan Fels, who is a well known personality in the business and academic circles and hence ANZSOG is doing very well in spite of being a virtual institute and not a brick and mortar institution.
- 4.2.8 Further the group reflected at increasing associations with local partners, as this would, to a great extent, provide cushion support in taking care of expenses and may help generate profits. In support of this discussion, it was stated that ALS.03 was conducted in collaboration with IPLPA and IIPS in Mumbai, in which about 150 participants turned up. Thus the event was a success because of better outreach in terms of participation and low costs. Intervening, PSM suggested collaborating with sector specific institutes. NA2 informed that efforts are ongoing to collaborate with World Trade Centre, Mumbai. It was further informed that for upcoming events in New Delhi, attempts should be made to collaborate with India International Centre (IIC) and India Habitat Centre (IHC), which may thus serve to reduce unit cost by provision of free venues, etc.

- 4.2.9 Besides, suggestion was also floated with regard to holding 3 half-day events to target working people. Such an arrangement would enable working executives to catch up on their work along with participating in the workshop. There are trade offs in this approach, that a continuous programme has better retention ability, rather than half-day events, which can get crowded by the existing agendas of the trainees.
- 4.2.10 Another suggestion was with regard to identifying the target persons and making them aware of courses offered by the institute. In this context, the group suggested that C-CIER needs to take a clear role i.e. marketing of CIRC – the 7Up projects could serve as a good platform for promoting CIRC.
- 4.2.11 It was further suggested that CITEE could also play a significant role as regards marketing of CIRC’s activities. It was suggested that CDS (Commercial Diplomacy Seminars) could sell well in Africa. Efforts must be made towards tapping possibilities in the whole Afro-Asian region. In the given backdrop, it was informed that UNCTAD has also expressed an interest in collaborating with the institute on Commercial Diplomacy. Such an event would be cost effective, as resource persons and materials would be made available by UNCTAD at their own cost, if majority of participants are from LDCs.
- 4.2.12 There was a major concern regarding our Mailing Database. It was stated that the database needs updating on an urgent basis and that the process should be carried out on a regular basis. In this context, experiences were shared where because of outdated information, the institute could not reach out to those it intended to. It was hence recommended to sit with the mailing lists and crosscheck the information fed into the same to have a better outreach. It was further suggested that CUTS DRC should periodically send information regarding changed coordinates of people located in Delhi, for updating at HO.
- 4.2.13 Further, it was suggested to be on the look out for well known international resource persons, who visit India on some purposes (including vacation). Such people could be alerted in advance for the purpose of organising courses/academic lectures during the time of their visit to save costs. It was recommended that people like Jagdish Bhagwati who visits India every winters, could be contacted for an event (*possibly ALS.05*).
- 4.2.14 The group unanimously agreed upon the pressing need to break-even CIRC’s receipt & expenditure statement. It was reflected that conscious efforts have to be made in that direction as the institute should emerge as a self-sustaining and independent entity, which could generate surplus and be a resource generating body for CUTS.
- 4.2.15 On the critical issue of manpower (filling junior and middle level staff) it was recommended to target various management schools and universities while organising workshops and training seminars under the various streams of the institute. In light of CUTS’ experience in this regard, it was felt that such an exercise may help identifying and attracting prospective personnel for the institute. Here two examples were given: Alice Pham, a Vietnamese Law Ministry staff and Parashar Kulkarni, a young graduate, who had attended the 20th Anniversary Conclave in Delhi in 2003, who then came and joined CUTS.
- 4.2.16 The participants also made several observations regarding the effectiveness and utility of online courses. It was observed that online courses would be the way of future as people will not have the kind of time to do courses regularly by visiting a brick and mortar institute. Hence the concept of a virtual institute should be aimed

at gradually as the same could prove gainful for CIRC. Contending this view, few observed that the institute is still in its initial stages and needs a brand image to establish its existence first. Once it creates its own identity and engraves its existence, it could penetrate the market more effectively for gainful results. It was recommended that physical infrastructure could be a long-term plan.

- 4.2.17 As regards the e-learning model to be adopted by the centre it was suggested that Open University, UK model is the better model rather than ITCD and similar. Here PSM also shared his observations of the Diplo Foundation's methodology, which has course modules vigorously accompanied by e-tutoring which includes interactions among the students and the faculty members.
- 4.2.18 The group also reflected that content and practical applicability of the course plays a vital role in workshops and lectures. Hence there is a need to check the content to ensure that the sessions are interesting and relevant for participants rather than being theoretical. In this regard, it was recommended that the framework of content design and development should be kept flexible
- 4.2.19 With regard to Competition Policy Seminars (CPS) the group felt that since the new competition law is still not in effect in India, it would be appropriate to put the workshops in India on CPL on hold till the law becomes operational or conduct the same only if funding/sponsorship is available. However, it was also felt that we could continue to pursue international seminars which will target various developing countries in Asia and Africa which have either a young CPL or is beginning to implement a new law.
- 4.2.20 As regards the untouched area of Economic Regulation, it was observed that electricity has emerged as an area in India with potential scope and could prove a major sector where workshops could be planned with CERC, TERI and FOIR. Public Private Partnership (PPP) under Commercial Diplomacy also emerged from group interventions as another significant area of work. Recommendation for organising events on a sector-based approach (e.g. Railways, Pharmaceuticals) was also emphasised.
- 4.2.21 As regard funding for CIRC it was recommended to seek support from the Government of UK (FCO), ADB, MPLAD Scheme and SIDA. It was contended that even though the MPLAD Scheme has been in controversy, efforts should continue in this direction, as such schemes are always in controversy.

5. **Comments & Reactions by External Observer**

5.1 **Introduction:**

External observer, Gitika Kapoor (GK) provided the group with valuable reflections in this session. The perception of an external observer to the events of the day served to enlighten participants as to various shortcomings, errors, and steps that could be taken up for sustaining growth of the organisation. In the role of an external observer, GK examined the flow of information *via* presentations and participants' comments and views. Her comments and reactions provided participants with an opportunity to have a better insight of centre's activities.

5.2 **Observations/Suggestions:**

- 5.2.1 GK started by specifically highlighting her observations on C-CIER, proposed CUTS-HRC and CIRC. She observed that each, though will gradually progress

towards independence with individual areas of work, will always find overlaps. She stated that though each of the three centres had specific thrust areas, different from others, yet all three should build together for the overall gainful impact of CUTS as an organisation.

- 5.2.2 GK observed that while C-CIER has firm ground positioning, HRC is still in the implementation stage and CIRC has an important role to play for information and knowledge dissemination flowing from both C-CIER, HRC and other centres. In this way all three are neither independent nor standalone. They feed into each other through a loop. The output of C-CIER and HRC would be leveraged by CIRC.
- 5.2.3 GK further observed that C-CIER's future strategy should be designed and devised keeping in view the lead-time. C-CIER needs to sustain an idea, look at it from a time span of five to ten years and not merely a year.
- 5.2.4 GK further suggested at devising a common organisational terminology for both external and internal documents. According to GK such standardization procedure may lead to better understanding of processes and produce fruitful outcome.
- 5.2.5 GK observed that since the organisation's activities are donor driven, presentation skills are a must for all and the staff must evolve a manner of communicating, putting across information, avoiding verbosity etc.
- 5.2.6 GK felt that while submitting proposals to donors, audio-visual presentations could make a lot of difference. Similarly, she laid stress on the choice of words and said that they are as crucial as any other detail of a proposal being submitted.
- 5.2.7 GK urged participants to ask themselves as to where they want to see CUTS C-CIER reach in 2009-10. According to her, these answers could serve as a guiding light for all to contribute towards outstanding performance on the part of the centre.
- 5.2.8 As regards revenue generation, GK urged upon understanding customers' perspective, i.e. those of donors and beneficiaries, as to what they need and expect. Once an understanding is developed in this regard, funding would no longer be a critical issue for the centre.
- 5.2.9 Besides, GK observed that building and maintaining brand equity of the umbrella organisation: CUTS is another crucial aspect, which needs constant attention.
- 5.2.10 GK opined that since CUTS' activities involved work of an international scope, the staff needs to develop an acceptance of varied cultures. In this connection, she suggested that staff should read Geert Hofstede's work on Culture and Organisations. She further observed that working knowledge of one foreign language (Spanish, French) by staff members could also be of immense help.
- 5.2.11 GK added that there should be a lateral movement of personnel in the organisation thereby creating flexibility in thinking and a sense of belonging and ownership. GK believed that a person should tend to move on otherwise s/he may develop a tunnel vision.
- 5.2.12 GK asserted the importance of retreats. She said that aim of the retreat should be to generate innovative, fresh and challenging ideas – the crux of any organisation's well-being, growth and survival. It should not end up as a chest beating exercise but should instead identify new roles for staff persons, contributing with fresh zeal towards realising the dreams envisioned by the organisation during the retreat.

6. Group Discussions Outcome: A Roadmap for the Future

6.1 Introduction

The participants of the meeting were divided into three breakout groups to brainstorm and come up with new project ideas and discuss the key issues concerning the centre, on the evening of the first day. The three groups comprised up of 5–6 members each. The convenors of respective groups were assigned with the task of getting the designed exercise performed and report as to the outcome. The groups met and exchanged/debated ideas for a couple of hours and developed their presentation for the next day morning. The presentations followed detailed discussion. An outcome of the same is summarised below:

6.2 **New Project Ideas**

Each of the groups came up with several unique and innovative project ideas. The ones, which were unanimously agreed upon, included the following:

- Competition Toolkit for specific countries (7up2 and 7up3 countries to begin with)
- Projects focussed on Pharmaceutical and Agriculture in India and other project countries (from all 7up countries). Looking at the developmental dimensions of CPL
- Perception Survey of Competition Regimes of Developing Countries (concept needs to be explored in view of our past experiences)
- Capacity Building of media representatives on trade and regulation
- Financial sector regulation (VAT, Equity issues, Pension Fund, Insurance)
- Education System Regulation (Quality and Content)
- CompRegimes Report: Detailed and in depth study of select countries with relevant case studies highlighting success and failure stories (all the 7up countries)
- Infrastructure Investment Climate

6.3 **In view of increasing competition, ensuring quality outputs and enhancing brand equity by**

- Closer engagement with the International Advisory Board and other external experts/stakeholders
- Engaging experts to peer review both work in progress and final outputs
- Monitoring and evaluation (in-house and external)
- Stock taking with a view to focus on optimal number of projects

6.3 **Key Issues**

- ***Four Programme Areas***
 - Competition Policy & Law
 - Economic Regulation
 - Consumer Protection
 - Investment Climate
- ***Marketing of Publications***
 - Institutional tie-ups with international publication houses
 - Launch the CUTS Book Shop (Website): For the whole of CUTS
- ***Enhancing Skills and Knowledge of Staff***
 - Improving communication skills
 - On the job project specific training on related issues
 - Foreign languages (Spanish, French & Russian)
 - How to handle databases

- Project management
- Event Management
- ***Strategic Interaction with Donors***
 - Mapping donors with details about area of interest, regional allocation, time period etc
 - Organise a donor meeting (first one in Delhi in March 2007 on the fringes of the CDRF Symposium)
- ***Income Generation***
 - Consultancy (surfing of procurement pages of agencies like Worldbank, USAID, regional banks, EC, DFID, SIDA, CIDA...)
 - Selling of database (Knowledge Bank)

7. **Consumer Impact Assessment**

7.1 **Introduction:**

Protecting consumer interest is recognised as a key policy objective in various policies and measures. However, there is no proper framework or tool to assess the impact of such policies and measures on consumer welfare. In view of this, a framework to carry out consumer impact assessment is being developed by C-CIER. Furthermore, given that protecting consumer interest guides the organisation's work, application of this framework is desirable and would be useful in centre's own work. In this context, a concept note developed by C-CIER on Consumer Impact Assessment (CIA) was presented by MA for brainstorming. (*For details of the presentation, please refer 'Attachment D'*)

7.2 **Discussion/Suggestions**

- 7.2.1 It was suggested that while carrying out CIA, role of other factors that could influence the outcome need to be considered appropriately.
- 7.2.2 With regard to AQP (Availability, Quality and Participation) framework for identifying relevant indicators for carrying out the assessment, it was suggested to use the term 'Access' instead of 'Availability'.
- 7.2.3 It was suggested to refer to the work of the European Commission (EC) and ODI in carrying out Sustainability Impact Assessment of Trade Agreements.
- 7.2.4 It was further suggested that relevant data for carrying out this exercise could be available from the UNDP reports. Further, survey would be desirable to collect relevant information. There was discussion on conducting the survey and the sampling method.
- 7.2.5 It was mentioned that to begin with CIA has been included under a section of the ICRR project, supported by British High Commission, New Delhi. This would serve as a useful pilot and help refine the framework.
- 7.2.6 It was suggested that the centre could carry out a CIA of the Indian Postal Amendment Bill as part of the ex-ante approach.
- 7.2.7 A query was raised with regard to the possibility of funding for carrying out this kind of assessment. It was responded that Telecom Regulatory Authority of India (TRAI) and Central Electricity Regulatory Commission (CERC) could be approached with a proposal to assess the consumer impact of their work.
- 7.2.8 It was recommended that the centre could approach the Department of Consumer Affairs and seek funding under the Consumer Welfare Fund to carry out CIAs of certain sectors. The centre could also approach the Planning Commission with a

project proposal to carry out a CIA of relevant government policies. Other relevant sectoral departments could be approached to carry out a CIA of their work. The discussions reflected that there are several possibilities and funding will not be a constraining factor.

- 7.2.9 It was suggested that the centre should get CIA included on the agenda of the Working Group on Consumer Protection formed by the Planning Commission for the 11th Five Year Plan, of which PSM is a member.

8. **Roundtable & Summing Up**

8.1 **Introduction:**

The one and a half day retreat concluded with an interactive roundtable and summing up session. PSM asked colleagues to come up with their ideas and views about the retreat particularly focusing on expectations before attending the retreat, expectations met by the retreat and the new role identified by each colleague towards achieving the goals and objectives envisioned during the retreat.

8.2 **Observations & Suggestions:**

- 8.2.1 Almost all colleagues unanimously agreed that the retreat was refreshing and a rich experience in terms of knowledge and better understanding of the centre's activities.
- 8.2.2 It was reflected that conducting centre wise retreats in CUTS like this one will be more fruitful and productive.
- 8.2.3 It was further felt that the critical review and overview of C-CIER's work has generated innovative future ideas, efficiency, quality, delivery and well defined roles for each of the participants which they are determined to endure.
- 8.2.4 As regards expectations, it was observed that to be able to reach the milestones set during the retreat for the next three-five years was something which most of the participants expected and looked forward to.
- 8.2.5 Considering the fact that CUTS has its presence in around 40 countries around the globe, it was observed that most colleagues expected that the organisation should aim towards becoming a global umbrella organisation, as there is a vacuum in the same.
- 8.2.6 With the kind of ideas conceptualised during the retreat, it was felt that C-CIER could take a big leap, if the ideas could be translated into action which is most crucial. It was observed that the expectations raised needs to be ambitious and pragmatic.
- 8.2.7 With regard to staff involvement, it was expected that each and every individual must assume the role of a multi-tasker, which is necessary for all CUTS Centres.

8.3 **Some Additional Points:**

- 8.3.1 It was suggested that in the wake of CUTS Silver Jubilee celebrations coming up in the year 2008, CUTS should identify some big event/programmes. After some discussion, it emerged that CUTS could develop a strategy for organising an event on MDG 8: 'Developing a Global Partnership for Development', and showcase its activities as well as others' on International Trade and Competition Policy. In order to do this, we should start a dialogue with similar organisations around the world to join hands. For this, a background paper would be developed by BC.
- 8.3.2 A project on assessing (Higher) Education Systems and Policy, especially in terms of quality and content could be developed and submitted to the Planning Commission of India (INR 8-9 lakhs).

- 8.3.3 The issue of PAR-FORE was not covered in the ‘Strategic Business Plan’, and it should be incorporated, while there should be separate review meeting on the same at DRC.
- 8.3.4 The CUTS C-CIER Strategic Business Plan (SBP) does not address some of the points that were raised in the CUTS Retreat 2005 (*Please refer paragraph 2.2.17*). Therefore, the CUTS C-CIER SBP should incorporate them.
- 8.3.5 There should be a QUARTERLY REVIEW OF CUTS C-CIER SBP, in order to assess progress towards achieving targets set in it.

With this the retreat came to a conclusion.

- CUTS C-CIER ANNUAL RETREAT 2006 -

ANNEXURE 1

I. List of Participants

Pradeep S. Mehta	PSM	Vikas Batham	VB
Rajeev D. Mathur	RDM	Urmimala Chatterjee	UC
Bipul Chatterjee	BC	Pranav Kumar	PK
Gitika Kapoor GK		Nupur Anchlia	NA2
Udai S. Mehta	USM	Mani Lamba	ML
Nitya Nanda	NN	Vijay Singh	VS2
Manish Agarwal	MA	Ruchi Sharma	RS
Vinayak R. Pandey	VRP	Richa Bhatnagar	RB2
Rijit Sengupta	RSG	Smita John	SJ5

II Reporting Format

The reporting format follows the agenda of the retreat given below

Day I: 22 July 2006

1. Discussion on “**Strategic Business Plan CUTS C-CIER 2006-10**”
2. **CUTS South East Asia Resource Centre** – Progress and Way Ahead
3. **CUTS Institute for Regulation and Competition (CIRC)** – Progress and Roadmap for Future
4. Comments by **External Observer** (Dr. Gitika Kapoor) on ‘*Key Issues for the Centre*’ and Reactions.
5. **Breakout Session** (Divided into 3 Groups) Brainstorming on: “*New Project Ideas and Implementation Approach*”

Day II: 23 July 2006

6. Presentation by the 3 Groups & Discussion
7. Presentation and Brainstorming on ‘**Consumer Impact Assessment**’
8. Summing Up & Roundtable

- CUTS C-CIER ANNUAL RETREAT 2006 -

ANNEXURE 2

I. Glossary

AFD	Agence Française de Développement
ALS	Academic Lecture Series
ANZSOG	Australian New Zealand School of Government
CIRC	CUTS Institute for Regulation and Competition
CompRegimes	Competition Regimes in the World – A Civil Society Report
CITEE	CUTS Centre for International Trade, Economics & Environment
CPL	Competition Policy & Law
CDS	Commercial Diplomacy Seminar
CPS	Competition Policy & Law Seminar
CERC	Central Electricity Regulatory Commission
CIA	Consumer Impact Assessment
C-CIER	CUTS Centre for Competition, Investment and Economic Regulation
DFID	Department for International Development, UK
DRC	Delhi Resource Centre
EC	European Commission
FunComp Report	Towards a Functional Competition Policy for India
FCO	Foreign & Commonwealth Office of UK
FDI	Foreign Direct Investment
FOIR	Forum of Indian Regulators
GATS	General Agreement on Trade in Services
ITCD	Institute for Trade and Commercial Diplomacy
ICRR	India Competition & Regulation Report
IDRC	International Development Research Centre, Canada
IPLPA	Intellectual Property Law Practitioners Association
IIPS	Institute of Intellectual Property Studies
IIC	India International Centre
IHC	India Habitat Centre
LDCs	Least Developed Countries
MDGs	Millennium Development Goals
MPLADS	Members of Parliament Local Area Development Scheme
NORAD	Norwegian Agency for Development Cooperation
ODI	Overseas Development Institute, UK
PAR-FORE	Parliamentarians' Forum on Economic Policy Issues
SECO	Swiss State Secretariat for Economic Affairs, Switzerland
SIDA	Swedish International Development Cooperation Agency
SBP	Strategic Business Plan
TERI	The Energy & Resources Institute
UNCTAD	United Nations Conference on Trade and Development
UNDP	United Nations Development Programme
WTO	World Trade Organisation