



**ADVOCACY WORKING GROUP**  
**2017-2018 STRATEGY PROJECT**

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Part Two – Monitoring and Assessing the Results of Advocacy Efforts



## Content

|  |           |
|--|-----------|
| <b>Introduction</b> .....  | <b>2</b>  |
| <b>Overall Findings</b> .....  | <b>3</b>  |
| I. Main findings .....   | 3         |
| II. Types of evaluations and assessments of advocacy projects.....                 | 6         |
| a) Quantification of agency activity and productivity.....                         | 6         |
| b) Quantification of overall benefits or impact. ....                              | 6         |
| c) Qualitative review and reputational feedback. ....                              | 6         |
| <b>Specific Findings</b> .....   | <b>7</b>  |
| I. How is the evaluation conducted? .....  | 7         |
| a) Assessments based on quantification of agency activity and productivity .....   | 8         |
| b) Assessments based on quantification of overall benefits or impact.....          | 9         |
| c) Assessments based on qualitative review and reputational feedback.....          | 10        |
| II. How does the assessment differ for different types of advocacy projects? ..... | 10        |
| III. Who is involved in the evaluation process? .....                              | 14        |
| IV. How are the results of evaluations used by agencies? .....                     | 14        |
| V. Are the results used outside the agency?.....                                   | 15        |
| <b>Annex</b> .....   | <b>17</b> |
| I. Questionnaire: Monitoring and assessing the results of advocacy efforts .....   | 17        |

## Introduction

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The mission of the Advocacy Working Group (AWG) is to undertake projects, develop practical tools, provide guidance, and facilitate experience-sharing among International Competition Network (ICN) member agencies, in order to improve the effectiveness of ICN members in advocating competition principles and promote the development of a competition culture within society.

As part of the AWG 2017-2020 Work Plan, the AWG has engaged in the Strategy Project, which aims to encourage experience-sharing and discussion among ICN AWG Members and Non-Governmental Advisors (NGAs) on the ways to improve the planning, content, and subsequent assessment<sup>1</sup> of their advocacy strategies. The ultimate objective is to explore the possibility of elaborating either recommended practices or guiding principles on planning and executing an effective advocacy strategy.

### *Strategy Project Background*

With regard to the planning of advocacy strategies, the Strategy Project in 2016-2017 encouraged experience-sharing and discussion among ICN AWG Members and NGAs on the different approaches and steps that can be taken to plan an effective advocacy strategy.

This effort was strengthened by the AWG teleseminar on November 17, 2016, titled "Planning an effective advocacy strategy". A survey was sent to AWG members after that teleseminar, and the results of that survey are discussed in the report, [Advocacy Strategy: Planning Advocacy Initiatives \(2017\)](#).

On March 16, 2017, AWG members participated in a second teleseminar, titled "Monitoring and assessing the results of advocacy efforts". Following that teleseminar, a short survey was sent to collect agencies' and NGAs' views and experiences on the evaluation process used by competition agencies to monitor, assess, and evaluate their advocacy initiatives, including the possible role of NGAs and other stakeholders. The survey responses were the foundation of the 2017-2018 AWG Strategy Project.<sup>2</sup>

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<sup>1</sup> The meaning of "assessment" varies among the different competition agencies and NGAs. This document uses it in its widest sense, including every form of evaluation that an agency may perform on their advocacy strategies, through both formal or informal manners.

<sup>2</sup> The survey was also submitted to some NGAs working for organizations that plan and conduct their own competition advocacy. Respondents were asked to specify whether their agencies or organizations carry out a formal or informal advocacy assessment strategy.

This Report summarizes the results and lessons learned from said survey.<sup>3</sup> Its purpose is to explain how competition agencies assess their advocacy actions and efforts, and identify common practices and trends. This Report, and the 2017 Report on Planning Advocacy Initiatives, will provide a foundation for future AWG work to develop a framework and guiding principles on planning, monitoring and evaluation of advocacy efforts.

## Overall Findings

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The survey on monitoring and assessing the the results of advocacy efforts incorporates 27 contributions from different jurisdictions.<sup>4</sup> The analysis and findings based on these responses are summarized below:

### I. Main findings

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Although the survey results demonstrate that monitoring and evaluation methodologies vary from agency to agency, it is possible to find some common trends and practical considerations:

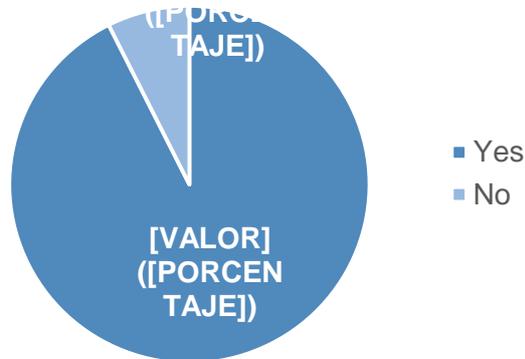
- > Most of the surveyed agencies carry out a form of advocacy assessment. Although evaluation methods vary, overall, competition agencies actively measure the impact of their advocacy efforts, and the value of evaluating the impact of advocacy actions is widely recognized among competition agencies.

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<sup>3</sup> Responses are presented in a structure that allows the reader to better-understand how competition agencies tend to design their advocacy strategies. The questionnaire that was originally submitted to the AWG members and NGAs can be consulted in the Annex.

<sup>4</sup> For this second stage of the Strategy Project, contributions were received from the competition authorities of Argentina, Armenia, Brazil, Canada, Colombia, Cyprus, Finland, Germany, Italy, Japan, Malaysia, Mauritius, Mexico (2), Pakistan (2), Panama, Poland, Russia, Singapore, Spain, Sweden, Switzerland, Ukraine, the United States of America (FTC), the United Kingdom, and Zambia.

Percentage of Responding Agencies that Assess their Advocacy Efforts



- > The vast majority of respondents reported they conduct some sort of advocacy assesment whether formal, informal or somewhat mixed. Agencies use assessment and evaluation metrics for both individual advocacy initiatives and for overall advocacy programs. Results may be used internally, or made public.
- > Advocacy evaluation efforts, whether internal or public, are often designed so that the outcomes serve as means for drafting more effective actions in the future.
- > The publication of evaluation metrics and methods help promote the public, and business sector's, and other government agencies' confidence in the competition agency.
- > The most common manner through which competition agencies assess the effectiveness of their advocacy efforts is through periodic evaluations and reporting. Agencies tend to include general program-wide advocacy metrics and indicators in their yearly or mid-term plans, which are monitored periodically, along with the overall performance of the agency.
- > In addition, individual advocacy initiatives are often assessed as part of an agency's biennial, annual or semi-annual planning. Assessing individual advocacy initiatives involves identifying target audiences of specific advocacy actions, using evaluation metrics, and gathering information.
- > A useful tool when evaluating advocacy actions is to conduct short surveys of specific actors: practitioners, stakeholders, other government agencies, academics, or the general public. These surveys can be carried out



periodically in person, electronically by email or through established online platforms.

- > Social media is a tool for conducting certain types of semi-formal evaluations. Even if the competition agency is not involved in creating content on a regular basis, social media can be a useful tool to grasp how many people mention specific topics, events, reports or any other competition initiative or relevant market.

## **II. Types of evaluations and assessments of advocacy projects**

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The ICN Agency Effectiveness Working Group, through the [Competition Agency Evaluation Manual \(2016\)](#), identified three evaluation categories that competition agencies use to conduct their performance assessments. Although these categories were designed to classify overall-performance assessments, they are also useful for categorizing evaluations of advocacy actions. These categories are the following:

*a) Quantification of agency activity and productivity.*

Evaluation often includes the quantification of some measure(s) of agency performance or activity, notably based on input and/or output measurements. There are many ways to assess an agency's productivity and many performance indicators can be quantified. Many agencies track and report similar workload statistics focused on output, mostly from enforcement activity (e.g., Mexico, Sweden).<sup>5</sup>

*b) Quantification of overall benefits or impact.*

For many competition agencies it is important to demonstrate that their enforcement activities have a positive impact and play an important role in the economy. For this reason, it is no surprise that many agencies' evaluation practices also include the quantification of some level of savings or benefits generated by all or part of the agency's actions (e.g., UK CMA).<sup>6</sup>

*c) Qualitative review and reputational feedback.*

Evaluation results may also include qualitative measures of an agency's activity. There are many performance indicators or good practices that cannot be easily measured or quantified. Qualitative input reflects internal or external perceptions of agency performance rather than specific impact. Qualitative review can also seek reputational feedback. (e.g., Competition Commission of Singapore, Pakistan Competition Commission).<sup>7</sup>

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<sup>5</sup> There is also considerable variation in how agencies report case metrics – some aggregate numbers of matters, others break down matters by name, category, and procedural history – and may report them in different formats for different purposes in different documents. The indicators chosen by an agency for evaluation may reflect its reporting requirements, institutional organizational choices, strategic planning, enforcement resources, and agency priorities (ICN AEWG Competition Agency Evaluation Manual).

<sup>6</sup> The attempt to estimate the impact of an agency's activity, although fraught with limitations, is in part recognition that effective performance is not based only on activity itself but rather the ultimate economic impact of that activity (ICN AEWG Competition Agency Evaluation Manual).

<sup>7</sup> Reputational feedback can be sought in different ways, for example, through informal interactions with external stakeholders or more formal means such as surveys. It can be conducted by the agency itself or by outside parties, such as hired consultants. The practice of qualitative review recognizes that good performance may not always mean more activity, but rather better activity (ICN AEWG Competition Agency Evaluation Manual).

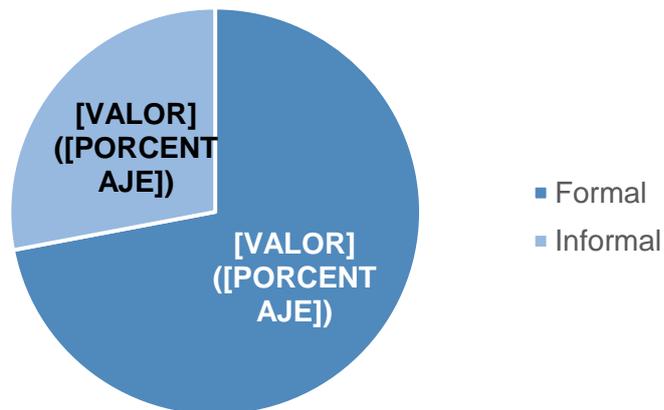
## Specific Findings

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### I. How is the evaluation conducted?

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Distribution of Agencies by Degree of Formalization of their Advocacy Assessment



- > Around three-quarters of respondents mentioned they conduct a formal or semi-formal, periodic and structured evaluation of the results of their advocacy efforts.
- > Of the agencies that conduct advocacy assessment, the spectrum of ‘formal’ to ‘informal’ ranges from a very structured advocacy assessment which outlines the objectives, methodology, timeframe and assessment outcomes (e.g., FTC, Canada Competition Bureau, Italian Competition Authority), to a very *ad hoc* structure where evaluation activities are purely arranged and / or on a case-by-case basis (e.g., FAS Russia, Argentina).
- > Along this spectrum, some agencies use a mix of formal and informal planning. There are examples of somewhat formalized structures whereby there is an operative or strategic plan in place that identifies a broad framework, but where specific actions or advocacy-related to specific sectors might be decided on a case-by-case basis in light of different criteria or junctures (e.g. Mexico).
- > In most cases, the distinction made by agencies on whether their structure of evaluation is ‘formal’ or ‘informal’ may be a matter of criteria or definition. Frequently, agencies that perceive themselves as conducting a formalized

structure of evaluation typically conduct an assessment of activities or outcomes through a pre-determined, structured process, often measured against specific targets or goals set during the planning of advocacy strategies.

- > Some agencies are in the process of moving towards an increasingly formal model for evaluating advocacy efforts, such as the Spanish CNMC, which is currently developing a framework to evaluate the effectiveness of its advocacy activities in a more formal, structured manner, by conducting a systematic assessment of the degree of acceptance of the advocacy recommendations/ advice it has made over recent years.
- > The methods and criteria by which competition agencies evaluate the results of their advocacy actions vary widely. Some competition agencies define the criteria to be evaluated from the planning stage, while others decide on a case-by-case basis.

*a) Assessments based on quantification of agency activity and productivity*

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- > Most agencies engaged in formal evaluation describe their plan to evaluate their initiatives through periodic work plans, or similar documents. These documents commonly establish the agency's strategies and general activities, including competition advocacy, that the competition agency will conduct over a certain period of time. For example, an agency might have an annual strategic plan. The types of evaluations contemplated in such plans are usually limited to reviewing whether the planned actions were carried out satisfactorily or not, or its degree of progress.
- > The Strategic Plan of the Mexican Federal Economic Competition Commission (COFECE) comprises general objectives. Indicators developed by the Directorate-General for Planning and Evaluation are designed on a case-by-case basis in order to ensure they are reliable and effective. Methodologies developed for the assessment of specific advocacy projects, such as opinions, recommendations and market studies, are agreed upon by different COFECE units / areas that carry out these activities. Results and degrees of progress for each indicator are published through quarterly / annual reports, while other indicators are used internally to measure and improve the performance of each unit / area.

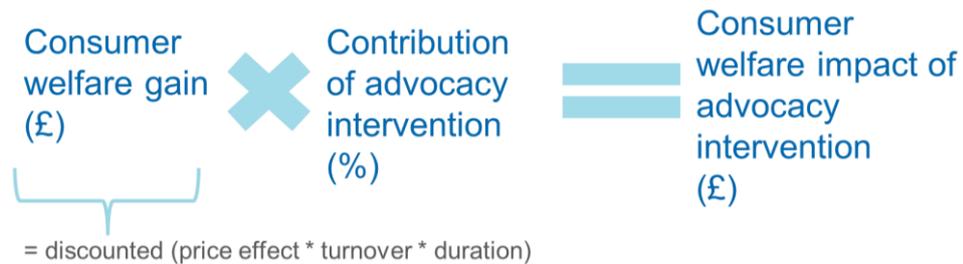
- > Few competition agencies have established methodologies to measure the impact of advocacy actions, and these methods are employed on a regular basis. For example, the US Federal Trade Commission has established objective criteria to evaluate the outcomes of all formal written advocacy submissions. This analysis is supplemented by a survey of advocacy recipients regarding not only outcomes, but also the extent to which the FTC's advocacy efforts influenced a particular outcome.
- > The Competition Bureau of Canada typically monitors news and social media for keywords relating to the advocacy topic. In all cases, the Bureau will review policy documents or decisions resulting from hearings or consultations. The outcome of the advocacy initiative may be evident when a policymaker or regulatory authority directly cites the Bureau's input. For example, in the Bureau's recent advocacy efforts in the taxi industry, several municipalities cited the Bureau's published works directly in their regulatory decisions. Sometimes the outcome of the initiative may be more subtle—it may be a change in the direction the Bureau has advocated for, without directly attributing the shift to the Bureau's advocacy. These situations are more challenging to detect, or evaluate.
- > Another agency that conducts a formal advocacy evaluation with a set method and timeframe is the Italian Competition Authority, whose Directorate for Studies and Analysis of the Legislation is in charge of this task. The monitoring exercise is performed twice a year: the first analysis encompasses 18 months, and the second the two full preceding years (e.g., cycle of November 2016 assessed full 2015 and first 6 months of 2016; cycle of June 2017 assessed full 2015 and 2016). The scrutiny may include requests for information to the recipients of the opinions. Through different assessments it has been observed that this subsequent interaction often leads to an increased level of compliance.

*b) Assessments based on quantification of overall benefits or impact*

- > Some evaluation procedures use more complex methodologies, applied to individual advocacy initiatives, such as the UK's Competition Markets Authority, which, in addition to its Annual Report, conducts an analysis on consumer welfare gains, reactions in traditional / social media, and the estimated percentage that the advocacy action had to promote said welfare

gain (see Figure 1). This method seeks to identify the consumer welfare gain that is attributable to their advocacy actions.

*Figure 1: United Kingdom Competition Market Authority's' Methodology on Competition Advocacy Assessment*



### c) Assessments based on qualitative review and reputational feedback

- > Some agencies undertake a case-by-case approach, such as the Competition Commission of Singapore, which uses different criteria based on the type/ method of feedback collection. The criteria used in its Stakeholders' Perception Survey is the general overall view of their stakeholders' awareness and perception of the CCS and its work (including CCS's advocacy and outreach initiatives). The criteria used for outreach events are specific to the respective event and audience group, and can include the understanding and usefulness of the content covered during the event, as stakeholders' well as their overall rating of the event.
- > The Pakistan Competition Commission, in February 2016, worked with a local university to introduce a module on competition law and economics in the curricula. In the first year, 30 students signed up for the course. After an academic roadshow event at the university in November 2016, the number of students that signed up for the course in February 2017 increased to 90, demonstrating increased awareness and interest.

In a similar fashion, when the Pakistan Competition Commission launched its Guidance on Competition Compliance in December 2016 and held the first compliance workshop in May 2017, the success of this is being assessed by the number of companies that have approached the Commission for bilateral compliance workshops.

## **II. How does the assessment differ for different types of advocacy projects?**

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- > Some agencies conduct advocacy assessment on a case-by-case basis. Such is the case of the Polish Office of Competition and Consumer Protection, which carries out a methodology which is modified depending on the type of advocacy activity under review. Evaluation of internet activities is based on hard indicators, including:
  - I. *Emailing*: number of recipients, opened/unopened messages, read/unread messages, messages rejected. Depending on the type of broadcasted information this data can be assessed jointly with other information such as the number of conference participants;
  - II. *Website administration*: number of visits and unique users, average time spent on the website, user's country of origin. The data is often compared within a particular time frame e.g. month to month or year to year,
  - III. *Press releases*: number of downloads, as well as daily monitoring of the press, more specifically of the number of articles mentioning UOKiK's activity.

The aforementioned indicators are only exemplary as they are modified accordingly to the type of activity.

- > The Competition Commission of Singapore (CCS), conducts a comprehensive Stakeholders' Perception Survey (SPS) biennially. The survey is sent to their stakeholders in the private sector (local businesses and competition practitioners), public sector (government agencies), and the general public. Through the SPS, they aim to obtain feedback from stakeholders on their awareness and perception of:
  - I. CCS, its role and responsibilities;
  - II. the general state of competition in Singapore;
  - III. CCS's quality of enforcement;
  - IV. CCS's quality of advocacy and outreach;
  - V. CCS schemes and services;
  - VI. the Competition Act and CCS Guidelines; and
  - VII. company practices and attitudes towards compliance with the Competition Act.

In addition, the CCS also conducts regular roundtable discussions and interactive sessions with specific stakeholder groups (e.g. Government Agencies, Private Sector, Legal Practitioners, Economists and / or the

media). These sessions allow the CCS to gather feedback from specific stakeholders, and use their inputs to gauge the effectiveness of their advocacy and outreach efforts, as well as to identify areas for improvement.

- > The main strategy of the Colombian Competition Authority for evaluating its actions is the following:
  - I. Regulators are requested in every issued legal opinion to send, to the Colombian Competition Authority, the proposed regulation after the Regulatory Authority has issued it.
  - II. The Advocacy Group monitors every regulation that has been analyzed in order to determine whether antitrust recommendations have been adopted or not.
  - III. The information is recorded on a the Competition Advocacy Data Base, which is available to the public, where every individual can download it directly from the Colombian Competition Authority web page.
  - IV. At the end of the year, the Advocacy Group presents the results through diagrams and charts to the Colombian Competition Authority Superintendent.

In addition, the internal Advocacy Group is beginning to develop other activities focused on competition advocacy. The Advocacy Group is frequently-discussing internally how to measure each new promotional activities.

- > The Bundeskartellamt (Competition Authority of Germany) engages in advocacy assessment indirectly by means of public relations (press releases), competition enforcement (when dealing with cases, for example, it is considered whether existing rules and established antitrust instruments should be modified), and by organizing internal as well as external events (where the Bundeskartellamt explains its views in relation to specific topics and encourages opinion exchange among practitioners and academics on these issues). While they conduct advocacy assessment, the Bundeskartellamt do not systematically assess and monitor the advocacy efforts' results.
- > The Japan Fair Trade Commission (JFTC) has conducted advocacy activities using various tools such as public relations and public hearing activities, market studies, suggestions, and policy proposals to government agencies and businesses. Each advocacy activity is monitored and

assessed differently, depending on its purpose and contents. For example, in order to measure the effectiveness of some actions, the JFTC conducts surveys for participants in “Consumer Seminar” and “Lesson of the Antimonopoly Act (AMA)” where the staff of the JFTC explains the activities of the JFTC and the contents of the AMA.

- > Competition assessment at the Mauritious Competition Commission is conducted at two levels:
  - I. *Project level*: Each advocacy event. The degree to which the objective of each advocacy event has been achieved is assessed. Different milestones may be used depending on the objective of advocacy (i.e. number of complaints, feedback on quality of advocacy)
  - II. *Strategic level* (all advocacy initiatives for the year). The overall success of all advocacy initiatives is measured. The extent to which the strategic objectives set for advocacy had been achieved. This assessment considers the number of advocacy initiatives undertaken, the scope of advocacy, how it has contributed to the overall achievement of the CCM’s mission, among others.

The project-level assessment is not conducted in all cases, the strategic-level assessment it is carried out in a more structured and systematic manner.

- > The Competition and Consumer Protection Commission of Zambia conducts quaterly reviews and an in-depth analysis every two-year period. The assessment criteria varies between advocacy actions. Some of the criteria are the following:
  - I. Reviewing the targets for the advocacy initiatives: whether the targets have been achieved; the challenges faced, in order to conduct appropriate adjustments where gaps have been identified
  - II. Review of targets against the impact made through the advocacy initiatives: surveys can be conducted by the Commission as part of assessing the outcomes of the advocacy initiatives.

The criteria used differ based on the strategy used and the type of advocacy initiative. Different methods are used for conducting advocacy actions e.g. informal dinners, office visits to targeted stakeholders, among others.

### **III. Who is involved in the evaluation process?**

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- > In a similar manner to the findings in [Stage 1 of the Strategy Project](#), most responding agencies that conduct formal advocacy assessment have an independent Advocacy Unit or staff. Evaluation of specific advocacy actions is often carried out within these units. There is a range of frequencies regarding how often agencies engage in evaluation and monitoring efforts.
- > The advocacy assessments within the Antimonopoly Committee of Ukraine are conducted by the respective structural unit conducting advocacy initiatives, which develops the evaluation measures, and the state commissioner, who guides the activity of this structural unit, according to the allocation of responsibilities between the Chairman's Deputies and State Commissioners, approved by the order of the Chairman.
- > Agencies that do not have a separate Advocacy Unit often designate other units for monitoring and evaluation. For example, the Malaysia Competition Commission designates the Strategic Planning and International Affairs Division to be charge of the task, which is conducted at a minimum of 20 times a year, and usually takes place a week or two after each advocacy action is conducted.
- > Other agencies, such as the Russian FAS, designate a specific department engaged in a particular advocacy initiative to also conduct monitoring and assessment actions when needed (not less than once a year). The time needed to receive responses from stakeholders also varies between cases.

### **IV. How are the results of evaluations used by agencies?**

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- > As stated above, most agencies that undertake advocacy evaluation efforts use the results to publish periodic reports. Such is the case of the Armenian Competition Authority, whose work and analysis are reflected in their annual programs and reports. The results also used for internal purposes. When areas of opportunity are found in certain processes, the corresponding department is called upon and certain tasks are assigned in order to overcome the issues. These reports are summarized twice a year.
- > Other competition agencies perceive advocacy evaluation as an opportunity to strengthen transparency and accountability before the general public. For

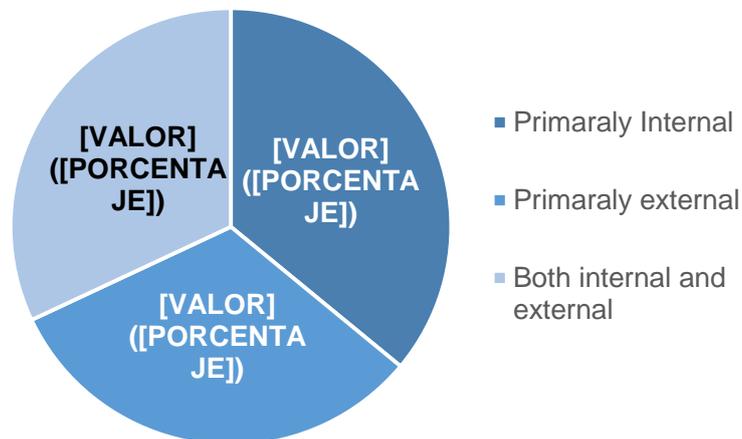
example, the Spanish CNMC, uses its evaluations to increase accountability, show the benefits of competition advocacy, dynamically-learn about better practices and strengthen both, its recommendations and analysis, so as to increase effectiveness in influencing policy makers, and creating a competition culture (see recommendations enclosed within the [AWG Benefits Project](#)).

- > For some competition authorities, the outputs are often summarized in an internal document, used to strengthen internal planning of future advocacy activities and as a tool for developing the content of meetings with external stakeholders (e.g. Finnish Competition and Consumer Authority). Besides publishing the results of the assessment on its website on a regular basis, the Italian Competition Authority also includes the findings in its Annual Report submitted to the Parliament.

#### V. Are the results used outside the agency?

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Agency Distribution by Dissemination of  
Advocacy Assessment Results



- > For the vast majority of respondents (64%), some of the evaluation results are published through their websites in the form of periodic reports: quarterly, semi-annual, annual or biennial (e.g. Colombia, Mexico, Ukraine, Zambia and others).
- > A number of competition authorities have also shared the methods they use to carry out their comprehensive analysis (e.g. US Federal Trade Commission and the Swedish Competition Authority), among these

agencies, some of them conduct ad-hoc assessments both for internal consumption as well as for publication. 36% of responding agencies carry out evaluations of advocacy efforts for primarily-internal consumption.

- > An example of a mixed approach is the one conducted by the the Competition Commission of Singapore (CCS). While the results of its Stakeholders' Perception Survey are made public, the results of the internal assessment are used for planning purposes only and for reporting annually to the Ministry of Trade & Industry on the effectiveness of CCS's advocacy and outreach, which forms part of CCS's Key Performance Indicators.
- > The US FTC provides a similar example; assesment results are summarized in a yearly internal "report card", however, metrics regarding the success of advocacy initiatives are reflected in the FTC's Annual Performance Report, a public document.
- > The Pakistan Competition Authority, conducts reports that are not generally shared in detail, although the Authority will share reports with the Ministry of Finance or the Parliament to appraise them of the Commission's activities when necessary. However, general details such as the number of events, and number of the stakeholders invited are available through the Commission's website.



Annex

**I. Questionnaire: Monitoring and assessing the results of advocacy efforts**

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**ADVOCACY WORKING GROUP**  
**2017-2018 STRATEGY PROJECT**

**"Monitoring and assessing the results of advocacy efforts"**  
**Questions**

| Strategy Project Questionnaire   |
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| <p>1. <i>How does your agency monitor and assess the results of advocacy efforts?</i><br/><i>Is it done in a systematic and structured manner?</i></p>   |
| <p>2. <i>Who is in charge of this task?</i><br/><i>How frequent is the analysis?</i><br/><i>What time frame is considered?</i></p>   |
| <p>3. <i>What steps are followed?</i><br/><i>What criteria are used to assess the outcome of the advocacy initiatives?</i><br/><i>How do the steps and criteria used differ based on the type of advocacy initiative being assessed?</i></p> |
| <p>4. <i>What is the outcome of the analysis?</i><br/><i>How is it used?</i></p>   |
| <p>5. <i>Are the results of the assessment made public?</i></p>  |

Please note that the focus of the questions is on the internal process rather than on the advocacy activities themselves.

Thank you very much for your kind support.

The ICN AWG Co-Chairs and the AWG Strategy Team.