

**EXTERNAL REVIEW OF IDRC PRE-ICN
FORUMS ON COMPETITION AND
DEVELOPMENT 2006-2011**

**Philip Marsden and Ricardo Wilson-Grau
January 2012**

For Adrian Di Giovanni, Law & Development Social and Economic Policy (SEP)
IDRC File No. 106775-001

Executive Summary.....	2
The ICN and the IDRC Pre-ICN Forums.....	4
Introduction to the evaluation.....	5
Methodology — scope and limitations.....	6
Results of the IDRC Pre-ICN Forums	10
Benefits to attendees of the Forums	10
Beneficial results for the competition policy field	13
But did all these achievements Influence the ICN?	20
Outcomes that represent IDRC Forums’ impact.....	26
Potential for continued IDRC support for the Pre-ICN forums	28
Achievement of the IDRC Forums’ objectives.....	30
Informants’ suggestions for improvement	35
Conclusions, reflections and recommended points for discussion	36
Our recommended points for discussion.....	37
Annexes.....	38
Annex 1 Terms of Reference, External Review – IDRC Pre-ICN Forums on Competition and Development, June 2011	
Annex 2 Evaluation Workplan, IDRC Pre-ICN Forums on Competition and Development, September 2011	
Annex 3 Competition policy experts consulted	
Annex 4 IDRC Pre-ICN Forum Survey	
Annex 5 Survey responses from 45 informants	
Annex 6 Survey responses from 27 developing country (Africa, Asia, Latin America and the Caribbean) informants	
Annex 7 Survey respondents from 18 developed country (Europe, North America and Oceania) informants	
Annex 8 Bibliography	
Annex 9 IDRC-supported publications on competition policy	
Annex 10 List of Acronyms	
Annex 11 Biographies of the evaluators	

EXECUTIVE SUMMARY

Over 2006-2011 the International Development Research Centre (IDRC) sponsored and organised annual conference days ('IDRC Forums') immediately preceding a larger annual conference of the International Competition Network (ICN). The purpose of this evaluation is to understand the *progress* over that period that the IDRC Forums made in integrating developing country concerns into global discussions such as that occur at ICN conferences, and to provide insights on how to enhance the achievement of the Forums' objectives in future years.

Methodology

This evaluation has an outcomes-based focus. Nonetheless, we did not have pre-defined outcomes with which to assess progress nor were the Forums evaluated during the six years. The Forum's objectives were reconstructed by IDRC from different documents in their files at the time of this evaluation and thus it is inappropriate to try to find direct links between each objective and a particular Forum, or for all Forums to satisfy every objective. Furthermore, we did not have access to lists of the participants of each Forum; the ICN organisers kindly gave us access to their current list of 400+ participants of the ICN Conferences, many of whom also attended the Forums in 2010 and 2011. In the end, through an on-line survey, email and interviews, we reached 45 attendees of the IDRC Forums, including over two dozen renowned experts in the competition policy field.

We recognise that because many of these informants are competition law and policy experts, they might be most likely to be positive about the IDRC Forums. Any effects of such a potential bias however is diminished to the extent that their vested interest lies foremost in competition policy rather than in the IDRC Forums themselves. Also, in addition to the informants' opinion about the results of the Forums, we asked for evidence — concrete instances of an individual or organisation, including themselves, changing their behaviour, relationships, actions or activities as a result of an IDRC Forum.

In sum, despite there being difficulties in surveying all beneficiaries of the IDRC Forums, we believe we have valid and sufficient data with which to answer the two evaluation questions within the methodological limitations. Certainly, a majority of the key respondents emphasised that the Forums benefitted them significantly, with particular benefits for developing country informants.

Benefits to attendees

The Forums were reported to be very well targeted to the needs of the informants, from both developing and developed countries. In particular, key benefits were reported relating to:

- developing capacity in competition policy, and learning about the value of market studies, case selection and focussing on final consumers;
- facilitating the dissemination of new evidence about implementing sound competition regimes in developing countries, including for example the balance between law enforcement and policy advocacy;
- enabling informants to influence competition policy in a developing country, including particular use of the media and alliances in the political arena; and
- enhancing informants networking, resulting in collaborative exchange and further cooperation.

Benefits to the competition policy field

The Forums' informal nature was reported as a highlight, allowing developing country officials the confidence to exchange lessons from their successes and failures, thereby enabling them to implement a more effective competition policy in their own jurisdiction and thus making their markets work better for consumers.

- A key achievement for which there was uniform recognition and the highest reporting among developing countries was the IDRC Forums' contribution to research, which was reported as 'trade-mark', 'vital' and 'pioneering'.
- Another key benefit of the Forums was sustaining and raising the profile of the 'developing country caucus' among the ICN membership, including enabling participants to engage in critical and productive discussions.

There was lower reporting by attendees of the IDRC Forums of directly influencing the ICN Conference itself, its programme or work streams. However IDRC Forums have focussed on issues that developing countries want discussed in particular, while the ICN Conference programme has focused on issues of pragmatic importance to all agencies (e.g. analytical and investigative techniques and other practical enforcement, policy and advocacy matters faced by agencies the world over), and does not usually have break-out sessions or topics focussing on particular country-types or region. Nonetheless, the IDRC Forums clearly provided an opportunity for developing country concerns to be discussed more fully and in a more welcoming environment than prevailed at the larger ICN event, but in doing so might have reduced the need for such issues to be discussed more at the ICN Conference itself. This is an area ripe for further research; however, no informant viewed this as a negative finding, recognising the different aims and roles of the respective events. Indeed, a developing country competition expert noted that the "IDRC Forums constitute an important forum for capacity building, for focused discussion of developing country issues and for raising issues that subsequently find their way into the mainstream work of the ICN."

The report also includes findings related to the potential for continued IDRC support for the Forums, or for grants for research, travel and experts; better dissemination of IDRC-funded research; and increased support for and ownership by attendees, including the prospect of financial and organisational support and the contribution of expertise. Views are also expressed comparing the IDRC Forums favourably to other international, regional or national fora.

Overall, there appears to be a general achievement of many of the objectives proposed during the development of these annual IDRC Forums. Without being a structured programme in itself, the Forums cumulatively appear to have resulted in outcomes related to:

- promoting lively policy dialogue within the relevant policy community including some of its key, high-level actors;
- demonstrating the value of bringing in research based evidence into policy discussions;
- supporting the preparation and worldwide dissemination of some new research papers;
- providing a platform for dissemination of current and completed IDRC-supported research;
- contributing in an ICN annual conference to the refinement and greater effectiveness of competition policy interventions consistent with developmental goals; and
- gradually developing steps towards ownership of the IDRC Forums by participants.

In our view, more benefits could have been identified with a more comprehensive set of respondents with which to engage, and a more 'intentional' focus or plan by IDRC from the start of the Forums for realising outcomes. Nevertheless, we note that when considering the value-added of the IDRC Forums, one should not forget that these events were annual one-off events and in the

words of one informant "[w]ithout them, I think there would be a total discounting of developing country concerns."

THE ICN AND THE IDRC PRE-ICN FORUMS

The International Competition Network (ICN) was formed a decade ago as the self-financed membership body for competition authorities worldwide, with the Canadian Competition Bureau (CBC) providing many of its Secretariat functions. It is the only global structure dealing with competition policy design and implementation. The ICN work program consists of standing working groups and a large Annual Conference but, in the views of some, 'these activities tend to be driven by the concerns of the largest, richer country members'.¹ Competition agencies have now been set up in about half of all developing² countries but they are almost without exception small, beleaguered and under-resourced. At the same time, like many other global organizations, the ICN has had to absorb an influx of new, developing country member agencies. The ICN Conference is an annual three day event, hosted by a local competition authority; it has plenary and breakout sessions that discuss the results of ICN workstreams throughout the year. Occasionally statements and reports are issued recommending 'best practices' relating to competition law enforcement.

Since 2006, the International Development Research Centre (IDRC) has provided assistance (financial, technical and logistical) to one-day Forums held immediately before the ICN Annual Conference. This support has included facilitating travel costs of some participants to the Forums and to the main ICN conferences. The general objective of these pre-ICN Forums has been to promote awareness and discussion of the challenges in the application of competition policy in developing countries, and thereby complement and enrich the Annual Conference agendas. The Forums provide an opportunity for developing country practitioners to meet one another, while helping promote greater participation of developing country competition authorities in the ICN Annual Conference. More generally, the Forums have aimed to bring together academic research and policy perspectives on competition policy design and implementation in developing country contexts and to raise interest in such issues more widely within the global competition community. In that connection, the Forums have also provided a platform to showcase related research supported by IDRC by developing-country competition bureaus on the application of competition policy in their countries. The IDRC pre-ICN Forums cost on average 95,000 CAD and are one-off events as opposed to a programme or series with a clearly set out focus or strategy. There are no directly related workstreams that emanate from or run between the Forums, although IDRC ongoing research is discussed at the Forums most years. The Forums are run annually, involve panel discussions and presentations, and a summary report afterwards. No recommendations are issued or formal evaluations made.

Topics of past Forums have sought to address issues of direct relevance to the current state of the field, such as consumer welfare (Istanbul, 2010; Moscow, 2007), the effects of the economic crisis (Zurich, 2009) and, most recently, network- and alliance-building for creating a culture of compliance (The Hague, 2011). The Forums have built an increasingly large and high-level audience (of more than 100 participants in recent years) of policymakers and experts from all developing and developed regions. Participants and presenters have included academics, competition law policy-

¹ IDRC in the Terms of Reference, Annex 1.

² There are of course different types of developing countries and indeed developed countries, with different attributes, concerns, legal systems and economies. For the purposes of the review, we maintain the distinction between "developing" and "developed" countries broadly, recognizing where relevant distinctions within the groups. As a reference point, a useful definition of these terms is provided by the OECD at this link: <http://stats.oecd.org/glossary/detail.asp?ID=6326>.

makers and civil society representatives, over and above competition bureau practitioners, who are the main constituency of the ICN Annual Conferences. The 2011 ICN conference brought together about 500 participants from around 90 countries.

INTRODUCTION TO THE EVALUATION

The purpose of this evaluation is to understand the progress in 2006-2011 that the IDRC Pre-International Competition Network Forums made in integrating developing country concerns into global discussions that occur at ICN conferences (e.g. regarding challenges in the design and implementation of competition law and policy). The goals of these IDRC Forums have been to support practitioners and competition authorities from Asia, Africa and Latin America, for instance, by promoting debate on challenges in the application of competition policy in developing countries, and thereby complementing and enriching the ICN Annual Conference agendas.

For ease of comprehension, the IDRC pre-ICN Forums, and the ICN Annual Conference will be referred to as, respectively, the IDRC Forums and the ICN Conference. This in many ways reflects current practice both at IDRC and ICN, and amongst delegates; although it should be noted that many delegates referred to the IDRC Forums simply as the 'pre-ICN Forums' and viewed them as closely linked with and indeed part of the same 'event' as the ICN Conference, although obviously dedicated to developing country issues and organised by IDRC.

There are two **primary intended users** of the IDRC Forum Evaluation. One is the IDRC Social and Economic Policy (SEP) staff who are responsible for decisions about future IDRC-supported work on competition law and policy issues in developing countries and more specifically, for determining the relevance of, or alternative possibilities to, continued support for these pre-Conference Forums. IDRC staff seeking a deeper understanding about networks are also primary intended users. Their uses are limited, however, because this evaluation is of IDRC's *contribution* to the International Competition Network (and not of that network) and of networking by developing country participants in the IDRC Forum.

In addition, while the external review is primarily aimed at providing feedback to IDRC, the audience for the evaluation findings possibly will be members of the competition policy community, particularly pre-Conference Forum participants interested in building on the past experiences of the Forums (e.g. regarding the quality and pertinence of the Forums' research agenda, and related efforts at dissemination and network-building).

The first **principal intended use** of the evaluation is to enable IDRC SEP staff, particularly in the Supporting Inclusive Growth program, to decide on continued options for funding the pre-Conference Forums based on the progress they have made in achieving their objectives since the first Forum in 2006.³ The second use is to enable IDRC staff to enhance their understanding of IDRC's support to networking initiatives.

³ The seven objectives IDRC identified for the various IDRC Forums can be summarised as follows:

1. Promote lively policy dialogue within the relevant policy community including some of its key, high-level actors.
2. Demonstrate the value of bringing in research based evidence into policy discussions, for example by drawing attention to policy-relevant empirical findings that can be used in debates at home.
3. Give a platform for dissemination of current and completed IDRC-supported research investigations.
4. Contribute in an ICN annual conference to the refinement and greater effectiveness of competition policy interventions consistent with developmental goals.
5. Support the preparation and worldwide dissemination of some new research papers.
6. Develop ownership of the Pre-ICN Forums.

This evaluation focused on results that will inform IDRC decision-making: As stated in the workplan: “This is a decision-oriented evaluation and not an audit of outputs and processes.” Therefore, the focus is on results and the two following **evaluation questions** address those achievements from different angles.

1. To what extent do the outcomes⁴ of the six IDRC Forums represent progress towards achieving the Forums’ objectives?
2. What is the potential of continued IDRC funding/support for the IDRC Forums to enhance the achievement of the Forums’ objectives in the coming years?

Based on the primary intended users and uses and the evaluation questions, in September 2011 IDRC and the evaluators agreed on the evaluation’s design and methodology, including its limitations (Annex). The evaluation was carried out in the last quarter of the 2011 calendar year.

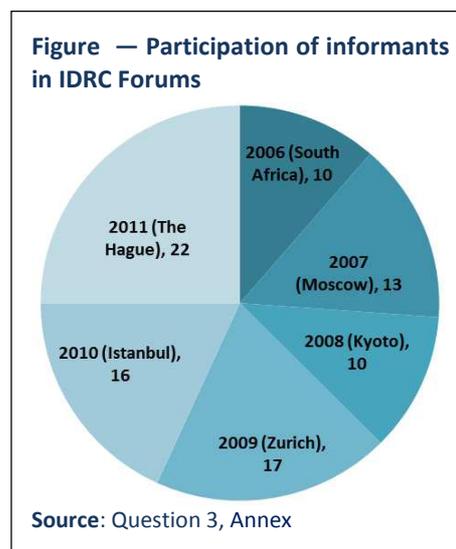
METHODOLOGY — SCOPE AND LIMITATIONS

To generate findings with which to answer the first evaluation question, the evaluation sought information from three sources:

Documentation on file about the IDRC Forums. This contained a wealth of information, but was not complete, i.e. while it contained agendas, some papers and presentations and some reports, it did not contain real-time evaluations by participants of individual forums, attendee lists or all of the papers or reports from all of the meetings.

Developing⁵ country participants (from Africa, Asia and Latin America and the Caribbean) who had participated in the IDRC Forums and the ICN Conferences as speakers and delegates, some subsidised by IDRC, others not.

Developed country participants (from Europe, North America and Oceania) who had also participated in the IDRC Forums and the ICN Conferences as speakers and delegates.



IDRC does not have a complete list of the participants in the IDRC Forums since 2006 or of their contact details. As a result, we suggested two solutions to the report’s commissioner at IDRC which

7. Enhance developing country practitioners’ ability to network among each other and with staff of established authorities on the margins of the ICN.

⁴ We agreed to use the concept of “**outcome**” as defined in IDRC’s Outcome Mapping methodology: significant changes in social actors, or more specifically, changes in the behaviour, relationships, activities, actions, policies or practices of individuals or institutions that were a result of participation in an IDRC Forum.

⁵ We asked but did not require respondents to identify the continent and country in which they are based. Of the 27 informants who self-identified from Africa, Asia and Latin America, 22 named their countries: Botswana, Brazil, Egypt, Ghana, India, Israel, Jamaica, Kenya, Mauritius, Mexico, Pakistan, Perú, South Africa, Suriname, Taiwan, The Gambia, Uruguay, Vietnam, and one respondent from a non-OECD but living in Germany. Of the 18 informants who self-identified from North America, Europe and Oceania, 11 identified their countries: Australia, Germany, Russia, United Kingdom, United States of America and “OECD”. For reasons of confidentiality, we cannot disaggregate by continent and much less by country.

were approved as reasonable ways of going forward: first, we sought access to the ICN delegates, since all attendees of the Forums stayed on for the ICN Conference. Second, we developed a list of experts with which to engage more deeply. The ICN kindly allowed us to send invitations to answer questions to its email list of 400+ competition policy individuals currently affiliated in one way or another with the ICN, but in the end fewer than 5% responded.⁶ The principal informants were over two dozen competition policy experts identified by Philip Marsden⁷ (Annex).

More benefits could have been identified with a more comprehensive set of respondents with which to engage, and if there had been a more 'intentional' focus or plan by IDRC from the start of the Forums for realising outcomes. That is, in addition to the IDRC not being able to maintain a list of the participants in each IDRC Forum, IDRC's support for the Forums was not based on a project with objectives established in 2006 and plans to be implemented over the for the six years to achieve them. Evaluations also were not undertaken in the period. Therefore, we could not assess what was achieved compared to what was planned.

Philip Marsden reviewed the documentation on the IDRC Forums since 2006. Together we designed and piloted an on-line survey (Annex) and, following the pilot-phase, IDRC extended an invitation to the experts and those registered on the ICN list to complete the survey in complete confidentiality. A follow-up reminder was sent to many on the ICN list. Virtually all of the experts accepted our invitation and served as informants, answering the on-line survey and offering to communicate further. We were less successful with the ICN list. Perhaps 5% accepted the invitation, of whom less than half offered to be consulted further. Nonetheless, Marsden engaged with the informants who offered to be confidentially consulted further. These were by and large experts.

In another step, Marsden engaged confidentially through email, telephone and personal interviews with most of the 34 informants who offered to communicate further with us in order to delve more deeply into their answers to the survey, especially regarding outcomes. We sought to identify verifiable changes in individuals, organisations or the ICN itself to which the IDRC Forums contributed in part or in whole, directly or indirectly, intentionally or not. Through this more personal approach we wished to flesh out outcomes and obtain additional ones from these nineteen informants. However, not enough outcomes were reported for us to consider this attempt to "harvest" outcomes a resounding success. We did collect a number of sample outcomes (and these are reported throughout our evaluation), but we do not have a body of representative outcomes for 2006-2011. The possible reasons for the low response are varied, ranging from informants being too busy to effect outcomes or report on them, to the lack of outcomes themselves in terms of real change in behaviours or institutions, for any number of reasons, to the difficulty of reflecting back over six years to identify changes in other social actors.

⁶ The lists of 400+ includes 2 members per ICN agency, and Experts, non-governmental advisers in competition policy and other attendees of IDRC Forums and ICN Conferences, including all who attended the ICN meeting in 2010.

⁷ An initial experts list of approximately 25 potential expert interviewees was drawn up by Marsden based on their expertise in competition and developing country issues, knowledge of the Forums (as evidenced in their agendas), objectivity, and with a view to a reasonably representative regional basis and professional background (officials, judges, academics). S. Joekes was also consulted, but only to see whether Marsden had missed any particularly noteworthy expert. Through the evaluation process, the list changed and grew slightly – some original potential experts did not engage; others from the ICN email did engage and were judged by Marsden to be experts and added to the list. It should also be noted that despite being offered the opportunity to interview S. Joekes of IDRC we decided to base our evaluation primarily on non-IDRC informants, so as also to better achieve objectivity. We are grateful for her assistance though in the areas where we requested it.

SAMPLE SIZE AND RESPONDENT PROFILES

The 45 informants who completed the survey about the IDRC Forums' achievements, limitations and future⁸ represent primarily competition agencies and academic institutions (Annex). They are predominantly male, as is the make-up of participants in the Forum and Conference. Ninety per cent have been involved with competition policy for six years or more.⁹ 27 were from developing countries. Almost all of them — 90% — were seasoned competition policy people with more than 6 years' experience in the field and two-thirds we consider experts (). The 18 informants from developed countries had a similar profile.

Table — Characteristics of informants

Informants	Experts	Attendees	Male	Female	< 5 years	6-10 years	11-15 years	> 16 years
27 from developing countries (Africa, Asia and Latin America and the Caribbean)*	63%	37%	69%	31%	12%	35%	35%	19%
18 from developed countries (North America, Europe and Oceania)	56%	44%	78%	22%	6%	28%	11%	56%

* One informant did not identify her or his sex; one person did not specify the length of her or his professional experience with competition policy.

Source: Questions 1, 13 and 14, Annex and Annex

In addition, their attendance is quite evenly spread over the six IDRC Forums 2006-2011. On average, the same number attended as speakers and as delegates. Similarly, with the exception of Oceania, they are quite evenly divided continent by continent. Therefore, we consider the informants' views to be applicable to the six Forums as a whole, which meets the needs of this evaluation. Due to the small numbers involved, however, we do not present respondents' views Forum by Forum. Similarly, we asked respondents whether they had been subsidised by IDRC or not to attend each Forum but the question was misunderstood.¹⁰

On the other hand, the survey captured considerably fewer views as we go back in time, with three times the number from those who attended the 2011 conference compared to those who attended in 2006. Furthermore, a fourth to almost a half (in 2011) report attending only the ICN Annual Conference (and not the IDRC Forum).

To generate data with which to answer the first evaluation question about the success of the IDRC Forums, we sought the opinions of the informants about eleven different categories of results. These results we consider to be indicators of the extent to which the IDRC Forums have fulfilled their general and specific objectives to enable integration of developing country concerns into global

⁸ Actually 62 surveys were begun but only 45 informants answered one or more questions after the first four requesting general information. These 17 were deleted from the final survey results.

⁹ Other possible constituents would be representatives of law firms and economics consultancies who are not represented as respondents (none having replied), despite being included in the survey request. While their contributions would have been valuable in some parameters, particularly in terms of assessing the substantive contribution of the IDRC Forum discussions and the rigour of any research presented at the meetings, it is submitted that the primary constituents are competition officials and those deeply involved in developing country matters who would be the beneficiaries of the IDRC Forums, and as such the absence of the lawyers and economists from the private sector is not a fundamental gap in our knowledge base for survey purposes.

¹⁰ The number of people who attended the Forum either as delegate or speaker does not correspond to the number who were subsidised plus the number who were not subsidised. See Question 3, in Annex 5.

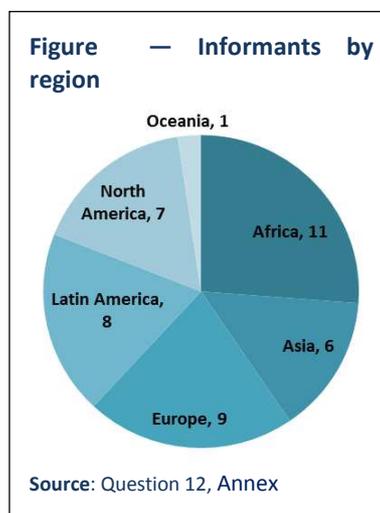
competition policy discussions that occur at ICN conferences. For example, we asked to what extent have the Forums promoted critical and productive debates on the challenges in the application of competition policy in developing countries at an ICN Annual Conference or facilitated the presentation of new research papers (Question 5, Annex).

We then went a step further, however. In addition to informants’ opinions about the competition policy areas in which they consider the IDRC Forums were successful (or not), we sought evidence of specific, verifiable outcomes in terms of changes in the participants themselves or in other social actors such as competition agencies. We asked two questions:

1. *How much have you benefitted as a result of participating in an IDRC Forum? How and how significantly have you changed?* This was a multiple choice question¹¹ and nine out of ten informants answered it.
2. *Can you briefly describe, in 1-2 sentences, concrete instances of an individual or organisation, including yourself, changing their behaviour, relationships, actions or activities as a result of an IDRC Forum? Please indicate who changed, when and where, and what did they do differently than before the IDRC Forum.* In response to this question, less than half the informants gave an instance or, at most, two of an outcome.

Regarding the second evaluation question about the future of the Forums with or without IDRC support, we sought the informants’ views on the importance of the Pre-ICN Forums compared to other initiatives IDRC could take to support the presence of developing country concerns in the competition policy arena, namely grants for travel, speakers, research, and publication (Question 8, Annex). And, if IDRC were unable to continue funding the Forums, we also asked what would each informant be able to contribute as a means of measuring their commitment or “ownership” of these annual IDRC-sponsored events (Question 9, Annex). Both of these questions were also answered by a large majority of developing and developed country informants.

In spite of the numerically limited sample — which is of course not representative of all possible informants from all regions — we consider that we have been able to consult with a sufficient number of individuals knowledgeable both about the IDRC Forums and the ICN. Especially but not solely the 29 experts from both developing and developed countries who answered the survey and whom we were also able to consult, provide valid, independent assessments of the achievements of the Forums (See Annex .) We recognise that because many of these informants are competition law and policy experts, they might be most likely to be positive about the IDRC Forums. Any effects of such a potential bias however is diminished to the extent that their vested interest lies



¹¹ We asked informants (Question 6, Annex , Annex and Annex) if they had changed very significantly, significantly, moderately, slightly, or not at all in these four areas:

- Built your capacity in competition policy
- Facilitated your dissemination of new evidence about implementing sound competition regimes in developing countries
- Enabled you to influence competition policy in a developing country
- Enhanced your networking

foremost in competition policy rather than in the IDRC Forums themselves. This was confirmed in interviews where informants indicated for instance that their time is limited for attending international competition policy meetings like the Forums, but they make it a point not to miss the Forums because of the quality of discussion and the unique approach to developing country issues. Also, in addition to the informants’ opinion about the results of the Forums, we asked for evidence — concrete instances of an individual or organisation, including themselves, changing their behaviour, relationships, actions or activities as a result of an IDRC Forum. Eleven developing country informants registered outcomes (question7,). In sum, we believe we have valid and sufficient data with which to answer the two evaluation questions but of course our answers should be read in light of the methodological limitations we have explained.

RESULTS OF THE IDRC PRE-ICN FORUMS

In this section, we address the first evaluation question: *To what extent do the outcomes of the six pre-ICN Forums represent progress towards achieving the Forums’ objectives?*

We asked the informants a series of questions designed to derive evidence of them having benefitted as a result of participating in an IDRC Forum, and particularly how significantly they have changed as a result – i.e. this is an outcomes focus, not an output focus, as agreed with the IDRC team. (See question 6, Annex .) We used this evidence, along with desk research and follow-up interviews to elicit their views on the extent that the IDRC Forum(s) contributed to the IDRC’s objectives for the Forums. The IDRC Forums are essentially meetings of people, to discuss issues relating to competition policy in developing countries. As such, we first report on what the people – our informant attendees of these meetings – reported as the types of benefits from the Forums. We then report on specific benefits that they reported in more detail particularly in terms of behaviour change, and track this with examples that they provided. Throughout we test, deepen and evaluate the results by reference to desk research concerning the Forums themselves.

BENEFITS TO ATTENDEES OF THE FORUMS

In general, well over two thirds of developing country participants (Annex) are benefitting significantly from the Forums, compared to somewhat less than half of developed country participants (Annex). Thus, in the face of the usual concern whether donor-sponsored events are simply ‘nice to have’ with mild benefits or if they are something of significant value, the results clearly show the Forums are the latter.

In total, 70% of all informants reported that the IDRC Forums benefitted them moderately to very significantly (with 92% of the 27 developing county informants and 68% of the 18 informants from developed countries reporting

Figure — Opinions of informants on how much they benefitted from participating in an IDRC Forum (average of answers to four sub-questions)



Source: Question 6, Annex and Annex

that level of benefit). (See Figure .) Only a few, i.e. a fifth from developing countries and less than that from developed countries reported benefitting only 'slightly'. Only one respondent reported no benefits and he was an expert. Indeed, it is a particularly telling finding that in addition to the developing country representatives, all of the other experts in the field and even developed country representatives reported benefits from the Forums.

Even allowing for some positive bias¹² in responses — e.g. from informants who have a vested interest in the IDRC Forums continuing — these are significant findings of benefits, and show that **the Forums were well targeted to the needs of the informants, from both developing and developed countries**. This is no mean feat in itself given their different levels of expertise, interests and backgrounds.

As seen in , the developed country informants benefitted from the IDRC Forums primarily for their networking. As one developing country academic reported: *"The forums enhanced my interest and understanding of competition policy issues and policy "cultures". Before and after each forum I attended, I read more, and was able to share some lessons learned with colleagues, in IDRC and in partner organizations in developing countries."*

Table —Informants' opinions on how they benefitted significantly or very significantly as IDRC Forum participants

Areas of personal benefit	Developing	Developed
Built your capacity in competition policy	79%	33%
Facilitated your dissemination of new evidence about implementing sound competition regimes in developing countries	70%	44%
Enabled you to influence competition policy in a developing country	55%	25%
Enhanced your networking	78%	63%

Source: Question 6, Annex and Annex .

In contrast, **developing country informants** reported significant benefits right down the board. Thanks to the Forums, over three-fourths reported they enhanced their capacity in competition policy and their networking and almost as many disseminated new competition policy information in their countries.

One area of particular note is the aspect of **increased capacity building**. A key benefit of the Forums has been the sharing of similar experiences by similarly placed developing country authorities and experts, learning from the successes and failures of others, and thus saving them time and money and enabling them to implement a more effective competition policy in their own jurisdiction.¹³ The benefits from the Forums in this regard are thus difficult to capture, but were reported by several delegates and experts as of 'immeasurable' value. In this evaluation, however, we were looking for concrete changes in building the capacity of participants that had been influenced by the IDRC Forums and we found some as presented throughout this report.

¹² We have also been alert to possible negative bias from informants who operate or support what they may perceive to be programmes competing with the IDRC.

¹³ Confidential interviews with delegates and experts

“IDRC fora are learning experiences for me. It is not clear in advance where the learning will come from - interactions with officials from developing countries; sensing the space between what developing countries need and what developed countries "offer" (i.e., best practices that meet the needs of developed countries, which developed countries assume are good for everyone); sensing the politics of making arguments good for developing countries that developed countries might (or might not) treat sympathetically; the thinking that goes behind my own presentation, and interpolating discussion it generates. All of this improves me as scholar and as provider of technical assistance; sometimes a very informal provider (I like to help where I can).” – Competition expert from a developed country

For example, in the Netherlands IDRC Forum in 2011, delegates discussed a particular tool (market studies) which can lead to quick and effective competition enforcement (and which can be more successful in terms of speed and accuracy than cases or other interventions). Also at this meeting, they also exchanged views on how case selection as being critical to building up a compliance culture, and that it was important for a young agency to select some cases affecting *final* consumers as this will increase media coverage and build recognition of the importance of competition law. At this meeting, experts and delegates also discussed the importance of any competition agency – but particularly young developing country agencies – having significant allies in the political arena, while retaining operational independence. Developing country officials and experts also noted that these factors were important as most countries have some form of state-related anticompetitive activity. It was also viewed as important for developing country agencies to build alliances, and encourage regional cooperation as this was crucial both for effective enforcement against corporate practices that may span country borders, but also as a way of defraying costs of enforcement across multiple agencies.

In the light of the IDRC’s goal in supporting the Forums, what is particularly interesting is the fact that over half of developing country informants reported benefits in being able to influence competition policy ‘back home’. This is interesting on any number of fronts: first of all, the Forums are not directed at policy change specifically; they provide research and exchanges of views that allow such to be a possible outcome. Moreover, none of the Forums’ agendas expressly targeted policy reform in developing countries, for example. This is in contrast, for example, to training programmes for top officials, legislators or aid programmes that expressly aim at influencing change. The IDRC Forums are a series of conferences on developing country issues, which are generally aimed at multiple objectives, and yet they result in a significant reporting among developing country informants of *a definite benefit in enabling their ability to influence competition policy in developing countries*.¹⁴ This is another significant finding.

Informants from developed countries reported fewer benefits but this is neither surprising nor a negative result. The fact that only 25% of developed country informants identified learning from the IDRC Forums *that would help them influence* competition policy in a developing country (as opposed to 55% of developing country informants) is to be expected. The developed country informants may generally have a greater capacity in competition policy themselves. Furthermore, even if they are also involved in developing country issues, for example as external advisors or interested experts, as many of them are, they do not have any direct ability to influence the policy of a developing country. The fact that a quarter of them still reported *an increased ability to achieve such influence* through these Forums is thus actually quite a significant finding then. Interestingly, almost half the developed country informants reported some benefits in terms of *facilitating dissemination of new evidence* about implementing competition regimes in developing countries. We believe this reflects the fact that many of the developed country informants are involved in

¹⁴ Confidential interviews with delegates and experts

developing country work, and thus are appreciate finding new evidence in this policy area, which the IDRC Forums clearly did provide. The developed country informants reported the highest benefits from the Forums in terms of *enhancing their networking*. This is especially noteworthy because, while it is obvious that such meetings would introduce them to new contacts, our interviews confirmed that many of the developed country informants are already heavily 'linked-in' to the competition policy and developing country networks.¹⁵ Nevertheless, the IDRC Forums still provided them with an increased opportunity to enhance their professional ties and relationships.¹⁶

BENEFICIAL RESULTS FOR THE COMPETITION POLICY FIELD

We now examine broader, less personal results reported by the informants, negative or positive, about the IDRC Forum's contribution, which are summarised in Table . By and large, informants both from the North and South considered that the contribution of the IDRC Forums were moderately to greatly positive.

Table — Results of the IDRC Forums, 2006-2011

For the Forum(s) that you attended, what is your opinion about these different aspects? To what extent did the IDRC Forum(s) contribute to these results?	Percentage of total respondents per category (All, Developing and Developed)		
	All 45 countries	27 developing countries	18 developed countries
	Moderate to great extent	Moderate to great extent	Moderate to great extent
Brought research-based evidence into policy discussions in an ICN Annual Conference.	86%	85%	88%
Sustained and raised the profile of the 'developing country caucus' among the ICN membership.	80%	80%	81%
Facilitated the presentation of new research papers, or the presentation of research for the first time at an IDRC Forum.	79%	81%	75%
Enhanced developing country practitioners' ability to network with each other and with staff of well-established competition authorities.	76%	81%	69%
Helped to integrate developing countries concerns into the ICN annual conferences.	68%	80%	50%
Gave developing country competition authorities a more prominent role in the ICN Annual Conference.	68%	65%	73%
Supported dialogue or presentation of papers from IDRC Forums that influenced ICN work products.	64%	65%	63%
Applied research or other learning in debates in a developing country.	62%	54%	75%
Promoted debate on the challenges in the application of competition policy in developing countries at an ICN Annual Conference.	62%	62%	63%
Deepened understanding of the challenge of establishing sound competition regimes in developing countries.	59%	52%	69%
Enabled participants to engage in critical and productive debates at an ICN Annual Conference (including on its margins).	56%	68%	38%

Source: Informants who had an opinion, Question 5, Annex and Annex .

¹⁵ Confidential interviews with delegates and experts.

¹⁶ Confidential interviews with delegates and experts.

The primary achievement for which there was uniform recognition and the highest reporting among developing countries was the IDRC Forums' contribution to research. (Research-related benefits were the first and third key reported benefits overall.) Informants recognised bringing *research-based evidence into policy discussions in an ICN Annual Conference complemented and the facilitation of the presentation of new research papers, and the presentation of research for the first time at a Forum* were a 'trade-mark', 'vital' and 'pioneering' aspect of the Forums, where they can 'explore new approaches and challenges':

"IDRC pre-ICN has been a terrific experience. The content of discussions is much clearer than ICN subjects. As developing countries need a set of additional conditions to implement competition policies and competition defense, this is a *rich environment to explore new approaches* and challenges. IDRC meetings have included this kind of discussion." — Developing country attendee

"*The IDRC Forums have become a trade-mark* for pre-ICN conferences and it is expected that these would continue. The *vital platform* given to developing competition authorities to *share their research work and practical aspects of their competition law implementation challenges and lessons* provides a *useful feedback system* before a manageable, helpful and non-intimidating audience of diverse experts." — Developed country competition expert:

"The competition agency with which I worked gained increased appreciation for the value of research in the implementation of Competition Policy. Preparing for the IDRC Forums "forced" the staff of the Agency to *sharpen their skills in making presentations and participating in discussions because the groups are small and there is little possibility of "dodging"/ being lost in the crowd*". — Developing country competition expert

Along with the learning, comes an appreciation for new methods of application and in turn further dissemination and exchange of views:

"IDRC has been a pioneer on the issue of Evidence-based-Policy Advocacy (especially its Evaluation Dept) and hence it should try to find the application of some of those tools/frameworks ...that it has developed for sharpening its work on competition reforms. ... There is probably a greater need for 'Action Research', 'Investigative Research' - rather than pure academic research on competition issues in Developing Countries." — Developing country competition expert

Nonetheless, there was also some criticism that surfaced in the interviews. For example:

"*Selection of speakers suffers from personal biases and many a times expert speakers strayed from the boundaries of the session annotations. Many times speakers spoke about their own experiences which were far away from the designed agenda.*" — Developing country competition expert

It should be noted that this is a lone view in the evaluation and when expressly tested was not recognised by other informants. That said, there may be a link between this view and the fact that our third research-related parameter (*Applied research or other learning in debates in a developing country*) was not only towards the bottom of the list of results but also was more strongly the view of the developed country informants than those from developing countries. This latter finding is not easily explainable: perhaps the developed country cohort are reporting on what they found helpful

from the Forums in applying research when they were advising a developing country (as many of them do), and as experts they found they had more ability to do this, than did the developing country informants, who may not have been in positions to apply such research in this manner.

Otherwise the informant cohort from both developing and developed countries reported that a lot of the research presented was new and of value. At the Turkey IDRC Forum there was a presentation of very new research on behavioural economics. There was always some learning at the IDRC Forums, even if it was an exchange of views on similar concerns, as was, after all, intended.¹⁷ During the interviews, for example, there were at least some reports from developing country informants that actually offer key insights into benefits from the IDRC Forums that they were able to ‘take home’. A key benefit comes from seeing how other authorities have used research, information and resources, and learning from their successes:

“It helped [[the developing country] Competition Authority in the efforts made by the authority to make the best use of their limited resources. Specifically, in the balance between enforcement and advocacy.”

— Developing country competition expert

“IDRC forums have “forced” the Competition Agency with which I was associated to see research as an integral part of the business of competition enforcement in [my developing country].”

— Developing country competition expert

The second highest reported benefit of the Forums relates to *sustaining and raising the profile of the ‘developing country caucus’ among the ICN membership.* It is important to note here that while there was common support from informants generally for this result there was a real division between developing and developed country informants in some aspects.

For example, the informants from Africa, Asia, Latin America and the Caribbean were more positive about the IDRC Forums’ achievements in two areas than were informants from the developed countries:

- In the first area, roughly 40% of the informants from the developed countries considered that the Forums’ contribution to *enabling participants to engage in critical and productive debates at an ICN Annual Conference (including on its margins) was moderate to great*, which contrasts sharply with the 70% of the informants from developing countries who considered the contribution to be that significant. This is interesting but should be qualified by the observation that many developing country representatives had no specific recall of precisely what points they or others had contributed at the ICN conference – other than that they had been through comments during session discussions. Others may just perceive the IDRC Forum and the ICN Conference to be the same general “event”, and that their contribution at the former is included in the latter that way. This may particularly be the case due to our generous wording (ICN... *including on its margins*) which may have caused some informants to be thinking of IDRC Forum contributions in their answers. Nonetheless, a majority were clear that they and other developing country officials did have an opportunity to contribute at the ICN Conference itself, and many indeed did so.

¹⁷ This was revealed in the confidential interviews with delegates and experts. Many reported that they were never disappointed with the Forums, and always came away with ‘lessons learned’ purely from hearing from their peers what policies or enforcement actions worked or did not work in their particular jurisdiction.

- In the second area, *helping to integrate developing countries concerns into the ICN annual conferences*, the differences between the views of developing and developed countries contrasted in a similar way. These are of course differences of degree but nonetheless noteworthy. We believe that the same dynamic as explained above may be operating. The developing countries may feel that they are having some of an impact at the ICN Conference, because they are there that week, some speak up, and they have just been through an IDRC Forum dedicated to their concerns. The developed country respondents may be reporting solely what they see at the ICN Conference itself.

In sum, we know that while many underfunded developing country officials wanted to attend ICN for its benefits alone, they were more likely to go, and we are told that more did go, once the IDRC Forums began. In a few cases (2-3), this is because IDRC funding allowed them to be able to travel to both events. In far more cases (18-20) though we were told that it was the IDRC Forums themselves, and particularly their subject matter and the opportunity to exchange views among like-minded officials and experts, that ‘clinched’ for them the decision to attend the ICN week.¹⁸ In short, the developing country officials may not have been able to justify attending only an IDRC Forum, without the draw also of the ICN Conference; nevertheless, more of them were likely to attend the ICN Conference, and thus see their cohort profile within the ICN membership sustained and even raised, when there was an IDRC Forum linked to the ICN Conference.¹⁹

This reported benefit is also interesting because of the question we asked related to ‘sustaining and raising’ the profile. There were views that this meant more than just ‘maintaining and raising’ for example, but also ‘sustaining’ in terms of ‘feeding’ the caucus too, in terms of enriching their experience, while the ‘diet’ of developing country issues discussed at ICN meetings per se seemed to decline. This finding is expanded on below, relating to our discussion of ‘Influencing the ICN’, but is mentioned here to offer some initial feel for some of the thinking that went into the answers, and which was only fleshed out through interviews.

Another top result of the Forums on which three fourths of informants agree is *the enhancement of developing country practitioners’ ability to network with each other and with staff of well-established competition authorities.* Regarding enhancing developing country practitioners’ ability to network with each other and with staff of well-established competition authorities, the pattern of informants’ recognition of the significance of IDRC’s achievements was very similar for both developing and developed countries. There is no question that the IDRC Forums have been successful in enhancing networking and alliance-building. Indeed two IDRC Forums focussed on alliance-building directly. First, in the Netherlands 2011 meeting ‘Doing the Right Thing Under Pressure: Agency Effectiveness, Corporate Compliance and Alliance Building,’ discussions focussed on the benefits of building alliances among resource constrained agencies, and also allying them by sector, and developmental goals. Discussants also saw alliances as providing a counterweight to weaknesses in the competition regime substantively, in terms of powers and procedures.²⁰

The positive quantitative data was reflected in the overall tenor of the views expanded upon in answers to open questions and interviews:

¹⁸ Confidential interviews with delegates

¹⁹ Confidential interviews with delegates

²⁰ IDRC Pre-ICN Forum on Competition & Development: Record of the Proceedings: ‘Alliance building for a culture of compliance’ IDRC, 2011

“After meeting [a competition expert] at the Pre-IDRC Forum in May 2011, [our agency] is exploring with [the expert] his participation in [our] Regional Center which aims to address the needs and challenges from the competition authorities of the region by providing them with capacity building and support in competition policy implementation.” — Developing country competition expert

“Through its participation in the IDRC Pre-ICN, since 2006 [our agency] enhanced its alliance building with other government agencies which contributed in part to an increase in the past two years to a 75% rate of confirmed resolutions regarding competition principles by [our country’s] judiciary.” — Developing country competition expert

There are several other interesting results in Table primarily relating to the contrast between the points of view of developed country participants and those of developing countries. The informants from Europe, North America and Oceania were notably more positive about some accomplishments of the Forums:

“Arising from the Kyoto IDRC Forum, a relationship was developed with the [developed competition authority] regarding how they could provide technical assistance to [developing competition authority] through peer learning experiences. ... The process assisted [the latter] in reviewing its competition law (with more severe penalties on cartels) as well as more refined investigations in cases in e.g. the aviation and petroleum sectors. At the Kyoto IDRC Forum, I came to learn of and meet distinguished international professors in competition law ... who have been a source of great inspiration. At the Hague IDRC Forum, another relationship for technical assistance was developed...”

— Developing country competition expert

Although 4 of the 18 developed country informants did not have an opinion, almost all of those that did considered that the IDRC Forums’ had “greatly” contributed to a *deeper understanding of the challenge of establishing sound competition regimes in developing countries*. Indeed, all but one considered there had been at least a moderate contribution, which contrasts with almost half of the developing country informants who considered there had been relatively little contribution. This is not unexpected, considering that the developing country officials are likely to be well-aware of some of the challenges already. This was confirmed through the interviews. All interviewees were aware of the challenges they face and share, which are largely similar. What they were not aware of, and benefitted from through the IDRC discussions, was how to address the challenges, and what policy or enforcement measures worked or did not. With further interviews, we were able to draw out some of the developing country informants to see what benefits they did report in this area, and some challenges they did learn more about from the IDRC discussions were identified as follows:

“Prior to May 2011, a [regional competition commission] mandated a study on a [regional] competition policy to revise the enforcement approach of the regional competition policy with a focus on the distribution of competence between the Commission and the national competition authorities, which following a preliminary presentation and discussion in the Pre-ICN Forum in The Hague, the study was enriched and received support from competition authorities, regarding the design of its institutions and the challenges it raises with regard to enforcement” — Developing country competition expert

“The forums enhanced my interest and understanding of competition policy issues and policy “cultures”. Before and after each forum I attended, I read more, and was able to share some lessons learned with colleagues, in IDRC and in partner organizations in developing countries.” — Developed country competition expert

There were positive reports from developing country informants relating to relationship-building. This goes beyond mere networking. Here we see officials building and developing relationships that assist them to more easily develop more formal instruments of cooperation:

“As a result of its first participation to the IDRC forum, the [developing country] Competition Authority is in the process of establishing a memorandum of understanding with [another developing] competition authority - I was able to meet with the Competition officials and I will be working in the future with them in the framework of a capacity building program” — Developing country competition expert

Another reported learning how it was important to build relationships and cooperate with bodies outside the competition law field:

*“The forums have highlighted the importance of *developing solid relationships* with organizations other than competition agencies.”* — Developing country competition expert

Then there were reports of learning from actually working together:

“A study was conducted on certain food products in coordination with 3 other African countries. The exchange of the information at the meeting sessions has helped [my] Competition authority in its completion of its [market] study highlighting concerns and areas not tackled in [our] initial report.”
— Developing country competition expert

There was considerable agreement on the other areas examined in our survey. Some of these go directly to the overall objective of the IDRC Forums, namely, helping to *integrate* developing countries’ concerns into the ICN annual conferences. These are the questions relating to whether the Forums were

- Supporting dialogue or presentation of papers from IDRC Forums that influenced ICN work products.
- Promoting debate on the challenges in the application of competition policy in developing countries at an ICN Annual Conference.
- Giving developing country competition authorities a more prominent role in the ICN Annual Conference.

Here there are similar reports among developed and developing country informants that there was relatively lower success seen in these areas. There are still some results that were noted, to be sure, but they are lower than both the networking figures and those related to research benefits from the IDRC Forums themselves.

“The presence and participation of developing countries at the ICN Conference has been *decisively enhanced* by IDRC Forum, even if the ICN Conference does not immediately include these concerns in its agenda.” — Developing country attendee

Specific reports from informants are thus varied but there is a consensus that there is a net benefit to having the IDRC Forums in such proximity to the formal ICN Conference (this is also examined in detail in the next section).

Informants opined that the developing country issues that arise at the IDRC Forums are occasionally spoken about and thus integrated into the ICN conference, though this does not happen at all as much as they hoped.²¹ They also explained that in the overall IDRC/ICN week itself, ‘productive debates’ do not occur very often and never at the ICN meetings themselves: the ICN conference is more about dissemination of information, and coming to agreement on best practices, and so debate does not factor in the ICN plenary Conference itself (although it occurs in the work streams during the year).²²

There have been some interesting and productive debates at the IDRC Forums though: in particular a debate in the IDRC Forum in the Netherlands on the degree to which competition agencies should be independent or part of government, and how this might affect their ability to effect change in businesses, but also within state enterprises and government departments.²³ Some felt that a competition authority would have more influence if it had Ministerial backing which would help the authority in particular tackle anti-competitive problems caused or influenced by other government departments; others were firmly opposed to this, arguing that complete independence from the political level allowed authorities more scope for objectively-based enforcement based on consumer detriment, and greater credibility.²⁴ Recall though that the IDRC Forums, as the ICN Conference, are not debating workshops, nor are they intended to be; they are instead dissemination events, with very productive exchanges of views and experiences, rather than ‘gloves-off’ discussions per se. Thus, the fact that such discussions arose is an interesting finding, and it was very much appreciated by the interviewees.²⁵

It may be that more influence by IDRC attendees of ICN Conference activity would result as a product of a natural evolution and increase in confidence on the part of developing country speakers or delegates if there were increased interaction and familiarity at the IDRC Forums themselves. Several delegates raised this at interview, and suggested *the need for continuation of the Forums (to increase familiarity and shared views) but with perhaps a greater focus on stimulating debate within the Forums*, so that delegates gain confidence in raising and arguing issues, and then going on to pro-actively raise points that they have discussed over the subsequent days at the ICN Conference, directly referencing the IDRC discussions.

This issue of integrating developing country concerns into the ICN programme is such a rich one, and so central a part of the evaluation, that we now devote a section to it.

²¹ Confidential interviews with delegates and experts.

²² Confidential interviews with delegates and experts.

²³ Confidential interviews with delegates and experts.

²⁴ Confidential interviews with delegates and experts

²⁵ Confidential interviews with delegates and experts

BUT DID ALL THESE ACHIEVEMENTS INFLUENCE THE ICN?

The purpose of the IDRC Forums was to *influence the ICN Conference*. This is described in various places in the Terms of Reference and the evaluation Workplan and essentially aligns with the Forums' general objective of integrating developing country concerns into global discussions that occur at ICN conferences (e.g. regarding challenges in the design and implementation of competition law and policy). Most of the results examined in the previous section and table were related to this goal. But do they add up to a notable change on the work of the International Competition Network? This question is quite complicated and requires some unpacking, which has been done through desk analysis and interviews with informants.

First, in recent years, IDRC shared its draft Forum programme with the ICN Conference organisers and potentially this influenced their thinking about their own programme.²⁶ Beyond this, however, it was not possible for a particular IDRC Forum event to affect, formally, the programme of the ICN Conference the next day since the ICN Conference programme (agenda, topics, speakers, format of sessions) is determined months previous to the event, and by agreement with the host country, the ICN chair and other members.

That said, through increased familiarity with the issues and confidence both brought on by participation in an IDRC Forum, some developing country delegates reported that they were able to 'continue the conversation' from that Forum when a topic was raised the next day at the ICN Conference. This of course was more likely if there was an alignment of topics between those discussed at the IDRC Forums and those discussed at ICN. It did not happen very often though because IDRC Forums have focussed on issues that developing countries want discussed in particular, which are not the ones that are focussed on at ICN. The ICN Conference programme has always intentionally focused on issues of pragmatic importance to *all* agencies (e.g. analytical and investigative techniques and other practical enforcement, policy and advocacy matters faced by agencies the world over), and does not usually have break-out sessions or topics focussing on particular country-types or regions. Instead, the plenary meeting and the break-outs are arranged on particular competition policy issues, and the discussion itself is meant to focus on 'all antitrust all the time', and not on – for example – the interests of a particular cohort of the global membership i.e. developing countries. It is thought that by focusing on issues, rather than regions or agency types, the exchange of views will benefit all participants, from whatever area or stage of development that they hail.²⁷

The concerns that developing country agencies generally have can be considered to fall into two categories: one, specific market-related difficulties in the enforcement of particular elements of their legislative mandates; and two, contextual or 'political economy' difficulties specific to developing countries or more particularly specific to countries developing a competition regime. Developed country agencies share the first more pragmatic enforcement-related concern, and the ICN Conference programme aims at this one, thus being of interest to *both* developed and developing countries. That is why both groups attend the ICN Conference – the antitrust topics inform all agencies.

²⁶ Communication from Susan Joekes, 6 January 2012. Also, the respective organisers of the ICN Conference and the IDRC Forums have over the years communicated increasingly and have exchanged early registrant and potential speaker lists and Forum draft programmes have been shared with the ICN organisers (a skeleton draft ICN conference programme is usually available online a few months in advance).

²⁷ Confidential interviews with delegates and experts

Developed countries faced the second kind of ‘political economy’ concern if at all only early on in the introduction of their competition regimes, but as businesses develop awareness of and compliance with competition law, these concerns generally tend to fall away. As such, this may be why these sorts of concerns do not tend to arise in the ICN conference, and why specific focus has been placed on these concerns at IDRC Forums. To complicate matters, there are concerns related to political economy matters that do arise at ICN conferences, and which are of interest to both developing and developed country agencies: these include concerns that other government departments wish to take measures or encourage business activity that would conflict with competition policy objectives (e.g. transport policy, telecoms, financial services, environmental initiatives) and in this area the ICN advocacy work stream²⁸ considers and exchanges experiences on such issues, which are of interest to *both* developing and developed countries.

The ICN conference programme thus cannot be directly affected by an IDRC Forum, and may indeed naturally see less prominence for issues that are solely the concern of developing country as separate items on the conference agenda itself.²⁹ Notwithstanding this, a clear achievement of the IDRC Forums is that their issues are being talked about among the primary beneficiaries of such discussions, i.e. developing country officials and interested experts; some are implemented or lead to change ‘back home’. Furthermore, the respective organisers of the ICN Conference and the IDRC Forums have over the years communicated increasingly and have exchanged early registrant and potential speaker lists and Forum draft programmes have been shared with the ICN organisers (a skeleton draft ICN conference programme is usually available online a few months in advance). Thus, the concerns of developing country officials are placed into the ICN “atmosphere” through holding the IDRC Forums the day before the main ICN meeting.³⁰

Ironically, in the early years of the ICN, developing country concerns did arise in ICN discussions, and were on the formal ICN agenda. The fact that they did come up, despite the ICN Conference’s global, issues-based and enforcement-related approach, indicates that there is always some possibility for developing country representatives to speak up and introduce their concerns into the global discussions.³¹

This point raises an important issue about IDRC Forums’ impact on the ICN that needs to be addressed: *How does one judge influence over the ICN Conference when developing country issues were already present at ICN conferences prior to the introduction of the IDRC Forums?* For example, if developing country concerns were already well-developed at the ICN, then even the most dynamic programme of IDRC forums would tend to have little effect on the ICN Conference, although this would not necessarily be a negative finding. A small effect could represent a major shift. Similarly, if the ICN programme did not consider developing country issues at all, even any IDRC Forum could have significant influence over the ICN Conference, but this might not necessarily be a particularly robust finding. As one might expect, the situation is not as simple as either of those two approaches.

The ICN Conference record, and experts contacted during the evaluation, make clear that *developing country issues were intended to be embedded in the ICN Conference and its work streams*, since the origin of the ICN five years before the introduction of the IDRC Forums. One issue, though, is the extent to which good intentions are able to be carried out in practice. As mentioned, the ICN does address enforcement issues of interest to all agencies including developing countries, and its Agency

²⁸ See for example <http://www.internationalcompetitionnetwork.org/working-groups/current/advocacy.aspx>

²⁹ Confidential interviews with delegates and experts

³⁰ Confidential interviews with delegates and experts

³¹ Confidential interviews with delegates and experts

Effectiveness work is of particular interest to them too and is reported on at the ICN Conference every year.³² Another issue though is whether the specific intention to embed issues of interest to developing countries ended up being carried out through the introduction of the IDRC Forums during 'ICN week' every year, rather than at the ICN Conference itself.

There is no question that at the first ICN Conference in Italy in 2002 one of its three main goals was to discuss methods to empower developing country agencies and to exchange views on the problems faced by developing country agencies in garnering acceptance of competition as a value.³³ From the outset, the participation by young agencies of developing countries and transition economies in the ICN was considered of high importance to the ICN, and not as a mere 'act of charity'. These agencies have very diverse levels of capacity and experience and a very diverse array of domestic needs and resources. Hence, special effort has to be made to ensure that developing countries and transition economies are able to take part actively in the ICN's work.³⁴ Indeed, this was also a way of attracting such country representatives to the meetings and thereby developing the membership of the ICN itself. Speakers at the first conference addressed the particular challenges faced by developing country agencies. In addition to being new and relatively inexperienced, and under-resourced, these agencies faced businesses that were reluctant to comply, a public that was unaware of competition law, a government that ignored competition policy and sometimes a judiciary that was corrupt, or at the very least unsophisticated with respect to competition issues and analysis.

Despite this earnest, initial focus, developing country issues were mentioned only sporadically at the two subsequent ICN Conferences until what appears to be the high-water mark for such issues, namely the fourth ICN Conference in Germany.³⁵

Here, the ICN Steering Group mandated that a specific welcome be made to the developing country authorities, and a panel was devoted to the needs of 'young' competition authorities.³⁶ At this panel a range of subjects were discussed, all specific to the needs of developing country regimes. These included discussion of concurrent enforcement of competition law in the telecoms and utilities sectors that are particularly important for developing economies. It was noted that developing agencies needed to cooperate, and this need not take place exclusively within the framework of the ICN; there can also be informal cooperation between agencies. Technical assistance offered by developed agencies was particularly helpful. Proposals were made relating to how best to help developing agencies, and these ranged from the specific (setting up a permanent group of experts from developed agencies who are familiar with the situation in individual developing countries and who would then go on to assess needs and allocate technical assistance; building a training centre specializing in competition law, to be located in a developing country and staffed with permanent personnel, with topics of instruction suggested by young agencies) to more general proposals considering new forms of organization and structure to facilitate participation in the ICN by developing countries. Some delegates suggested that rather than influencing the plenary programme of the ICN Conference itself the best way to get involved in the ICN's work was via its

³² See for example: <http://www.internationalcompetitionnetwork.org/uploads/library/doc645.pdf>

³³ Confidential interviews with delegates and experts

³⁴ One thing that the ICN has not yet been able to do is offer its conference in any language other than English. The IDRC Forums are available in French as well, which is of particular assistance to West African competition agencies who are particularly active.

³⁵ A Report on the Fourth Annual Conference of the ICN held in Bonn, Germany, on June 6-8, 2005. <http://www.internationalcompetitionnetwork.org/uploads/library/doc542.pdf>

³⁶ Confidential interviews with delegates and experts, confirming the discussions at the Bonn meeting and report above.

working groups where it was easy to participate; this was also the best and cheapest way to get very efficient technical assistance.³⁷

Similarly, the ICN programmes of Internet discussions and conference calls were helpful and cost-effective ways of participating and learning.³⁸ Developing country experts opined at this meeting that there was a problem with the virtual network element of the ICN, in that while cheap to run, it relied heavily on the resources of developed agencies and that the agendas would thus usually reflect their interests, and the 'elite' nature of the organizing bodies made participation by young agencies difficult.³⁹

Concerns were also raised about the linguistic limitations of ICN, with its only one working language preventing participation by some young agencies and stifling ICN's expansion.⁴⁰ It was noted also that despite the efforts at creating developing country panels and discussing particular issues, 'how to enable younger ICN agencies, from developing countries in particular, to participate in defining the ICN's conference programme and to become more active in the work of the ICN continues to be a challenge'.⁴¹

One way that the ICN steering group tried to address this was by having the next ICN Conference in a developing country (South Africa, also the location for the first IDRC Forum in 2006), and in particular to use it to start dealing with a topic of particular concern for developing countries, namely the abuse of market power. This choice of topic, incidentally, was a particularly bold step for the ICN, and displayed an innovative way of dealing with a problem that had arisen within the ICN that was impeding discussions. The issue of market power (abuse of dominance) was something that some developed country agencies did not want to see discussed at all, or at least not yet, at the ICN itself. This was for a range of largely ideological reasons unrelated to the developing country issue itself. Meanwhile other developed country agencies and a large number of developing country agencies wanted to discuss this issue, the latter in particular because it was a problem that they faced in their markets. The solution that arose was to have the issue of market power discussed at the IDRC Forums themselves, which were launched at the South Africa meeting. It was also addressed in a way that focused on particular aspects of market power issues that related directly to developing country concerns, namely, relating to distribution and utilities. Thus, an issue (market power) of interest to developing countries and many developed countries, which was being prevented from being discussed at ICN, was able to be discussed because of the creation of the IDRC Forums, and done so in a way that focused on developing country aspects in particular.⁴²

Then something dramatic appears to have happened—developing country competition issues disappeared from the formal ICN Annual Conference agenda in 2007-2011.⁴³ This of course coincided with the further development of the IDRC Forums. That is, *since the creation of the IDRC Forums active discussion of developing country issues appears to have migrated from the ICN Conference agenda to a more fulsome discussion at the IDRC Forums themselves.* One expert's view on this for example was indicative and refreshingly frank:

³⁷ Confidential interviews with delegates and experts, confirming the discussions at the Bonn meeting and report above

³⁸ Ibid.

³⁹ Ibid.

⁴⁰ Ibid.

⁴¹ Ibid.

⁴² Confidential interviews with delegates and experts

⁴³ The ICN still maintains programmes and work streams that benefit developing country agencies of course.

“The IDRC [forum] has provided an opportunity to discuss developing country issues in the vicinity of the ICN participants. *I am less convinced it has contributed to the ICN taking developing country issues into account. Perversely, there is a perception that it has become the slot to park developing country issues as opposed to integrating them further into the ICN conference discussions.*” — Developed country competition expert

Other informants at interview struggled to remember the discussions of developing country concerns that took place at the ICN, and suggested that they were ‘not serious’ discussions anyway, or were just panels, rather than the substantive exchanges among developing countries as a group, as occurred at the IDRC Forums. Either way, clearly, the creation of the IDRC Forums provided the opportunity for developing country concerns to be discussed more fully, but in doing so may have reduced the need for them to be discussed at the ICN Conference itself. It is also noteworthy that while academics (and private sector experts) participate in ICN Conferences, they do not present research, as academics do at IDRC Forums. Delegates reported that this aspect enriched the discussions at the forums.

This is not surprising, however, because the IDRC Forums clearly offered a venue and platform to discuss such issues, and one can imagine that as the meetings are part of the same ‘week’ or ‘trip’ there would be no pressure or incentive for the ICN organisers to repeat the discussions of developing country issues the next day at ICN meetings. Thus, in our view as evaluators a complementarity developed with IDRC Forums becoming ever more focused and involved with developing country issues, and the ICN Conference focusing more and more on practical enforcement related issues of interest to all authorities whether developed or developing – e.g., evidence gathering, analytical methods, investigative processes, as detailed above.⁴⁴

That said, it is not the case that developing country issues have slipped off the programme of the ICN entirely; there are still work streams during the year that go to addressing some of these concerns. The ICN’s Agency Effectiveness Working Group, for example, has a mission to identify key elements that contribute to the successful capacity building and competition policy implementation in developing and transition economies by making use of those more experienced agencies’ knowledge and other relevant recommended practices. This mission began in the Swiss ICN meeting in 2008. At the Netherlands ICN Conference in 2011, there was also discussion of the challenges faced by new Younger Competition agencies in the Investigation of Cartels, which was led by a developing country participant.

In summary, *has the creation of the IDRC Forums led to an increase in focus of discussion of developing country issues in the global competition policy community? Of course it has.* The issues discussed at the IDRC Forums are detailed and involve expert exchanges among developing countries and other experts relating to diverse and detailed areas of direct interest to developing countries and the challenges their officials face.

“The IDRC pre-ICN forums constitute an important forum for capacity building, for focused discussion of developing country issues and for *raising issues that subsequently find their way into the mainstream work of the ICN.*” — Developing country competition expert

Has this influenced the ICN Conference programme directly? This is not clear. If anything, it may well be that the creation of the IDRC Forums, instead of influencing the ICN programme to consider developing country issues in more detail, actually served to shift developing country issues from the

⁴⁴ Confidential interviews with delegates and experts

ICN to a more conducive environment for discussion, namely the IDRC Forums themselves.⁴⁵ On substance, we consider this to be a good thing particularly if it allowed the issues to be discussed deeply among developing country officials; but if one's parameter is 'Influencing the ICN Conference agenda' then it would be less so. Alternatively, it may be that the discussion of developing country issues was never going to take off at the ICN, and the creation of the IDRC Forums came *at just the right time*, and provided a platform for discussion at a time when developing country officials were already feeling disappointed in the ICN exchanges.⁴⁶ Further, even if developing country issues had been added to the ICN Conference agenda, they might conceivably have translated into break-out sessions, and perhaps in some years, appeared at the periphery of the Conference, which would not have allowed for the higher profile exposure and deeper discussion of developing country issues afforded by the IDRC Forums. Either way, there is a clear benefit to developing country attendees directly from the IDRC Forums, no matter whether their exchanges of views seep back into the ICN programme or not.⁴⁷ There is also a view that the *developing country discussions at the IDRC Forums do actually influence the ICN work programme itself, if not the agenda of a particular conference*:

"I don't detect a great deal of interest in taking developing country issues on head-on within the ICN. But by teeing up these issues immediately before ICN, it attracts ICN attendees and subtly puts them on the agenda, which consequently influences the way people think about issues within ICN itself."

— Developed country competition expert

It is also important to note that it is clearly the case also that *it is viewed as a significant benefit to the ICN itself* to have these IDRC Forum discussions so close to the ICN Conference:

"A key challenge for ICN is to articulate how competition policy benefits real people in developing countries -- without that, political support for competition policy will wither. IDRC Forum is one of the few institutions that tries to do that, and competition policy in developing countries will be in real trouble if that effort fails." — Developed country competition expert

In addition to the legitimacy point inherent in the quote above, there has also been a benefit to the ICN that may be causally related to the discussion of market power issues that occurred at the IDRC Forums – since discussion of these points at the IDRC meetings, a work programme has begun at the ICN meetings on these topics. Being able to discuss those topics at the IDRC Forums may thus have allowed support to build to let them enter the ICN discussions despite initial resistance. More importantly though, they lead to learning on the part of developed country officials, in particular, behaviour change and some outcomes in developing countries, which is surely what matters more than influencing the global discussion necessarily.⁴⁸ These points will be examined in a subsequent section of this evaluation.

⁴⁵ Confidential interviews with delegates and experts

⁴⁶ Confidential interviews with delegates and experts

⁴⁷ Confidential interviews with delegates and experts

⁴⁸ Indeed at interview, several developing country informants noted that the ICN is of interest to all agencies, even though discussions there are led primarily by developed country officials. An issue does not have to be solely specific to developing country agencies for it to be of interest to them. Many issues discussed at ICN relate to investigative techniques, how to gather and handle evidence, and analytical methods. Developing country officials benefit from these discussions as well.

A final point to note is that some of the IDRC Forums contained topics that were not of interest solely to developing countries. For example, how the financial crisis was impacting on competition policy, and vice versa, or issues relating to advocacy with other government departments, or some enforcement related subjects. These issues also came up on occasion at the ICN Conference itself. *Some similarity of topics as between the Forums and the Conference meant that it was more likely that subject discussions begun at the Forums would continue at the Conference, and thereby developing country issues would enter into ICN discussions, without the need for a dedicated formal influence on the ICN Conference agenda per se.*⁴⁹

It should be noted that at the IDRC Forums the discussion of these broader topics was always formally tied, clearly intentionally, to particular aspects that might impact on developing countries: for example, in discussing the financial crisis, and its impact on competition policy, the focus at the Forums was clearly on how this might uniquely make it more difficult for developing, weak, or otherwise new agencies and regimes to implement robust competition policy interventions – in other words, if the developed agencies were having such trouble working effectively in the crisis, then how could developing country agencies be expected to work well, and what changes/adjustments in position would they need to do to be able to be effective.

Conclusion: Thus, while the discussion of developing country-specific issues - and broader issues also of concern to developing countries – occurred at the IDRC Forums, it can be said that the *adjacency of the Forums and similarity of issues allowed the developing country concern to enter into ICN discussions, even if it did not formally influence the ICN Conference programme itself.*⁵⁰

OUTCOMES THAT REPRESENT IDRC FORUMS' IMPACT

In this section we report on concrete instances of an individual or organisation changing their behaviour, relationships, actions, activities or even institutions changing their policies and practices as a result of an IDRC Forum, as reported by delegates to one or more Forums. Some outcomes have been captured in previous sections above, but other findings are best captured directly, from the answers themselves. Although impressive, we recognise that these outcomes are solely examples, anecdotal evidence, of the influence of the IDRC Forums. Nonetheless, although not conclusive we consider them to be illustrative of the deeper, more enduring effects of the IDRC Forums on specific social actors.

We see evidence of *individual learning*, and evidence of more focused and relevant *analysis being applied* to developing country needs and concerns:

"I started to think about the impact on consumers and interaction with competition from a much broader perspective than a UK / Europe only focus." — Developed country attendee

"We shifted our focus from concentrating on enforcement in the first few years to concentrating on advocacy." — Developing country attendee

⁴⁹ Confidential interviews with delegates and experts

⁵⁰ Confidential interviews with delegates and experts

“IDRC fora are learning experiences for me. It is not clear in advance where the learning will come from - *interactions with officials from developing countries; sensing the space between what developing countries need and what developed countries "offer"* (i.e., best practices that meet the needs of developed countries, which developed countries assume are good for everyone); *sensing the politics of making arguments good for developing countries that developed countries might (or might not) treat sympathetically*; the thinking that goes behind my own presentation and interpolating discussion it generates. All of *this improves me as scholar and as provider of technical assistance*; sometimes a very informal provider (I like to help where I can). I would cite to [a young developing country academic] at the last IDRC pre-ICN forum. [He], who is young and very eager to understand and contribute to better law and policy in Africa, was a presenter. Preparing for the conference *provided [him] with an opportunity to think more deeply about some of his ideas, and to improve them; also to improve his scholarship. I think the forum was important to him, and helped him assimilate his knowledge and hone his skills.*” — Developed country competition expert

“The IDRC pre-ICN forum in Istanbul *exposed a new [the behavioral aspect] thinking in analysis of competition cases in my organization.*” — Developing country attendee

“ICN environment is very much dominated by the developed countries and mature competition authorities. The reactions of developing countries during the IDRC pre ICN Conferences *helped to relativize some of the consolidated or consolidating recommended practices*. I, personally, revised some of my beliefs regarding the application and the priority of merger and acquisitions controls in developing countries, including in my own reality. Market foundations, other than market structures, should be present in the country before concentration controls. The role of judiciary and the pervasive difficulties that all countries face to enforce administrative decisions, such as antitrust, is very well illustrated by the developing countries experiences and have *helped me to better address the relationship with the judiciary system.*”

— Developing country attendee

We also see benefits from those invited to present at the IDRC Forums, who listen to developing country delegates views and then, as competition policy decision-makers, alter their activities as a result of the Forum’s influence. For example:

“Consumers' International was invited to speak on remittances and *became enthused about the issue and are now making the issue the theme* for World Consumer Rights Day 2012 and putting together a project to link consumers' organisations and competition agencies to work on the issue.” — Developing country attendee

“I met with another head of antitrust agency, and *revived our written (but not used) agreement for collaboration.*” — Developing country competition expert

Improvements in competition authorities’ activities can have multiplier effects in savings to consumers and particularly vulnerable consumers. We understand that IDRC work on Competition Research for Economic Development (CRED) has recognised this as being a particular reason to support research and exchanges of views that will improve competition policy analysis, advocacy and enforcement particularly in developing countries.⁵¹

⁵¹ Point made to us by S. Joekes of IDRC.

POTENTIAL FOR CONTINUED IDRC SUPPORT FOR THE PRE-ICN FORUMS

Now we address the second evaluation question: *What is the potential for continued IDRC funding/support for the Pre-ICN Forums to enhance the achievement of the Forums' objectives in the coming years?*

To evaluate what informants would consider would enhance the achievement of the Forum's objectives in the future, we asked them to rank what they thought would be most useful to them. The results are in Table .

Table — Opinions of what informants consider would be highly important for IDRC to fund in the area of competition policy (percentage of responses)

Among the principal possibilities that IDRC could fund in competition policy related work how would you assess the IDRC Forum?	Developing country informants	Developed country informants
IDRC Forums	72%	71%
Travel grants	55%	50%
Speaker grants	48%	42%
Research grants	83%	50%
Publication grants	61%	40%

Source: Question 8, Annex and Annex .

Here we see that the highest reported figures overall were clearly for the IDRC Forums, with almost three quarters of all informants selecting this option. This is a significant amount, and it is interesting that approximately the same percentage of developing country and developed country informants agreed to the same degree with supporting the IDRC Forums. Similarly, there is support from both groups for travel and speaker grants. The differences are for publication and especially research grants for which significantly more developing country informants than those from the developed countries consider these as priorities. Developing country informants even prefer research grants to the IDRC Forums, which is very interesting. At interview, this was explained by reflecting their interest in pragmatic direct assistance. They appreciated though that research grants targeted at individual developing country agencies would not have as broad a benefit to the whole cohort as the IDRC Forums do. At interview, no delegate who indicated a supported research grants thought that the IDRC Forums should stop or be replaced by a grants programme. In contrast, developed country informants were not as supportive of research grants, and even less of travel grants or publication grants – most likely reflecting their greater access to funding.

Ownership and contribution

In our survey, to try to assess the extent to which the IDRC Forums had developed a degree of ownership among the informants, we posited a possible counter-factual to focus the minds of the respondents. We asked whether and how respondents would contribute if IDRC was unable to continue the pre-ICN Forum meetings due to funding or other constraints (Table).

The vast majority of informants offer primarily expertise; less than a third offer organisational support and a very small proportion offer financial support. This is not surprising: our informants are either officials or academics primarily, who have expertise but little financial capacity. What is

interesting from the table though is that while over 80% of developed country informants offered expertise, nearly 70% of developing country informants also offered expertise. This may show that despite the Forums also being an opportunity for an indirect informal ‘training’ for younger developing country officials, really the expertise level is already high, and so the Forums should maintain their focus on exchanges of views and experiences.

Table — Potential contribution of informants to Forums

	Developing	Developed
Yes, organizational	30%	22%
Yes, financial	7%	6%
Yes, expertise	70%	83%
No	7%	6%

Source: Question 8, Annex and Annex

Comparable fora

One of our final areas of analysis involved asking informants to consider whether there were comparable fora to the IDRC Forums. This question indirectly goes to the question of continuation of the Forums.

Seventy-eight per cent of informants reported **international fora** as being most comparable, and centred primarily around UNCTAD, the ICN itself, and to a lesser extent, the OECD Global Forum on Competition, and the academic grouping ASCOLA. Over a third of informants cited **regional fora** such as the OECD’s Latin American Competition Forum, and just over another third of informants noted that there might be some comparable **national** fora run by individual agencies. Those citing UNCTAD noted though that, while it is a formal global body dedicated to developing country competition law issues, with regularly scheduled meetings of officials from agencies and governments in such economies; the issues discussed are largely of a policy, rather than ‘hands-on’ nature, as at ICN or IDRC meetings. They serve a useful purpose, but require greater preparation on the part of attendees, inter-governmental consultation prior to meetings, and more resources. Some informants noted that there was less content, expertise and interaction at UNCTAD meetings than at IDRC Forums.

“I know of no other fora in which the discussion continues at the same level. UNCTAD attempts the subject matter, but the institution is politicized and debate is often superficial. IDRC is the only place I know of where it is done in an academically rigorous way by persons qualified to do so.” — Competition expert

In terms of regional comparators, there is the developed-country grouping, the OECD, which has an outreach programme for developing countries, as well as regional centres in such regions. Other regional fora mentioned by informants included COMESA, SADC, the African Competition Forum, Korean International Workshop on Competition Policy, East Asia Competition Forum, COMPAL, ICAP, and the ASEAN Experts Group on Competition.

The outreach work of the OECD is excellent, and extremely pragmatic.⁵² With respect to the formal meetings of the OECD Global Forum on Competition, it was noted by some informants that while helpful, these discussions involve a dialogue primarily between developed countries and developing countries, addressing to a great degree the issues of interest to both groupings in equal measure. The areas discussed also primarily relate to broader areas of policy, as with UNCTAD. No one thought such discussions were unhelpful – what was emphasised though was that the IDRC Forums

⁵² Confidential interviews with delegates and experts

are different on two counts. They involve a discussion among developing countries primarily about developing country issues, and where topics/concerns become broader they are targeted to how developing countries will address such concerns. Secondly, developing countries desperately need to learn and exchange experiences relating to cases, and the IDRC Forums provide a good basis for this, in addition to other policy instruments discussed at other fora, e.g. advocacy.

ACHIEVEMENT OF THE IDRC FORUMS' OBJECTIVES

In this section, we summarise some primary findings and offer reflections regarding the achievement of the seven individual objectives of the IDRC Forums. It should be recalled though that these objectives were reconstructed by IDRC from different documents in their files during the course of the scoping of the evaluation in 2011, rather than as an organised and intentional plan before setting up the Forums in 2006. It is thus inappropriate to try to find direct links between each objective and a particular Forum, or for all Forums to satisfy every objective. Our findings should be read in that light.

First, the general objective of the Forums: **enable integration of developing country concerns into global discussions that occur at ICN conferences regarding the challenges to competition policy.**

Despite mixed reports from informants, and some anomalies that have been discussed, it seems that the IDRC Forums satisfy this general objective. The subsequent actual involvement of developing country officials in ICN meetings could be greater, and the influence of IDRC Forums on the ICN Conference agenda is certainly not noticeable, but as discussed above, we have identified other more subtle effects that go towards satisfying this 'integration' objective. These are aptly captured in the following report:

"The IDRC fora have been invaluable. Without them, I think there would be a total discounting of developing country concerns, as well as lack of a venue for bringing together individuals with important like concerns. They are important intellectually, socially and politically." — Competition expert

The IDRC Forums' impact becomes clearer when we examine the achievement of the seven specific objectives.

1. Promote lively policy dialogue within the relevant policy community including some of its key, high-level actors

It is clear that the dialogue at the IDRC meetings has at times been viewed as stimulating and useful.⁵³ Our parameter for this was a series of reports of productive exchanges of views. This is clearly met. There are occasions, for example relating to discussions of independence of agencies, where some debate has occurred, but the primary atmosphere has been thought provoking, with an exchange of helpful views among participants struggling with similar issues. Debate itself may not be what is necessary at such Forums. If anything, we have senior officials and experts, and in many cases, agency heads, fully engaged for a day's discussion of developing country concerns related to competition policy. Several of these agency heads return year on year and thus clearly think the meetings are of value. Another note from an informant is helpful:

⁵³ Confidential interviews with delegates and experts – several informants returned in subsequent years and no one reported leaving part way through a Forum

“At the May 2011 IDRC pre-ICN Forum in The Hague, 3-5 academics and competition enforcers stated that they now regularly attend the IDRC pre-ICN Forums because it is the only venue which gives developing countries the possibilities to have a worldwide discussion and share experiences on the common competition issues they face.” — Developing country competition expert

2. Demonstrate the value of bringing in research based evidence into policy discussions, for example by drawing attention to policy-relevant empirical findings that can be used in debates at home.

As the IDRC Forum programmes display, the majority of people who have presented at IDRC Forums is sharing research or findings from their own analysis or experience, and this is crucial to the Forum’s success.⁵⁴ The intention is clearly to avoid academic pontificating or ‘lecturing’ from agencies or experts – what is achieved is an exchange of views among experts and officials based on real-life cases.⁵⁵ What is presented at the Forums is relevant to the issues on the agenda, which are guided by the needs of the attendees, as identified by the IDRC staff organising the Forums and their advisory group of officials and experts. There have been some examples of ‘take home’ benefits, as reported anecdotally by several developing country informants in the findings above. In addition, some particularly informative points include:

“It would be unfortunate if the IDRC were to curtail its involvement of developing countries in its research projects ...IDRC has been helpful in training and providing for the opportunity and the platform for young agency experts to discuss among themselves their findings and difficulties which enriched their analytical skills.” — Competition expert

“The IDRC pre-ICN forums ...are important opportunities for the IDRC to showcase its important work in an important area of economic and social policy.” — Competition expert

“At the May 2011 IDRC pre-ICN Forum in The Hague, 5-7 scholars and delegates stated that before they had not been aware of the specific challenges in [a developing country region] of an over-centralized system that undermines the effectiveness of the regional law at the national level, the lack of resources of the national competition authorities and that the Commission itself is under staffed, and the lack of collaboration of the national competition authorities.” — Developing country competition expert

3. Give a platform for dissemination of current and completed IDRC-supported research investigations for dissemination of current and completed IDRC-supported research investigations.

Two IDRC publications were disseminated at the IDRC Forums, both reported as being particularly helpful and comprehensive reports.⁵⁶ These included the IDRC Forum in Japan, where the IDRC publication on “Competition and Development: the power of competitive markets” was launched, and in Russia the IDRC publication “Competition Law in Action” was discussed. It has been reported

⁵⁴ For IDRC Forums 2007-2010, in “PAD 104181 (2007 to 2010 pre ICN Forums). IDRC Forum 2011, in “PAD 105649 (2011 pre ICN Forum)”, “105649 PAD - March 1 draft”, and “PAD 105649, March 2011”.

⁵⁵ Confidential interviews with delegates and experts; see also all programmes and reports of the Forums prepared for IDRC, and on file with IDRC.

⁵⁶ Confidential interviews with delegates and experts

that at each Forum two-to-three presentations were based on research undertaken with IDRC funding, for example from the IDRC CRED programme.⁵⁷

Despite being substantive publications in themselves, the two IDRC publications are part of a long list of highly-relevant IDRC-supported publications (available at Annex) that could have been placed on the agenda or, at the least, distributed at the Forums.⁵⁸ It is surprising that a research body like the IDRC did not make more use of these Forums as dissemination opportunities for such research but then again, perhaps as this was only one objective, it was never intended that IDRC research dominate the event. Then again, the Forums are 'forums', i.e. they exist primarily to provide exchanges of views among the members, and as such, despite dissemination of IDRC research being one of the objectives of the Forums, there are other goals as well which need to be considered. In addition, it may be that it was difficult to increase dissemination of publications since the Forums were essentially organised solely by an IDRC representative, head office support staff and a group of supportive experts and speakers, with myriad things to consider and arrange, and with the lack at each meeting of an IDRC regional office to support the Forums.

If dissemination of IDRC supported research and publications is to remain an objective of the Forums, it deserves more systematic attention. It would be a good idea to focus in particular on what research is most helpful, ensure it gets to delegates in good time, and has a specific slot on the Forum agenda for discussion. Since these mechanisms may not have been in place for all of the first Forums, it is actually admirable that two fulsome IDRC publications were disseminated and discussed, and informants did appreciate them.

4. Contribute in an ICN annual conference to the refinement and greater effectiveness of competition policy interventions consistent with developmental goals *with particular reference to:*

i) The distributive role of competition by way of the impact of competition policy measures on consumers was addressed nicely in particular at the Turkey IDRC Forum, with new thinking on behaviour economics providing insights for all attendees on the inter-relationship between consumer behaviour and competition policy responses, and vice versa. This meeting was the primary means by which IDRC discussants addressed the distributive role of competition, e.g. distributive justice, social aspects, and the impact of anticompetitive practices on poor and vulnerable consumers. Key topics at the South Africa IDRC Forum also related to these issues, and included: can competition law and enforcement contribute to attaining the Millennium Development Goals; Medicines and the poor; Distribution and the price of food and Sustainable access to safe drinking water.

ii) The adequacy of competition institutions to scrutinise and modify state aids and other crisis-related measures imposed by governments in times of economic shocks was addressed directly at the Swiss IDRC Forum, with leading speakers and academics offering their views on why competition policy is all the more important at such times, albeit with a need to be flexible so as not to be overruled by competing policy objectives directed at resolving crisis issues. Experts also discussed the need in such times to think beyond national measures and to consider

⁵⁷ Point made by Susan Joeques to evaluators.

⁵⁸ These are: 2008, "Competition and development : the power of competitive markets" Joeques, Susan P.; Evans, Phil and 2007 "Competition law in action : experiences from developing countries" Stewart, Taimoon; Clarke, Julian; Joeques, Susan.

regional competition initiatives. The Russian IDRC Forum also discussed challenges faced by competition authorities during economic transformation.

iii) The types of alliance building required to enhance enforcement and advocate effectively for competition principles was addressed directly at the Netherlands IDRC Forum, as well as at the Swiss IDRC Forum. The advocacy points are raised at almost every IDRC Forum, and also related directly to ICN work streams in this regard.

With respect to the overall part of this fourth objective – contribution in an ICN Conference to the refinement and greater effectiveness of competition policy interventions consistent with developmental goals – there has been a detailed consideration of responses and interview points above in the section *“Has this influenced the ICN Conference programme directly?”*.

In summary, there is little question from the desk research and interviews that the IDRC Forums complement and supplement the discussions at the ICN Conference. Viewed by the informants as a whole, the two events provide related aims but have been reported to us to work together largely very well both by officials closely connected with organising the ICN Conference itself, and by developing country officials. This evaluation has already addressed the issue of whether successful achievement of this objective should be measured by examining whether developing country issues are or are not on the ICN Conference programme itself, or discussed actively in the separate ICN Conference itself. In our view, it is the adjacency of the two meetings, and the relevance of the topics and activity at each, that contributes to successful attainment of their objectives.

5. Support the preparation and worldwide dissemination of some new research papers

Our analysis of the papers and discussions at the IDRC Forums shows that the topics are of shared interest, and consistent with the stated intention of the Forums of exchanging views among similarly-minded developing country officials sharing similar challenges. Furthermore, the papers offered by developing country participants are usually country-specific, and thus are ‘new’ to other delegates. More than this though, they contain important lessons and sharing among the delegates on issues with which they are already familiar but are seeking to identify new enforcement and policy techniques. In addition to this, at some meetings, most notably in Turkey, research related to behavioural economics that was new to all was presented at the Forums. It is also notable that the OECD requested an opportunity to present at the IDRC Forum in South Africa its research on the distribution sector. The Swiss IDRC Forum was hailed as a ‘stellar dissemination event’ by one participant.

6. Develop ownership of the Pre-ICN Forums

This is an objective also with positive findings. First, in the opinion of many of the developing and developed country informants we interviewed, the developing countries “set, own and run”⁵⁹ the agenda at IDRC Forums; others felt that the fact IDRC was organising the Forums meant that they felt ‘reassured’ that the agendas would reflect their concerns. Many agreed that the Forums felt like they were ‘theirs’ in the sense that the issues discussed were uniquely of interest to developing countries. No informant suggested otherwise. The forums also benefitted from an informal ad hoc advisory committee of experts who assisted in planning the programme of the early IDRC Forums.

⁵⁹ Confidential interviews with delegates and experts – this particular quote is from one delegate, but others expressed similar sentiments.

Secondly, there is clearly a willingness on the part of the informants to help with the continuation of the Forums. A substantial number of Informants offered to assist by providing expertise, some to provide organisational support and a few to provide financial assistance. Considering the limited administrative and financial resources available to the IDRC programme staff who organise the Forums, these are important findings. They are also notable indications of the importance of that the informants who offer assistance place on the IDRC Forums. That is, the informants themselves come from offices that have very limited resources and yet they are offering support where they can to the continuation of the Forums. They are also significant since there does not seem to have been a conscious effort to build ownership amongst the delegates. For example, while countries clearly must have been asked to provide ideas for topics, send speakers, and to attend, there was no effort to share the burdens of organising the forums, set up formal organising committees, or otherwise contribute through logistical or financial assistance. Furthermore, there was not any formal evaluation during the life of the Forums of which we are aware. If there had been, action could have been taken to heighten ownership in other ways to further 'buy in' and involvement.

The following comment reflects this feeling of development and ownership that may be built on to increase ownership and sustainability:

"IDRC have a great track record in putting new issues on the table and in getting developing country delegates engaged in ICN in a way they could not do otherwise...it would be a great shame if this halted or was diminished in any way. The beauty of this work is it grew organically from the demands of developing country agencies and researchers for access to ICN and a desire to balance the agenda. To have someone sit in Canada deciding whether this is legitimate or not is a subversion of what IDRC should be about."
— Developing country expert

One informant offered the following suggestions that relate to developing sustainability and ownership through linkages and other means:

"Donor sensitisation - not many donors are interested in competition policy and law issues. Given IDRC's interest on this issue (and capability to undertake/support research), they should contribute in spreading the awareness in the donor community about benefits that competition reforms can lead to:

- i. Given the need to develop local capacity - IDRC should get involved in developing courses/programmes in Developing Country Universities on 'Competition Policy and Law issues'.*
- ii. In addition ... IDRC could also think about developing a 'Resource Centre on Competition Issues' (may be in Nairobi) - so that competition agencies from Sub-Saharan Africa can use that as a reference point, for knowledge and technical advice."*

— Competition expert

7. Enhance developing country practitioners' ability to network among each other and with staff of established authorities on the margins of the ICN.⁶⁰

The networking opportunities provided by the IDRC Forum, the ICN Conference and their adjacency are clear and well supported in the findings:

⁶⁰ The ICN Conference is English language only, whereas in line with Canadian official policy IDRC provides French-English (and local languages on occasion, e.g. Russian, Turkish) interpretation for each Forum, addressing (only in part of course) a powerful geographically exclusionary constraint on developing country participation in the ICN.

“The IDRC pre-ICN forum is an important forum for discussing competition issues of interest to developing countries. The fact that it is organized back to back with the ICN conference give the forum a great visibility. The IDRC forum is now known and competition law experts around the world attend the forum as part of the ICN conference. I would strongly support the continuation of the IDRC pre- ICN forum.”

— Competition expert

It is also important to note that the IDRC Forums themselves are not ‘networks’ per se, but they support networking activity and learning by their attendees, and also support the adjacent network, the ICN. This networking leads to alliance-building, and collaboration. Further research would usefully identify more actual delegates (recall the contact details were unavailable to us as evaluators) and examine more of how collaboration and further networking may have developed and in what areas. A useful starting point for that may be the regional initiatives among developing countries. It appears clear from our findings above, however, that some of the benefits of networks – in particular the ‘networking’ and learning – is clearly happening through the Forums, without a discrete ‘network’ being created.

INFORMANTS’ SUGGESTIONS FOR IMPROVEMENT

In the course of our evaluation, informants made suggestions for the future, which we set out below for consideration by IDRC officials and further discussion.

“It is important to keep funding them and if possible let it be a full one day event.” — Developing country competition expert

“[Our agency] believes that IDRC can help ... by participating in regional initiatives that seek to discuss and provide assistance on themes that are aligned to the developing country’s needs. For instance, it could form a partnership with [our] Regional Center ...specifically in the organization of capacity building activities, country specific technical assistance, elaboration of regional market studies, etc.”

— Competition expert

“The overall effectiveness of these events may be improved by more active participation of a wider range of developing countries, as well as a change in the approach towards speakers and format of these events to move away from the “usual suspects”. I recognise that is difficult to makes these events more relevant to non-developing countries to encourage their engagement on development issues beyond what is often a token gesture before what many regard as the main event.”

— Developing country competition expert

“I think that the IDRC Pre-ICN Forum should be a platform

- 1. to present the research commissioned by IDRC*
- 2. to give opportunity to competition officials/academia from developing countries to express their view point in the global standard setting”*

— Developing country competition expert

“I strongly believe that it should continue but with *more focus on after event support and networking.*”
— Developing country competition expert

“Civil society organisations in developing countries have started to develop their interest on competition policy issues, and therefore - there should be some assistance/grant that is developed specifically for CSOs. *Given IDRC's strength on research, it would make a lot of difference - if such skills (of research in IDRC) can be relayed to local CSOs in a reader friendly manner for them to champion work on competition issues.*”
— Developing country competition expert

“It might ... be good if one could have *private organized forums to talk about cases* that are in progress, around sectors or by case-problems. — Developing country informant

CONCLUSIONS, REFLECTIONS AND RECOMMENDED POINTS FOR DISCUSSION

Based on our research into the IDRC Forums, the papers, presentations, reports, and the survey responses, and follow-up interaction with the informants, our key findings can be synthesised into these bullets:

1. There is clearly no support for winding down or cancelling the IDRC pre-ICN Forums among respondents.
2. The Forums are viewed as a unique and very valuable event for introducing, sharing and developing learning regarding competition issues in developing economies. The financial support and links with each other, developed country officials and academics that the IDRC has promoted have been very much appreciated by all informants.
3. The learning occurring at the IDRC Forums is very valuable to many participants; it is unique and pragmatic and helpful to developing countries and the experts who advise them.
4. It is very significant that what is essentially a conference series, with a mandate to have general appeal to all attendees from around the world records some positive results in behaviour change ‘at home,’ back in developing countries. when it was not devoted to any specific ‘change’ objective, whether through training or treaty.-
5. Given that some behaviour change has already been recorded under even these parameters, then more could be expected if the IDRC Forums engaged in systematic monitoring and evaluation of the Forums and any ‘take-home’ lessons that are reported and implemented. Added to this could be the idea of trying to attract higher numbers of senior officials from developing countries who can build on the learning from IDRC Forums, and effect change in their own jurisdictions.
6. The IDRC Forums are viewed as unique, and would be hard to replace; other fora exist, but they do not address the issues in as pragmatic or as expert as way as the IDRC and then the ICN discussions do.

7. We identified some positive outcomes — changes in the behaviour, relationships, actions, activities, policies or practices — influenced by the IDRC Forums including some instances of influencing domestic thinking and approaches.
8. There is a particular appreciation of the IDRC Forum’s informal nature (akin to that of the ICN), and this format of exchanges of views is particularly amenable to frank discussion.
9. The IDRC Forum modality of “soft advocacy” — learning from informally exchanging views on what works and thus building a critical mass of developing country perspectives on competition policy — may be more appropriate to real engagement by developing countries who cannot devote the time, staff or resources to contributing to formal fora [such as UNCTAD and the OECD].
10. In terms of what IDRC can contribute to ‘levelling the playing field’ in competition policy, the IDRC forums are ranked highly among all informants, along with research grants, which are especially appreciated by developing country informants.
11. Some informants favour more discussions of developing country issues relevant to particular regions, of regional initiatives, or IDRC Forum meetings held jointly between the IDRC forums and regional centres.
12. There were many reported benefits and even some outcomes, despite the IDRC not running the Forums as a formal ‘project’, with an intentional focus on such gains, or behaviour change in particular. In our view, and those of some informants, more outcomes could be generated by continuing the Forums with such an intentional focus, and with regular follow-up and evaluation.

OUR RECOMMENDED POINTS FOR DISCUSSION

1. Did the ICN’s ‘good intention’ to embed developing countries concerns in its programme end up being implemented through the introduction of the IDRC Forums during ‘ICN week’ every year, rather than at the ICN Conference itself? How does this affect ‘ownership’, and the future of the programmes?
2. If more effort was made to stimulate debate within the Forums, would delegates gain confidence in raising and arguing issues, and then be more likely to build on points that they have discussed at IDRC Forums and raise them over the subsequent days at the ICN Conference? Or would introduction of debate impede sharing/exchange of views?
3. If the subject matter at IDRC Forums had more of a clear link to pre-announced topics of the ICN Conference, while still focussing on developing country concerns, would it have more of a chance of influencing ICN discussions? That is, since interviews indicated that a more vocal and more involved developing country cohort would be welcome, would the dialogue among developing country representatives flow more readily into the broader ICN discussion if this were better organised?
4. Since the business community wants the pre-ICN slot, should the IDRC continue to insist that the Forums precede the ICN Conference so that developing country concerns are not left until the end of the week with even less chance of entering into the ICN Conference itself?

5. If IDRC needs to reduce its budget allocation for these Forums, could it share responsibility for the Forums with a local co-sponsor or a regional centre? Is this feasible and would it achieve many of the objectives at lesser cost?
6. Would one approach to reducing costs be to focus IDRC Forum discussions primarily on developing country concerns that are faced by authorities in the region⁶¹ where the meeting is held - but ensuring that such issues still have broad appeal to all developing countries? This would limit the need to fly in speakers from across the globe.
7. What are the IDRC's views on what constitutes 'sustainable ownership'? Is repeat and growing attendance at the Forums sufficient? Or does IDRC want to see assumption of the role of organisation/planning assumed by others?
8. Would asking attendees right after a Forum some evaluation questions serve to build on their engagement and move to greater ownership and sustainability?
9. Should IDRC predefine objectives and strategies for achieving them in order to have a more focused programme of Forums? The evidence from the evaluation suggests that this would be desirable. Nonetheless, the competition policy environment is dynamic and complex with an accompanying high degree of uncertainty. In this situation, effective multi-year programming may be inappropriate if not impossible. Responsiveness to the concerns of users may be a better metric since this can support more ongoing feedback, evaluation and increased ownership.

ANNEXES

Annex	Terms of Reference, External Review – IDRC Pre-ICN Forums on Competition and Development, June 2011
Annex	Evaluation Workplan, IDRC Pre-ICN Forums on Competition and Development, September 2011
Annex	Competition policy experts consulted
Annex	IDRC Pre-ICN Forum Survey
Annex	Survey responses from 45 informants
Annex	Survey responses from 27 developing country (Africa, Asia, Latin America and the Caribbean) informants
Annex	Survey respondents from 18 developed country (Europe, North America and Oceania) informants
Annex	Bibliography
Annex	IDRC-supported publications on competition policy
Annex	List of Acronyms
Annex	Biographies of the evaluators

⁶¹ ICN Conferences are not always held in developing country regions, of course.