FNE Chile
Communication Strategies

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Fiscalía Nacional Económica (Chile)

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"When used effectively, communication strategies can educate and engage the general public, increase compliance with competition laws, shape policy debates and empower competition authorities".

"A well-developed and comprehensive communication strategy is one of the most powerful tools competition authorities possess to establish, maintain and promote competition culture".

"Stating and explaining the merits of a competitive environment in common language may help the general public to better relate to competition policy objectives".
FNE Chile
Communication Strategies

Legal Framework

- FNE is the agency in charge of promoting free competition (Growth and stability)
- Legal aspect of Transparency Law
- Technological
- Preference for a discrete mediatic profile

Recommendations

- To minimize technical obstacles and ensure clear communication, the agency should...
- To guard against potential misuse of information, the agency should...
- To establish a clear strategy for communication, the agency should...

Communication on Several Levels

- Communication should be tailored to different levels of stakeholders.

Warnings

- Risks of affecting the integrity of the agency if more interactions than necessary are agreed.
- Precedent cases for the collection, processing, and dissemination of information should be avoided.
- There is a danger of creating a media strategy that oversimplifies.

Guard the confidentiality of information, because the role of the Agency is to defend free competition.

Avoid over-mediatization.
Legal Framework

- FNE is the agency in charge of protecting free competition (prosecutor entity)

- Legal secrecy vs Transparency law

- Technicalities

Preference for a discrete mediatic profile
Communication on Several Levels

Institutional web site
as main communication channel
Institutional web site

• Main communication channel

• It contains institutional information, databases with judicial resolutions and news, market studies, etc
Communication on Several Levels

Institutional web site
as main communication channel
FNE's interactions with the media

Interactions between FNE and Media

✓ Comunicational strategy has been effective

Outcomes
Interactions between FNE and Media

FNE Actions
- Implementation of new measures of control of the conduct of economic activities
- Monitoring and controls to prevent tax evasion
- Meetings with civil society organizations
- Press releases about the organization's activities and events
- Press releases about current topics and recent studies
- General information on fiscal and economic topics

Starting points
- Professional relationship with press points
- Coordination of contact with the media by the Department of Institutional Relations
- National Economic Observatory as the sole spokesperson

Needs of the Media
- Descriptions of cases/actions
- Interviews
- Information on current investigations
Starting points

- Professional relations with journalists
- Centralization of contact with the media in the Department of Institutional Relations
- National Economic Prosecutor as the sole spokesman
Interactions between FNE and Media

FNE Actions
- Implementation of state issues
- Public relations and lobbying
- Meetings with media
- Press releases and press conferences
- National Finance Press as the sole spokesperson

Starting points
- Professional relations with journalists
- Coordinating contact with the media in the Department of Institutional Relations
- National Finance Press as the sole spokesperson

Needs of the Media
- Descriptions of cases of action
- Financial
- Information on current investigations
FNE Actions

- Explanation of main issues of cases (off the record)
- Workshops for journalists every six months
- Meetings with editors
- Press releases about court processes, public investigations and events
- Few interviews and only to written media
- Simple language, but not that simple
Interactions between FNE and Media

FNE Actions
- Implement and state issues of news in the world
- Meet journalists and cultivate relations
- Meetings with others
- Press releases directly aim to promote and awareness
- Promote interests through interviews media
- Provide language news as news samples

Starting points
- Professional relations with journalists
- Coordination of contact with the media in the Department of Institutional Relations
- National Economic Pressor as the sole spokesperson

Needs of the Media
- Description of issues of actions
- Economy
- Information on current investigations
Needs of the Media

- Description of cases / actions
- Interviews
- Information on current investigations
Interactions between FNE and Media

**FNE Actions**
- Implementation of media issues in the overall strategy
- Representing the National Fiscal Corporation in public events
- Meetings with the media

**Starting points**
- Professional relations with journalists
- Coordination of contacts with the media in the Department of Institutional Relations
- National Economic Presentation as the main spokesperson

**Needs of the Media**
- Descriptions of cases of actions
- Interviews
- Information on current investigations
Outcomes

An Example
- Pharmacies
  - High-profit suburban pharmacies, fixed prices of certain medications
  - Unknown millions of lines

Statistics
An Example

Pharmacies

- High profile case: the pharmacies fixed prices of certain medicines
- US$40 millions of fines
Pharmacies

- High profile case: the pharmacies fixed prices of certain medicines
- US$40 millions of fines
Acusan a farmacias de alzas concertadas
Fasa llega a acuerdo con FNE tras admitir responsabilidad en confabulación de precios

23 DE MARZO DE 2009 • 11:47
Farmacias reciben multa histórica por colusión: US$ 38 millones

TDLC aplica multa histórica a farmacias y fallo será base para la arista penal
Supreme Court's Award
An Example

Pharmacies

- Hight profile case: the pharmacies fixed prices of certain medicines

- US$40 millions of fines
Statistics
Number of monthly publications
May 2013 - May 2014

Total publications: 2001
Monthly average: 154 publicaciones

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<td>May</td>
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Qualitative Analysis
[ % may 2013 - may 2014]

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By type of media
(%, may 2013 - may 2014)

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<tr>
<th>Type of Media</th>
<th>Count</th>
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<tr>
<td>Santiago newspapers</td>
<td>1094</td>
<td>54.7</td>
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<td>Online</td>
<td>644</td>
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<td>Regional newspapers</td>
<td>229</td>
<td>11.4</td>
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<tr>
<td>Magazine</td>
<td>34</td>
<td>1.7</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>2001</strong></td>
<td><strong>100</strong></td>
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Outcomes

An Example
- Pharmacies
  - High profile general pharmacies, few persons of certain profile
  - Low profile general pharmacies, few persons of uncertain profile

Statistics
FNE's interactions with the media

Interactions between FNE and Media

✅ Comunicational strategy has been effective

Outcomes
Advocacy

**Competition Day**
- Communicational highlighted day of the year
- National Press/Industry union event
- Launch of a competition book with all the initial resolutions and final investigations of the past year

**Guidelines**

**Talks**
- Universities
- Investigation centres
- Trade Associations
- International forums

**Encouraging to Research**
- Annual Contest of free competition thesis for students
- History book: "Historia de la libre competencia en Chile 1999 - 2010"
Competition Day

- Communicational highlighted day of the year
- National Prosecutor’s public account
- Introduce of authorities and experts
- Launch of a compilation book with all the initial resolutions and filed investigations of the past year
Guidelines

FNE elaborates documents on matters where a point of view is needed. These guidelines are not mandatory nor binding, but they definitely have an impact.

Deloitte Perception Survey 2012
Is the Guideline for Horizontal Merger a help on merger control?

- No: 9
- Yes: 91
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Deloitte Perception Survey 2012

Is the Guideline for Horizontal Merger a help on merger control?

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Encouraging to Research

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Advocacy

Competition Day
- Communicational highlighted day of the year
- National Press releases public event
- Launch of a competition book with all the initial conclusions and final investigations of the past year

Guidelines

Encouraging to Research
- Annual Contest of free competition thesis for students
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Talks
- Universities
- Investigation centres
- Trade Associations
- International forums
Diffusion of the National Prosecutor’s Agenda

- Open agenda on the web of Prosecutor's activities
- Transparency of the National Prosecutor’s activities
Authorities

• Meetings with others authorities of the Central Government and other regulators

• For example: Ministry of Economy, Health, Energy, Transport, Telecommunications, among others
SIAC: Integral System for Citizens’ Assistance

- Citizens can file a report using the web page
Communication on Several Levels

Institutional web site
as main communication channel
Warnings

• Risks of affecting the mission and efficiency of the Agency if more information than necessary is given.

• Declarations given by the spokesman can be used against the Agency in trial.

• There is danger of revealing a case’s strategy to counterparts.

⚠️ Avoid over-mediatization.
Recommendations

• To maintain technical character and not over expose the authority and the institution
• To have a sole spokesman in order to avoid the risk of having conflicting versions and information leaks
• To count with a team that can channelize the information and translate it to the media

• To maintain a website that is up to date with the most complete information possible
• To maintain an open communication channel with journalists, to answer questions and minimize the risk of mistakes in media publications
• Make sure the relation with journalists is discrete and strictly professional

Guard the confidentiality of information, because the role of the Agency is to defend free competition
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Legal Framework
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- Legal basis: Transparency Law
- Technicalities
- Preference for a discrete mediatic profile

Recommendations
- To minimize market abuses and guide new markets, the agency's and its mediator's integrity is highlighted.
- To ensure trust in trade, it is necessary to clarify market norms (anti-trust)
- The agency only acts in cases that can potentially risk the market and decides accordingly

Guard the confidentiality of information, because the role of the Agency is to defend free competition.

Communication on Several Levels

UNITED NATIONS
UNCTAD

FISCALIA
NACIONAL
ECONOMICA