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Presentation

The Priority-Setting Project:
Developing Countries

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THE PRIORITY-SETTING PROJECT: DEVELOPING COUNTRIES

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The legal competence and \textit{de facto} ability of CAs to choose which cases to pursue and which to disregard

- Effective allocation of scarce (human/financial) resources
- Concretization of legal norms; Administrative discretion
The priority setting Paradox in developing countries

Paradox

(very) Scarce (human/financial) resources
Increased need to set priorities

Often no *de iure* competence to prioritize

What are the historical, and socio-economic factors that influence local competition law enforcement?
The priority setting project

- Theoretical framework
- Questionnaires + Interviews
- **First stage:** EU/UK (2019-2022)
- **Second stage:** developing countries (2023-4); UNCTAD partnership
# Typology of Priority Setting: 7 Aspects of Prioritisation

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<thead>
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<th>Stage</th>
<th>Aspects of priority setting</th>
<th>External</th>
<th>Internal</th>
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<td>Pre-decision</td>
<td>Agenda setting</td>
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<td>Competence to prioritise (de jure)</td>
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<td>Ability to prioritise (de facto)</td>
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<td>Decision</td>
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<td>Substantive criteria</td>
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<td>Alternative mechanisms</td>
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<td>Post decision</td>
<td>Impact assessment</td>
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Balance between procedural efficiency and transparency/accountability
EMPirical FINDINGS: Four REpresentative MODEls

(I) high degree of prioritisation, external or internal constraints

(II) high degree of prioritisation, limited external or internal constraints

(III) medium degree of prioritisation, limited internal constraints

(IV) low degree of prioritisation, high degree of transparency