



THE COMPAL III: a regional programme for Latin American countries

The objective of COMPAL is to promote sustainable competition and consumer protection systems by strengthening the relevant institutions and fostering a better understanding of the benefits of competition. After two successful phases of SECO's support for COMPAL in Latin America, COMPAL III now seeks to establish a self-sustained programme that will function beyond 2018, when SECO's support to the programme will be concluded. For this purpose, COMPAL III will focus on two strategies of intervention: 1) Consolidation of the acquired capacities and deepening of the regional cooperation; 2) support and compliance with competition and consumer protection rules by the private sector.

The implementation of the programme will take three years. It will be implemented by UNCTAD in close cooperation with the relevant national institutions of the COMPAL members. These are directly involved in the implementation of the programme through shared management-structures with UNCTAD. . The programme will intervene at the national as well as at the regional level. In this last phase, COMPAL will particularly focus on activities at the regional level with the objective of strengthening the achievements at the national level through a strong regional underpinning. In this regard, Colombia and Peru will assume an important leadership role in order to reinforce the regional COMPAL structure.

1.1 Activities and expected results

The two strategies of intervention (SI) of COMPAL III each pursue an objective. The activities and expected results of the two SIs will be described in the following.

SI.1: Consolidation of acquired capacities and deepening of regional cooperation

Objective: Legal frameworks and capacities in regard of competition and consumer protection are sustainably strengthened through consolidation of the capacities acquired during the first phases of COMPAL and through enhanced regional cooperation.

Main activities will include the following:

- Organization of national or sub-regional workshops on competition and consumer protection policies and frameworks of different COMPAL members.
- Assessment of the opportunities and obstacles of enhanced cooperation among competition and consumer protection authorities and the convergence of the legal and policy frameworks of COMPAL members.
- Development of an internet-based Knowledge Management Platform (KMP), which will make available all COMPAL products (manuals, guidelines, studies etc.) (cf. Annex 3).



- Organization of specialized training courses for government officials from COMPAL members on competition and consumer protection together with the COMPAL School on Competition and Consumer Protection, which will be set up by INDECOPI-Peru¹.
- Organization of separate and specific training courses and workshops for officials of the judiciary system.
- Conduct studies and develop national strategies (particularly for Colombia and Peru and other interested members) on the subject of policy coherence between competition policies and other relevant government policies, in particular with relation to the public sector ('competition neutrality'). Conclusions to be shared with the COMPAL members at the Annual Conference.
- Organize workshops to promote dialogues for national policy coherence (particularly for Colombia and Peru and other interested members), in particular for state-owned enterprises and governmental institutions.
- Advocacy activities with regional competition and consumer protection initiatives and institutions².

The main expected results of these activities are:

- Enhanced cooperation on competition and consumer protection between COMPAL members, as well as among competition and consumer protection authorities, and stronger regional convergence of legal and policy frameworks.
- Enhanced and regular knowledge-sharing, exchange of experience and peer-learning among COMPAL members.
- Better trained staff of competition and consumer protection agencies regarding matters of competition and consumer protection policy; members of the judiciary system better trained regarding enforcement issues.
- Increased awareness of and better cooperation with other government agencies about the importance of coherence between competition and consumer protection policies and relevant other government policies (in particular trade policies), with particular focus also on the public sector ('competition neutrality').
- Better knowledge, understanding and awareness of competition and consumer protection issues in the region and in regional institutions in Latin America.

¹ Institute for the Defense of Competition and Intellectual Property (INDECOPI) is a specialized public agency of the Peruvian government. Its functions are market promotion and the protection of consumers' rights.

² e.g. Forum of Legislative Branches in Central America and the Caribbean (FOPREL), Central American Council for Consumer Protection (CONCADECO), Secretariat for Central American Economic Integration (SIECA), Andean Community (CAN) or Southern Common Market (MERCOSUR).



SI.2: Compliance with competition and consumer protection rules by the private sector

Objective: Strengthening of the support and compliance of the private sector with competition and consumer protection laws and policies through the provision of advice and guidance

Main activities will include the following:

- Development of guidelines for companies on the application of competition and consumer protection rules and on competition leniency programmes.
- National workshops (particularly for Colombia and Peru and other interested members) to present and validate guidelines; lessons learned to be shared at COMPAL Annual Conferences.
- Organization of workshops on the subject of unfair trade practices (particularly for Colombia and Peru and other interested members); lessons learned to be shared at COMPAL Annual Conferences.

The main expected results of these activities are:

- Companies better aware of competition and consumer protection rules and better able to comply with them.
- Enhanced legal certainty regarding leniency programmes through better awareness of the private sector.
- Better knowledge of and compliance with the rules prohibiting unfair trade practices.

Internship Programme with COMCO

Like the previous phases of COMPAL, COMPAL III will be complemented by an internship programme of the Swiss Competition Commission (COMCO), financed by the beneficiary countries and SECO.

With its particular expertise in the area of competition, COMCO had been closely involved in the development of the COMPAL programme and complemented the implementation with an internship programme. Under that programme professionals of competition agencies in the beneficiary countries will be able to benefit of a three-month internship at COMCO, during which they will experience and participate in the work of different teams. The internship programme had been evaluated very useful in the past, and the possibility to gain experience in the competition institution of an OECD country was much appreciated.



1.2 Sustainability

COMPAL III is conceptualized as the final phase of SECO's support to the COMPAL programme in Latin America. The core objective of COMPAL III is, therefore, to ensure that COMPAL becomes a self-sustained programme. The nature of the programme contains several features that favour its sustainability: the shared management-structures between UNCTAD and the beneficiary countries, as well as the focus on strengthening human capacities and creating a regional network for exchange and peer-learning. These factors ensure the close involvement and engagement of the partner countries. Furthermore, strengthening the cooperation and experience-sharing among COMPAL members will provide a strong regional basis for the continuation of the programme on a self-sustained basis. The set up or strengthening of such regional structures, including e.g. **the Knowledge Management Platform (KMP)**, will provide a stable framework and will facilitate the continuation of the programme, as already established structures are less likely to engender substantial future efforts or costs. At the regional level, Colombia and Peru will, moreover, strengthen the sustainability in their role as regional leaders.

The financial self-sustainability of COMPAL once SECO's funding has concluded, will be assured through the financing of the COMPAL members in terms of hosting meetings, paying their officials to participate in regional activities, to update the KMP or to participate in courses and trainings. In this regard, the COMPAL School of INDECOPI in Peru plays a particularly important role. The School is jointly financed by INDECOPI, UNCTAD and the COMPAL members. For particular activities or also in general, COMPAL Members might also seek for financial assistance from other partners. UNCTAD will continue to collaborate with their partners in Latin America and to be of assistance to the programme where necessary.

1.3 Beneficiaries

The direct beneficiaries of COMPAL III will be the following stakeholders of the COMPAL members:

- Competition and consumer protection agencies;
- enforcers of competition and consumer protection policies (judges and prosecutors);
- other relevant government agencies;
- private sector (in particular SMEs and business associations);
- consumer associations;
- academic institutions.

The COMPAL members in the Latin American region today are Argentina, Bolivia, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras,



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Confédération suisse
Confederazione Svizzera
Confederaziun svizra



Mexico, Nicaragua, Paraguay, Peru, and Uruguay. Colombia and Peru will receive particular focus as they will assume the role of regional leaders and serve as drivers and multipliers for the other COMPAL members.

COMPAL MENA members are Algeria, Egypt, Jordan, Lebanon, Morocco, Palestine, Tunisia and Yemen. Other neighbouring countries such as Oman, Qatar and Saudi Arabia have expressed interest to join the COMPAL MENA programme.

Indirect beneficiaries will be all market participants, in particular SMEs and consumers, as they will benefit from an improved functioning of the market and a stronger international competitiveness. These effects, however, will only develop in the longer run.