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-- Contribution from Peru --

16-17 September 2014, Montevideo, Uruguay

The attached document from Peru is circulated to the Latin American Competition Forum FOR DISCUSSION under Session III at its forthcoming meeting to be held on 16-17 September 2014 in Uruguay.

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LATIN AMERICAN COMPETITION FORUM



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Session III - Advocacy: Mainstreaming competition policy into the overall economic policy and government actions in Latin American and the Caribbean

INCORPORATION OF COMPETITION POLICIES INTO STATE ECONOMIC POLICIES AND MEASURES: THE CASE OF PERU*

-- CONTRIBUTION FROM PERU --

1. Introduction

1. In this contribution, Indecopi sets out some of the elements developed in matters of competition advocacy, as well as institutional aspects of the Peruvian case in the context of incorporating competition policy into general public policy.

2. The contribution emphasizes the work carried out by the agency recently with regard to eliminating illegal and/or irrational bureaucratic barriers, which constitutes a key element in promoting market access for more enterprises, which will thus strengthen market competition.

* Disclaimer: The comments and opinions stated in this contribution do not necessarily reflect the institutional views of Indecopi and in no way influence the position of its ruling bodies.

This contribution was prepared for the 2014 Latin American Competition Forum in Montevideo (Uruguay) by Javier Coronado, Director of Economic Research, in cooperation with Jesús Espinoza, Technical Secretary of the Free Competition Commission, Jose Antonio Tirado, Director of the Legal Department, Rodolfo Tupayachi, Assistant Director of Economic Research and Lucia Cok, Parliamentary Coordinator. Any comments or questions can be made by email to: jcoronado@Indecopi.gob.pe.

2. General Observations

2.1 *On the incorporation of competition protection policies in the legal system*

Are the principles of competition policies included at the constitutional level? Is this necessary?

3. The “free market” principle is considered in Article 61 of the Political Constitution of Peru (the Constitution), which stipulates the following:

Article 61. - *The State facilitates and oversees free market competition. It fights any practice that would limit it and the abuse of dominant or monopolistic positions. No law or arrangement may authorize or establish monopolies.*

The press, radio, television, and other media for expression and social communication and, in general, businesses, goods and services related to freedom of speech and communication, cannot be objects of exclusivity, monopoly, or take over, directly or indirectly, by the State or private parties.

4. Its inclusion in the state’s primary legislative instrument is important to its protection, since it is one of the principles that uphold the economic framework adopted in the country, thus putting the principle of “free market competition” on the same footing as other fundamental constitutional principles and rights such as the right to life, health and work. Its inclusion has enabled the Constitutional Court (*Tribunal Constitucional*) to draw up legal criteria stipulating the content of the principle of free market competition. These criteria are binding for all branches of government.

Are there any other laws (aside from competition defense laws) that incorporate competition principles?

5. In the energy and mining, telecommunications and public transport infrastructure sectors, the legislator has included the principle of “free market competition” as part of the “supplementary principle,” stipulating that the enforcement of free market rules is supplementary to sector regulations, and that in the event of any conflict these regulations shall take precedence, in accordance with the following:

- **Supreme Decree Number 054-2001-PCM, General Regulations of the Supervisory Agency for Investment in Energy (Reglamento General del Organismo Supervisor de la Inversión en Energía – OSINERG) (Article 12. - Supplementary Principle)**

Free market rules are supplementary to the regulatory and/or legislative terms issued by OSINERG with regards to competition. In the event of any conflict, the rules of OSINERG shall take precedence.

- **Supreme Decree Number 008-2001-PCM, General Regulations of the Supervisory Agency for Private Investment in Telecommunications (Reglamento General del Organismo Supervisor de la Inversión Privada en Telecomunicaciones – OSIPTEL) (Article 12. - Supplementary Principle)**

Free market rules are supplementary to the legislative and/or regulatory terms issued by OSIPTEL with regards to competition. In the event of any conflict, the established terms issued by OSIPTEL shall take precedence.

- **Supreme Decree Number 008-2001-PCM, General Regulations of the Supervisory Agency for Private Investment in Public Transport Infrastructure – (Organismo Supervisor de la Inversión Privada en Infraestructura de Transporte de Uso Público – OSITRAN) (Article 11. - Supplementary Principle)**

Free market rules are supplementary to the legislative and/or regulatory terms issued by OSITRAN with regards to competition. In the event of any conflict, the established terms issued by OSITRAN shall take precedence.

6. As described below, legislation in relation to state procurement also incorporates competition criteria and principles.

Are any sectors excluded altogether from competition regulation either by the Constitution and/or the law?

7. Regulations on free competition are applicable to all economic agents and it is within the jurisdiction of Indecopi to oversee and sanction behavior that influences the competition process in all sectors except for the public telecommunications services market, which is within the jurisdiction of OSPITEL.

2.2 On the relationship between the institutional design of the competition agencies and the incorporation of competition policy

Does your agency deal with a multiplicity of areas such as consumer protection or procurement? If so, does this institutional design help to incorporate competition principles across the different areas?

8. In addition to its competition protection activities, Indecopi is the government agency responsible for enforcing the Consumer Protection and Defense Code (*Código de Protección y Defensa del Consumidor*) and legislation for registering and auditing intellectual property in Peru (specifically brands and distinctive logos, copyrights and patents).¹

9. This allows for a systemic view of market oversight. For example, auditing tasks in consumer protection, specifically with regard to the suitability of products and services offered to the market by rival vendors, are coherent with the pursuit of transparent competition.

10. Furthermore, Indecopi has recently promoted a strategy to encourage the registration of innovation patents through the creation of the Support for Innovation Subdivision (*Sub Dirección de Soporte a la Innovación*) of the Inventions and New Technologies Division (*Dirección de Invenciones y Nuevas Tecnologías – DIN*). This strategy's approach is consistent with the need to promote the market entry of innovative domestic products as part of the efficiency goals of competition policy.

11. Another institutional design aspect that allows for a joint approach to competition policy is the subsequent control and elimination of illegal and irrational bureaucratic barriers, which is under the responsibility of the agency's Elimination of Bureaucratic Barriers Commission (*Comisión de Eliminación de Barreras Burocráticas – CEB*).² Finally, Indecopi also possesses the Tendering Procedures Commission (*Comisión de Procedimientos Concursales – CCO*), which enforces the asset restructuring or market exit of companies that have not achieved balance and sustainability.

¹ In accordance with Legislative Decree No. 1033 approving the Law on Organization and Functions (Ley de Organización y Funciones – LOF) of Indecopi.

² Article 23 of Legislative Decree No. 1033, op. cit.

Does your agency have a specific department devoted to advocacy? If so, what percentage of the agency's staff works on advocacy? What is the percentage of the agency's budget dedicated to advocacy activities?

12. No specific area is entirely devoted to the task of competition advocacy; however, Article 13 of Legislative Decree Number 1034, which approves the Repression of Anti-Competitive Conduct Law (*Ley de Represión de Conductas Anticompetitivas*), stipulates the powers of free market competition Commission (*Comisión de Defensa de la Libre Competencia – CLC*) as follows:

e) Suggest that the Chair of the Board of INDECOPI issue opinions, encouragement or recommendations to the legislative, political or administrative authorities in relation to the implementation of measures that restore or promote free market competition, such as the elimination of entry barriers, and the implementation of economic regulation of markets where competition is not possible (...).

13. Furthermore, the Bureau of Economic Research (*Gerencia de Estudios Económicos – GEE*) prepares a series of research documents, called market observatories, which aim to identify and evaluate bureaucratic barriers to market access or continuity in order to inform the Technical Secretariat of the CEB, in the interests of evaluating the start of proceedings and promoting public debate over the need to open up market access to private initiative, with a view to more companies entering the market, thus promoting greater rivalry.³

14. Additionally, the GEE coordinates technical research with the Technical Secretariat of the CLC and other areas of the agency, in order to provide a technical basis for the competition recommendations issued by the agency.

What are the mechanisms that the competition agency utilizes to incorporate competition policy and raise awareness amongst civil society?

15. In the past year, Indecopi has been particularly active in advocating the removal of bureaucratic barriers, coordinating rules to strengthen their functions in this area together with the Ministry of Economy and Finance (MEF) and the Presidency of the Council of Ministers (*Presidencia del Consejo de Ministros*). Similarly, Indecopi permanently keeps the public and state agencies informed of progress in terms of removing bureaucratic barriers by:

1. Publishing statistics on domestic bureaucratic barriers identified by the CEB as of 2013;
2. Publishing studies that evaluate the impact of having removed barriers, in cost savings terms;
3. Publishing industry studies identifying specific barriers, evaluating their cost and impact;
4. Participating actively in presentations before the Peruvian Congress, meetings with the MEF, specifically the National Competition Board (*Consejo Nacional de Competitividad*) and private agents.

³ These documents can be downloaded from the following link:

< http://www.indecopi.gob.pe/0/modulos/JER/JER_Interna.aspx?ARE=0&PFL=0&JER=613 >

For example, the GEE published a study identifying the infrastructure deployment barriers faced by residential natural gas distribution companies. This is of particular importance since the product is an alternative, cleaner energy source that could potentially replace more costly sources such as Liquefied Petroleum Gas or Electricity.

Has the competition agency entered into co-operation agreements with national universities to promote the study of competition policy? Does the competition agency have a fellowship program to provide students with opportunities to work at the agency?

16. Indecopi has a Competition and Intellectual Property School (*Escuela de la Competencia y la Propiedad Intelectual – ECP*), which organizes domestic and international courses and seminars specializing in competition matters through conventions with universities and public agencies, which are targeted at students, professionals and judges. A large proportion of these courses are developed in Peru. The ECP also promotes the publication of academic texts and outreach materials in matters of competition policy and the agency's other functions.⁴

17. The ECP also offers competition policy courses in Lima, and is responsible for offering the annual Continuing Education Course, which offers recent graduates a comprehensive study plan specializing in matters of competition, including subjects involving quantitative methods for the study of markets from a competition perspective. Every year, the ECP awards fellowships to 39 university students to take the course, 21 of whom are from public universities from provincial Peru. Some of these students are subsequently taken on by the agency as interns with the opportunity to form part of its full-time staff.

18. Finally, since 2013 the GEE has organized a quarterly seminar to promote the presentation of research projects in areas related to competition policy. The projects presented at this seminar include internal projects developed within Indecopi, as well as studies undertaken by academics and officials of other oversight agencies.

How might an agency balance the role of advocacy towards incorporation of competition policy with the need to remain independent from government? Does the institutional arrangement of the competition agency condition the advocacy role? (e.g. if the agency is part of a larger ministry or an independent institution)

19. Indecopi is an independent agency of the Presidency of the Council of Ministers, which is represented by two members on the Board. The Commissions, including the CLC, are comprised of professionals not on the agency's permanent staff, thus ensuring credibility and independence in their decisions and rulings. The CLC has a Technical Secretariat formed by a team of specialist lawyers and economists.

20. Advocacy functions, specifically in matters of free market competition, are developed during the proposal phase by the Technical Secretariat of the CLC, which submits proposals for the approval of the CLC commissioners. When appropriate, the CLC recommends that the Presidency of the Board should issue encouragement for the adoption of measures by executive and legislative authorities aimed at strengthening market competition.

2.3 Specific questions relevant to incorporating competition policy

Is competition policy (or competition principles) present in National Development Strategies, Sector Strategies, Government pluri-annual plans, political party's manifestos?

⁴ More information on the ECP can be viewed at the following link:
<http://www.indecopi.gob.pe/portal/ecp/escuela/>

21. The MEF has a National Competition Board (CNC) which aims to set out targets and intermediate goals to enhance productivity in the economic activity of private agents and to enhance the business environment. Similarly, the “2014-2018 Competitiveness Agenda, Towards the Bicentenary”⁵ document contains two parts that make reference to aspects of competition policy in which Indecopi plays a central role:

1. Reinforcing Indecopi’s actions in removing bureaucratic obstacles, in general and for infrastructural deployment in particular, with priority given to all obstacles associated with technological services and new technologies.
2. Reducing timescales for companies exiting the market (liquidation) by strengthening the regulation of tendering processes overseen by Indecopi.

22. On the other hand, strategic development documents also make reference to the promotion of free market competition, for example: the Ministry of Production’s “2012-2016 Multi-annual Strategic Plan for the Production Sector (*Plan Estratégico Multianual del Sector Producción 2012-2016 – PESEM*).”⁶

Is competition policy (or competition principles) present in the daily discourse of economic policy decision makers (Ministers of Economy, Trade, Industry, Finance, Heads of Central Banks, etc.)? Can you give examples?

23. N/A

Are opinions of the competition authorities binding on policy makers, e.g. does any member of the competition authority participate in the political decision making processes (e.g. Korea)?

24. Indecopi is required to frequently issue formal opinions (or to report) on legislative initiatives in relation to the agency’s functions, such as those in matters of competition protection. It is also common for the agency to be invited to give its opinion before commissions of the Peruvian Congress where draft legislation associated with its jurisdiction is discussed.

25. However, the regulatory framework does not oblige the legislature to adopt any recommendations that may derive from Indecopi’s opinions.⁷

26. The agency also coordinates the initiatives of the executive directly with the regulatory body of the sector concerned (e.g. MEF) to strengthen the actions of Indecopi.

⁵ View the document at:
<<http://www.cnc.gob.pe/images/upload/paginaweb/archivo/6/AGENDA%20DE%20COMPETITIVIDAD%202014-2018,%20rumbo%20al%20bicentenario.pdf>>

⁶ View the document at:< <http://www2.produce.gob.pe/produce/pesem.pdf>>

⁷ In accordance with the “Regulation for the Commissions of the Peruvian Congress” (Reglamento de las Comisiones del Congreso de la República), any opinions that agencies may issue at their request are not binding. See pages 39-40 of the Regulation at:

<<http://www.congreso.gob.pe/dgp/comisiones/documentos/ManualComisiones.pdf>>

Does the government still play a role as a market participant in any sector?

27. The government, acting through the Peruvian Fund for the Financing of State Economic Activity (*Fondo Nacional para el Financiamiento de la Actividad Económica del Estado – FONAFE*), is a shareholder in companies primarily from the financial, sanitation, electricity, hydrocarbon, infrastructure and transport, postal service and health service sectors.

28. Some companies are also owned by municipal governments; for example, sanitation and water utility companies.

If any, are there any exceptions from a competition policy perspective applicable to the public sector?

29. In accordance with the Constitution, and Article 60 specifically, government and non-government economic activity is generally treated equally in law.

30. Article 60 of the Constitution also stipulates that state business activity must be expressly authorized by law and that this must be subsidiary to private initiative and justified as being in the public interest and/or of national importance.

31. Legislative Decree Number 1044, which approved the Unfair Competition Audit Law (*Ley de Fiscalización de la Competencia Desleal*), stipulated that state business activity that does not conform to the established terms of the Constitution shall be considered unlawful and must be penalized by Indecopi's Unfair Competition Audit Commission (*Comisión de Fiscalización de la Competencia Desleal – CCD*).

If there are any, what has happened since privatization processes were completed?

32. N/A

Are price controls used as a regular practice to curtail perceived anticompetitive behavior in some sectors?

33. No.

Is trade policy influencing competition policy? Does increased market access negotiated in trade agreements increase competition in the domestic market? Does enhanced protection of intellectual property rights (as required by trade agreements) represent a threat to competition? Are conglomerate sectors related to those industries to which an import duty is levied?

34. Following the Implementation of the Trade Promotion Agreement with the United States, the Peruvian Congress granted legislative powers to the executive, allowing changes to competition legislation. In particular, the aforementioned Legislative Decree Number 1034 replaced Legislative Decree Number 710 Against Monopolistic, Controlling and Anti-competitive Free market Practices. Furthermore, Legislative Decree Number 1044 approving the Suppression of Unfair Competition Law (*Ley de Represión de la Competencia Desleal*) was passed, and amendments were made to the General Tendering System Law (*Ley General del Sistema Concursal*), in relation to market exit procedures.

35. Openness to trade and the non-discriminatory treatment of foreign capital in Peru help enhance incentives for competition among local companies and help improve conditions of supply to end consumers. Article 63 of the Constitution in particular stipulates that domestic and foreign investments are subject to the same conditions.

36. Indecopi officials participate in the country's negotiating teams for the different trade agreements, free trade agreements and other conventions in coordination with the Ministry of Foreign Trade and Tourism (MINCETUR) and other industry ministries in matters within the jurisdiction of the agency. The country's negotiating position is therefore consistent with the policies and approach of Indecopi.

37. International trade policy has been developed with a view to reducing tariff and non-tariff barriers on imports, among other considerations. This policy is supplemented by the audit tasks of Indecopi with regard to dumping and subsidies, as developed by Indecopi's Dumping and Subsidies Audit Commission (*Comisión de Fiscalización de Dumping y Subsidios – CFD*).

Does industrial policy conflict with competition principles? And SME development policy?

38. Industrial policy has recently been reflected in the "National Production Diversification Plan" approved by the Ministry of Production.⁸ The aforementioned "2014-2018 National Competition Agenda" also develops specific issues concerning the dynamics of micro and small enterprises.

39. In both cases, the focus is on increasing business capacities, aiming to enhance productivity in the interests of streamlining production units, including SMEs, into formal markets and, above all, to allow the diversification of supply. No reference is made in either case to state actions that might come into conflict with competition principles; however, this does not hinder Indecopi from monitoring the development of these plans and strategies to identify aspects that could be improved to promote market competition or which could potentially have distorting effects; advocacy shall serve as a tool to harmonize industrial policy with competition policy objectives.

Which players should participate in the incorporation process? Who should have the leadership? How can they influence the decision making process of economic policy?

40. Indecopi must lead the process to incorporate competition policy into general public policy insofar as its function is to ensure effective market competition, notwithstanding the aforementioned legislative provision relating specifically to the telecommunications sector.⁹

What is the role that competition advocacy plays in your agency? How does it compare in time and resources with the enforcement role and merger control? Does your legislation give "teeth" to the competition agency in its advocacy role? Is the agency able to issue binding opinions? In cases of "recommendations," is there a compliance record?

41. Competition protection is principally undertaken by the Competition Commission (CLC), the Dumping and Subsidies Audit Commission (CFD), the Elimination of Bureaucratic Barriers Commission (CEB), the Unfair Competition Audit Commission (CCD), the Tendering Procedures Commission (CCO) as primary ruling bodies, and the Specialized Competition Court (*Sala Especializada en Defensa de la Competencia – SDC*) and Specialized Tendering Procedures Court (*Sala Especializada en Procedimientos Concursales – SCO*) as secondary ruling bodies. It is worth stressing that competition protection in the telecommunications sector is the responsibility of the Supervising Agency for Private Investment in Telecommunications (OSIPTEL).

⁸ The full text of the Plan can be obtained at the following link:

<<http://www.produce.gob.pe/images/stories/Repositorio/publicaciones/plan-nacional-de-diversificacion-productiva.pdf>>

⁹ Article 2 of Legislative Decree Number 1033, op. cit.

42. Peru has only one procedure for the control of company concentrations in the electricity sector, which is incorporated within the jurisdiction and functions of Indecopi, through the CLC.

43. As mentioned previously, Indecopi, acting through the CLC and other associated commissions, can issue opinions or exhortations for the adoption of executive and legislative measures that will strengthen market competition. However, this opinion has no binding force.

44. In the case of the CEB, any declaration with regard to the illegality and/or irrationality of a bureaucratic barrier can have a limited effect and may particularly benefit the informant since the CEB has no capacity to repeal government provisions. However, in July 2013, Law Number 30056 strengthened the power of the CEB to impose sanctions, thus enabling it to serve as a deterrent, leading to concrete results in terms of the voluntary removal of bureaucratic barriers by state agencies.¹⁰

Are competition principles pursued by the competition authority similar to those observed by sector regulators? Does the competition agency have jurisdiction in regulated markets (on competition related issues)?

45. As mentioned previously, free market competition rules are applicable to all economic agents and Indecopi has the jurisdiction to oversee and sanction behavior that influences the competition process in all sectors except the public telecommunications services market, which falls under the jurisdiction of OSPITEL.

Are competition principles being applied in public procurement? Has your agency enforced cases of bid-rigging? Has your agency done any competition advocacy in the area of public procurement? Has your agency extended technical support to government procurement agencies to include competition principles in the tendering process? Are there any success stories?

46. Since the approval in 1997 of Law Number 26850, State Procurement and Contracting Law (*Ley de Contrataciones y Adquisiciones del Estado*), the principle of free market competition has been incorporated as part of the public procurement principles. This principle has been maintained in several subsequent standards in the subject and is also enshrined in Law Number 30225, State Procurement Law,¹¹ published in July 2014 and due to take effect once its Regulation has been approved.

47. However, preliminary information obtained from the agreement with the Supervising Agency for State Procurement (*Organismo Supervisor de las Contrataciones del Estado – OSCE*), suggests that the current average number of bidders in public tendering processes for goods and services is very low.¹²

48. In the most recent case concerning competition in this area, the CLC declared the existence of anticompetitive practices in the case brought against Praxair Perú S.R.L., Aga S.A. and Messer Gases del Perú S.A. for antitrust practices in the form of market sharing during the selection processes organized by Social Health Insurance (EsSalud) for the domestic procurement of liquid and gas medical oxygen during

¹⁰ Chapter I of Law Number 30056, Law Amending Several Laws to Facilitate Investment, Promote Productive Development and Business Growth (*Ley que Modifica Diversas Leyes para Facilitar la Inversión, Impulsar el Desarrollo Productivo y el Crecimiento Empresarial*).

¹¹ Article 2, subsection a) and e) of Law Number 30225.

¹² For example, this has been experienced in the state procurement of pharmaceutical products. It has been observed that procurement is jointly realized between several entities in order to promote improved prices by offering greater incentives to private bidders.

the period between January 1999 and June 2004.¹³ The SDC confirmed the existence of anticompetitive practices on appeal.

49. Finally, with the support of multilateral agencies, Indecopi coordinates the publication of a state procurement handbook which aims to facilitate the design of procurement processes among public bodies, thus promoting competition between bidders.

What is the role that information on the way markets work play into incorporating competition policy? How successful is your agency in getting reliable information on markets and barriers? How successful is your agency in explaining the benefits of competition?

50. The systematic analysis of information on the development of markets that enable the incorporation of competition policy into overall public policies, for example through monitoring studies, is still limited due to the difficulty of finding reliable and stable statistical information over time.

51. In relation to information on barriers, the agency has been successful in approaching business associations during the past year in order to identify bureaucratic barriers and bottlenecks; this work has so far materialized in three sectoral observatories addressing the issue (medicinal products, mobile communications infrastructure and residential natural gas distribution infrastructure). This information is confirmed by Indecopi teams and processed for analysis and subsequent publication.¹⁴

Is there credible data on the role of competition policy in poverty reduction, inflation control, control of public expenditures, and industry productivity? Has the government or your agency done any study that relates economic growth to the enforcement of competition policies (e.g. in terms of GDP growth)?

52. No. At the moment the public information available does not allow a systematic study of the relationship between competition policy or competition in general, and aggregated economic indicators.¹⁵

Do Central Banks have a valid role in the promotion of competition?

53. Insofar as the main objective of the Peruvian Central Bank is to maintain price stability through monetary policy, it unquestionably plays a key role in removing distortions in relative prices, which is clearly important for the development of business activity and competition.

¹³ This ruling can be viewed at: <http://www.indecopi.gob.pe/RepositorioAPS/0/2/par/RES_051_2010_CLC/Res051-2010.pdf>

The CLC has issued rules in other cases in this area, which can be viewed at: <http://www.indecopi.gob.pe/0/modulos/PAR/PAR_ListarArchivos.aspx?PFL=2&GRU=149&VALTEM=0>

¹⁴ Documents are free to download from the following link: <http://www.indecopi.gob.pe/0/modulos/JER/JER_Interna.aspx?ARE=0&PFL=0&JER=613>

For example, the GEE published a study identifying the infrastructure deployment barriers faced by residential natural gas distribution companies. This is of particular importance since the product is an alternative, cleaner energy source that could potentially replace more costly sources such as liquefied petroleum gas or electricity.

¹⁵ Coronado, Javier (2014) "Cartel investigations and poverty reduction: A taste of Peru," competition Policy International, N° 16, discusses the potential effects of specific cases in relation to cartels in Peru associated with products and services with a high impact on the living conditions of the population. The document is available at: <<https://www.competitionpolicyinternational.com/assets/Uploads/CartelFeb14.pdf>>

Do you see a conflict between competition policy and long term economic goals in the area of innovation, industrial policy, etc.? If so, is this part of barriers for incorporating competition policy?

54. No study has been undertaken on the issue.

How can the experience with the opening of markets in Telecom, Electricity, and Transport help to document the case for incorporating competition policy?

55. Our experience in the sectors mentioned leads us to believe that, to promote market competition, it is essential to have supervising agencies with far-reaching autonomy, independence and institutional strength.

What should be the role of multilateral organizations in supporting the incorporation of competition policy?

56. In our opinion, multilateral organizations should cooperate to promote an institutional approach to competition, principally founded on the design of guidelines and standards with regard to competition procedures, and help to design communication strategies that help to disseminate the benefits of competition.

57. Within this communication strategy, multilateral agencies must help to create and support a market culture, particularly in countries with rapid economic growth such as Peru, and they must also work to strengthen tools such as leniency programs.