



Qualitative Study



European  
Commission

## DG COMPETITION STAKEHOLDER STUDY

### Stakeholder Report - Consumer Associations August 2010

Qualitative Study – TNS Qual+

This survey was requested by Directorate General for Competition and coordinated by Directorate General Press and Communication

This document does not represent the point of view of the European Commission. The interpretations and opinions contained in it are solely those of the authors.

## **Qualitative Eurobarometer**

### **DG COMPETITION STAKEHOLDER STUDY**

Stakeholder Report –  
Consumer Associations

Conducted by TNS Qual+ at the request of  
Directorate General for Competition

Survey co-ordinated by Directorate General  
Communication

TNS Qual+  
Avenue Herrmann Debroux, 40  
1160 Brussels  
Belgium

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# 1 Background and Research Method

## 1.1 Background and objectives

The objective of this qualitative study is to obtain feedback on the perception of the quality of DG Competition's activities from its most important stakeholders. In particular:

- The legal and economic soundness of its activities
- Aspects of integrity (such as transparency, compliance with procedural rights, etc.)
- The effectiveness of its actions on the markets and for citizens
- The quality of its communications

It is expected that the findings of the study will assist DG Competition in:

- Integrating better a wider institutional policy context into its daily activities
- Measuring its performance in a number of fields related to the quality and impact of its work, including the effectiveness of its advocacy and communication activities
- The management and prioritisation of its projects, contributing to a more dynamic communication and interaction with stakeholders allowing DG Competition's actions to achieve a greater impact

The focus of the study is on the perceived quality of DG Competition's actions; enforcement work (antitrust and cartel, merger and state aid control) and policy and advocacy activities. The study targeted DG Competition's professional stakeholders who are knowledgeable about its work, either by concrete involvement in case work as part of DG Competition's enforcement activities or indirectly, by having influenced or benefitted from policy work.

This report focuses on the views of consumer associations. Further reports cover the views of:

- Lawyers
- Economic consultancies
- Business associations
- Companies
- National competition authorities

- Member state ministries

## **1.2 Methodology and sampling**

The study consisted of in-depth interviews (IDIs) lasting 75 minutes. Interviews were conducted face to face wherever possible, at the respondent's place of work or another suitable location. Potential respondents were initially contacted by DG Competition and invited to participate in the study. Details of those organisations willing to take part were provided to TNS Qual+.

This report is based on 4 interviews, conducted across the EU. The organisations represented in the report are as follows:

- Federation of German Consumer Organisations
- OCU European Public Affairs and Competition
- BEUC - The European Consumers Association
- Which?

Interviews were conducted between 22 December 2009 and 26 January 2010.

Potential target organisations were selected with the assistance of the Consumer Liaison Unit of DG Competition from consumer associations both at the European and national level to provide, as far as possible, a balanced view on the quality of DG Competition's work.

The reader should note that this report is based on findings obtained through a qualitative research methodology. The interviews were structured around a consistent set of topics agreed with DG Competition but, within each topic area, they were open and discursive in nature. So, whilst we have striven to provide an indication of how widely the reported perceptions and views were held, such information should be treated with some caution. It is important to remember that the issues raised by each respondent will have been those that were of primary concern to them on the occasion of the interview and should not necessarily be taken as an indication that another issue was of no concern to them.

Verbatim quotations from respondents have been included in this report. They are written *in italics*. For anonymity's sake, they have not been attributed to particular individuals or associations.

A series of quantitative questions was included as part of the interview process, to provide an overall summary of respondent views on key aspects of DG Competition's performance. Not all respondents felt able to provide a rating for all the elements due to lack of immediate personal knowledge. The data on raw scores plus an overall mean based on the number of respondents rating each aspect are included within the report.

### **1.3 Respondent context**

Most of the respondents interviewed are senior employees in their associations. They provide legal and economic support within their organisations and some also have responsibilities for other consumer associations within their country. All had reasonably regular contact with DG Competition.

## 2 Soundness of Legal and Economic Analysis

### 2.1 Clarity and comprehensibility of decisions

**- Decisions are felt to be clear but some aspects of the rationale are not always understandable -**

Consumer associations tend to be selective about the decisions they look at and the level of detail with which they scrutinise them, making this quite a difficult question for the respondents to answer. To understand their responses a clear distinction needs to be drawn between the press release, communicating the main thrust of a decision and the extensive document released at a later date, containing the full details of the decision.

Overall, none of the respondents criticised the general clarity of Commission decisions but three of the four respondents commented on the full decision documents and, in all three cases, they raised specific issues relating to clarity. Two of the respondents felt that decisions provided insufficient explanation about why the Commission had apparently chosen to take into account some points of view whilst ignoring others.

*“So you might think, ‘right I can see that the price might now come down but I don’t understand why they didn’t do this or that.’”*

On occasion the material which is apparently ‘ignored’ is a submission from a consumer association which causes frustration. Respondents feel that an understanding of DG Competition’s rationale for not taking account of a particular perspective is important in understanding a final decision and would appreciate more feedback in such situations. This would both help them to understand the decision more clearly and provide guidance for their future activities and submissions.

The third respondent made a distinction between the clarity of the legal aspects of decisions, which was felt to be very high, and of the economic aspects, which was felt to be less clear.

*“One thing is objective behaviour: it is illegal and punishable for a company to bribe manufacturers so as not to introduce AMD chips in their computers. However, to determine the amount of said fine, the effects of the offense must be taken into account, and economic analysis is necessary to determine these... We can’t determine whether this is done correctly or not.”*

Two respondents commented specifically on press releases relating to decisions. One described them as ‘really comprehensible and clear’ whereas the other felt they sometimes lacked precision.

*“Although the wording of the decision cannot be changed, the press release explaining it or the memos used by the Commission could be clearer.”*

## **2.2 Predictability of decisions**

### **- On the whole, Commission decisions are predictable -**

The majority of case decisions are felt to be predictable by most respondents.

*“I can tell you that they are predictable in 80% of cases. They are unsurprising in all decisions related to the fixing of prices.”*

In order to improve predictability, it was suggested that DG Competition could provide updates on its position on an interim basis. It was felt that such updates would help the consumer associations to understand the impact they are having on Commission decisions.

The decisions that consumer associations feel are not ‘predictable’ tend to be those they also disagree with. One respondent feels that the Commission did not take a strong enough position in the iTunes case and believes that the final price parity achieved was as a result of exchange rate movements rather than intervention by DG Competition.

*“They should be more of an enforcer; an enforcer should not be a peacemaker or a negotiator. They should settle from a position of power.”*

## **2.3 Predictability of fines imposed**

### **- The majority felt unable to comment on fine predictability and no strong views were expressed -**

Three of the consumer associations stated that they did not feel qualified to comment on the predictability of the fines imposed by the Commission, although two of them spoke negatively about fines, but primarily in relation to their impact (see section 5.6).

The remaining respondent did not feel able to comment on the predictability of fines themselves but did observe that the predictable factor about fines was that there was a strong probability that they would be reduced on appeal by the Court of Justice of the European Union.

### 2.3.1 Rating: legal soundness of decisions

Mean score = 5.3

Commission decisions were not legally sound						Commission decisions were very legally sound
1	2	3	4	5	6	7
-	-	-	-	2	1	-

### 2.4 Technical quality of economic analysis

**- Most do not feel qualified to comment -**

Most did not feel qualified to comment on the technical quality of DG Competition’s economic analysis.

*“I understand that steps have been taken to improve this aspect, but I am unable to evaluate the quality of the analyses.”*

The one respondent who commented feels that the DG Competition’s economic analysis is good. However, the respondent is concerned that this could create an inequality, as less well resourced companies would not be able to afford the equivalent senior economists to defend their cases. The respondent suggested improving the analysis by demonstrating the relevance and reality of the economic models used in an understandable way.

### 2.5 Understanding of the markets

**- Most feel that DG Competition’s market understanding is improving -**

Most respondents felt that DG Competition is trying to improve its understanding of the markets affected by Commission decisions. For example, one respondent talked about how well DG Competition had presented the consumer’s viewpoint on collective redress and another commented favourably on the way it consulted with all relevant stakeholders:

*“Questionnaires are sent to competitors and suppliers and cover most of the market in order to determine supply and demand, as well as what types of contractual relationships exist between companies.”*

However, one respondent felt that DG Competition could be more proactive. She feels that consumer associations should be actively informed about what DG Competition is looking into so that they can provide information. This respondent felt that when DG Competition did ask for information it was often with little warning and so the consumer associations could either not provide the information at all or could not provide it in the detail they would like.

*“They [consumer organisations] don’t know what DG Competition is looking into. They would like to feed in their market tests or some results that they do for their magazines<sup>1</sup> and they could orient their tests to DG Competition’s priorities.”*

### 2.5.1 Rating: market knowledge

Mean score = 6.0

DG COMP do not know the markets at all						DG COMP know the markets very well
1	2	3	4	5	6	7
-	-	-	-	-	3	-

### 2.6 Focus of enforcement activities

**- Cross-border trade, finance, energy and healthcare / pharmaceutical are seen as areas for focus -**

Most respondents feel that DG Competition is currently operating in the correct sectors. Nevertheless they had several suggestions for future focus.

Two of the four respondents suggested each of the following sectors as areas for future or, in some cases, continuing focus for DG Competition:

- Cross-border trade
- Finance / retail banking
- Energy (gas, electricity)
- Healthcare / pharmaceutical

Only one respondent suggested each of the following as areas for future focus:

- Recently liberalised sectors (postal services, train services)
- Telecommunications

<sup>1</sup> In this context the respondent was referring to independent product tests and other investigations conducted by national consumer associations which, it was felt, could provide relevant input to DG Competition investigations. (Also see section 3.4)

- Water supply
- Patent ink protection among printing ink manufacturers / refill cartridges for printers
- Copyright
- Data protection

One respondent expressed the view that DG Competition should be more proactive in terms of the areas it operates in and should be more suspicious of situations that could be anti-competitive.

*“Let’s say all the airlines charge the same to travel from Paris to London, they should be saying, ‘hang on, why is that? Is it because there’s no incentive to compete on price or is it simply because that’s the lowest price they can offer?’ They should challenge the norm.”*

Another respondent feels that the motivation for DG Competition’s choice of sectors may also be politically orientated.

*“I don’t think that the Commission is arbitrary, but it does have its limitations. This is a very political arena, and depending on the political support received, more or less action can be taken.”*

### 2.6.1 Rating: quality of economic analysis

Mean score = 5.7

DG COMP's economic analysis is very poor						DG COMP's economic analysis is very good
1	2	3	4	5	6	7
-	-	-	-	<b>1</b>	<b>2</b>	-

### 3 Integrity

#### 3.1 Transparency – listening and informing in a timely manner

**- Most of the consumer associations are dissatisfied with the way DG Competition communicates with them -**

Only one respondent feels positive about her level of communication with DG Competition but this was in comparison to 'no communication' with her national Competition Authority.

*"In fact, the [national competition authority] never seeks contact with us. All we see here are the results. And then we are surprised. Then there is a sudden search, and a report about that. We only find out about these things through the press... With the Commission we learn about a lot of things in advance and receive information about a lot of related issues."*

Most expressed the view that DG Competition does not give them sufficient notice about the information it requires and so asks for information 'at the last minute', which means there is compromise in the quality of information the consumer associations can provide.

*"We are consulted right before the hearing and asked for information. We should have been involved previously, not when it was evident that a ruling could be achieved without political support... We were forced to send mystery shoppers at the last minute, due to the fact that the quality of the information was not complete or optimal."*

*"Last Friday evening, it was about 5 or 6 p.m., we received a request or rather a demand for a statement of our position and today [less than a week later] is the deadline for a response. For an organisation like ours, a period of notice like that is too short."*

After the submission of information to DG Competition, half the respondents expressed dissatisfaction that they do not hear from DG Competition again. This lack of information about the case leaves the consumer associations feeling used or gives them the impression that DG Competition is not interested in the information they have provided.

*"They were good on iTunes and collective redress but where they're less good is keeping you informed and showing you their workings out. They start off well and then it all goes into a black hole."*

One respondent stated that she would like an acknowledgement of receipt of the information and then feedback on the information provided, at a later stage, in order to help them (the consumer associations) be more effective in future.

There is also a feeling that DG Competition restricts the information they provide to the consumer associations. One respondent expressed the view that this is unnecessary since they often work with confidential information and they are provided access to full files.

**3.1.1 Rating: informing in a timely manner**

Mean score = 3.0

DG COMP has not at all informed me in a timely manner						DG COMP has informed me in a very timely manner
1	2	3	4	5	6	7
-	1	1	1	-	-	-

**3.2 Transparency – stakeholder consultation on new rules**

**- Consumer associations are pleased to be involved in consultation on new rules; ensuring that they are notified of any rules that will require consumer input is key -**

All the consumer associations feel positive about their involvement in DG Competition’s consultation on new rules.

*“I think the consultation process is fine; it is really working well for us in the European Commission in general. We are well aware of when consultations are launched; our members know how it works. They will also do their own answers on the white paper. I think the time schedule is fine and it’s a good exercise for us.”*

In fact, one of the consumer associations feels that they are so involved in consultations that they may need to employ someone dedicated to these activities.

*“In these matters we are always intensively involved in good time and at an early stage, and indeed at a level at which we are hardly able to contribute, to be quite honest. We really need someone who is concerned exclusively with such things.”*

The only negative reference was with regard to a Consumer Association and its members not being given sufficient notice about an item that required consumer consultation. Consequently, only a week of consultation time remained by the time they heard about it. The respondent was not aware of how the item was missed but felt that it could have been because it was related to State Aid and so it was not immediately apparent that consumer input was required.

*“There is a consultation they are doing on digital cinema and State Aid and we didn’t know it was taking place... It was only after the meeting at the [national competition authority]... that the person in charge told us that they wanted consumer organizations’ feedback on consumer perceptions of cinema... when you read that there is a consultation about State Aid to [country’s] cinema the first thing that comes into your mind is not that they want consumer input.”*

One respondent suggested that their involvement in consultations could be improved if the consumer associations could also make proposals.

### 3.2.1 Rating: stakeholder consultation on new rules

Mean score = 5.8

DG COMP has not involved me at all in the creation of new rules						DG COMP has involved me very much in the creation of new rules
1	2	3	4	5	6	7
-	-	-	-	2	1	1

### 3.3 Observance of procedural rules

**- It is felt that DG Competition sometimes administers procedures too strictly -**

Only one respondent feels completely comfortable with DG Competition’s adherence to procedure.

*“I have no issue with that at all.”*

Half the consumer associations interviewed feel that the confidentiality aspect of DG Competition’s procedure is being applied inappropriately to them and impacting negatively on their ability to contribute to cases. They feel that they were unnecessarily constrained in their participation in the Intel hearings in particular and, as a result, they did not have a complete picture on how to provide input.

*“There are procedures which prevent us from being involved from within. I gave you the example of the stupidity of the Intel hearing: 10 minutes after entering, we had to leave, and then continually go in and out, depending on who was speaking.”*

*“We always complain that we see such a small part of the file, even when we are an interested party... If they want to consider us as a player in competition, they also have to give us something... In the*

*Intel case, every 10 minutes my colleagues had to leave the hearing and come back again so they could only get a limited version of the statement of objections. Of course, we don't want to know the business secrets... but, if they want us to get involved and help them, we need to have greater access to the files."*

Conversely, one respondent believes that DG Competition has been in breach of confidentiality procedure in two respects. She believed that people were aware of the content of draft legal acts before they were finalised and her view is that, until the acts are final, no one should know about the content. In addition, a colleague had been sent an enquiry in the post containing confidential information but the declaration of confidentiality had arrived in the same postal delivery. She feels her colleague should have signed the declaration before receiving the information.

### **3.4 Burden on consumer associations**

**- It is felt that the consumer associations are a source of information and that DG Competition is not making best use of them -**

None of the respondents stated explicitly that DG Competition's investigation work or consultations are a burden on their organisations.

One respondent did, however, express the view that consumer associations are capable of providing data to DG Competition and that they would like to play a bigger role in this respect. He felt that since the organisation already conducts market research there is the potential for DG Competition to use this data.

*"There are synergies, because after we conduct a supermarket study, the data can be re-used."*

The respondent suggested that DG Competition could improve its requests by increasing their clarity and by setting more realistic time frames.

However, not all of the consumer associations are able to provide the same detailed market information. One of the consumer associations suggested that, as an organisation, they are simply not sufficiently resourced to attempt to answer the complex questions that DG Competition asks.

*"It naturally goes into details about the individual brands and brand shares and evaluations.... We can only answer questions like this to a certain degree of aggregation. Beyond this we would need to conduct a special study of our own and we are simply not geared up for that kind of thing."*

Finally, one respondent expressed that he is becoming particularly frustrated with the tender process and not winning tenders from DG Competition. He explained that he had repeatedly tendered on projects for DG Competition and had been unsuccessful.

*“We are tired of the Commission engaging consultants to carry out studies, to then be asked for the same service from the European consultancy. We find this to be particularly bothersome. The Commission puts in tenders, but we do not win the great majority of them.”*

## 4 Economic Effectiveness

### 4.1 Effectiveness of detection policy

- Consumer associations are unsure how to assess whether DG Competition's detection is effective. It is believed that detection could be improved through collaboration with the consumer associations -

Most feel it is difficult to assess the effectiveness of DG Competition's detection work because it is impossible to gauge how many cases go undetected.

*"We don't know what they haven't detected."*

Perceptions of the leniency programme were mixed, with both positive and negative views being expressed. One respondent felt that the programme is an effective tool for DG Competition, but two of the four respondents felt that such an approach may be skewing DG Competition's focus towards sectors which are not be the most important for consumers:

*"This generates business, a market for competition lawyers which file claims with the Commission. How far does the Commission let itself be swayed by this? This is a main element which is effective for the Commission, but the question is whether we are discussing the most important sectors, whether they are screened... I am not sure."*

*"They are not affecting any material improvement for the lives of consumers in [country]."*

Two of the four respondents suggested that DG Competition could improve detection by working with the consumer associations. They expressed the view that the consumer associations are also involved in detection through what they hear directly from consumers.

*"We can also serve as a detection service, and I think we are often ignored or used too little. The following are some of the complaints we have investigated: 'What happens to printer cartridges?', 'What's going on with canned tuna?'"*

### 4.2 Impact on the markets

- DG Competition's impact on the consumer market was questioned. It was suggested that it is DG Competition's role to establish the impact of its decisions on the market place -

Half of the respondents feel that DG Competition’s impact on the market for consumers is limited, suggesting that DG Competition should be establishing the impact of the Commission’s decisions in the market. They explained that it is important to establish the impact of Commission decisions since not all market changes can be attributed solely to DG Competition’s actions.

Only one respondent feels that DG Competition must be having an effect. She perceives the Commission to be a powerful enforcer, evidenced by the number of decisions it makes and the large fines it imposes. She also feels that its actions have had a positive impact on the behaviour and attitude of companies, deterring them from anti-competitive behaviours.

*“It is evident that, when a guideline intended to deregulate airlines is adopted, competition gets involved, with a decrease in prices. However, I have no data which can demonstrate whether this is thanks to a decision from the Commission... I don't know whether this is thanks to this or due to other influences.”*

#### 4.2.1 Rating: impact on the markets

Mean score = 3.7

Not at all effective at creating better working competition in the markets						Very effective at creating better working competition in the markets
1	2	3	4	5	6	7
-	1	-	1	1	-	-

#### 4.3 Timeliness of decisions

**- Commission decisions understandably take a long time but the impact of the decision on the market may be affected as a result -**

Most feel that Commission decisions take a long time.

*“Obviously they [cartel proceedings] take an enormously long time”*

However, half of the respondents sympathised that the length of the process is not entirely due to DG Competition and may be because of other stakeholders involved. One respondent feels that DG Competition’s time frames are reasonable and reflective of each specific case’s requirements.

*“Courts of law demand a burden of proof which is so high that the Commission would be expected to provide a great deal of*

*documentation in order to support the case. The time taken is understandable, and I think we do insist upon being consulted. We are not going to expect this to take a week."*

One respondent expressed concern that the effectiveness of decisions may be compromised because of the time that can elapse between an infringement being detected and the decision being published.

### 4.3.1 Rating: timeliness of decisions

Mean score = 4.0

Commission decisions are not made in a timely manner						Commission decisions are made in a very timely manner
1	2	3	4	5	6	7
-	1	-	-	-	1	-

## 4.4 Ability to enforce decisions

### - Views are mixed on whether DG Competition is able to enforce Commission decisions -

Half of the respondents feel that DG Competition is capable of enforcing Commission decisions. They feel that enforcing decisions is important in creating awareness among the public and politicians in order to dissuade others from the same behaviours and to stimulate further activity.

*"For us it is also very important that decisive action taken either at the level of EU authorities or at a national level should encourage discussion of the matter and at a political level, too. This is an equally important aspect and, in turn, this initiates further activity."*

One respondent feels that the Commission makes decisions that cannot always be enforced in the marketplace. The respondent felt that there had been no change since the iTunes case decision and that there has been no change since the Collective Redress review.

## 4.5 Deterrent effect of fines

### - Fines are felt to be an insufficient deterrent in terms of value and punishment -

All of the respondents from the consumer associations felt that, although fines are an effective deterrent, the Commission should be using other deterrent measures alongside them.

Half of the respondents suggested that individuals should be personally responsible for their involvement and liable to a criminal sentence.

*“They should be sending the directors off to jail.”*

Half of the respondents felt that the amount of the fine is sometimes too low. One respondent expressed the view that companies are not always being given the maximum permitted fine when he feels they should be.

In addition, half of the respondents proposed that additional compensation should be paid to consumers and competitors affected by the company’s anti-competitive activity.

*“When this sort of cartel is discovered, there ought to be a reduction in prices at least corresponding to the increase that resulted from the collusion agreement. The level of fine should be set so that consumers could subsequently be compensated by means of lower purchasing prices. But in practical terms, of course, that is not really feasible.”*

*“Every time we see a huge fine we say that the deterrent effect is important but consumer compensation is not taken into account.”*

*“For another, the question of image would be an even more important factor. At present, the company is simply ordered to pay a fine and then it soon disappears from the media limelight. If consumers themselves had the possibility to claim compensation, this ‘shaming’ would, in my opinion, be a much more significant component.”*

#### **4.6 Response to the financial and economic crisis**

##### **- There is concern about the speed of DG Competition’s reaction to the crisis and how competitive markets will be restored in future -**

There is concern among the consumer associations about how DG Competition responded to the financial and economic crisis. Each Consumer Association responded differently when asked about DG Competition’s role so there was no consensus of opinion apart from this general concern.

One respondent believes that DG Competition was too quick to accept government interventions and did not analyse the potential outcomes sufficiently. He feels that DG Competition’s reaction was perhaps too fast and the decision processes followed were not clear.

*“We are in agreement that banks should be saved, but we also think that this has been handled in a very quick and non-transparent manner.”*

Another respondent felt that DG Competition's reaction was as a result of needing to be seen to react to the crisis. However, the respondent felt that DG Competition had limited capacity during the crisis and felt that governments were likely to give state aid during the crisis irrespective of any regulations DG Competition tried to impose.

*"When your back's against the wall you're not going to get pushed around by Europe; you do what's right for your people."*

Rather than focussing on DG Competition's reaction to the crisis, one respondent is particularly concerned about the future. She is concerned about whether the financial aid given during the crisis will be returned and whether competitive markets will be restored.

*"Banks... will they give back the money once they are out of the crisis? We want them to follow up on all the State Aid that they received and make sure that competition comes back when it is possible. This is particularly the case in the UK, in Scotland... The State Aid was done because they had to do something but consumer organisations are going to be careful to see that competition comes back to the market."*

One respondent was unaware of DG Competition's response to the financial and economic crisis.

## 5 External communication

### 5.1 Clarity and comprehensibility of external communications

**- Overall, external communication is good. Suggested improvements include the provision of summaries and a mode of communication specifically for consumers -**

Most respondents feel that DG Competition's external communications are understandable and clear. They referred to press releases and communications from Commissioner Kroes.

*"I think she [Commissioner Kroes] always makes really clear statements... She always put consumers in all her cases and that made it really easy, afterwards, for us to communicate on this."*

Half of the respondents refer positively to the informal communication they had with DG Competition. They talked positively about the response they had from personnel at DG Competition. Suggestions for further improvements included providing consumer associations with a directory of DG Competition contacts or a dedicated contact within DG Competition for each Consumer Association, as it can be difficult to find the correct person to speak to.

*"It is simply true that if you have had personal contact, if you meet occasionally in Brussels, get to know each other, then naturally it is easier to pick up the telephone or to send an e-mail to this person than it is to make contact with someone you do not know."*

One respondent feels that there is an occasional problem with establishing any communication with DG Competition on a particular topic or issue.

*"Where it does all fall down is that sometimes you don't get any communication at all."*

Possible improvements to external communications that were each suggested by one respondent included:

- Information could be provided in a more succinct format. For example, a summary of the main points of a decision, explaining the impact on the consumer and on the company.

*"Well, if it could perhaps be summarised in a more compact way sometimes; what damage was actually caused to the consumer in specific cases? Is the fine really high enough to skim off all the unlawful profit? But I must say, once again, that DG Competition provides comprehensive information in an enormously extensive field in comparison to the cartel authorities here in [country]."*

- It is felt that pamphlets which are intended for consumers need to be written in 'consumer friendly' language and made available in local languages.

*"It is important that citizens view [DG Competition] as being accessible. An example: they have some pamphlets entitled "Competition and consumer policies" which are in English. Recently a function was held which we were sent to distribute these, and they remained on the seats afterwards because [citizens of country] in general have a language handicap."*

- The reinstatement of yearly European Consumer Association meetings would be welcomed. These meetings were perceived as useful opportunities to discuss topical issues with DG Competition and the other consumer associations in Europe.

## **5.2 Timeliness of communication**

### **- Communication from DG Competition is felt to be provided on time -**

On the whole, most of the respondents are satisfied with the timeliness of DG Competition's communication, believing that communications are made available promptly.

The only criticisms are the lack of updates during cases and that the communication takes longer when it has to be translated.

## **5.3 Choice of communication and media channels**

### **- The choice of channels is felt to be appropriate for consumer associations but not for consumers -**

All of the consumer associations are satisfied with the communication channels DG Competition is using to reach them. The website and press releases are mentioned most frequently.

Only one respondent criticised the website, she felt that important announcements can be difficult to find on the site.

One respondent referred positively to DG Competition's newsletter. However, another assumed such a thing would exist but was not aware of it.

*"I know DG SANCO have a newsletter; I guess DG Competition has the same but we don't subscribe to it."*

One respondent feels that some items are not reaching consumers through the channels that DG Competition uses and so their association uses its own magazines and press releases to inform the general public.

*“I think that sometimes they do great things that consumers don't hear about. We are the national loudspeaker but we also have our priorities and they have theirs.”*

#### **5.4 Targeting of communications**

**- Overall, it is thought that DG Competition is targeting consumer associations correctly but the general public is neglected -**

All of the consumer associations interviewed believe that DG Competition's communications are targeted correctly for specialists and interested parties like themselves.

*“The balancing act of providing information suitable for specialists as well as for the interested ‘man in the street’ is achieved very well.”*

However, one respondent felt that DG Competition's information is not appropriate for consumers. He expressed the view that, in order to receive DG Competition's communication one had to be proactive or an interested party. He felt that information should also be targeted at the general public.

#### **5.5 Promotion of competition culture**

**- Opinions are mixed regarding DG Competition's promotion of competition culture. The main improvement suggested is to promote competition and its benefits to consumers more actively -**

Half the consumer associations feel that DG Competition could be doing better at promoting competition culture. One of these respondents is very negative about DG Competition's performance on this aspect and feels it has been unsuccessful in this area. The other respondent feels that consumers are not aware of the benefits of competition and that it is the role of DG Competition to inform them in a non-technical way.

*“It is really not clear to citizens what benefits they derive from competition policies. There is a lot of emphasis put on the fact that all these consumer-protection measures are in the citizen's interest but I think that people perceive consumer protection as a very general term and not in the sense that ‘this protects me, as an individual citizen, from paying prices that are too high or from choices that are too restricted, etc.’ I believe that this message is not really getting across.”*

One respondent was unaware of DG Competition’s activities in this area and so did not feel able to comment on its performance.

### 5.5.1 Rating: promotion of competition culture

Mean score = 4.0

DG COMP's activities promoting competition culture are very poor quality						DG COMP's activities promoting competition culture are very good quality
1	2	3	4	5	6	7
<b>1</b>	-	-	-	<b>1</b>	<b>1</b>	-