



Eurobarometer Qualitative Study

DG COMPETITION STAKEHOLDER SURVEY

Economic Consultancies Report December 2014

This study has been requested by the European Commission, Directorate-General for Competition and co-ordinated by Directorate-General for Communication.

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Qualitative study – TNS Qual+

Eurobarometer Qualitative study

**DG Competition
Stakeholder survey**

Economic Consultancies Report

Conducted by TNS Qual+ at the request of
the European Commission,
Directorate-General for Competition

Survey co-ordinated by the European Commission,
Directorate-General for Communication
(DG COMM "Strategy, Corporate Communication Actions and
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EXECUTIVE SUMMARY

DG Competition commissioned this Qualitative Eurobarometer study in order to obtain feedback on perceptions of the quality of its activities from its most important professional stakeholders. The study covers DG Competition's enforcement, policy and advocacy activities. Feedback was sought in relation to the soundness of its legal and economic analysis; its transparency and procedural fairness; its economic effectiveness; and finally, its communication and international advocacy.

The findings of the study are expected to assist DG Competition in achieving more targeted and dynamic communication and interaction with its professional stakeholders and with the general public; in detecting areas of possible improvement in its cooperation and interrelations with stakeholders; in prioritising its projects to achieve a greater impact on the markets; and in measuring its performance in a number of fields related to the quality and impact of its work.

The study targeted DG Competition's professional stakeholders, in particular law firms, economic consultancies, business and consumer associations, companies, national competition authorities and EU Member State ministries. This specific report is based on interviews with economic consultancies. All stakeholders were knowledgeable about DG Competition's work, either through direct involvement in case work as part of DG Competition's enforcement activities or, indirectly, by having influenced policy work or benefited from it. Five in-depth interviews (IDIs) lasting on average 75 minutes were thus carried out, conducted face to face wherever possible. The interviews took place between June and July 2014. This report was finalised in December 2014.

SOUNDNESS OF LEGAL AND ECONOMIC ANALYSIS

Overall, decisions have been praised for being clear and understandable as they are regarded as well-founded and as being reached by following established processes and guidelines. It is felt that decisions are usually explained in great detail. Such thoroughness is viewed as part of the professional working culture of the Commission.

Decisions are seen as highly predictable, with some individual exceptions. The Commission's decisions are felt to be less predictable when cases are very complex or controversial; when cases concern new markets or industries which might require a shift in approach; and when it is unclear how DG Competition would define a specific market.

Fines are generally considered as predictable and decisions as legally sound.

It is believed that market understanding has shown some improvement and is viewed by some as generally good. However, it is felt that this knowledge can be more limited for new market sectors and can also be dependent on the case team, with more senior staff seen by some as more knowledgeable.

The quality of the economic analysis is seen to be good, but also to vary over time and to be dependent on the quality of the investigating team.

TRANSPARENCY AND PROCEDURAL FAIRNESS

DG Competition is praised for working transparently, as it is felt they follow clear guidelines; are willing to listen to different stakeholders; safeguard confidential information; and inform parties of the status of their case, although not always proactively. However, individual participants mentioned ways in which transparency could be improved.

It is generally held that it takes too long for final decisions to be published.

According to most participants, DG Competition mostly listens very well and informs stakeholders in a timely manner.

DG Competition is commended for the way in which stakeholders are consulted on the creation of new rules.

For the most part, it is believed that DG Competition observes procedural rules, although there were individual examples where it was thought not to have done so.

It is thought that DG Competition places a heavy burden on parties, some of which it is felt is justifiable - as it is said to make decisions in a way that requires a lot of data. However, sometimes too much data is thought to be requested, and not all of it used.

ECONOMIC EFFECTIVENESS

DG Competition's detection work is perceived as very effective, but concern was expressed about its reactive nature.

Participants have mixed views on the deterrent effect of fines and some individual suggestions were offered for stronger sanctions. Participants have widespread experience of companies changing or abandoning plans in order to comply with EU antitrust laws.

Cases relating to cartels and other antitrust rules are seen as being too slow in reaching a conclusion.

According to most participants, DG Competition appropriately focuses on a wide range of sectors and also adapts well to technological changes and globalisation.

Also, DG Competition is felt to be on the markets and to be an authority that is taken seriously. In the participants' view, the Commission has the ability to enforce its decisions.

Participants expressed concern about the lack of detail in settlement and commitment decisions, and the possible implications of this lack of detail for the consistency of decisions over time.

There is an overall positive view that the Commission's enforcement can lead to economic growth in the EU, but it is believed that this is not the only factor influencing growth and that the Commission could do more.

COMMUNICATION AND PROMOTION OF COMPETITION CULTURE

Overall, communication is seen as being of good to very good quality because it is felt to be clear and understandable, documents are legible, and there is strong engagement with the content of what is being communicated.

It is thought that the DG Competition website could be improved and participants expressed mixed views about the appropriateness of using social media.

Most participants consider the work of DG Competition abroad to promote competition policies as highly commendable.

1. BACKGROUND AND RESEARCH METHOD

1.1 Background and objectives

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

- The soundness of its legal and economic analysis
- Its transparency and procedural fairness
- Its economic effectiveness
- Its communication and international advocacy

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

- Having a more targeted and dynamic communication and interaction with its professional stakeholders and with the general public
- Detecting areas of possible improvement in its cooperation and interrelations with stakeholders
- The management and prioritisation of its projects to achieve a greater impact on the markets
- Measuring its performance in a number of fields related to the quality and impact of its work, thereby rendering it comparable over time.

This wave is a follow-up to a previous Stakeholder survey conducted between December 2009 and March 2010, during which 113 face-to-face interviews had been carried out among similar stakeholder groups.

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 benefited from policy work. A separate study directly addressed citizens at large in all EU Member States.

This report focuses on the views of the economic consultancies questioned. Further reports cover the views of:

- Business and consumer associations
- Lawyers
- Companies
- National competition authorities
- Member State ministries

1.2 Methodology and sampling

The study consisted of in-depth interviews (IDIs) lasting on average about 75 minutes. Interviews were conducted face to face wherever possible, at the participant's place of work or another suitable location.

DG Competition Stakeholder Survey – Economic Consultancies Report

Due to data protection considerations, potential participants 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+. All participants have been in working contact with DG Competition in the last three years either as a recipient of a Commission decision, a complainant, leniency applicant, etc.

This report is based on five interviews with economic consultancies. The organisations interviewed are not specifically identified in this report in line with participant requests that their comments be reported anonymously. Interviews were conducted during the months of June and July 2014.

Only stakeholders with headquarters in an EU Member State (or in Switzerland) were considered. The geographical distribution of stakeholders contacted - and, as a result, interviewed - was based on the enforcement work of DG Competition and on the level of contact they had with DG Competition. No specific effort was made to ensure equal coverage of Member States. As a result, a significant number of the interviews took place in Belgium and some of the larger Member States.

The reader should note that this report is based on findings obtained through qualitative research methodology. The interviews were structured around a consistent set of topics priorly agreed on with DG Competition. However each topic area was open and discursive in nature. So, while we have striven to indicate how widely held these perceptions and views are held, such information should be treated with some caution. It is important to remember that the issues raised by each participant 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.

It is also important to note that, although a number of participants may have referred to the same issue in the discussion, it has not always been possible to categorise their responses in a straightforward manner; some will have introduced caveats, expressed mixed views, referred to a topic only tangentially, focused on a specific aspect of an issue, etc. This can also make it difficult to state, definitively, how many people held a particular view.

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

A series of quantitative questions were included as part of the interview process, to provide an overall summary of participant views on key aspects of DG Competition's performance. Not all participants felt able to provide a rating for all the elements due to lack of personal knowledge. The data on raw scores plus an overall mean based on the number of participants rating each aspect are included within the report. As illustrated in the example below, the figures in the last line represent the number of participants who answered with the score mentioned immediately above (scale); in this case, no participant gave a score of '1', '2' or '3', while four participants gave a score of '4', 14 gave a '5', 12 gave a '6' and one participant gave the highest score of '7'.

Commission decisions were not legally sound						Commission decisions were very legally sound
1	2	3	4	5	6	7
-	-	-	4	14	12	1

1.3 Participant background and selection

The economists interviewed held senior positions and had significant experience. They tended to be responsible for teams of economists. All have extensive experience of working with DG Competition.

The initial list of potential respondents for this stakeholder group was drawn by DG Competition. A further narrowing down of economic consultancies was completed in accordance with the most frequent contacts of DG Competition's Chief Economist Team.

DG Competition and TNS Qual+ would like to thank all those who participated in this research for their time and their contributions.

2. SOUNDNESS OF LEGAL AND ECONOMIC ANALYSIS

✓ Rating: legal soundness of decisions

Mean score = 4.7

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

2.1 Clarity and comprehensibility of decisions

- Overall, decisions are praised for being clear and understandable -

Decisions are generally praised for being clear and understandable. Decisions are regarded as well-founded and explained in detail. The Commission’s decisions are felt to be detailed, well-structured, and to clearly set out the Commission’s concerns. It is thought that there is a clear adherence to established processes and guidelines. This thoroughness and professionalism is seen as part of the Commission’s working culture.

Despite this high regard for the Commission’s decisions, three participants mentioned general instances and specific cases where they feel decisions are less clear. One participant held that cartel/antitrust settlements are often not based on detailed analysis and therefore do not have a sound legal basis on which decisions can be challenged. Furthermore, the participant was of the view that in merger decisions not all of the aspects relevant to the case are always taken into account.

"They [DG Competition] try hard. However, I often cannot agree with their conclusion [in merger cases]."

Another participant referred to a specific case, where the statement of objections was unclear, and where the State of Play meetings were experienced as inadequate in giving the company concerned a chance to share their views regarding the complaints made against them.

2.2 Predictability of decisions

- Decisions are regarded as highly predictable, with some individual exceptions -

Participants agree that the Commission’s decisions are generally highly predictable, with some individual exceptions.

Participants mentioned different reasons why the Commission’s decisions are regarded as predictable: they are based on regulations; at the beginning of the investigation, it is explained to the parties what analysis the DG Competition will complete; there is consistency in the logic of the DG Competition's analysis.

Two participants specifically singled out decisions regarding cartels/antitrust to be predictable, and one also mentioned State aid control.

Exceptions to this predictability mentioned by single participants included: very complex or controversial cases; cases concerning new markets or industries which might require a shift in approach; and lack of clarity on how DG Competition would define a specific market (e.g. pan-European or a national market definition). However, one participant mentioned a case where good evidence existed against the parties involved; despite the case being complicated, the outcome and the decision to issue a fine appeared very clear.

"The cartel cases can be factually complicated (...) but the outcomes are very clear."

Where one participant held that decisions regarding mergers are also predictable, another felt that they were not. Decisions are regarded as less predictable when more junior members of staff form part of the investigating team.

2.3 Predictability of fines imposed

- Fines are generally felt to be predictable and decisions legally sound -

Not all participants felt they had sufficient knowledge to answer this question.

All three of the participants who gave an opinion agree that the fines are generally predictable. One stated that it is especially predictable in the case of cartels, while another mentioned that although fines are generally predictable, it is still very difficult to be precise in advance. Opinions about the appropriateness of the fines are contradictory: one participant mentioned that, although the fines for cartels are predictable, they are not large enough to be a deterrent; while another held that fines are predictable, but disproportionate to the harm being committed, citing the case of Intel having been fined €1 billion.

"Cartels are still worth a try."

"I think some of the fines are disproportionate to the harm being committed...predictably disproportionate, but wrong."

Not all participants felt experienced enough to comment on the legal soundness of the Commission's decisions.

One participant stated that the Commission's decisions are well-reasoned, although part of the procedure is still opaque and the Commission could provide more detailed reasoning in some cases.

Another participant noted that the Commission's decisions have improved recently, due to a better work organisation and best practice guidelines.

A third participant was of the view that the Commission's decisions in merger cases have improved over the past five years. The participant feels that previously the Commission's theory of harm was *"too speculative"*.

A final participant held that the Commission's decisions are often different from participants' own interpretation of the case, or the interpretation of their company.

2.4 Understanding the markets

- It is felt that market knowledge has improved, but that it sometimes varies between sectors and case teams -

✓ Rating: market knowledge

Mean score = 4.8

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

Participants have varied views and experiences relating to DG Competition’s understanding of the markets. On the one hand, DG Competition’s knowledge is considered to be very good, showing a solid understanding of the characteristics of the market, the differences between products and the differences between countries. It is thought that the degree of knowledge has improved in different sectors over time and in new market sectors.

"They know the facts. Even if you are not pleased with the decisions, you have to admit they are very serious and rigorous."

However, this knowledge is sometimes thought to vary per sector and per case team, as it is believed that senior staff often has better knowledge of the markets. Some participants acknowledge that they do not expect DG Competition staff to be experts in all markets, and where they might lack the necessary knowledge at the initial stages of a case; it is thought that they subsequently research the market very well in their preparation for cases.

A possible improvement in the process of acquiring market knowledge mentioned by two participants is that DG Competition could be more targeted and focused in the questionnaires they send out, rather than asking for general information which then takes time for parties to prepare.

"Sometimes the real art is to know what questions to ask. I think they could be a lot more consistent about focusing on asking the right questions and paying attention to data quality. I think that would incrementally improve the quality of what is generally a very good process, and make it a bit fairer."

2.5 Quality of economic analysis

- The quality of the economic analysis is generally felt to be good, but is considered to be dependent on the quality of the investigating team -

✓ Rating: quality of economic analysis

Mean score = 4.3

One participant did not provide a score.

DG Competition's economic analysis is very poor						DG Competition's economic analysis is very good
1	2	3	4	5	6	7
-	-	2	-	1	1	-

The quality of the economic analysis is generally thought to be very good, because it is considered comprehensive, highly detailed, and based on the best available data. However, sometimes it is felt that too much detail is requested. The quality of the economic analysis is also seen as dependent on the leadership of the team. Chief Economists are considered to be very competent. DG Competition is seen as allocating more experienced staff to larger cases involving big companies and more junior staff to smaller cases.

"Competent experts are requested and will only agree to join [the investigative team] if it is an interesting, large case where companies provide useful tools, for example market simulations which DG Competition cannot offer."

Two individual cases were mentioned where economic analyses were seen to be poor. In the first case the participant complained about DG Competition's roles of investigator, prosecutor and fining authority, which it is felt could make them biased and result in a lack of critical decision-making. The second example involved a particular state enterprise. Here, DG Competition's actions were thought to mirror a legal rather than an economic approach.

The following improvements were all suggested by single participants:

- Experienced economic analysts should proactively take part in small cases and do their own market simulations
- More economists should be recruited
- Teams should be allocated more working time to handle projects
- A greater mixture of junior and senior staff is needed in case teams. Junior teams are perceived as being more sceptical, unnecessarily controversial and not interactive enough

"The kind of black and white perceptions [of junior staff] are sometimes dangerous. The lack of experience in the details of certain markets is often the cause."

3. TRANSPARENCY AND PROCEDURAL FAIRNESS

3.1 Overall level of transparency of DG Competition's work

- DG Competition is praised for working transparently, but it is thought there is some room for improvement -

Overall, DG Competition is seen as working transparently. Reasons for this view mentioned by single participants include that it is believed that: DG Competition is usually willing to listen to different parties; DG Competition shows a clear understanding of the status of a case; stakeholders are informed about their case, although not always proactively; information is treated with the requisite confidentiality; and mergers have a clear legislative time frame that has to be followed - which results in transparency and clarity.

"Many pieces of work are accessible."

"I have observed an open mind: they listen to the different parties and are strongly motivated to consider your response."

Participants have had different experiences of the accessibility of DG Competition staff. One participant held that staff members are available, while another one mentioned that bureaucracy makes it difficult to set up meetings with staff quickly.

Areas for improvement that it is felt would enhance the transparency of DG Competition's work mentioned by single participants include:

- Having more interactions with consultants outside DG Competition
- Making economic analysis available earlier
- Setting up clearer time frames for all investigations, not just mergers. This would involve providing stakeholders with advanced warning and clarity about the next steps
- Improving the State of Play meetings – It is believed that DG Competition's staff are not always an equal match to the company's experts in terms of market expertise, and that more senior staff would be helpful. One participant held that his/her team has not received sufficient information at State of Play meetings in a recent case, and that his/her team was not informed properly about the next steps and the timing
- Being more proactive in informing stakeholders about their case

"You need to be busy asking for information. DG Competition does not give information proactively."

3.2 Listening and informing in a timely manner

- It is felt that DG Competition mostly listens very well and informs stakeholders in a timely manner -

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

Mean score = 5

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

Participants are of the view that, in most cases, DG Competition listens very well and informs them in a timely manner. It is thought that DG Competition has become more open to stakeholders over time. Participants’ experiences are based on merger and antitrust cases and one participant held that stakeholders are better informed about cases involving mergers than other types of cases. Another participant mentioned having informed about the internal processes and about when DG Competition takes decisions internally, so he/she¹ now knows when to intervene.

"DG Competition listens carefully to stakeholders."

"It takes not more than 10 minutes to get an answer from them."

"Yes, it makes an effort to inform on the intermediate steps in the process."

Negative experiences appear to be the exception rather than the rule. Examples include cases where participants feel they have been kept in the dark, where it is felt staff members are not helpful, or where they are not sure whether their views are fully taken into account.

"It happened that I came to a meeting with DG Competition but they told me that they had no time for me."

"I do believe that they are good at listening, but whether they are really quite open to the vision of others is beyond me. I think they sometimes have a tendency to work from their own premise."

One participant noted that the State of Play meetings could improve transparency if they worked better, especially if key documents are circulated in advance.

One participant did not give a score. The slightly lower score (3) can be explained by the participant with positive experience in merger cases and disappointment in other investigations.

¹ In order to protect anonymity, the use of 'he/she' is preferred when referring to participants.

3.3 Publication of non-confidential decisions

- Generally it is felt that it takes too long for final decisions to be published -

The three participants who answered this question are all of the view that decisions take too long to be published. Examples mentioned were the Lundbäck and Intel cases. One participant held that publications are sometimes delayed by the complaining parties, which "are playing games". Another feels that is inappropriate for the Commission to give speeches discussing the results of cases before final decisions are published.

"I can't see any reason for it to take six months, nine months, a year, two years to publish a decision. That's not a good process. The decision clearly exists and it can't take that amount of time to redact confidential information. All the other competition authorities publish their decisions much quicker."

3.4 Stakeholder consultation on new rules

- DG Competition is commended for the way in which stakeholders are consulted on the creation of new rules -

✓ **Rating: stakeholder consultation on new rules**

Mean score = 6

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

Participants are very satisfied with the way in which DG Competition consults with stakeholders on the creation of new rules. Nearly all of them have been part of these consultation processes many times, for example the drawing up of the 'damages guidelines'. DG Competition is regarded as very transparent when it comes to the creation of new rules and it is felt it had become more open to the participation of stakeholders, which is thought to be a very positive development.

One participant held that, although DG Competition listens, he/she is unsure whether they are always open to different views. However, another participant held that although he/she does not always agree with the outcomes of the consultation process, he/she is satisfied to have been consulted and with the transparency of the processes.

3.5 Observance of procedural rules

- For the most part, it is felt that DG Competition observes procedural rules, although there participants cited individual examples where it is thought not to have done so -

Three of the five participants feel very strongly that DG Competition appears to observe procedural rules, e.g. rules regarding access to files, oral hearings, and so forth. DG Competition is seen to follow procedures strictly; with what is thought is a preference for formalistic interpretations. The members of case teams are regarded as very professional and strict. As one participant put it, DG Competition following procedural rules is "*an illustration of [their] serious working culture*".

However, one participant mentioned that it is inherently easier for DG Competition to observe procedural rules, since they are the ones writing their own rules.

"I think they should write themselves much more demanding procedural rules."

Individual examples were mentioned where DG Competition is seen as not following rules or where it is thought that some improvements could be made:

- It is felt that the rules for defining markets should be consistently followed. One participant noted that:
"case teams often take old cases and just translate them to a new case, without doing any further economic analysis."
- It is also thought that data should be kept strictly confidential ahead of the official publication of decisions.

3.6 Burden on businesses and organisations

- Participants consider that DG Competition places a heavy burden on parties, some of which they feel is justifiable -

According to the majority of the economic consultancies questioned, DG Competition places a heavy burden on parties and requires a lot of detail for investigative purposes. It is felt that this burden on companies can be partially justified if it assists the Commission in making the right decisions.

"But I understand that they want to be free in their analysis, so collect all possible information."

However, DG Competition is seen to sometime request data that it does not end up using in its investigation. Moreover, a view expressed by some of the participants is that more junior teams tend to request too much information.

"This is the consequence of a too flat structure (not enough hierarchy) and too many junior workers asking people to give them this, give them that..."

Participants proposed to reduce the burden on companies for example by: more focused information requests; holding more face-to-face meetings, rather than sending out forms for completion; more transparency about the next steps in the investigation.

4. ECONOMIC EFFECTIVENESS

4.1 *Effectiveness of detection policy*

- DG Competition's detection work is perceived as very effective, although, some concerns were expressed about the reactive nature of relying on third parties to detect potential infringements -

All but one participant felt able to offer an opinion on the effectiveness of DG Competition's detection policy. DG Competition is commended on the whole for the effectiveness of its detection policy, which is seen as focusing on meaningful issues.

Some participants expressed concern about the reactive nature of the detection policy. This is because detection policy is seen as increasingly reliant on complainants informing DG Competition of others' potential infringements. DG Competition is therefore encouraged to keep initiating investigations of its own and to continuously monitor key sectors, in a similar way to the actions of some National Authorities.

4.2 *Deterrent effect of fines*

- There are mixed views on the deterrent effect of fines and some individual suggestions for stronger sanctions -

Participants have mixed views about the deterrent effect of fines. Three of the five participants believe that fines are sizable enough to act as deterrent. Fines are seen as particularly effective in deterring cartels.

"Yes, for sure, 10% of the turnover is dissuasive!"

Two participants feel unsure about the deterring effect that fines have. It was suggested that DG Competition should investigate whether this has in fact been the case – have companies who were issued fines subsequently changed their practices?

Criminalising infringements was mentioned as an alternative deterrent by a minority of participants, but it is felt that this would need to be proportionate and equally applied across all sectors.

4.3 Impact of existing EU antitrust rules on planned business transactions

- Many participants reported that several companies have changed or abandoned plans in order to comply with EU antitrust laws -

✓ Changing planned business transactions to comply with EU antitrust rules

C3. Sometimes ensuring compliance with EU antitrust rules leads companies to substantially modify or abandon a planned business transaction (a business contract, a cooperation agreement, etc.) without the Commission’s intervention.

In the last five years, have you/your company (or your clients) been in such a situation?

	Never	Once or twice	3 to 5 times	5 to 10 times	More than 10 times	Not applicable	No answer
TOTAL counts			1	1	2		1

Nearly all participants mentioned examples of companies who have substantially modified or abandoned their planned business transactions to ensure compliance with EU antitrust rules. Two participants have seen this happen more than 10 times in the last five years.

Examples include a company changing top managers who were involved in a cartel, or discussing plans that amount to cartelisation, which they were then advised against. Sometimes, plans were unnecessarily abandoned for fear of intervention by the Commission.

"I noticed it several times with customers. For example, changing the contracts, for fear of getting caught."

"I experienced about 10 times that management was changed."

However, one participant is of the view that companies do not abandon planned business transactions which are profitable – they would rather pay the fine.

4.4 Timeliness of decisions

- The Commission is often seen as too slow to reach conclusions in cartel or antitrust cases -

✓ **Rating: timeliness of decisions**

Mean score = 3.8

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	1	-	1	-

Concerns were expressed by several participants about the time frame to resolve cartel and antitrust cases. According to participants, decisions can take from one to five years, which is considered too long. It is felt that the slow process of adopting the decision limits its impact on the markets, as the markets might have already transformed significantly while the case was being considered.

"There needs to be a sense of immediacy to their decisions, which I think it is lacking."

There was acknowledgement that decisions that are taken too quickly may indicate a lack of soundness; it is felt that a reasonable compromise about acceptable time frames therefore needs to be found. Whether a time frame is reasonable might also depend on perspective – whether one is a complainant or defendant.

"Yes and no. It's never fast enough for the complainants. It's still too fast for the defendants."

4.5 Focus on the right sectors

- Participants consider that DG Competition appropriately focuses on a wide range of sectors -

Four out of the five participants interviewed responded to this question. Three of them believe that DG Competition focuses on the right sectors and that it has a balanced portfolio, focusing on different sectors such as banking, telecommunications, energy, pharmaceutical, law, engineering, etc.

"They've picked a good range of things."

One participant, however, feels that the Commission gets active mainly in cases directed by politicians and business lobbies. It is thought that it therefore focuses on cases which resonate most with the public (e.g. fuel prices, retail prices).

4.6 Adaptability to technological changes and globalisation

- Overall, it is felt that DG Competition adapts well to technological changes and globalisation -

Most participants positively assess the way DG Competition adapts to technological changes and globalisation. They referred to how it occasionally integrates new developments in its market analysis, as well as to its work on Internet search engines and e-books, which it is thought shows that it has a good eye for new markets.

Only one participant expressed his concern about how the Commission reacts to infringements in a globalised world, especially in relation to global companies.

"The Commission is a toothless tiger against large global companies, especially from the US. We need to find a better way to deal with these large corporations according to our European market philosophy."

This view was contrary to that expressed by the majority of respondents in sections 4.3 and 4.7 who held that DG Competition's actions impact strongly on the markets and that companies change their plans in order to comply with EU antitrust laws.

4.7 Impact on the markets

- It is felt that DG Competition impacts on the markets and is an authority that is taken seriously -

✓ **Rating: impact on the markets**

Mean score = 4.8

Not at all effective in making markets function better						Very effective in making markets function better
1	2	3	4	5	6	7
-	-	1	-	3	1	-

DG Competition is seen as having a strong impact on the markets:

- When making decisions, it is thought that companies take DG Competition rules into account as it is an authority that is taken seriously
- Participants believe it has broken up many cartels, e.g. the LCD cartel
- Participants feel it has successfully generated more competition in the telecommunications market
- It is thought that companies change their behaviour on account of DG Competition's investigations

Although nearly all participants gave DG Competition a high score, they referred back to previous answers to explain why their scores were not even higher. Reasons given by individual participants include:

- DG Competition focuses on a selection of sectors and its impact on the markets is therefore not complete

- Its decision-making processes are slow
- In some of the cases participants were involved in, the decision taken by the Commission was different from what they expected
- The deterrent effect of decisions can negatively impact on economic benefits; one participant took the Intel case as an example, stating that Intel was penalised for offering discounts, which might have led other companies to reduce the discounts they offer
- It is not always clear how the Commission's decisions benefit the end-consumer

The participant who gave a lower score (3) held that DG Competition could better assist companies to determine whether planned cooperation is allowed. Currently, he/she believes that companies and consultancies do not have sufficient tools to decide themselves and that many plans are abandoned because advisors and companies are too risk-averse. An example of such a case is where two producers would like to share production facilities or sales networks in difficult markets.

4.8 Use of settlements in cartel cases and commitment decisions in antitrust cases

- There are some concerns that the lack of detail in settlement and commitment decisions might negatively impact the consistency of decisions over time -

Only two of the five participants answered this question. Settlements are seen as potentially problematic if they do not go through the full investigation and court process, as it is thought this might lead to rushed or incomplete decisions. The participants consider it important to have a critical review of the evidence by an independent third party in cases where the Commission offers settlements. They are concerned that, as decisions cannot be cross-checked, they may become arbitrary and not form a solid enough basis on which to inform "*legal development*".

One participant emphasised the positive aspects of commitment decisions, such as a quick resolution of the case and procedural clarity for all parties. On the other hand, less detailed analysis in the decision is seen as less valuable as a precedent and thought to provide less legal certainty for future cases.

4.9 Enforcement of decisions

- It is felt that the Commission has the ability to enforce its decisions -

Three of the five participants felt qualified to express a view and all of them agree that the Commission has the ability to enforce its decisions. It is considered that most companies have taken the necessary measures to implement the Commission's decisions. In the case of State aid, participants feel Member States have limited scope to contradict or reject decisions.

"They're hard as nails. I wouldn't breach my commitments with the Commission."

4.10 Contribution to the EU's economic growth

- Participants feel that the Commission's enforcement is not the only factor influencing growth, which can lead to economic growth in the EU, and that the Commission could do more -

Mean score = 3.6

Unlike the other quantitative questions presented in this report, the following rating does not represent an evaluation of DG Competition's work by its stakeholders. It indicates the participants' perception regarding the contribution of the enforcement of competition policy by the Commission to the EU's economic growth.

C10. To what extent, in your view, does the enforcement of competition policy by the Commission contribute to the EU's economic growth?

		Nb of participants
Contributes to a great extent	5	1
	4	1
	3	3
	2	-
Does not contribute at all	1	-

The general view is that the DG Competition contributes substantially to a more efficient economic system, which in turn results in economic growth. However, it is felt that this impact might not be the same across all sectors of the economy.

"This varies according to the project. For example, in the energy sector, DG Competition could have a positive impact."

Most participants feel that regulation is necessary. More specifically, several of them stressed the importance to further encourage growth in the EU by opposing the US philosophy that strong, large, dominant, global companies are needed to insure competitive markets.

However, some held that the enforcement of competition policy does not necessarily always contribute to economic growth. It is thought that the fact that none of the big markets leaders - like Intel, Microsoft, Google, etc. - are EU-based might in part be due to excessive regulation in Europe.

5. COMMUNICATION AND PROMOTION OF COMPETITION CULTURE

5.1 *Clarity and comprehensibility of external communications*

- The quality of communication is generally perceived to be good -

Most participants regard communication by DG Competition as good and very good. The forms of communication that participants are aware of include: weekly reports about the DG's work, published documents on DG Competition's website, newsletters, advertisements for investigation and speeches delivered by DG Competition.

The quality of communication is perceived as good: it is considered clear and understandable, with documents that are easy to read, reports that are well-structured; and communicated information that is well-considered and thought through.

Although DG Competition's communication is considered to be of high quality, two participants proposed room for improvement. One participant criticised the Commissioner for discussing ongoing cases in speeches, as it is felt that this might create the impression that the cases are being prejudged. The second participant would prefer to be able to easily identify and have access to the person in DG Competition who is in charge of a case.

5.2 *Choice of communication and media channels*

- Participants feel that the website could be improved. There are mixed views about the appropriateness of social media -

Four of the five participants answered questions about the range of communication channels that DG Competition uses - one participant had no opinion.

Three of these four participants feel that the DG Competition website could be improved through restructuring and by updating the website content more regularly, which it is thought would make information easier to find. The website of the National Competition Authority of the UK was mentioned by one participant as an example of a better functioning website. One participant uses the DG Competition website frequently and regards it as informative, clear and easy to use.

One participant mentioned that conferences, meetings and forums are an important source of information and recommends using them more often to discuss strategic issues with stakeholders.

There was no consensus among participants about whether DG Competition should use social media or not. One participant generally dislikes social media as a communication channel. Conversely, another stated that the general population - and specifically young people - is an important target group for DG Competition, which makes social media an appropriate communication tool. A third participant held that there is no need for DG Competition to intensify communication with consumers.

"Consumers just want fair prices; they are not interested how this is achieved."

One participant noted that DG Competition should resume publishing the “Competition newsletter”, which was discontinued in 2013.

5.3 Promotion of competition culture and policy convergence at the international level

- The work of DG Competition abroad to promote competition policies is thought to be highly commendable -

✓ Rating: promotion of competition culture

Mean score = 5.3

DG Competition’s activities promoting competition culture are very poor quality						DG Competition’s activities promoting competition culture are very good quality
1	2	3	4	5	6	7
-	-	-	1	1	2	-

Not all participants felt that they had enough experience to answer this question.

Three participants held that DG Competition usually does good work abroad to promote competition policies. Its work is regarded as of better quality than other parties, for example those from the US. It is considered important to have a strong international cooperation on competition standards.

However, one participant held that DG Competition should make more efforts to promote the European position on competition. This participant mentioned that international conferences provide an opportunity to highlight European standards, especially in comparison with countries like the US and China.

All but one participant felt confident enough to provide a score. They rated DG Competition quite highly as it is seen as promoting competition well at both strategic and operational levels – this is thought to be a difficult task considering the complexity of the global economy. One participant feels that DG Competition has improved in this respect over time, while another mentioned he/she would have given an even higher score (from 6 to 7) if there were more actions directed at young people.

ANNEX – Discussion guide

All questions should be asked of all respondents, but we have indicated for each main question which types of respondent are more likely to have views on a particular topic:

L = lawyers

C = companies

EC = economic consultancies

BA = business associations

CA = consumer associations

NCA = national competition authorities

MSM = Member State ministries

Introduction

The purpose of this first section is to understand the respondent, the organisation they work for and their role within it, and to begin to build a rapport. We also ask about their relationship with and views on DG COMP.

Moderator

- TNS
- Independent
- Impartial

Process

- Open discussion
- No right or wrong answers
- Interested in all views and opinions
- Audio-recording
- Confidentiality

DG COMP is the part of the European Commission responsible for ensuring competitive markets, for businesses and consumers alike.

DG COMP has several key activity areas of competition policy and competition policy enforcement: antitrust/cartels, merger control and State aid control. You should have dealt with DG COMP in at least one of these four key areas. We would like to ask you about your experiences and opinions about working with DG COMP (and, where appropriate, obtain constructive feedback on how DG COMP can further improve).

This interview will cover four broad topics about DG COMP. These are:

- 1) The soundness of its legal and economic analysis
- 2) Its transparency and procedural fairness
- 3) Its economic effectiveness
- 4) Its communication and international advocacy

Respondent Background Information

First of all, ask the respondents for some background information about themselves. Probe for:

- Position
- Responsibilities

Ask the following information from Lawyers and Companies

Please note that lawyers should answer the following background questions based on both their own opinions and that of the companies they have represented in cases concerning DG COMP. Lawyers should also give information on the types of cases they have handled.

- Company's main activities / markets
- Countries that company mainly operates in (mainly within own country / EU-wide / world-wide)

Ask the following information to all groups

- When first and most recently had contact with DG COMP
- Amount/frequency of contact they have had with DG COMP
- In which of the four main area(s) of competition policy (antitrust, cartel enforcement, merger policy or state aid control) do you have experience in particular?
- In which of the four main area(s) of competition policy (antitrust, cartel enforcement, merger policy or state aid control) did you have interaction with DG COMP in the recent years?
- What was your position in the procedure (addressee of a decision, beneficiary of aid, complainant, interested third party, more than one)?
- Size of company / organisation (*this question is applicable to all groups with the exception of Member States ministries*).

A. SOUNDNESS OF LEGAL AND ECONOMIC ANALYSIS

I want to start by thinking about DG COMP's legal and economic analysis when it proposes decisions on cases. We will now discuss the soundness of DG COMP's legal and economic analysis on which it bases these decisions.

A1. How clear and understandable are the Commission's decisions?

(L, C)

- Why did you give this answer?
- What experiences in particular do you base this opinion on?
- Was the reasoning behind DG COMP's decision (clarity of the legal motivation) clear and understandable?
- Do you refer to final or also intermediate decisions?
- How could DG COMP improve in this area?

A2. Do you consider the Commission's decisions predictable, based on the existing legislation/rules? To what extent can one foresee the outcome of the Commission's decisions?

(L, C, EC, NCA, MSM)

- Why did you give this answer?
- What experiences in particular do you base this opinion on? (thinking about both final decisions and other decisions relating to cases)

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- Did the results correspond with your expectations?
- Is there consistency in the Commission's decisions?
- How could the Commission improve the predictability of its decisions?

A3. Do you consider the amount of fines imposed by the Commission predictable?

(L, C)

- Why do you give this answer?
- What experiences in particular do you base this opinion on?

A4. Taking into account the issues we have discussed so far, please can you indicate on this scale, based on your own experience, how legally sound the Commission's decisions have been?

(L, C, NCA, MSM)

SHOW CARD 1

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

- Why did you give this score?
- What other comments do you have about the legal soundness of DG COMP's analysis?
- Overall, regarding the legal soundness of its decisions, has DG COMP's performance improved, worsened or stayed the same during the last five years?
- Check for eventual discrepancy between the points given and the content of the answers to previous questions.

I would now like you to think about **DG COMP's understanding of the markets** in which the Commission is making decisions.

A5. Following its investigation, to what extent do you think DG COMP understands the markets in which Commission decisions are taken – how knowledgeable are DG COMP staff about sector dynamics and business models? (READ OUT IF REQUIRED: Their understanding of the markets can be shown in the legal and economic analysis included in the Commission decisions)

(C, EC)

- Why did you give this answer?
- What experiences do you base this opinion on?
- What impact do you think this has?
- Do you have any suggestions about how DG COMP could further improve in this field?

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How would you rate **DG COMP's market knowledge** on the scale shown here?

SHOW CARD 2

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

- Why did you give this score?
- What other comments do you have about DG COMP's market knowledge?
- Overall, regarding their knowledge and understanding of the market, has DG COMP's performance improved, worsened or stayed the same during the last five years?
- Check for eventual discrepancy between the points given and the content of the answers to previous questions.

A6. What is your impression of the quality of the economic analysis on which the Commission decisions are based?

(C, EC, BA, NCA, MSM)

- Why did you give this answer?
- What experiences do you base this opinion on?
- Do you have any suggestions about how DG COMP could further improve in this field?

How would you rate the quality of **DG COMP's economic analysis**?

SHOW CARD 3

DG COMP's economic analysis is very poor						DG COMP's economic analysis is very good
1	2	3	4	5	6	7

- Why did you give this score?
- What other comments do you have about DG COMP's economic analysis?
- Overall, regarding the quality of their market analysis, has DG COMP's performance improved, worsened or stayed the same during the last five years?
- Check for eventual discrepancy between the points given and the content of the answers to previous questions.

B. TRANSPARENCY AND PROCEDURAL FAIRNESS

The following section discusses the transparency and procedural fairness of DG COMP's activities. In particular, the focus is on how DG COMP deals with and consults with stakeholders and the rules that DG COMP follows as part of these processes.

B1. Do you think that DG COMP works transparently?

(All)

- Why did you give this answer?
- What does “transparency” refer to, in your opinion? If not mentioned spontaneously, probe:
 - ✓ Keeping you informed in a timely manner
 - ✓ Giving you access to the elements of your case
 - ✓ ‘Best practices’ adopted in 2011 including ‘State of play’ meetings in AT cases
- What experiences do you base this opinion on? Can you give examples of when DG COMP has / has not worked transparently?
- Do you have any suggestions about how DG COMP could further improve in this field?
- How does DG COMP compare with other competition authorities?

B2. Do you consider that the non-confidential versions of decisions are published swiftly enough?

(All)

- Why did you give this answer?
- What experiences do you base this opinion on? Can you give examples of when DG COMP has / has not provided you with a non-confidential version in a timely manner?
- **Do you have any suggestions about how DG COMP could further improve in this field?**

B3. To what extent do you think DG COMP listens to stakeholders and informs them in a timely manner about the procedural steps of its enforcement activities and/or the reasons behind its intermediate decisions, etc.?

(All)

- Why did you give this answer?
- What experiences do you base this opinion on? Can you give examples of when DG COMP has / has not kept you informed in a timely manner?
- Do you have any suggestions about how DG COMP could further improve in this field?
- Probe for DG COMP’s “Best practices” including State of play meetings

How would you rate DG COMP’s performance on the scale shown here?

(L, C)

SHOW CARD 4

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

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- Why did you give this score?
- Has DG COMP's performance on this element improved, worsened or stayed the same during the last five years?
- Check for eventual discrepancy between the points given and the content of the answers to previous questions.
- PROBE FOR:
 - ✓ In cartels/antitrust
 - ✓ In Mergers
 - ✓ In State Aid

B4. To what extent do you consider DG COMP has involved you in their stakeholder consultations on the creation of new rules?

(All, especially BA, CA)

- Why did you give this answer?
 - What experiences do you base this opinion on?
 - In what ways have they involved you / not involved you?
- ASK IF was NOT involved in the creation of new rules:*
- Have you received information about these new rules? Why not?

How would you rate DG COMP's performance on the scale shown here?

SHOW CARD 5

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

- ✓ Why did you give this score?
- ✓ Has DG COMP's performance improved on this element, worsened or stayed the same during the last five years?
- ✓ Check for eventual discrepancy between the points given and the content of the answers to previous questions.

B5. Based on your experience, do you consider DG COMP duly observes its own procedural rules?

(All)

- Why did you give this answer?
- What experiences do you base this opinion on?
- PROBE FOR:
 - ✓ Handling and protection of sensitive / confidential information, for instance in the "access to file" procedure
 - ✓ Parties given due hearing during the process, including oral hearings

B6. Do you think DG COMP's investigation work and/or consultations have been carried out so as to place the minimum necessary burden on the businesses (also Member State ministries, national competition authorities) involved?

(C, NCA, MSM)

- Why did you give this answer?
- What experiences do you base this opinion on?
- Thinking of your own experiences, what improvements could DG COMP make in order to reduce the burden for you?
- Do you have any further suggestions to reduce the burden of investigations?

C. ECONOMIC EFFECTIVENESS

This next section looks at the impact DG COMP's work has had. It looks at the decisions DG COMP has proposed to the Commission as final decisions and discusses the DG's level of success in imposing these decisions.

C1. What do you think of the effectiveness of DG COMP's detection policy, i.e. finding infringements?

(L, C)

- Why did you give this answer?
- What experiences do you base this opinion on?
- Do you consider that DG COMP is finding and working on the most appropriate / relevant cases?
- How effective is their use of the complaints procedure and leniency applications, etc.?
- How could DG COMP improve the effectiveness of its detection approach / policy?

C2. Do you think that DG COMP's policy of using fines is an effective deterrent?

(All)

- Why did you give this answer?
- What experiences do you base this opinion on?
- Can you think of any other enforcement tools (other than fines) that may be more effective?

C3. Sometimes ensuring compliance with EU antitrust rules leads companies to substantially modify or abandon a planned business transaction (a business contract, a cooperation agreement, etc.) without the Commission's intervention.

In the last five years, have you/your company (or your clients) been in such a situation?

(L, C)

SHOW CARD 6

Never	Once or twice	3 to 5 times	5 to 10 times	More than 10 times
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- Can you tell me more about what happened?

C4. Do you consider that the Commission's decisions are processed within a reasonable time span to have a strong impact on the markets?

(All)

- Why did you give this answer?
- What experiences do you base this opinion on?
- And more specifically, are the Commission's decisions made in a reasonable time span to limit the negative impact of the procedure on companies' activities)?
- And what about the time past between the decisions and its economic impact on the relevant market?

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- PROBE FOR:
 - ✓ Distinguish between:
 - Cartels
 - Antitrust
 - Mergers
 - State Aid
- What suggestions do you have to improve the processes?

How would you rate DG COMP's performance on the scale shown here?

SHOW CARD 7

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

- Why did you give this score?
- Has DG COMP's performance on this element improved, worsened or stayed the same during the last five years?
- Check for eventual discrepancy between the points given and the content of the answers to previous questions.

C5. Do you think DG COMP focuses on the right sectors?

(EC, BA, CA, NCA)

- Why did you give this answer?
- What experiences do you base this opinion on?
- **Is there any sector where you feel DG COMP puts too much focus on? Why?**
- **Is there any sector you feel DG COMP should focus on more? Why?**

C6. Do you think that DG COMP adapts well to the rapid changes of technology and globalisation in general?

- Why did you give this answer?
- What experiences do you base this opinion on?
- How can they improve this?

C7. What impact do you think DG COMP's work has had on the markets? (READ OUT IF REQUIRED: Please consider all the work that DG COMP has done, including case work, policy and regulatory work).

(All)

- Why did you give this answer? Please provide examples.
- What experiences do you base this opinion on?
- **Can you identify any concrete actions or policies that DG COMP could take to increase its impact on the markets to promote competition?**

- Besides decisions from the Commission, what are according to you the other factors which have an impact on the market?

How would you rate DG COMP's performance on the scale shown here?

SHOW CARD 8

Not at all effective in making markets function better						Very effective in making markets function better
1	2	3	4	5	6	7

- Why did you give this score?
- Has DG COMP's performance on this element improved, worsened or stayed the same during the last five years?
- Check for eventual discrepancy between the points given and the content of the answers to previous questions.

C8. What is your view on the Commission using as enforcement tool settlements in cartel cases and commitment decisions in antitrust cases?

IF NEEDED, explain that:

In cartel settlements the company gets a 10% reduction of the fine in exchange for acknowledging their involvement in the cartel. The decision is also shorter, containing fewer details which is favourable to the company in case of private damages claims. It contains less direct evidence that claimants of private damages can use against the company.

In Antitrust commitment decisions no wrongdoing by the company is established. The company offers (commits itself) to implement specific business practices that address the Commission's concerns. The Commission's decision makes the commitments binding on the company.

In both procedures a significant advantage for both sides (Commission and the companies) is that the procedure is a much shorter.

- On what grounds did you give this answer?
- Do you have any suggestion about how DG COMP could improve these tools?

C9. What is your view on the Commission's ability to sufficiently enforce its decision following its adoption?

(All)

- Why did you give this answer?
- What experiences do you base this opinion on?
- Based on these experiences, did the enforcement decisions have the expected effects on the markets?
- PROBE FOR THE FOLLOWING IN RELATION TO THE FIRST QUESTION:
 - Company / Member State compliance with decisions
 - In area of State Aid: effective and timely 'recovery' of state aid that has been paid out illegally by Member States
 - Economic effectiveness in increasing competition in the market

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C10. To what extent, in your view, does the enforcement of competition policy by the Commission contribute to the EU's economic growth?

SHOW CARD

Does not contribute at all				Contributes to a great extent
1	2	3	4	5

➤ On what grounds did you give this answer?

D. COMMUNICATION AND PROMOTION OF COMPETITION CULTURE

This last section looks at DG COMP's communication with businesses and organisations, and at what it can do to improve communication with different groups of stakeholders in the future. Please note that this section is more focused on general/external communications about competition than on the communication that occurs during a case.

DG COMP uses press releases, newsletters, policy briefs, press conferences, its website, videos and conferences / workshops to communicate.

D1. Do you feel that DG COMP's external communications are understandable and clear?

(C, BA, CA)

- Why did you give this answer?
- What are your best / worst experiences regarding communication by DG COMP?
- What is the best way for DG COMP to communicate about its enforcement action and policy, generally, and with you / organisations like yours specifically? What recommendations do you have?

D2. What do you think of the communication and media channels used by DG COMP?

(C, EC, BA, CA)

- Why did you give this answer?
- Through which media channels are you aware of competition-related issues and news generally, and of communications from DG COMP specifically?
- Are these the best channels to reach the audiences DG COMP is aiming at (businesses, advisors, policymakers, media)?
- Do you think that DG COMP should use social media?

D3. DG COMP's activities also aim at promoting a competition culture and policy convergence at the international level, for example through the International Competition Network, OECD, bilateral cooperation agreements with third countries or international conferences, etc..

(All)

- Are you aware of such activities?
- What do you think of the impact of these activities?
- Why did you give this answer?
- Are its activities well targeted, sufficient and effective?
- What experiences do you base this opinion on?
- How can it improve these communications activities?

PROBE on the awareness of such international cooperation activities for example with:

- United States of America
- BRICS countries (Brazil, Russia, India, China, South-Africa)

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D4. Thinking about DG COMP's activities aimed at promoting competition culture in general, how would you rate DG COMP's performance on the scale shown here?

SHOW CARD 9

DG Competition's activities promoting competition culture are very poor quality						DG Competition's activities promoting competition culture are very good quality
1	2	3	4	5	6	7

- Why did you give this score?
- Has DG COMP's performance on this element improved, worsened or stayed the same during the last five years?
- Check for eventual discrepancy between the points given and the content of the answers to previous questions.

CLOSING REMARKS

- Are there any other issues relating to DG COMP that we have not discussed?
- Anything you would like to add?

OUTLINE NEXT STEPS: production of aggregate report Q4 2014

Check preparedness for the name of their organisation being included in a list of contributors to the report

Thank respondent and close interview