

8,462 International Competition Policy

Potential Paper Topics

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This document contains the titles of papers that could be written for this course. You are free to choose your own topic but please consult me before finalising your choice.

1. In what ways, if at all, do the different objectives of national competition laws facilitate or impede international collective action on competition law and enforcement?
2. What initiatives would strengthen the perceived contribution of competition law and enforcement to attaining the Millennium Development Goals?
3. What is the latest evidence on the contribution of competition law to the economic development of poorer nations?
4. Does it make sense to sequence the enactment and implementation of competition laws in developing countries? Use examples to illustrate your argument. What are the implications for designing international initiatives on competition law?
5. To what extent was the East Asian miracle contingent on violating the traditional principles of competition law and enforcement?
6. Do legal exemptions for export cartels really matter?
7. Using specific recent examples what is the potential contribution of competition law and enforcement to the competitiveness (export performance) of a nation?
8. Have pro-export governmental objectives affected the design and implementation of national competition laws? Give examples and describe the implications for national policymaking and international rule-setting?
9. In what ways, if at all, can merger enforcement generate beggar-thy-neighbour effects? What evidence, if any, suggests that these effects are important?
10. In what ways, if any, do open borders (or lower barriers to trade and investment) increase the incentive for firms to engage in anti-competitive practices? What are the implications for national enforcement efforts and international collective action on competition law?
11. Through what means can international companies or multinational corporations distort the operation of national and international markets. Are such means common?
12. What is the evidence that multinational corporations abuse their buyer power? What are the implications for other firms and the jurisdictions they are located in?
13. What is the evidence that sophisticated firms tailor their corporate strategies to the strength of national competition law enforcement regimes? What, if anything, are the implications for international collective action on competition law?
14. Will the market power of intermediaries reduce the benefits of trade preferences to the least developed countries? Reference could be made in this respect to decisions made at the WTO including those at the Hong Kong Ministerial Conference.
15. What evidence is there of predatory pricing by multinational corporations in developing countries? You may focus on one region if that is more manageable.
16. Where is the conflict between industrial policy and competition law? If such a conflict exists, how can it be managed?

17. Why did the Havana Charter fail? Were the competition provisions of that Charter a contributing factor to the failure? If so, what lessons are there for current discussions on international competition matters?
18. What concerns motivated the competition provisions of the Havana Charter? Did any evidence inform or support those concerns?
19. What, if anything, was the relationship between the competition provisions of the Havana Charter and the other provisions of that Charter?
20. Compare the competition provisions of the Havana Charter with either (a) the provisions on the UN Set on Competition, (b) the competition provisions of the Treaty of Rome (which founded the EEC), (c) the competition provisions of subsequent EC treaties, or (d) the proposals for a multilateral framework on competition policy. What lessons arise from such a comparison?
21. Assess the significance of the various OECD Recommendations on Competition Law and Policy. What factors, if any, could enhance the impact of these Recommendations?
22. OECD members have for a number of years made annual reports to the OECD Competition Committee. What effects, if any, has such reporting had on the design and implementation of competition laws in OECD nations?
23. What impact have the OECD's Peer Reviews had on reviewed jurisdictions? In what ways, if any, could these reviews be improved?
24. What has been the practical impact of the UN Set of Principles and Rules on Competition? What could enhance the impact of this non-binding initiative?
25. What is the substance and what are the consequences of the five-yearly reviews of the UN Set? What factors influence such reviews? Is the most being made of these opportunities?
26. To what extent has the spread of competition law to many developing countries in recent years been reflected in the UN Set? What lessons, if any, are there for the potential revision of this Set?
27. What concerns motivated the competition proposals of the Munich Group? Did any evidence inform or support those concerns? Are those concerns still relevant today?
28. What is the relationship, if any, between the competition proposals of the Munich Group and the proposals for a Multilateral Framework on Competition Policy?
29. Are there any new dimensions to the relationship between market access and competition law that could be developed in discussions on international competition policy?
30. On reflection, is Japan relatively closed to imports?
31. Given what we now know about national competition enforcement and international cooperation, where the critics of a multilateral framework on competition policy correct?
32. Why did so few developing countries support the proposals for a multilateral framework for competition policy?
33. In what ways, if at all, were established competition agencies threatened by the proposals for a multilateral framework for competition policy?
34. Why do so many developing countries sign competition provisions in free trade agreements yet oppose a multilateral initiative on competition policy?
35. Are the Merger-related Recommendations of the International Competition Network consistent with the development needs of poorer nations? If not, how could these Recommendations be amended?
36. Are competition agencies really conforming to the Merger-related Recommendations of the International Competition Network?
37. Over the next five years what are the prospects of the International Competition Network?
38. What implications, if any, do the competition provisions of free trade agreements have for the contents of any future multilateral initiative on competition policy?
39. Does the resurgence of interest in industrial policy in Europe and elsewhere pose a threat to the independence of competition agencies? If so, how can the latter and the private sector bar seek to preserve the status quo?
40. What state-inspired constraints on competition should be the subject of international rules?