

Harmonization of Competition Laws in a Global Economy : A Japanese Perspective *

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I. INTRODUCTION

Competition policy enjoys a more prominent role today than it ever has before.

This reflects the trend in which acceptance of the market system has expanded to developing countries and former socialist countries. In pace with this, the basic law for competition policy, namely competition (or antitrust) law, has spread to a large number of countries. At the same time, globalization of the economy has increased the internationalization of business activities, and has brought about an increase in antitrust violations occurring in multiple jurisdictions. This situation has caused the business community to call for harmonization of domestic competition laws.

Adding to the business need, harmonization of competition laws has also been discussed at the WTO (World Trade Organization) for market access consideration. The WTO has achieved substantial elimination of governmental barriers to trade, and therefore is now envisaged to tackle trade barriers emanating from anti-competitive corporate conduct. This need caused the WTO to establish a Working Group on "Trade and Competition" in 1996, and in November 2001 the WTO Ministerial Conference held in Doha (*Qatar*) agreed that negotiations regarding "interaction between trade and competition policy" will take place after the next session of the Ministerial Conference.¹

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1 Doha WTO Ministerial Declaration, WT/MIN(01)/DEC/1, 20 November 2001, available at