This thorough appraisal of competition law and policy from an international and comparative perspective covers the role of different international organisations active in the area, the significance of multinational enterprises and, in particular, the differences between US and EU systems. Taking examples from regions such as Africa, the Middle East and Asia, Maher M. Dabbah looks at the law and policy in developing countries and at a regional level, the internationalisation of competition law and the doctrines of extraterritoriality, bilateral cooperation and multilateral cooperation as well as the relationship between competition and trade policy. The book should prove useful to anyone who is interested in gaining an insight into the international dimension of competition law and policy. It is written in language and style which make such a complex topic both possible to understand and enjoyable.

Maher M. Dabbah is the Founder and Director of the Interdisciplinary Centre for Competition Law and Policy (ICC), Queen Mary, University of London. He also acts as a consultant to different organisations in the field and as special counsel to large businesses.
Publications within the Series consider various legal, economic and political developments related to competition law and policy. They also consider the application of competition law and policy in sector-specific as well as cross-sector contexts and deal with policy questions ranging from the formation and adoption of competition law and policy (whether at national, regional or international level) to those dealing with enforcement, and the connection between law and competition in the market place. The Series also accommodates different analytical and
interdisciplinary viewpoints, such as law and economics; law and political science; law and economic geography-driven perspectives.

The Series includes publications designed to cater for academic demands as well as practitioner publications catering for the continuously evolving needs of regulators, policy-makers, and practitioners, in particular lawyers and economists (who increasingly provide advice on regulatory questions). The editorial board of the Series welcome proposals by authors and editors who are interested in contributing to the Series through: academic monographs; revised PhD theses of high quality; practitioner texts and collections; and edited volumes.

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INTERNATIONAL AND COMPARATIVE COMPETITION LAW

MAHER M. DABBAH
Barrister; Director, Interdisciplinary Centre for Competition Law and Policy (ICC) Queen Mary University of London
To the ones who made everything possible:
my wonderful parents
and my brother Hassan
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Writing this book has been a very exciting and rewarding experience. The topic of international competition law and policy is one that I am very passionate about; my passion has grown over the years in parallel with the phenomenal increase in significance the topic has come to witness. International ‘elements’ are found nowadays in almost every single aspect of competition law and policy and this makes it necessary for everyone – whether competition officials, practitioners, judges, policymakers, business people, economists, students or others whose work has competition relevance – to develop an international-comparative perspective. This book therefore comes to make its own modest contribution to helping anyone interested in developing such perspective to do so in textbook style.

In setting out to complete the task at hand I have encountered many obstacles. First – and this is said with great pain – regretfully I sustained an extremely serious injury to my left (dominant) hand which left me simply unable to work on this book for some time. Although this was a major setback, my determination to complete the book received a major boost (and here I would like to thank Kim Hughes for the non-stop gentle reminders). A second obstacle was that – contrary to my prior (false!) hopes – life became phenomenally more (and not less) busy on the work front both within and outside ICC during the writing process: in particular, coordinating and teaching eight competition law courses attended by hundreds of students and serving as Director of the ICC have proved to be a full-time job indeed! Contrary to the hand injury however, this is an obstacle that added to the enjoyment of writing the book. A number of the courses which I teach at different institutions deal with international competition law and policy and it was extremely rewarding to have fascinating exchanges with my superb students attending these courses on many of the ideas contained in the book. I therefore would like to give a big vote of thanks to my students, especially those who have attended my courses on International and Comparative Competition Law and International Merger Control.
The book contains both international and comparative perspectives. I was hoping it would be a slightly bigger book and so more could go in to make the latter perspective bigger and more obvious, notably by including one or more jurisdictions. Word limit however meant that a bigger book was not possible and so I had to give a comprehensive account of the subject ensuring the existence of these two perspectives. I therefore opted to focus more on the international perspective (directly) and to include a viable comparative perspective indirectly which the reader will hopefully come to see when reading and reflecting on the different parts of the book. This is obviously a first edition of the book and I am hopeful that the limit set will be increased when it comes to the second edition.

I would like to thank my friends and colleagues around the world for their kind encouragement and support especially for the various international initiatives (in particular the Middle East initiative) which were launched when preparing the book and which contributed in a major way towards the book. In particular, special thanks are due to: Mr Nir Barnea, Dr Ido Baum, Professor Orna Ben-Naftali, Dr Werner Berg, Justice Yoram Danziger, Dr Tamar Gidron, Professor Barry Hawk, Professor Meir Heth, Adv. Moran Meiri, Justice Meriam Naor, Adv. Jad Nashef, Adv. Michael Naor, Dr Guy Rotkopf, Mr Avi Shobert, Adv. Dror Strum and Dr David Tadmor. I also would like to thank my former research assistant Sara Jameel who showed strong dedication to the project when she was involved in the earlier stages of its preparation. Special thanks are also due to Jamela for her help with the bibliography and tables. Finally, I would like to thank my mother and my father who have always been supportive and to whom I would like to dedicate this book.
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<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tbody>
<tr>
<td>ACCC</td>
<td>Australia Competition and Consumer Commission</td>
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<td>ACFC</td>
<td>ASEAN Consultative Forum for Competition</td>
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<td>AFC</td>
<td>ASEAN Economic Community</td>
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<td>AFTA</td>
<td>ASEAN Free Trade Area</td>
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<td>AMC</td>
<td>US Antitrust Modernisation Commission</td>
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<td>ANATEL</td>
<td>National Telecommunications Agency of Brazil</td>
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<td>APEC</td>
<td>Asia-Pacific Economic Cooperation</td>
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<td>ASEAN</td>
<td>Association of South East Asian Nations</td>
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<td>BRTI</td>
<td>Indonesian Telecommunication Regulatory Board</td>
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<tr>
<td>CADE</td>
<td>Administrative Council for Economic Defence in Brazil</td>
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<tr>
<td>CAFTA-DR</td>
<td>Central America-Dominican Republic-United States Free Trade Agreement</td>
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<tr>
<td>CAT</td>
<td>UK Competition Appeal Tribunal</td>
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<tr>
<td>CARICOM</td>
<td>Caribbean Community and Common Market</td>
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<td>CBI</td>
<td>Central Bank of Iraq</td>
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<tr>
<td>CC</td>
<td>UK Competition Commission</td>
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<tr>
<td>CCJ</td>
<td>Caribbean Court of Justice</td>
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<td>CCK</td>
<td>Communications Commission of Kenya</td>
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<td>CCOPOLC</td>
<td>Competition and Consumer Policy and Law Committee</td>
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<tr>
<td>CEMAC</td>
<td>Economic and Monetary Community of Central Africa</td>
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<tr>
<td>CEPT</td>
<td>Common Effective Preferential Tariff</td>
</tr>
<tr>
<td>CERBP</td>
<td>Committee of Experts on Restrictive Business Practices</td>
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<tr>
<td>CFI</td>
<td>European Court of First Instance (now General Court of the EU)</td>
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<tr>
<td>CIS</td>
<td>Commonwealth of Independent States</td>
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<tr>
<td>CIT</td>
<td>Committee of Trade and Investment</td>
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<td>CLP</td>
<td>Competition Law and Policy Committee of the OECD</td>
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<td>CMB</td>
<td>Competition Monitoring Body in Africa</td>
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<td>National Commission for the Defence of Competition in Argentina</td>
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<td>COMESA</td>
<td>Common Market for East and Southern Africa</td>
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<td>COTED</td>
<td>Council for Trade and Economic Development in the Caribbean</td>
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<td>Competition Policy and Deregulation Group</td>
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<td>CUA</td>
<td>Customs Union Agreement</td>
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<tr>
<td>DAP/MED</td>
<td>Department of Antimonopoly Policy of the Ministry of Economic Development of Azerbaijan</td>
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### LIST OF ABBREVIATIONS

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<th>Abbreviation</th>
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<tr>
<td>DG COMP</td>
<td>Directorate General for Competition within the European Commission</td>
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<td>DGPT</td>
<td>Indonesian Directorate of Communications</td>
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<td>EAC</td>
<td>East African Community</td>
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<td>European Community</td>
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<td>European Neighbourhood Policy</td>
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<td>FBI</td>
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<td>FDI</td>
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<td>US Federal Trade Commission</td>
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<td>GAFTA</td>
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<td>GCC</td>
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<td>Gulf Common Market</td>
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<td>GFC</td>
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<td>HHI</td>
<td>Herfindahl-Hirschman Index</td>
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<tr>
<td>IBRD</td>
<td>International Bank for Reconstruction and Development</td>
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<td>International Competition Network</td>
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<td>US International Competition Policy Advisory Committee</td>
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<td>IDA</td>
<td>International Development Association</td>
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<td>IMF</td>
<td>International Monetary Fund</td>
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<tr>
<td>IP</td>
<td>Intellectual Property</td>
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<td>IPR</td>
<td>Intellectual Property Right</td>
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<tr>
<td>ITO</td>
<td>International Trade Organisation</td>
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<tr>
<td>JFTC</td>
<td>Japan Fair Trade Commission</td>
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<td>JGTC</td>
<td>Joint Group on Trade and Competition of the OECD</td>
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<tr>
<td>KPTC</td>
<td>Kenya Posts and Telecommunication Corporation</td>
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<td>LACF</td>
<td>Latin American Competition Forum of the OECD</td>
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<td>Latin American Free Trade Association</td>
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<td>Latin American Integration Association</td>
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<td>LDC</td>
<td>Less developed country</td>
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<td>Less economically developed country</td>
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<td>General Telecommunications Law of Brazil</td>
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