Written by a leading authority on the topic, *Competition Law and Policy in the Middle East* examines and critically analyses the development and role of competition law and policy in one of the most interesting regions of the world. This is the first book of its kind – to date this topic has not received sufficient attention, nor has it been adequately explored.

The importance of the Middle East within the global political and economic arenas gives this book huge international significance and interest. The book will prove useful to a variety of audiences around the world: to the competition law specialists, to the students of the subject, to policy-makers and politicians in the Middle East and to those whose work deals with law and economics and who wish to know more about competition law and policy in this special part of the world.

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COMPETITION LAW
AND POLICY IN THE
MIDDLE EAST

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To my parents for making the Middle East have its special place in my heart
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Writing a book on competition law and policy in the Middle East was, many years ago, merely an idea, which later became a dream and eventually turned into a reality. The transition from idea to reality in this case was only possible because of my own personal background and experience. I was born and raised in a small village suffering from illiteracy and swamped with poverty, in an extremely underdeveloped society and in a region where violence, conflict and confrontation were and still are extremely widespread. That region is called the Middle East. What fed many of the thoughts in the book was my experience as a specialist in the field of competition law. Other thoughts, however, could not have materialised without my own background. An example of this is chapter 2. My decision to examine the relationship between Islam and competition law within the context of the present book was not ‘pulled out of a hat’ but was rather the result of an encounter with this (unusual) relationship which happened at the age of eight. Of course at that very young age there was no awareness on my part of this relationship or competition law at all. The timing of the encounter – which occurred during the summer holidays – was highly interesting. During the preceding academic year, I became aware of some of the fundamental values of Islam through my religious studies lessons at primary school. Among the values that had particular impact on my outlook was Islam’s prohibition of exploitation. During the summer holidays a new grocery shop opened in the village and I came to witness clear acts of dishonesty and exploitation on the part of the shop’s owner. Considering the situation from a competition law perspective, those acts were nothing short of a clear abuse of dominance directed at a largely impoverished population. Such ‘consideration’ of course was not possible at the time, though this did not prevent me from viewing the situation as being fundamentally wrong and non-Islamic.

When I began writing the book, I was fully aware that I could be seen to be aiming to produce two books in one: the first a practitioner/textbook
type book explaining or ‘describing’ how it is done in different parts of the Middle East and the second a volume ‘analysing’ various theoretical (and practical) issues. I decided to proceed nonetheless as my goal was to open the topic on different fronts so that hopefully current and future specialists would then take the issues covered in the book and develop them (when the time is right) in scholarly articles, monographs, practitioner work and (who knows) perhaps even a textbook. In setting out to do this, my aim has not been, however, to write a ‘perfect’ book; it has been to write an informative one. A perfect book is one which, among other things, closes as opposed to opens the door(s) to further research and thinking. This is not what I had in mind. As the first volume of its kind, I would like this book to open not just one but hopefully many doors (and windows).

My actual decision to turn to the Middle East on this occasion was not taken lightly. Considerable thinking and rethinking was done. At the end of a very long process, however, it felt it was the ‘natural’ thing to do. I vividly remember meeting by chance an old colleague several months ago in the beautiful surroundings of Russell Square gardens in central London who asked me what I was writing on at that time. I answered: a monograph on competition law and policy in the Middle East. I recall only one word my colleague said in reply: ‘tricky’. It was in fact, and this old colleague was right but for the wrong reasons. Waking up every morning to hear about ‘more’ violence and loss of innocent lives in the Middle East was not quite the food for thought I was hoping to have as someone engaged in a ‘project’ on the Middle East. Many times I questioned my decision to write on competition law in particular in this (regrettably) troubled region of the world when the incredible amount of time and energy poured into the project could have been diverted to other Middle Eastern causes. These thoughts at the end did not prove a hindrance but enhanced in fact my desire to complete the project and to do even more on other fronts for the Middle East (and other places in the world). I kept going because of a deep passion to spread competition law around and because I care about the Middle East. Looking back as I am typing these words I have no doubt in my heart that it was the right decision to take.

This book would never have seen the light of day if it was not for the help and support I have received from many friends and colleagues. Many of my colleagues at Queen Mary deserve special thanks for continuous encouragement and support. Many of my friends were also extremely kind and supportive. In particular, I would like to mention
C. Brown, M. Das, T. Gidron, M. Heth, the Lockes, S. Miah, J. Nshf, J. Richardson, G. Rotkopf and D. Tadmor. I would also like to acknowledge the excellent research assistance and huge help received from Z. Awaiz who deserves a big ‘thank you’. Valuable assistance was also received from C. Fadous and S. Hanafi in locating some ‘hard-to-find’ material; they were effective and efficient and I am grateful to them. Special thanks are also due to the professional and always extremely helpful staff at Cambridge University Press. In particular I am grateful to Mrs K. Hughes who is a huge asset at the Press.

Finally, I would like to express my thanks and gratitude to my brothers and sisters for caring and more importantly for remaining strong through difficult days and nights. In particular warm thanks go to my brothers Hassan, Hussein and Hatim who have made their marks in their particular fields of expertise in the Middle East: two truly world-class lawyers and a doctor.

The greatest thanks of all are owed to my parents. I have never known stronger, wiser, more intelligent and more loving people than them. These are quite modest attributes in fact for a lady who can neither read nor write and a gentleman who was fortunate to attend only three years of school in his life. They sacrificed their education to care for their siblings and later sacrificed everything for the happiness and future of their children. Without them it would not have been possible to write this book. I needed an effective ability to communicate in three crucial languages, Arabic, English and Hebrew, to research and write its chapters. They gave me that ability. I also needed an understanding of competition law as both an academic and practitioner. That too, many years ago, they made possible for me to acquire.

I am honoured to be able to dedicate this book to my brothers and sisters who live in the Middle East and to my great and wonderful parents who live in my heart.

Maher M. Dabbah
December 2006
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<tr>
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<tr>
<td>Agadir</td>
<td>Free Trade Zone between the Arabic Mediterranean Nations</td>
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<td>AMU</td>
<td>Arab Maghreb Union</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>CAFTA-DR</td>
<td>Central America–Dominican Republic–United States Free Trade Agreement</td>
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<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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<td>CEMAC</td>
<td>Economic and Monetary Community of Central Africa</td>
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<td>CFI</td>
<td>European Court of First Instance</td>
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<td>COMESA</td>
<td>Common Market for Eastern and Southern Africa</td>
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<td>CPA</td>
<td>Coalition Provisional Authority in Iraq</td>
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<td>CPCM</td>
<td>Conseil Permanent Consultatif du Maghreb</td>
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<td>CUA</td>
<td>Customs Union Agreement between Turkey and the EC</td>
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<td>DGCEE</td>
<td>Department of Competition and Economic Investigations within the Tunisian Ministry of Trade</td>
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<td>EAC</td>
<td>East African Community</td>
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<td>EC</td>
<td>European Community</td>
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<td>ECJ</td>
<td>European Court of Justice</td>
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<td>ECOSOC</td>
<td>United Nations Economic and Social Council</td>
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<td>ECR</td>
<td>European Court Reports</td>
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<td>EEA</td>
<td>European Economic Area</td>
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<td>EFTA</td>
<td>European Free Trade Association</td>
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<td>ENP</td>
<td>European Neighbourhood Policy</td>
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<td>EU</td>
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<td>FTA</td>
<td>Free Trade Agreement</td>
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<tr>
<th>Abbreviation</th>
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<tbody>
<tr>
<td>GAFTA</td>
<td>Greater Arab Free Trade Agreement or Area</td>
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<td>GATT</td>
<td>General Agreement on Tariffs and Trade</td>
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<td>GCC</td>
<td>Gulf Cooperation Council</td>
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<td>IAA</td>
<td>Israel Antitrust Authority</td>
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<td>ICN</td>
<td>International Competition Network</td>
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<td>IMF</td>
<td>International Monetary Fund</td>
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<td>MEC</td>
<td>Middle Eastern Country</td>
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<td>MECs</td>
<td>Middle Eastern Countries</td>
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<td>MERCUSOR</td>
<td>Southern Common Market</td>
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<td>MIGA</td>
<td>Arab Investment Guarantee Agency and the Multilateral Investment Guarantee Agency</td>
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<td>MPO</td>
<td>Iranian Management and Planning Organisation</td>
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<td>NAFTA</td>
<td>North American Free Trade Agreement</td>
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<td>NATO</td>
<td>North Atlantic Treaty Organisation</td>
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<td>NIS</td>
<td>New Israeli Shekel</td>
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<td>NTC</td>
<td>National Telecommunications Corporation of Sudan</td>
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<td>OECD</td>
<td>Organisation for Economic Cooperation and Development</td>
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<td>OFT</td>
<td>UK Office of Fair Trading</td>
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<td>OJ</td>
<td>Official Journal of the European Community</td>
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<td>OPEC</td>
<td>Organisation of the Petroleum Exporting Countries</td>
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<td>OSCE</td>
<td>Organisation for Security and Cooperation in Europe</td>
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<td>PIEFZA</td>
<td>Palestinian Industrial Estates and Free Zones Authority</td>
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<td>PFI</td>
<td>Palestinian Federation of Industries</td>
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<td>QIZ</td>
<td>Qualified Industrial Zones</td>
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<td>SAARC</td>
<td>South Asian Association for Regional Cooperation</td>
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<td>SACU</td>
<td>Southern African Customs Union</td>
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<td>SADC</td>
<td>Southern African Development Community</td>
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<td>SSAP</td>
<td>Sudan’s Structural Adjustment Programme</td>
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<tr>
<td>STPC</td>
<td>Sudan Telecommunications Public Corporation</td>
</tr>
<tr>
<td>TAIEX</td>
<td>Technical Assistance and Information Exchange Instrument of the Institution Building unit of Directorate-General Enlargement of the European Commission</td>
</tr>
<tr>
<td>Abbreviation</td>
<td>Full Form</td>
</tr>
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<tr>
<td>TRA</td>
<td>Telecommunications Regulatory Authority of Bahrain</td>
</tr>
<tr>
<td>TRL</td>
<td>Turkish Lira</td>
</tr>
<tr>
<td>UAE</td>
<td>United Arab Emirates</td>
</tr>
<tr>
<td>UEMOA-WAEMU</td>
<td>West African Economic and Monetary Union</td>
</tr>
<tr>
<td>UNCTAD</td>
<td>United Nations Conference on Trade and Development</td>
</tr>
<tr>
<td>UNIDO</td>
<td>United Nations Industrial Development Organisation</td>
</tr>
<tr>
<td>WTO</td>
<td>World Trade Organisation</td>
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</tbody>
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