

COMMUNICATION FROM JAPAN

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The Experiences of Japan and APEC in
Technical Assistance and Capacity Building

I. INTRODUCTION

Technical assistance and capacity building related to the WTO are integral parts of the Doha Ministerial Declaration. As technical assistance and capacity building are related to human and institutional development, these are by nature to be carried out in the long term. However, the Doha Agenda requires also a prompt disbursement of some projects so that, at the time of the 5th Ministerial Conference, developing Members may better evaluate the implications of closer multilateral cooperation for their development policies and objectives.

In most of the negotiation fields comprising this new round, including "Trade and competition policy", technical assistance and capacity building have already been dealt with in the various frameworks for some time. The WTO should thus take advantage of these previous experiences when pursuing the Doha objectives. In the past few years, Japan has been making efforts to provide, mainly in the Asia and Pacific region, technical assistance and capacity building related to competition policy.

Based on these experiences, Japan would like to emphasize the following three points when promoting technical assistance and capacity building in the WTO, and also to present its future activities.

1. The different approaches and steps undertaken by each Member for the common purpose of promoting competition policy should be respected.
2. The provision of adequate technical assistance programmes and tools, especially those reflecting the specific needs of developing Members, is of utmost importance.
3. In implementing capacity building and technical assistance, it is desirable that sharing and referring to a joint approach to common principles and menu for cooperation. Accordingly, the discussion and examination of all these issues in a single unitary framework will become inevitable.

II. JAPAN'S EXPERIENCE IN TECHNICAL ASSISTANCE

Japan's approach in promoting competition policy and technical assistance is based on respect for each recipient country's individual needs.

Japan has provided training courses, sent experts, organized seminars, and conducted other activities on a regional or bilateral basis, mainly for developing countries in the Asia and Pacific region. What has become clear, through dialogue with experts from developing countries and experience of this kind of technical assistance, is that all of the countries share an awareness of the importance of the policy objectives of "promoting market competition", or "prohibiting anti-competitive activities to ensure free and fair markets". On the other hand, the approaches and means used to materialize these ultimate policy objectives vary according to differences in the respective countries' economic and developmental condition, their legal institutions, and, moreover, differences in their underlying social and cultural background.

We should fully understand and respect the need for countries to maintain or adopt these different approaches. In developing countries, for example, approaches are broadly diversified. Differences can be seen in the approaches of countries that have competition laws and competition authorities, and those of countries that, while considering it important to promote competition, have no comprehensive antimonopoly law, and place priority on ensuring and promoting competition within a framework of laws related to individual industries or consumer protection. Furthermore, the roles of competition authorities and the procedures for enforcing competition law are often different, because of the diverse economic and social circumstances and historical background of each country.

This does not concern only competition law, for differences are also seen in the commercial code, business-related legislation, civil code, and constitution of each country (which form the platform for competition law), depending on the circumstances of that country. Similarly, we may also note that, even in developed countries, competition legal institutions are not necessarily uniform. The full recognition of the existence of such differences should be our starting point.

Japan's experience in technical assistance: technical assistance based on individual needs

Japan, alongside the technical assistance provided by other countries and international organizations, has provided technical assistance to a number of countries in accordance with their individual needs, and contributed to the development of competition law and policy in those countries. Some examples of cases highlighting needs for technical assistance and the development of competition legal institutions in several countries in the Asia Pacific Region are as follows. We hope that the experience of some countries will be useful for other countries as a "best practice" model for future technical assistance and capacity building.

A. THAILAND

Thailand adopted a comprehensive competition law (the Trade Competition Act) in 1999, and in the period leading up to that there was an increasing need to study ways of developing competition legislation, as well as cooperation needs to this end. The need to enact a new competition law, including the issue of privatizing state enterprises, had been stressed in the wake of increasing abuse of market dominance and fixing of prices resulting from rapid economic growth in the 1990's.

Therefore, over a five-year period from 1996, Thailand organized a training programme within the APEC framework in partnership with Japan, actively participated in the international discussion on promoting competition policies, and made an effort to share knowledge and information. Thailand also took an active part in training programmes and seminars provided by Japan and other developed countries, in order to conduct the studies needed to develop specific legislation. For one

year from 1998, the Japanese government sent JFTC experts to the Business Competition Bureau of the Thai Department of Internal Trade and gave guidance at local level. This initiative, along with the fruits of other technical cooperation programmes, contributed greatly to the development of a competition legal institution in Thailand.

Thailand is drawing up guidelines for interpreting the law, and it is worth noting that the experiences of other APEC member economies are also incorporated in these guidelines. Currently, Thailand is exploring the possibility of strengthening its competition authorities with a view to empowering more effective law enforcement, and is also studying the experiences of other countries in this respect.

B. INDONESIA

In 2000, Indonesia adopted a comprehensive competition law: the Law Concerning the Prohibition of Monopolistic Practices and Unfair Business Competition. This process was also supported by technical assistance activities, in various forms such as training courses. Based on this law, Indonesia regulates anti-competitive activities and monitors market competition through its Business Competition Supervisory Commission. Indonesia is currently trying to strengthen its capacity for investigation and to formulate new guidelines with a view to further empowering law enforcement.

Like Thailand, Indonesia has also taken an active part in technical assistance programmes provided by overseas agencies. As well as obtaining the knowledge and information needed for developing legal institutions, another current problem is how to ensure effective enforcement of competition law. Accordingly, there is a greater need for, cooperation in this respect. To this end, the Japanese government has sent JFTC experts to Indonesia and provided technical assistance beginning last year, as well as cooperating in training programmes and seminars held in either Japan or Indonesia.

C. CHINA

In China, similarly, the draft of a new and comprehensive competition law is now being studied. Every year since 1998, the Japanese government has provided a one-month medium-term training programme to meet China's specific needs of cooperation in particular in the enforcement of competition law and policy.

D. SINGAPORE

Although Singapore has no independent, comprehensive competition law, it has established competition provisions in laws regulating the telecommunications, electric power and gas industries. Such provisions provide regulation of competition-restricting practices, such as the abuse of dominant positions. These have been incorporated in recent legal amendments, and indicate that a competitive environment is being established in public utility sectors that are very important for the national economy.

In January 2001, the Japanese government signed an economic partnership agreement with the government of Singapore, which included elements of a free trade agreement. In the chapter on competition policy of this bilateral agreement, both countries have pledged to control anti-competitive activities and to cooperate with each other to facilitate trade and investment. This results from a perception between the countries that there is an increasing need for cooperation in order to effectively control anti-competitive practices, given that the trade and investment relationship between the two countries is expected to deepen in future.

In particular, Japan and Singapore have agreed to cooperate with each other with respect to notification and information exchange, starting with the sectors in which Singapore currently has competition-related provisions. It should also be noted that the two countries have also agreed on providing each other with technical cooperation. This is the first, epochal attempt at a framework for cooperation between two countries that have different systems relating to competition legal institution, and will be useful for reference in future.

Group Training Course

In addition, the Japanese government, which increasingly is asked for technical assistance from countries without competition legal institution, those in the process of drafting or implementing competition law or those endeavouring to enhance their enforcement capacity, offers a group-training course for countries that have an interest in developing and implementing competition law and policy. We have been actively involved in providing technical assistance, led by the Japan Fair Trade Commission and the Japan International Cooperation Agency, with the support of the academic community and international organizations. The one-month training programme focuses on a wide range of themes and issues, from theoretical to practical ones, reflecting needs of participating trainees from different countries. During the 8-year period from 1994, we have had 76 participants from 32 developing countries and, we believe, most participants have commented favorably. We will continue to organize this training course annually, and provide technical assistance to participants from a wider coverage of developing countries and region.

III. ACTIVITIES OF JAPAN IN THE APEC FRAMEWORK

Shared Policy Principles and Technical Assistance for Capacity-Building

The APEC is a regional framework based on the dual pivots of "liberalization and facilitation of trade and investment" and "technical and economic cooperation". At present, its membership consists of 21 countries and regions in the Asia-Pacific region. A workshop on competition policy was held in 1995 with the aim of promoting a common understanding of competition law and policy among member economies. This triggered a "Working Group on Competition Policy and Deregulation" which was set up in 1996 to discuss competition policy interactively with issues of deregulation. It has since then continued to act as an arena for exchanging views as well as sharing information and experience. The Working Group is chaired by Peru, and Japan has made contributions in formulating and implementing initiatives of the Working Group.

One of the most significant experience in the APEC, is the fact that technical assistance programme and discussions are developing hand in hand with the adoption of policy principles and a menu of policy options, providing a comprehensive framework for the promotion of capacity building.

APEC Principles to Enhance Competition and Regulatory Reform

In its activities over the last six years, APEC's most important and substantive output in the competition policy arena has been the "APEC Principles to Enhance Competition and Regulatory Reform", adopted at a Ministerial Meeting in 1999. These principles, which are non-binding in nature like APEC's other activities and output, are perceived to be implemented voluntarily by the individual member economies. Moreover, when implementing the principles, flexibility is stressed in order to take account of diverse circumstances. The APEC principles state that "the adoption of these principles for policy development needs to take account of, and encompass the diverse circumstances of economies in the region and the different priorities that arise from these circumstances". The principles are not limited to promoting competition, but also extend to promoting regulatory reform, and are thus aimed at competition in a wider sense.

The elements of these principles particularly stress the significance of guaranteeing "non-discrimination", "comprehensiveness", "transparency" and "accountability". Furthermore, it specifies efforts to be made by APEC member economies with a view to implementing the principles. In particular, these include the flexibility to address anti-competitive activities by implementing competition policy, while also considering issues of timing and steps involved in introducing competition mechanisms and reform measures, taking into account the circumstances of individual economies. The principles also state that, in the application of competition and regulatory policy, confidence is to be fostered and capacity building undertaken by promoting advocacy of competition policy and regulatory reform, building expertise in competition and regulatory authorities, and adequately resourcing them. Finally, they stress that economic and technical cooperation and assistance should be provided in developing economies.

These APEC principles will be very important as a reference point for discussing elements of core principles in the WTO Working Group. They are also very similar to the elements of "non-discrimination", "transparency", and "procedural fairness" incorporated in the Doha Ministerial Declaration.

Of particular note, among other APEC activities, is the preparation of a database on competition law and policy in APEC member economies. Chinese Taipei took this initiative in order to enhance exchanging information and sharing experience.

Also adopted as a project of the APEC ministerial initiative (the "Cooperation Framework for Strengthening Economic Legal Infrastructure"), is the "Menu of Options for Competition Law and Policy". This project provides a comprehensive list of policy measures and targets to be achieved as each member economy independently develops and improves competition law and policy.

Training programmes and other APEC activities

The most tangible activities aimed at capacity building are APEC training programmes on competition policy. The Japan Fair Trade Commission, in partnership with Thai competition authority, organized a training programme from FY1996 to FY2000 as a part of APEC's "Partnership For Progress" program. Over the five year period, this training programme had the participation of about 190 competition experts from developing economies and around 70 from developed ones, in total. The programme came to a successful conclusion, having contributed to capacity building not only in developing economies but also in developed ones. This was because the participants exchanged views and shared experiences, such as best-practice cases and problems in promoting competition policy in individual member economies.

IV. JAPAN'S ACTIVITIES ON TECHNICAL ASSISTANCE IN THE FUTURE

Japan has planned, in partnership with both Thailand and Vietnam, to organize a new series of training programmes as of this summer, with a view to promoting capacity building aimed at implementing the APEC principles. This initiative was proposed as a contribution to the APEC ministerial projects ("APEC-WTO related Capacity Building Strategic Plan"), and was endorsed with high praise at the APEC Ministerial Meeting last autumn.

Japan is also consulting with the WTO secretariat to sponsor a training programme in Geneva, targeting officials from capitals of developing Members so that they will be better prepared for closer multilateral cooperation. Through this programme, we hope that understanding on the issues will be deepened including the core principles stated in paragraph 25 of the Doha Declaration (transparency, non-discrimination and procedural fairness), as well as hardcore cartels, etc.

V. CONCLUSION

As stated in the foregoing, given the existence of diverse circumstances, respective countries adopt different approaches in the promotion of competition policy, or in the regulation of anti-competitive practices. Nevertheless, we share the common policy objectives of "promoting market competition" and "prohibiting anti-competitive practices to ensure free and fair markets". Moreover, the countries involved should further cooperate with each other to achieve these objectives in a more effective and efficient manner, while respecting each country's different approaches.

In particular, technical assistance activities should be tuned to the individual needs of various countries, especially of developing Members. Japan will continue to provide effective technical assistance to developing countries for progressive reinforcement of competition institutions and contribute to capacity building in the future, both independently and in partnership with WTO, UNCTAD, OECD, APEC and other international frameworks.

In activities for capacity building, all participants will benefit, that is, not only those of developing Members but also those of developed ones. Japan has been involved in many technical assistance activities until now, and we have gained the opportunity of sharing and learning from the various views and experiences of many other countries in the process.

Capacity building activities provide the opportunity for accumulating discussions on competition legal institutions and the enforcement of laws and policies which is likely to make those involved aware of the existence of a common basis among the various countries. This common basis will be referred to as shared principles on competition policies, or a framework for efficient cooperation among countries. In order to more effectively promote capacity building for all WTO Members, it is important to discuss as well the principles and menu of competition policy .

**TECHNICAL ASSISTANCE OFFERED AND CONTRIBUTED BY THE JAPAN
FAIR TRADE COMMISSION**

A. LONG-TERM TRAINING COURSE

1. Group Training Course/Antimonopoly Act and Competition Policy

Year/Month	Location	Duration	Recipient Countries
1994/ Aug-Sept	Japan	1 month	India, South Korea, Thailand, China, Malaysia, Mongolia
1995/ Aug-Sept	Japan	1 month	India, South Korea, Slovakia, Thailand, Trinidad and Tobago, China, Poland, Bulgaria, Malaysia, Mongolia
1996/ Aug-Sept	Japan	1 month	Azerbaijan, Indonesia, South Korea, Sri Lanka, Thailand, China, Malaysia, Mongolia,
1997/ Aug-Sept	Japan	1 month	Indonesia, Thailand, China, Chile, Bulgaria, Malaysia, Mexico
1998/ Aug-Sept	Japan	1 month	India, Indonesia, Vietnam, South Korea, Kenya, Thailand, Tanzania, China, Panama, Philippine, Poland, Malaysia, Myanmar, Lithuania
1999/ Aug-Sept	Japan	1 month	India, Sri Lanka, Chile, Peru, Uzbekistan, Kazakhstan, Kenya, Tanzania, Honduras
2000/ Aug-Sept	Japan	1 month	Indonesia, Sri Lanka, Thailand, Malaysia, Laos, Azerbaijan, Kenya, Zambia, Morocco, Estonia
2001/ Aug-Sept	Japan	1 month	Indonesia, Thailand, China, Mongolia, Sri Lanka, Bulgaria, Malaysia, Vanuatu, Brazil, Kenya

2. Country-Focused Training Course for the People's Republic of China

Year/Month	Location	Duration	Recipient Countries
1998/ Sept-Oct	Japan	1 month	China
1999/ Sept-Oct	Japan	1 month	China
2000/ Oct-Nov	Japan	1 month	China
2001/ Oct-Nov	Japan	1 month	China

3. Country-Focused Training Course for the Kingdom of Thailand

Year/Month	Location	Duration	Recipient Countries
1997/ Nov-Dec	Japan	3 weeks	Thailand
1998/ Nov-Dec	Japan	2 weeks	Thailand

4. Country-Focused Training Course for Russian Federation

Year/Month	Location	Duration	Recipient Countries
1995/ Nov-Dec	Japan	2 weeks	Russia
1996/ Nov-Dec	Japan	2 weeks	Russia
1998/ Mar-Apr	Japan	2 weeks	Russia
2000/ Mar	Japan	2 weeks	Russia

B. APEC PROGRAMME PARTNERS FOR PROGRESS (PFP)

Year/Month	Location	Duration	Recipient Countries
1997/ Mar	Thailand	4 days	APEC member economies
1998/ Feb	Thailand	6 days	APEC member economies
1999/ Mar	Thailand	4 days	APEC member economies
2000/ Mar	Thailand	3 days	APEC member economies
2001/ Mar	Thailand	3 days	APEC member economies

C. SENDING EXPERTS

1. Sending Experts to Developing Countries

Year/Month	Location	Duration	Recipient Countries
1998/ Feb-Mar	Malaysia	1 month	Malaysia
1998/ Apr-1999/ Apr	Thailand	1 year	Thailand
1998/ Jul-Sept	Lithuania	3 months	Lithuania
1999/ Mar	Vietnam	2 weeks	Vietnam
1999/ Jun-Nov	Thailand	6 months	Thailand
1999/ Jul-Oct	Latvia	2.5 months	Latvia
2000/ Nov-Dec	Malaysia	2 months	Malaysia
2001/ Apr-2003/ Mar	Indonesia	2 years	Indonesia

2. Sending Experts to Seminars Provided by International Organizations

Year/Month	Location	Duration	Provided by
2000/ Apr	India	3 days	UNCTAD
2000/ Jul	Thailand	3 days	WTO
2000/ Aug	Costa Rica	3 days	UNCTAD
2001/ Mar	Kenya	5 days	UNCTAD

(Note): A (1), (2), (3), B and C (1): funded by the Japanese International Cooperation Agency (JICA).

APEC PRINCIPLES TO ENHANCE COMPETITION AND REGULATORY REFORM

Open and Competitive Markets are the Key Drivers of Economic Efficiency and Consumer Welfare

Recognising the strategic importance of developing competition principles to support the strengthening of markets to ensure and sustain growth in the region and that these principles provide a framework that links all aspects of economic policy that affect the functioning of markets;

Recognising that these principles are non-binding and will be implemented by each member economy voluntarily, consistent with the way APEC operates;

Recognising that the adoption of these principles for policy development needs to take account of, and encompass the diverse circumstances of economies in the region and the different priorities that arise from these circumstances;

Recognising that member economies will have flexibility to take into account their diverse circumstances in implementing this framework;

Recognising that policy and regulation in APEC economies may properly have objectives other than promoting competition;

Recognising that exemptions and exceptions from a competition driven regulatory framework may be necessary and that these will be implemented in a way that minimises economic distortions, giving consideration to this framework;

Recognising that an improved competitive environment is beneficial to small and medium sized enterprises, and that extensive consultation has occurred with the business community in developing these principles; and

Drawing upon relevant inputs from various APEC fora and the Pacific Economic Cooperation Council's "Principles for Guiding the Development of a Competition-Driven Policy Framework for APEC Economies";

APEC endorses the following principles:

Non Discrimination

- (i) Application of competition and regulatory principles in a manner that does not discriminate between or among economic entities in like circumstances, whether these entities are foreign or domestic.

Comprehensiveness

- (ii) Broad application of competition and regulatory principles to economic activity including goods and services, and private and public business activities.
- (iii) The recognition of the competition dimension of policy development and reform which affects the efficient functioning of markets.
- (iv) The protection of the competitive process and the creation and maintenance of an environment for free and fair competition.

- (v) The recognition that competitive markets require a good overall legal framework, clear property rights, and non discriminatory, efficient and effective enforcement.

Transparency

- (vi) Transparency in policies and rules, and their implementation.

Accountability

- (vii) Clear responsibility within domestic administrations for the implementation of the competition and efficiency dimension in the development of policies and rules, and their administration.

Implementation

To achieve this*, APEC Member Economies will make efforts to:

1. Identify and/or review regulations and measures that impede the ability and opportunity of businesses (including SMEs) to compete on the basis of efficiency and innovation.
2. Ensure that measures to achieve desired objectives are adopted and/or maintained with the minimum distortion to competition.
3. Address anti-competitive behaviour by implementing competition policy to protect the competitive process.
4. Consider issues of timing and sequencing involved in introducing competition mechanisms and reform measures, taking into account the circumstances of individual economies.
5. Take practical steps to:
 - Promote consistent application of policies and rules;
 - Eliminate unnecessary rules and regulatory procedures; and
 - Improve the transparency of policy objectives and the way rules are administered.
6. Foster confidence and build capability in the application of competition and regulatory policy. This will be achieved, inter alia, by:
 - Promoting advocacy of competition policy and regulatory reform;
 - Building expertise in competition and regulatory authorities, the courts and the private sector; and
 - Adequately resourcing regulatory institutions, including competition institutions.
7. Provide economic and technical co-operation and assistance and build capability in developing economies by better utilising the accumulated APEC knowledge and expertise on competition

* Recognising that efforts will seek to avoid the duplication of work of other fora, as appropriate

policy and regulatory reform, including by developing closer links with non APEC sources of technical expertise.

8. Build on existing efforts in APEC to help specify approaches to regulatory reform and ensure that such approaches are consistent with these principles.
9. Develop programmes, including capacity building and technical assistance, to support the voluntary implementation of the approaches to regulatory reform developed by relevant APEC fora.
10. Develop effective means of co-operation between APEC economy regulatory agencies, including competition authorities, and ensure that these are adequately resourced.

MENU OF OPTIONS FOR COMPETITION LAW/POLICY

APEC STRENGTHENING ECONOMIC LEGAL INFRASTRUCTURE APEC COMPETITION POLICY AND DEREGULATION GROUP

1. Objectives and Nature of Menu of Options for Competition Law/policy

Objectives

- support the implementation of a competition policy framework in APEC economies,
- contribute to the design of competition laws and deregulation frameworks,
- contribute to the strengthening of institutions and agencies in charge of enforcing competition laws and regulations,
- establish mechanisms for dialogue, cooperation and experience sharing among competition agencies of member economies
- contribute to the establishment of capacity building programmes related to the application of competition and regulatory policies
- contribute to the dissemination of the benefits of competition within businessmen and citizens

Nature

- non-binding,
- flexibility, taking into account the diverse circumstances of individual economies, the different stages of development, and the diversity of law and policy schemes,
- respect for voluntariness

2. Guidelines for the Menu of Options

- APEC Principles to Enhance Competition and Regulatory Reforms (Sept. 1999).
- Need to improve competitive conditions and prohibition of anti-competitive practices to promote economic development and to improve consumer welfare.
- Consider that trade liberalization efforts need to be complemented by the promotion of a pro-competitive business environment, to better contribute to business facilitation within the region.
- Take into account the strategic importance of competition advocacy, and the need to work with governments, businesses and citizens in the process of building a competitive open market culture, as key for strengthening market functioning and for increasing the potential of market led growth in the region.
- Recognition that sharing of experiences in enforcing competition laws and promoting a competition culture are important for member economies, especially for those who are in the process of implementing or revising their competition laws.

3. Menu of Issues on Competition Law/Policy

(a) General Topics

- What should be the scope of application of Competition Policy in a global economy? Which agents should competition policy address (multinational enterprises, public enterprises, newly privatized monopolies, professional associations, foreign businesses, domestic partners of foreign businesses)?
- Should Competition Law address ex post market outcomes or should markets be analyzed ex ante? Are pre-merger controls needed in every economy?
- Which kind of relationship should there be between Competition Policy and other general economic policy objectives like investment, trade policy, consumer protection, social issues, within others?.
- Does Competition Policy has any impact on the degree of business competitiveness?
- What is the position of WTO on Competition Policy?
- Is the coordination and or harmonization of competition policies within economies the next step?

(b) Competition Laws in APEC economies

- Implementing the APEC Principles to Enhance Competition and Regulatory Reform (Roturoa, Sept. 1999)
- Common Problems Addressed by Competition Laws
- Horizontal Restraints (anticompetitive agreements such as collusive price fixing, market quotas allocation)
- Vertical Restraints (vertical restraints such as exclusive dealing, resale price maintenance or tying arrangements)
- Abuse of Dominant Position
- Mergers and Acquisitions
- Analytical Tools: Rule of Reason and Rule of Law (per se)
- Scope, Exclusions and Exceptions (including special treatment for sectors)

(c) Enforcement of Competition Law/Policy

c.1 Legal Infrastructure

- Administrative and Judiciary principles concerning the application of competition law and policies (due process, fairness, transparency, non-discrimination, confidentiality, gathering of evidence, timing)
- Jurisdiction (subject matter jurisdiction, crossborder practices)

- Competition Authorities, defining who they are and their specific powers
- Investigative Powers & Gathering of Proofs
- Determination of the nature of sanctions and the methods for enforcing them (elements that should be taken into account)

c.2 **Institutional Framework for Enforcement of Competition Law**

- Options for Institutional Structure Design

c.3 **Economic Analysis Approach and Methodologies for Monitoring Markets**

- Methodologies for Market Analysis, what and where to look for
- Permanent Monitoring of Markets and Building of Statistical Data Bases: Methodologies, Costs and Benefits
- Investigative Methods, Conducting economic research and economic studies
- Calculation of the amount of Sanctions in Specific Cases, (sharing of experiences of member economies)

(d) **Relationship between Regulatory Policies/Practices and Competition Policy**

- Principles of Regulatory Policy (Implementing the APEC Principles on Competition and Regulatory Reform)
- The Need for Regulation: When, where and why.
- Regulators: their need for independence, defining their powers adequately, structuring the regulatory body, ensuring accountability, evaluating their performance. How to avoid common risks of regulators (rigidities, non-independent decisions, etc.).
- Exchange of Information on Regulatory Practices and Alternative Tools
- Regulation as a Transition towards a competitive environment: cases
- Relationship between Competition Law and Regulations.
- Relationship between Independent Sectoral Regulators and Competition Law Enforcers
- The APEC/OECD Cooperative Initiative on Regulatory Reform

(e) **Competition Advocacy and Promotion of a Competition Culture**

- Sharing experiences on public awareness
- Strategies for disseminating the benefits of competition among citizens
- Educating the private sector on Competition Law issues (lawyers, economists, businessmen).

- Issues in introducing competition law (or in making revisions to competition law).
 - Training of Officials of Competition Agencies & Judiciary
-