

Robert D. Anderson and Anna Caroline Müller, "Competition Policy and the Multilateral Trading System: Existing Linkages, Systemic Inter-dependencies and Implications of Recent Developments at the Regional Level"¹

ABSTRACT

Discussions on the role of competition policy in relation to the WTO often start from a false assumption, namely that competition policy currently plays no role in the WTO system and operates in a different sphere. This paper will show that, on the contrary, the role of competition policy is already embedded in particular elements of the WTO Agreements, for example in the Agreement on Trade-Related Intellectual Property Rights (TRIPS) and various instruments and initiatives in the services area. Furthermore, even in other areas of the WTO Agreements where the relationship between trade and competition policy is less clearly spelled out, the success of trade liberalization may depend importantly on the existence of adequate competition policies at the national level (reference will be made, here, to both the WTO Agreement on Government Procurement and the general significance of international cartels and monopolies for the success of trade liberalization). Note will also be taken of recent trends regarding the treatment of competition policy in bilateral and regional trade agreements. These areas of interface and trends may or may not warrant closer coordination between the WTO and the implementation of competition policy at the national level (this is *not* the point of the paper); however, at a minimum, they show the systemic importance of competition policy for the success of international trading arrangements and the need for renewed dialogue and mutual learning in this area.

¹ NB: this paper will be prepared in the authors' personal capacities and *not* as an "official WTO contribution" to the Symposium to be held at the WTO on 22 September 2011.