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INTRODUCTION

COMPETITION AND TRADE POLICY: EUROPE, JAPAN AND THE UNITED STATES

John O. Haley[†]

With the successful conclusion of the Uruguay Round of negotiations under the General Agreement on Tariffs and Trade, the focus of international trade concern has shifted from elimination of formal, governmentally imposed trade barriers to complex, and often contradictory, interrelationships among national and regional competition and trade policies. The promise of future negotiations under the aegis of the new World Trade Organization on competition (antitrust) policy as a trade issue thus brings us full circle. The GATT was itself the product of extensive planning within the United States Department of State for the postwar international economy. An effective international competition policy was thought to go “hand in glove,” in the words of Franklin D. Roosevelt, with any agreement to reduce tariffs, quota and other governmentally imposed barriers to the free flow of international trade.¹ These efforts led to the inclusion in the Havana Charter of the chapter on restrictive practices in international commerce.

Worldwide recognition of the benefits of expanding world trade, the effects of private anticompetitive restraints, as well as the challenges of increased economic interdependence also highlight previously ignored or neglected inconsistencies in the domestic and international competition policies of nearly all the major industrial states. These are today perceived as more critical than ever before as resulting tensions in the economic relationships among the leading industrial and trading states mount. Thus, the need for credible objective assessment of the impact of national and regional policies related to competition and trade in the European Union, Japan, and the United States has become increasingly urgent. The issues

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¹ Letter from the President to the Secretary of State (Sept. 8, 1944), *in* 11 DEP'T ST. BULL. no. 272 (Sept. 10, 1944).

need to be identified, and feasible solutions should be articulated and evaluated.

With these aims and the generous support of the Center for Global Partnership and the Japan-United States Friendship Commission, in Autumn 1992 the University of Washington Asian Law Program and the Chuo University Comparative Law Institute organized a project on Competition and Trade Policy involving leading academic lawyers and economists from Europe, Japan and the United States with expertise in international or comparative competition and trade policies.

The project commenced with a workshop held at Port Ludlow, Washington at the end of March 1994. This initial meeting was designed as the first of two workshops, the principal purpose of which was the presentation and discussion of a series of comparative case and country studies. The Port Ludlow meeting produced the following series of papers, which the editors of the *Pacific Rim Law & Policy Journal* have selected to include in this special symposium issue. A Dialogue based on the project's second phases and all of the Port Ludlow papers are to be published separately by the Pacific Rim Law & Policy Association in a monograph entitled *Antitrust: A New International Trade Remedy?*