



**ascola**  
Academic Society for Competition Law



## CALL FOR PAPERS

The Academic Society for Competition Law (ASCOLA) in cooperation with King's College London will hold its 6<sup>th</sup> Conference in London on 1 and 2 July 2011 on the topic of

### **'New Competition Jurisdictions: Shaping Policies and Building Institutions'**

This conference aims to promote legal and economic scholarship on the numerous competition systems that have recently been established or are currently in the process of establishment all around the world, including in many developing countries, emerging and transition economies. In particular, the conference will look at the reasons for this proliferation of competition law and will try to analyse the legal, socio-economic, political and institutional challenges in the process of shaping new competition systems in these countries. It will also look at the international consequences of the growing diversity of approaches to competition law, including the potential need for more harmonisation. Therefore, scholars from both established and newly established competition regimes are encouraged to respond to this call for papers. Submissions should be prescriptive rather than descriptive, and specific country experiences should only be used to create broader theoretical or comparative frameworks. As planned, about half of the speakers in the conference will be identified based on this call for papers.

Scholars who are 40 years or younger at the time of the conference, unless they have already been appointed as tenured professors, can also take part in the competition for the **ASCOLA Young Researcher Award**. However, the selection committee retains its right to decide that the Award will not be granted in 2011. The Award will be posted on the ASCOLA website and be mentioned in the published conference proceedings.

ASCOLA would welcome if the speakers could cover their costs of participation themselves. However, ASCOLA will try to do its best to help speakers to finance their participation if they are in need of financial support.

If you are a member of ASCOLA you may also choose to be a **commentator** to one of the papers presented at the conference. In this case you are invited to signal your interest in becoming a commentator. Commentators will have to

finance their participation themselves. However, they will be named on the conference program and will be requested to hand in a publishable comment after the conference.

The themes of the conference should ideally fall within the following sub-topics:

**(1) Reasons for adopting competition laws**

The adoption of competition laws can be motivated by autonomous domestic policies or outside pressure, e.g. exercised by international organisations. Many countries have adopted competition law as part of a broader policy of economic liberalisation and reform. Some countries follow the EU model, others the U.S. model. Yet a third group attempts to develop a sui generis regime. What are the reasons for such choices? Why do countries adopt competition law at a particular point in time?

**(2) Challenges and obstacles in adopting competition laws**

This line of research focuses on the domestic political economy. What are the vested interests that oppose competition policies? Which groups advocate such policies? Do businesses and consumers understand the role of competition? What are the chances to develop a competition culture? Are local cultural perceptions supportive of a competition culture? What about the impact of the level of democratic development and the rule of law? How does competition law interrelate with other policies such as fighting corruption?

**(3) Institutional challenges and choices**

What is the role of authorities and courts against the background of the constitutional setting? To what extent should competition law enforcement be entrusted to independent agencies? What is the best institutional design for guaranteeing the most effective enforcement of competition law? How do institutional choices interrelate with substantive policy choices, i.e. competition policy vs. industrial policy? Will least-developed countries be able to implement workable competition law system despite their limitations in financial and human resources?

**(4) Most burning problems and enforcement priorities**

Newly established institutions have to gain credibility quickly. Therefore, they have to make a choice on what kind of restraints they will focus their enforcement priorities. What are the most important restraints in such jurisdictions (cartels, dominance, mergers)? What are the economic sectors mostly affected by

restraints? Should enforcers focus their actions on domestic or international restraints, domestic or foreign firms?

**(5) Economics of competition and the local environment**

How universal is economic theory, especially industrial economics? What is the role of underdevelopment, the lack of corporate structure, the existence of a large informal sector, etc. in shaping competition policies? Do such specificities require different legal rules? Is there a specific justification for giving broader scope to industrial policies in such jurisdictions?

**(6) Competition and the State**

Younger competition jurisdictions often have a history of a state-run industries. As a legacy, the State may still play an important role in running the economy. Therefore, a crucial question may be to which extent state-owned enterprises (SOEs) are addressees of competition laws. Other possible topics under this heading may focus on the interface of competition policy with public procurement, the control of state aid and the granting of concessions.

**(7) The global perspective**

The emergence of numerous competition regimes increases the diversity of approaches to competition policy. This raises a set of issues, including the following: Will this multiplicity of regimes require international harmonisation so as to avoid, for instance, conflicting decisions on international mergers? Does the global interest in guaranteeing free trade in goods and services mandate more harmonized competition rules? What is the best institutional approach to such harmonisation? Conversely, is such harmonisation desirable given the specific socio-economic, institutional and political circumstances not least in the newly established jurisdictions of emerging and developing economies? Does mere co-existence of domestic competition regimes lead to a system that sufficiently reacts to the challenges of competition in a globalized economy? Are there ways to balance the global interest in more harmonisation and more evolved international disciplines with the legitimate interest not least of the new jurisdictions in maintaining their tailor-made domestic competition policies?

**Deadlines:**

15 November 2010 Submission of a thousand word proposal, explaining what topic you propose. Send your proposal to [Chris.Townley@kcl.ac.uk](mailto:Chris.Townley@kcl.ac.uk). Describe the methodology and why the topic is important within the context of the

conference.

- 15 December 2010 The ASCOLA selection committee will inform you on whether you have been short-listed.
- 1 March 2011 Submission of your full draft paper (maximum 10,000 words) to [Chris.Townley@kcl.ac.uk](mailto:Chris.Townley@kcl.ac.uk).
- 11 April 2011 The ASCOLA selection committee will inform you on whether your paper has been accepted. It is expected that most papers which were short-listed will also be accepted, unless the final paper does not meet the expectations created by the author in the first stage.
- 24 June 2011 Submission of the final draft to [Chris.Townley@kcl.ac.uk](mailto:Chris.Townley@kcl.ac.uk).
- 29 July 2011 Submission of the publishable version to [Chris.Townley@kcl.ac.uk](mailto:Chris.Townley@kcl.ac.uk).