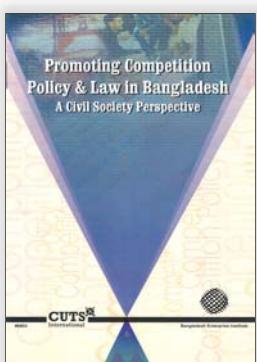


## RECENT TITLES

### COMPETITION AND INVESTMENT



### Promoting Competition Policy & Law in Bangladesh – A Civil Society Perspective

Bangladesh belongs to the group of least developing countries (LDCs). Developing and enforcing a healthy competition policy and law in Bangladesh is a necessity for its economic advancement, especially in the context of an integrated world trade regime. It is an important tool that can be used for the continuation of the process of

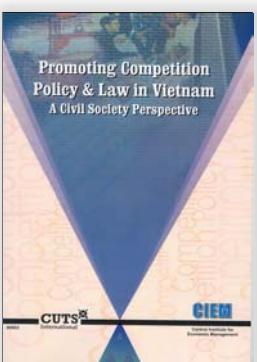
economic liberalisation, a cause to which Bangladesh is deeply committed. To achieve the most efficient results, competition policies and laws must be adapted according to national circumstances, taking into consideration specific economic and social aspects.

This monograph is a part of 7Up2 project, which provides a comprehensive analysis of the competition scenario in Bangladesh, and puts across key recommendations to carry the national agenda on competition policy and law in the country.

*Advocacy Document*

*Suggested Contribution: Rs.50/US\$10*

### COMPETITION AND INVESTMENT



### Promoting Competition Policy & Law in Vietnam – A Civil Society Perspective

Vietnam's experiences so far have proved that market processes and competition are crucial for successful economic development. An effective competition policy and law is needed for Vietnam. The adoption of the Competition Law of Vietnam in 2004, together with other

related laws and regulations, has shown the commitment of the Government to ensure a fair and competitive trading environment in the economy. However, challenges are still ahead, beyond the enormously difficult task of putting the Law into actual implementation.

This advocacy document as a part of 7Up2 project provide a synopsis of the competition scenario in Vietnam, and puts across key recommendations to carry the national agenda on competition policy and law in the country.

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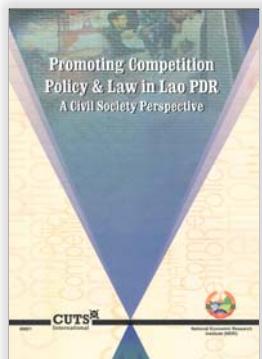


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February 2006

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**COMPETITION AND INVESTMENT**

Lao PDR has been moving in the direction of promoting competition by endorsing various policy tools. The Government of Lao has showed its commitment to ensure a fair trading and competitive environment in the economy. Most significant is the issuance of the Prime Minister's Decree on Trade Competition in

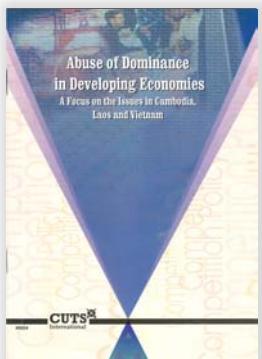
## Promoting Competition Policy & Law in Lao PDR – A Civil Society Perspective

early 2004, which though still a subordinate legislation, is the first step towards adopting a full-fledged competition policy and law, as well as building a healthy competition culture in the country.

This advocacy document as a part of 7Up2 project provide a comprehensive analysis of the competition scenario in Lao PDR and puts across key recommendations to carry the national agenda on competition policy and law in the country.

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**COMPETITION AND INVESTMENT**

There has been considerable debate on competition law and policy in developing economies, both with respect to the importance of competition law in the light of other legal, social, and economic issues and the implementability of such a law and policy in the developing country context.

This monograph provides a general overview of issues relating to abuse of

## Abuse of Dominance in Developing Economies: A Focus on the Issues in Cambodia, Laos and Vietnam

dominant positions with an emphasis on issues cropping up in developing economies. It also reviews specific issues related to Cambodia, Laos and Vietnam and identifies some guidelines that may assist developing economies in implementing their competition regimes and controlling abuse of market power. The paper supports the proposition that developing economies should adopt and implement competition laws and, in particular, should regulate abuse of dominance.

*Monograph*

*Suggested Contribution: Rs.50/US\$10*

#### COMPETITION AND INVESTMENT



evolved in very different ways: the scope and effectiveness of reforms attempted in these countries is quite different.

The governments in these countries recognise the importance of moving away from state-owned monopolies that have traditionally provided services to end users. They have attempted different approaches to allow the

## Competition Scenario in the Telecommunication Sector in Cambodia, Laos and Vietnam

Cambodia, Laos and Vietnam are similar in many ways. However, the telecom sector in Laos, Cambodia and Vietnam has entry of new players in the telecom sector. However, all the three countries face considerable challenges as they attempt to bring their institutional structure in line with the requirements of the new market driven telecom sector. Given their socialist antecedents, there is little experience and limited technical expertise in these countries to deal with issues of market economy.

This briefing paper is a snapshot of the competition scenario in the telecommunication sector in Cambodia, Laos and Vietnam.

*Briefing Paper*

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#### TRADE AND DEVELOPMENT



Ministry is also supported by various Acts and Rules developed by our Government from time to time. However, with recent changes and

## The Petroleum and Natural Gas Regulatory Board Bill, 2005

The Ministry of Petroleum & Natural Gas has, so far, regulated the petroleum and natural gas sectors through various policies and notifications. In this regard, the

likely growth in the market, the Ministry had proposed to develop a regulatory body to oversee the development and growth of this sector, as a whole.

The Ministry, therefore, introduced the Petroleum and Natural Gas Regulatory Board (PNGRB) Bill, 2005, in the Rajya Sabha, on December 21, 2005. The Bill provides for the setting up of a PNGRB, to regulate the downstream petroleum and natural gas sectors.

*Bill Blow up*

*Suggested Contribution: Rs.20/US\$5*

#### TRADE AND DEVELOPMENT



formed the sugar regime in 1968, which consisted principally of granting direct and indirect subsidies to the European sugar producers. Since then, the regime stood the test of time, enabling the EC to become the largest exporter of sugar. However, in recent times, Brazil, Thailand and Australia have become significantly more efficient at

## EC Sugar Dispute: *One Last Stand for a Retiring Regime*

After the Second World War, Europe tackled an intense campaign to secure food security. Accordingly, the European Commission (EC)

producing and exporting raw sugar than the EC. However, these countries complained that the EC sugar producers export their sugar to world markets at a price below the cost of production. This led to a reduction of the world sugar price causing damage to these countries' earnings and competitiveness in world sugar markets.

The complaining parties were supported by the WTO rulings, which proclaimed a necessary need for an effective reform of the regime after all these years. This trade law brief investigates the key aspects of the EC sugar dispute.

#### Trade Law Brief

The same can be viewed at: <http://www.cuts-citee.org/PDF/Trade-law-1-2005.pdf>

#### TRADE AND DEVELOPMENT



subsidy payments to their farmers. Brazil's case is the first that challenged the rich world's farm subsidies. Further, the US subsidies on cotton exports depressed world prices thereby limiting the earnings of cotton farmers and adversely impacting their livelihoods in Brazil and other developing countries.

## Brazil-US Upland Cotton Dispute: *What Does it Augur for Agricultural Subsidies?*

Brazil won a landmark case at the World Trade Organisation (WTO) that spells the beginning of the end of rich countries'

The case has set a valuable precedent for the developing countries to rise against the wealthy nation's domestic agricultural subsidies. Now it is for the developed as well as the developing countries to seriously ponder over what would be the best in their own interests, especially in view of the likely rise in number of similar disputes at the WTO.

This trade law brief traces the reasons for Brazil-US Upland cotton dispute and explains the implications for developing nations after the victory of Brazil.

#### Trade Law Brief

The same can be viewed at: <http://www.cuts-citee.org/PDF/Trade-law-2-2005.pdf>

#### TRADE AND DEVELOPMENT



## US Steel Safeguard Dispute: *Forged Protection brought to Light*

In a highly competitive world steel market, countries sustain their own steel industry through extensive use of subsidies and trade barriers.

Often they are even forced to tolerate private cartels. The steel market is, therefore, probably the most deeply distorted industrial market in the world economy. The financial health of the steel industry has suffered from inefficient production, as companies and governments support high-cost local capacity, and market

intervention in the form of quotas, subsidies and tariffs.

Safeguard measures applied by US on imports of certain steel products were inconsistent with the obligations of Agreement on Safeguards, GATT 1994 and Article XVI of WTO Agreements. The case against tariffs was brought out by European Union (EU), which accused US of illegally protecting its domestic steel industry. The tariffs in steel market mainly hit steel makers in EU, Japan, Korea, Norway, Switzerland, New Zealand and Brazil. This trade law brief analyses the various aspects of US steel safeguard dispute, including its various impacts.

#### *Trade Law Brief*

The same can be viewed at: <http://www.cuts-citee.org/PDF/Trade-law-3-2005.pdf>

#### TRADE AND DEVELOPMENT



## US-Frozen Warm-water Shrimp Dispute: *Anti-dumping – Gone to the Extreme!*

The US decision to uphold an anti-dumping measure against Indian and Thai frozen warm-water shrimp came as a bolt from the blue for the two exporting

countries at a time when they witnessed the devastating wrath of *tsunami* in December 2004. As a consequence, these developing countries looked to both aid and trade to revive livelihoods and their economies.

The warm water shrimp industry was in

desperate need of re-investment, especially through export revenues. Instead of assistance, US ordered an anti-dumping (AD) duty to be placed on shrimp imports from India and Thailand, for causing injury to US producers via dumping, just 25 days after the *tsunami*. Ten months later, US reviewed their decision but found the removal of the AD measure would still cause injury to their domestic producers, and hence continued it.

The trade law brief analyses the AD measure imposed by US and its consequences on the livelihoods of Indian and Thai people.

#### *Trade Law Brief*

The same can be viewed at: <http://www.cuts-citee.org/PDF/Trade-law-4-2005.pdf>

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