

## *Global Governance Of Competition Law And Policy Key Issues*

Since the UN's creation in 1945 a vast nexus of global and regional institutions has evolved, surrounded by a proliferation of non-governmental agencies and advocacy networks seeking to influence the agenda and direction of international public policy. Although world government remains a fanciful idea, there does exist an evolving global governance complex - embracing states, international institutions, transnational networks and agencies (both public and private) - which functions, with variable effect, to promote, regulate or intervene in the common affairs of humanity. This book provides an accessible introduction to the current debate about the changing form and political significance of global governance. It brings together original contributions from many of the best-known theorists and analysts of global politics to explore the relevance of the concept of global governance to understanding how global activity is currently regulated. Furthermore, it combines an elucidation of substantive theories with a systematic analysis of the politics and limits of governance in key issue areas - from humanitarian intervention to the regulation of global finance. Thus, the volume

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provides a comprehensive theoretical and empirical assessment of the shift from national government to multilayered global governance. *Governing Globalization* is the third book in the internationally acclaimed series on global transformations. The other two volumes are *Global Transformations: Politics, Economics and Culture* and *The Global Transformations Reader: An Introduction to the Globalization Debate*.

Contemporary debates about the changing nature of law engage theories of legal pluralism, political economy, social systems, international relations (or regime theory), global constitutionalism, and public international law. Such debates reveal a variety of emerging responses to distributional issues which arise beyond the Western welfare state and new conceptions of private transnational authority. However, private international law tends to stand aloof, claiming process-based neutrality or the apolitical nature of private law technique and refusing to recognize frontiers beyond than those of the nation-state. As a result, the discipline is paradoxically ill-equipped to deal with the most significant cross-border legal difficulties - from immigration to private financial regulation - which might have been expected to fall within its remit. Contributing little to the governance of transnational non-state power, it is largely complicit in its unhampered expansion. This is all the more a

paradox given that the new thinking from other fields which seek to fill the void - theories of legal pluralism, peer networks, transnational substantive rules, privatized dispute resolution, and regime collision - have long been part of the daily fare of the conflict of laws. The crucial issue now is whether private international law can, or indeed should, survive as a discipline. This volume lays the foundations for a critical approach to private international law in the global era. While the governance of global issues such as health, climate, and finance clearly implicates the law, and particularly international law, its private law dimension is generally invisible. This book develops the idea that the liberal divide between public and private international law has enabled the unregulated expansion of transnational private power in these various fields. It explores the potential of private international law to reassert a significant governance function in respect of new forms of authority beyond the state. To do so, it must shed a number of assumptions entrenched in the culture of the nation-state, but this will permit the discipline to expand its potential to confront major issues in global governance.

This book explores the relationship between neo-liberalism, state power and global governance, exploring national differences in the exercise of state power in a variety of industrialized and developing

economies. Among the strengths of this volume are its detailed global scope, its range of case studies in diverse policy areas, its analysis and critique of neo-liberalism, in theory and practice, and its impact upon state power and global governance.

This book examines how, and how well, the multilateral organizations and the G8 are dealing with the central challenges facing the contemporary international community, how they have worked well and poorly together, and how they can work together more effectively to provide badly needed public goods. It is an ideal reference guide for anyone interested in institutions of global governance.

Transformations in Global Governance

European Union Competition Policy versus Industrial Competitiveness

International and Regional Organisations

Challenges for International Cooperation

Civil Society

Competition Law and the Possibility of Private Transnational Governance

Neo-Liberalism, State Power and Global Governance

*This book traces the evolution of transnational legal authority in the course of globalization.*

*Representative case studies buttress its conclusion that today transnational authority is multifaceted, a phenomenon that renders unreliable the concepts of territoriality/extraterritoriality as global governance markers.*

*This book - one in the four-volume set, Global Governance and the Quest for Justice - focuses on themes of citizen organisation and empowerment set in the context of globalising legal processes. Chapter One sets the scene. Chapters Two, Three and Four focus on various challenges that globalisation poses for private law. How does substantive contract and tort doctrine that has been developed (mainly) for use within national legal systems adapt to more globalised dealings and wrongdoings? Should the source of regulation be private international law, harmonised national law, international accords (or some combination)? Chapters Five, Six and Seven focus on issues relating to access to justice (as a mode of empowerment) and its impact on the functioning of civil society. These chapters highlight a variety of procedural, professional and institutional challenges for access to justice in a globalised world. Chapter Eight considers how we are to reconcile the competing visions of the basis on which essential services are to be provided. In a global marketplace, is there any room for local values or for values other than those of free-market thinking? Finally, Chapter Nine focuses on the question of democracy in a globalised world. If civil society is to retain its political vitality, how are citizens to remain engaged and enfranchised as a new global politico-legal order takes shape?*

*Under economic globalization, anti-competitive acts transcend national borders and become a challenge for competition law as traditionally conceived. Most countries have been dealing with cross-border competition problems by using two basic methods: unilaterally extending national competition law's jurisdiction to acts conducted in foreign territory and cooperating in enforcing competition law. However, while the unilateral enforcement of competition law harms international comity, international cooperation in this area is constrained by conflicting national interests. Given such limits of statist mechanisms to deal with global competition problems, this dissertation adopts a*

*transnational legal perspective to examine whether multi-national corporations ("MNCs") can help states govern cross-border competition problems. This dissertation argues that MNCs can play a role in the regulation and enforcement of competition law in cross-border transactions through the private transnational application of contractor codes of conduct. When an MNC internalizes competition laws of countries as standards for its behaviours, the corporation can provide a mechanism to project those national laws at transnational level by exercising its private power in a socially responsible way. In doing so MNCs can provide a form of regulation and enforcement of competition laws in an international context that national states are not likely to be able to provide in the foreseeable future. This book explores the interaction between competition law and corporate governance. It will appeal to an audience of lawyers and non-lawyer competition professionals in the US, UK, and EU, as well as other jurisdictions with competition law regimes.*

*Global Governance and the Quest for Justice - Volume I*

*The Spectrum of International Institutions*

*Hard and Soft Law Institutions in a Crowded World*

*Making Global Economic Governance Effective*

*Competition Laws, Globalization and Legal Pluralism*

*From Inter-national to Global Governance*

*Building upon a theoretical framework and empirical research, this book provides a thought-provoking analysis of the interests, strategies and challenges that China has faced in developing its Anti-Monopoly Law (AML) in the context of economic globalization. The book comprises three main parts: Part I reviews the directions of convergence of global competition law; Part II provides a contextual analysis of China's market governance and its strategic interests; and Part III examines the latest enforcement of the Anti-*

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*Monopoly Law by focusing on the interactions between global actors and China, the relationships between Chinese competition and sectoral regulators, and the enforcement of global competition law norms in the Chinese context. This book is one of the first to provide a critical understanding of China's experience as a new competition regulator, set against the background of the plural sources of global competition laws. This book offers a concise and accessible overview and analysis of the place of large multinational and regional corporations in the political economy of global governance. May argues that not only do corporations have an impact on the institutions of global governance, but they must be understood as a multifaceted institution of global governance in their own right, controlling and shaping significant aspects of the global political economy. Topics include: What are global corporations? Corporations and global governance The legal personality of the corporation Corporations and power Corporations and tax The future role of corporations in a post crisis global system Highlighting the central role of corporations in the generation and reproduction of norms in global governance, this work shows that corporations' practices and relations are themselves both subjects, and sources of, global governance. It offers an enhanced understanding of the complex of issues that pattern the corporate global governance in the contemporary political economy and will be of interest to students in areas including IPE, global governance and international organizations.*

*Explores the implications of Asian forms of capitalism for the emerging global competition law regime. This book brings attention to the growing complexity of managing multinational firms in light of the rise to significant power of non-governmental organizations such as Amnesty International and the anti-WTO coalition. It also considers the renewed public doubts about MNE legitimacy as the free-market model comes under greater criticism, especially in emerging markets. The book adds very useful value in illuminating situations in which companies are facing increased impact of pressure groups as well as governments in their*

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*international business. The menu of papers really gives the reader some food for thought, and specifically for thinking about how more acceptable governance of MNEs can be pursued in the 21st century. Robert Grosse, The Garvin School of International Management, US In recent years a number of excellent books have been published on the failure of corporate governance. However, nothing compares with Sushil Vachani's Transformations in Global Governance, a gripping account of global corporate governance provided by recognized IB scholars. Subhash C. Jain, University of Connecticut, US An excellent book for scholars, business leaders, and policymakers that makes good on its title Transformations in Global Governance. Sushil Vachani and the book's contributors identify how the governance structures of organizations are being transformed not just shifted or adjusted. NGOs, the WTO, multilateral institutions, multinationals, host governments and many other stakeholders have new roles and rules that are redefining how one governs a successful and socially responsible global enterprise. A must read for those intending to lead their organization's change efforts in our global economy. Stephen A. Stumpf, Villanova University, US and co-editor of Handbook on Responsible Leadership and Governance in Global Business The world of multinational enterprises is changing dramatically. Their complex and dynamic international context presents them with special challenges threatening their survival on one hand, and presenting them with unprecedented opportunities on the other. In this volume, international experts analyze different aspects of the transformations in global governance: ideological variations, trade governance, competition policy and the rise of civil society. They discuss the implications for multinational government relations, multinationals self-governance, relations with NGOs and issues of competitiveness. The book focuses on two forces integral to the process of globalization. The first is the evolution of inter-governmental organizations, such as the World Trade Organization, and various agreements pertaining to trade, environment, labor, competition and investment. The other equally important factor is the rise of non-governmental organizations (NGOs), which*

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*have a significant impact on the strategies of multinational enterprises, governments and inter-governmental organizations. The contributors explore these forces in chapters detailing shifts in governance and their implications for multinationals, governments and society in general. This cohesive examination of an under-analyzed area will appeal to students and scholars of international business, and other researchers in management schools, think tanks, management consulting companies, government agencies, inter-governmental organizations, and NGOs.*

*The Law and Politics of Global Competition*

*The Politics of Expertise*

*The BRICS-Lawyers' Guide to Global Cooperation*

*Methods and Perspectives in Intellectual Property*

*Harmonious Fragmentation, Conflicts Or Spontaneous Coherence?*

*Asian Capitalism and the Regulation of Competition*

*Beyond Territoriality*

*This book collects and integrates Abbott and Snidal's influential scholarship on indirect global governance, with a new analytical introduction that probes the role of indirect governance techniques in the universe of global governance arrangements. The volume presents the Governance Triangle, a now widely-used figure that demonstrates and helps to assess the proliferation of private and public-private standard-setting organizations, along with new forms of intergovernmental institutions, over recent decades. It then analyzes how intergovernmental organizations, regulatory bodies, and other "global governors" enlist and work*

*through those organizations as intermediaries, so as to govern more effectively and gain knowledge, influence and legitimacy. It demonstrates Abbott's and Snidal's groundbreaking concept of orchestration, a mode of indirect governance in which influential governors catalyze, support, and steer intermediary organizations through wholly voluntary relationships. It also considers their more recent innovations in the theory of indirect governance. These include additional modes of governance, such as co-optation, delegation and trusteeship, as well as the pervasive "Governor's Dilemma" trade-off between a governor's control of its intermediaries and the intermediaries' competence. This book will appeal to scholars and students in multiple disciplines, including international relations, global governance, law, and regulatory studies.*

*For years the European Union has been looked on as a potential model for cosmopolitan governance, and enjoyed considerable influence on the global stage. The EU has a uniquely strong and legally binding mission statement to pursue international relations on a multilateral basis, founded on the progressive development of international law. The political vision was for the EU to export its values of the rule of law and sophisticated governance mechanisms to the international sphere. Globalization and the financial crisis have starkly illustrated the limits of this vision, and the EU's dependence on global forces partially beyond the control of traditional provinces of law. This book takes stock of the EU's role in*

*global governance. It asks: to what extent can and does the EU shape and influence the on-going re-ordering of legal processes, principles, and institutions of global governance, in line with its optimistic mission statement? With this ambitious remit it covers the legal-institutional and substantive aspects of global security, trade, environmental, financial, and social governance. Across these topics 23 contributors have taken the central question of the extent of the EU's influence on global governance, providing a broad view across the key areas as well as a detailed analysis of each. Through comparison and direct engagement with each other, the different chapters provide a distinctive contribution to legal scholarship on global governance, from a European perspective.*

*The Governance of Global Competition*  
*Competence Allocation in International Competition Policy*  
Edward Elgar Publishing

*Increasing globalization, cutthroat competition, recurrent financial crises, and new social media technology provide unimaginable strain on companies to rethink their human resources practices. Such ever-growing business environments particularly call upon companies to develop sustainable leadership practices and create a well-established organizational climate. By promoting an organizational value system, the leader can influence the work behavior and attitudes of the employees and results. Corporate Leadership and Its Role in Shaping Organizational Culture and Performance is an essential reference source that investigates the influence of*

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*corporate leadership on the organizational culture and performance of a company and ways in which this understanding can improve firm effectiveness, nurture entrepreneurial behavior and practices, and establish innovative processes.*

*Featuring research on topics such as intellectual capital, job satisfaction, and gender inequality, this book is ideally designed for managers, executives, business leaders, entrepreneurs, researchers, academicians, and students.*

*Governing Globalization*

*Global Norms, Local Choices*

*The Legal Dimension*

*The Interaction Between Competition Law and Corporate Governance*

*Competition Policy for the New Era*

*Transnational Legal Authority in an Age of Globalization*

*Global Governance of Antitrust and the Need for a BRICS Joint Research Platform in Competition Law and Policy*

***Global Governance of Competition Law and Policy: Key Issues*****What should the global governance of competition serve? Why do major emerging market countries have no resources to take charge of the future competition regime? Why do developed countries have no incentive to support this project? How do international institutions make this approach happen? Is a shift of climate in international politics needed for it to be possible to thrash out a new cooperation? \*\*\*This is an erudite, rich, and realistic book about the paradox of the need for a global (albeit flexible) competition regime and the**

***practical impossibility of achieving one under traditional conceptions. The book identifies the special need of developing countries for such a regime in view of the many harms they suffer from offshore restraints and global transactions that they have no practical ability to resist. It explores the possible avenues for productive conversations on global coherence, and makes proposals. The author delves deeply into international relations theory, global political strategies, the nature of cultural differences, the history, evolution and capacities of the international institutions, the emergence of regional institutions, the impacts of business firm practices, discourses and norms, and the needs of developing countries, in clear, readable, rewarding and sometimes provocative prose.*** Fox, Eleanor Walter J. Derenberg Professor of Trade Regulation at New York University School of Law.

***This text reveals how competition policy and competitiveness are crucial to contemporary economic, financial and trade management as well as national and international governance, and focuses on contemporary major Asian economies facing increasing globalization and the prevailing influence of the WTO.***

***In the international trade and development arena, new and developing economies have created a block that is known as BRICS - Brazil, Russia, India, China and South Africa. Initially conceived to drive global change through economic growth, the financial crisis and reversal of fortunes of the BRICS nations have raised questions about their ability to have an impact on the governance of global affairs. This book explores the role of law in various areas of BRICS cooperation including: trade, investment, competition, intellectual property, energy, consumer protection, financial services, space exploration***

***and legal education. It not only covers the specifics of each of the BRICS nations in the selected areas, but also offers innovative and forward-looking perspectives on the BRICS cooperation and their contribution to the reform of the global governance networks. This is a unique reference book suitable for academics, government officials, legal practitioners, business executives, researchers and students.***

***Economic globalization brings forms of global governance. Multilateral economic institutions, such as the IMF and the WTO, emerged as mechanisms of regulation of international markets. Countries decide to abide the rules emanated from transnational institutions in order to tackle externalities derived from otherwise unregulated market transactions in international trade and finance. For developing countries, the adoption of rules from the abovementioned institutions is believed to enhance institutional learning, hence, contributing to economic development. Contrary to what occurred with trade and finance, there was no headway on a global institutional framework to regulate international competition. Yet, global firm strategies in the area of production and services may have effects on international and domestic competition, for example: cartels with transboundary effects, agreements to exclude foreign competitors, abuse of dominant positions, mergers between companies in different countries, vertical markets integration in regional trade blocks, among others. There is a trend toward “globalization anticompetitive practices”. This paper discusses this apparent contradiction, that is: the rise of antitrust aspects in the global economy was not matched by an international institutional response. First, it discusses some stylized facts regarding the relation between economic globalization and competition, focusing***

***on trade issues. Second, it discusses the theoretical foundations of trade and competition policies, emphasizing the political economy of antidumping, a policy where trade and competition relate. The third section suggests that, despite the lack of formal international regimes, there has been institutional convergence in competition policies among countries; based on “order without formal law” and “competition advocacy”. Antidumping policy and international cartels are discussed as examples.***

***The EU's Role in Global Governance***

***The Design of Competition Law Institutions***

***Global Governance of Competition Law and Policy: Key Issues***

***The International Governance of Competition and Trade - Differences in Theoretical and Institutional Trajectories***

***Shaping or taking international regimes?***

***An Interdisciplinary Collaboration on Global Governance***

***Global Governance and the Quest for Justice - Volume III***

This new book assesses the European framework for enforcement of competition law through private damages claims, setting it within the broader international context of global governance of antitrust.

This book analyzes the state of global governance in the current geopolitical environment. It evaluates the main challenges and discusses potential opportunities for compromise in international cooperation. The book's analysis is based on the universal criteria of global political stability and the UN framework of

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sustainable development. By examining various global problems, including global economic inequality, legal and political aspects of access to resources, international trade, and climate change, as well as the attendant global economic and political confrontations between key global actors, the book identifies a growing crisis and the pressing need to transform the current system of global governance. In turn, it discusses various instruments, measures and international regulation mechanisms that can foster international cooperation in order to overcome global problems. Addressing a broad range of topics, e.g. the international environmental regime, global financial problems, issues in connection with the energy transition, and the role of BRICS countries in global governance, the book will appeal to scholars in international relations, economics and law, as well as policy-makers in government offices and international organizations.

Competition law has expanded to more than 100 jurisdictions worldwide with varying degrees of economic, social, and institutional development, raising important questions as to what is the appropriate design of competition law regimes and the interaction between competition law and economic development. This volume, comprising a selection of papers from the 4th BRICS International Competition Conference written by academic and practising

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economists and lawyers from both developed and developing countries, is distinctive in its focus on a broader view of competition policy in BRICS and developing countries. It examines the role competition, the application of broader public interest and national interest concerns in the analysis and influence on developing country competition authorities' policy-making. The contributors address topics such as: - a broad view of competition policy; - making markets work for the people as a post millennium development goal; - some key issues concerning the further development of China's antimonopoly law; - remedies in BRICS countries; - public interest issues in cross-border mergers; - crafting creative remedies in food markets in South Africa; - what are African competition authorities doing to fight cartels?; - successes and challenges in the fight against cartels; and the economics of antitrust sanctioning.

Experts dominate all facets of global governance, from accounting practices and antitrust regulations to human rights law and environmental conservation. In this study, Ole Jacob Sending encourages a critical interrogation of the role and power of experts by unveiling the politics of the ongoing competition for authority in global governance. Drawing on insights from sociology, political science, and institutional theory, Sending challenges theories centered on particular actors' authority, whether it is the authority of so-called epistemic communities, the moral

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authority of advocacy groups, or the rational-legal authority of international organizations. Using in-depth and historically oriented case studies of population and peacebuilding, he demonstrates that authority is not given nor located in any set of particular actors. Rather, continuous competition for recognition as an authority to determine what is to be governed, by whom, and for what purpose shapes global governance in fundamental ways. Advancing a field-based approach, Sending highlights the political stakes disguised by the technical language of professionals and thus opens a broader public debate over the key issues of our time.

EU Policies in a Global Perspective

Global Corporations in Global Governance

Competence Allocation in International Competition Policy

The European Union and Global Governance

Global Food Value Chains and Competition Law

Towards a Regulatory Geography of Global Competition Law

Power, Authority and Global Governance

Sovereign actors have lost the lion's share of their discretion to regulate terms of trade over the last century. The increased cross-border interactions between private merchants have led to the spontaneous creation of autonomous global order of private commercial contracting (the

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micro-level) while the growing number of various trade-related intergovernmental arrangements has led to the emergence of the global administrative law (on the macro-level) further standardising the terms of cross-border trade. En masse, there is a clear case for identifying the odds of maintaining liberal legal trade order combined with high-standards (labour, social environmental etc) in the increasingly geo-politically polycentric world. The time is ripe for proposing a structuralist/institutional analysis of the current dynamics in the global trade governance, and for analysing one by one, which institutions of private and public trade-related legal order (such as private dispute resolution, model laws, technical standards, intellectual property, competition law or rules of government procurement) will most likely be subject to harmonious fragmentation, which will be torn by conflicts between various sovereign actors, and which will remain spontaneously coherent. In other words, the time is ripe for identifying which existing legal institutions (and merchants' preferences as to specific jurisdictions, fora etc.) have been mostly locked-in thanks to network effects and cannot be easily replaced (like in the case of railway gauges, vehicle propulsion, nuclear reactors, video recorders or keyboard layouts). One could predict a harmonious fragmentation of various trade customs in the course of the shift from sea to land-trade where new or modified institutions tailored for land-trade-routes would not be in conflict with the existing maritime-law. Conflicts are likely to persist as to the technical standards whereas path-dependence and strong network-effects will likely cement existing globally harmonised intellectual property right for many years to come. However, each legal institution or field of regulation needs its own thorough examination.

Today's world is crowded with international laws and institutions that govern the global

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economy. This post-World War Two accumulation of hard multilateral and soft plurilateral institutions by no means constitutes a comprehensive, coherent and effective system of global economic governance. Indeed, there are no genuinely global intergovernmental multilateral organizations of consequence dedicated to overseeing such critical domains as energy, investment and competition policy. As intensifying globalization thrusts many longstanding domestic issues onto the international stage, there is a growing need to create at the global level the more comprehensive, coherent and effective governance system that citizens have long taken for granted at home. Yet the traditional means of producing such an integrated, updated, appropriate architecture for global governance are not at hand. This book offers the first comprehensive look at this critical question of international relations. It examines how and how well the multilateral organizations and the G8 are dealing with the central challenges facing the contemporary international community, how they have worked well and poorly together, and how they can work together more effectively to provide badly needed public goods.

Recent decades have seen a rise in the significance of governance layers beyond the nation state and even Europe. Nonetheless, few efforts have been made thus far to systematically examine the EU's interaction with global policy regimes. This book maps the relative importance of EU policies in the multi-level global governance system, in comparison with national and global activities. It provides a unique comparative analysis of the EU's capacity for projecting its policies outward. Focusing on trade policy, agriculture, food safety, competition, social rights, environmental policy, transport, migration, nuclear non-proliferation, or financial regulation, each chapter contributes to a better understanding of the EU's role in shaping

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global policies, the mechanisms it uses and the conditions leading to success or failure. The contributors' comparative research highlights that policy export is a demanding phenomenon that faces severe limitations and frequently comes with drawbacks. Still, EU policy export played a key role in shaping the rules of the global trade regime and influenced global policy outcomes – at least to a minor extent or in technical aspects – in the majority of the covered policy areas. Overall however, this book reveals that the EU not only aims to export its policies, but interacts with its global environment in a number of distinct ways, including policy import and policy protection, to shield it from global pressures. Concluding with a comparison of all policies on the meta-level and relevant policy recommendations, this book will be of interest to students, scholars and practitioners of European politics, European public policy, global governance and international relations.

This book - one in the four-volume set, *Global Governance and the Quest for Justice* - focuses on the international and regional organisations that represent the key players in the evolving global order. The papers in this collection seek to map the real world of global governance - exploring who governs and how, what the leading international and regional organisations claim to do and what they actually do - as well as assessing the gap between the ideal of constitutionalised global governance and the actuality of governance under globalisation. The contributors discuss what it would mean for global governance to aspire to Rule of Law standards of transparency, accountability and participation together with categorical respect for human rights. In this collection, the perspective of modern public lawyers is systematically applied to the governance deficit associated with globalisation and to its institutional correction in pursuit of a legitimate regime of global governance.

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Competition Policy and Global Competitiveness in Major Asian Economies

Global Governance in Transformation

Global Competition

Private International Law and Global Governance

Implications for Multinationals and Other Stakeholders

Economic and Environmental Regulation of International Aviation

Corporate Leadership and Its Role in Shaping Organizational Culture and Performance

**This monograph, which was also designed as a short reference book for specialized undergraduate and graduate courses on EU law, intends to shed light on, and legally frame, the evolution of the doctrine of services of general economic interest (SGEIs). The book emphasizes the pivotal role played by SGEIs in striking a fair balance between market and social objectives. To this end, the book claims, first of all, that SGEIs have a dual nature inasmuch as they act as a limitation to/derogation from the free market and, simultaneously, as a value and positive obligation addressed at national authorities, undertakings, and EU institutions. The EU notions of access to public services and universal service are the clearest signal of such phenomenon. Secondly, the book claims that the transfer of competences from the Union to the Member States and the reaffirmation of Member States' sovereignty in crucial sectors of the economy are not the only solutions to foster social rights. In fact, this narrative is apt to undermine the foundations, spirit, and purpose of the process of European integration, especially at a time like the present, when new forms of populism and anti-Europeanism are on the rise,**

**and when a European response is imperative to counter the spread of the coronavirus in European countries. The book concludes that SGEIs' regulation is an area of law where the EU institutions have generally successfully put into action and consolidated the social market economy principles on which the EU was founded. This is even further proof that the EU is not merely the reflection of interests linked to market completion, but also and foremost a 'Community based on the rule of law'. The book will be a valuable resource for academics and researchers in EU Law, European Public Law and EU competition law. Containing contributions from both academic experts and practitioners and from economic and legal experts, this book explores the use of economics in international economic law.**

**A key factor in the emerging relationship between law and economic globalization is how global competition now shapes economies and societies. Competition law is provided by those players that have sufficient 'power' to apply their laws transnationally. This book examines this important and controversial aspect of globalization.**

**Florence Thépot provides the first systematic account of the interaction between competition law and corporate governance. She challenges the 'black box' conception of the firm- or 'undertaking' - in competition law, as applied to increasingly complex corporate relations. The book opens the 'black box' of the firm to understand the internal drivers of collusive behaviour, and proposes a unified approach to cartel enforcement, based on the agency theory. It explores key issues including corporate compliance**

**programmes, the attribution of liability in corporate groups, and structural links between competitors, and should be read by anyone interested in how the evolution of the corporate landscape impacts competition law.**

**Competing for Authority in Global Governance**

**Global Governance of Trade in the Era of Competing Commercial Legal Orders**

**Damages Claims for the Infringement of Competition Law**

**China's Experience**

**The Social Market Economy in Action**

**Insights from the Brics Countries**

**Public Services and EU Competition Law**

The book examines whether EU competition policy is applied fairly and consistently to EU and non-EU firms despite persistent political pressure from member states for a relaxation of the rules and deals with the dilemma of regional organisations in the global political economy. Focussing on the EU's desire to achieve balance between the promotion of market competition and the enhancement of international competitiveness, the book explores the validity of its attempts successfully to ensure a 'stringent competition policy' which is nationality-blind and comparatively strict. Finally, it shows that the competition-competitiveness dilemma remains unresolved because the EU's capability to set global regulatory standards is constrained by competition and the need to engage in multilateral forums, such as the WTO and the International Competition Network. This book will be of

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key interest to scholars and students of European Union studies, EU competition law and policy, EU external action and more broadly to global governance, international political economy and international relations.

In its own words, the mission of the International Competition Network (the ICN) is to advocate the adoption of "superior standards and procedures in competition policy around the world, formulate proposals for procedural and substantive convergence, and seek to facilitate effective international cooperation to the benefit of member agencies, consumers and economies worldwide." ICN members include nearly all competition authorities (NCAs) from around the world (over 100 of them). Since its inception, the ICN has also sought to enrich its discussions and outputs through the inclusion of non-governmental advisors (NGAs), principally large multi-nationals and the legal and economic professions. The ICN is a transnational network, set up by its members, largely without wider state input. This book hypothesises that the ICN's formally neutral structures provide powerful influence mechanisms for strong NCAs and NGAs, over the weak; and 'competition experts' over wider state interests, discussing the legitimacy of this from a political and legal theory perspective, analysing the ICN's effectiveness and efficiency, and suggesting ways that the ICN can improve all three. This study has important implications for the ICN itself, particularly as it launches its 'Third Decade Project', billed as a full self-evaluation. However, the story told here is also relevant to states and the wider regulatory community, due to the widespread use of transnational networks.

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This book explores and analyses the multidimensional influence the European Union exerts in the world, focusing on its contribution to regional and global governance. Presenting a multidisciplinary approach with contributions by a panel of outstanding scholars from political science, economics, legal studies, philosophy and history, the book examines the EU as global player and international power in the making. The book is divided into three parts: Part 1 examines the influence of the EU as such on global governance, considering the Euro, the common market, the modernization policies for a knowledge society and its global role as both a multinational and regional democratic political system Part 2 focuses on the EU's external policies, including trade; humanitarian aid; the environment; climate change, migration, terrorism, crime and EU foreign policy Part 3 explores the EU as a global actor in the making and looks at issues including enlargement and the EU's neighbourhood policy; inter-regionalism; it critically addresses the weight of the historical legacies of Europe in the world and its cosmopolitan perspectives as well The European Union and Global Governance will be of vital interest to students and scholars of European Politics, International Relations, and European Studies.

The core structure of the regulatory regime for international civil aviation (the 'Chicago System') is inter-national. The features of the Chicago System were designed in an era when the world's airlines were State-owned, and the most pressing international concerns were for navigation and safety regulation. Economic liberalization and intense

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globalization since the Second World War have impacted on the industry; today, it is global. This book observes the developing governance of global aviation, taking into account the concepts of sovereignty, jurisdiction and territoriality, and the proliferation of actors and participants as partners in a global public policy network, to posit that an upgraded system of global governance for civil aviation helps to explain the emerging complex landscape for global governance of civil aviation. As evidence of the emerging, complex matrix of governance of global aviation, this book identifies and reviews a selection of contemporary, transnational economic and environmental challenges facing the globalized aviation sector, e.g. fair competition safeguards, consumer protection, noise pollution and greenhouse gas emissions, and the respective 'legal' and policy actions taken at national level (United Arab Emirates, Qatar and People's Republic of China), regional level (the European Union) and international level (UN Framework Convention on Climate Change and International Civil Aviation Organization). The book concludes that economic and environmental regulation of international aviation, designed for an inter-national world of yesterday, evolves into global governance of aviation, which is more suited for today's global world. This book will be of particular interest to scholars and practitioners of aviation law, competition law and environmental law, as well as in the areas of transnational law, global governance and international relations.

Stringent Regulation and its External Implications

The Governance of Global Competition

Law, Markets, and Globalization

Opening the 'Black Box'

Influence and Legitimacy in the International Competition Network

The Use of Economics in International Trade and Investment Disputes

Examining the procedure, process, and performance norms of national, regional (EU), and international competition law systems, this book is written by an international team of leading scholars who use case studies to reflect on global norms. These global norms include due process rights for litigants, reasonable expedition in adjudication, and knowledgeable decision-making.

The food industry is a notoriously complex economic sector that has not received the attention it deserves within legal scholarship. Production and distribution of food is complex because of its polycentric character (as it operates at the intersection of different public policies) and its dynamic evolution and transformation in the last few decades (from technological and governance perspectives). This volume introduces the global value chain approach as a useful way

to analyse competition law and applies it to the operations of food chains and the challenges of their regulation.

Together, the chapters not only provide a comprehensive mapping of a vast comparative field, but also shed light on the intricacies of the various policies and legal fields in operation. The book offers a conceptual and theoretical framework for competition authorities, companies and academics, and fills a massive gap in the competition policy literature dealing with global value chains and food.

. . . highly recommendable to anyone interested in international competition policy. Arndt Christiansen, European Competition Law Review This book provides a comprehensive and refreshing analysis of the competition issues raised by the globalisation of markets. It draws on a very wide range of economic and legal sources to assess the manifold proposals for controlling the competitive forces released by the freeing up of world markets. All those interested in these important and largely unresolved issues will find it an invaluable source of reference. Michael A.

Utton, University of Reading, UK and Dongbei University of Finance and Economics, Dalian, China The globalization of market competition and business behaviour fosters globalization of cartels and monopolising mergers that can lead to abusive and predatory strategies. The globalization of competition therefore also demands an internationalization of competition policy. However, Oliver Budzinski is realistic in his assertion that supranational competition governance must be built upon the existing, predominantly national, regimes. The resulting multilevel system of antitrust institutions and authorities, he argues, is problematic for the horizontal and vertical allocation of competences. This book employs the economics of federalism to create an analytical framework which can be used for comparative analysis of stylised competence allocation rules. The result is a proposal for a sound international multilevel competition policy system that combines elements of both centralized and decentralized governance. This book provides an innovative and unique perspective on

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international competition policy and will be of interest to economists, legal scientists and competition authorities as well as academics and practitioners of international governance and international relations and politics.

The diversity of methods used and perspectives displayed in intellectual property law scholarship is now quite vast.

This book brings together scholars from around the globe to discuss these methods and provide insights into how they are best used.