

# Preface

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The last several years have been particularly challenging for the enforcement of Japanese competition law, which has faced turbulent political and economic situations. The regulation and policy implications arising from these recent changes in Japan have not yet resulted in much literature written in English. This book is intended to go some way towards filling the gap, and in doing so it takes account of an additional challenge confronting Japan: the increasing globalisation of competition law. In a global competition world, the unique developments of EU competition law and policy are drawing increasing attention, while the role of competition law and policy in Japan has never been more important than now. The growth of international competition investigations and the spread of bilateral and multilateral competition agreements have resulted in increasing convergence, affecting almost all jurisdictions of the world. This has brought about many changes in the competition law and policy of both the EU and Japan.

Against this background, I endeavour in this work to embark on a fundamental comparative analysis of competition law and policy in Japan and the EU after practising EU competition law in Brussels for around 15 years. The basic questions concern fundamental differences in the approach of these jurisdictions and the actual and potential impact of the EU approach on the current and future enforcement in Japan. This quest grew into a broader exploration that sometimes carried me into the fields of history, art and literature.

To analyse these questions, this book aims to provide a clear and well researched exposition of the differences between the relevant rules, systems and underlying ideas found in the competition laws of Japan and the EU. The book also includes reflections on the past and recent case law in the EU and Japan, and discusses current debates that suggest future directions in competition law and policy.

In my concluding observations, I note that Japan has become increasingly motivated to examine foreign models, especially that of the EU, and to incorporate desired elements into the Japanese system. At first glance this may seem like a new development, but a more accurate understanding requires a broader historical perspective. A key point

advanced in the book is that not only do Japan and Europe have an even longer history of cultural and scientific exchanges than that of Japan and the US, but EU competition law also appears more to fit into the Japanese competition enforcement culture.

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Needless to say, the opinions expressed in this book are solely the personal views of the author.

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