16. International Aspects

This chapter examines the issue of jurisdictional problems in competition law, at the ‘internationalisation’ of competition law and the efforts to deal with competition issues at a global level to match the global operations of undertakings on world markets. It looks first at the question of extraterritoriality in public international law, particularly the concept of objective territoriality. It considers the distinction between prescriptive jurisdiction and enforcement jurisdiction and how these might apply to competition law. It then looks at the development of the effects doctrine in US law and the concept of comity, and at the position of foreign plaintiffs in US courts. It considers how the EU takes jurisdiction by the application of the single economic entity doctrine and by the development of the implementation doctrine and the qualified effects doctrine. The chapter concludes by examining how international cooperation seeks to help solve jurisdictional problems. It looks at the bilateral agreements into which the EU has entered, and the multilateral cooperation to which
16. International Aspects

the EU is party, including cooperation within UNCTAD, the OECD, the WTO and the International Competition Network (ICN).

Access to the complete content on Law Trove requires a subscription or purchase. Public users are able to search the site and view the abstracts and keywords for each book and chapter without a subscription.

Please subscribe or login to access full text content.

If you have purchased a print title that contains an access code, please see the information provided with the code or instructions printed within the title for information about how to register your code.

For questions on access or troubleshooting, please check our FAQs, and if you can’t find the answer there, please contact us.