



**Asia-Pacific
Economic Cooperation**

2019/SOM3/CTI/WKSP3/004

Good Practice of Technical Cooperation

Submitted by: Japan



**Free Trade Area of Asia-Pacific Capacity
Building Workshop on Competition Policy:
Sharing Good Examples of Free Trade
Agreements and Economic Partnership
Agreements
Puerto Varas, Chile
24 August 2019**

FTAAP Capacity Building Workshop on Competition Policy under the 3rd REI CBNI:
sharing good examples of FTAs/EPAs
Puerto Varas, Chile, 25 August 2019

Good Practice of “Technical Cooperation”

Hideyuki SHIMOZU

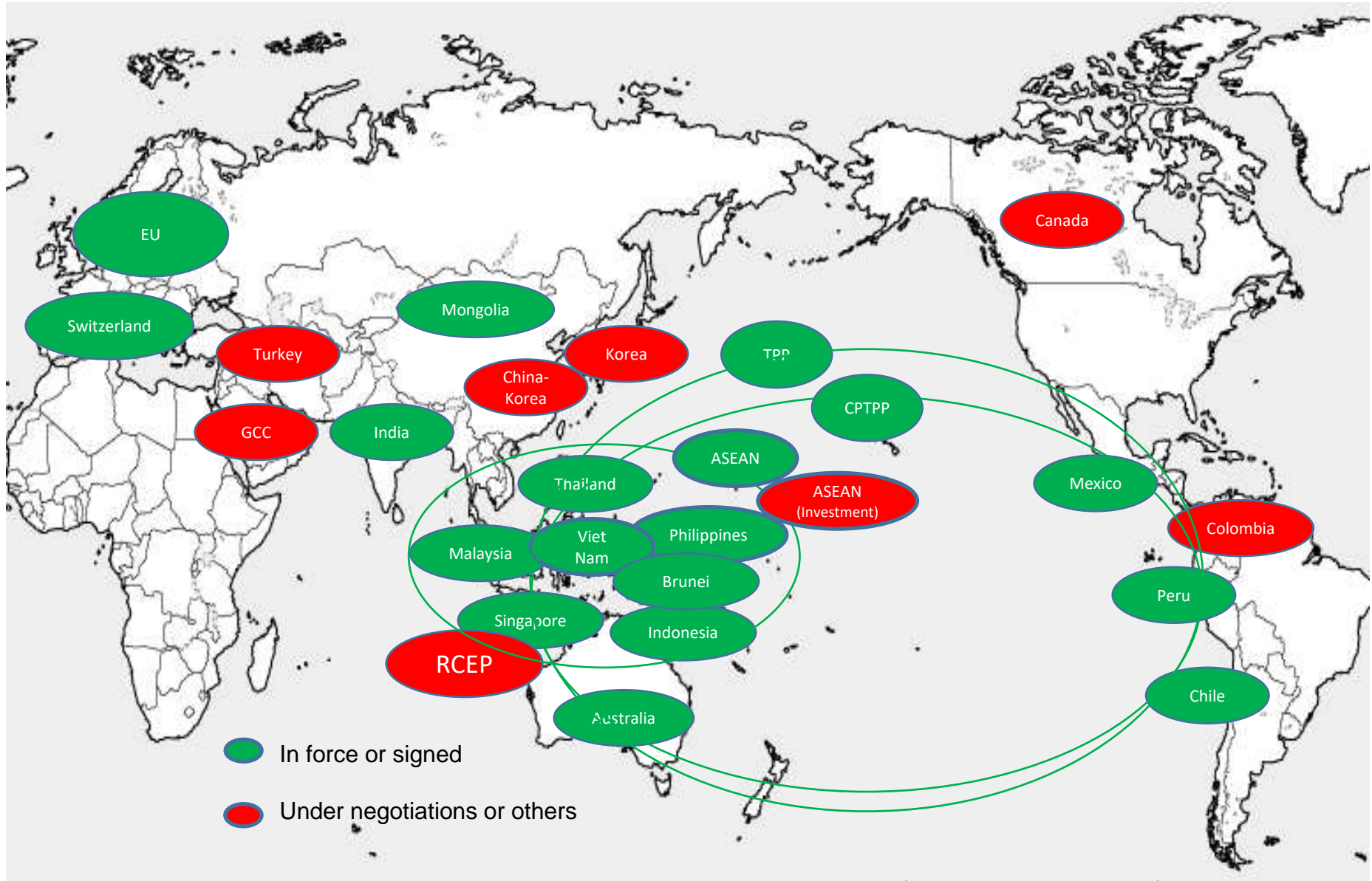
Senior Planning Officer, International Affairs Division
Japan Fair Trade Commission

Disclaimer: The views or opinions expressed in this presentation and all mistakes belong to the speaker.

Outline

- EPAs/FTAs in Japan
- Technical Cooperation Activities of JFTC
- Good Practice of Technical Cooperation

EPA_s/FTA_s in Japan



(as of Aug. 2019)

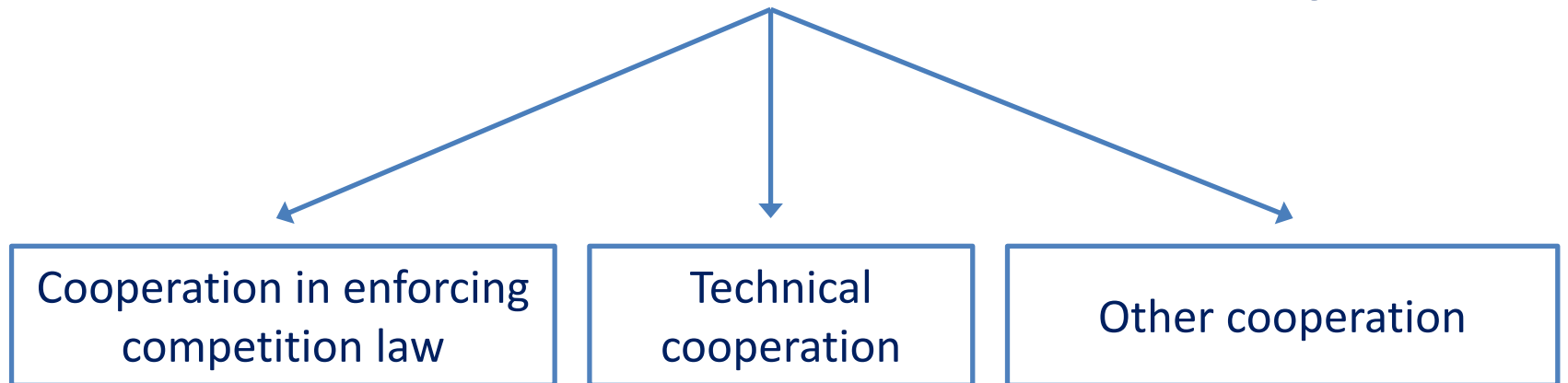
Number of EPAs/FTAs Japan Has Concluded (summary)

Total	(incl. competition chapter)	(incl. technical cooperation articles)
18	17	11

	Country / Region	Signature Date	Effective Date
1	Singapore	2002.1	2002.11
2	Mexico	2004.9	2005.4
3	Malaysia	2005.12	2006.7
4	Philippine	2006.9	2008.12
5	Chile	2007.3	2007.9
6	Thailand	2007.4	2007.11
7	Indonesia	2007.8	2008.7
8	ASEAN	2008.4	Partly effective
9	Vietnam	2008.12	2009.10
10	Switzerland	2009.2	2009.9
11	India	2011.2	2011.8
12	Peru	2011.5	2012.3
13	Australia	2014.7	2015.1
14	Mongolia	2015.2	2016.6
15	TPP	2016.2	-
16	EU	2018.7	2019.2
17	CPTPP	2018.3	2018.12

“Cooperation on controlling anti-competitive activities”

→ *basic agreement*



→ *implementing agreement*

- Notification
- Cooperation in enforcement activities
- Coordination of enforcement activities
- Negative comity
- Positive comity

The Parties shall, in accordance with their respective laws and regulations, cooperate in the field of controlling anticompetitive activities, subject to their respective available resources.”

→*basic agreement of Japan-Peru EPA*



1. The Parties agree that it is in their common interest that their competition authorities work together in technical cooperation activities related to strengthening of competition policy and implementation of competition law.
2. The forms of technical cooperation activities referred to in paragraph 1 shall be:
 - a. exchange of personnel...for training purpose
 - b. participation of personnel as lectures or consultants at training course...
 - c. Other forms to be agreed upon by the competition authorities

→*implementing agreement of Japan-Peru EPA*

Technical Cooperation Activities of JFTC

- The number of countries the participants belong to
 - at least 66 countries
- The number of dispatched long-term residential expert so far
 - 7 people to 3 countries

Technical Cooperation Activities by the JFTC

JICA Framework

Group
Training
Course

Country-
focused
Coopera-
tion

JAIF Framework

Training Course,
Regional
Workshop, Peer
review, ACBPI
etc.

Multilateral Framework

OECD
(Korea
Policy
Centre)

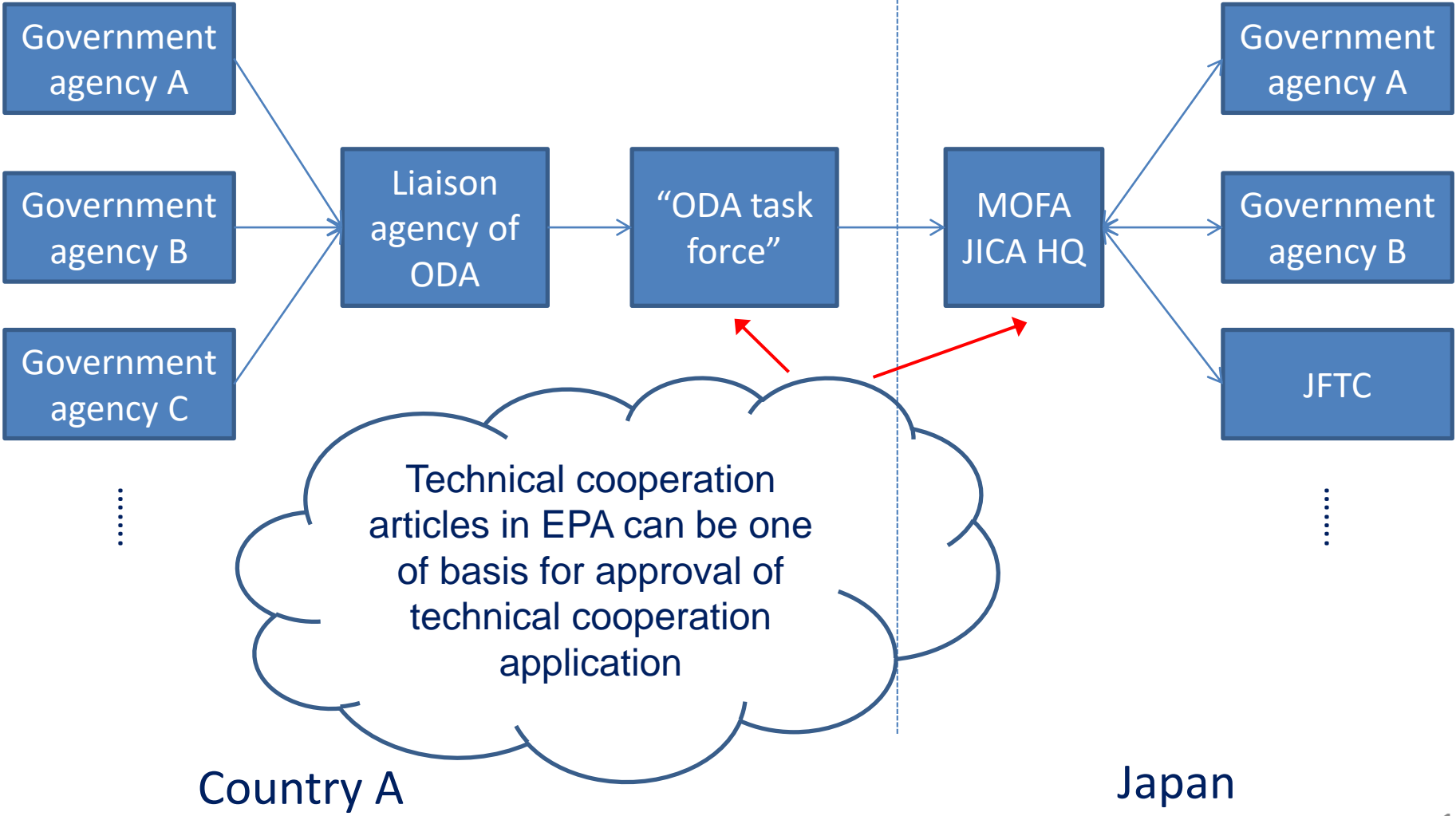
ASEAN
(AEGC)

APEC
(CPLG)

ICN
(AIN)

UNCTAD

JICA framework



JICA framework

Group Training Course

- Annually held since 1994
- 3-week training in Japan
- Theoretical lectures (by academia) + Practical lectures (by JFTC officials)
- 275 participants from 66 countries
- Countries entitled to receive Japanese ODA is able to participate in

JICA framework

Country-focused Cooperation

	Long-Term Expert	Training Course in Japan	On-Site Seminar
Vietnam	▲	▲	▲
Philippines		▲	▲
China		▲	▲
Indonesia	●	●	●
Malaysia		▲	
Mongolia	▲	▲	▲

▲ : Carried out in the past

● : Currently carry out

Outline of JAIIF Projects



What is JAIF?

- The Japan-ASEAN Integration Fund (JAIF)
- Aims at supporting integration efforts to create the ASEAN Community
- Various projects are underway in many areas

JAIF project in Competition Law and Policy

- JFTC and AEGC started new TA project under JAIF from 2016
- Proponent of the project is KPPU
- Phase 1 : 2016-2018
- Phase 2 : 2019-2020

Activities in Phase 1

JAIIF framework

1 Training programs in Japan and Indonesia (4 times)

- *Example of theme*
 - Promotion of Cross-Border Enforcement in ASEAN Region
 - Improving Regional Engagement in Competition Enforcement between Japan and ASEAN
- *Total participants: 113*

2 Regional workshops in AMSs (6 times)

- *Example of theme*
 - Investigation Techniques on Merger Review
 - Investigative Strategies and Techniques to Fight Bid Rigging Cartels
- *Total participants: 234*

3 Staff exchanges amongst AMSs.

Activities in Phase 2

1. Training courses in Japan and Indonesia (1 time / year)
2. Regional workshops in AMS (1 time / year)
3. Staff and expert secondments amongst AMS (up to 2 month, 2 times / year)
4. Development of peer review guidance for institutional capacity development of AMS competition regime and 1 (one) peer review project
5. Development of a study on recommended procedures for joint investigations and decisions on cross-border cases
6. Development of survey methods and tools, and undertake national surveys for the ASEAN Competition Business Perception Index (ACBPI)

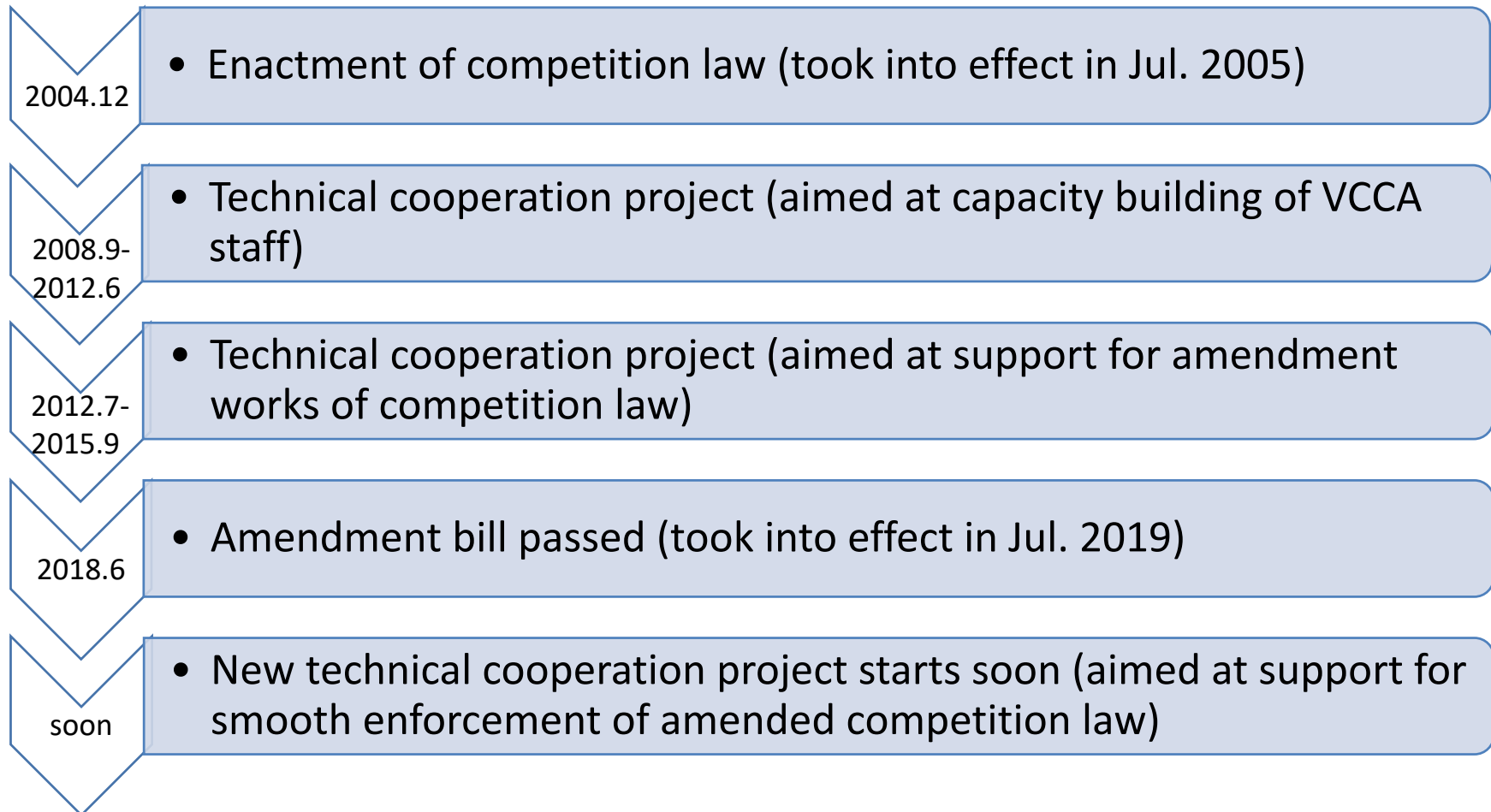
Effect/Purpose of Technical Cooperation

1. Benefit for recipient countries and Japan
2. International harmonization of competition law and policy
3. Deepening cooperative relationship between authorities concerned

Good Practice of Technical Cooperation

- Understanding the needs of recipient countries
- Interactive discussion
- Evaluation
- Mutual assistance between donor authorities
- Feedback of knowledge to countries of the participants

Positive Spiral of Technical Cooperation (Example in Vietnam)



Thank you for your attention!