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Editor's Note

First of all, I would like to thank publicly Commissioner Monti for writing a guest editorial for the previous edition of *World Competition*. It was an honour for us that such a distinguished person agreed to share with the readers of *World Competition* the challenges that he faces in his mandate as the Commissioner responsible for Competition Policy in the European Union.

I am delighted that Judge Nicolas Forwood of the Court of First Instance and Mr Abbott Lipsky Jr., Senior Counsel for the Coca-Cola Company, are now members of the Advisory Board. Their expertise should prove invaluable in carrying to greater heights *World Competition*.

Also, I welcome the members of the newly constituted Editorial Board, all of whom are of an extremely high calibre. The Editorial Board's role will be crucial to ensuring even higher quality articles in the future as they provide me with their views as to the articles' content.

September's issue of *World Competition* sees Michael Paulweber providing an analysis of the European Commission White Paper on the Modernisation of European Competition Law and whether or not US Antitrust law can truly be a reference point for European Law. Mr John Temple Lang has already published a very interesting article on this topic (Vol. 22 No. 4), and Paulweber's article gives a new dimension to the debate on the planned abolition of the authorisation system in Europe and questions whether, unlike in the United States, national procedural rules in continental countries are able to cope with Competition Law Enforcement.

Further highlighting the current pre-eminence of issues arising from the high-tech industry and e-commerce, Thomas Vinje and Harri Kalimo's article considers the competition concerns in relation to the unbundling of the local loop in internet access. There is presently increasing pressure to free up internet access to allow the existing systems to be improved and used in new ways. In Vinje and Kalimo's opinion, such pressure and changes need to be led by both the regulators and the competition authorities.

Other institutions which according to Themistoklis Giannakopoulos have to take the lead, are the European Courts in relation to the decisions of the European Commission as regards the provision of State aid. Themistoklis' article discusses the issue of whether the concept of State aid as a protector of competitors against distortions of competition, has led directly to an improvement in the procedural rights of these competitors in front of the European Courts.

As a continuation of our series on collective dominance (Francisco Enrique González-Diaz (Vol. 22 No. 3), Antonio Bavasso (Vol. 22 No. 4) and Sigrid Stroux (Vol. 23 No. 1)), Boris Etter provides an analysis of the concept of collective dominance in the context of EC merger control, whether the concept applies to this area, and if so, how it is dealt with. Etter focuses on the economic approach to

collective dominance as well as providing an analysis of the Commission's and the European Courts' (not altogether consistent) approach. In this article, Etter makes specific reference to landmarks in the Community approach over the last decade.

Moving outside European borders, Hiroko Yamane's article discusses the role of the Japanese competition authority in the process of deregulation, particularly in relation to the application of the Anti-Monopoly Act. She identifies how the Act has been applied to anticompetitive behaviour in sectors which are heavily regulated by the government in Japan, and how the Japanese competition authority has contributed to the introduction of competition in these heavily regulated industries.

José Rivas
Editor
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