

Course title	Comparative Asian Competition Law				
Responsible person to enter grades	KAWASHIMA Fujio, Husain RADJAPOV			開講区分	単位数
				1st semester	2.0
Numbering Code		Day・Period, etc.	Thurs1(対面)	Timetable Slot Code	1J368

#### Lesson topic

What does competition law look like in economies where the state never fully stepped back from the market? In Russia, Kazakhstan, and Uzbekistan, competition law did not develop the way it did in Western countries. There was no gradual evolution of market rules — instead, these countries went through a dramatic shift from Soviet central planning to market economies almost overnight. The result is a legal landscape that is unlike anything you will find in a standard competition law textbook.

This course takes you inside that landscape. You will study how developing countries like Russia, Kazakhstan, and Uzbekistan regulate anti-competitive conduct — from cartels and abuse of dominance to state monopolies and digital markets — and why their rules look the way they do. The answer almost always leads back to history: to privatization, to the enduring role of the state in the economy, and to institutions that were built from scratch in the 1990s and are still evolving today.

#### Lesson target

This course aims to introduce students to the competition law of Russia, Uzbekistan, and Kazakhstan from a comparative perspective.

By the end of this course, students will have a basic understanding of the role of competition law in shaping market economies in post-Soviet states and the distinctive features of antitrust regulation in these jurisdictions. Students will also acquire an appreciation of how the post-Soviet transition from central planning continues to influence regulatory design, enforcement practices, and competition policy across these countries.

#### Syllabus and plan

The course consists of fifteen lectures covering the following topics:

1. From Plan to Market — Why Competition Law Matters in Post-Soviet Economies
2. Legal Foundations — How Russia, Kazakhstan, and Uzbekistan Built Their Competition Law Regimes
3. Dominance in Concentrated Markets — Defining and Measuring Market Power in transition economies
4. Abuse of Dominance in Practice — How Authorities in Russia, Kazakhstan, and Uzbekistan Enforce Against Dominant Firms
5. Natural Monopolies — Where Competition Law Ends and Sector Regulation Begins
6. Cartels and Anti-Competitive Agreements — Substantive Rules and the Enforcement Challenge
7. Proving a Cartel — Evidence, Leniency, and Dawn Raids in Russia, Kazakhstan, and Uzbekistan
8. Competition in Public Procurement — Bid-Rigging as a Systemic Problem in Transitional Economies
9. Unfair Competition — Protecting Market Integrity Beyond Anti-Competitive Conduct
10. The State as a Barrier — When the State Distorts the Market Competition
11. State Monopolies and State Aid — Competing with the State and Government-Backed Distortion
12. Merger Control — Regulating Economic Concentration in State-Heavy Markets
13. Competition Law and Digital Platforms — New Challenges for Transitional Economy Regulators
14. Enforcement Institutions and Sanctions — Investigative Powers, Fines, and the Limits of Institutional Capacity
15. Final Exam

The topics and schedule may be slightly adjusted depending on the progress of the course.

#### Evaluation method

Your final grade will be calculated as follows: Class attendance and participation (40%) and Case-analysis essay (60%).

#### Evaluation baseline

Students will be evaluated on their understanding of competition law in Russia, Uzbekistan, and Kazakhstan and their ability to analyze and apply these rules in an informed and analytically rigorous manner. The case-analysis essay will be submitted outside of class. Students will be given one competition law case and will be required to analyze the facts, identify the applicable legal rules, and arrive at a well-reasoned conclusion. Students will be assessed on:

- Their ability to correctly identify the relevant competition law issues arising from the case;
- Accurate application of the key legislative provisions and enforcement practices of the course jurisdictions;
- The quality of legal reasoning and the soundness of their conclusion.

Class attendance and participation will be assessed on the basis of regular attendance and the frequency and quality of verbal contributions during class discussions.

#### Notice (include info. on related class)

This course presumes no prior background in competition law. However, students with a basic understanding of legal principles and some familiarity with market economics will find the material more accessible. Students who have previously taken courses in international trade law, business law, or general principles of private law are particularly encouraged to enroll.

#### Review and preparation

Before each lecture, students are expected to read the assigned materials. Relevant legislation and case materials will be distributed during the lecture or made available in advance. When reading cases, students should pay attention to the facts, the legal standard applied, and the reasoning of the authority or court. After each session, students should review their notes and make sure they understand the key rules and concepts covered. A practical tip: keeping a simple comparison table — tracking how each jurisdiction handles the same issue — will be useful preparation for the final case analysis exam.

#### Office hour · Contact information

Contact details will be announced during the first session of the course.

#### Message for student

Competition law may not be the first subject that comes to mind when thinking about practical legal skills — but in the post-Soviet region, it is one of the most consequential. In Russia, Kazakhstan, and Uzbekistan, competition authorities have the power to break up dominant companies, block major deals, fine state-owned enterprises, and challenge the conduct of government bodies themselves. Understanding how these rules work is not just an academic exercise — it is essential knowledge for anyone planning to practice law, work in business, or engage with public policy in this region.

This course offers something rarely found in law school curricula: a serious, ground-level look at how competition law actually operates in economies that did not follow the standard path of market development. The rules here were not simply borrowed from the West — they were shaped by privatization, state capitalism, and the ongoing tension between market reform and political control. That makes them fascinating, and understanding them gives you a genuine edge.

#### Improvements in Teaching

#### Text

There is no single required textbook. Course materials, including selected legislation, enforcement decisions, and academic readings, will be distributed before each session.

#### Reference Material

1. OECD, An Introduction to Competition Law and Policy in Uzbekistan, 2022:  
[https://www.oecd.org/en/publications/2022/02/an-introduction-to-competition-law-and-policy-in-uzbekistan\\_8374d66f.html](https://www.oecd.org/en/publications/2022/02/an-introduction-to-competition-law-and-policy-in-uzbekistan_8374d66f.html)
2. OECD, Peer Reviews of Competition Law and Policy: Kazakhstan 2025:  
[https://www.oecd.org/en/publications/2025/11/oecd-peer-reviews-of-competition-law-and-policy-kazakhstan-2025\\_1e7f54fe.html](https://www.oecd.org/en/publications/2025/11/oecd-peer-reviews-of-competition-law-and-policy-kazakhstan-2025_1e7f54fe.html)
3. OECD, Journal of Competition Law and Policy, Vol. 6, No. 3 (Russia):  
[https://www.oecd.org/content/dam/oecd/en/publications/reports/2005/01/oecd-journal-of-competition-law-and-policy\\_g1gh401a/clp-v6-3-en.pdf](https://www.oecd.org/content/dam/oecd/en/publications/reports/2005/01/oecd-journal-of-competition-law-and-policy_g1gh401a/clp-v6-3-en.pdf)
4. Cheng, Thomas K. Competition law in developing countries. Oxford University Press, 2020.

#### Classroom Language

English

#### Keywords