

d'une manière qui respecte le jeu complexe des forces du marché tout en réduisant l'incertitude reprochée à ces politiques par certains détracteurs récents.

L'auteur conclut en faisant valoir que l'évolution graduelle de la dynamique aux États-Unis pourrait accroître les chances d'assister, avec le temps, à une réforme du régime antidumping. Les États-Unis sont en effet de plus en plus tributaires du commerce international, et c'est avec inquiétude qu'ils voient se multiplier dans le monde des législations antidumping dont les effets commencent à se faire sentir sur les exportations et les emplois américains. De l'avis de l'auteur, cette évolution serait propice à la constitution d'une coalition entre exportateurs américains, utilisateurs de produits importés et groupes de consommateurs en faveur d'une réforme progressive du système antidumping.

Executive Summary

With a view to encouraging further discussion and debate, this Paper reviews a number of issues related to the appropriateness of an antidumping regime, particularly within a free trade area, as an instrument for disciplining cross-border, corporate pricing behaviour. The benchmark chosen to address the economic adequacy of this regime is that of market power and the resulting capacity of private sector firms to engage in predatory pricing. While recognizing that antidumping is deeply entrenched in the U.S.'s trade policy and political psyche, the Paper briefly outlines (through the lens of economic efficiency) the principal deficiencies of current antidumping practice and provides several suggestions as to the technical issues that an antidumping reform process might be able to address over time.

The Paper recognizes that there is a case to be made for relying more on respective national competition (antitrust) regimes, including the development of some common, internationally binding guidelines, to govern corporate behaviour, at least within the North American free trade context. It also recognizes that some observers have raised concerns about the perceived lack of certainty that the case-by-case antitrust approach now common internationally might create. The Paper suggests that analysts should focus this discussion on identifying which regime is more likely to lead to the greater number of false findings of "unfair" competition, and thus be more trade and investment distorting.

But the second half of the Paper does not focus primarily on whether competition policy should eventually replace antidumping regimes. Rather, it explores the antidumping-antitrust linkage from another angle: can we avoid eventual international rule-making on competition policy even if we want to? The Paper outlines