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Checklist for consumer protection agencies deploying AI

Presentation
Speaking points included

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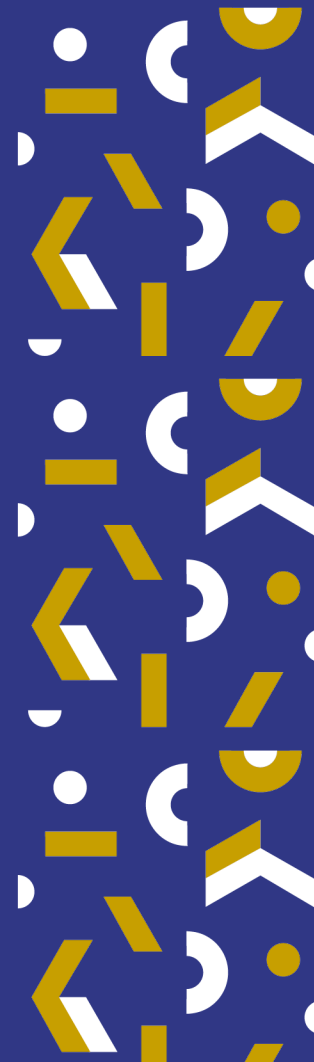


Office of Competition
and Consumer Protection



Checklist for consumer protection agencies deploying AI

UNCTAD informal working group on
consumer protection in e-commerce





Key questions for successful adoption of AI framework

- ✓ Is AI the right tool for the challenge at hand?
- ✓ What are the specific, measurable objectives?
- ✓ How can AI be integrated within existing workflows?
- ✓ What safeguards are in place to ensure fairness and transparency?
- ✓ How will AI be maintained, refined, and improved over time?
- ✓ How will institutional autonomy and human judgment be preserved?

While still evolving, the checklist aims to provide a **flexible framework that agencies can adapt to their needs**, ensuring AI is not just implemented, but integrated and used **effectively** and **responsibly**.

UNCTAD AI Checklist

1. Understand the wrong doing you aim to address using AI
2. Ensure AI is the appropriate tool for the identified problem
3. Set clear and achievable goals
4. Build and train the right team
5. Evaluate your starting point
6. Use a flexible development approach
7. Ensure seamless integration with existing systems
8. Secure the right funding
9. Get your data in order
10. Monitor and refine the system
11. Be transparent about AI usage
12. Stay on the right side of ethics and law
13. Safeguard data privacy
14. Make AI systems secure
15. Maintain decisional authority



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Thank you

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Safeguarding and empowering consumers in the age of AI

SPEAKING POINTS

Ms. Derszniak, Poland has been at the forefront of developing practical tools for consumer protection agencies exploring AI, including a checklist grounded in UOKiK's own experience deploying AI tools for contract review and detecting dark patterns. Could you walk us through the key elements of this checklist, and explain how it helps agencies strike the right balance between innovation and consumer safeguards from the outset of their AI journey?

- It is clear that AI can be applied in many different ways, each with the potential to significantly boost the efficiency of agency operations.
- So regulators can harness AI tools to enhance their ability to effectively detect and fight violations of consumer protection laws.
- AI-powered systems can aid the work of staff through the use of its computing power: analyze vast amounts of data—from pricing trends and digital advertisements to consumer reviews and social media—to identify suspicious behavior, misleading practices, or emerging risks more quickly and accurately than traditional methods.
- In Poland, the Office of Competition and Consumer Protection (UOKiK) is already using an IT tool based on artificial intelligence to pre-analyze contract templates for abusive provisions used by businesses in their dealings with consumers.
- In addition to that, we are also working on an AI tool that will help us to detect dark patterns.
- It is an EU-funded project that involves developing methodological framework for proceedings involving dark patterns and an AI prototype to detect DP.
- I am happy to flag that in March next year, UOKiK will present the completed PoC and project findings at a closing conference.

- The **interest in AI is well-justified, as this is the future**
- AI will play an **increasing role in shaping how organisations, including public ones operate**, make decisions, and protect consumers.
- **Embracing this technology thoughtfully is essential to staying ahead of emerging challenges and opportunities in the digital age.**

Challenges

- The journey to adopting AI in agency operations is **not necessarily straightforward**.
- There is a **range of considerations**: from **incorporating new tools into agency procedures and administration**, through **adapting work flows and training staff** to considering **potential risks and challenges** associated with these technologies, such as **biases, privacy concerns, and the possibility of misuse**.
- Public institutions have **accountability considerations** which are extremely important so it is crucial **ensure a risk-free integration of novel solutions**
- At the same time, these **necessary safeguards should not prevent us from investing into such solutions**
- This is why, based on our **experiences in this from-scratch process**, we wanted to contribute to **developing a pathway document for others**
- **So building on the idea of adapting AI to specific contexts, Poland, together with El Salvador**, has had the pleasure of leading a joint initiative within UNCTAD Working group on e-commerce to develop a practical **AI checklist for enforcement authorities deploying AI to support them in adopting AI tools responsibly and effectively.**

The idea behind

- It's important to acknowledge that **not every country** or agency operates on **an equal footing when it comes to infrastructure, available resources, and financial capacity**.
- While there are **general considerations applicable to every organisation**, **checking on each of these may require a tailored approach that reflects the unique circumstances and challenges faced by each organization.**
- For some agencies, **pre-existent technological infrastructure and well-funded research programs as well as specialised staff** allow for rapid implementation of cutting-edge AI tools.

- Meanwhile, **others might face limitations due to budget constraints, lack of specialized personnel, or insufficient digital infrastructure.**
- So the checklist offers is a **flexible framework, a set of key principles that can help agencies find their own path while ensuring AI is integrated smoothly, efficiently, and in harmony with existing procedures and systems.**
- The checklist was made to **account for all aspects of integration of AI tools, even for digital beginners:** from **setting clear objectives** of an AI project (prioritize scalable and adaptable AI strategies that can deliver value even in more constrained environments), **training staff** and **managing data responsibly** to **ensuring legal compliance** and **maintaining human oversight.**
- It was developed with the assumption, that **every agency's journey with AI will be different – considering priorities, challenges, and regulatory environment - even though we are guided by the same principles and questions to consider.**
- This approach aligns with the broader global conversation on AI, where **the aim is to shift from hesitance to opportunity and implementation also by public bodies by clearly emphasising the most essential considerations that will help safeguard its fair and accountable implementation.**

The checklist

- Let me **briefly highlight** some of the most important elements included in the checklist that help agencies navigate this balance effectively
- The checklist can be **roughly divided into two types of considerations: practical and ethical/legal**
- Practical: we wanted to provide a **management and technical guide** on how to approach integrating AI: from **identifying a specific job or work area that should be covered by AI, setting clear goals, training the team, securing funding, ensuring integration with IT systems, organising data and ensuring monitoring of the system (principles 1-10)**
- Ethical/legal: **being transparent about the use of AI to the public, setting up human oversight systems/compliance by design approach, ensuring proper management of data quality, security, and privacy, ensuring security of AI systems from cyberthreats and proper internal management (principles 11-15).**

- To make the AI checklist even more practical and user-friendly, we included **case studies featuring real-life examples of how AI tools have been implemented by consumer protection agencies in various countries.**
- These examples provide **concrete insights into how different agencies — with different capacities, challenges, and regulatory environments — are using AI to improve their operations.**
- Importantly, we view the checklist as **a living document** — one that will continue to evolve alongside technological developments.
- As new tools emerge and more agencies gain experience with AI, we **would encourage regular update of the checklist with new case studies and best practices.**
- This would ensure it **remains relevant, adaptable, and genuinely useful for agencies** at different stages of their AI journey.
- We also suggest that the checklist **evolves in synergy with what is happening in other consumer networks such as ICPEN and the OECD**, regarding AI topics. To this end, we plan to launch **a project within ICPEN, where the checklist will be actively promoted and potentially further developed.**
- Our goal is to **ensure that as many agencies as possible can benefit from this resource, fostering a collaborative approach to responsible AI adoption across the global consumer protection community.**