

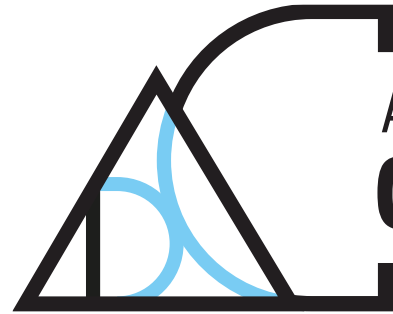
9th United Nations Conference on Competition and Consumer Protection
Room XIX, Palais des Nations
Geneva
7-11 July 2025

Report on the Implementation of the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices, Including a Brief Assessment of 20 Years of Voluntary Peer Reviews of Competition Law and Policy

Presentation

Mr. Nuno Cunha Rodrigues
President
Portuguese Competition Authority

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9TH UNITED NATIONS CONFERENCE ON COMPETITION AND CONSUMER PROTECTION

REPORT ON THE IMPLEMENTATION OF THE SET OF MULTILATERALLY AGREED EQUITABLE PRINCIPLES AND RULES FOR THE CONTROL OF RESTRICTIVE BUSINESS PRACTICES, INCLUDING A BRIEF ASSESSMENT OF 20 YEARS OF VOLUNTARY PEER REVIEWS OF COMPETITION LAW AND POLICY

Nuno Cunha Rodrigues

President, Portuguese Competition Authority

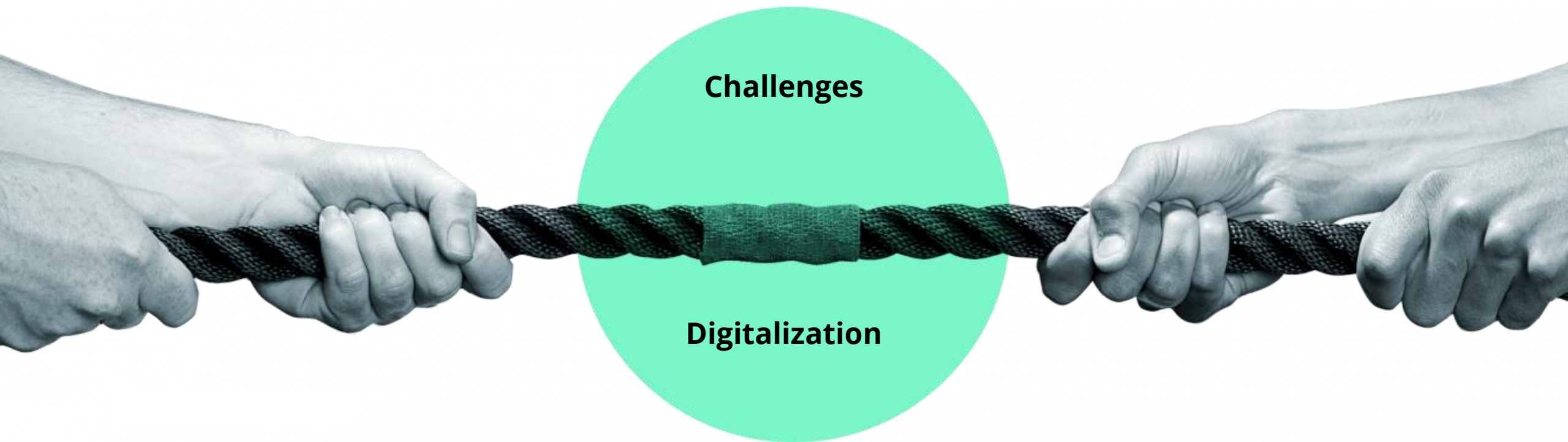
01 Key challenges in the field of competition law and policy

External

Internal

Challenges

Digitalization



Digital Markets

Characteristics:

- Scaling advantages
- Network effects
- Challenges in multi-homing

Competition concerns:

- High market concentration
- Risk of self-preferencing
- Creation of barriers to entry or expansion



Addressing the challenges

Ex-ante approach

- EU Digital Markets Act (DMA) - Regulation (EU) 2022/1925
- UK Digital Markets, Competition and Consumers Act 2024
- Among others

Fine-tuning enforcement

- Abuse of dominance investigations – e.g. EU Guidelines on exclusionary abuses of dominance
- Interim measures - renewed relevance

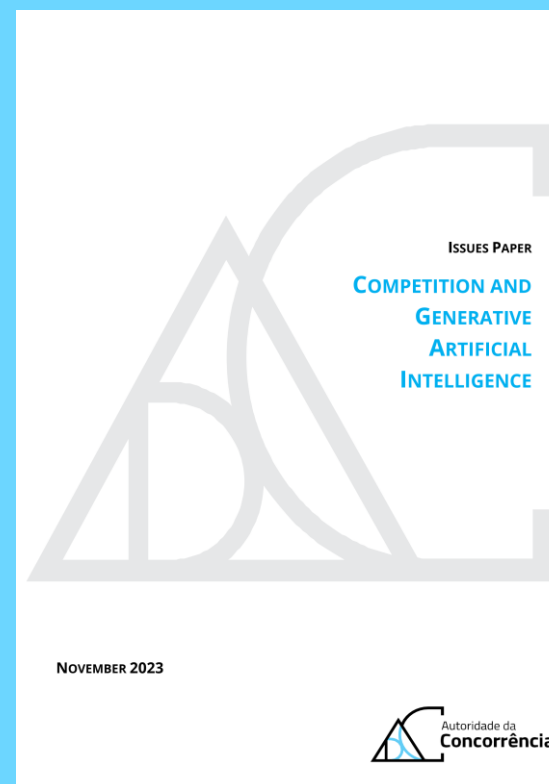
Addressing the Challenges

Advocacy initiatives

- knowledge-building and sharing
- understanding risks and anticompetitive strategies
- steering towards more competition-friendly behavior
- effective vigilance

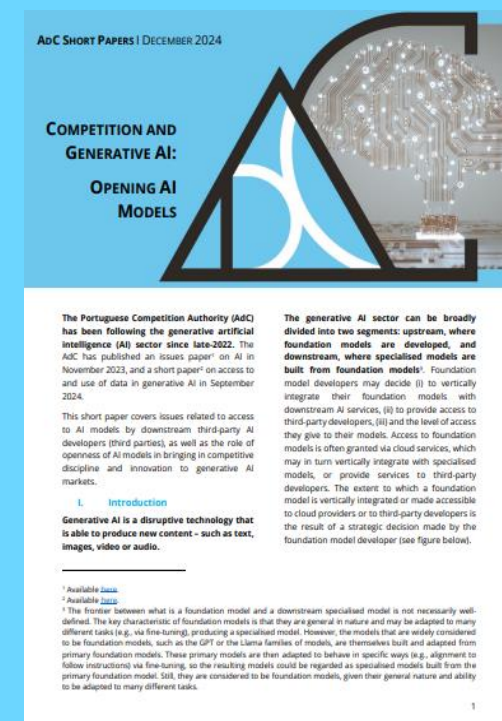
The AdC published:

- The **Issues Paper** on competition issues raised by Generative Artificial Intelligence (Generative AI) in 2023
- The AdC's **Short Paper Series** on the access and use of data and the degree of openness of AI models in 2024



<https://www.concorrenca.pt/site/s/default/files/documentos/Issue%20Paper%20-%20Competition%20and%20Generative%20Artificial%20Intelligence.pdf>

<https://www.concorrenca.pt/site/s/default/files/processos/epr/AI%20short%20paper%20-%20Opening%20AI%20models%20-%20EN.pdf>



Addressing the challenges

Merger control

- Ensure the review of potentially harmful merger
- Market share based notification thresholds
- Value of the transaction notification thresholds
- Call-in powers

Internal challenges and Achievements

Adjustment of legal frameworks

- Powers of the Competition Authorities
- Effective investigative and decision-making toolbox

Digital tools:

- Proactive detection mechanisms
- Efficiency and effectiveness of investigations
- Specialized teams



International Cooperation

Cross-cutting experiences:

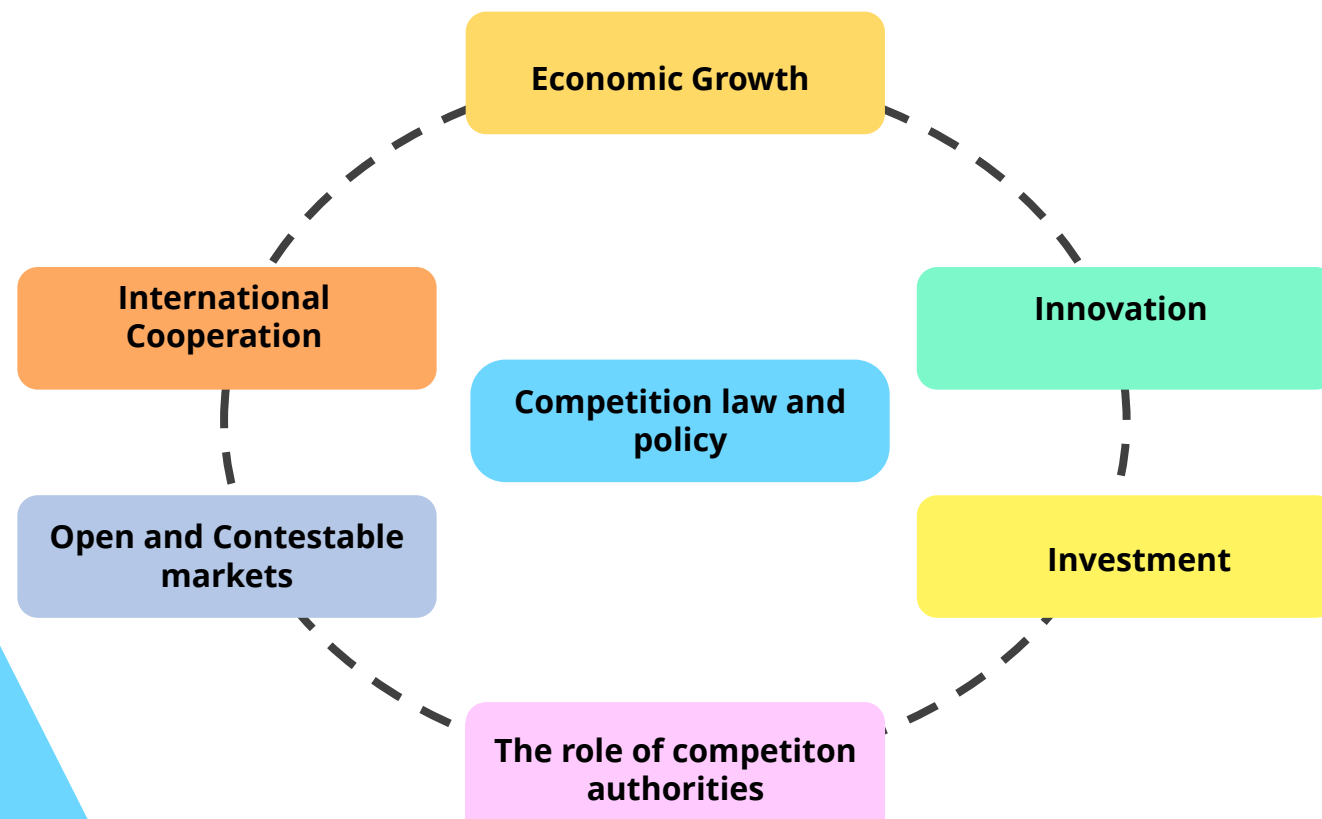
- Building robust competition policies
- Exchange of best practices
- Foster mutual trust
- Capacity Building
- Stronger Deterrence



Conclusion

Competition authorities:

- Address market failures and the reduction of barriers to entry, expansion and innovation;
- Integrated use of the competition protection mechanisms;
- Well-equipped with the necessary resources;
- Ensure the level playing field.



Thank you



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