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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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



External

Internal





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





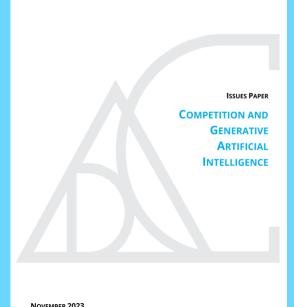
Addressing the Challenges

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

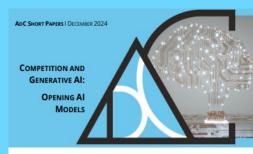


NOVEMBER 2023



https://www.concorrencia.pt/site s/default/files/documentos/Issue s%20Paper%20-%20Competition%20and%20Gen erative%20Artificial%20Intelligenc e.pdf

https://www.concorrencia.pt/site s/default/files/processos/epr/AI% 20short%20paper%20-%20Opening%20AI%20models%2 0-%20EN.pdf



has been following the generative artificial ntelligence (AI) sector since late-2022. The AdC has published an issues paper on Al in November 2023, and a short papers on access to and use of data in generative AI in September

This short paper covers issues related to access developers (third parties), as well as the role of openness of Al models in bringing in competitive

is able to produce new content - such as text images, video or audio.

to be foundation models, such as the GPT or the Llama families of models, are themselves built and adapted from rimary foundation models. These primary models are then adapted to behave in specific ways (e.g., alignment to oflow instructions) wa fine-burning, so the resulting models could be regarded as specialised models built from the rimary foundation models. Still, they are considered to be foundation models, given their general nature and ability to be adapted to many different tasks.

third-party developers, (iii) and the level of access

may in turn vertically integrate with specialised models, or provide services to third-party developers. The extent to which a foundation

model is vertically integrated or made accessible

to cloud providers or to third-party developers is

the result of a strategic decision made by the



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



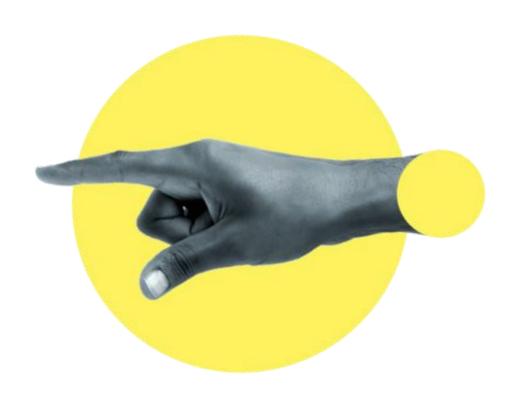
Internal challenges and Achievements

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

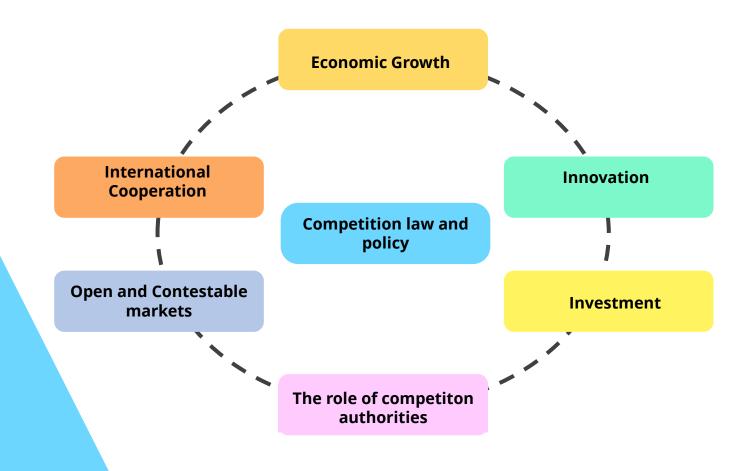




Conclusion

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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