

8th United Nations Review Conference on Competition and Consumer Protection

19-23 October 2020

Room XIX, Palais des Nations, Geneva

Wednesday, 21 October 2020

Strengthening Competition and Consumer Protection in the Digital Economy

Presentation by UNCTAD

This material has been reproduced in the language and form as it was provided. The views expressed are those of the author and do not necessarily reflect the views of UNCTAD.

8th UN Review Conference

ON COMPETITION AND
CONSUMER PROTECTION

Palais des Nations, Geneva

19–23 October 2020





8th UN Review Conference ON COMPETITION AND CONSUMER PROTECTION

Wednesday, 21 October 2020

10 am - 1 p.m.

Strengthening competition and consumer protection in digital economy

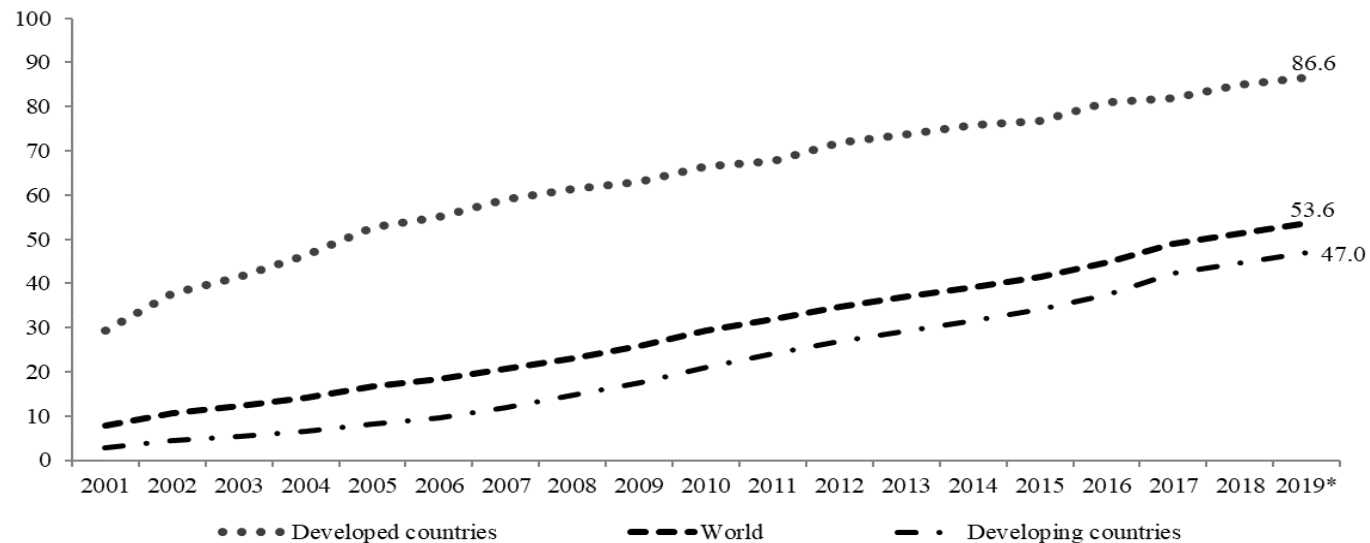
TD/RBP/CONF.9/4 (A,C,E,F,R,S)



8th UN Review Conference ON COMPETITION AND CONSUMER PROTECTION

The rise of the digital economy

- Individuals using the Internet per 100 inhabitants



Source: ITU





8th UN Review Conference ON COMPETITION AND CONSUMER PROTECTION

The rise of the digital economy

Top 10 global listed companies, 11 December 2019 (Trillions USD)

<i>Rank</i>	<i>Company</i>	<i>Industry</i>	<i>Market value</i>
1	Saudi Aramco	Oil	1.88
2	Apple	Technology	1.18
3	Microsoft	Technology	1.15
4	Alphabet*	Technology	0.93
5	Amazon.com	Consumer services	0.87
6	Facebook	Technology	0.57
7	Berkshire Hathaway	Financials	0.54
8	Alibaba	Consumer services	472
9	JPMorgan Chase	Financials	0.42
10	Tencent Holdings	Technology	0.41

Source: *The Guardian*,
2019



8th UN Review Conference ON COMPETITION AND CONSUMER PROTECTION

Effective consumer protection online

- UN Guidelines for Consumer Protection (63-65)
- Legal and policy frameworks
- Consumer empowerment and business guidance
- Enforcement
- Dispute resolution and redress



8th UN Review Conference ON COMPETITION AND CONSUMER PROTECTION

Effective competition in digital markets

- Legal and policy frameworks
- Enforcement
- Regulation



8th UN Review Conference ON COMPETITION AND CONSUMER PROTECTION

Policy recommendations for effective consumer protection online

- Laws and policies to be technology neutral;
- Liability and responsibility regimes of platforms;
- Consumer privacy;
- Product recalls and fight against distribution of hazardous and unsafe products (in particular if they have been recalled in other jurisdictions);
- Education and information campaigns for consumers' digital literacy, introducing behavioural insights;
- Enforcement powers for consumer protection agencies for online investigations, sanctions and cross-border investigations;
- Resources to address cross-border challenges;
- Guide businesses and encourage voluntary commitments;
- Businesses to provide online dispute resolution for consumer disputes, in particular online platforms.





8th UN Review Conference ON COMPETITION AND CONSUMER PROTECTION

Policy recommendations for effective competition in the digital economy

- Adapt competition tools (laws, regulations, guidelines) to the new reality: new business models, network effects, access to data, economies of scale and scope;
- Reform merger control regimes to enable competition authorities to scrutinize M&As involving dominant platforms;
- Adopt new regulations/guidelines to deal with unfair trade practices and abuses of superior bargaining position by big tech platforms;
- Consider ex-ante regulation of dominant online platforms to facilitate switching and multihoming by consumers and market access by new firms;
- Consider ensuring platform neutrality, requiring large platforms that also offer their own products or services on their platforms to treat all firms, including their own, neutrally.

Thank you!

