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Session 4: Institutional coordination between competition and consumer protection in the digital era

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Introduction

The interaction between competition and consumer protection has long been recognized as central to inclusive and sustainable economic development.[1] The adoption of the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices by the United Nations General Assembly in 1980 established a global understanding that effective competition frameworks enhance market functioning, efficiency and participation in trade, particularly for developing economies.[2] This foundation was reinforced by the 2015 revision of the United Nations Guidelines for Consumer Protection, which affirmed that robust consumer frameworks strengthen economic dynamism and social welfare.[3]

In the digital economy, this complementarity has become increasingly critical. The rapid expansion of online platforms and data-driven business models has transformed the scale and structure of market interactions. Global e-commerce sales have reached approximately $26.7 trillion, nearly 30 per cent of global GDP, with digital platforms acting as central intermediaries.[4] The digital economy continues to scale, with business-to-business e-commerce alone projected at $36 trillion by 2026, cementing platforms as the primary intermediaries of global trade.[5]

While these developments drive innovation, they also intensify risks related to market concentration, information asymmetry and unfair commercial practices. As markets become increasingly shaped by data and algorithms, the boundaries between competition and consumer protection concerns blur, making coordinated regulatory approaches essential to safeguard both market integrity and consumer confidence.

The present analysis puts forward the following key messages:

- Operational coordination over institutional form: the effectiveness of digital-market oversight depends to a great extent on the presence of structured coordination mechanisms capable of addressing overlapping competition and consumer concerns.
- Structured mechanisms are essential: formal consultation procedures, information-sharing protocols, coordinated market studies, and aligned enforcement strategies are necessary to prevent regulatory inconsistency and ensure coherent assessment of digital conduct.

1. United Nations Conference on Trade and Development (UNCTAD), Maximizing synergies between competition and consumer protection policies, 2025.
2. United Nations, Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices Resolution 35/63, 1980.
3. United Nations, Guidelines for Consumer Protection, 2016.
4. UNCTAD, Estimates of global e-commerce 2019 and preliminary assessment of COVID-19 impact on online retail 2020, 2021.
5. International Trade Administration, 2024 eCommerce Size & Sales Forecast.

- Holistic assessment of digital conduct: since digital practices often generate simultaneous structural and consumer-facing effects, enforcement must integrate competition analysis with transparency and fairness considerations.
- Regional cooperation as complement: in cross-border digital markets, national enforcement is reinforced through structured regional collaboration and technical exchange mechanisms.

Rationale for strengthened coordination in digital markets

Enforcement gaps through behavioural insight

Digital markets allow firms to influence consumer behaviour in ways that traditional competition and consumer protection frameworks were not designed to address independently. Platforms rely on behavioural design, data analytics and interface architecture to steer user decisions. Practices such as “dark patterns”, subscription traps and automatic renewals may distort choice, and may fall outside the traditional scope of competition law frameworks. At the same time, when assessed in isolation, they may not meet conventional consumer protection thresholds where formal disclosure technically exists.

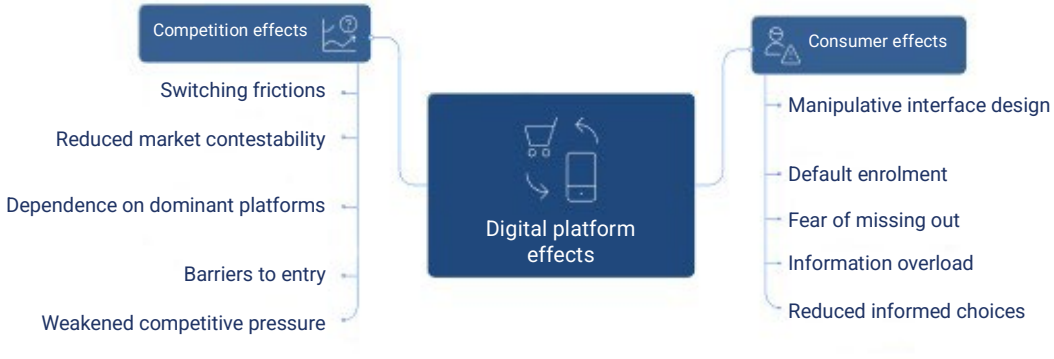
Behavioural evidence shows that digital decisions systematically deviate from assumptions of full rationality, with defaults, framing effects and scarcity cues reducing switching and reinforcing platform dependence. In the Arab region, this dynamic manifests in widespread adoption of services like buy-now-pay-later and social-media-driven purchasing fuelled by fear of missing out, among many other patterns, transforming individual tendencies into scalable commercial strategies.

This creates a regulatory blind spot between competition and consumer protection enforcement. Conduct that appears as consumer-level influence may simultaneously entrench market power, even where prices remain competitive. Behaviourally driven lock-in can operate as an entry barrier while limiting meaningful consumer choice. Addressing these risks requires coordinated enforcement where competition authorities consider behavioural harm and consumer protection authorities consider structural market effects.

Analysis of digital competition policy by the Organisation for Economic Co-operation and Development (OECD) acknowledges that traditional enforcement tools may struggle to capture platform conduct rooted in data exploitation, behavioural design and non-price mechanisms. Meanwhile, work on behavioural insights in consumer protection by the Economic and Social Commission for Western Asia (ESCWA) highlights how formally

compliant practices may still distort consumer decision-making. Together, these strands point to the need to integrate behavioural analysis into enforcement frameworks.[6] The interaction between consumer-level behavioural effects and structural competition outcomes is illustrated in figure 1.

Figure 1. Convergence of effects in digital markets



Sources: Compiled by ESCWA based on OECD, Handbook on competition policy in the digital age, 2022; UNCTAD, Digital economy report, 2021; ESCWA, Behavioural science and sustainable consumer protection: strategic insights for the Arab region, 2025.

Addressing information asymmetry

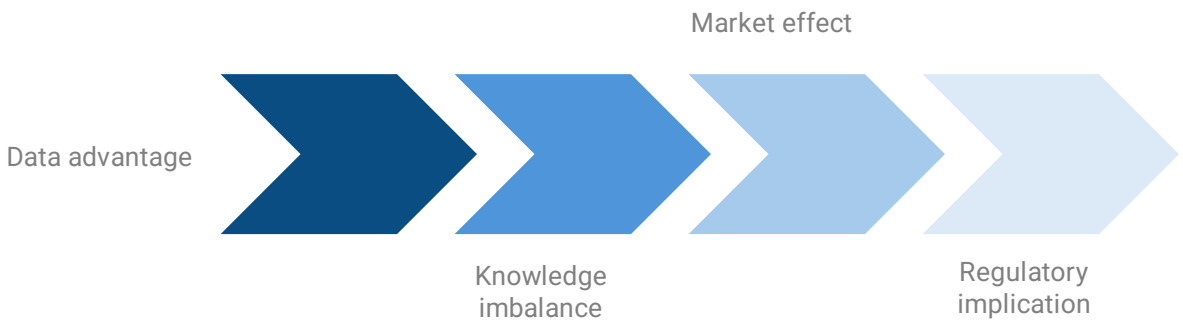
Beyond classification challenges, digital markets are characterized by significant information asymmetries between platforms and users. Large digital platforms collect, aggregate and analyse extensive behavioural and transactional data, enabling them to predict demand, personalize conditions and control the visibility of offers.[7] Consumers, by contrast, typically lack transparency on how rankings, recommendations or prices are determined. Consequently, the traditional mechanism through which informed consumer choice disciplines firms becomes weaker in data-driven environments.

This imbalance is not primarily a matter of deception but of unequal knowledge. Platforms possess detailed information about user preferences and reactions, while users have limited ability to evaluate the comparability of alternatives. When consumers cannot meaningfully assess competing offers, competition shifts away from price and quality towards control over attention and data. Differences in digital literacy further reinforce this effect, particularly in several Arab economies where only a limited share of users possess basic information technology skills, increasing vulnerability to exclusion from digital services.[8]

6. ESCWA, Strengthening consumer protection in e-commerce across the Arab region, 2025.
7. UNCTAD, Digital Economy Report 2021 – Cross-border data flows and development: for whom the data flow, 2021.
8. ESCWA, Behavioural science and sustainable consumer protection: strategic insights for the Arab region, 2025.

Information asymmetry therefore translates into economic power (figure 2). Data concentration allows platforms to steer demand, raise switching costs and reduce effective multi-homing. Even where multiple providers appear available, users may remain dependent on a single intermediary through which market access is organized. In multi-sided digital ecosystems, algorithmic intermediation simultaneously affects consumer welfare and competitive rivalry, meaning that user decisions alone may no longer generate effective market discipline.[9]

Figure 2. From information asymmetry to market power in digital markets



Source: Compiled by ESCWA based on UNCTAD, Digital economy report, 2021; OECD, Handbook on competition policy in the digital age, 2022.

In this environment, coordinated enforcement becomes essential. Competition law and policy can address structural effects arising from data concentration, gatekeeping and exclusionary conduct, while consumer protection frameworks can enhance transparency, comparability and informed choice. Together, these tools help restore the conditions under which user decisions exert meaningful competitive pressure. In the absence of coordination, the appearance of choice in digital markets may mask structural dependence on a limited number of platforms, undermining trust and long-term innovation.

These dynamics raise a practical governance question: how should institutional frameworks be designed to ensure such coordination operates effectively in practice? Since digital conduct frequently produces simultaneous structural and consumer-facing effects, the organization of mandates, investigative powers and cooperation mechanisms becomes central to enforcement outcomes. To contextualize this question, it is necessary to examine the institutional arrangements governing competition and consumer protection across Arab jurisdictions.

9. OECD, Handbook on competition policy in the digital age, 2022.

Institutional structures and coordination requirements

Institutional arrangements in the Arab region

The institutional organization of competition and consumer protection mandates varies across Arab jurisdictions, reflecting differences in legal traditions, administrative structures, and regulatory priorities. Table 1 presents a comparative overview of current institutional configurations across the region.

Table 1. Comparative overview of current institutional configurations

Country	Model	Explanation
Algeria	Separate authority model	An independent Competition Council operates separately from the ministry directorate responsible for consumer protection.
Bahrain	Integrated authority model	Competition and consumer protection mandates are exercised within a single governmental authority under unified leadership.
Comoros	Ministerial enforcement model	Regulatory functions are handled within ministerial structures without fully independent competition or consumer protection authorities.
Djibouti	Ministerial enforcement model	Competition and consumer protection responsibilities are dispersed across ministries and sector bodies without independent authorities.
Egypt	Separate authority model	The Egyptian Competition Authority and the Consumer Protection Agency operate as distinct institutions with independent mandates.
Iraq	Separate authority model	The Consumer Protection Council exists alongside a legally distinct Competition Council, although operational capacity remains evolving.

Country	Model	Explanation
Jordan	Ministerial enforcement model	Competition and consumer protection directorates operate within the same ministry as separate departments requiring administrative coordination.
Kuwait	Separate authority model	Competition enforcement is carried out by the Competition Protection Agency, while consumer protection functions are administered by the Consumer Protection Department within the Ministry of Commerce and Industry.
Lebanon	Ministerial enforcement model	A competition authority is provided for by law but has not yet been fully operationalized; consumer protection remains under ministerial administration.
Libya	Integrated authority model	Competition and consumer protection responsibilities are exercised within the same institutional structure under unified leadership.
Mauritania	Ministerial enforcement model	Market monitoring and consumer protection functions are handled within the Ministry of Commerce without an independent operational competition authority.
Morocco	Separate authority model	The Competition Council operates independently from the administration responsible for consumer protection policy.
Oman	Separate authority model	The Competition Protection and Monopoly Prevention Centre operates separately from the Consumer Protection Authority.
State of Palestine	Ministerial enforcement model	Competition and consumer protection functions are administered within ministerial structures through separate departments.
Qatar	Ministerial enforcement model	Competition enforcement and consumer protection are administered within the Ministry of Commerce and Industry through dedicated directorates and committees responsible for competition and consumer protection.

Country	Model	Explanation
Saudi Arabia	Separate authority model	The General Authority for Competition operates independently while consumer protection is administered by the Ministry of Commerce.
Somalia	Ministerial enforcement model	Oversight is exercised through ministerial supervision and standards monitoring, without a dedicated competition enforcement authority.
Sudan	Ministerial enforcement model	Market regulation and competition functions operate within ministerial structures, including a competition council with limited operational capacity.
Syrian Arab Republic	Ministerial enforcement model	Competition and consumer protection responsibilities are administered within ministerial frameworks requiring administrative coordination.
Tunisia	Separate authority model	Competition enforcement and consumer protection are carried out by distinct institutions with separate mandates.
United Arab Emirates	Ministerial enforcement model	Competition and consumer protection are administered within the Ministry of Economy, with competition matters overseen through the Competition Regulation Committee and consumer protection implemented by the Ministry in coordination with local economic departments and sector regulators.
Yemen	Integrated authority model	Consumer protection and competition enforcement are administered within a unified directorate under the Ministry of Industry and Trade, combining consumer protection, competition promotion, and anti-monopoly functions under a single Director-General.

Source: Compiled by ESCWA based on national competition and consumer protection legislation, and official authority documentation from the Arab Legislation Portal and the Arab Business Legislative Frameworks Series.

The institutional landscape of the Arab region can be understood through three primary archetypes, each representing a different level of administrative evolution and coordination requirement. Importantly, institutional form alone does not determine enforcement effectiveness. The decisive factor is whether structured coordination mechanisms exist to address digital conduct that produces both structural and consumer-facing effects.

International coordination approaches: comparative reference points

International experience demonstrates that effective coordination between competition and consumer protection authorities can be achieved under different institutional configurations. The key variable is how coordination operates in practice, through investigative tools, information-sharing arrangements and structured consultation mechanisms capable of addressing both market structure and consumer welfare concerns. The following comparative benchmarks illustrate how coordination functions across institutional models, and provide reference points that Arab jurisdictions may adapt to their administrative structure.

- Integrated authority model: under this model, a single institutional body exercises both competition and consumer protection mandates within one statutory framework. The Australian Competition and Consumer Commission (ACCC) provides a clear illustration of this model in practice. By consolidating market-structure analysis and consumer-facing enforcement within one authority, ACCC can assess digital platform conduct holistically, addressing issues of market power, data practices and unfair commercial behaviour through integrated investigations and coordinated remedies. Moreover, in the Netherlands, three independent bodies, namely the Netherlands Consumer Authority, the Netherlands Competition Authority and the Netherlands Independent Post and Telecommunications Authority, were merged in 2013 to create a new integrated regulator: the Netherlands Authority for Consumers and Markets. This reform aimed to achieve efficiencies and synergies by combining the authorities into a stronger and more effective institution to address challenges posed by globalisation and evolving market conditions, while also reducing administrative costs. The principal institutional advantage of this model lies in internal coherence, streamlined decision-making and unified remedial design.[10] Meanwhile, South Korea operates an integrated model in which the Korea Fair Trade Commission (KFTC) holds comprehensive authority over both competition and consumer protection laws, serving as the primary enforcement and policymaking body. The Korea Consumer Agency, operating under the supervision of KFTC, provides technical and field-based expertise, including dispute mediation, product testing and safety data collection, which support KFTC enforcement activities. This arrangement promotes regulatory efficiency and policy coherence, particularly in the digital economy, by combining centralized enforcement authority with administrative expertise and field-based data.

- Separate authority model: this model involves distinct institutions responsible for competition and consumer protection, each operating under independent mandates.[11] The United Kingdom exemplifies this structure: the Competition and Markets Authority,

10. UNCTAD, Competition issues in the digital economy, 2019.
11. OECD, Data shaping firms and markets, 2023.

Ofcom and the Information Commissioner's Office maintain separate statutory responsibilities, while coordination is facilitated through structured mechanisms such as the Digital Regulation Cooperation Forum.[12] Meanwhile, in Japan, the competition authority, Japan Fair Trade Commission, previously exercised part of the consumer protection mandate, particularly in relation to misleading representations, until 2009. However, the Consumer Affairs Agency (CAA) was established in that year to strengthen and centralize consumer protection functions, and these responsibilities were transferred to CAA. Nevertheless, competition and consumer protection policies in Japan remain closely coordinated, particularly in the context of the digital economy. For example, CAA participated as an observer in discussions related to the Act on Promotion of Competition for Specified Smartphone Software, ensuring consumer perspectives were considered in competition-related policymaking. This separate authority model preserves institutional specialization while enabling joint analysis of digital conduct that produces both structural market effects and consumer harm. For jurisdictions operating under separate authorities, effective coordination depends on formal information-sharing arrangements and aligned enforcement strategies. In Brazil, the Administrative Council for Economic Defence (CADE) and the National Consumer Secretariat have a framework for institutional cooperation, formalized through a memorandum of understanding, which resulted in coordinated and joint enforcement actions and recommendations.

- Ministerial enforcement model: under this model, competition and consumer protection functions operate within ministerial or government-supervised frameworks, typically as separate directorates or administrative units.[13] This configuration is prevalent across much of the Arab region and relies on internal governmental alignment rather than full institutional consolidation. While less common among OECD jurisdictions, a functional illustration can be observed in France where competition enforcement is carried out by the independent Autorité de la concurrence, while consumer protection and market surveillance fall under the Directorate-General for Competition, Consumer Affairs and Fraud Control at the Ministry of Economy. Although institutionally distinct, coordination occurs within a shared governmental policy environment, particularly in digital market matters. The French experience demonstrates that effective coordination depends on structured communication and clearly defined jurisdictional boundaries rather than a formal merger of mandates.

12. GOV.UK, Digital Regulation Cooperation Forum, 2023.
13. OECD, Data shaping firms and markets, 2023.

Table 2. Examples of operational coordination mechanisms across institutional models

Characteristic	Separate authority model	Ministerial enforcement model	Integrated authority model
Collaboration formats	Memorandums of understanding with referral triggers and structured inter-agency coordination frameworks	Interministerial coordination committees and structured internal administrative alignment mechanisms	Dedicated cross-mandate units (e.g. digital-market units) within the authority
Studies	Coordinated or parallel digital market studies using shared analytical frameworks	Mandatory internal consultation and joint review procedures for cross-cutting cases	Integrated market studies combining competition and consumer perspectives
Enforcement	Shared investigative task forces and coordinated case-allocation protocols	Harmonized enforcement guidance within ministerial frameworks	Integrated remedy design teams addressing structural and consumer harm simultaneously
Information sharing	Evidence-sharing protocols and structured inter-agency data exchange mechanisms	Administrative coordination with telecom, financial and sector regulators	Internal information-sharing and cross-unit review mechanisms

Source: Compiled by ESCWA based on best practices and institutional frameworks established by UNCTAD, OECD, the Digital Regulation Cooperation Forum, the European Union Digital Markets Act, and the ACCC Digital Platforms Inquiry.

The framework highlights that each institutional model requires a distinct operational architecture. The objective is not structural convergence, but the development of mechanisms that enable holistic assessment of digital conduct across competition and consumer dimensions.

Institutional coordination in practice: selected Arab jurisdictions

Beyond institutional design, coordination in digital markets is increasingly observable in practice across selected Arab jurisdictions. While structural configurations differ, authorities have begun aligning enforcement tools and regulatory frameworks in response to platform-based market dynamics.

In Egypt, digital platform markets, including ride-hailing and online delivery, have prompted consultation between the Egyptian Competition Authority and sector regulators such as the National Telecommunications Regulatory Authority. This interaction allows competition analysis to incorporate sector-specific expertise, particularly in markets shaped by digital infrastructure and data-driven intermediation. In parallel, the Egyptian consumer-protection framework governing electronic transactions strengthens transparency and disclosure obligations in online marketplaces, complementing structural competition oversight.

Box 1. Institutional harmony in Egypt: the ECA-NTRA joint committee model

The National Telecom Regulatory Authority (NTRA) was established in 2003 pursuant to law No. 10 of 2003. While the law tasks NTRA with encouraging investment and considering free competition rules, it does not grant it substantive competition enforcement powers. This initially led to jurisdictional overlap with the Egyptian Competition Authority (ECA). The conflict was formally resolved in 2013 by the Economic Court of Appeal, which reviewed a case involving two mobile operators investigated by ECA for cartel behaviour. The operators argued that ECA lacked jurisdiction to refer them to court, buy the Court upheld ECA authority, ruling that it maintained sole jurisdiction over competition law enforcement regardless of the NTRA sector-specific regulation. Since this ruling, the two bodies have shifted towards a cooperative model. In 2021, they signed an addendum to an existing memorandum of understanding and established a joint committee to harmonize their oversight of the sector, particularly regarding digital competition and consumer rights.

Source: UNCTAD, Voluntary peer review of competition law and policy: Egypt, 2024.

In the United Arab Emirates, where competition and consumer functions operate within federal and ministerial frameworks, coordination occurs through administrative alignment across digital economy governance. Oversight initiatives in e-commerce, digital finance and emerging technologies illustrate how competition considerations are integrated into broader regulatory responses to platform conduct affecting both market access and consumer-facing risks.

In Bahrain, consolidation of competition and consumer-related functions under unified leadership provides an institutional setting that supports internal consultation when digital practices raise both structural and consumer implications. Such a unified framework reduces procedural fragmentation and facilitates coordinated assessment within a single authority.

Beyond national practice, digital markets increasingly generate cross-border implications that extend beyond the jurisdictional reach of single authorities. Platform-based business models frequently operate across multiple Arab markets using harmonized contractual frameworks, centralized data systems, and regionally integrated pricing structures. Where conduct produces parallel effects in more than one jurisdiction, isolated enforcement may limit regulatory effectiveness. Regional coordination mechanisms, whether through structured information exchange, technical cooperation frameworks or peer dialogue platforms, provide an emerging layer of alignment in response to these challenges. While enforcement authority remains nationally grounded, cross-border consultation and collaborative capacity-building contribute to more coherent oversight in sectors characterized by digital interdependence. Taken together,

these developments indicate that coordination in the Arab region is evolving through practice rather than structural redesign. Authorities are responding to digital-market dynamics by aligning enforcement tools, consulting across mandates and strengthening technical cooperation, both domestically and regionally, within existing institutional configurations.

Box 2. Regional coordination: cooperation between Egypt and Saudi Arabia

Cross-border cooperation between competition authorities is increasingly important in digital markets, where platform-based services frequently operate across jurisdictions. This coordination was illustrated in 2021, when the Egyptian Competition Authority invited the Saudi General Authority for Competition to participate in discussions and information exchange on competition issues related to digital platform markets and online services operating in the region. The engagement enabled the authorities to discuss evolving market dynamics, potential risks associated with platform expansion and data-driven market power, and possible implications for market concentration and consumer welfare in their respective jurisdictions.

Building on such exchanges, the two authorities further institutionalized their collaboration in October 2022 through a memorandum of understanding. The agreement establishes a formal framework for coordination, including information exchange, technical collaboration and consultation on competition enforcement matters of mutual interest.

Sources: UNCTAD, Voluntary peer review of competition law and policy: Egypt, 2024; Bremer Law Firm, Inter-agency cooperation among MENA competition authorities, 2025.

Conclusion

Digital markets have reshaped the interaction between firms and consumers by concentrating data, embedding behavioural design into commercial practices, and blurring the boundary between structural market power and consumer-facing harm. In such environments, isolated enforcement risks addressing only one dimension of conduct that is inherently multidimensional.

The regional mapping set out in the present paper confirms that Arab jurisdictions operate under diverse institutional configurations. Yet structural diversity does not preclude effective digital oversight. What determines enforcement capacity is the presence of operational coordination mechanisms capable of integrating competition analysis with consumer protection concerns in cases where digital conduct produces overlapping effects.

International experience and emerging regional practice demonstrate that coordination can be operationalized through structured consultation, information-sharing frameworks, cross-regulatory alignment and, where applicable, internal integration. Strengthening these mechanisms, within existing institutional arrangements, is central to ensuring that digital markets in the Arab region remain competitive, transparent and resilient as technological transformation accelerates.