UNITED ARAB EMIRATES
MINISTRY OF ECONOMY & TOURISM

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# Seventh ARAB COMPETITION FORUM (ACF)

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# Session 1

## Ex-ante regulation and competition in digital markets

Digital markets have expanded rapidly over the past decade, transforming how businesses operate and how consumers access goods and services. At the same time, regulators are increasingly concerned about the concentration of market power and the growing influence of large digital platforms within and beyond the markets in which they operate. Features such as network effects, data-driven economies of scale and the tendency of platform markets to tip towards a limited number of providers may create structural barriers to entry and competition that are difficult to address through traditional competition enforcement alone.

This session will explore how ex-ante regulation can complement traditional competition enforcement in addressing competition challenges in digital markets. Drawing on experiences from different jurisdictions, it will examine the circumstances under which preventive intervention may be appropriate, how regulatory obligations can be designed and applied proportionately, and the policy and institutional conditions required for effective implementation. The discussion will also draw on experiences from different sectors to identify lessons and considerations relevant to the Arab region.

Note: The session will last 90 minutes. Presentations by the panelists will be followed by interventions from member States and an open discussion.

## Topics of discussion

- Competition challenges and structural barriers in digital markets, and the rationale for ex-ante intervention.
- The complementary roles of ex-ante regulation and ex-post competition enforcement.
- Different approaches to identifying and regulating large digital platforms, including the rationale for imposing regulatory obligations and their potential limitations.
- Promoting fair and contestable digital markets while preserving incentives for investment and innovation.

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- Policy and institutional requirements for effective implementation, including regional and international cooperation and the specific needs and circumstances of the Arab region.
- Lessons from the application of ex-ante regulation across different sectors.

## Session coordinator



### Mohammed Sultan Janahi

Director of Competition, Ministry of Economy and Tourism, United Arab Emirates

## Speakers



### Diogo Thomson de Andrade

President, Administrative Council for Economic Defense (CADE), Brazil



### Al-Anoud Al-Fahad

Director of the Antitrust and Competition Investigations Department, and Acting Director of the Economic Affairs Department, Kuwait Competition Protection Agency, Kuwait



### Nathalie Khaled

Economic Affairs Officer, and Lead of the Economic Governance, Development Planning and Regulatory Modernization Workstream



### Camile Ammeloot

Competition Lawyer and Case Officer, Digital Markets Act Team, Directorate-General for Competition, European Commission (virtual participation)