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Competition and Consumer Policy in Digital Markets – Note by Consumers International

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This document reproduces a written contribution from Consumers International submitted for Item 4 of the 149th OECD Competition Committee meeting on 24-26 June 2026.

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Consumers International

About Consumers International

Consumers International is the membership organisation for consumer groups around the world. We believe in a world where everyone has access to safe and sustainable goods and services.

We bring together over 200 member organisations in more than 100 countries to empower and champion the rights of consumers everywhere. We are their voice in international policy-making forums and the global marketplace to ensure they are treated safely, fairly and honestly.

Executive summary

Consumers International reviewed a selection of publicly available writings by its Members on competition policy in digital markets, covering a period of approximately 2020-2026.

This submission therefore reflects a global perspective to the degree possible, though Consumers International notes a strong concentration of competition policy work from Europe and other jurisdictions actively legislating or enforcing platform competition rules (notably Australia, the United Kingdom and the United States), as well as Brazil, India and Hong Kong. At the same time, Members also highlighted the particular challenges faced by smaller and developing economies, including dependence on foreign platforms, limited enforcement capacity, and cross-border regulatory constraints.

Across the Member documents reviewed, a broad, cross-jurisdictional theme appears: traditional ex post antitrust is often too slow and too narrow to address platform "gatekeeper" power. Therefore, **Consumers International Members commonly advocate for ex ante platform rules, combined with stronger enforcement capacity and remedies, especially in app ecosystems, digital advertising, and social/platform intermediaries**.

Commonly recurring policy recommendations include:

- **Interoperability** (especially messaging) and **data portability/data access** to reduce lock-in and switching costs;
- **App store / digital ecosystem conduct rules**, including constraints on access to key functionality, tying/bundling, defaults, anti-steering restrictions, and installation barriers;
- **Merger control updates** for "killer acquisitions," data-driven mergers, and acquisitions below thresholds;
- **Algorithmic and AI accountability/transparency** where ranking, personalisation, pricing, manipulative interface design, and deceptive practices such as dark patterns or subscription traps can distort competition and harm consumers;
- **Enforcement design**: fast procedures, effective and proportionate sanctions, adequate resourcing, cross-border cooperation, and consumer participation/redress mechanisms (including representative and collective actions).

Consumers International can also provide, upon request, a selection of relevant research reports, policy papers, and publications produced by its Members on competition and consumer protection in digital markets.

1. Competition Policy in Digital Markets: What Consumers International Members Advocate

1.1. "Contestability" requires both speed and structural tools

1. A recurring theme across jurisdictions is time-to-remedy: slow investigations allow dominance to entrench and consumer harm to persist. Arguments are made that competition tools alone are often insufficient due to digital market characteristics and the time required, and harms become entrenched the longer reforms are delayed. Several Members also note that ex-ante obligations can be particularly effective because they apply across relevant undertakings and market practices, rather than only addressing individual cases after harm has occurred. Mitigations to this include streamlined and expedited procedures in appropriate cases, strong information powers, and penalties linked to worldwide revenue.

2. A notable convergence is also the acceptance that structural remedies may remain necessary in certain digital markets where behavioural remedies prove insufficient. Separately, Members also highlighted the growing importance of cross-border cooperation and coordination between authorities, noting that consumers can be less protected when remedies adopted in one jurisdiction are not replicated or enforceable elsewhere.

1.2. Interoperability and data portability are treated as competition instruments, but privacy and security are challenges to balance

3. Portability and interoperability are often mentioned by Consumers International Members as mechanisms to reduce switching costs, weaken network effects, and expand meaningful consumer choice in digital markets. This is based on the principle of ensuring that consumers can exercise rights free from manipulative choice architecture, and to make switching possible in practice for consumers.

4. However, Members also note that interoperability measures may face implementation challenges in practice, including limited consumer awareness, restrictive technical procedures, or narrow interoperability functionalities introduced by dominant platforms. Members further emphasise that interoperability can play an important role in reducing lock-in effects in social networking and messaging markets.

5. Moreover, Members note that interoperability measures may involve privacy and security considerations that require appropriate safeguards and independent oversight. However, Members also emphasise that such considerations should be balanced against the benefits of opening markets, reducing lock-in effects, and expanding consumer choice, rather than being used to justify rolling back interoperability provisions altogether.

1.3. App ecosystem bottlenecks and "anti-steering" style restrictions are a focal concern

6. Digital ecosystems (including app stores, operating systems, integrated payments, default apps, and account or identity services) appear as recurring "bottleneck" cases. Consumers International Members are aware of gatekeeper dynamics and the need for ex

ante conduct rules to prevent recurring harms, including investigations into app marketplaces and applying obligations and penalties suited to platform control points.

1.4. Competition policy is increasingly blended with consumer protection and democratic/rights framing

7. A trend is that Members do not treat competition as separate from consumer protection. This is based on the idea that platform market power can shape consumer rights and potentially even democratic norms and conventions, suggesting a need for (greater) integration of consumer vulnerability and information asymmetry into the regulatory rationale. Some Members further emphasise that digital competition concerns are in fact rooted in the exploitation of behavioural vulnerabilities through hyper-personalised consumer data, profiling, and manipulative design practices.

2. Implications for policymakers

8. Consumers International Members consistently emphasise that effective competition policy can increase consumer choice, improve innovation, and strengthen trust in digital markets, provided that regulators remain appropriately empowered and resourced to address rapidly evolving technologies and business practices.

9. Members also emphasise that competition-policy writings collectively imply several practical lessons for policymakers designing or revising digital competition frameworks:

10. First, digital competition regimes should be designed with speed and implementation in mind. Delayed intervention in fast-moving digital markets can allow harmful practices to become entrenched and reduce the likelihood of restoring effective competition later. Obligations should also be sufficiently principles-based and adaptable to evolving technologies and business practices.

11. Second, policymakers should view interoperability, portability, and switching tools as central components of a pro-competitive framework, while ensuring these measures work effectively in practice for consumers and appropriately balance privacy and security considerations against the benefits of opening markets and reducing lock-in effects.

12. Third, competition analysis in digital markets should extend beyond narrow price effects and take fuller account of choice, quality, user autonomy, default architecture, access conditions, manipulative or deceptive design practices, exploitative algorithmic pricing, and the ways in which ecosystems can be used to leverage power across adjacent markets.

13. Fourth, merger review should be updated to better capture the sources of competitive advantage that matter in digital markets, including data, network effects, access to users, and control over core intermediation functions.

14. In digital markets, consumer-facing transparency, redress, information, accessibility, and control mechanisms are not peripheral matters. They are often part of what makes competition meaningful and effective, particularly for vulnerable and digitally excluded consumers.

Contact Information

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Acknowledgement and Disclaimer

Consumers International is grateful to the Members and consumer organisations that directly contributed feedback, comments, and publications to inform this document. This document reflects a selection of perspectives and publicly available materials shared by Consumers International Members and does not represent a complete or final position of Consumers International or all of its Members.