



# 2024-2025 ROADMAP

*The French and European economies face a number of challenges: consolidating growth, reindustrialising, achieving the energy transition, and asserting sovereignty in an increasingly fragmented world. These challenges are made all the more urgent by the fact the solutions are long term. In 2024 and 2025, the Autorité de la concurrence will take action with this in mind, to address these challenges in both the immediate and long term.*

*The Autorité’s decision-making practice requires in-depth investigations, procedural guarantees, and a detailed understanding of markets, players and their behaviour, all of which takes time. Nevertheless, the Autorité has a duty to anticipate changes in the economy and take action in good time to maintain or restore a level playing field.*

*In the interests of transparency and effectiveness, the Autorité is today setting out and publishing the broad guidelines that will steer the implementation of its powers. In 2024 and 2025, its objectives will continue to focus primarily on the competitive functioning of digital markets, the integration of sustainability into competition law and policy, and the protection of purchasing power.*

*The Autorité will use all the instruments at its disposal to tackle anticompetitive practices (including through negotiated or accelerated procedures), review mergers (if necessary with appropriate remedies or, failing that, by prohibiting the transaction), and issue opinions with concrete recommendations (either at the request of public authorities or on its own initiative).*

## ADDRESSING THE NEW CHALLENGES OF THE DIGITAL ECONOMY

New activities and services, based on the massive use of data, are constantly emerging in the digital economy. The *Autorité* has a responsibility to identify the competition issues associated with these activities and services, in order to take appropriate action. Guaranteeing that a wide range of players can enter and grow on these markets is a necessary condition for ensuring constant innovation and the emergence of a diversity of business models.



### THE APPLICATION OF THE DIGITAL MARKETS ACT

In 2024, the first of these challenges will be procedural. The obligations set out in the European Digital Markets Act (DMA) will apply from 6 March 2024 to the gatekeepers and core platform services designated by the European Commission. The *Autorité’s* role in the practical implementation of these provisions, in conjunction with that of the

European Commission, will be specified by law in the near future, and the complementarity between *ex-ante* regulation and competition law will be reflected in the *Autorité's* work.

## THE CHALLENGE OF ARTIFICIAL INTELLIGENCE

The second challenge is the eruption of artificial intelligence in business and consumer applications. The *Autorité* will pay close attention to the competition concerns likely to be raised by this innovation, particularly as regards the risk of the biggest digital players being able to control access to the resources – data, funding, processors, storage and computing capacity, cloud computing services, and skills – needed to deploy it. The first step will be the publication, before summer 2024, of the opinion for which the *Autorité* announced the start of *ex officio* inquiries on 7 February.

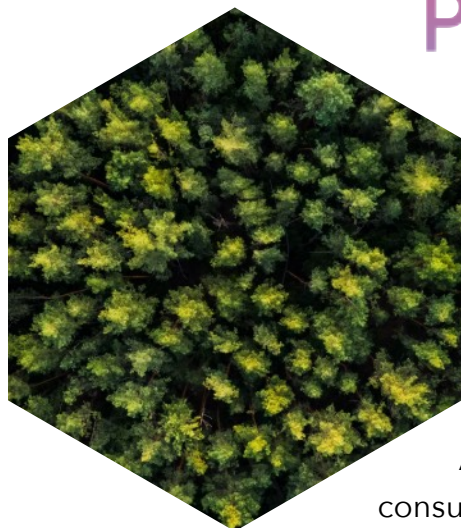
The *Autorité* will also continue to explore the use of artificial intelligence to support its own procedures, in cooperation with the sector-specific authorities, administrations, and courts concerned.

## THE FIGHT AGAINST ANTICOMPETITIVE PRACTICES

Thirdly, the *Autorité* will continue to take a proactive role in tackling anticompetitive practices by digital players. To this end, it will verify the implementation of the commitments made in 2022 by Google with regard to the remuneration of press related rights and by Meta on the market for online non-search advertising, as well as compliance with the injunctions issued as part of the interim measures against Meta in the ad verification sector, pending the outcome of the investigation into the merits of the case. The Investigation Services will also continue the proceedings against Apple concerning the distribution of applications on iOS mobile devices and the investigation into the graphics card sector, a key input for the cloud and artificial intelligence.

In the face of these challenges, the *Autorité* will not hesitate to issue, once again, interim measures when appropriate. It will remain in close contact with the telecoms authority (*Autorité de régulation des communications électroniques, des postes et de la distribution de la presse* – ARCEP) (notably in the area of cloud computing), the data protection authority (*Commission nationale de l'informatique et des libertés* – CNIL) (as part of the implementation of the joint declaration adopted in December 2023), and the audiovisual and digital communication regulator (*Autorité de régulation de la communication audiovisuelle et numérique* – ARCOM) to anticipate the impact of digital developments on the French audiovisual landscape and draw conclusions from the *Etats généraux de l'information* (a series of working groups set up by the French government to gather

feedback and make proposals on the information sector). The *Autorité* will also continue its dialogue with the French government to ensure effective complementarity, in the digital area, between regulation and the application of competition law.



## PROMOTING SUSTAINABILITY

The *Autorité* will continue its commitment to supporting the ecological transition.

### A PROCEDURAL FRAMEWORK TO GIVE UNDERTAKINGS ASSURANCE ON THEIR PROJECTS

At the end of 2023, the *Autorité* submitted for public consultation a draft notice giving undertakings a procedural framework for requesting informal guidance to assess the compliance with competition rules of their individual or collective projects seeking to achieve sustainability objectives. 2024 will see the publication of this framework document, which the *Autorité* is encouraging undertakings to take up. The *Autorité*'s analysis will be based primarily on the chapter of the European Commission's new horizontal guidelines on sustainability agreements.

### TARGETED SECTOR-SPECIFIC INQUIRIES

The priority given to sustainability is also reflected in the areas in which the *Autorité* decides to launch inquiries *ex officio*. In 2024, working closely with the transport authority (*Autorité de régulation des transports - ART*), the *Autorité* will follow up on the recommendations made in its November 2023 opinion on land passenger transport. In spring 2024, it will publish its opinion on the deployment of charging stations for electric vehicles, their pricing, and the development of associated services, which are key to the decarbonisation of the economy. It will also examine the potential competition issues associated with rating systems designed to inform consumers about the sustainability of consumer goods or certain services.

Moreover, the *Autorité* will promote sustainability within the European Competition Network and the International Competition Network. Lastly, it will continue to identify and implement ways of improving its own energy consumption and will take steps to obtain new certifications in this area.

# SUPPORTING CONSUMER PURCHASING POWER

The *Autorité* will continue its efforts to support purchasing power. Returning inflation to acceptable levels on a sustained basis requires constant vigilance against behaviours that could unduly prolong price rises.



## CONSUMER GOODS AND DISTRIBUTION

The investigations launched by the Investigation Services in 2022 and 2023 into the production and marketing of consumer goods will continue. The *Autorité* will also ensure that the restructuring underway in mass retail distribution does not harm consumers and that central purchasing bodies can obtain competitive prices for consumers, without damaging the fabric of SMEs and farm incomes.

## TRANSPORT AND ENERGY

Transport and energy are also key focuses for the *Autorité*, particularly given their importance in household budgets. The *Autorité* will continue to work with the energy regulator (*Commission de régulation de l'énergie* - CRE) to ensure that the reform of the electricity market benefits all players and consumers. The Investigation Services will continue to examine the rail ticketing sector following the dawn raids carried out in 2023, as well as cross-Channel shipping and the supply, storage, and distribution of fuel products in Corsica.

## FRENCH OVERSEAS TERRITORIES

The *Autorité* will continue its efforts to preserve purchasing power in the French overseas territories, in particular by concluding its investigations into air transport in the French Antilles and the operation of the port of Longoni in Mayotte. It will also continue to support the competition authorities in New Caledonia and Polynesia.

## COMBATING RENT-SEEKING AND UNLOCKING THE ECONOMY

Supporting purchasing power also means combating rent-seeking behaviour that affects the functioning of the economy.

The *Autorité* will continue to ensure that the spirit of the 2015 Law for Growth, Activity and Equal Economic Opportunities is upheld, particularly with regard to the regulated legal professions, including notaries and commissioners of justice, for which the 2015 law provided for a gradual increase in the number of offices. More generally, compliance with competition rules by all regulated professions will continue to be a focus of attention.

The *Autorité* also intends to contribute to the preparation of the new Law for Growth called for by the President of the Republic, by identifying pro-competition reforms that would help purchasing power, as well as, within its areas of competence, simplification measures.



To achieve these priorities, the *Autorité* will continue its dialogue with the competition community, its review courts, public authorities, and its European and international partners. It will continue to engage with companies and professional organisations to identify competitive risks, understand new trends in the economy, and actively reflect on its own instruments.

This reflection will primarily take the form of an active contribution to the work of the European Commission on the evaluation of Regulation 1/2003 and on future guidelines on exclusionary abuse, as well as a reflection on the principles of use of the new merger control instruments based on Article 22 of Regulation 139/2004 and, following the Towercast ruling of the Court of Justice of the European Union, on Articles 101 and 102 of the Treaty on the Functioning of the European Union.

It will be important to preserve and even strengthen the *Autorité's* detection capacity and investigative powers. Through its whistleblower reporting framework, the *Autorité* aims to encourage individuals to play a greater role in uncovering anticompetitive practices, while preserving their anonymity - an essential guarantee against professional retaliation - and ensuring that they receive an effective response.

Lastly, the *Autorité* will continue its efforts to promote diversity and inclusion following the publication of its roadmap in November 2023 entitled "Sharing, growing and learning together: inclusiveness and diversity in the workplace at the *Autorité de la concurrence*".

The objective is not only to harness the wealth of diversity within the *Autorité* but also to increase the *Autorité's* visibility among the general public – especially young people – and reach out to new profiles with different backgrounds, in order to strengthen the *Autorité's* cohesion and efficiency. Numerous initiatives to foster gender equality and encourage the prevention and reporting of discrimination and all forms of workplace suffering have already been implemented and will be expanded. Through its “Inclusiveness and diversity” roadmap, the *Autorité* will introduce a range of new measures: training on equality in all its forms, efforts to combat sexism, partnerships with players committed to promoting diversity, certifications recognising the quality of its HR processes, new requirements for service providers, and so on. Through its new commitments, the *Autorité* will embrace its social responsibility and promote a shared culture of living together.