Effective DMA Enforcement between Opportunities and Challenges

22–23 November 2023
Flagey, Place Sainte Croix, 1050 Ixelles, Brussels
European Commission officials and national competition authorities across the EU have started to enforce the Digital Markets Act (DMA). This is a challenging exercise and enforcers will face many questions brought in by this new regulatory framework.

While built on a number of rules that respond to similar behaviours that have been sanctioned in the past as abuses of dominant position, the DMA is an entirely new legal instrument. It is to be expected that enforcers will look at competition case law and literature as a reference point, but the DMA's objectives are different, and complementary, to those of EU competition law. Enforcers should therefore be cautious not to heavily borrow competition case law and concepts in the implementation of the DMA. Rather, they should work to interpret and apply the DMA in a way that guarantees their full potential in order to achieve the regulation's ambitious objectives of contestability and fairness in digital markets.

Scholars have a key role to play in this scenario. They can assess the deeper layers and enforcement framework of the new rules, interpret their content, and assess the rules' potential in their own right and in relation to other fields of EU law to support the enforcers in making informed decisions.

The Amsterdam Centre for European Law and Governance, the Hertie School Centre for Digital Governance, and the University of Trento, with the support of the free expression organisation ARTICLE 19, are pleased to provide a forum for deep collaboration between academia and regulators at this symposium, where invited scholars can present and discuss their research on key DMA enforcement challenges.
10:30 – 10:50 — Registrations and welcome coffee

10:50 – 11:00 — Opening words: ARTICLE 19

11:00 – 12:30 — Panel I: The big picture

**Moderator:**
Kati Cseres, Amsterdam Centre for European Law and Governance

**Oles Andriychuk,** Newcastle University
*New Type of Enforcement: Learning by Doing (the Right Things)*

**Alba Ribera Martínez,** University Carlos III of Madrid
*The DMA’s Ithaca: Contestable and Fair Markets*

**Anna Tzanaki,** University of Leeds and **Julian Nowag,** Lund University
*The Institutional Framework of the DMA: From Hybrid to Mature?*

**Discussants:**
**Alexandre de Streel,** University of Namur
**Griet Jans,** Belgian Competition Authority
**Alessandra Tonazzi,** Organisation for Economic Co-operation and Development
WEDNESDAY 22 NOV

12:30 – 13:45 — Lunch

13:45 – 15:15 — Panel II: Obligations, exceptions and remedies

**Moderator:**
Oles Andriychuk

**Friso Bostoen,** Tilburg University and **David van Wamel,** Europa Instituut at Leiden University
*The Digital Markets Act and the Remedy Problem*

**Zach Meyers,** Centre for European Reform
*Are security exceptions destined to undermine the DMA?*

**Nicolo Zingales,** Fundação Getulio Vargas
*Defining and implementing the self-preferencing ban: learning from outside competition law*

**Discussants:**
**Sophie Ahlswede,** European Commission
**Joanna Bryson,** Hertie School Centre for Digital Governance
**Simonetta Vezzoso,** University of Trento

15:15 – 15:45 — Coffee break
Panel III: Interoperability, design, innovation

Moderator: Griet Jans

Simonetta Vezzoso
‘Compliance by design’ with the messenger interoperability obligation under the Digital Markets Act

Çağrı Çavuş, University of Amsterdam
DMA Interoperability and Innovation: What EU competition law history says about the future?

Discussants:
Anna Rita Bennato, Loughborough University
Chiara Caccinelli, Arcep
Alexandre Ruiz Feases, European Commission

Dinner at L’Ultime Atome, Rue Saint-Boniface 14, 1050 Ixelles, Belgium
Panel IV: A participatory approach

Moderator:
Markus Spoerer, Cabinet of the EU Ombudsman

Inês Neves, University of Porto
*No enforcement without representation: how participatory democracy can strengthen the DMA*

Kati Cseres and Laurens de Korte, University of Amsterdam
*The role of third parties in public enforcement proceedings pursuant to the Digital Markets Act*

Kosha Doshi, Symbiosis Law School, and Aayush Agarwal, Symbiosis Law School
*DMA’s Anti-Dark Patterns Arsenal: A Critical Appraisal*

Discussants:
Mario Guglielmetti, European Data Protection Supervisor
Stavros Makris, Glasgow University
Michelle Meagher, University College London

10:30 – 11:00 — Coffee break
Panel V: Enforcement challenges

Moderator:
Filomena Chirico, European Commission
Tamta Margvelashvili, Tbilisi State University
Charting the Course of DMA's Private Enforcement: Unveiling the Forum Shopping Challenge

Lena Hornkohl, University of Vienna and
Alba Ribera Martínez
Collective Redress of the Digital Markets Act (DMA): A Bird Without Wings

Discussants:
Kati Cseres
Stavros Makris
Romain Robert, Independent
23 NOV

THURSDAY

12:30 – 13:30 — Light lunch

13:30 – 15:00 — Roundtable: Reflections, takeaways and next steps

Chairs:
Maria Luisa Stasi and Simonetta Vezzoso

Sophie Ahlswede
Filomena Chirico
Mario Guglielmetti
Griet Jans
Markus Spoerer
This joint event is part of ongoing ARTICLE 19 work supported by the Adessium Foundation and Open Society Foundations to contribute to the advancement and proper enforcement of laws and policies that guarantee freedom of expression and a healthier digital sphere in the EU.

The symposium is the follow up to a call for abstracts launched in June 2023, and we are deeply grateful to the members of the Scientific Committee who peer-reviewed the abstracts we received and helped with the selection process.

We thank the Amsterdam Centre for European Law and Governance, the Hertie School Centre of Digital Governance, and the University of Trento for their extremely valuable collaboration and cooperation throughout this project.