

# Effective DMA Enforcement between Opportunities and Challenges

22–23 November 2023

Flagey, Place Sainte Croix, 1050 Ixelles, Brussels



**UNIVERSITÀ  
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**Hertie School**  
Centre for  
Digital Governance

**ARTICLE19**



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.

WEDNESDAY

22 NOV

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

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

WEDNESDAY

22 NOV

*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 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

15:45 – 17:00 — **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

19:00 — Dinner at L'Ultime Atome, Rue Saint-Boniface 14, 1050  
Ixelles, Belgium

THURSDAY

23 NOV

9:00 – 10:30 —

**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 Markris**, Glasgow University**Michelle Meagher**, University College London

10:30 – 11:00 —

Coffee break

11:00 – 12:30 —

**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*

THURSDAY

# 23 NOV

**Lena Hornkohl**, University of Vienna and  
**Alba Ribera Martinez**

*Collective Redress of the Digital Markets Act (DMA): A Bird Without Wings*

**Cristina Caffarra**, Centre for Economic Policy Research  
*Beyond the DMA's Collective Inebriation*

**Discussants:**

**Kati Cseres**

**Stavros Markris**

**Romain Robert**, Independent

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**

# ACKNOWLEDGEMENTS

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.

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