



Competition Policy for the Digital Era

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The views expressed are purely personal and do not necessarily represent an official position of the European Commission.



Digital - a top priority of the EU Commission

**Juncker
Commission
(Nov 2014 – 2019)**



**Von der Leyen
Commission
(Nov 2019 – 2024)**



**Digital Single Market Strategy
(2015)**

Several legislative measures, e.g.

- ❖ Online platform trading practices (P2B)
- ❖ Regulation abolishing roaming fees
- ❖ Cross-border portability of digital services
- ❖ Free flow of non-personal data
- ❖ Geo-blocking regulation

**Executive Vice-President for
A Europe fit for the digital age**



Competition Law Sector Inquiry into e-commerce (2017)



How could competition law deal with the digital world ?

Studies blossom accross competition authorities





Let's focus on the EU report



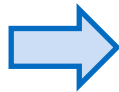
Competition policy for the digital era

A report by
Jacques Crémer
Yves-Alexandre de Montjoye
Heike Schweitzer





Topic 1: is EU competition law fit for the job ?



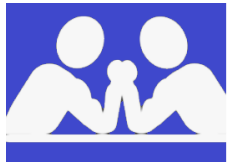
YES !

"The basic EU competition law framework is **sound and sufficiently flexible**"

But a number of traditional ways to look at things under competition law need to be adjusted to specificities of digital markets



Market definition: less clear market boundaries, two- and multi-sided platforms



Market power/the role of data: access to relevant data sets



Pricing practices: zero price



Topic 2: how to deal with data issues ?

- ❖ Data access v protection of investments and privacy
- ❖ Data pooling
 - ❖ Often pro-competitive but there are competition concerns
 - ❖ More guidance needed
- ❖ Duty to provide access to data
 - ❖ Competition law enforcement or regulation?
 - ❖ Challenges



Topic 3: how to deal with platform issues ?

- ❖ Ensure that dominant platforms do not act as “gatekeepers” and hinder (potential) rivals’ ability to attract users and compete/enter new markets.
 - => multi-homing / switching / data portability/ interoperability
- ❖ Dominant platforms have a special responsibility to ensure fair competition on the platform.
- ❖ Should we regulate (dominant) platforms ?