ITS Webinar on Digital Policies – an East-West Perspective

Date and time:
Date: 22 November 2021
Time: 2:00pm – 3:30pm CET, 8:00 – 9:30am EST, 9:00 – 10:30pm Japan/S-Korea
Format: online only
Academic host: Chalmers University
Corporate host: TELUS
Registration: https://www.eventbrite.ca/e/digital-policies-an-east-west-perspective-registration-178207983877

Digital Markets, the role of digital platforms and how to regulate them have become the new frontier for regulators and policy makers around the globe. With this webinar, we aim to take stock of the different developments and different approaches in this sector, for example in the US, Canada, Europe, S- Korea and Japan.

At the end of 2020, the European Commission had tabled no less than three new acts with the goal of regulating its digital markets. With a stated objective to create a safer digital space where fundamental rights of all users of digital services are sufficiently protected, the Single Market changes its mode of market governance from addressing market failures ex-post (as they happen) that are tailored to create the same outcome.

The three European acts – Digital Governance Act, Digital Services Act and **Digital Markets Act** – builds on the political successes of the General Data Protection Regulation (GDPR) and the political capital it has unleashed to act against digital-native players. But they depart from the philosophy of GDPR, a horizontal regulation that applies to all societal processes involving personal information, whether they occur online or offline – or by public, private or commercial actors. Instead, the three digital acts are detailed product or activity-specific regulations that only apply to some digital market actors.

The European Commission's proposals are likely to be subject to intense lobbying and to amendments as they go through the co-legislative process. The European Parliament is likely to push for more stringent rules, while the Council is likely to focus on the division of competences between the EU and the member states in enforcing the new regulations. Companies, trade associations and their advisors will now study the proposals carefully to identify their potential impact. In particular, the issues where potential advocacy is likely to be more effective is the proportionality and coherence of these measures with other existing regulatory tools in the EU and abroad, given the global dimension of digital markets and their business models. These proposals come at a time when there is already a live debate within the EEA about the role of digital platforms in the economy and society, including digital taxation and the heavily contested end-to-end encryption of Instant Messaging (IM) services.[1]

[1] For example: https://blog.apnic.net/2020/03/19/the-hairy-issue-of-end-to-end-encrypted-instant-messaging/ and https://www.washingtonexaminer.com/policy/technology/debate-over-access-to-encryption-isnt-going-away

With this webinar, ITS will once again fulfill its role as a global platform for industry, policy makers and regulators to create a 360-degree view of an issue from the perspective of different regions and jurisdictions.

Program outline:

Opening remarks: Stephen Schmidt,[2] ITS Chairman and Vice-President Telecom Policy & Chief Regulatory Legal Counsel at TELUS Communications.
Moderator: Georg Serentschy (Serentschy Advisory Services GmbH and ITS Corporate Board Member)[3]
Academic Host: Professor Erik Bohlin (Chalmers University).[4]

Confirmed speakers:

- Representative from EU: **Alexandre de Streel,**[5] Professor Namur University and Academic Co-Director CERRE
- Representative from South Korea: **Seongcheol KIM,**[6] Director & Professor School of Media and Communication, Korea University, Seoul
- Representative from Japan: Seiji **NINOMIYA**, Director General of the Telecommunications Bureau, Ministry of Internal Affairs and Communications (MIC), Tokyo
- **Michael H. Ryan**, Principal at MHRyan Law (London) will provide practical insights on how digital policies compare between North America and Europe.

Format: Online discussion with 15 minutes per speaker, followed by Q&A. Total 90 minutes.

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Relevant literature from a European perspective provided by Alexandre de Streel as a background information:
A new paper on the EU Digital Markets Act (DMA) is now online at The European Digital Markets Act: A Revolution Grounded on Traditions by Alexandre de Streel, Pierre Larouche :: SSRN
Two recent papers on the DMA are on SSRN: The European Digital Markets Act Proposal: How to Improve a Regulatory Revolution by Alexandre de Streel, Pierre Larouche :: SSRN
and Will the Digital Markets Act Kill Innovation in Europe? by Pierre Larouche, Alexandre de Streel :: SSRN

2021-09-21

[2] https://www.itsworld.org/officers/
[3] https://www.serentschy.com/
[4] https://www.chalmers.se/en/staff/Pages/erik-bohlin.aspx
[5] https://www.itsworld.org/wp-content/uploads/2021/09/Alexandre-de-Streel-Bio.pdf
[6] https://www.itsworld.org/wp-content/uploads/2021/09/Seongcheol-Kim-Bio.pdf