

It's the process, stupid!

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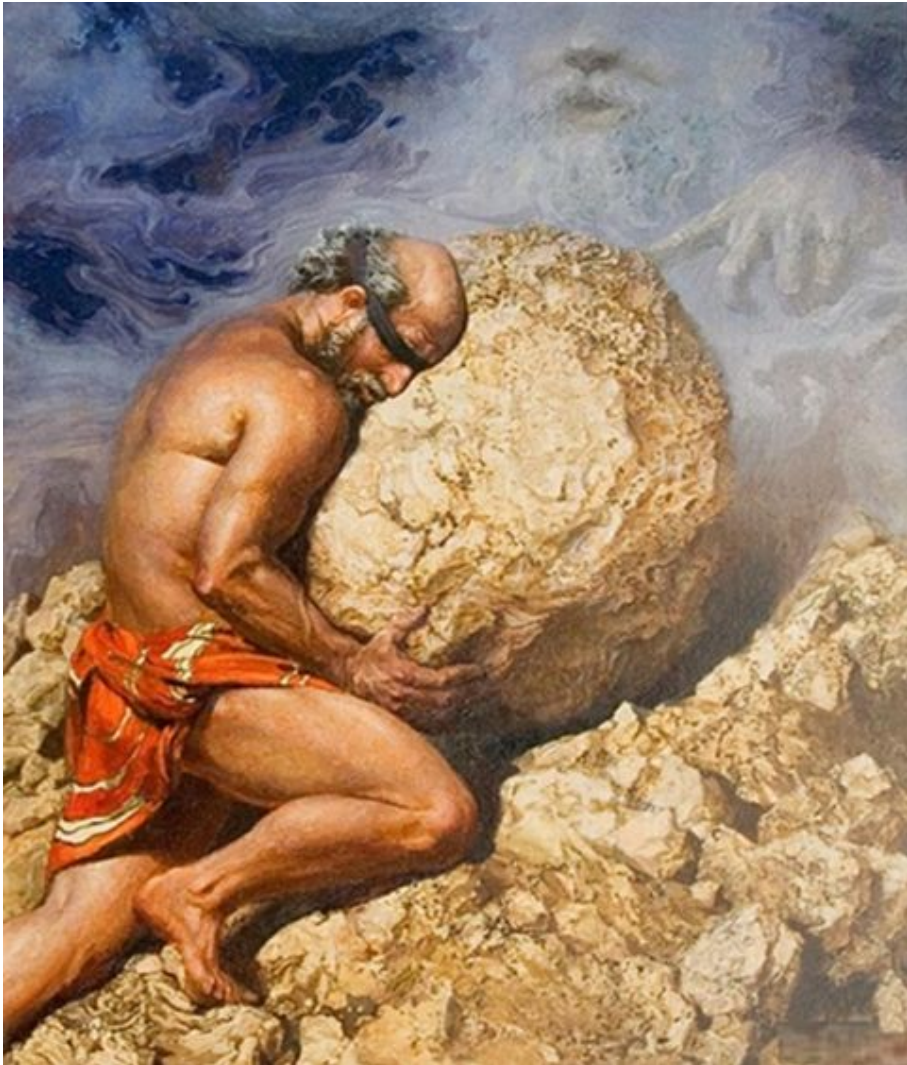
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It is complicated



La lutte elle-même vers les sommets suffit à remplir un cœur d'homme. Il faut imaginer Sisyphe heureux.

(Albert Camus)

1. Feedback from interviews: Interactions

- **Bilateral EC-Gatekeepers**

- *EC*
 - **Different institutional cultures** across departments
 - **Reluctance to signal** compliance acceptability and enforcement strategies
- *Gatekeepers*
 - **Different** strategies, some very legalistic

- **Bilateral EC-Business users and others**

- **Less intense** than with gatekeepers
- **Little coordination** among business users and mostly reactive mode

- **Multi-lateral**

- **Even less intense** than bilateral dialogues, although can be very useful for information level playing field and enforcement effectiveness
- **Open workshops** were very scripted and not particularly useful
- **Fear factor** of retaliation

- Still in **experimenting and learning** phase

Use of formal tools

- Gatekeeper **compliance** tools
 - Compliance **officers**
 - **Limited** role and not very visible inside and outside the firm
 - Compliance **reports**
 - **Not informative** enough and not on continuous basis
 - **Not standardised**
- Commission **enforcement** tools
 - No clear (public) **prioritization**
 - No clear **acceptable compliance** measure
 - No clear **relationship** between tools: informal dialogue, specification and non-compliance

It has become even more complicated



2. Policy Recommendations

- **Transparency** and information level playing field
 - More **multi-lateral** meetings at different levels (legal, technical ...)
 - Not apply antitrust approach to regulatory instruments
 - Better **compliance reports**
 - More comprehensive, continuous and standardised with indicators (for benchmarking)
- **Predictability**
 - Enforcement **prioritization**
 - Concrete **objectives** to be achieved
 - More clarity on the content of obligation and **compliance acceptability**

Policy Recommendations

- **Trust**

- Independent and **no politicized** process
- **Protection of rights** and expectations of gatekeepers and business users

- **Institutional** framework

- New stand-alone **DMA/Big Tech department** within the EC
- **Division of work** according to their comparative advantages
 - EC as interface for gatekeepers
 - National agencies as interface for business users: advocacy, complaint
- On longer term, a **European System of Digital Regulators** (as in financial supervision)