**Call for papers**

Tilburg Institute for Law, Technology, and Society (TILT) & Tilburg Law and Economics Center (TILEC) are pleased to announce the online workshop entitled

**Regulating digital markets: enforcement and remedies**

25-26 November 2021

Tilburg University, the Netherlands

**Keynote speakers**

Professor Anne-Lise Sibony – Université catholique de Louvain

Professor Ryan Calo – University of Washington School of Law

**Background**

The Fourth Industrial Revolution has changed the way in which people relate to each other, behave in markets, and interact with governments. With just one click in their search engine, internet browser or social media account, anyone can watch the latest news about events taking place in the furthest corner of the world, buy the ultimate widget, organize their holidays and book flight tickets and hotel rooms, receive their education, renew their passports, or even access their medical records.

But these exciting times also come with risks. The rise of big tech companies and digital ecosystems over the last decades together with the apparition of new technologies such as Artificial Intelligence, blockchain, or the use of algorithms by businesses in their daily tasks is posing serious challenges to regulators around the globe. While there is increasing political momentum to regulate the behavior of technology firms, the main challenge seems to lie in developing effective enforcement mechanisms and remedies. High fines have been imposed on big tech companies for infringements related to competition, data protection, or consumer law. However, no real changes have occurred in the functioning of markets to the benefit of businesses, individuals, and society overall. Several jurisdictions across the world are about to introduce new rules targeted at technology companies, including the EU, US, and Australia. While these rules are welcome in order to strengthen existing protections, they will not achieve their purpose unless they are coupled with effective enforcement mechanisms and remedies.

**Focus**

Against this background, the workshop aims to bring together insights from various fields and disciplines about how to create effective enforcement and effective remedies for digital markets. Participants are therefore encouraged to analyse the question not only from a legal, economic, and policy perspective, but also from other disciplines such as data science, cognitive science, sociology, or ethics, among others. The purpose is to see how regulators in different areas are addressing the risks attached to the incorporation of new technologies in our daily lives and how to develop more effective enforcement approaches based on lessons drawn from other disciplines. For example, how can regulators ensure that search engines do not discriminate and show the search results fairly? Is there anything that regulators can learn from data science in that endeavour? Should governments monitor the spread of fake news and, if so, should they take into account an ethical perspective to design remedies and effective enforcement measures? Can cognitive sciences teach us something about remedies to preserve media pluralism and keep fake news under control? How should regulators protect the privacy of internet users, for example in cases of excessive data collection, over-reliance on consent, and re-use and further monetization of data? How to address market failures that are related to the use of AI and algorithms? What are the limits and possibilities of behavioural economics to shape the behavior of companies in e-commerce?

Thus, authors from multiple disciplines are welcome to discuss in their submissions remedies and enforcement approaches in different areas, such as competition, data protection and privacy, financial services, consumer protection, media sector and freedom of speech, health sector, telecoms and energy regulation, governance of data, etc. Overarching questions can be the following:

* What purpose should remedies fulfil? For example, should they punish offenders? Or should they address harm of affected stakeholders and restore the functioning of markets? Can remedies serve as precedents for other cases concerning different markets and fields?
* What other insights beyond the traditional legal and economic analysis need to be considered to design effective remedies? How can areas such as sociology, psychology, ethics, or data science contribute in this regard? And what expertise should authorities develop to implement these novel insights?
* What lessons can be drawn from past cases in a particular area to develop more effective enforcement approaches for the future?
* What are optimal institutional settings for enforcement? Should enforcement systems be centralized or decentralized? Should they favour a siloed or a more holistic approach? Is an adversarial or cooperative approach desirable? And should enforcement promote regulatory alignment across areas or jurisdictions instead of regulatory competition?
* What are the key challenges of monitoring compliance and implementing regulation in technology industries? And what enforcement mechanisms can be created to overcome these challenges?

**Format**

The workshop will take place online over two half days: 25 and 26 November 2021 from 14-18h (CET time). Regular presentations will be followed by a discussant and an open discussion with the rest of the attendants. Speakers may be asked to act as discussants for another paper.

**Possible publication of papers**

When selecting the papers for the workshop, we will give preference to original, non-published work. This is because we strive to publish good quality papers presented in the workshop in either an edited book volume or a special issue of a journal.

Nonetheless, upon request we are able to accommodate papers that are under review, accepted, or published by another outlet.

**Important dates & submission instructions**

The deadline for submissions is **31 July 2021**. Both junior and senior researchers are invited to submit their work. Papers should be submitted to Inge Graef at i.graef@tilburguniversity.edu

Submissions should consist of draft papers or abstracts of at least **8 pages long**. Authors are welcome to include a brief summary of 500 words. Full papers are also welcome.

In your submission, please indicate if the paper is original and if you do not wish to commit to publishing your paper in an edited book volume or a special issue of a journal.

Notifications of acceptance will be sent by **31 August 2021**.

Completed drafts of accepted papers are due by **31 October 2021**, and will be circulated among the participants of the workshop.

**Logistics**

Participation is free of charge. The workshop is organized in the context of the [Digital Legal Studies research initiative](https://www.sectorplandls.nl/wordpress/), which is funded through the Law Sector Plan of the Dutch Ministry of Education, Culture and Science (OCW). Digital Legal Studies is a collaboration between Tilburg University, the University of Amsterdam, Radboud University Nijmegen, and Maastricht University that aims to stimulate pioneering research in the area of law & technology.

**Organizers & contact**

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