

The Digital Clearinghouse met for the fourth time today.

It was attended by over 30 authorities responsible for enforcement of competition, data protection, consumer law and electoral regulations from the EU and across the globe.

Regulators working in the digital area discussed non-price factors in competition and consumer enforcement analysis, with particular regard to data, attention, time, indirect costs and social/political/environmental externalities. Authorities debated the deceptive framing of a free offer as unfair practice, the opportunity to adopt structural remedies able to provoke a change in the business models, asymmetric regulation of access data and its impact on competitive dynamics, essential facility theory applied to the specificities of data resources and misuse of the data protection framework to obstruct investigations by national authorities including competition agencies.

The fourth meeting expanded its scope to also include electoral regulators. Participants exchanged their views on lawful practices versus trends of online manipulation in election processes and impact on free and fair political activities as part of the democratic process.

It was agreed in particular to continue discussions on developing a methodology to assess the real costs of where the monetary cost of services is zero or below marginal cost.

Future steps and governance of the network were also presented, with an emphasis on more practical cooperation.

The next meeting of the Digital Clearinghouse will be organised for early Summer 2019.

Brussels, 10 December 2018