

# DIGITAL FORUM

## PROGRAMME

By

**Colin Blackman and Andrea Renda**

The CEPS Digital Forum was set up in October 2010 with the aim of contributing to the debate on the EU Digital Agenda, which stands as one of the seven flagship initiatives of the Europe2020 strategy and perhaps the most promising in terms of potential for economic growth in the EU. Planned activities of the CEPS Digital Forum include the following:

- **Regular seminars and meetings:** these are short events dedicated to one key issue, plus a discussion of current developments and update for corporate members of developments in markets, research and legislation around the world. The Digital Forum expects to organize monthly meetings on a variety of topical issues, as indicated below.
- **The creation of working parties on *ad hoc* issues.** So far, working parties have been organized on achieving a sustainable business model, spectrum policy, the economics of cloud computing, critical information infrastructure protection, data protection and copyright. Current plans include initiatives on innovation and entrepreneurship, and cybersecurity.
- **The possibility of organising *ad hoc* events** called by Digital Forum participants in Brussels or in other locations. In the past, the Digital Forum has organized events with the International Telecommunications Society (ITS, of which Andrea Renda, CEPS Senior Fellow is a Member of the Scientific Board and Chair of the Strategy Committee); the Technology Policy Institute (based in Washington DC); and EuroCPR (whose annual conference is organised by CEPS, and whose scientific committee is now chaired by Andrea Renda).

The Digital Forum envisages the organization of **regular seminars** and **two large events**. Seminars will typically be held on a monthly basis, with additional events organised on a short-notice, *ad hoc* basis (see attached list of current themes).

Planned seminars will focus on the following themes. For each seminar, several keynote speakers will be invited, with representatives from the EU or national institutions (e.g. European Commission, European Parliament, BEREC, national regulatory authorities), industry and academia acting as panel discussants.

In addition to regular, short seminars, CEPS will host larger events and conferences, for example:

- **The EuroCPR conference:** CEPS hosts the annual European Communications Policy Research Conference, which aims to contribute constructively and critically to European information society policy developments. The conference addresses the use of ICT throughout society and economy as well as the evolution of the ICT and media sectors. EuroCPR uniquely brings together academics, policy makers, and industry representatives in order to facilitate systematic interaction and critical analysis of both the highest academic excellence and the maximum policy and industrial relevance.

### Current Digital Forum themes

<p><b>1. The Digital Single Market</b></p> <ul style="list-style-type: none"> <li>a. Is the DSM ambitious enough to restore Europe’s role in the digital economy?</li> <li>b. Designing telecom rules fit of the digital economy</li> <li>c. Is regulation of online platforms necessary or feasible?</li> <li>d. Is e-commerce the only way towards an integrated market?</li> <li>e. Data protection in the EU and the US: towards harmonization?</li> <li>f. Copyright and the future of audiovisual media services</li> </ul>
<p><b>2. Cybersecurity in the post-Snowden era</b></p> <ul style="list-style-type: none"> <li>a. How to better coordinate Europe’s fragmented cybersecurity landscape</li> <li>b. Does European cybersecurity depend on a European cybersecurity industry?</li> <li>c. Risk analysis and taxonomy of risks (including the unpredictable/black swans)</li> <li>d. Security aspects of emerging technologies (Internet of Things, Drones, etc.)</li> </ul>
<p><b>3. The evolving internet architecture: inspiring future policies</b></p> <ul style="list-style-type: none"> <li>a. The open internet and specialized services: a multi-sided platform view</li> <li>b. Cloud computing: how open, how interoperable, how resilient?</li> <li>c. The future of Internet content: striking the telco-broadcasters deal</li> </ul>
<p><b>4. Spectrum policy</b></p> <ul style="list-style-type: none"> <li>a. How much traffic and how much spectrum?</li> <li>b. The 700 MHz band and the future of broadcasting</li> <li>c. 5G phones: by when?</li> <li>d. The spectrum commons: from scarcity to abundance?</li> </ul>
<p><b>5. The Digital Agenda: a holistic view</b></p> <ul style="list-style-type: none"> <li>a. Does the digital economy destroy jobs?</li> <li>b. Exploring financial technologies for financing innovation</li> <li>c. The skills conundrum: reforming education to match new needs</li> <li>d. Broadband infrastructure, investment and targets</li> </ul>
<p><b>6. Competition policy in cyberspace: piercing the veil</b></p> <ul style="list-style-type: none"> <li>a. Competition law and policy in the digital age</li> <li>b. Net neutrality and the “dirt road” problem in multi-speed, multi-platform Internet</li> <li>c. Search neutrality, cloud neutrality, device neutrality, platform neutrality?</li> </ul>

## Digital Forum staff

**Dr. Colin Blackman** is a Research Fellow at the Centre for European Policy Studies (CEPS) and Director of the CEPS Digital Forum. Dr Blackman has extensive experience in the field of regulation of electronic communications and ICT policy in Europe and beyond. Colin is the founding editor of the international journal *info*, and the CEO and founder of consulting firm Camford Associates, with clients including the European Commission, the European Parliament, the World Bank, ITU, and leading players in the telecoms, information and media sector.



In the past he has extensively written in important fields such as spectrum policy and the relevance of ICT for growth. Dr Blackman is also Visiting Senior Fellow at the London School of Economics and Political Science, and member of the Editorial Board of *Telecommunications Policy*, a journal he edited for over 15 years.

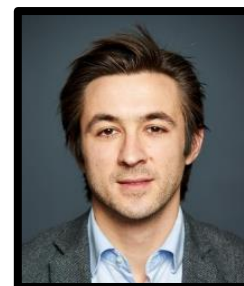
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**Dr. Andrea Renda** is a Senior Research Fellow at the Centre for European Policy Studies (CEPS), and Adjunct Professor of Law and Economics at Luiss Guido Carli University in Rome. He is a Fellow of the Global Governance Programme at the European University Institute in Fiesole (Italy). Andrea is the author of several publications, conference presentations, book chapters and monographs. He is a member of the Editorial Board of the international peer-reviewed journal *Telecommunication Policy* (Elsevier); a member of the Scientific Board and Chair of the Strategy Committee of the International Telecommunications Society (ITS) and upcoming Chair of the Scientific Board of EuroCPR.



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**Romain Bosc** is a Research Assistant within the CEPS Regulatory Policy Unit, where he works on digital & regulatory policies, and organises thematic events for the CEPS Digital Forum. Recently, he was actively involved in exploring the impacts of the copyright reform, and in analyzing the different attempts to regulate Internet platforms and e-commerce, or in exploring the economic, legal and societal implications coming along with the 'hyper-connected society'. Graduated in Political Science (BA, Université Saint-Louis) and International Relations (MA, ULB), Romain accomplished a traineeship at the European Commission DG CONNECT, where he worked on international cooperation in ICT R&I, mainly focusing on the transatlantic dialogue on the information society and various regulatory matters, such as on the TTIP negotiations, standards and copyright issues, network neutrality, data flows and personal data protection, as well as Internet Governance policy.



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## CEPS Digital Forum Highlights

### The Future of Audiovisual Media Services in Europe:

In light of the review of the European audiovisual media services Directive (AVMSD), CEPS partnered with the Media Policy Project at the London School of Economics to bring together policy-makers and researchers,



at a CEPS Conference, to discuss the future of audiovisual media policy. Scholars presented their findings on three main topics: implications of convergence, media plurality and the independence of regulatory authorities of media services. They drew particular attention to southern and Eastern Europe's media markets and raised concerns about media ownership concentration and the lack of transparency, calling for greater EU-wide enforcement mechanisms to ensure regulators' independence and media plurality. In closing the event, Robert Madelin (DG CONNECT, European Commission) acknowledged that media convergence has triggered a critical shift in how users create, consume and interact with content. Against the background of the new 'Juncker politics', the Commission's Regulatory Fitness and Performance programme (REFIT), aimed at making EU laws simpler and reducing regulatory costs, should be seen within the wider context of the completion of an effective single market.

### Industrie 4.0 for Europe? Investment, Regulation and the Digital Single Market.

With the fourth industrial revolution in the making, Europe needs to define a coherent vision with consistent long-term targets. This Digital Forum conference, chaired by Colin Blackman (CEPS) and Gérard Pogorel (Telecom Paris Tech), to explore the best way forward to meet this challenge. Andrea Renda (CEPS), Erik Bohlin (Chalmers University), Karim Lesina (AT&T), Guillaume LeBrun (Qualcomm), Erzsebet Fitori (ECTA), Bridget Cosgrave (Every European Digital), Laszlo Toth (GSMA) and Anthony Whelan (European Commission) stressed the need for the EU to reconsider the digital agenda as a broad and powerful industrial policy tool. As far as interconnectedness is key to enable the optimization of the overhaul production process through a combination of high technologies, it should also drive policymaker to adopt a more horizontal approach crosscutting all sectors of the economy.

**Balancing Surveillance and Privacy:**

Balancing surveillance and privacy is a delicate exercise for governments, especially in the context of so-called ‘deterritorialised’ terrorist



organisations and the use of mass national surveillance schemes to counter this threat. The CEPS Digital Forum and the Justice and Home Affairs unit organised a roundtable to discuss these issues with US Congressman Jim Sensenbrenner, Member of the US House of Representatives (R-WI), Chairman of the Subcommittee on Crime, Terrorism, Homeland Security, and author of the US Patriot Act. Congressman Sensenbrenner was in Brussels as part of a project to bridge the so-called transatlantic 'digital disconnect', i.e. the difference in approach between the EU and the US on issues such as competition and regulation, data protection and net neutrality etc, co-sponsored by Johns Hopkins University's Center for Transatlantic Relations (CTR). CTR Director Dan Hamilton joined the debate on topics such as the proposed US Freedom Act, introduced by Congressman Sensenbrenner to limit surveillance while strengthening privacy protection and legal redress, and allowing companies to share more information about government requests for customer data. Overall, participants were sceptical of the assertion that mass surveillance is essential to defeat terrorism.

**Network Neutrality: Challenges and Responses in the EU and in the US.**

This Digital Forum seminar tackled the topic of net neutrality, an important and contentious part of the Telecoms Single Market (TSM) package which includes issues around traffic management, blocking or throttling, specialized services, transparency and quality of service. Opinion differs on all aspects of net neutrality – even on its definition. The Federal Communications Commission decision in the U.S. maintains operators' freedom to offer specialised services. It also allows for commercial agreements in the field of Internet access that go beyond speed and volume, such as ‘zero-rating’ tariffs, subject to safeguards by the regulator. In Europe, key aspects of net neutrality regulation remain controversial. This seminar, chaired by Colin Blackman (Director, CEPS Digital Forum) and with presentations from J. Scott Marcus (independent consultant) and Andrea Renda (Senior Fellow, CEPS) compared the approach adopted in the U.S. with the current debate in Europe.

**The General Data Protection Regulation - Issues for the Trilogue:**

The adoption of the General Data Protection Regulation (GDPR) is a crucial variable on which depends the whole Digital Single Market strategy. This CEPS Digital Forum seminar, chaired by Colin



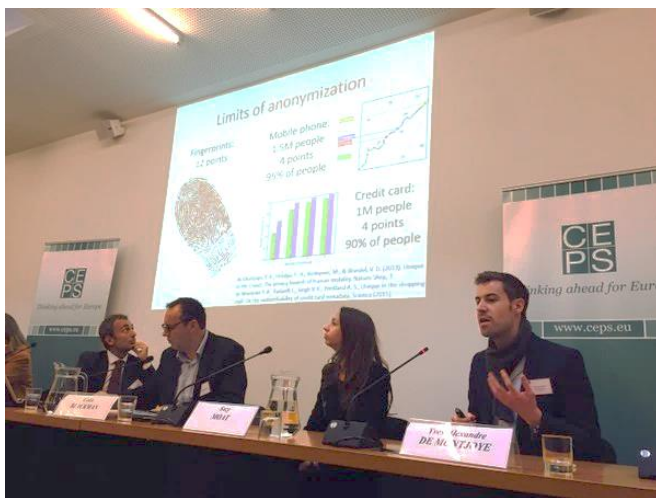
Blackman and organised in cooperation with TechUK and the Coalition for the Digital Economy (COADEC), discussed the main issues likely to be debated during the upcoming trilogue later this year. While the first panel composed of cutting-edge start-ups explored the implications of the GDPR for small businesses in terms of data management and compliance schemes, the second gathered EU officials from the European Parliament, the Commission, the current Latvian and forthcoming Luxembourg Council presidency to take stock of the evolution of the negotiations. This pre-trilogue session notably questioned the regulators’ ability to restate users’ fundamental rights while making sure not to impede EU innovation potential.

**A new agenda for EU telecom regulation: Is it time for a revolution?**

While the liberalisation of the communications and media sectors in Europe has been relatively successful, time has come to focus on the future and break policy path-dependency. With the Telecoms Single Market package being watered down and restricted to roaming and net neutrality, this Digital Forum seminar chaired by Colin Blackman advocated a more substantial overhaul to ensure a telecoms sector fit for the future, shifting away from legacy services (voice telephony, SMS, broadcast TV) towards digital services. Pier Luigi Parcu (Florence School of Regulation) presented the main conclusion of the FSR Manifesto, calling regulators to be more dynamic and responsive to market and technology evolution. Andrea Renda (CEPS) agreed and recommended a more end-user centric approach and innovative solutions focusing on access rights, new competition tools, co-regulation mechanisms as well as co-investment and public-private partnerships to spur investments in next generation networks.

**Geo-blocking: Unjustified barrier to the digital single market or legitimate commercial practice?**

A series of barriers needs to be tackled to successfully achieve a digital single market, which poses various regulatory and cultural challenges. Following the discussions on copyright and the e-commerce sector inquiry launched by the European Commission, a Digital Forum seminar, and chaired by Colin Blackman (CEPS), focused on territoriality issues regarding copyright in the audiovisual sector. While exposing the tensions between copyright rules, commercial practices and EU competition principles, Felice Simonelli (CEPS) gave an overview of the main features of the EU audiovisual sector and the role that geo-blocking plays therein. So-called ‘geo-blocking’ refers to commercial practices that prevent online customers from accessing and purchasing content from a website based in another member state, or that automatically re-route requests to a local website. The panellists, Agustin Reyna (BEUC), Stephen Turner (EDiMA), Nicola Frank (EBU) and Anna Herold (European Commission, Cabinet of Commissioner Oettinger) exchanged views on existing geo-blocking practices. They also explored the implications of a regulatory intervention meant to unlock digital offers and enable a larger dissemination of content across the EU, thus anticipating its possible effects on businesses and consumers.



**International workshop on data-driven innovations for better policies.**

Bureaucracy must learn to improve itself continuously. Therefore, data analytics and visualisation should play an important role, both in helping policy-makers to take smarter decisions, but also to mobilise citizens more effectively and better inform them on public

policies. To support this reflection, a team of experts from Technopolis Group, the Oxford Internet Institute and CEPS are carrying out an in-depth investigation of data-driven approaches for evidence-informed policy-making, and to analyse the potential for developing a series of European-level use cases. The workshop, held at CEPS, gathered data scientists, practitioners, politicians, policy-makers and civil society representatives to discuss the study results and to develop an agenda for action for the European Commission and national or international policy-makers committed to pursuing these innovative approaches. The objective was to bring together a diverse set of key actors on the topic and explore possible opportunities or pitfalls of emerging data

technologies with the aim of dramatically transforming the way public policy is conceived and executed. For more information, see [www.data4policy.eu](http://www.data4policy.eu).

**What is a platform and should they be regulated?** With ‘platformisation’ rapidly transforming every sector of the economy, some observers have called for regulatory intervention to frame the digital ecosystem. Participants at a CEPS Digital Forum seminar, organised with support from the Computer and Communications Association (CCIA), looked at evidence concerning the nature and activities of online platforms and their interaction with each other. The first session, chaired by Colin Blackman (Director, CEPS Digital Forum) featured presentations by Thibault Larger (Oxera) and Nicolai van Gorp (e-Conomics), who explored the complexity of discerning a useful definition that could capture both commonality and diversity. The second session looked at whether existing law and its enforcement are still effective in the context of platforms, and was moderated by James Waterworth (CCIA) with presentations by Mark Hiley (The Analyst) and Alfonso Lamadrid de Pablo (EU Competition Law Department, Garrigues).

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