



WIK Conference

„What direction for digital policy in the geopolitical era?“

Day 1: Digital platforms and the data economy

On the first day of the WIK conference, held on the 16th September 2025, speakers and participants discussed market developments and regulation relating to digital platforms in the EU.

Opening keynote

In the opening keynote, **Rita Wezenbeek** (Director for Platforms Policy and Enforcement, DG CNECT) outlined the state of the EU digital market. She emphasised the importance of safeguarding investment capacity, harmonising the single market, and supporting EU AI development, noting that AI gigafactories had attracted strong industry interest. While new legislation is in development, Wezenbeek also stressed the need to simplify the digital acquis, noting that this would be addressed in the upcoming DNA proposal as well as the digital omnibus. Wezenbeek also highlighted the Commission's ongoing actions regarding enforcement of the DMA and DSA as well as current efforts to better protect minors, including testing an age verification app, which is planned for roll-out next year.

The Digital Markets Act: Lessons learned and next steps – is AI next?

The first session examined progress in implementing the DMA, lessons learned, and future needs. In a keynote opening speech, **Alberto Bacchiega** (Director for Digital Platforms, DG COMP) emphasised the difference

between the DMA and traditional antitrust enforcement, stressing that it focuses on finding solutions through constructive dialogue with stakeholders rather than sanctions. While he noted that this approach had led to many improvements for consumers, he acknowledged that formal proceedings with binding decisions are sometimes necessary, not with the goal of imposing fines, but to ensure businesses adapt.

Claudio Teixeira (Senior legal officer, digital policy, BEUC) stressed that DMA implementation varies significantly, with some entities closer to compliance and others lagging far behind. He anticipates that Cloud and Generative AI will be relevant areas in which the same dominant players are active, integrating AI into CPSs, thus limiting separability. As the DMA has already anticipated these areas, major changes are not required, although market investigations could be a first step. **Bartłomiej Telejko** (Head EU Data governance, Competition, Cybersecurity policy, Google) noted challenges in balancing the conflicting interests of different stakeholders (such as businesses and aggregators) when it comes to implementing requirements prohibiting self-preferencing in search. He noted that regulations had also made it more complicated for users to locate Google maps. Turning to AI, he emphasised the competitive nature sector, which he noted was characterised by the presence of many global players, multi-provider strategies, and declining costs, which are driving increased accessibility and competition. **Wolfgang Oels** (COO, Ecosia) stated that the implementation of DMA in search is inadequate, with unaltered market shares and

challenging default-switching greatly hindering user acquisition. He stressed that without legislation, firms with data, reach, and capital would dominate in AI, with many AI companies currently being VC-backed and struggling to stay profitable against gatekeepers' free services.

Francesco Versace (Associate Director, Government Affairs at Spotify – Europe) emphasised the DMA's positive role in accelerating compliance compared to traditional antitrust processes. However, he noted that Spotify had faced continued challenges regarding Apple's high fees, which he noted had been shifted elsewhere but not eliminated. Spotify had also had difficulties in informing customers about offers beyond the gatekeeper ecosystem. Regarding AI, he noted that while US firms lead in foundation models, there is strong downstream potential for building on them; he sees no tipping risk now but said the DMA could be expanded if issues arise. **Alberto Bacchiaga** concluded by emphasising that DMA implementation is still in its infancy, and that there was a need to prioritise and consider varying interests of different stakeholders. He noted that there were other legislative instruments addressing issues such as cloud and AI which should be taken into account, and that the potential for anti-trust should also be considered.

Steps towards a Digital Fairness Act

In her keynote speech, **Isabelle Pérignon** (Director Consumer Policy and Sustainability, DG JUST) outlined consumer challenges and next steps for the DFA. She noted that the digital revolution has major consumer impacts, including many reported problems; to strengthen evidence, public consultations were opened and last year's Digital Fitness Check was published. The report identified gaps regarding issues such as dark patterns, addictive design, and personalized advertising, areas not covered by existing regulations that focus on specific technologies or actors. She argued for the implementation of clear rules banning offline unacceptable practices online and stressed the importance of simplification and a balance between consumer protection and competitiveness.

Protecting consumers in the digital age

Irene Roche Laguna (Head of Unit, DG CNECT) outlined the commission's approach to DSA implementation, encompassing designations, investigations and requests for information. She emphasised the efforts made to protect the electoral process, such as through published guidelines, and to increase transparency and access to data, such as through the harmonisation of transparency reports and the improvement of protection for minors, including published guidance including a non-exhaustive list of measures that could be used to safeguard minors. She also highlighted close collaboration with national DSCs for smaller platforms and with DG JUST.

In his keynote address, **Dr Martin Moore** (Director of the Centre for the Study of Media, Communication and Power, Kings College London University) provided an interna-



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tional perspective, focusing on mis-/disinformation and electoral manipulation. He emphasised the three challenges of proportionality, criticism and opacity. He noted difficulties in deciding how to respond proportionally to problematic content, as this involves challenging decisions that are hard to make objectively and consistently. In this context, he noted that trusted flaggers, a key element of the moderation approach in regions such as the EU could themselves also be open to political attack.

Beyond competition: Reviewing the Merger Guidelines in an era of global tension

In his keynote speech, **Guillaume Lorient** (Deputy Director-General, DG COMP) discussed the review of the Merger Guidelines, an inclusive process with broad stakeholder interest aimed at turning principles into practical rules across sectors. Focus areas include innovation and dynamic effects, including considering future firm behaviour and dynamic effects; investment and scaling, including examining when scaling up drives or hinders investment and the importance of the single market; efficiencies, including considering qualitative and non-price factors; and digitalisation, with ecosystem issues that may entrench incumbents. Lorient noted that promoting competition was a key aspect of ensuring Europe's competitiveness, and that the merger guidelines needed to address a wide range of sectors.

Next steps for the Data Act: Facilitating data sharing, cloud interoperability and switching and next steps

Starting this session, **Peter Kroon** (Senior Consultant, WIK) and **Mark Reeve** (Cloud expert, Decision) presented the current status of studies that have been conducted for the European Commission regarding cloud interoperability and switching. Regarding cloud interoperability, the study sought to identify harmonised standards and open interoperability specifications that could be considered for potential inclusion the EU repository following criteria set out in Article 35 of the Data

Act. Their screening process identified priority PaaS and SaaS areas (based on survey output and market size), collected existing standards per area, applied a first screening to narrow candidates, and a second screening using operational criteria based on Article 35 of the Data Act. The focus has been on PaaS, as priority areas for SaaS are very diverse, with a recommendation that customer groups should lead formalisation for SaaS to avoid hindering innovation. Their work emphasised generic standards, while sector-specific standards require coordination bodies and industry involvement in defining and adopting service types.

Following this, **Sarah Jacquier-Pelissier** (Board Member, ARCEP) provided insights into ARCEP's work regarding the Data Act and the cloud market. She highlighted the cloud market's high concentration and lack of European players, underscoring the importance of maintaining openness for competition, innovation, and customer choice. Their research concluded that switching charges should be set at zero, since data transfers can be timed to eliminate incremental costs in the form of increased peak traffic. On interoperability, they highlighted that migration becomes harder as services integrate into provider ecosystems and the importance of APIs and transparency. Moreover, she highlighted the option of designating cloud providers as DMA gatekeepers to address vertical integration and ecosystem concerns.

Europe's digital rulebook – asset or liability?

The session explored whether Europe's digital regulation achieves its goals or requires adjustment. **Gary Davis** (Senior Director Apple Legal) expressed concerns that the DMA forces Apple to align its products with those of competitors, share innovations simultaneously in the EU, thereby delaying launches and weakening competitors' incentives to innovate. He emphasised the need for more constructive, cross-division dialogue in the EU. **Eliana Garcés** (Founder, LAMA Economic Research) argued that the DMA is not well-suited, as the gatekeeper concept creates blind spots, firms gained their position through investment, not luck, and rent-seeking being the norm. She stressed the importance of reframing data as the price paid, not a byproduct, and noted the so far absence of fairness principles for personalised pricing. **Agustin Reyna** (Director General, BEUC) believes EU laws are well-founded, with the DFA filling gaps and Europe being the best place for consumers. He stressed that businesses can still differentiate and highlighted the importance of ensuring consumers can make informed choices, so that it is not simply about a rent-seeking exercise. **Alexandre de Streel** (Academic Director CERRE, Prof. European law University of Namur) argued that Europe focuses too much on problems over opportunities. He emphasised the concept of modularity as a means to distribute power within an ecosystem constellation, and the significance of preserving differentiation, both contingent on the concrete implementation of DMA. He regards the DMA as an enabler. Finally, he urged regulators



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to understand platforms, use standardised KPIs, engage with all stakeholders collectively, and balance interests.

Day 2: Telecom: rewriting the rulebook

Rewriting the Telecom Rulebook: the Digital Networks Act

In the opening session of the second conference day on 17th September 2025, **Kamila Kloc** (European Commission) presented the current status of the planned new rules for the telecom sector. **Robert Mourik** (BEREC) provided the perspective of BEREC on the forthcoming Digital Networks Act (DNA).

Kamila Kloc explained that the European Code has delivered significant progress, but that persistent barriers to achieving the objectives of the digital decade remain, particularly in areas such as harmonisation, spectrum policy, and the effective use of regulatory instruments. Kamila emphasized that resilience and competitiveness must be given stronger weight. The current gaps – such as the limited uptake of standalone 5G and delays in fibre rollout – underline the urgency of reform. Kamila confirmed that the proposal for the DNA is planned for mid December. The Relevant Markets Recommendation will follow later as the Commission would like to see how the GIA will work in practice.

Robert Mourik stressed that simplification should not be mistaken for deregulation. From BEREC's and European NRA's perspective, the Code has proven effective in fostering investment, competition, and consumer protection. He cautioned against dismantling the SMP framework too hastily, arguing that market power issues remain relevant even in the fibre and 5G era. Instead, he advocated for maintaining a strong regulatory foundation to secure competitiveness. Robert explained that BEREC is concerned about the investment gap narrative and its impact on the approach to SMP regulation and to monopolies in the fibre world. Regulation has shown itself to

be flexible enough and Robert sees no need for radical change. The challenges are evolving and if the Commission considers that there is work for BEREC, for example in ensuring coherence in the implementation of the DMA, DSA, DFA, data acts so that future regulation delivers for consumers, BEREC is ready to do more.

Rethinking Digital Policy for the Geopolitical Age

In his keynote, **Professor William Kovacic** (George Washington University, former Chair of the US Federal Trade Commission) reflected on how digital policy is being reshaped in an era of geopolitical tension. Drawing parallels with the Marshall Plan and the post-war integration of Europe, he highlighted how economic and regulatory choices are deeply tied to political stability and international relations. Prof. Kovacic cautioned that today's policy debates take place against a backdrop of rising centralisation of executive power, uneven distribution of prosperity, and new vulnerabilities in critical infrastructures such as telecom networks. He warned that mere redundancy is not enough to secure resilience against deliberate attacks. He also stressed the importance of regulatory coherence, noting that new "species" of rules are being added to the ecosystem without sufficient assessment of their combined effects. There is an information asymmetry between regulators and companies which has to be overcome, for example with the support of academic think tanks. Otherwise, there is a risk of erosion of civic trust if commitments of regulators are not met by capabilities. Finally, Prof. Kovacic argued that competitive pressure remains a valuable asset for the regulator, even when competition is not the sole policy goal. He called for honest assessment of expectations, better horizon scanning, and strategic planning to ensure that future regulation both protects society and fosters innovation.

Options for Access Regulation in a Fibre Environment

The panel on Options for Access Regulation in a Fibre Environment, chaired by **Ilsa Godlovitch** (WIK-Consult), brought together **Ingrid Malfait** (Iliad), **Francesco Nonno** (Open Fiber), **Sophie Morice** (Orange), **Barney Lane** (Colt Technology Services), **Martina Dragičević** (A1) and **Marko Mismas** (AKOS, BEREC Chair 2026) to discuss the future of access regulation as Europe transitions from copper to fibre networks.

Ingrid Malfait (Iliad) argued that the existing framework remains flexible and effective, stressing that the problem lies not in the rules themselves but in their inconsistent application across Member States. She called for regulatory stability to support investor confidence and warned against weakening the framework. **Francesco Nonno** (Open Fiber) described the company's struggle with low fibre take-up despite significant rollout. This should be addressed preferably through a deadline at EU level for copper switch-off, potentially with some potential scope



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to deviate to reflect specific circumstances. A second-best would be to require Member States to develop copper switch-off plans. He emphasised that the current framework has successfully driven investment and should not be replaced but gradually evolved. According to him, the real challenge lies in boosting usage and ensuring that fibre supports competitiveness and resilience. **Sophie Morice** (Orange) highlighted the need for simplification, noting that today's regulatory regime is too complex, fragmented, and still copper-centric. She called for a more predictable and geographically sensitive framework, while maintaining safeguards for competition. According to Sophie the symmetric framework in France (based on Article 61(3) EECC) works well. There is no need for continued focus on ex-ante access regulation but there should be a clear safety net where the market is not efficient based on a more objective mechanism with predictability and certainty. **Barney Lane** (Colt) stressed the importance of recognising Europe's market diversity and argued that the fragmentation in Europe can be an advantage compared to the highly concentrated US market. Colt also underlined the continued necessity of duct access and warned that the Gigabit Infrastructure Act alone cannot substitute for SMP-based remedies. Lane highlighted that the European Electronic Communications Code (EECC) is a success story but that the execution could be improved. Europe should not give up the advantages in the structure of the Telecoms market compared to the US. **Marko Mismas** (AKOS) presented the perspective of a converged regulator, underlining that the EECC remains the cornerstone of telecom regulation and for the development of the market. He pointed to the role of NRAs in identifying white areas and guiding government interventions efficiently to use the least amount of money to connect as many connections as possible. Mismas insisted that safeguarding competition must remain the primary regulatory objective. **Martina Dragičević** (A1) stressed that copper switch-off (CSO) should be a commercial decision shaped by national market circumstances, with regulators acting as facilitators rather than imposing fixed deadlines. Martina took the view that the SMP regime is outdated and voiced strong support for

symmetric regulation involving obligations on all to provide wholesale access, calling for predictable wholesale access products defined by demand.

Future Mobile Markets and Implications for Policy

The panel on Future Mobile Markets and Implications for Policy, chaired by **Matthew Newman** (MLex Market Insight), gathered **Ben Wreschner** (Vodafone), **Jacques Bonifay** (Transatel/MVNO Europe), **Bengt Mölleryd** (Stockholm University), **Claudio Teixeira** (BEUC), and **Christian Jansson** (Ericsson) to debate Europe's mobile market outlook.

Ben Wreschner (Vodafone) pointed to declining revenues per gigabit and argued that scale is crucial for driving investment and better consumer outcomes. He cited the recent UK merger as an example, where consolidation from four sub-scale to three stronger operators should allow greater commitments in rural, suburban and urban investment. **Jacques Bonifay** (Transatel) stressed the role of MVNOs in bringing innovation and flexibility, citing services for Airbus and the French army. He highlighted barriers to network access in some Member States and called for elaboration of the permanent roaming system to enable a genuine single market for IoT and connectivity services. **Bengt Mölleryd** (Stockholm University) noted that innovation in the telecom sector had been driven not by telecom operators but by others including equipment manufacturers. This is for example reflected in lower R&D expenditures as a share of revenues of European operators compared to US tech firms and equipment vendors. **Mölleryd** pointed out that Returns of Invested Capital have decreased and that the ROICs of incumbents and challengers have converged over time. He noted that investment incentives linked to short term risk factors are not aligned or balanced with long term demand factors and what is a reasonable return in the long term. **Mölleryd** highlighted that IoT could help deliver societal value and urged policymakers to safeguard competition while encouraging cross-sector collaboration. **Claudio Teixeira** (BEUC) reminded the audience that consumers are the true enablers of change. He stressed that affordability and accessibility must be central to policy, especially for low-income households and rural areas. Simplification, he added, should not mean deregulation, and competition and competitive prices remained highly relevant to consumers. **Christian Jansson** (Ericsson) underlined that quality of connection remains as important as coverage. He highlighted that society's digitalization, electrification and automation desire dependable outcomes and that this calls for 5G build-out with all low bands on all sites, properly deployed midband capacity and hardware that is 5G-ready. He stressed that telcos should focus on selling dependable outcomes. **Christian** explained that there is a 5G demand paradoxon, the 5G market is waiting for a catalyst and that the solution lies in a mandate for specialized services. This requires investment-grade

certainty for 5G network slicing, MNOs taking on the role as enablers through partnerships and a common commercial language for dependable outcomes

Best Practices for the Implementation of the Gigabit Infrastructure Act

The final panel of the conference, chaired by **Cara Schwarz-Schilling** (WIK), focused on how to best implement the Gigabit Infrastructure Act (GIA) at national level. Speakers included **Sonia Strube Martins** (WIK) and **Julian Knips** as well as **Ilsa Godlovitch** (WIK-Consult), who each addressed different aspects of the forthcoming rules. **Julian Knips** highlighted the crucial role of the Single Information Point (SIP), which will serve as a national digital entry point for data on infrastructure, civil works, and permits. He pointed to experiences from Ireland, where broad stakeholder involvement has been essential in determining what information should be included and how to manage proportionality and cost-benefit considerations. **Sonia Strube Martins** focused on in-building infrastructure and the challenges of closing the gap between homes passed and homes connected. She underlined that full copper switch-off requires fibre all the way to end-users. Standardisation of in-building infrastructure (incl. fibre wiring) should also be applied to existing buildings and ensure that an efficient framework for access to in-building fibre can be implemented. Without an efficient framework for access to in-building wiring there will be no infrastructure-based competition even in areas where the roll-out of parallel infrastructures is viable. **Ilsa Godlovitch** addressed the issue of pricing principles under Article 3 GIA. She explained that access to physical infrastructure must be provided under "fair and reasonable" terms, balancing cost recovery, investment incentives, and impact on the business case. She noted that principles for PIA under the GIA differed from those applied to PIA under SMP Regulation. Regarding access to public infrastructure such as rooftops for mobile installation, which will be covered under the GIA for the first time, she highlighted varying national approaches, from those which reflect reduction in value through to market-based pricing and highlighted the potential to take into account societal welfare / public benefits when considering terms for access to public assets.

Taken together, the session underlined that best practices in GIA implementation will require a careful balance of transparency, fairness, and practical enforceability. Standardisation of in-building infrastructure, efficient frameworks for in-building access, digital SIPs, and clear pricing guidelines are essential for ensuring that the GIA delivers on its promise to accelerate network deployment and enable Europe's digital transformation.

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