

DRAFT PROGRAMME

(as of 20/03/2019)

Bridge over troubled water – consumer protection in the digital sphere

Multi-stakeholder forum hosted by TACD

04 June 2019

**Pew Charitable Trusts
901 E St NW, 10th floor
Washington, DC 20004, USA**

08.00 Registration and coffee

08.50 Introductory plenary

Showcasing 20 years of the TACD network, challenges and achievements by its EU and US Chairs.

09.20 The case for privacy/data protection laws in the US

Revelations that companies like Cambridge Analytica have been able to exploit personal data of millions of Facebook users to influence votes, as well as huge data breaches by Experian and others, has created increased momentum for a data protection law in the US in the year following the coming into force of the GDPR – spurred also by the passing of the privacy law in California. All the big technology companies have publicly accepted the need for federal legislation, while putting in motion their resources to influence the formulation of such legislation. This session will focus on what U.S. legislation should entail, how best to enforce it and what happens in other US States.

10:40 Privacy for all: consumers take action

Exposing the Cayla doll who spies on its owners, setting standards for privacy protection in “smart” appliances, or taking legal actions to ensure rights are respected, consumer and privacy groups on both sides of the Atlantic have been researching the business practices of mining and using personal data, and demonstrating clearly why strong laws are needed. This session will showcase the innovative work by a number of TACD member organisations on both sides of the Atlantic.

11.15 Coffee break

11.30 Breakout sessions

1. Digital trade: are consumer rights at risk?

76 countries have launched the largest e-commerce negotiations of the years to come. The US and EU are part of them. At the same time the EU and the US are engaged in bilateral trade discussions. Are we going to finally see an outcome where consumers benefit and

protections are prioritised? How can such trade negotiations be ambitious for consumers? The session will brainstorm on how to do things differently this time round.

1. Benefits and risks of open banking

Open banking is one of the biggest, most recent technological developments in retail finance. In open banking systems consumers give third parties access to their financial data. These third parties (banks, FinTechs and other innovative service providers and intermediaries) then analyse consumers' financial data and make payments or manage consumers' funds and offer personalised services. The promise is that data sharing will make life more convenient for consumers. However, clear legal framework for a consumer-friendly open banking environment is still missing in both the EU and the US. This session will explore how to ensure consumers are in control of their financial data.

13:00 Lunch

14.00 Breakout sessions continued

1. Who has the safest food?

The US, EU and UK all sometimes claim that they have the safest food supply in the world. Yet each keeps having disturbing safety scandals: last year 5 people died and more than 200 were sick in the US from eating contaminated romaine lettuce, 4 died from listeria in smoked salmon in three EU countries, and almost 150 people became sick from salmonella found on cucumbers in the UK. This session, in the style of a TV game show, will seek to answer the question: who really has the safest food, and will trade agreements make this better or worse?

2. Competition and access to medicines

High prices of new and old medicines, from Epipens to combat severe allergic reactions to insulin for diabetes, can affect individuals' life and health as well as put extra burdens on both private insurance and strained national health systems. Competition policy can prevent market abuses and help balance the possible negative effects of intellectual property protections. This session will discuss the role of competition law and enforcement in ensuring affordability of medicines and stimulating innovation, from the EU and US perspectives.

15.30 Coffee break

16:00 Platform power - competition and data

With Facebook owning WhatsApp and Instagram, and Amazon buying Whole Foods and the Washington Post, there is a trend towards corporate concentration in the digital economy, with strong potential for harmful impacts on consumer choice and access to information, as well as the potential threat to the functioning of the democratic institutions. The way in which market dominance is traditionally measured is no longer fit for purpose; both the US and the EU authorities are currently investigating these issues, but the way they address them could be different. Discussions in this session will focus around bridging the differences between US and EU antimonopoly systems; cooperation between authorities; and intersection with consumer and data protection laws.

17.30 Closing, followed by cocktail reception and networking
