



Capacity Building Training for CSOs in EU competition law

15 and 16 September 2022
University of Amsterdam

Organisers:

Kati Cseres (Amsterdam Center for European Law & Governance)
Michelle Meagher / Nick Shaxson (Balanced Economy Project)
Maria Luisa Stasi (ARTICLE 19)

Concentration of power in the hands of a few players is a growing phenomenon in a variety of markets, and dominant players pose various threats to democracy. While civil society organisations (CSOs) have traditionally acted as watchdogs of state behaviours that impact individuals' fundamental rights, they now have also to cope with many threats to democracy that come from the excessive and unaccountable power of private actors. Many of these threats require familiarity and expertise with tools that are not traditionally in the toolbox of defenders of fundamental rights. These tools include competition law and policy.

This 2-day Capacity Building Training provides CSOs with a basic but solid understanding of the main legal and economic principles of EU competition law, its enforcement system and institutional setting. At the end of the training they will be able to position their interests and design their possible course of actions in this legal framework.

By completing the training, CSOs will be capable of voicing their interests towards competition and other regulatory authorities, policy and law makers. They will be capable of effectively designing a course of action for enforcing their interests, considering the strategic benefits of participation in the decision making process if national law allows, or filing complaints to competition and regulatory authorities or before courts. They will leave the training with contacts for individuals and organisations who may be able to help them and access to networks for knowledge sharing with other CSOs.

They will not only retain knowledge about the substantive and procedural competition rules but also specific skills and tools and other resources on how to use these to articulate their interests and to do their work competently and to a greater capacity to protect the interests they represent and to realize their strategic objectives.

In an interactive training setting and by exchanging and discussing case problems and solutions from the participants, the Training will broaden CSOs' portfolio of cases and strengthen their advocacy work when facing and addressing governments, national parliaments as well as international organisations.

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Day 1

- 10:00-12:30 Morning Session (Kati Cseres, Nick Shaxson, Maria Luisa Stasi):**
The underlying rationale and goals of (EU) Competition law: distortion of competition vs control of corporate power
The personal and territorial scope of the rules
Substantive rules: which interests are at stake
Where are the interests of CSOs located in the substantive rules?
- 12:30-14:00 Lunch**
- 14:00- 16:30 Afternoon sessions (2 parallel sessions):**
Interactive session with examples from actual cases
Terminology issues: understanding and using the language of competition law
How to translate fundamental/human rights, consumer interests into the competition law framework
Discussants:
Ioannis Kouvakas (Privacy International) for data protection/privacy
Maria Luisa Stasi (ARTICLE 19) for freedom of expression/media diversity
BEUC (tbc) for consumers' perspective
Julian Nowag (Lund/Oxford University) for sustainability
- 16:30- 17:30 Sharing insights from parallel sessions and discussion**
- 19:00 Dinner with all participants**

Day 2

- 9:30 – 10:30 Keynote: Ioannis Lianos, UCL HCC**
Overview of competition goals, where we are, narrative changes that are needed and likely role for CSOs
- 10:30 – 13:00 Morning Session:**
Enforcement: who does what and how to influence decision-making?
Where are the interests of CSOs located in the procedural rules?
Third parties' participation rights in competition law proceedings: and overview of 27 EU Member States, UK, and the EU Commission
Discussants:
Martijn Snoep, The Netherlands Authority for Consumers and Markets
EU Commission (name tbc)
BEUC (tbc)
Kati Cseres, UvA
Maria Kleis, ClientEarth
- 13:00-14:00 Lunch**
- 14:00 – 16:30 Afternoon Session (Nick Shaxson and Uli Müller to lead, roundtable among discussants/participants):**
Workshop: how does competition policy/framework relate to your organisation?
What's next? Engage with the growing network of CSOs linking their work to competition issues
- Amsterdam Law Clinics:** how law students under close supervision of UvA staff can assist you in researching a potential case/mapping avenues of accountability
- 16:30-17:00 Closing**