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Call for Papers

**Fair Markets in the XXIst Century:
Digital Transition, Artificial
Intelligence and Technological
Neutrality**

Call for Papers

WhatNext.Law invites you to participate in its Annual Conference that will take place in Lisbon on 8 and 9 May 2025 and online the next week.

This Call for Papers invites contributions for the Conference. The topic this year will be 'Fair Markets in the XXIst Century: Digital Transition, Artificial Intelligence and Technological Neutrality'.

The Conference will be an occasion for academics, stakeholders, and policymakers to discuss views and advance our shared understanding of the challenges of ensuring high standards of fairness in contemporary markets, paying particular attention to the developments in the European Union.

WhatNext.Law also invites the submission of abstracts related to the themes of this conference (details below). A selection of the papers will be fast-tracked for a special issue of *The European Journal of Risk Regulation*.

Scope and Aim

The first von der Leyen Commission delivered an unprecedented set of reforms of the legal infrastructure of markets. Of course, one thinks about the Digital Services Act, the Digital Markets Act and the AI Act. But these instruments come together with the P2B Regulation (building on the Supply Fairness Directive), the Data Governance Act, the Data Act, the complementary directives on corporate sustainability reporting and due diligence, the Gig Workers Directive, the new competition law guidelines, and a long list of additional sectorial reforms.

The second von der Leyen Commission has yet to publish its foundational programmatic communications – in particular, the follow-up to the Green Deal, the Strong Social Europe for Just Transitions and the new consumer agenda. However, the Digital Fitness Check already points towards the need for intervention and so do rumors. BEUC has anticipated the Commission, asking for a Digital Fairness Act. This important policy proposal brings to the forefront the problem of technological neutrality.

It is thus the right time to explore some hard foundational questions.

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Topics that authors may wish to explore in relation to the topics are included below. Transdisciplinary approaches are also encouraged:

Shall the EU keep developing special legislation for the digital economy? Or shall it aspire to harmonize not only national legal systems, but also the digital and the physical worlds with common standards?
How can the concept of fairness, at the heart of recent regulations such as DMA, AI Act and the Data Act be understood from a legal-economic perspective in connection with concepts such as consumer welfare and economic efficiency?
Does it make sense to focus on consumer protection in the physical world while introducing general user protection in the digital one? Would it be better to extend elements of consumer protection to many B2B relationships?
The most topical case in point seems AI liability: do we really need a special AI liability directive based on fault for non-consumer relationships? Wouldn't it be better to extend the principles of product liability along the supply chain, to protect also business users with little bargaining power and even less understanding of the technology they choose to use?
Is the policy cycle really based on the best available evidence? Is the cycle considering all regulatory options, including highly innovative ones (e.g. enftech) or will it rely on the traditional toolbox (as suggested by the reform of the Air Passenger Rights Regulation)? Are academics contributing well to this complex process, or is silo thinking still too strong (as recently suggested by <i>Compass Banca</i> , C-646/22)?

A variety of additional and narrower questions deserve discussion:

How can concerns about digital vulnerability be best integrated into EU law?
Can the chaotic collage of provisions applicable to 'dark patterns' be streamlined to increase certainty and trust to the benefit of both users and trustworthy traders? Which 'dark patterns' (if any) should be included in the blacklist?
Is EU law appropriately dealing with the ever-increasing variety of price display and price formation techniques (e.g. recommended prices, dynamic prices, and personalized prices)?
Shall the EU Guidelines on fair data pricing (Art 6 Data Act) also cover 'pay or consent' mechanisms?

Practical information	WhatNext.Law invites the submission of abstracts of papers to be presented either in person or online (in case of preference, please specify).
Call for Papers	<p>Papers can cover any topic related to the above questions and related ones; transdisciplinary approaches are encouraged.</p> <p>Abstract of 300 words, plus title, keywords, name, and affiliation of the authors should be submitted in Word format to info@whatnext.law by 7 March 2025.</p> <p>Papers presented at the conference will be fast-tracked for a special issue of <i>The European Journal of Risk Regulation</i> on the fair digital transition.</p>

For more information about this Call for Papers please contact us by sending an e-mail to info@whatnext.law or by using the contact form on WhatNext.Law website.

Timeline	<p>Abstract submission: 7 March 2025</p> <p>Acceptance notification: 15 March 2025</p> <p>Full draft submission: 5 May 2025</p>
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