

Brussels Privacy Hub Privacy and Data Protection Doctoral Seminars
Coherence between EU competition and data protection law in the digital marketplace
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Legal discussions on the strengthening of the relationship between EU competition and data protection rules are currently in vogue. The European Data Protection Supervisor has actively participated in this discourse by advocating the adoption of a ‘holistic approach’ to data-based practices. The crux of this new approach lies in directly embedding data protection concerns into competition law analysis. Yet, competition law enforcers and commentators have so far been rather hesitant to embrace this idea. The core rationale is that competition law aims primarily at protecting consumer welfare and promoting economic efficiency, and data protection does not figure as an evident value to square with such economic-centered concerns.

The seminar provides an overview of my PhD research that relies on the theoretical concept of coherence to comprehensively explore the issue of commonalities between competition and data protection in the digital marketplace. By focusing on the set of potentially common values and principles (e.g. fairness, internal market protection) in the context of different market practices (e.g. algorithmic decision-making, geo-blocking), it formulates justified interpretations of competition and data protection rules that ensure the highest possible degree of coherence between them.