

The EU has built an innovative legal framework for the digital environment that leads to a *ius civilis digitalis*, a law for the digital society via the regulation of private relationships. The new digital legal framework exceeds sectorial regulation in its scope, aims and tools. The digital laws aim at addressing concerns that were traditionally the domain of public law such as the protection of fundamental rights, democracy, and mental health to mention some. However, unlike constitutional law, regulation does not only signal states but also companies (and among them, especially big tech) as the ones creating risks and bearing responsibility for preventing them in order to achieve the said goals.

Legislation acknowledges the preponderance of private relationships in the construction of the digital space. It is, thus, not surprising that the regulation of the digital society comes through market regulation and private law rules. The new digital laws have a clear goal of market regulation, not only via the Digital Markets Act, but also through the other digital legal instruments (ex. DSA, DGA, DA, AI Act, not to forget the GDPR), which are recurrently justified in Art 114 TFEU (alone or in addition to it). Among many innovations, three stand out. First, the incorporation of non-economic aims, which instrumentalises market regulation for the protection of constitutional rights. Second, the partition and sub-categorisation of the supply (business) side of the market, with the expansion of the logic of the weaker party protection to reach small and medium-sized businesses. Third, the abandonment of the commercial or non-commercial purpose of transactions as determinants in the application of protection. That enlargement derives from the societal aspirations of the regulations and the resurgence of the power imbalance language.

On a more granular level, the building of the digital society through market regulation resorts to transactional private rules. However, by incorporating non-economic interests and redefining the parties of the transactional relationship, the new digital laws deviate from the bits and pieces of EU private law. The digital laws – the EU regulations – cannot be treated as a sectorial regulation anymore nor can private (or is it again civil?) law be directly ‘top-upped’ with EU digital law.

The purpose of the Workshop is to put the interaction between EU digital regulations and the EU private law acquis into the limelight, thereby focusing on the analysis *de lege lata*, addressing the impact of the EU digital legal framework on EU and national private (civil) law.

The **two-day Workshop** will take place in a face-to-face format at IE University, [Segovia campus](#), Spain, with the following agenda:

Thursday 8 May

11:00 – 11:30

Welcome coffee
(Chapter room)

11:30 – 12:15

Campus visit
(historical site)

12:15 – 13:30

Opening & Keynote

Chapter Room (*Sala Capitular*)

Soledad Atienza, Dean, IE Law School
Welcome address

Hans-W Micklitz, EUI
After Digitisation – What remains for the Law?

Chair: **Francisco de Elizalde**,
IE Law School

13:30 – 14:45
Chapter Room

Lunch 🍽️

15:00 – 16:45

Regulating the market,
regulating society

ROOM 217

Simon Deakin, Cambridge
Employment rights and digital rights in the Platform Work Directive

Giovanni de Gregorio, Católica
Digital constitutionalism. The intersections between public and private law

Lazar Radic, IE Law School & **Nicolas Petit**, EUI
Digital competition law: how far can competition law go in integrating non-economic policies?

Chair: **Marie-José Garot**,
IE Law School

Mateja Durovic, European Court of Human Rights
Private law as a tool to protect fundamental rights

16:45 – 17:15
Chapter Room

Coffee Break ☕

17:15 – 19:00

Redefining fairness

ROOM 217

Monika Namysłowska, Lodz
Unfair practices and digital policy

Francisco de Elizalde, IE Law School
Unfair terms and digital fairness

Gianclaudio Malgieri, Leiden
Data protection, privacy, standard terms and commercial practices

Chair: **Antonio Aloisi**,
IE Law School

Guadalupe Martínez, IE Law School
EU digital policy on non-discrimination and vulnerability

20:00
Restaurant José María, Segovia

Dinner 🍽️

10:00 – 11:30

Digital transactions

ROOM 217

Aneta Wiewiorowska-Domagalska, Polish Academy of Science & Ministry of Justice, Poland
Platform services

Irina Domurath, Padova
Commodification of data. Data as the fifth market freedom

Jan Trzaskowski, Aalborg
Data as counter-performance and data trading

Chair: **Fernando Pastor-Merchante**, IE Law School

11:30 – 12:00

Terrace

Coffee Break ☕

12:00 – 13:30

Liability & Enforcement

ROOM 217

Geraint Howells, Galway
Product liability and product safety

Olha Cherednychenko, Groningen
The Interplay between Private and Public Enforcement in the EU Digital Policy Legislation

Martin Ebers, Tartu & RIALS
The judicial control of technical standards

Chair: **Yuliya Kaspiarovich**, IE Law School

13:30 – 14:00

Concluding remarks
(Book editors)

ROOM 217

Hans-W Micklitz, EUI & **Francisco de Elizalde**, IE Law School

14:00 – 15:00
Chapter Room

Lunch 🍽️

Practical info

Participants are required to confirm their attendance before 4 May 2025 by completing the [online form here](#).

Confirm your attendance here

The conference will take place at **IE University in Segovia**, Spain. Directions can be found [here](#).

Our campus is located in the ancient city of Segovia, a UNESCO World Heritage site that is famous for its Roman aqueduct, winding streets and fairytale castle. What is more, it is just a 25-minute high-speed train ride from the bustling city of Madrid.

Presentations will be organised into chaired panels. The presentation time for each speaker will be 15 minutes to allow an open discussion of a maximum of 45 minutes per panel.

There are no registration fees. Lunch and coffee breaks will be offered by IE University Law School.

The Workshop is supported by the Spanish Ministry of Science, Innovation and Universities (PID2023-149184OB-C43 granted by MCIU /AEI /10.13039/501100011033 and the FSE+).

Relevant dates

- Registration by: **May 4, 2025**
- Workshop: **May 8 and 9, 2025**

Contact details

Convenors: Francisco de Elizalde & IE Law School, IE University.

Scientific Board: Hans-W Micklitz & Francisco de Elizalde

If you have any questions, please get in touch with us at Isabel.Garces@ie.edu



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