

## THE EUROPEAN VISION OF CO-REGULATION

In the case of co-regulation, the existence of a legislative action is essential; this consists in inserting the following into legislation:

- a framework of general objectives,
- guaranteeing fundamental human rights,
- mechanisms for efficient application and possibility of appeals,
- conditions for compliance check.

This process must be directed by an authority outside the area to which it is being applied, but with the obligation of involving all the affected stakeholders.

### The key EU principles include:

1. It should be based on a legislative act and all the proposals should be submitted to legislators
2. It will only be used within the framework of a legislative act insomuch as it offers real added value to the service of general interest. Its use can be considered appropriate when flexible or urgent measures are needed.
3. Within this regulatory framework, the legislator establishes the essential legislation aspects: objectives, time periods, mechanisms for putting it into effect, control methods, and possible penalties in order to guarantee the legal safeguards.
4. The legislator determines to what degree the definition and execution of the application measures can be delegated to the interested parties in terms of their recognized experience.
5. In the case that the use of this mechanism does not give the expected results, a traditional legislative proposal can be considered.
6. The principle of transparency is also applied to the co-regulation mechanisms; the citizens should have access to the legislative act and application regulations; the sector's agreements and application methods should be made public.
7. The interested parties and those participating in the process should be considered representatives, and they should be organized and responsible.
8. Responsibility requirement: demands commitment on the part of the institutions.

Compiled by SCM (2019) from:  
Mercedes Muñoz Saldaña and Victorino Gómez-Iglesias Rosón (2015), *The Importance of Self-regulation and Co-regulation in the New Digital Audiovisual Market*. Observatorio (OBS\*) Journal, vol.9 (1), 101-114



Source: Pixabay.com