Towards a code of good practice for SR/CR processes

Process led by DG INFSO in the frame of the CSR action plan set out in the 2011 CSR Communication Action 5.

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The Commission intends to launch a process in 2012 with enterprises and other stakeholders to develop a code of good practice for self- and co-regulation exercises, which should improve the effectiveness of the CSR process.
Milestones regarding CR/SR in EU texts

- **2002**: Action Plan « Simplifying and improving... » - COM(2002)278final
- **2003**: Interinstitutional Agreement
- **2005**: « Better regulation... » - COM(2005)97final
- **2011**: « CSR Communication » - COM(2011)681final
Self-regulation is defined as the possibility for economic operators, the social partners, non-governmental organisations or associations to adopt amongst themselves and for themselves common guidelines at European level (particularly codes of practice or sectoral agreements).
Co-regulation means the mechanism whereby a Community legislative act entrusts the attainment of the objectives defined by the legislative authority to parties which are recognised in the field (such as economic operators, the social partners, non-governmental organisations, or associations).
Principles

• Part of the policy mix - Option in IA processes
• Subsidiarity/proportionality
• Adds value and serves the general interest
• Fundamental rights or major political choices not at stake
• Uniformity not at stake
• Compatible with competition rules and internal market
• Representativity, accountability, openness and visibility
Current examples: 
Do not track

- DNT standards expected by June 2012

Current examples: Better internet for kids

- 28 leading companies
- Simple and robust **reporting** tools
- Age-appropriate **privacy settings**
- Wider use of content **classification**
- Wider availability and use of **parental control**
- Effective **take down** of child abuse material

Background

Build on knowledge and experience:

« Self-regulation in the EU advertising sector: a report of some discussion among interested parties »

SR/CR as stepped and iterative processes

1. Design
   - Co-owned, beyond consulting

2. Implementation
   - Starting with pilots, learning process

3. Monitoring and reporting
   - Co-owned metrics/reporting (public?)
   - Co-monitoring standards/practices
   - Agreed sanctions (by private actors) in case of non-compliance
Other issues

- Clarify grey area between SR and CR, as defined in IIA
- SR/CR is a regulatory technique, not a policy
- Need for legal backstop and full compatibility between SR/CR and other forms of regulation.
Next steps

- **Feb 12**: Presentation to CSR HLG & CSR forum.
- **March-May 12**: Contacts with EP and EESC; **Draft code**.
- **June 12**: Open **consultation**.
- **End 12**: **Publication of the code**.
Call for suggestions:

- Experts to react on draft code?
- Format and channels of the public consultation?

Please send suggestions to nicole.dewandre@ec.europa.eu
Thanks for your attention!