

# REGULATION AND SELF- REGULATION OF ONLINE ACTIVITY

## BLOGS AND ONLINE SOCIAL NETWORKS

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21 May 2011



# Regulation and self-regulation of Blogs and OSN

## □ **Regulating online behavior – Is it of any use?**

Do we really need any sector specific regulation?

Are not the traditional legal texts enough?

## □ **How much regulation?**

Which are the limits of governmental intervention?

## □ **Regulation in EU and main elements of the new reform**

# Regulation and self-regulation of Blogs and OSN

## □ What is Self-regulation?

“when industry administers and enforces its own solution to address a particular issue without formal oversight or participation of the regulator or government. In particular, there is no *ex ante*, legal backstop in a self-regulatory scheme to act as the ultimate guarantor of enforcement”

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## □ Is the Self-regulation effective?

“A systematic approach requires not only coordination at a national and regional level, but its scope must be international. Codes of conduct should be adopted to ensure that Internet content and service providers act in accord with principles of social responsibility. These codes should meet community concerns and operate as an accountability system that guarantees a high level of credibility and quality. As part of the codes of conduct, Internet providers hosting content have an obligation to remove illegal content when put on notice that such content exists”.

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## □ **Terms of Use as self-regulation schemes**

- In the unregulated and unpredictable world of the Internet, such arrangements often provide the necessary ground rules for how various online services should be used.
- Yet TOS agreements also raise a number of concerns for the consumer, as they can be a vehicle for abuse by online service providers, as they tend to end up being one-sided in the service provider's favor, and are often designed to be beyond any judicial scrutiny

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## □ Is self-regulation still an option?

“Self-regulation is coming under enormous scrutiny. Proof it can work needs to be brought to ripeness quickly.” For Madelin in order self-regulation to succeed it must be founded on three basic principles:

- 1. Transparency. All stakeholders must be involved from the start
- 2. Accountability. All the parties must set goals and agree the principles
- 3. Monitoring. Agreed metrics are vital

# Regulation and self-regulation of Blogs and OSN

## □ Conclusions

- the “cyberlibertarians” notion have passed and gone.
- Even their successors “cyberutopians” cannot rigidly justify that no regulation is the answer to the use of the social media even for starting a revolution, as it happened recently in Arab countries.
- Nowadays the online communities are owned by multinational companies aiming to profit and the users of such services are persons that very often cannot understand the risk on their privacy.
- **“The internet is neither necessary nor sufficient for a revolution. An outraged and unified population is both”. “**

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## □ Conclusions

- Social networking sites have changed the way we communicate and of course they have forced the introduction of new technologies to all the age groups and especially the young teenagers.
- The electronic social media have changed the way we make friends, the way we are implemented in the social life, the way we find job.



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## □ Conclusions

- The bigger the virtual world becomes the less space remains to privacy.
- The bigger the stakes implemented the less its use shall be – voluntarily – fair.
- Regulation can succeed when it does not lift barriers. Self-regulation can work as long as it is broadly accepted by stakeholders and provide for effective enforcement.
- The co-regulation schemes are an extension of self-regulation that involves both industry and the government (or regulator) that are administering and enforcing a solution in a variety of combinations.

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## □ Conclusions

- Convergence is creating a new environment where users will be able to traffic their data in several communications markets at once.
- We need to create a new generation of e-citizens that will be inspired by the traditional elements of respect and fairness and implement them to this new promise land.