[BE] Cooperation Agreement on Broadcasting between the Federal State and the Language Communities in Belgium Can Enter into Force

IRIS 2007-10:1/8

François Jongen
Catholic University of Louvain, Avocat (lawyer)

Following the Federal State Act (Act of 27 December 2006, published in the *Moniteur Belge* of 28 December 2006), the Flemish-speaking Community Decree (Decree of 4 May 2007, published in the *Moniteur Belge* of 2 July 2007) and the German-speaking Community Decree (Decree of 25 June 2007, published in the *Moniteur Belge* of 6 August 2007), the French-speaking Community has now adopted its Decree of 2 July 2007, published in the *Moniteur Belge* on 19 September 2007, assenting to the agreement on cooperation in electronic communications concluded on 17 November 2006. The agreement could therefore enter into force immediately.

The agreement - which has as its full title the “cooperation agreement concerning mutual consultation at the time of drawing up legislation in respect of electronic telecommunications networks, at the time of exchanging information and of exercising the competences in respect of electronic communication networks by the regulatory authorities with responsibility for telecommunications or radio and television broadcasting” - had been urgently suggested by the Court of Arbitration (since renamed the Constitutional Court). The Court, in suggesting this agreement included, a number of legal provisions adopted by both the federal State and the separate Communities in violation of the rules for the allocation of areas of competence. The issue of conflicting competences has become increasingly acute in recent years in Belgium with the growing convergence of telecom networks (for which the State has competence) and cable networks, which were initially intended solely for broadcasting (and are the responsibility of the Communities).

The cooperation agreement, which came into force on 19 September 2007, provides more specifically for the setting up of a conference of regulators in the electronic communications sector (*Conférence des Régulateurs du Secteur des Communications Electroniques* - CRC) that brings together the national IBPT, the French-speaking Community's CSA, the Flemish-speaking Community's VRM, and the German-speaking Community's *Medienrat* .

Décret du 2 juillet 2007 portant assentiment à l'accord de coopération du 17 novembre 2006 entre l'Etat fédéral, la Communauté flamande, la

© European Audiovisual Observatory (Council of Europe) 2026

Communauté française et la Communauté germanophone relatif à la consultation mutuelle lors de l'élaboration d'une législation en matière de réseaux de communications électroniques, lors de l'échange d'informations et lors de l'exercice des compétences en matière de réseaux de communications électroniques par les autorités de régulation en charge des télécommunications ou de la radiodiffusion et la télévision, conclu à Bruxelles le 17 novembre 2006

http://www.ejustice.just.fgov.be/cgi/api2.pl?lg=fr&pd=2007-09-19&numac=2007029259

Decree of 2 July 2007 assenting to the cooperation agreement of 17 November 2006 between the Federal State, the Flemish-, French- and German-speaking Communities concerning mutual consultation when drawing up legislation on electronic communications networks, when exchanging information, and when exercising competences in respect of electronic communications networks by the regulatory authorities responsible for telecommunications or radio and television broadcasting, concluded in Brussels on 17 November 2006

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026