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**BUREAU OF THE STEERING COMMITTEE ON
THE MEDIA AND NEW COMMUNICATION SERVICES**

(CDMC-BU)

**Meeting of 19 to 20 May 2005
Human Rights Building, Room 40 01 413 4I**

REPORT

Items 1 and 2. Opening of the meeting

1. The Bureau of the Steering Committee on the Media and New Communication Services (CDMC-BU) met on 19 and 20 May 2005 in Strasbourg. The meeting was chaired by Mr Karol JAKUBOWICZ (Poland), Chairperson of the CDMC.

The list of participants is set out in Appendix I. The agenda, as adopted, is set out in Appendix II.

Item 3. Exchange of views on the results of the 7th European Ministerial Conference on Mass Media Policy (Kyiv, 10 and 11 March 2005)

2. The Bureau took note of the Secretariat report on the Ministerial Conference (document CDMM (2005) 9). It noted in particular that, when it was discussed by the Committee of Ministers of the Council of Europe, the following text was added to paragraph 19, second sub-paragraph: “Several delegations underlined the importance of the ongoing negotiations in the UNESCO concerning the international convention on the protection of the diversity of cultural contents and artistic expressions.”

3. There was general agreement that the organisation of the Ministerial Conference had been very good. The approach of allowing non-governmental organisations to make a contribution to the texts to be considered at, and to make their views known during, the Conference also received very favourable comments. It was noted, however, that the timing of the NGO Forum had not been ideal, given that the time subsequently available for the CDMM to consider their proposals had been limited.

The Bureau decided that Mr Gabriel NISSIM, Chairperson of the Human Rights Grouping of the INGOs enjoying participatory status with the Council of Europe, be invited to the next CDMC meeting in order to provide the non-governmental organisations’ feedback on the Ministerial Conference and to discuss future cooperation between the Committee and INGOs.

4. A large number of journalists from both Ukrainian and foreign media received accreditations to attend the Ministerial Conference (upwards of 160) and the Conference received ample press coverage. The Bureau took note of the document reproducing the press coverage of the Ministerial Conference and fringe events (document CDMM (2005) 10).

It was suggested that, for future events, arrangements should be envisaged to ensure that Ministers and other high ranking officials have more opportunities to speak to the press.

5. Satisfaction was expressed about the adoption by the Ministers of the texts prepared by the CDMM, including the Resolution on the Media in Ukraine. In this connection, the question was raised whether the CDMC should take a stance as regards concrete subjects or situations, or propose that a particular statement be adopted in the context of a Ministerial

Conference, as had been the case in respect of the situation of the media in Belarus at the Thessalonica Ministerial Conference in 1997. The general feeling was that, while the Council of Europe is primarily a standard-setting organization, there are occasions when the CDMC should take a clear stand on particularly grave and systematic violations of freedom of expression and information.

As regards the content of the texts adopted, the Bureau expressed the view that efforts should be made to address each of the points of the Action Plan. For this purpose, it requested that the Secretariat prepare a list of the items foreseen in the Action Plan which are not covered by the terms of reference of the four groups of specialists. This would give the opportunity to the CDMC to consider the action required for the implementation of those items.

6. The Bureau noted that the Greek authorities had translated the texts adopted at the Ministerial Conference; it welcomed this approach and suggested that it be encouraged and indicated that the translations available might usefully be made available on the Media Division's website.

Item 4. Exchange of views on the results of the Third Summit of Heads of State and Government of the Council of Europe (Warsaw, 16 and 17 May 2005)

7. The Bureau welcomed the support expressed by the Heads of State and Government of the Council of Europe for the work being carried out by the Council of Europe to guarantee and promote freedom of expression and information and freedom of the media and, in particular, for the texts adopted at the 7th European Ministerial Conference on Mass Media Policy, including the Action Plan. This makes it all the more important to ensure that appropriate action is taken upon each of the points of the latter.

It also noted that considerable importance is accorded to strengthening human rights in the information society. A number of other issues mentioned in the Action Plan adopted in Warsaw relate to, and should be taken into account in, the work of the CDMC and its groups of specialists (e.g. protecting and promoting cultural diversity, fostering intercultural dialogue, protecting children, etc.).

8. The Heads of State and Government specifically encouraged the Council of Europe to cooperate with the Organisation for Security and Co-operation in Europe (OSCE) as regards freedom of expression and information and freedom of the media. In the Bureau's opinion, this should be borne in mind in the context of both inter-governmental and assistance activities falling within the scope of, or related to, the work of the CDMC.

9. One member of the Bureau mentioned that, in the context of the preparation of the Third Summit of Heads of State and Government of the Council of Europe, the question of the added value of the Council of Europe had been debated at domestic level. The conclusion had been that the Council of Europe's added value consists of the strengthening of human rights and democracy; as has been the case for the CDMC to date, these core values should remain at the top of the agenda of the work of the CDMC.

Item 5. Working methods of the CDMM and the CDMM-BU

10. The Bureau agreed that the working methods of the CDMC should feature as an item on the agenda for the Committee's next meeting. Several of the areas identified for discussion are mentioned below.

11. Concerning the contribution of delegations to the work of the CDMC, the Bureau suggested that it would be appropriate for the composition of the Committee to cover not only mass media but also new information technologies and new communication services. Further, background information on the new areas falling within the terms of reference of the CDMC should be circulated to members generally.

In this connection, it was also recalled that persons appointed by Council of Europe member states to attend CDMC meetings are expected to act as coordinators in their respective countries with a view to ensuring that all relevant views reach the Committee, and that it is possible for delegations to be made up of more than one person (albeit only one is entitled to reimbursement of expenses); this can serve as a means of bringing broader expertise to the Committee. Delegates should not only be active during, but also between, meetings (e.g. through communication among themselves and with the Secretariat).

12. The Bureau considered that it would be desirable for CDMC members to liaise closely with the persons representing their respective countries in groups of specialists. This approach would have the advantage of bringing the CDMC and the groups of specialists closer and overcoming the perception some may have that the CDMC's work consists of distributing work and examining the results brought to its consideration. There should also be more sustained communication between the Secretariat and the Bureau concerning the work of groups of specialists.

Concerning more generally the work of the groups of specialists, the Bureau expressed some surprise about the generalised use being made of consultants or experts, and concern that expenditure in this respect has already exceeded the resources made available for the purpose to the Secretariat. It recalled that, in respect of some issues, there is a large amount of material already available to the groups of specialists; specialists, not consultants, should work with such sources.

13. As already indicated (see paragraph 8), the Action Plan adopted at the Third Summit of Heads of State and Government of the Council of Europe encourages the latter to cooperate with the OSCE as regards freedom of expression and information and freedom of the media. This should be brought to the attention to the OSCE in an appropriate manner, e.g. by letter addressed to Mr Miklos HARASZTI, the OSCE Representative on Freedom of the Media, inviting him to consider forms of closer cooperation.

14. The Bureau also discussed certain aspects of CDMC meeting agendas and reports. As regards the former, it decided that provision of information on the work of other Council of Europe bodies and of other organisations be included systematically in the agenda for CDMC meetings, the work of such bodies being capable of having an impact on the work of, or being of interest to, the CDMC.

As regards reports, the Bureau recalled that, according to the rules adopted by the CDMM, publication is not automatic. Consequently, when considering the list of decisions and meeting report, the CDMC should decide on the question of the report's publication. Moreover, it decided that the general issue of confidentiality/disclosure of documents should be discussed anew by the CDMC, possibly with a view to promoting greater transparency, if this meets with the support of CDMC members; for this purpose, it requested that the Secretariat circulate relevant background information to Committee members.

Item 6. Preparation of the 64th meeting of the CDMM (21 to 24 June 2005)

(i) Work of the CDMM

15. The Bureau took note that, following the request made by the Ministers who participated in the 7th European Ministerial Conference on Mass Media Policy (paragraph 13 of the Political Declaration), on 11 May 2005, the Committee of Ministers of the Council of Europe had redefined the mandate of the Steering Committee on the Mass Media (CDMM) so that it can fully encompass the new information and communication technologies and, accordingly, had renamed it Steering Committee on the Media and New Communication Services (CDMC).

The Secretariat sought guidance from the Legal Advice Department of the Council of Europe concerning the approach to be followed as regards the numbering of meetings (i.e. whether to start from one or to continue the sequence of meetings of the CDMM). In response, the Legal Advice Department had indicated that it would be for the Bureau of the CDMC or for the Steering Committee itself to decide upon this matter, given that both approaches had been followed by Council of Europe bodies in the past; however, preference had often been given to starting a new sequence in order to signal the importance of the change. The Bureau decided that the next meeting would be the first meeting of the CDMC.

16. The Bureau examined the list of items prepared by the secretariat and drew up a draft agenda for the first meeting of the CDMC. The draft agenda should be supplemented by notes, elaborated on the basis of the Bureau's discussions and, to the extent possible, indicating clearly the questions that arise under each item and the results envisaged. In certain cases, specific delegations should be invited to provide information during the meeting on developments and experience in their respective countries (e.g. as regards decriminalisation of defamation).

17. While the Bureau's proposed agenda for the meeting does not foresee an exchange on the 7th European Ministerial Conference on Mass Media Policy or on the Third Summit of Heads of State and Government of the Council of Europe, the impact of those events should be examined when considering the future work of the CDMC. This would also be the opportunity to discuss the terms of reference of the CDMC, which will expire on 31 December 2005, to adapt the acronyms of the CDMC subordinate bodies to reflect the recent development, and to have an exchange with Mr NISSIM (see paragraph 3 above).

18. As regards substantive issues to be considered during the first meeting of the CDMC, it was decided that Mr Christopher DAWES, Chairperson of the MM-WG-EX, should be invited when the Draft Recommendation on the right of the public to information on major events where exclusive rights have been acquired would be discussed. Given the nature of this text and the complexity of the matters concerned, the objective should not necessarily be to adopt a text at the meeting; an initial discussion of the draft by the CDMC, leaving its detailed consideration and, if appropriate, adoption for a later date, would give delegations the opportunity to carry out necessary consultations in their respective countries.

19. The Bureau decided that examination of the alignment of the laws on defamation with the relevant case-law of the European Court of Human Rights, including the issue of decriminalisation of defamation, should be initiated with a debate on the basis of the information on the subject collected by the Secretariat or provided by delegations (see paragraph 3, third sub-paragraph, of the report on the 63rd meeting of the CDMM). Bureau members were invited to provide comments on the outline of the paper being prepared by the Secretariat by 31 May 2005.

The Bureau also decided that the participation of several guests who could contribute to the debate should be sought, in particular an expert in the case-law of the European Court of Human Rights (e.g. a staff member of the Department for the Execution of Judgements), a representative of an organisation advocating for decriminalisation and someone opposing the latter approach. At a later stage, representatives of other relevant bodies (e.g. the European Committee on Legal Cooperation (CDCJ) or the OSCE) could be invited for an exchange of views with the CDMC.

20. Other substantive issues to be included in the draft agenda for the first meeting of the CDMC are the European Convention on Transfrontier Television and the European Convention on the legal protection of services based on, or consisting of, conditional access. As regards the former, the CDMC should be asked to discuss its added value and its future, and concerning both of them, it should consider whether – and, if so, how – states which are not yet party to those conventions should be encouraged to ratify them.

As regards more particularly the European Convention on Transfrontier Television, reference was made to the discussions already under way within the Standing Committee on Transfrontier Television and also at European Union level concerning the Television Without Frontiers Directive, and to the fact that use is not frequently made of the mechanism set up under the Convention to resolve differences. The Bureau also took note of the report of the 38th meeting of the Standing Committee on Transfrontier Television, held on 31 March and 1

April 2005 (document T-TT (2005) 2) and of the contributions made by delegations on possible new issues to be addressed in the Convention (document T-TT (2005) 9).

21. Point 18 of the Action Plan adopted at the 7th European Ministerial Conference on Mass Media Policy foresees the “[monitoring of] the impact of the development of new communication and information services on the protection of copyright and neighbouring rights, so as to take any initiative which might prove necessary to secure this protection, while ensuring a wide circulation of works and other protected material.” The Bureau considered that this also raises the more general issue of copyright in the context of the work of the CDMC. It decided to include it in the agenda for the next CDMC meeting.

For this purpose, an expert on copyright matters should be invited to the next CDMC meeting. The guest should submit a paper and make a brief presentation on developments in international law as regards copyright, with particular reference to new communication services; the guest should also give views on the approach that might be followed by the CDMC and its subordinate bodies when considering copyright or other matters in respect of which copyright has an incidence.

22. The Bureau noted that a “Draft Recommendation on ways of improving the relationships between health authorities and the media” had very recently been submitted to the Committee of Ministers of the Council of Europe by the European Health Committee (CDSP) (see item 7 (ii) of the agenda of the Bureau meeting). The Bureau found that it would be preferable for the CDMC to be given an opportunity to consider the text before the Committee of Ministers examined it; it decided that a request be made to this effect and to include this item in the agenda for the first meeting of the CDMC.

(ii) Work of the CDMC’s subordinate bodies

a. Group of Specialists on media diversity (MM-S-MD)

23. The Bureau took note of the report on the 1st meeting of the MM-S-MD, which took place on 21 and 22 March 2005 (document MM-S-MD (2005) 3).

The Bureau paid particular attention to the terms drawn up by the MM-S-MD for a study to be prepared by a consultant on “the effects of media concentration on freedom of expression and information, media pluralism and cultural diversity”. The Secretariat provided information on contacts held to this end with Mr David WARD and on the difficulties being encountered, in particular due to the magnitude of the study as outlined by the group of specialists and the considerable cost that would be involved. The Secretariat also mentioned the possibility of limiting the scope of the study.

Certain members of the Bureau pointed out that information about media concentration is already available from other sources, and that concentration is a known fact that, as such, no longer needs to be proved; the issue at stake is the relation between concentration and content

and particularly the impact (positive or negative) of media concentration on media pluralism. Consequently, analysis conducted by the MM-S-MD should concentrate primarily on this issue, with a view, as appropriate, to proposing policy measures. It was suggested that trends at domestic level (emerging policies, e.g. as regards capping on market share) may also provide valuable indicators.

24. Other suggestions from the Bureau concerned using the findings or proposals of other CDMM subordinate bodies (e.g. AP-MD) or the conclusions reached in seminars or conferences on relevant subjects (e.g. as regards the impact of search engines on pluralism).

25. The Bureau also took note of the decision of the MM-S-MD to postpone its next meeting to after the date for the foreseen adoption of the UNESCO international convention on the protection of the diversity of cultural contents and artistic expression, in order to consider the consequences of that convention for the media and to propose possible action.

b. Group of Specialists on human rights in the Information society (MM-S-IS)

26. The Bureau took note of the report on the 1st meeting of the MM-S-IS, which took place on 4 and 5 April 2005 (document MM-S-IS (2005) 6).

The Secretariat presented the work of the MM-S-IS and referred to its initial priorities concerning harmful (internet) content, the roles and responsibilities of key actors in the Information society (e.g. mobile phone operators, internet service providers, states) and media education, in particular concerning the planned revision and updating of the Council of Europe Handbook on Internet literacy.

The Secretariat also informed the Bureau of the European Forum entitled “Human Rights in the Information society: Responsible Behaviour by Key Actors”, to be held in Budapest on 12 and 13 September 2005, and highlighted the potential for the event to showcase the work and expected results of the MM-S-IS in the light of the Declaration of the Committee of Ministers on human rights and the rule of law in the Information society and the Third Summit of Heads of State and Government of the Council of Europe.

For reasons of synergy and efficiency, the Secretariat pointed out that the Second meeting of the MM-S-IS would be organised back-to-back with the Forum in Budapest on 14 and 15 September 2005, both of which will be co-organised with the Ministry of Informatics and Communications of Hungary. The Bureau noted that the holding of the group of specialist’s meeting outside Strasbourg required the authorisation of the Committee of Ministers.

c. Group of Specialists on freedom of expression and information in times of crisis (MM-S-IC)

27. The Bureau took note of the report of the 1st meeting of the MM-S-IC, which took place on 25 and 26 April 2005 (document MM-S-IC (2005) 4).

The Secretariat drew the Bureau's attention to the fact that the Group had held a lengthy exchange of views on how to define the concept "times of crisis" and devoted considerable time to defining topics to be covered in a review, to be prepared by a consultant, of existing international standards concerning freedom of expression and information in times of crisis. The MM-S-IC encountered some difficulty interpreting the direction in which it should be heading on the issue of legal and security aspects of investigative journalism, and decided to seek further advice from the CDMC in this respect. Moreover, the Group has not yet taken up three of the issues included in its work plan for 2005.

28. The Bureau noted that the MM-S-IC was not the only group of specialists to seek clarification from the CDMC on its terms of reference. It might be useful for the CDMC to provide, where necessary, clearer orientations to the groups, in particular when considering how to implement the remaining points of the Action Plan not covered by existing terms of reference (cf. paragraph 5, second sub-paragraph).

In this connection, the Bureau noted the request of the MM-S-IC for clarification on whether to examine the institution of an award for media which make an outstanding contribution to conflict prevention, or resolution, understanding and dialogue; this issue, which appears in paragraph 7 of the Kyiv Action Plan, is not specifically covered by the Group's current terms of reference. The Bureau suggested that that group of specialists be asked to make proposals to the CDMC on this subject.

d. Group of Specialists on public service broadcasting in the Information society (MM-S-PSB)

29. The Bureau took note of the report on the 1st meeting of the MM-S-PSB, which took place on 2 and 3 May 2005 (document MM-S-PSB (2005) 6).

The Secretariat drew the Bureau's attention to the fact that the MM-S-PSB had agreed that the public service remit could be discharged in various ways and public service tasks assigned to different types of bodies, extending beyond conventional broadcasting; consequently, it had decided to deal with public service media in the new digital environment in general, without circumscribing it to broadcasters. On the basis of a study being prepared by Mr Christian NISSEN (a consultant) on how the public service remit should be developed and adapted to the Information society, the MM-S-PSB will consider a possible report/policy paper on the subject.

The Group will also examine public service broadcasters' strategies for promoting wider democratic participation by individuals in the Information society. In order better to explore this topic, the MM-S-PSB agreed to hold a hearing at its next meeting with representatives of public service broadcasting organisations and experts in new interactive technologies.

Further, the MM-S-PSB agreed that the responses to a questionnaire sent by the Secretariat to the members of the CDMC would serve as a basis to draw up a report on the implementation in Council of Europe member states of standards designed to ensure the independence of public service broadcasters. The report should help the Group identify whether and, if so, what further guidance should be provided to member states on the subject.

30. Certain Bureau members stressed that the notion of public service media was technologically neutral and welcomed this approach. The Bureau recognised that public service broadcasting or media raise competition-related issues (e.g. potential for distorting competition), but underlined the value of such services, as well as the fact that market competition is not an issue of primary concern for the Council of Europe. This has been clearly acknowledged by the Council of Europe; public service media/broadcasters should continue to play a fundamental role in democratic societies.

Bureau members underlined that it is necessary to ensure that the public service mission is clearly defined and remains central to the operations of the bodies entrusted with providing the service. This requires exploration of new ways of delivery, in line with technological developments and consumer demand; in particular, public service media should not be excluded from providing specialised and personalised services, as this would prevent them from serving the public in one of the ways it expects to be served in the digital environment.

e. Ad hoc Working Group on exclusive rights and the right of the public to information (MM-WG-EX).

31. The Bureau took note of the report on the meeting of the MM-WG-EX, which took place on 19 and 20 April 2005 (document MM-WG-EX (2005) 4). As already indicated, it decided that the working group's Chairperson, Mr Christopher DAWES, be invited to attend the CDMC meeting when the Draft Recommendation on the right of the public to information on major events where exclusive rights have been acquired will be discussed.

(iii) Request for observer status in the MM-S-IS by the non-governmental organisation European Digital Rights (EDRI)

32. The Bureau took note of the request for observer status in the MM-S-IS made by European Digital Rights (EDRI) and of the related background information (document CDMM (2005) 14). Several participants signalled the interest for the CDMC to have a direct contact with a representative of EDRI before taking a decision upon this request. The Bureau decided that EDRI be invited to make a brief presentation of the organisation and to have an exchange with participants at the next meeting of the CDMC.

(iv) Standing Committee on Transfrontier Television

33. In this connection, see paragraph 20, second sub-paragraph.

(v) European Convention on the legal protection of services based on, or consisting of, conditional access

34. In this connection, see also paragraph 20.

(vi) Internet governance

35. At the proposal of the Multidisciplinary Ad-hoc Committee of Experts on the Information society (CAHSI), on 13 May 2005, the Committee of Ministers of the Council of Europe adopted a declaration on human rights and the rule of law in the information society. Internet governance does not feature (clearly) in that document and is a matter that remains broadly unregulated; states have taken few steps in this connection and other existing bodies (e.g. the Internet Corporation For Assigned Names and Numbers (ICANN)) do not consider that governance falls within their remit.

While it noted that the Tunis Phase of WSIS will address this subject, the Bureau recognised that it requires further consideration, in particular from the human rights angle. In this connection, it was underlined that human rights considerations apply to internet in the same way as they apply to media employing other platforms; internet governance has a bearing on freedom of expression and information. The Bureau decided that relevant documents on freedom of expression made available to members of CAHSI should also be put at the disposal of CDMC members.

36. The Bureau took note of the Declaration on human rights and the rule of law in the information society, adopted by the Committee of Ministers of the Council of Europe on 13 May 2005, and decided to invite Mr Michael REMMERT, Secretary of CAHSI, to the first meeting of the CDMC in order to present and discuss the results of its work.

Item 6. Other business

(i) Request by the Consultative Council of European Judges (CCJE)

37. The Secretariat informed the Bureau that, following participation by Mr Nicholas HODGSON in the 2nd European Conference of Judges which focussed on “Justice and the Media”, the Secretariat of the CCJE had invited the CDMC and/or a member of its Secretariat to participate in an exchange of views with CCJE members within the framework of its forthcoming meeting (CCJE-GT, 29 June to 1 July 2005). The Bureau welcomed this invitation and indicated that improved synergies between different Council of Europe bodies can only be encouraged; it decided to accept the invitation and that, subject to availability, the CDMC should be represented on that occasion by Ms Saskia WELSCHEN (Netherlands).

(ii) Draft Recommendation on ways of improving the relationships between health authorities and the media

38. In this connection, see paragraph 22.

(iii) Seminar on the protection of Human Rights in the context of the fight against terrorism

39. The Bureau noted that a seminar on the protection of Human Rights in the context of the fight against terrorism is being organised under the auspices of the Steering Committee on Human Rights (CDDH); the seminar is scheduled to take place in Strasbourg on 13 and 14 June 2005. The Bureau considered that it would be appropriate for the CDMC to be represented at the seminar at the highest level, preferably by the Committee's Chairperson.

APPENDIX I

Members of the Bureau of the CDMC / Membres du Bureau du CDMC

Austria/Autriche

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Bulgaria/Bulgarie

Ms Bissera ZANKOVA, Media expert, Consultant, Ministry of Transport and Communications

Denmark/Danemark

Ms Pernille RAHBEK, Head of Section, Ministry of Culture

Netherlands/Pays-Bas

Ms Saskia WELSCHEN, Policy Adviser Media, Department for Media, Literature and Libraries (MLB), Ministry of Education, Culture and Science

Poland/Pologne

Mr Karol JAKUBOWICZ, Chairperson of the CDMC, Director, Department of Strategy and Analysis, National Broadcasting Council

Romania/Roumanie

Mr Vladimir SIMON, Director, Department for the Integration and Harmonisation of the Media, Ministry of Culture and Cults

Turkey/Turquie

Mrs Sebnem BILGET, Head of International Relations Department, Radio and Television Supreme Council

Secretariat/Secrétariat

Mr Jan MALINOWSKI, Head of the Media Division, Secretary of the CDMC, Directorate General of Human Rights - DG II / Chef de la Division Médias, Secrétaire du CDMC, Direction Générale des Droits de l'Homme - DG II

Ms Charlotte de BROUDELLES, Administrative Officer, Secretary of the MM-S-MD and Co-Secretary of the T-TT, Directorate General of Human Rights - DG II / Administratrice, Secrétaire du MM-S-MD et Co-Secrétaire du T-TT, Direction Générale des Droits de l'Homme - DG II

Mr Eugen CIBOTARU, Administrative Officer, Secretary of the MM-S-PSB and of the MM-WG-EX, Directorate General of Human Rights - DG II / Administrateur, Secrétaire du MM-S-PSB et du MM-WG-EX, Direction Générale des Droits de l'Homme - DG II

Mr Lee HIBBARD, Administrative Officer, Secretary of the MM-S-IS, Directorate General of Human Rights - DG II / Administrateur, Secrétaire du MM-S-IS, Direction Générale des Droits de l'Homme - DG II

Ms Lindsay YOUNGS, Principal Administrative Assistant, Co-Secretary of the MM-S-IC, Media Division, Directorate General of Human Rights – DGII / Assistance Administrative Principale, Co-Secrétaire du MM-S-IC, Division Médias, Direction Générale des Droits de l’Homme - DG II

Mr Giedrius KADZIAUSKAS, Media Division, Directorate General of Human Rights – DGII / Division Médias, Direction Générale des Droits de l’Homme - DG II

APPENDIX II

1. **Opening of the meeting**
2. **Adoption of the agenda**
3. **Exchange of views on the results of the 7th European Ministerial Conference on Mass Media Policy (Kyiv, 10 and 11 March 2005)**

Working documents

- Secretariat report on the Ministerial Conference
CDMM (2005) 9
 - Press coverage of the Ministerial Conference and fringe events
CDMM (2005) 10
4. **Exchange of views of the results of the Third Summit Heads of State and Government of the Council of Europe (Warsaw, 16 and 17 May 2005)**

Reference documents

- Warsaw Declaration
CM(2005)79 final
 - Action Plan
CM(2005)80 final
5. **Working methods of the CDMM and the CDMM-BU**
 6. **Preparation of the 64th meeting of the CDMM (21 to 24 June 2005)**
- (i) **Work of the CDMM**

Working documents

- Report of the 63rd meeting of the CDMM (Kyiv, 9 March 2005)
CDMM (2005) 8
- Preliminary draft agenda of the 64th meeting of the CDMM
CDMM (2005) OJ 2 prov
- Revised timetable of meetings of the CDMM and its subordinate bodies in 2005
CDMM (2005) 11
- Texts adopted at the Ministerial Conference
Appendix IV to CDMM (2005) 9

- Revised terms of reference of the CDMM – Steering Committee on the Mass Media and New Communication Services (CDMC)
Appendix V to CDMM (2005) 9
- Examination of the alignment of the laws on defamation with the relevant case law of the European Court of Human Rights, including the issue of decriminalisation of defamation
CDMM (2005) 12 prov
- Draft Recommendation on the right of the public to information on major events where exclusive reporting rights have been acquired
Appendix to MM-WG-EX (2005) 4

(ii) Work of the CDMM's subordinate bodies

Working documents

- Terms of reference of the CDMM's subordinate bodies and revised work plan for 2005
CDMM (2005) 13
- Report of the 1st meeting of the Group of Specialists on media diversity (MM-S-MD), 21 and 22 March 2005
MM-S-MD (2005) 3
- Report of the 1st meeting of the Group of Specialists on human rights in the Information Society (MM-S-IS), 4 and 5 April 2005
MM-S-IS (2005) 6
- Report of the 1st meeting of the Group of Specialists on freedom of expression and information in times of crisis (MM-S-IC), 25 and 26 April 2005
MM-S-IC (2005) 4
- Report of the 1st meeting of the Group of Specialists on public service broadcasting in the Information Society (MM-S-PSB), 2 and 3 May 2005
MM-S-PSB (2005) 6
- Report of the meeting of the Ad hoc Working Group on exclusive rights and the right of the public to information (MM-WG-EX), 19 and 20 April 2005
MM-WG-EX (2005) 4

(iii) Request for observer status in the MM-S-IS by the non-governmental organisation European Digital Rights (EDRI)

Working document

- Background information on the non-governmental organisation European Digital Rights (EDRI)
CDMM (2005) 14

(iv) Standing Committee on Transfrontier TelevisionWorking documents

- Report of the 38th meeting of the Standing Committee on Transfrontier Television, 31 March and 1 April 2005
T-TT (2005) 2
- Contributions on possible new issues to be addressed in the Convention transmitted by Delegations
T-TT (2005) 9

(v) European Convention on the legal protection of services based on, or consisting of conditional access**(vi) Internet governance**Working documents

- Reports of the 1st and 2nd meetings of the CAHSI, 3 and 4 February and 6 and 7 April 2005
CAHSI (2005) 3, CAHSI (2005) 8
- Draft political statement on the principles and guidelines for ensuring respect for human rights and the rule of law in the information society approved by the CAHSI
CAHSI (2005) 7 rev.

7. Other business**(i) Request by the Consultative Council of European Judges (CCJE)****(ii) Draft Recommendation on ways of improving the relationships between health authorities and the media****(iii) Seminar on the protection of Human Rights in the context of the fight against terrorism**