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

(CDMC-BU)

**Meeting of 14 and 15 October 2010
Council of Europe, Agora building, Strasbourg
(Room G04)**

MEETING REPORT

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Executive summary

During the meeting, the Bureau prepared the 13th meeting of the CDMC and in particular:

- held exchanges of views with the Chairpersons of the bodies reporting to the CDMC and discussed their proposed standard-setting outputs;
- recommended Bertrand de la Chapelle to replace Mark Kelly in the MC-S-CI;
- had no objection to the NGO Article 19 being given observer status with the MC-S-PG;
- supported proposals in respect of gender proofing of standard-setting instruments prepared under CDMC (previously CDMM) responsibility and suggested that, given its broad scope and transversal nature, the project be brought to the Committee of Ministers' attention;
- took note of the list of candidates for an informal working group that may prepare guidelines for the review by member states of their anti-terrorism legislation and practice from a freedom of expression and information perspective and suggested consultation with CODEXTER and other Council of Europe bodies / departments;
- recommended that the CDMC accept the invitation by Serbia to host the next specialised ministerial conference and that work on its preparation starts;
- discussed reasons why a Council of Europe regulatory framework is necessary for transfrontier audiovisual media and expressed disquiet as regards the prevailing situation in respect of the revision of the European Convention on Transfrontier Television.

Items 1 and 2. Opening of the meeting and adoption of the agenda

1. The Bureau adopted the agenda, as set out in Appendix II. The list of participants is set out in Appendix I. The meeting was chaired by Delia Mucică (Romania) and was largely devoted to the preparation of the 13th meeting of the CDMC (16 to 19 November 2010).

2. The gender distribution of the 7 Bureau members participating in the meeting was as follows: 3 women (42.86%) and 4 men (57.14%).

3. Luis Ferro (Portugal) announced his early retirement and that, as a consequence, he would cease to represent his country in the CDMC after the next meeting of the Steering Committee. The Bureau expressed its sincere appreciation for his contribution to the work of the CDMC in general and, more particularly, for his work as a Bureau member over the last three years.

The Bureau agreed that, on the occasion of departures such as this one, the Chairperson could write to the relevant authorities to recall the CDMC's mandate and draw attention to the need for relevant expertise, in particular on information society and Internet governance matters. Given the gender distribution observed at the last CDMC meeting (20 women (30.30%), 46 men (69.70%) out of 66 attendants), the question of gender balance should also be raised at appropriate times.

4. Jan Kleijssen, Director of Standard Setting in the Directorate General of Human Rights and Legal Affairs of the Council of Europe, addressed the following issues with the Bureau:

- adoptions of standard-setting texts: he welcomed the adoption by the Committee Ministers of the three most recent declarations referred to in paragraph 7 below; the absence of discussions on those (as on the numerous previous) draft texts prepared by the CDMC speak to the quality of the Steering Committee's output but, regrettably, it does not contribute to Permanent Representations' awareness of its work; this could improve as a result of CDMC members' contacts with their

countries' Permanent Representations before the Council of Europe and also as a consequence of the appointment of a new Committee of Ministers Thematic Coordinator on Information Policy and the broadening of his mandate (see the following paragraph);

- Committee of Ministers Thematic Coordinator on Information Policy (TC-INF): the Committee of Ministers has extended the mandate of its TC-INF to cover issues relating to information society and Internet governance; the new tasks involve informing the Ministers' Deputies and facilitating their decision making on matters within this thematic area, liaising with the relevant rapporteur groups (e.g. participation in the Rapporteur Group on Human Rights (GR-H) when an abridged report of the CDMC covering issues relating to information society and Internet governance is considered) and interfacing with intergovernmental structures, in particular steering committees. The TC-INF is Ambassador Thomas Hajnoczi, Permanent Representative of Austria to the Council of Europe. The Bureau asked the Secretariat to explore the possibility of arranging for an exchange of views with him during the next CDMC meeting;

- gender mainstreaming: Mr Kleijssen congratulated the CDMC for its approach in respect of the handling of gender-related issues which should serve as an example of best practice and lead the way for other Council of Europe Steering Committees. Jeroen Schokkenbroek, Head of the Human Rights Development Department in the Directorate of Standard Setting, informed of steps being taken to share this experience with the secretaries of other steering committees in order to extend the practice;

- administrative and budgetary matters: given the reform under way in the Organisation, 2011 will be a transition year at the end of which there will be a total re-set; this will allow for a veritable exercise of prioritisation and refocusing on a more limited number of activities. In Mr Kleijssen's view, this process should not affect current work and resources adversely given that the Secretary General considers governance in the information society a priority. As regards staff issues, while conscious of current difficulties, he assured the Bureau that every effort would be made to find solutions within current budgetary appropriations which are not expected to change significantly for CDMC related work in 2011.

5. Jan Kleijssen also commented on several items on the Bureau's agenda:

- respect of Article 10 of the European Convention of Human Rights: decisions are yet to be made regarding action to be taken on the Committee of Ministers declaration of 13 January 2010;

- cross-border Internet and critical resources: the last Internet Governance Forum (IGF) (Vilnius, 14 to 17 September 2010) confirmed that the Council of Europe is a key player in Internet governance discussions and is recognised by other international organisations, businesses and civil society; however, misleading press reports on the work underway on critical Internet resources suggest the need to explain that this work does not involve national defence matters, and also, to reassure the "anti-cybercrime community" that the CDMC is not seeking to broaden its area of activities unduly (see also paragraph 18 below). Furthermore, exploring the feasibility of an instrument designed to protect resources which are critical for the ongoing functioning and borderless nature and integrity of the Internet (i.e. critical internet resources), as the Committee of Ministers encouraged the CDMC to do as a priority, should involve broad dialogue with both state (including non-European) and non-state actors. The CDMC could explore how to associate relevant actors to this;

- neighbouring rights of broadcasting organisations: according to the non-official information received to date, progress is being made towards giving a negotiating mandate to the

European Commission for a convention on this subject. The situation should be clarified by the next CDMC meeting in November.

6. The Bureau thanked Jan Kleijssen. It expressed deep concern about the staff situation in the CDMC's Secretariat, and underlined the importance that member states attach to this work and the need to ensure its sustainability in line with the agreed and already prioritised agenda for CDMC work.

Item 3. Decisions of the Committee of Ministers of interest to the work of the CDMC

7. The Bureau noted that, on 29 September, the Committee of Ministers adopted the Declarations prepared under the CDMC's responsibility on network neutrality, on the digital agenda for Europe and on the management of the Internet protocol address resources in the public interest. During that same meeting, the Committee of Ministers also took note of the report of the 12th meeting of the CDMC.

*Texts from the Parliamentary Assembly of the Council of Europe
CDMC Comments on PACE Recommendation 1897(2010) on respect for media freedom
CDMC(2010)001 and on PACE Recommendation 1916(2010) on the protection of whistleblowers*

8. The Bureau noted that, further to a Committee of Ministers invitation, the CDMC's written comments on these texts were transmitted to the Secretariat of the Committee of Ministers before the due by date.

*PACE Recommendation 1931(2010) – “Combating sexist stereotypes in the media”
PACE Recommendation 1934 (2010) – “Child abuse in institutions: ensure full protection of the victims”
PACE Recommendation 1933 (2010) – “Fight against extremism: achievements, deficiencies and failures”
PACE Recommendation 1936 (2010) – “Human rights and business”*

9. The Committee of Ministers transmitted these Parliamentary Assembly recommendations to the CDMC for information and possible comments. Bureau members agreed to prepare drafts as follows: Elfa Yr Gylfadottir (Iceland) on “Combating sexist stereotypes in the media”, Andris Mellakauls (Latvia) on “Fight against extremism: achievements, deficiencies and failures”, Maja Rakovic (Serbia) together with Emir Powlakic (Bosnia and Herzegovina) on “Human rights and business”; and the Secretariat will prepare the draft on “Child abuse in institutions: ensure full protection of the victims”, all taking account of comments received from CDMC members. The drafts should be circulated to the CDMC by the end of October and finalised during the 13th meeting.

Item 4. Draft instruments or texts for consideration by the CDMC

10. The Bureau noted that no draft instruments or other texts will be submitted to the CDMC for finalisation at the Steering Committee's 13th meeting. It considered documents being prepared by its subordinate bodies under item 6 of the agenda.

Item 5. Implementation of Council of Europe standards on media and freedom of expression

Roles and responsibilities of the European ISPs

11. Michael Rotert, honorary spokesperson for European Internet Service Providers Association (EuroISPA), suggested that the role and responsibilities of European ISPs could usefully be clarified in the framework of Council of Europe intergovernmental cooperation work. He therefore asked for this issue to be put on the CDMC's agenda. In order to prepare discussions, he submitted an input paper.

The Bureau agreed to put this item on the agenda for the 13th meeting of the CDMC. A representative of EuroISPA should be invited to an exchange of views with the CDMC on the matter.

- Follow-up to the Resolution on Developments in anti-terrorism legislation in Council of Europe member states and their impact on freedom of expression and information - Texts adopted by the 1st Council of Europe Conference of Ministers responsible for Media and new Communication Services (Reykjavik, May 2009)

12. At its last meeting, the CDMC decided to set up a small informal working group to explore possible guidance or other action to be offered to member states for the implementation of their commitment made in this Resolution. This work could take the form of a recommendation using as a basis relevant elements of existing standard-setting texts and examples of good practice in member states.

The CDMC called for suitable candidates from national administrations to take part in this informal working group, with the following result:

- Hamit ERSOY, International Relations Department, Radio and Television Supreme Council (Turkey);
- Bissera ZANKOVA, Media Consultant, Ministry of Transport and Communications, Directorate on Information Technology (Bulgaria);
- Andris MELLAKAULS, Adviser to the Minister of Culture of Latvia

In addition, observer organisations offered to contribute to this work as follows:

- Article 19 (David BANISAR, Senior Legal Counsel);
- European Newspapers Publishers Association (ENPA) (Holger ROSENDAL (Head of Legal Department, Danish Newspaper Publishers' Association);
- European Federation of Journalists (EFJ) (Arne König, President of the EFJ and Vice-President of the Swedish union of Journalists);
- Association of European Journalists (AEJ) (William HORSLEY, Media Freedom Representative).

In addition, the Bureau agreed that Sir Ken MacDonald, former United Kingdom Director of Public Prosecutions (2003-2008) and human rights / freedom of expression advocate, be approached and invited to take part in this work.

The Bureau suggested that the composition of the informal working group remain open.

13. The Bureau requested that the Secretariat of the Committee of Experts on Terrorism (CODEXTER) be invited to share any information they may have on the approach followed in member states and on examples of good practice, regarding the questions identified during the first exchanges within the group. The Secretariat of the Steering Committee on Human Rights (CDDH) and the Department for the Execution of Judgments of the European Court of Human Rights may also be able to assist in this respect in light of their own work. The views of the Registry of the European Court of Human Rights could be sought at a later stage.

Item 6. Work of CDMC subordinate bodies

- Committee of Experts on New Media (MC-NM)

14. The MC-NM held its third meeting on 27 and 28 September 2010. It pursued examination of a draft recommendation on a new notion of media and agreed that this text required additional work before it would be ready for submission to the CDMC.

15. Thomas Schneider, Chairperson of the Expert Committee, gave an overview of progress being made by the MC-NM and, in particular, the state of development of draft texts being prepared according to the terms of reference (draft recommendations and self-regulatory guidelines on the protection of human rights with regard to search engines and on social network service providers). He expressed regret that, while the work has advanced significantly, these texts are now on hold due to the lack of human resources in the Secretariat (the next step involves consultation of, and work with, the private sector actors concerned).

16. The Bureau agreed on the importance of the work being carried out by the Expert Committee and emphasised that the expected output on a new notion of media may significantly influence media policy developments in the future.

- Ad hoc Advisory Group on Cross-border Internet (MC-S-CI)

17. Wolfgang Kleinwächter, Chairperson of the MC-S-CI, gave an overview of progress being made by the Group. He reported on the Group's consultation on the margins of the ICANN meeting in June 2010 in Brussels and its participation in the IGF, as well as on its informal meetings held on the occasion of those events. The Group will hold its next meeting on 8 and 9 November 2010. The Bureau noted the interest generated by the Group's discussion paper on the protection of critical Internet resources in a cross-border context, considered by some as a blueprint for a "global treaty on the Internet".

18. The CDMC also held an exchange of views with a member of the Secretariat of the Convention Committee on Cybercrime (T-CY) who expressed concern that, if not explained sufficiently, this work may be perceived as spreading into areas naturally covered by cybercrime regulation or related to cyber-warfare. The MC-S-CI's Chairperson and the Bureau took note of these comments and observed that the "soft security" approach advanced by the MC-S-CI based on a reciprocal expectation as to preparedness, cooperation and dialogue in the mutual interest to preserve the ongoing functioning of the network regardless of frontiers and the consequential acknowledgement of a "duty of care" or "due diligence" standard, even if backed by international law, should allay those misgivings.

19. The Bureau noted Mr Kleinwächter's request for further guidance as whether the Group's output should take the form of a convention (e.g. in the form of a framework convention or framework of commitments), resolution, recommendation or declaration. The Bureau recalled that, following the Reykjavik Ministerial Conference, the Committee of Ministers had "*invited, in particular, the CDMC to seek to ensure multi-stakeholder participation in the implementation of relevant parts of its terms of reference and to give priority attention in that work to the elaboration of legal instruments designed (i) to preserve or reinforce the protection of the cross-border flow of Internet traffic and (ii) to protect resources which are critical for the ongoing functioning and borderless nature and integrity of the Internet (i.e. critical internet resources).*"

Having regard also to the remarks made by Mr Kleijssen (see paragraph 5 indent 2 above), further action could involve (i) encouraging broader multistakeholder debate, perhaps by organising during the first half of 2011 a conference on the subject; (ii) inviting and encouraging participation in the debate and ongoing Council of Europe work of representatives from major players, in particular countries such as the United States, Canada, Japan, Brazil, etc.; and (iii) ensuring that CDMC

discussions associate national experts dealing with technical aspects of Internet governance or with national policy in respect of critical Internet resources and infrastructure. CDMC proposals on the way forward might be brought specifically to the Committee of Ministers' attention for further discussion and instructions.

Composition of the Group

20. One of the members of the group, Mark Kelly, indicated that he is not in a position to continue working with the MC-S-CI. The Bureau considered proposals made by CDMC members and those stemming from the Group's own activities as follows:

- Manuel Lopes Rocha, PLMJ - A. M. Pereira, Sáragga Leal Oliveira Martins, Júdice e Associados Sociedade de Advogados, RL;
- Ihsan Durdu, Advisor to the Minister of Transportation and Communication of Turkey;
- Rikke Frank Jørgensen, Danish Institute for Human Rights;
- Bertrand de la Chapelle, Envoy for the information society in the Foreign Ministry of the French government;
- Maeve Dion, Associate Professor at Stockholm University currently conducting doctorate-level legal research on international cyber-security, preparedness, response and accountability.

Taking account of the preference expressed by the Chairperson of the Group, the Bureau agreed to recommend to the CDMC to propose Bertrand de la Chapelle for membership of the MC-S-CI.

- Ad hoc Advisory Group on Public Service Media Governance (MC-S-PG)

21. The Group held its second meeting on 12 and 13 October. The Chairperson of the MC-S-PG, Tim Suter, provided an overview on progress being made. The Bureau noted, in particular, that a draft policy paper on the governance of public service media would be ready for CDMC consideration at its first meeting in 2011, addressing internal and external challenges for public service media to meet their objectives on five fronts (a) innovation, (b) openness and responsiveness, (c) independence, (d) transparency and accountability, and (e) management. The draft policy paper is expected to be part of a draft Committee of Ministers recommendation and should be accompanied also by a draft declaration setting the scene.

Request for observer status by the non-governmental organisation Article 19.

22. The Bureau discussed the request made by Article 19 to be granted observer status with the MC-S-PG. The Group's chairperson had no objection but suggested that other members of the Group be consulted. The Bureau recalled that, according to previous CDMC discussions, "*observers should be representative at European level, have broad experience in the area of competence of the CDMC or the subordinate bodies for which they request observer status, and be able to make an effective and high quality contribution to the relevant bodies' activities. A decision to grant an organisation observer status should not be understood as unlimited in time and the CDMC reserves the right not to renew an observer's status.*" It also recalled that Article 19 is already an observer with the CDMC itself.

- Ad hoc Advisory Group on the Protection of Neighbouring Rights of Broadcasting Organisations (MC-S-NR)

23. The Bureau took note of the letter sent by EU Commissioner Michel Barnier to the Secretary General of the Council of Europe on the question of the European Commission receiving a negotiating mandate in this connection and also the information provided by Jan Kleijssen (see paragraph 5 indent 3). In compliance with previous CDMC decisions, no further work should be conducted on this matter until the Commission receives the above-mentioned mandate (or the CDMC decides otherwise).

- Renewal of the terms of reference of the Expert Committee and Ad hoc Advisory Groups

24. The mandates of all CDMC subordinate bodies expire at the end of 2010. Given Committee of Ministers arrangements for the processing of requests for the renewal of terms of reference, this question was dealt with by e-mail consultation within the CDMC subordinate bodies and, subsequently, the CDMC. As a result all terms of reference have been submitted for renewal without amendment. The Bureau noted that the Committee of Ministers is expected to consider this matter during one of its November 2010 meetings and that terms of reference will be extended only until 31 December 2012.

25. The CDMC's Chairperson proposed that stock be taken of progress made in the implementation of the Reykjavik Ministerial Conference and related Committee of Ministers decisions. To this end, the Bureau asked the Secretariat to prepare a chart showing objectives work in progress and achievements to date against Reykjavik proposals. The CDMC should be invited to consider this information at its 13th meeting.

Item 7. Hearing on defamation and forum shopping

26. At its 12th meeting, the CDMC decided that a hearing should be held on this topic during its next meeting. The Bureau discussed its organisation. It recommended that contact be made with the European Audiovisual Observatory. The preparation should be pursued by the Secretariat in close consultation with the Bureau.

Item 8. Work programme for the CDMC in 2011

Working methods

Gender issues

27. At its 12th meeting, the CDMC welcomed the proposals made by Elfa Yr Gylfadottir (Iceland) and Karl Jagdis (United Kingdom) in their paper "Mainstreaming gender equality in the work of the CDMC" and agreed to consider standards previously prepared by the CDMC (formerly the CDMM) from a gender equality perspective with a view to identifying which of them should be reviewed and how.

The Bureau thanked Ms Gylfadottir for further work done on this subject, in particular, regarding the identification of standard setting instruments that require gender proofing or other additional work. It supported the proposal that group instruments be reviewed by theme and also recommended that the CDMC set up an informal working group to pursue this work. Given the staff situation in the Secretariat, it agreed that the assistance of external consultants could be fully justified in order to progress in this important exercise. More generally, the Bureau considered that, due to the transversal nature and broad scope of this project, the matter could be brought to the attention of the Committee of Ministers so that appropriate arrangements could be made (see also paragraph 4 indent 3 above).

Item 10. Internet Governance and Information Society

Internet Governance Forum (IGF) (Vilnius, 14-17 September 2010)

28. The Council of Europe delegation comprised 16 members of the Secretariat and 21 experts dealing with a panoply of issues including cross-border Internet, cybercrime, data protection, freedom of expression, gender equality, youth, media literacy, migration, and those related to EuroDIG. There was a strong Council of Europe presence throughout the event which included the

(co-) organisation of six workshops, two open forums, and participation in the main sessions on security, privacy and openness and on access and diversity¹. A workshop entitled “How to measure communication and media in digital converging era” was also co-organised by the European Audiovisual Observatory in collaboration with OECD and EBU².

29. Maja Rakovic (Serbia) reported on the workshop organised by the Council of Europe on “Freedom of expression and Internet intermediaries: Where do we go from here?” and proposed that the CDMC pays great attention to this topic. Concerns stem from intermediaries policing content on behalf of authorities, the blocking of content being used as a means of interference (by way of collateral damage) with lawful content, the (risk of) overkill by business as a means of protecting themselves from possible sanctions for carrying illegal content, etc. Further research on the situation across Europe would be desirable. The Bureau heard that clear rules would be an advantage, as less clarity may give rise to a protective “chilling effect”, and that some private actors are asking for an adequate regulatory framework. A written report will be made available to the CDMC for its 13th meeting.

Item 11. Standing Committee on Transfrontier Television (T-TT)

30. The Secretariat provided information about developments since the last CDMC meeting. In particular, on the instructions of the CDMC, the Secretariat conveyed the Steering Committee’s concerns to the Audio-Visual Media Services Directive Contact Committee. Many members of the Contact Committee also made clear their view that there is a need for a revised Council of Europe Convention.

The Secretariat also reported on the 45th meeting of the T-TT (1 and 2 July 2010) where the Committee reaffirmed the importance of the Convention and stressed the need for its update in order to ensure the essential functioning of the Convention in regard to regulating the transfrontier aspects of audiovisual media services. It also stressed the importance of its Standing Committee in solving issues related to the implementation of same. The T-TT considered the following options: the preparation of a framework convention in a mixed agreement with the European Union or an instrument based on issues falling outside EU competency which could be developed by member states alone. The T-TT had listed the issues deemed to fall outside EU competency (appended to the report of the 45th meeting) and the European Commission had agreed to provide the T-TT with an official position on this issue. The T-TT considered that, resources permitting, an additional drafting group meeting could be organised to explore the matter.

The Council of Europe Secretary General addressed a letter to Commissioner Neelie Kroes but the European Commission has yet to reply regarding its viewpoint on the Issues list, and, in more general terms, on the future of the Convention itself.

31. The Bureau expressed disquiet in respect of the situation, noting that a framework is necessary to harmonise the regulatory response to cross-border television within the margin of appreciation offered to member states under Article 10 of the European Convention on Human Rights. A pan-European harmonised response offers advantages in what could otherwise become a chaotic broadcasting scene where the right to free expression or information regardless of frontiers (as per the Article 10 wording) makes no distinction as to EU / non-EU or indeed European / non-European origin of content.

¹ See <http://www.intgovforum.org/cms/>

² See

<http://www.intgovforum.org/cms/component/chronocontact/?chronoforumname=WSProposalsReports2010View&wspid=84>

Item 12. Information on the work of, and co-operation with, other Council of Europe bodies, of interest to the CDMC

- 2010 Exchange on the religious dimension of intercultural dialogue, which focussed on “the role of the media in promoting intercultural dialogue, tolerance and mutual understanding: freedom of expression in the media and respect for cultural and religious diversity” (Ohrid, 14-15 September 2010).

32. The CDMC was represented by Bissera Zankova; the Exchange was also attended by media and freedom of expression experts acquainted with related Council of Europe work. The Bureau requested that the Exchange’s written conclusions be made available to the CDMC and invited Bissera Zankova to give a verbal report at the Steering Committee’s 13th meeting.

European Committee on Legal Co-operation (CDCJ)

33. The CDMC provided comments on a draft Recommendation on the protection of individuals with regard to automatic processing of personal data in the context of profiling. Elfa Yr Gylfadottir represented the CDMC at the CDCJ meeting where the draft was examined. Given that the CDCJ had apparently not accepted the CDMC’s proposals, the Bureau agreed to bring them to the attention of the relevant Committee of Ministers Group Rapporteur, for example through the Committee of Ministers Thematic Coordinator on Information.

Steering Committee on Gender Equality (CDEG)

34. On 23 September 2010, Jan Malinowski, Secretary of the CDMC, addressed the Bureau of the CDEG on the approach adopted by the CDMC in respect of gender mainstreaming and other gender-related issues. The Bureau of the CDEG welcomed this approach (see also paragraph 27).

Forum on the Future of Democracy (Yerevan, 19 to 21 October 2010)

35. The Bureau took note of the draft programme of the next Forum that will take place in Yerevan from 19 to 21 November 2010 where the CDMC will be represented by Garegin Chugaszyan.

Item 13. Other information of interest to the work of the CDMC

32nd meeting of the European Platform of regulatory Authorities (EPRA)

36. The Secretariat reported on the 32nd meeting of the EPRA held in Belgrade on 7 and 8 October. A first session, devoted to advertising regulations revealed difficulties in applying the separation principle of the Audiovisual Media Services Directive to new forms of advertising which tend to be increasingly integrated in the programme. A workshop on “connected TV” addressed the development of hybrid TV sets which allow viewers to access internet via their television screen. Participants raised both the problem of content regulation (viewers might fail to understand why television broadcasts are more heavily regulated) and of competition (advertisers risk abandoning highly regulated television broadcasting and turning towards internet TV). Lastly, a session concerning regulatory and licensing models for Digital Terrestrial Television (DTT), revealed that the high expenses linked to the DTT switchover are threatening the survival of smaller and local broadcasters and thereby media pluralism. Governments and local authorities who propose financial support to ensure the survival of these small broadcasters run the risk of violating EU competition rules.

Seminar on freedom of expression and freedom of the press, Rabat,

37. Delia Mucică reported on a seminar organised by the European Commission and non-governmental organisations on freedom of expression and freedom of the press in Rabat (Morocco) on XX where she presented relevant Council of Europe standards. Morocco has been showing

growing interest in those standards and it would appear that the organisation of related cooperation and assistance activities would be welcomed both within the country and by European Union institutions. Noting that these activities are the responsibility of the Council of Europe Directorate of Cooperation, the Bureau invited the Secretariat to explore this further in consultation with the European Commission.

World Summit on the Information Society (WSIS) Forum

38. Thomas Schneider (Switzerland) was invited by the Bureau to provide information on the WSIS Forum 2010, which has replaced the previous years' clusters of implementation or facilitation meetings in respect of WSIS action lines (NB: Action lines C9. Media and C10. Ethical dimensions of the Information Society). He suggested that this forum, co-organised by various United Nations bodies, including UNESCO, offers an excellent opportunity to give visibility to Council of Europe work on the information society and related standard setting instruments. The Council of Europe should be visible there, preferably through representation at a transversal or coordinated level, but possibly also through CDMC participation. The next WSIS Forum, co-organised by ITU, UNESCO, UNCTAD and UNDP, will take place in Geneva from 16 to 20 May 2011.

Item 14. Administrative and budgetary matters

39. See paragraph 4 indent 4 for the information provided by Jan Kleijssen and Philippe Boillat on this item.

Item 15. Dates of next meetings

40. The next meeting of the CDMC will take place in Strasbourg from 16 to 19 November 2010. The tentative list of meetings dates for 2011 circulated before the Bureau meeting will be finalised in light of necessary changes and will be made available to the CDMC shortly.

Item 16. Other business

Next Ministerial Conference

41. At the 12th meeting, Maja Rakovic informed the CDMC that the Serbian government had offered to host the 2nd Council of Europe Conference of Ministers responsible for Media and new Communication Services in Belgrade. The Bureau agreed to recommend to the CDMC to ask the Secretary General to reply to the Serbian Minister of Culture accepting the invitation and to start preparing the conference, while noting that the ongoing Council of Europe reform process could have an impact on this. See also paragraph 25 in respect of stock taking as regards progress made in the implementation of the Reykjavik Ministerial Conference action plan.

APPENDIX I

List of participants

Ms Delia Mucica (Chair)
Senior Advisor to Minister of Culture
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ARMENIA

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Mrs Elfa Yr Gylfadottir
Head of Division
Department of Cultural Affairs
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Mr Andris Mellakauls
Member
Advisor to the Minister of Culture
National Broadcasting Council
Latvia

Mr Emir Powlakic
Head of Division for Licensing
Digitalization and Coordination in Broadcasting
Communications Regulatory Agency
Bosnia-Herzegovina

Ms Maja Rakovic
Advisor, Media Department
Ministry of Culture, Republic of Serbia

Wolfgang Kleinwächter
Professor, University of Aarhus
International Association for Media and Communication Research (IAMCR)

Thomas Schneider

Tim Suter

Jan Kleijssen
Jeroen Schokkenbroek
Jan Malinowski

Anne Boyer-Donnard
Michal Glowacki
Anita van de Kar
Elvana Thaci

Kristian Bartholin
Lee Hibbard

APPENDIX II

Meeting agenda

- 1) Opening of the meeting**
- 2) Adoption of the agenda**
- 3) Decisions of the Committee of Ministers of interest to the work of the CDMC**
- 4) Draft instruments or texts for consideration by the CDMC**
- 5) Implementation of Council of Europe standards on media and freedom of expression**
 - Roles and responsibilities of the European Internet Service Providers (ISPs)
 - Follow-up on the Resolution on Developments in anti-terrorism legislation in Council of Europe member states and their impact on freedom of expression and information - Texts adopted by the 1st Council of Europe Conference of Ministers responsible for Media and new Communication Services (Reykjavik, May 2009)
- 6) Work of CDMC subordinate bodies**
 - MC-NM
 - MC-S-PG
 - MC-S-CI
 - MC-S-NR
- 7) Hearing on defamation and “jurisdiction shopping”**
- 8) Work programme for the CDMC in 2010 and 2011**
- 9) Working methods**
- 10) Internet Governance and Information Society**
 - IGF (Vilnius, 14-17 September 2010)
- 11) Standing Committee on Transfrontier Television (T-TT)**
- 12) Information on the work of, and co-operation with, other Council of Europe bodies, of interest to the CDMC**
 - Parliamentary Assembly of the Council of Europe (PACE)
 - Steering Committee for Human Rights (CDDH)
 - Committee of Experts for the Development of Human Rights (DH-DEV)
 - European Committee on Legal Cooperation (CDCJ)
 - Consultative Committee of the Convention for the Protection of Individuals with regards to Automatic Processing of Personal Data (T-PD)
 - Cybercrime Convention Committee (T-CY) and Octopus conference
 - Steering Committee for Equality between Women and Men (CDEG)
 - Committee of Experts on terrorism (CODEXTER)
 - European Committee for Social Cohesion (CDCS)
 - Forum on the Future of Democracy

- 2010 Exchange on the religious dimension of intercultural dialogue- The role of the media in promoting intercultural dialogue, tolerance and mutual understanding: freedom of expression in the media and respect for cultural and religious diversity – Ohrid, 14-15 September 2010

13) Other information of interest to the work of the CDMC

14) Administrative and budgetary matters

15) Dates of next meetings

16) Other business