

**Committee of Experts on Media Pluralism
and Transparency of Media Ownership
(MSI-MED)**



**MSI-MED (2016)05rev
8th April 2016**

**1st meeting, 22nd - 23rd March 2016
(Strasbourg, Agora, Room G05)**

Meeting report

1. Opening, agenda, election

1. The Committee of Experts on Media Pluralism and Transparency of Media Ownership (MSI-MED) met in Strasbourg on 22nd and 23rd March 2016. The meeting was opened by Mr Jan Kleijssen Director, Information Society and Action against Crime Directorate.
2. The MSI-MED unanimously elected Ms Helena Mandić and Mr Evangelos Valmas as respectively Chair and Vice-Chair and appointed Ms Maja Zaric as gender-equality rapporteur.
3. Thereafter the meeting was chaired by Ms Helena Mandić. The Committee adopted the agenda (Appendix II).

2. During the meeting, the MSI-MED took the following decisions:

It took note of the [Terms of Reference](#) and of [Resolution CM/Res\(2011\)24](#) on intergovernmental committees and subordinate bodies, their terms of reference and working methods.

It took note of the two draft working documents (annex) prepared by the Secretariat and decided that these can be used as a basis for MSI-MED.

3. Working methods

The two MSI-MED drafting groups have been constituted as follows:

1. For the draft recommendation on media pluralism and transparency of media ownership, the group consists of Mr Evangelos Valmas, Ms Elda Brogi, Ms Natalie Fercher, Mr Tarlach McGonagle and Mr Damian Tambini. Mr Michael Wagner, EBU Observer,

volunteered to participate in the drafting process with regard to Public Service Media and his participation was welcomed by the Committee.

Mr Tarlach McGonagle was designated as the main editor for the draft.

2. The MSI-MED decided that the two components of their second task, namely the feasibility study on the use of Internet in elections and the gender equality in the context of media coverage of elections, will be dealt with separately. The drafting group for the two feasibility studies consists of Ms Helena Mandić, Ms Maja Zaric and Mr Pierre Francois Docquir.

4. Structure and content of the documents to be produced

Regarding the draft recommendation on media pluralism and transparency of media ownership:

The MSI-MED agreed to provide, in the Preamble, general principles and a short explanation on the recent developments in the media landscapes in order to match the principles with current reality. It further agreed to give reasons for dealing with media ownership transparency and media pluralism in one systemic approach. MSI-MED discussed during the second day in detail on the basis of a preliminary draft of the preamble presented by Mr Tarlach McGonagle.

Based on the issue mapping non-paper that had been prepared by the Secretariat, the MSI-MED discussed the desired outcome and the possible structure of the recommendation. It chose to take a holistic approach and to have freedom of expression and media pluralism as the main perspective of the recommendation as well as to divide the operative part into seven sub-themes: 1) Media ownership transparency 2) Media literacy/education 3) Independence of regulatory bodies 4) Public service media 5) Media concentration 6) Editorial independence 7) Media diversity.

Considering that Internet intermediaries and platforms play an important role in the distribution and circulation of media content (including through the use of algorithms that influence the visibility of media content), the MSI-MED will coordinate with the work of the MSI-NET.

The MSI-MED agreed on an approach that is directed towards the practical implementation of the recommendation.

The MSI-MED agreed on the inclusion of an appendix to the recommendation with all the relevant documents.

Regarding the feasibility studies:

The MSI-MED agreed that for the study on the use of Internet in elections, the scope will be mapped out taking into account also the MSI-NET committees' work. MSI-MED tends to focus on the political advertising on internet and the integrity of electoral process. Following the discussions, MSI-MED agreed that Mr Damian Tambini will prepare a short note as a

proposal of scope. MSI-MED noted that an external consultancy may be needed for this study.

As regarding the study on gender equality in the context of media coverage of elections, there has been broad consensus to focus on the portrayal of women in media during election campaigns. The committee has noted that the draft working document was already very detailed on this topic.

5. Any other business

The MSI-MED took note of the information provided by Mr Rüdiger Dossow, from the Secretariat of PACE Committee on Culture, Science, Education and Media and by Mr Pierre Garrone, from the Venice Commission Secretariat and welcomed future co-operation.

The MSI-MED noted that the Observatory will make available to them some restricted research documents and co-operate actively with them.

The MSI-MED decided to hold its next meeting in Strasbourg on 27th and 28th September 2016.

The MSI-MED decided that the Secretariat will prepare a draft meeting report to be sent to the Chair and the Vice-Chair for consideration. Thereafter the Secretariat will send the draft report to the MSI-MED with a deadline of five full working days allowing for comments. In the absence of comments within the deadline, the report will be deemed adopted by the MSI-MED and will be transmitted to the CDMSI.

Appendix I: List of participants

Appendix II: Annotated agenda

Appendix III: Draft Roadmap - MSI-MED

Appendix I: List of participants**COMMITTEE MEMBERS**

Ms. Elda BROGI - Scientific Coordinator - Centre for Media Pluralism and Media Freedom - Robert Schuman Centre for Advanced Studies - European University Institute

Mr. Pierre François DOCQUIR - Senior Legal Officer - ARTICLE 19

Ms. Maria DONDE - International Policy Manager in Ofcom - United Kingdom

Ms. Natalie FERCHER - Expert on Media and Communication Law - Department of Media Law and Coordination Information Society - Federal Chancellery - Austria

Mr. Gudbrand GUTHUS - Director Licensing and Supervision Department - Norwegian Media Authority

Ms. Helena MANDIC - Director of Broadcasting - Communications Regulatory Agency - Bosnia and Herzegovina

Mr. Tarlach McGONAGLE - Senior Researcher and Lecturer, Institute for Information Law (IViR) - University of Amsterdam

Mr. Nol REIJNDERS - Senior Adviser - Department for Media, Literature, Libraries - Ministry of Culture, Education and Science - The Netherlands

Ms. Helena SOUSA - Professor of Communication Studies, Dean of the Social Sciences School - University of Minho - Portugal

Mr. Damian TAMBINI - Associate Professor - Director of the Media Policy Project - Programme Director: MSc Media & Communications (Governance) - London School of Economics

Mr. Josef TRAPPEL - Professor for media policy and media economics - Head of the Department of Communication Research at the University of Salzburg. **(Apologised)**

Mr. Evangelos VALMAS - Head of Department for Audiovisual Media and Archives - Secretariat General of Information and Communication - Greece

MEMBRES DU COMITE

Mme. Elda BROGI - coordinatrice scientifique - centre pour le pluralisme et la liberté des médias - centre d'études avancées Robert Schuman - Institut de l'université européenne

M. Pierre François DOCQUIR - juriste principal - ARTICLE 19

Mme. Maria DONDE - directrice des politiques internationales de l'Ofcom - Royaume-Uni

Mme. Natalie FERCHER - experte en droit des médias et de la communication - service du droit des médias et coordination de la société de l'information - Chancellerie fédérale - Autriche

M. Gudbrand GUTHUS - directeur du service des licences et de la supervision - Autorité des médias de Norvège

Mme. Helena MANDIC - directrice de la radiodiffusion - Autorité de régulations des communications - Bosnie-Herzégovine

M. Tarlach McGONAGLE - chercheur principal et conférencier à l'institut du droit de l'information (IViR) - Université d'Amsterdam

M. Nol REIJNDERS - conseiller principal - service des médias, de la littérature et des bibliothèques - Ministère de la culture, de l'éducation et des sciences - Pays-Bas

Mme. Helena SOUSA - professeure en communication - doyenne de l'école des sciences sociales - Université de Minho - Portugal

M. Damian TAMBINI - professeur agrégé - directeur du projet politiques des médias - directeur du programme MSc Media & Communications - London School of Economics

M. Josef TRAPPEL - professeur en politiques des médias et économie des médias - chef du service de la recherche en communication de l'université de Salzburg. **(Excusé)**

M. Evangelos VALMAS - chef du service médias audiovisuels et archives - secrétariat général de l'information et de la communication - Grèce

Ms. Maja ZARIC - Media Advisor - Media Department - Ministry of Culture and Information - Republic of Serbia

Mme. Maja ZARIC - conseillère pour les médias - service des médias - Ministère de la culture et de l'information - République de Serbie

COUNCIL OF EUROPE MEMBER STATES

IRELAND

Mr. Éanna O'CONGHAILE, Department of Communications, Energy and Natural Resources

POLAND

Ms. Halina ROSTEK, Deputy Director of the Strategy Department of KRRiT

RUSSIAN FEDERATION

Prof. Alexander BORISOV, Dean of the Faculty of International Information, Moscow State Institute of International Relations

SWITZERLAND

Mr. Oliver GERBER, Media lawyer (lic. iur.) OFCOM - Switzerland
Division Media / Section Media Services

TURKEY

Mr. İrfan D. ERENTÜRK, Media Specialist, Radio & Television Supreme Council of Turkey – RTUK
Mr. Yusuf BALTAÇI, Associate Media Specialist, Radio & Television Supreme Council of Turkey – RTUK

PARTICIPANTS

PACE – Parliamentary Assembly of the Council of Europe

Mr. Rüdiger DOSSOW, Secretariat of the Parliamentary Assembly, Committee on Culture, Science, Education and Media

European Commission

Mr. Gabriele BERTOLLI, Team Leader - Future of the Media, Media Freedom and Media Pluralism
Ms. Suzanne VANDERZANDE, Assistant Policy Officer, Unit G.1 Converging Media & Content

European Audiovisual Observatory

Ms. Susanne NIKOLTCHEV, Executive Director
Ms. Maja CAPPELLO, Head of the Department for Legal Information
Ms. Sophie VALAIS, Legal Analyst, Department for Legal Information
Mr. Ismail RABIE, Legal Analyst, Department for Legal Information
Ms. Deirdre KEVIN, Analyst, Department for Information on Markets and Financing/Mavise

ETATS MEMBRES DU CONSEIL DE L'EUROPE

IRLANDE

M. Éanna O'CONGHAILE, département des communications, de l'énergie et des ressources naturelles

POLOGNE

Mme. Halina ROSTEK, directrice adjointe du département de la stratégie au KRRiT

FEDERATION DE RUSSIE

Prof. Alexander BORISOV, doyen de la faculté de l'information internationale, institut public des relations internationales de Moscou

SUISSE

M. Oliver GERBER, avocat en droit des médias (lic. Iur)
OFCOM - Suisse
Division des médias / section des services de médias

TURQUIE

M. İrfan D. ERENTÜRK, spécialiste des médias, conseil supérieur de l'audiovisuel turc- RTUK
M. Yusuf BALTAÇI, expert des médias associé, conseil supérieur de l'audiovisuel turc- RTUK

PARTICIPANTS

APCE – Assemblée parlementaire du Conseil de l'Europe

M. Rüdiger DOSSOW, secrétariat de l'assemblée parlementaire, commission de la culture, de la science, de l'éducation et des médias

Commission européenne

M. Gabriele BERTOLLI, chef d'équipe – Avenir, liberté et pluralisme des médias
Mme. Suzanne VANDERZANDE, responsable adjointe, Unité G.1 convergence des médias et des contenus

Observatoire européen de l'audiovisuel

Mme. Susanne NIKOLTCHEV, directrice exécutive
Mme. Maja CAPPELLO, responsable du département informations juridiques
Mme. Sophie VALAIS, analyste juridique, département informations juridiques
Mr. Ismail RABIE, analyste juridique, département informations juridiques
Mme. Deirdre KEVIN, analyste, département informations sur les marchés et les

financements/Mavise

EPRA - European Platform of Regulatory Authorities

Ms. Emmanuelle MACHET, Secretary to the EPRA

OSCE - Organization for Security and Co-operation in Europe

Ms. Deniz YAZICI, Adviser, Office of the OSCE Representative on Freedom of the Media. **(Apologised)**

UNESCO

Ms. Xianhong HU, Division for Freedom of Expression and Media Development, Communication and Information Sector. **(Apologised)**

Civil society and representatives of business, technical, professional and academic communities

CMFE - Community Media Forum Europe

Mr. Helmut PEISSL, Managing Director of COMMIT
Ms. Lyacout HAICHEUR, Board member of CMFE

OBSERVERS

EBU – European Broadcasting Union

Mr. Michael WAGNER, Head of Media and Communications Law

EuroISPA – European association of European Internet Services Providers Associations

Prof. Michael ROTERT, Honorary Spokesman **(Apologised)**

KINGDOM OF MOROCCO

Mr. El Mahdi AROUSSI IDRISSE, Director of Legal Department of the HACA - High Authority for Audio-visual Communication

Ms. Naoual JOUIHRI, Vice consul, Consulate General of the Kingdom of Morocco

Ms. Meriem EL HILALI, Vice consul, Consulate General of the Kingdom of Morocco

Ms. Ghita BERRADA FATHI, Senior Executive, HACA - High Authority for Audio-visual Communication **(Apologised)**

Mr. Yassine AKHIATE, Senior Executive, High Authority for Audio-visual Communication **(Apologised)**

EPRA - Plateforme européenne des instances de régulation

Mme. Emmanuelle MACHET, secrétaire de l'EPRA

OSCE - Organisation pour la Sécurité et la Coopération en Europe

Mme. Deniz YAZICI, conseillère, bureau de la représentante de l'OSCE pour la liberté des médias. **(Excusée)**

UNESCO

Mme. Xianhong HU, division liberté d'expression et développement des médias, secteur communication et information. **(Excusée)**

Représentants de la société civile, du milieu universitaire et du secteur privé

CMFE – Community Media Forum Europe

M. Helmut PEISSL directeur exécutif du COMMIT
Mme. Lyacout HAICHEUR, membre du bureau du CMFE

OBSERVATEURS

UER - Union européenne de radio-télévision

M. Michael WAGNER, chef du service droit des médias et de la communication

EuroISPA – Association européenne des associations des fournisseurs de service internet

Prof. Michael ROTERT, porte-parole honoraire **(Excusé)**

ROYAUME DU MAROC

M. El Mahdi AROUSSI IDRISSE, directeur du département juridique - Haute Autorité de la Communication Audiovisuelle (HACA)

Mme Naoual JOUIHRI, vice-consule, consulat général du Royaume du Maroc

Mme. Meriem EL HILALI, vice-consule, consulat général du Royaume du Maroc

Mme. Ghita BERRADA FATHI, cadre supérieur, Haute Autorité de la Communication Audiovisuelle (HACA) **(Excusée)**

M. Yassine AKHIATE, cadre supérieur, Haute Autorité de la Communication Audiovisuelle (HACA) **(Excusé)**

MEXICO

Mr Alejandro MARTINEZ PERALTA, Deputy Permanent Observer, Permanent Mission of Mexico to the Council of Europe

Council of Europe Secretariat

Mr. Jan KLEIJSSSEN, Director Information Society and Action against Crime

Ms. Silvia GRUNDMANN, Head of Media and Internet Division, Information Society Department

Ms. Onur ANDREOTTI, Secretary of MSI-MED, Head of Media Standard Setting Unit, Media and Internet Division

Ms. Elisabeth MAETZ, MSI-MED Assistant, Media and Internet Division, Information Society Department

Ms. Mélanie HAUCHARD, MSI-MED Assistant, Media and Internet Division, Information Society Department

Mr. Andreas GRUBER, Intern, Media and Internet Division, Information Society Department

Mexique

M. Alejandro MARTINEZ PERALTA, observateur permanent adjoint, mission permanente du Mexique auprès du Conseil de l'Europe

Secrétariat du Conseil de l'Europe

M. Jan KLEIJSSSEN, directeur, société de l'information et la lutte contre la criminalité

Mme. Silvia GRUNDMANN, chef de la division médias et internet, service société de l'information

Mme. Onur ANDREOTTI, secrétaire du MSI-MED, chef de l'unité de travaux normatifs sur les médias, division médias et internet

Mme. Elisabeth MAETZ, assistante MSI-MED, division médias et internet, service de la société de l'information

Mme. Mélanie HAUCHARD, assistante MSI-MED, division médias et internet, service société de l'information

M. Andreas GRUBER, interne, division médias et internet, service société de l'information

INTERPRETERS / INTERPRETES

Rémy JAIN
Christopher TYCZKA
Julia TANNER

Appendix II: ANNOTATED AGENDA**1. Opening of the meeting**

Mr Jan KLEIJSSSEN, Director of the Directorate of Information Society and Action against Crime, will open the meeting

2. Election of Chairperson and Vice-chair person and appointment of a Gender Equality Rapporteur

[Resolution CM/Res\(2011\)24](#) on intergovernmental committees and subordinate bodies, their terms of reference and working methods, with particular reference to Article 12.

3. Adoption of the agenda**4. Information by the Secretariat**

Information on relevant work of the Council of Europe with regard to transparency of media ownership, notably on the Report (doc. 13747) on "[Increasing transparency of media ownership](#)" of PACE's Committee on Culture, Science, Education and Media.

5. Discussion on deliverables under the MSI-MED Terms of Reference

The MSI-MED will discuss on the results it is expected to deliver during its mandate, notably a draft recommendation by the Committee of Ministers on media pluralism and transparency of media ownership and a feasibility study on a possible standard-setting instrument on media coverage of elections and the use of the Internet in elections. The Secretariat will provide two non-papers with suggested issues for discussion.

[MSI-MED Terms of Reference](#)

6. Other business

Appendix III: Draft Roadmap - MSI-MED**2016****22-23 March****1st MSI-MED meeting**

Constitution of the Committee of Experts, selection of the chair, vice-chair and gender rapporteur.

Discussion about the topics to be covered and issued to be addressed by the recommendation on media pluralism and transparency of media ownership. Appointment of a rapporteur (or of a drafting committee, or both) to prepare draft recommendation.

Discussion on the topics to be covered by the feasibility study on media coverage of elections, with a specific focus on gender equality, and the use of the Internet in elections. Designation of rapporteur (or working group) to prepare a draft study.

Discussion and agreement on work plan and timetable for delivering on expected results.

19-20 May**9th CDMSI Bureau meeting**

Report on the 1st MSI-MED meeting.

28 June-1 July**10th CDMSI Plenary meeting**

Report on MSI-MED work progress, CDMSI orientation on deliverables and timetable.

27-28 September**2nd MSI-MED meeting**

Discussion on a preliminary draft recommendation on media pluralism and transparency of media ownership. Discussion on a first draft of the study on media coverage of elections, with a specific focus on gender equality. Discussion on a first draft of the study on the use of the Internet in elections.

Agreement to seek comments from relevant CoE steering and conventional committees.

5-6 October**10th CDMSI Bureau meeting**

Report on the 2nd MSI-MED meeting and overall work progress. Invitation to CDMSI members to submit comments on the draft recommendation and draft studies at the next plenary meeting.

29 Nov – 2 Dec**11th CDMSI Plenary meeting**

Report on MSI-MED work progress and CDMSI comments on draft recommendation and draft studies.

2017**TBD****3rd MSI-MED meeting**

Discussion of a revised draft recommendation to member States on media pluralism and transparency of media ownership; agreement to consult with steering and conventional committees and open consultations with other stakeholders. Discussion and possible finalisation of the studies on media coverage of elections, with a specific focus on gender equality, and the use of the Internet in elections, taking into account comments from the CDMSI and other committees.

TBD**11th CDMSI Bureau meeting**

Report on the 3rd MSI-MED meeting and overall work progress. Discussion of a possible draft Committee of Ministers recommendation to member states on media pluralism and transparency of media ownership, inviting comments by CDMSI members at the next plenary meeting. Discussion of the studies on media coverage of elections, with a specific focus on gender equality, and the use of the Internet in elections, as prepared by the MSI-MED.

TBD**12th CDMSI Plenary meeting**

Report on work progress and discussion of a draft Committee of Ministers recommendation to member states on media pluralism and transparency of media ownership (followed in the next months by written comments). Discussion of the studies on media coverage of elections, with a specific focus on gender equality, and the use of the Internet in elections.

TBD**4th MSI-MED meeting**

Discussion and finalisation of a draft Committee of Ministers recommendation to member states on media pluralism and transparency of media ownership. Discussion and finalisation of the studies on media coverage of elections, with a specific focus on gender equality, and the use of the Internet in elections.

TBD**12th CDMSI Bureau meeting**

Discussion of a draft Committee of Ministers recommendation on media pluralism and transparency of media ownership and transmission of proposal for approval to CDMSI Plenary.

TBD**13th CDMSI Plenary meeting**

Possible approval of draft Committee of Ministers recommendation on media pluralism and transparency of media ownership.

