



COUNCIL OF EUROPE CONSEIL DE L'EUROPE

Strasbourg, 15 May 2006

CDMC-BU(2006)002rev

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

(CDMC-BU)

**Meeting of 12 and 13 April 2006
Human Rights Building**

REPORT

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

1. The Bureau of the Steering Committee on the Media and New Communication Services (CDMC-BU) met on 12 and 13 April 2006 in Strasbourg. The meeting was chaired by Mr Karol JAKUBOWICZ (Poland) and was largely devoted to the preparation of the 3rd meeting of the CDMC (30 May to 2 June 2006).
2. The list of participants is set out in Appendix I. The agenda, as adopted, is set out in Appendix II.

Item 3 of the agenda: **Preparation of the 3rd meeting of the CDMC (30 May to 2 June 2006) with reference to the CDMC's draft agenda (CDMC(2006)OJ1prov)**

3. The Bureau endorsed the draft agenda for the 3rd meeting of the CDMC (CDMC(2006)OJ1prov) subject to certain amendments. In considering the agenda, particular attention was given to the following items.

a. **Decisions of the Committee of Ministers which have an impact on the work of the CDMC**

4. The Bureau took note of two texts, Resolution (2005) 47 on committees and subordinate bodies, their terms of reference and working methods and the new terms of reference of the CDMC (document CDMC(2006)003) adopted by the Committee of Ministers since the last meeting of the CDMC, on 14 December 2005 and 15 February 2006 respectively.

5. The Bureau considered the impact of the above on the work of the CDMC, particularly with regard to two concrete issues which it is called upon to address in its revised terms of reference.

6. The first concerns the monitoring of the implementation of non-binding instruments prepared under the authority of the CDMC. In this regard, it was pointed out that whilst this was an issue that is and has been addressed regularly, and indeed there are a number of instruments currently under such a review by the CDMC's groups of specialists, these exercises have generally been done on an ad hoc basis. The CDMC is now called upon to ensure that this process is a continuous one, a step which was welcomed by some Bureau members, who expressed the view that the potential monitoring of the implementation of non-binding instruments would give the latter more weight and credibility when adopted.

To carry out this responsibility as effectively as possible, the Bureau considered that it would first be necessary for the CDMC to look at the list of all the instruments potentially concerned with a view to identifying those which would be the most important or pressing to examine. The list of instruments should be reviewed on a regular basis. Further, the most appropriate methodology would need to be decided upon to carry out this monitoring function and finally a decision taken as to whether the item should appear systematically or regularly on the CDMC agenda.

With a view to facilitating the work of the CDMC, the Bureau proceeded with a preliminary examination of the complete list of instruments, identifying those currently subject to some kind of work (e.g. monitoring of implementation, revision/updating), and highlighting a limited number of those which might be the most pertinent to address in the near future. The Bureau requested the Secretariat to add relevant information to the list in time for it to be considered at the next CDMC meeting.

With regard to the different methods which might be considered with a view to monitoring the implementation of non-binding instruments, the Bureau noted the work already carried out by the MC-S-IC in the context of monitoring freedom of expression and information in times of crisis. It requested that relevant information be made available to the CDMC in anticipation of its own discussion on the subject.

7. The second issue discussed concerns the development of co-operation and exchanges with other countries and organisations, in particular in neighbouring regions of Europe, on questions falling within the Steering Committee's area of competence.

In this respect, mention was made of existing co-operation with the Mediterranean region in the context of the work of the Standing Committee on Transfrontier Television (T-TT), and with the OSCE. It was suggested that, to further enhance such exchanges or co-operation, the possibility of inviting representatives from neighbouring regions or from other organisations should be fully considered when hearings, conferences or other more general events are being organised, such as the European Forum on Human Rights in the Information Society which will be taking place in Armenia later this year.

The question of whether an item concerning co-operation with other countries and organisations, in particular in neighbouring regions of Europe, should feature on CDMC meeting agendas on a regular basis was left open.

8. The Bureau took note of the replies adopted by the Committee of Ministers to Parliamentary Assembly Recommendation 1706 (2005) on Media and Terrorism (adopted on 18 January 2006) and to Recommendation 1702 (2005) on freedom of the press and the working conditions of journalists in conflict zones (adopted on 9 November 2005).

b. Request for Observer status with the CDMC

9. The Bureau considered the request by the non-governmental organisation Article 19 to be granted observer status with the CDMC as well as with the Group of Specialists on Freedom of Expression and Information in Times of Crisis (MC-S-IC) and the Group of Specialists on Public Service Broadcasting in the Information Society (MC-S-PSB) (see document CDMC(2006)004).

Bureau members were clearly in favour of granting observer status to Article 19, given the fact that their work was widely known and appreciated, in line with that of the Steering Committee, and that the organisation could provide a valuable contribution to the work of the CDMC. It considered that it would nevertheless be opportune for a representative of Article 19 to be invited to the 3rd meeting of the CDMC to present their request for observer status, as this would give an opportunity for those delegations who were less informed on the activities of the organisation to obtain any additional information that they may consider necessary before taking the required decision.

c. Work programme for the CDMC in 2006

10. It was recalled that, at its last meeting, the CDMC took note of document CDMC(2005)019, containing proposed action in respect of activities resulting from the Action Plan adopted at the 7th Ministerial Conference on Mass Media Policy (Kyiv, March 2005) which are not mentioned in the terms of reference of the groups of specialists. The contents of the document were, however, not examined at that time.

The Bureau took the opportunity of discussing the potential usefulness of the document, and the desirability and relevance of updating it. It noted that a number of important issues were addressed therein, some requiring an interdisciplinary approach between specialist groups or with other bodies in the Council of Europe and some where the approach to be adopted was not at all clear, and would benefit from discussion in the CDMC. It also considered that having a calendar of the expected output from groups of specialists on these issues, together with those items which appear in their respective terms of reference, could usefully clarify the forthcoming work of the CDMC. In the light of these discussions, the Bureau requested that the Secretariat update the document, signalling clearly the items which are still outstanding, in time for the 3rd meeting of the CDMC.

d. 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

11. The Bureau thanked the Secretariat for the draft reply to the Committee of Ministers on 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 (cf. item 28 of the Kyiv Action Plan). It considered that, on the whole, the draft is in line with the CDMC decisions and discussions as to approach and content. Nonetheless, the Bureau noted the comments made by various delegations and asked the Secretariat to revise the draft in light of those comments and, in particular, with a view to adding arguments put forward against decriminalisation of defamation.

12. Conscious of the need for delegations to receive a final draft text in good time before the CDMC meeting, the Bureau requested that the revised version of the draft reply to the Committee of Ministers be sent out to member states as soon as possible, indicating that it is hoped that the text will be adopted during the next meeting of the CDMC. In this perspective, it would be most appreciated if delegations submit any further concrete proposals to revise the text to the Secretariat at the earliest opportunity.

e. Draft instruments submitted by the Groups of Specialists for consideration by the CDMC

13. The Bureau welcomed the preliminary draft declaration with regard to monitoring the implementation by member States of Recommendation No. R (96) 10 of the Committee of Ministers on the guarantee of the independence of public service broadcasting (cf. item 16 of the Kyiv Action Plan). In addition, the Bureau examined a draft information document, prepared on the basis of replies to a questionnaire which had been sent to member states and independent experts, as well as from other available sources. It was informed that the MC-S-PSB had already given indications to the Secretariat as to how the document should be

developed, particularly with regard to including information on the favourable situation or positive developments in some member States

The Bureau made a number of comments on the preliminary draft Declaration and offered some drafting suggestions. The Bureau also made suggestions as to the approach to be followed with regard to the information document which, after revision, should be incorporated as an appendix into the draft Declaration. It requested that, once revised and after consultation with the members of the MC-S-PSB, the two documents be submitted to the CDMC for consideration, and possible adoption, at its 3rd meeting.

14. The Bureau welcomed the draft Recommendation on empowering children in the new media and communications environment, and noted the interest expressed by other Council of Europe services in its possible adoption by the Committee of Ministers with a view to using it as a basis for future work of their own (cf. items 20 and 23 of the Kyiv Action Plan).

The Bureau made some drafting suggestions (e.g. to shorten the Preamble) and agreed that there is no need to prepare an explanatory memorandum. In this connection, the report prepared by the consultants Rachel O'Connell and Joanne Brice, in particular in its abridged version, could serve to explain the need for this instrument. Moreover, as indicated in this draft Recommendation, additional work could be carried out in the future on certain issues; in this respect, the Bureau signalled the interest of gathering and disseminating information on best practices. The Bureau requested that the revised text be submitted to the CDMC for consideration, and possible adoption, at its 3rd meeting.

f. Internet governance

15. The Bureau took note of the Council of Europe submission in the context of the preparation of the Internet Governance Forum (IGF) entitled "*What are the rights, responsibilities and expected conduct of stakeholders and Internet users with regard to the right to freedom of expression and information and the right to privacy?*". It agreed on the importance for the Council of Europe to elaborate, and thereafter communicate to the IGF, the underlying general meaning and impact of the Internet and its governance from a practical human rights based perspective.

In order to maximise the Council of Europe's impact at and contribution to the IGF, the Bureau asked the Secretariat to consider ways in which the rights and values which the Council of Europe stands for could be promoted in the first meeting of the IGF, to be held in Athens from 30 October to 2 November 2006. Particular attention should be paid in this context to the Pan-European Forum on "*Human Rights in the Information Society: Education is the Best Filter*", to be held in Yerevan, on 5 and 6 October 2006, and to the possibility of organising a Council of Europe event on the fringes of the IGF.

16. Beyond the IGF, certain Bureau members expressed the view that the very concept of Internet Governance needed to be re-examined from a Council of Europe human rights perspective. The Bureau invited the Secretariat to consider this subject and start preparing a draft for future consideration.

g. Copyright in the context of the work of the CDMC

17. The Bureau carefully examined point 18 of the Kyiv Action Plan which reads as follows “*Monitor 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.*” It concluded that this involves inter alia taking stock of new methods of a technical nature for protecting copyright and also examining the possible impact of their use on freedom of expression and information.

In this connection, the Bureau noted that the *Asociacion Literaria y Artistica para La Defensa del Derecho de Autor* (ALADDA), the Spanish section of Association littéraire et artistique internationale (ALAI), is organising a two-day workshop in Barcelona (19 and 20 June) on copyright and freedom of expression. The programme and proposed objectives of the workshop are highly relevant to the proposed CDMC work on the subject. Consequently, the Bureau decided to ask the Armenian representative to the CDMC (who has been actively working on behalf of the CDMC on this matter, in particular as regards the preparation of a draft questionnaire to be addressed to member states) to attend this event and to report back on developments concerning the protection and circumvention of copyright and their impact on freedom of expression, and to inform the CDMC of discussions in international fora regarding access to, and the circulation of, copyrighted works in the Information Society.

18. On the basis of this new information, the Bureau agreed on the need to rework the draft questionnaire on copyright prepared by the members of the informal working group, under the co-ordination of the Armenian expert, and to postpone the planned hearing on copyright to the 4th meeting of the CDMC.

h. Standing Committee on Transfrontier Television (T-TT)

19. The Bureau noted the oral information provided by the Secretariat on the 40th meeting of the Standing Committee on Transfrontier Television, held on 10 and 11 April 2006, in particular as regards elections to the Standing Committee's Bureau, progress and arrangements for the continuation of work on the revision of the European Convention on Transfrontier Television, the adoption of an opinion on freedom of retransmission and compliance with copyright and neighbouring rights laws under Article 4 of the Convention, and on action being taken towards encouraging the ratification of the Convention by additional Council of Europe member states and non-member states.

20. The Bureau underlined the importance of timing work on the revision of the Convention so as to keep it in pace with that of the corresponding European Union Directive, with a view to ensuring that as little time as possible elapses between the entry into force of the two instruments.

Item 4 of the agenda: Work of the CDMC's subordinate bodies

a. General discussion with the Secretaries of the Groups of Specialists on working methods and execution of terms of reference and the workplan

21. The Bureau held an exchange with the Secretaries of the CDMC subordinate groups of specialists with a view to increasing its knowledge of the functioning and working methods of the groups, the difficulties that they may encounter in executing their terms of reference and, in order to facilitate their work, to identify possible ways in which the Bureau or the CDMC might be able to give further support to the groups.

22. The Bureau heard, in particular, that group members do not always take an active part in the work of the group or respond when their views are solicited, and that much (in particular as regards drafting) is left to the Secretaries of the groups, often without sufficient guidance or clear indications as to what the group expects from them. For work to progress and be carried out in an effective manner, the involvement of specialists in the work of the groups should not be limited to attending meetings, involving a time investment amounting to a few days per year; this presupposes that they allocate a reasonable amount of time between meetings to the work of the groups of specialists. Admittedly, this has on occasion been the case, leading to good progress being made (including through use of technical means allowing for Internet-based shared working space) on certain subjects being addressed by the groups of specialists concerned.

23. The Bureau and Secretaries of groups of specialists exchanged views on how the composition of the groups could be improved with a view to facilitating the groups' output (e.g. smaller groups made up of carefully selected specialists), on the important role of chairpersons and the desirable communication between them and the Bureau and the CDMC (e.g. by their participation in CDMC meetings, be it as members of national delegations invited to attend Bureau or CDMC meetings on a regular basis, through recourse to their appointment by the CDMC, etc.).

Certain Bureau members recalled that most of these possibilities had been explored or experienced in the past (e.g. through advisory panels with members who did not sit in respect of member states but in their own expert capacity), but that they had not rendered conclusive results. Further, one Bureau member observed that it is the responsibility of member states to appoint experts to groups of specialists.

24. The Bureau concluded that the slow start in the work of the groups of specialists can be attributed, at least in part, to the fact that they were all of new creation. Nonetheless, clearer terms of reference and further guidance from the CDMC should help them focus their work. As regards the former, the Chairperson recalled that the terms of reference of the groups of specialists come to an end on 31 December 2006, offering the occasion for their review; the Bureau encouraged the Secretaries of the groups to take an active part in this process and contribute to providing a clearer framework for the work of the groups for which they are responsible.

More generally, the Bureau underlined the important role of the Secretaries of the groups of specialists in ensuring that the groups deliver tangible results and meet their goals, and acknowledged their efforts to date.

25. The Bureau also decided that the Chairpersons of the groups of specialists be invited to hold an exchange with the Bureau during its next meeting (to be held on 29 May 2006) and with the CDMC (on 30 May 2006). This would permit to discuss, on the one hand, working methods and, on the other hand, the expected results and progress being made by each of the groups.

b. Exchange with the Secretary to the Group of Specialists on freedom of expression and information in times of crisis (MC-S-IC) on the Group's current and future work

26. With reference to the report of the 3rd meeting of the MC-S-IC (document MC-S-IC(2006)004), the Secretary of the Group presented the progress in its work as follows.

27. Having regard to the MC-S-IC discussions and information gathered to date, the Secretariat will prepare a preliminary draft of operational guidelines on guaranteeing freedom of expression and information in times of crisis (cf. items 1, 2, 3 and 5 of the Kyiv Action Plan) which will be further developed during a meeting of a small ad hoc drafting group in June 2006. The text will then be examined by the MC-S-IC at its September meeting with a view to transmitting it to the CDMC in time for its 4th meeting, to be held in November 2006.

28. As regards the monitoring of the implementation by member states of the texts adopted by the Council of Europe on freedom of expression and information in times of crisis (cf. item 8 of the Kyiv Action Plan), a draft paper will be prepared by the Secretariat on the basis of the suggestions made by Group members. The MC-S-IC has indicated that this paper will include a proposal for establishing a special coordinator on freedom of expression and information in times of crisis (cf. also items 1 and 3 of the Kyiv Action Plan).

29. Concerning the legal and security aspects specific to investigative journalism (cf. item 29 of the Kyiv Action Plan), the Group considered that, while it is difficult to distinguish this from other journalistic activities, it is important to highlight its value for a democratic society and to stress that initiatives designed to support such journalistic activities should be encouraged. Consequently, the Group decided to prepare a position paper on the subject and asked the Secretariat to prepare a first draft, having regard to its discussions, for consideration at the Group's next meeting.

30. It is envisaged that draft proposals also be prepared for consideration at the next MC-S-IC meeting for establishing a forum on the rights and responsibilities of the media and the working conditions of journalists in times of crisis and an information network on the media's contribution to inter-cultural and inter-religious dialogue (cf. items 4 and 6 of the Kyiv Action Plan), for establishing an award for media which have made an outstanding contribution to conflict prevention or resolution, understanding and dialogue (cf. item 7 of the Kyiv Action Plan) and on possible strategies to encourage the training of media professionals in order to provide professional and independent coverage of crisis situations (cf. item 5 of the Kyiv Action Plan). As regards the latter, the Group considers that it could finally take the form of a position or strategy paper.

c. Exchange with the Secretary to the Group of Specialists on Public Service Broadcasting in the Information Society (MC-S-PSB) on the Group's current and future work

31. With reference to the meeting report (document MC-S-PSB(2006)004), the Secretary of the MC-S-PSB presented the progress in its work, particularly with regard to the manner in which the remit of public service broadcasting should be developed and adapted to suit the new digital environment. In this context, and with regard to item 15 of the Kyiv Action Plan, the Group had examined a preliminary draft Recommendation concerning public service broadcasting in the information society, prepared on the basis of a study by Mr Christian Nissen on the subject and other available documents, and taking into account Recommendation 1641 of the Parliamentary Assembly of the Council of Europe. The MC-S-PSB agreed to examine a revised version of the document during its next meeting in October.

The Bureau provided some general comments and suggestions concerning the preliminary draft Recommendation.

32. The Bureau also noted the exchange held by the MC-S-PSB on item 21 of the Action Plan with regard to the role of public service broadcasters in promoting wider democratic participation by individuals with the help of new interactive technologies. In particular, it noted that the group would appreciate clearer indications from the CDMC as to whether, and if appropriate, how, to deal with these subjects. The option favoured by Groups members relates to gathering information on best practices and disseminating it in an appropriate manner (e.g. by making it available online on the Media Division website).

33. With regard to monitoring the implementation by member States of Recommendation No. R (96) 10 of the Committee of Ministers on the guarantee of the independence of public service broadcasting, see paragraph 12 above.

d. Exchange with the Secretary to the Group of Specialists on Media Diversity (MC-S-MD) on the Group's current and future work

34. The Secretary to the MC-S-MD reported that the participation of the new observer to the Group, On-line/More Colour in the Media (OL/MCM), had been constructive and she presented the progress made in the group's work, with reference to the report of the last meeting of the MC-S-MD (document MC-S-MD (2006)004).

35. With regard to legal or other initiatives which could be considered necessary in order to preserve media pluralism (cf. item 9 of the Kyiv Action Plan), the MC-S-MD has raised, on several occasions since its creation, the usefulness of creating a type of media observatory which could take the form of a network of national correspondents. With a view to exploring this idea further, the MC-S-MD wishes to organise, at the end of 2006 or the beginning of 2007, a Conference with all interested parties.

The majority of Bureau members expressed a lack of support for this project which did not appear to them to be realistic in nature. It nevertheless decided that it would be preferable to give the Group more time to clarify the idea in more detail before taking a definitive decision. Further, the exchange foreseen between the Chairperson of the MC-S-MD and the Bureau, on the one hand, and with the CDMC on the other, could serve to cast further light on the matter.

36. As concerns the monitoring of the implementation of Recommendation Rec(2003)9 on measures to promote the democratic and social contribution of digital broadcasting (cf. item 14 of the Kyiv Action Plan), the Secretariat indicated that, to date, 24 replies to the questionnaire addressed to member states on the subject had been received. These responses have been very varied. It was decided to establish a collection of good practices existing in member States on two topics: preparing the public for a new digital environment and adapting the public service broadcasting remit to the digital environment. However, the group of specialists did not consider it necessary to offer additional guidance to member States on the matter at present.

37. With regard to the preliminary draft recommendation on media diversity (cf. items 10, 11 and 12 of the Kyiv Action Plan), the group agreed on the structure of the recommendation and on part of its content. This draft should be transmitted to the CDMC for consideration at its second meeting in 2006.

38. Finally, the Secretariat pointed out that the Group envisaged, following a proposal by the Romanian expert and as a contribution to the implementation of the UNESCO Convention on the protection and promotion of the diversity of cultural expressions, to work on the topic of independent productions (cf. item 12 of the Kyiv Action Plan). The Bureau, which agreed on the relevance of independent productions for cultural diversity, and notably the diversity of media content, expressed its support for this project.

e. Exchange with the Secretary to the Group of Specialists on Human Rights in the Information Society (MC-S-IS) on the Group's current and future work

39. The Secretary of the MC-S-IS reported on the progress of the specialist group, with reference to the reports on the two last meetings of the MC-S-IS (documents MC-S-IS(2005)017 and MC-S-IS(2006)008).

The Bureau took note of progress in the work concerning inter alia (i) draft Recommendation on harmful content (see paragraph 13 above) or more particularly empowering children in the new media and communications environment (cf. items 20 and 23 of the Kyiv Action Plan); (ii) guidelines on the roles and responsibilities of stakeholders in the Information Society with regard to the right to freedom of expression and possibly other rights protected by the European Convention on Human Rights (cf. items 17 and 19 of the Kyiv Action Plan); (iii) examination of Recommendation No. R (99) 15 on measures concerning media coverage of election campaigns in the light of the development of digital broadcasting services and other new communications services (cf. item 26 of the Kyiv Action Plan); (iv) following of the implementation of the 2003 Committee of Ministers' Declaration on freedom of communication on the Internet (cf. item 19 of the Kyiv Action Plan); and (v) media education and literacy (cf. item 20 of the Kyiv Action Plan).

Item 5 of the agenda: Administrative and budgetary matters

40. In accordance with Resolution Res(2005)47 on committees and subordinate bodies, their terms of reference and working methods, the Secretariat provided the Bureau with a general overview of relevant administrative and budgetary matters, notably to the effect that the 2006 budget included appropriations for all the meetings that had been envisaged for the CDMC and its subordinate bodies, and related activities.

41. The Bureau also noted that consideration of priorities for the Council of Europe's 2007 budget had already commenced. In this context, Bureau members underlined that the Council of Europe is the only European organization committed to the development, refinement and updating of freedom of expression and information standards, with an unequalled record of excellence in this field. This work is essential for Europe as a whole. All other European organizations, and many global ones rely on the work of the Council of Europe in this field and constantly draw on it in their own activities. The role of the CDMC in developing and upgrading those standards in the context of new communication services has been confirmed by the broadening of the Steering Committee's terms of reference in light of the Action Plan adopted at the 7th European Ministerial Conference on Mass Media Policy (Kyiv, March 2005) which was fully endorsed by the Third Summit of Heads of State and Government of the member states of the Council of Europe.

The Bureau asked the Secretariat to inform it, in due course, of relevant budgetary decisions in order for the CDMC to plan its activities for 2007, in particular as regards its subordinate groups of specialists whose current terms of reference end on 31 December 2006. The Bureau should be in a position to consider the groups of specialists' terms of reference during its October meeting, in order to submit proposals in time for the CDMC meeting in November 2006.

42. On a more practical level, the Bureau was informed that, with a view to reducing overheads, in particular as regards printing and postal costs, documents which have been made available in electronic form (e.g. e-mail or restricted website) in advance of the meeting, will no longer be made available in paper form in the meeting room. Experts are therefore asked to ensure that they bring all pertinent working documents with them to meetings. The CDMC and all groups of specialists will be informed orally of this approach at each of their next meetings; the new policy will take effect at all subsequent meetings.

Item 6 of the agenda: Other business

(a) European Commission against Racism and Intolerance Seminar

43. The Secretariat informed the Bureau that a seminar on "*The fight against racism in the full respect of freedom of expression*" is being organised by the European Commission against Racism and Intolerance (ECRI) on 16 and 17 November 2006 in Strasbourg. All members of the Bureau would be invited to attend the seminar so as to be able to bring both their expertise as well as a governmental perspective to the debate. Bureau members will be sent the draft programme as soon as it is available.

(b) Date of the next ministerial conference

44. The Secretariat informed the Bureau that the calendar for Council of Europe high level meetings and events until 2008 was already being drawn up. In this context, it considered that the Bureau might wish to give some preliminary thought as to an approximate timing for the next European Ministerial Conference. The Bureau felt that the next Ministerial Conference could take place towards the end of 2008 or the first half of 2009 but indicated that further consideration should be given to the matter (e.g. in the light of when the revision of the European Convention on Transfrontier Television might be completed).

(c) Departure of Bureau member

45. The Bureau took note that Mr Eric Franssen's participation in its work was to be limited to this one meeting since he will soon be called to other duties within his administration. The Bureau warmly thanked him for his brief but valuable contribution. It noted that, as a consequence of Mr Franssen's departure, the election of a new Bureau member would be called for during the next meeting of the CDMC.

Item 7 of the agenda: Dates of the next meetings

46. The Bureau agreed to hold its next one-day meeting on the eve of the 3rd meeting of the CDMC, i.e. on 29 May 2006 (cf. also paragraph 24). It also took note of the dates of the upcoming meetings of the CDMC and of its groups of specialists.

APPENDIX I**List of participants****Members of the Bureau of the CDMC / Membres du Bureau du CDMC****Austria/Autriche**

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Mr Philippe BOILLAT, Director, Directorate II, Directorate General of Human Rights – DG II / Directeur, Direction II, Direction Générale des Droits de l'Homme - DG II

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

Mr Pall THORHALLSSON, Administrative Officer, Directorate General of Human Rights - DG II / Administrateur, Direction Générale des Droits de l'Homme - DG II

Ms Charlotte de BROUDELLES, Administrative Officer, Secretary of the MC-S-MD, Directorate General of Human Rights - DG II / Administratrice, Secrétaire du MC-S-MD, Direction Générale des Droits de l'Homme - DG II

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

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

Mr Ivan NIKOLTCHEV, Secretary of the MC-S-IC, Directorate General of Human Rights - DG II / Secrétaire du MC-S-IC, Direction Générale des Droits de l'Homme - DG II

Ms Alessia SONAGLIONI, Secretary of the T-TT, Directorate General of Human Rights - DG II / Administratrice, Secrétaire du T-TT, Direction Générale des Droits de l'Homme - DG II

Ms Katherine ANDERSON, Principle Administrative Assistant, Media Division, Directorate General of Human Rights - DGII / Assistante Administrative Principale, Division Médias, Direction Générale des Droits de l'Homme - DG II

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APPENDIX II

Agenda

1. Opening of the meeting

2. Adoption of the agenda

Working documents

- Draft agenda of the meeting of the Bureau
CDMC-BU(2006)OJ1
- Notes on the draft agenda of the Bureau
CDMC-BU(2006)OJ1notes

3. Preparation of the 3rd meeting of the CDMC (30 May to 2 June 2006) with reference to the CDMC's draft agenda (CDMC(2006)OJ3prov)

Working documents

- Draft agenda of the 3rd meeting of the CDMC
CDMC(2006)OJ3prov
- Report of the 2nd meeting of the CDMC (29 November to 2 December 2005)
CDMC(2005)028

a. Decisions of the Committee of Ministers which have an impact on the work of the CDMC

Working documents

- Resolution (2005) 47 on committees and subordinate bodies, their terms of reference and working methods
- Terms of reference of the CDMC adopted by the Committee of Ministers (document including terms of reference of the subordinate bodies of the CDMC)
CDMC(2006)003

Information documents

- Reply from the Committee of Ministers to Parliamentary Assembly Recommendation 1702 (2005) on Freedom of the press and the working conditions of journalists in conflict zones, adopted by the Ministers' Deputies on 9 November 2005
- Reply from the Committee of Ministers to Parliamentary Assembly Recommendation 1706 (2005) on Media Terrorism, adopted by the Ministers' Deputies on 18 January 2006

b. Request for Observer status with the CDMCWorking documents:

- Letter from non-governmental organisation Article 19 requesting observer status with the CDMC and background information
CDMC(2006)004
- Terms of reference of the CDMC and its subordinate bodies
CDMC(2006)003

c. Work programme for the CDMC in 2006Information document

- Work plan in respect of items of the Kyiv Action Plan not covered by the terms of reference of the Groups of Specialists
CDMC(2005)019

d. 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 defamationWorking documents:

- Draft reply to the Committee of Ministers on the alignment of laws on defamation with the relevant case-law of the European Court of Human Rights, including the issue of decriminalisation of defamation
CDMC(2006)002
- Comments by members of the CDMC on the draft reply to the Committee of Ministers
CDMC-BU(2006)001
- 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
CDMC(2005)007fin
- Report of the 2nd meeting of the CDMC (29 November to 2 December 2005)
CDMC(2005)028

e. Draft instruments submitted by the Groups of Specialists for consideration by the CDMC

Working documents

- Draft instrument concerning the responsible use, education, well-being and empowerment of children and young people using the internet and related communication services and technologies
MC-S-IS(2006)003
- Draft declaration concerning the implementation by member States of Recommendation No. R (96) 10 of the Committee of Ministers on the guarantee of the independence of public service broadcasting
MC-S-PSB(2006)004

f. Internet governance

Working documents

- Written contribution submitted by the Secretariat of the Council of Europe on public policy issues for the first meeting of the Internet Governance Forum (Athens, October 2006)
- Report of the 2nd meeting of the CDMC (29 November to 2 December 2005)
CDMC(2005)028

g. Copyright in the context of the work of the CDMC

Working document

- Draft questionnaire on the impact of copyright on human rights in member States prepared by the informal Working Group on Copyright
CDMC(2006)005

Information documents

- Report of the 2nd meeting of the CDMC (29 November to 2 December 2005)
CDMC(2005)028
- Report on developments in international copyright law, with particular reference to new communication services and options to be followed by the CDMC and its subordinate bodies when considering copyright or other matters in respect of which copyright has an incidence, prepared by Prof. Dr. Thomas Dreier
CDMC(2005)009

h. Standing Committee on Transfrontier Television (T-TT)Information document

Letter to Fabio Colasanti, European Commission
CDMC-BU(2006)Misc001

4. Work of the CDMC's subordinate bodiesWorking documents

- Terms of reference of the CDMC and its subordinate bodies
CDMC(2006)003
 - Adopted texts of the 7th European Ministerial Conference on Mass Media Policy, Kyiv (Ukraine), 10 and 11 March 2005
MCM(2005)005
 - Report of the 2nd meeting of the CDMC (29 November to 2 December 2005)
CDMC(2005)028
- a. General discussion with the Secretaries of the Groups of Specialists on working methods and execution of terms of reference and the workplan**
 - b. Exchange with the Secretary to the Group of Specialists on freedom of expression and information in times of crisis (MC-S-IC) on the Group's current and future work**

Working document

- Report of the 3rd meeting of the MC-S-IC (6 and 7 February 2006)
MC-S-IC(2006)004
- c. Exchange with the Secretary to the Group of Specialists on public service broadcasting in the Information Society (MC-S-PSB) on the Group's current and future work**

Working documents

- Report of the 3rd meeting of the MC-S-PSB (27 and 28 March 2006)
MC-S-PSB(2006)004
- Report "Public service media in the information society" prepared for the Group of Specialists on Public Service Broadcasting in the Information Society by Christian S. Nissen
H/Inf(2006)003

d. Exchange with the Secretary to the Group of Specialists on Media Diversity (MC-S-MD) on the Group's current and future work

Working documents

- Report of the 3rd meeting of the MC-S-MD (20 and 21 March 2006)
MC-S-MD(2006)006
- Final report on the study "The assessment of content diversity in newspapers and television in the context of increasing trends towards concentration of media markets" (David WARD, Director, Centre for Media Policy and Development)
MC-S-MD(2006)001

e. Exchange with the Secretary to the Group of Specialists on human rights in the Information Society (MC-S-IS) on the Group's current and future work

Working documents

- Report of the 4th meeting of the MC-S-IS (9 and 10 March 2006)
MC-S-IS(2006)008
- Report of the 3rd meeting of the MC-S-IS (12 and 13 December 2005)
MC-S-IS(2005)017
- Final report of the study "Children in on-line and related off-line environments: Harmful content and risk of harm (Rachel O'Connell and Joanne Brice)
MC-S-IS (2006)002fin
- Internet Literacy Handbook
- Declaration of the Committee of Ministers on human rights and the rule of law in the Information Society
CM(2005)56 final

5. Administrative and budgetary matters

6. Other business

7. Dates of the next meetings

Working document

- Timetable of meetings of the CDMC and its subordinate bodies for 2006
CDMC(2006)001