

Steering Committee on Media and Information Society – CDMSI



CDMSI (2016)014

02/12/2016

11th meeting of Steering Committee on Media and Information
Society (CDMSI)

29 November – 02 December 2016

(Strasbourg, Agora building, room G01)

Abridged meeting report

The CDMSI held its 11th meeting from 29 November to 02 December 2016, in Strasbourg chaired by Ms Elfa Ýr Gylfadóttir (Iceland). The CDMSI adopted the agenda as it is set out in Appendix I. The list of participants appears in Appendix II. Gender distribution: 74 participants, 26 women (35 %), 48 men (65%).

Items submitted to the Committee of Ministers for information

The CDMSI discussed the on-going work of the Committee of Experts on media pluralism and transparency of media ownership and gave guidance for further developments of drafts texts: a draft recommendation of the Committee of Ministers to Member States on media pluralism and transparency of media ownership, a draft feasibility study on a standard setting instrument on media coverage of elections with a specific focus on gender equality and a draft feasibility study on the use of Internet in elections.

It also discussed the on-going work of the Committee of Experts on Internet Intermediaries and gave guidance for the further development of the drafts texts: a draft recommendation of the Committee of Ministers to Member States on Internet intermediaries and a draft report on the human rights dimensions of algorithms.

On 1 December, the CDMSI held a workshop on “The Future of news: Media and Journalism in the Age of Digital Convergence” on the basis of a report prepared by the Reuters Institute for the Study of Journalism of Oxford University. It had exchanges of views with invited experts, representatives of the media industry, journalists’ associations, Internet companies and the European Commission. The CDMSI discussed the challenges that media and journalism are facing in an ever more digital

media landscape with growing convergence and explored possible policy responses. The Secretariat will prepare a report of the workshop.

The CDMSI took note of the conclusions of the conference on "Internet Freedom: a Constant factor for Democracy", organised by the Secretariat, the Estonian Chairmanship of the Council of Europe and the German Chairmanship of the OSCE on 9 September in Strasbourg; it held an exchange of views with Judge Robert Spano on the CM Recommendation on Internet freedom and judgements of the European Court of Human Rights.

It had an exchange of views with Ms Anna Rurka, Chairperson of the Council of Europe Conference of INGOs on the activities of the Conference and possible collaboration with the CDMSI.

It took stock of the progress of work on "Fear in journalism" and held an exchange of views with the expert commissioned by Council of Europe carrying out the study, Prof Marilyn Clark, from the Faculty of Social Wellbeing/Department of Psychology of the University of Malta. The study is expected to be published to coincide with the release of the 4th Secretary General's annual report on the state of democracy, human rights and the rule of law in Europe, in April 2017.

The CDMSI discussed the state of implementation of the Council of Europe Internet Governance Strategy 2016-2019 and, in particular, a round table with the Internet industry that took place in Paris on 25 November; it took note of the Council of Europe participation in the next IGF meeting (Guadalajara, 6-9 December 2016), and of information on the 2017 edition of Euro DIG (Tallinn, 6-7 June 2017). It also took note of developments at ICANN and of a report commissioned on The Future of Community Top-Level Domains (TLDs) and ICANN Opportunities and Challenges for non-profit Communities from a Human Rights Perspective.

The delegates and observers expressed disappointment and concern about the low number of replies by member States to alerts published on the Platform to promote the protection of journalism and safety of journalists.

The CDMSI discussed possible topics for a Conference of Ministers responsible for Media and Information Society on the basis of suggestions made by the Bureau; it invited its members to send further suggestions for topics as well as for an overarching theme to the Secretariat no later than 15 February 2017; it welcomed the intention expressed by the UK delegates to consult with their authorities on the possibility of hosting the conference. The Chair encouraged all members to reflect also on such a possibility.

The CDMSI took note of the on-going work by the European Union on the revision of the Audiovisual Media Services Directive (AVMSD). The CDMSI recalled the current standstill on the revision of the European Convention on Transfrontier Television and invited member States to communicate

their position on this matter at the next CDMSI meeting in June 2017. To prepare the discussions, the Secretariat will send an information note accompanied by questions for reflection.

Pursuant to the CM/Resolution (2011)24, it proceeded to elections and elected Ms Elfa Ýr Gylfadóttir (Iceland) as its Chair, Mr Emir Povlakić (Bosnia and Herzegovina) as its Vice-Chair, both for a second one year mandate, and Mr Christoffer Lärkner (Sweden) as member of the Bureau for a second one year mandate.

The CDMSI took note of the dates for its plenary meetings and the meetings of the Bureau in 2017 as follows:

11th CDMSI Bureau: 11 and 12 May 2017

12th CDMSI plenary: 20 (afternoon) to 23 (morning) June 2017

12th CDMSI Bureau: 19 and 20 October 2017

13th CDMSI plenary: 5 (afternoon) to 8 (morning) December 2017

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In addition, the CDMSI dealt with the items below:

The CDMSI:

- took note of the information given by Mr Patrick Penninckx, Head of the Information Society Department, on Council of Europe activities;
- welcomed the information on on-going and future co-operation activities, notably the Programmatic Co-operation Framework (PCF), the Jufrex programme, as well as activities in Ukraine. It held an exchange of views with Ms Meriem Khatouri, Director of Studies and Media Development at the Ministry of Communication of Morocco on the recent reform of press and publishing;
- took note of the up-coming high level seminar on Freedom of Expression – Role and Powers of National Human Rights Institutions and other national mechanisms, that will take place in Strasbourg on 15 December;
- took note of new initiatives taken in member States to implement Council of Europe standards and shared by France, Germany, the Netherlands and Ukraine;
- welcomed the publication of a study of the case-law of the European Court of Human Rights “Freedom of expression and defamation”;
- took note of information provided by the Secretariat on the progress of the modernisation of Convention 108 and on on-going work of the T-PD on passenger name records, health data, big data;

- took note of follow-up activities to the 3rd Secretary General's Annual report on Democracy, Human Rights and the Rule of Law 2016 and of the preparation of its 4th edition;
- took note of the information by the Cypriot delegate on priorities of the Cyprus Chairmanship of the Committee of Ministers of the Council of Europe (22 November 2016 – 19 May 2017) and in particular of two events relevant to CDMSI work, the spring conference of European Data Protection Authorities (Limassol, 27-28 April 2017) and an international conference on freedom of expression and the judgments of the ECtHR related to the Internet (Nicosia, 28 April 2017);
- took note of the state of play of its comments prepared and finalised by written procedure on PACE Recommendation 2092(2016) Fighting the over sexualisation of children and of additional information on this topic provided by the UK delegate;
- held an exchange of views with a member of the Secretariat to the PACE Committee on Culture, Science, Education and the Media on the activities of the Committee and its collaboration with the CDMSI, with a representative from the Office of the Commissioner for Human Rights on current and future priorities and activities, with the Co-secretary to CODEXTER, and with a representative of the European Audio-visual Observatory and the Secretary of EPRA. It took note of information on the work of other Council of Europe committees and bodies, notably the state of play of a draft recommendation on the legal regulation of lobbying activities in the context of public decision-making approved by the CDCJ;
- took note of information provided by CDMSI members on their participation in activities, meetings and events relating to media and Internet issues, in particular on the conference "Public service media and democracy", organised in Prague on 10-11 November 2016, highlighting its conclusions and recommendations.
- took note of the information sent by the Slovakian delegate on the out-going presidency of the EU as well as of information by the Maltese delegate on the up-coming presidency;
- noting the absence of a quorum, the CDMSI finalised the abridged report of the meeting and agreed that in the absence of reactions by 14 December 2016 end of working day, it will be considered adopted by the plenary.

APPENDIX I

Meeting agenda

1. Opening of the meeting by Patrick Penninckx, Head of the Information Society Department
2. Adoption of the agenda
3. Standard setting
 - 3.1 *Committee of experts on Media Pluralism and Transparency of Media Ownership (MSI-MED)*
 - 3.2 *Committee of experts on Internet Intermediaries (MSI-NET)*
4. 4. Cooperation activities
5. Implementation of Council of Europe adopted standards and best practices
 - 5.1 *High Level Seminar: Freedom of expression – role and powers of National Human Rights Institutions (NHRIs) and other national mechanisms – Strasbourg, 15 December 2016*
 - 5.2 *5.2 Initiatives in member States*
 - 5.3 *Defamation*
 - 5.4 *Fear in journalism*
 - 5.5 *Internet governance*
 - 5.6 *Internet Freedom Conference*
 - 5.7 *Regional Conference with EBU in Prague on “Public Service Media and Democracy”*
6. CDMSI Workshop: ‘The Future of News: media and journalism in the age of digital convergence’, 1 December 2016
7. Data protection
8. Work of other Council of Europe institutions and bodies
 - 8.1 *Secretary General’s initiatives*
 - 8.2 *Committee of Ministers*
 - 8.3 *Parliamentary Assembly of the Council of Europe (PACE)*
 - 8.4 *Commissioner for Human Rights*
 - 8.5 *Conference of INGOs of the Council of Europe*
 - 8.6 *Committee of Experts on terrorism (CODEXTER)*
 - 8.7 *European Audio-visual Observatory*
 - 8.8 *European Committee on Legal co-operation (CDCJ)*
 - 8.9 *Participation of CDMSI members in meetings and events*
9. Other organisations

European Union
10. CDMSI work programme and working methods

Reflection on a future conference of ministers responsible for media and information society
11. Elections
12. Any other business
13. Adoption of the abridged report

APPENDIX II

LIST OF PARTICIPANTS / LISTE DES PARTICIPANTS
11TH MEETING OF THE STEERING COMMITTEE ON MEDIA AND INFORMATION SOCIETY11EME RÉUNION DU COMITÉ DIRECTEUR SUR LES MEDIAS ET LA SOCIETE DE L'INFORMATION
(CDMSI)29 NOVEMBER – 2 DECEMBER 2016 / 29 NOVEMBRE – 2 DÉCEMBRE 2016
ROOM/SALLE GO1 (AGORA)

Total number of participants : 75
 Gender distribution : 47 men (66%) / 25 women (34%)
Parité entre hommes / femmes : hommes (66%) / femmes (34%)

ARMENIA / ARMENIE

Ms Kima Khachatryan, First Degree Specialist
 Department of Information and Public Relations - Ministry of Justice of Armenia

AUSTRIA / AUTRICHE

Mr Matthias Traimer
 Federal Chancellery, Media Affairs and Information Society, Federal Chancellery,
 Constitutional Service

AZERBAIJAN

Ms Jeyran Amiraslanova
 Senior Adviser of the Administration of the President

BOSNIA AND HERZEGOVINA / BOSNIE-HERZEGOVINE

Mr Emir Powlakic
 Head of Division for Licensing, Digitalization and Coordination in Broadcasting,
 Communications Regulatory

BULGARIA / BULGARIE

Ms. Nelly Stoyanova
 Head of Information Society Policy Department - Ministry of Transport, IT and
 Communications

CYPRUS / CHYPRE

Ms Sofia (Sunny) Papadimitriou Tofa
 Press and Information Officer, Ministry of Interior

CZECH REPUBLIC / REPUBLIQUE TCHEQUE

Mr Artus Rejent
 Media and Audio-vision Department, Ministry of Culture

DENMARK / DANEMARK

Ms Katja Just Maarbjerg, Ministry of Culture

ESTONIA / ESTONIE

Mr Mati Kaalep
 Adviser of Audiovisual Affairs of Estonian Ministry of Culture

FINLAND

Mr. Juuso MOISANDER
 Commercial Secretary, Information Society and ICT, Ministry for Foreign Affairs

FRANCE

Ms Joanna Chansel
 Bureau des affaires européennes et internationales

Direction Générale des Médias et des Industries Culturelles
Ministère de la Culture et de la Communication

Mr Julien Plubel
Direction des affaires culturelles, Ministère des affaires étrangères

GEORGIA / GEORGIE
Mr George Paniashvili
Deputy Director, International Law Department, Ministry of Foreign Affairs

GERMANY / ALLEMAGNE
Ms Annick Kuhl
Representation of the Free State of Bavaria to the EU

GREECE / GRECE
Mr Evgenios Nastos
Secretariat General for Information & Communication

Ms Maria Sfetsa
Secretariat General for Information & Communication

HUNGARY / HONGRIE
Mr György Ocskó
International Legal Adviser, National Media and Infocommunications Authority

ICELAND / ISLANDE
Ms Elfa Ýr Gylfadóttir (Chair / Présidente)
Media Commission, Ministry of Education, Science and Education

IRELAND / IRLANDE
Mr Éanna Ó Conghaile
Department of Communications, Energy and Natural Resources

ITALY / ITALIE
Mr Pierluigi Mazzella
Director General, Agency for the right to university education, Professor of Information and Communication, University of Rome

LATVIA / LETTONIE
Mr Andris Mellakauls
Information Space Integration, Ministry of Culture

LIECHTENSTEIN
Mr Martin Hasler

LITHUANIA / LITUANIE
Mr Deividas Velkas
Head of Society Information Policy division, Department of Cultural Policy, Ministry of Culture

MALTA / MALTE
Ms Maria Mifsud
Office Management Assistant, Office of The Permanent Secretary
Ministry for the Economy

MOLDOVA / MOLDOVIE
Mr Serghei Mihov
Counsellor , Global Affairs and Human Rights Division , General Directorate for Multilateral Cooperation, Ministry of Foreign Affairs and European Integration of the Republic of Moldova

MONACO

M. Serge Robillard
Chef de Division, Direction des Communications Électroniques, Principauté de Monaco

MONTENEGRO

Mr Ranko Vujovic
Executive Director, UNEM

THE NETHERLANDS / PAYS-BAS

Mr Nol Reijnders
Senior Adviser for Media Policy

Ms Pien van den Eijnden

Senior Legal Adviser
Ministry of the Interior and Kingdom Relations, Constitutional Affairs and Legislation,
Constitutional Affairs

ROMANIA / ROUMANIE

Ms Delia Mucica
Professor, University of Theatre and Film
Senior Advisor, Unit for Project Management, Ministry of Culture and National Heritage

RUSSIAN FEDERATION / FEDERATION RUSSIE

Mr Nadzhaf Abdullaev
Senior Councillor, MFA Press and Information Department

Mr Arseniy Nedyak

Ministry of Telecom and Mass Communications

SERBIA / SERBIE

Ms Maja Rakovic
Ministry of Foreign Affairs

SLOVENIA / SLOVENIE

Mr Skender Adem
Undersecretary, Ministry of Culture of Republic of Slovenia

SWEDEN / SUEDE

Mr Christoffer Lärkner
Department of Culture

SWITZERLAND / SUISSE

Mr Thomas Schneider
Federal Office of Communication, Federal Department for the environment, transport,
energy and communication

Mr Pierre Smolik

Federal Office of Communication, Federal Department for the environment, transport,
energy and communication

Mr. Urs Thalmann

Member of EMEK, the Swiss Commission on Media,

„FORMER YUGOSLAV REPUBLIC OF MACEDONIA „ / „EX-REPUBLIQUE
YOUGOSLAVE DE MACEDOINE“

Ms Vesna Poposka

Head of International PR Department, Government of the Republic of Macedonia, PR
Department

TURKEY / TURQUIE

Mr Mehmet Bora Sönmez
Media Expert, Radio and Television Supreme Council of Turkey

Mr. Arif Firtina, Council Member,
Mr. Taha Yücel, Council Member

UKRAINE

Ms Olha Herasyiuk
First Deputy Chair of the National Council of Ukraine for Television and Radio
Broadcasting

UNITED KINGDOM / ROYAUME-UNI

Mr Mark Carvell
Media Team, Department for Culture, Media and Sport

Ms Kathleen Stewart
Media Team, Department for Culture, Media and Sport

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OBSERVERS / OBSERVATEURS
PARTICIPANTS

BELARUS

Mr Dimitry Mironchik
Head of Media Department of MFA Belarus, Press-Secretary of MFA

HOLY SEE / SAINT SIEGE

Mgr John Baptist Itaruma

MOROCCO / MAROC

Mme Chanaz El Akrichi
Chef de Division de la Coopération, Ministère de la Communication

Mme Meriem Khatouri

Directrice des Etudes et du Développement des médias, Ministère de la Communication

PARLIAMENTARY ASSEMBLY OF THE COUNCIL OF EUROPE / ASSEMBLEE
PARLEMENTAIRE DU CONSEIL DE L'EUROPE

Mr Rüdiger Dossow - Secretary of the Committee on Culture, Science and Education

CONFERENCE OF INTERNATIONAL NON-GOVERNMENTAL ORGANISATIONS OF
THE COUNCIL OF EUROPE / CONFÉRENCE DES ORGANISATIONS
INTERNATIONALES NON GOUVERNEMENTALES DU CONSEIL DE L'EUROPE

Ms Anna Rurka – Chairperson

Mr Didier Schretter

Member of the Standing Committee - Vice-chair Education and Culture Committee

EUROPEAN COURT OF HUMAN RIGHTS/ COUR EUROPÉENNE DES DROITS DE
L'HOMME

Judge Robert Spano

OFFICE OF THE COMMISSIONER FOR HUMAN RIGHTS / BUREAU DU
COMMISSAIRE AUX DROITS DE L'HOMME

Ms Anne Weber

Adviser to the Commissioner

ADVISORY COUNCIL ON YOUTH OF THE COUNCIL OF EUROPE / CONSEIL
CONSULTATIF SUR LA JEUNESSE DU CONSEIL DE L'EUROPE
Mr Milosh Ristovski - Centre for intercultural Dialogue

COMMITTEE OF EXPERTS ON TERRORISM / COMITÉ D'EXPERTS SUR LE
TERRORISME
Mr Kristian Bartholin

COUNCIL OF EUROPE GENDER EQUALITY DIVISION / DIVISION DU CONSEIL DE
L'EUROPE SUR L'EGALITE DES GENRES
Ms Carolina Lasén Díaz, Head of the Gender Equality division

COUNCIL OF EUROPE STEERING COMMITTEE FOR HUMAN RIGHTS (CDDH) /
COMITÉ DIRECTEUR DU CONSEIL DE L'EUROPE POUR LES DROITS DE L'HOMME
Ms Kristine Lice - Latvian member

EUROPEAN AUDIOVISUAL OBSERVATORY / OBSERVATOIRE EUROPEEN DE
L'AUDIOVISUEL
Ms Maja Cappello, Head of Legal Information Department

ASSOCIATION OF EUROPEAN JOURNALISTS (AEJ) / ASSOCIATION DES
JOURNALISTES EUROPEENS
Mr William Horsley - Media Freedom Representative

COPEAM
M. Hervé de Haro, Vice-Président

EPRA
Ms Emmanuelle Machet, Secretary

EUROPEAN BROADCASTING UNION (EBU) / UNION EUROPEENNE DE RADIO-
TELEVISION (UER)
Mr Michael Wagner
Head of Media and Communications Law, Legal Department

Mr Giacomo Mazzonne
Head of Institutional Relations, Public Affairs & Communications

UNIVERSITY OF MALTA
Ms Marilyn Clark

* * *

WORKSHOP: THE FUTURE OF NEWS
MEDIA AND JOURNALISM IN THE AGE OF DIGITAL CONVERGENCE

ATELIER : L'AVENIR DU JOURNALISME A L'AGE DE LA CONVERGENCE
NUMERIQUE

Thursday 1 December / Mardi 1 décembre 2016

Ms Benedicte AUTRET - Google's Digital News Initiative
Mr Gabriele BERTOLLI - Team Leader - Future of the Media, Media Freedom and Media
Pluralism, European Commission
Mr Alexandre BRACHET – Upian
Mr Pierre FRANCE - Rue 89 Strasbourg
Mr Rasmus Kleis NIELSEN - Director of Research at the Reuters Institute
Mr Matt ROGERSON - Head of Public Policy of Guardian News & Media
Mr Renate SCHROEDER - European Federation of Journalists

Mr Wout VAN WIJK - News Media Europe
 Mr Nabil WAKIM - Directeur de l'innovation éditoriale, Le Monde

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INTERPRETERS / INTERPRETES

Ms Amanda BEDDOWS
 Ms Gillian WAKENHUT (29-30/11)
 Ms Martine CARALY (1-2/12)
 Ms Maryline NEUSCHWANDER (29-30/11)
 Ms Christine TRAPP (1-2/12)

* * *

SECRETARIAT

Mr Patrick PENNINGCKX, Head of Information Society Department, Directorate General Human Rights and Rule of Law
 Ms Silvia GRUNDMANN, Head of Media and Internet Division, Directorate General of Human Rights and Rule of Law, Secretary to the Steering Committee on Media and Information Society
 Ms Charlotte ALTENHOENER-DION, Administrator, Media and Internet Division, Directorate General Human Rights and Rule of Law
 Ms Lejla DERVISAGIC, Head of Unit, Media and Internet Division, Directorate General Human Rights and Rule of Law
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 Mr Lee HIBBARD, Administrator, Media and Internet Division, Directorate General Human Rights and Rule of Law
 Mr Christina LAMPROU, Administrator, Media and Internet Division, Directorate General Human Rights and Rule of Law
 Ms Amélie LEPINARD, Administrator, Media and Internet Division, Directorate General Human Rights and Rule of Law
 Ms Leila MARSHANIA, Administrator, Media and Internet Division, Directorate General Human Rights and Rule of Law
 Ms Elvana THAÇI, Head of Unit, Media and Internet Division, Directorate General Human Rights and Rule of Law
 Ms Małgorzata PEK, Administrator, Media and Internet Division, Directorate General Human Rights and Rule of Law
 Ms Elvana THACI, Administrator, Media and Internet Division, Directorate General Human Rights and Rule of Law
 Ms Urška UMEK, Administrator, Media and Internet Division, Directorate General Human Rights and Rule of Law
 Ms Anne BOYER-DONNARD, Principal Administrative Assistant, Media and Internet Division, Directorate General Human Rights and Rule of Law
 Ms Julia WHITHAM, Assistant, Media and Internet Division, Directorate General Human Rights and Rule of Law