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## 1367<sup>th</sup> meeting, 12<sup>th</sup> February 2020

### 1. Abridged report of the 17<sup>th</sup> meeting of the Steering Committee of Media and Information Society

Item to be considered by the GR-H at its meeting on 4 February 2020

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#### Meeting details

The Steering Committee on Media and Information Society (CDMSI) held its 17<sup>th</sup> meeting in Strasbourg on 3-5 December 2019 with Mr Thomas Schneider (Switzerland) in the Chair. The meeting was opened by Mr Jan Kleijssen, Director, Information Society – Action against Crime. The agenda of the meeting appears in Appendix 1.

#### List of items for decision by the Committee of Ministers

The Committee of Ministers is invited to take note of the abridged report of the 17<sup>th</sup> meeting of the CDMSI (3-5 December 2019).

#### List of items for information of the Committee of Ministers

The CDMSI:

- approved the draft Recommendation of the Committee of Ministers to member States on the human rights impacts of algorithmic systems, as finalised by the MSI-AUT after public consultations with few revisions made, and agreed that after legal and linguistic checks the text be submitted to the Committee of Ministers for possible adoption in early 2020;
- approved the draft Recommendation of the Committee of Ministers to member States on promoting a favourable environment for quality journalism in the digital age, taking note of the written statement submitted by the Russian Federation (Appendix 2). After legal and linguistic checks, the text will be submitted to the Committee of Ministers for possible adoption in early 2020; took note of the took note of the Study on supporting quality journalism through media and information literacy;
- welcomed the completion of the work on the Implementation Guide to Recommendation CM/Rec(2016)4 of the Committee of Ministers to member States on the protection of journalism and the safety of journalists and forthcoming related projects (e-learning course and other tools), to support member States in the development national action plans in this field;
- took note of the draft analytical report on the implementation of the Recommendation CM/Rec(2013)01 of the Committee of Ministers to member States on gender equality and media, highlighting the importance of the subject, and agreed to send their written comments and proposals on the text to the Secretariat by 15 December 2019;

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<sup>1</sup> This document has been classified restricted until examination by the Committee of Ministers.

- took note of the information by the Secretariat:
  - o about the participation of the Council of Europe in the Global Conference for Media Freedom: London 2019 (10-11 July 2019), the initiatives launched in that context and about subsequent Secretariat's Exchanges with the independent High-Level Panel of Legal Experts on Media Freedom on areas of possible cooperation;
  - o about the Conference "(Last) call for quality journalism" (Slovenia, 28-29 November 2019), co-organised by the Ministry of Culture of the Republic of Slovenia and the Council of Europe, and expressed support for the key messages of the conference, notably that news and media organisations are facing major threats to their economic and political independence and, in addition to innovative newsroom practices and technology, self-regulatory and regulatory guidelines, also require state support, in the form of favourable structural conditions for quality journalism to thrive;
- welcomed the presentation by Mr Matjaž Gruden, Director of Democratic Participation, Council of Europe on the latest developments related to the Platform to promote the protection of journalism and safety of journalists. They expressed strong support to the Platform as a dedicated mechanism of cooperation between civil society and governments on the protection of journalism and journalists' safety and discussed avenues for strengthening cooperation between CDMSI and the Platform and for mutually reinforcing their work and outcomes;
- welcomed the adoption by the Committee of Ministers of the Terms of reference for the 2020-2021 biennium of the CDMSI and its new committees of experts - Committee of Experts on Freedom of Expression and Digital Technologies (MSI-DIG), Committee of Experts on Media Environment and Reform (MSI-REF), as well as the joint Committee of Experts on Combating Hate Speech (ADI/MSI-DIS), that will be subordinate to both CDMSI and CDADI;
- took note of the information provided by the Secretariat on on-going and future co-operation programmes and activities in the field of media and freedom of expression, notably in Armenia, Georgia, Ukraine, South-East Europe and Northern Africa, with a specific focus on safety of journalists, transparency of media ownership, public service media, media literacy and quality journalism;
- took note of the information provided by the Secretariat about the 39<sup>th</sup> Plenary meeting of the Committee of Convention 108 and its next biennium work programme for 2020-2021 which will focus on (a) the development of new terms of reference and rules of procedure, (b) the review of the current landscape and examination of the Recommendation CM/Rec(2010)13 of the Committee of Ministers to member states on the protection of individuals with regard to automatic processing of personal data in the context of profiling, (c) facial recognition, and (d) data protection in the educational sector;
- welcomed the adoption by the Committee of Ministers on 11 September 2019 of the Terms of Reference of the Ad Hoc Committee on Artificial Intelligence (CAHAI) and exchanged views with the CAHAI Secretariat representatives on the outcomes of the first meeting of CAHAI (18-20 November 2019, Strasbourg), the planned development of a Council of Europe AI-related legal instrument, and future co-operation between the two bodies. They further noted that Mr Thomas Schneider (Switzerland) had been elected member of the CAHAI Bureau and designated Mr Schneider as liaison person between the two Committees;
- took note of the information provided by the Secretariat of the overall successful implementation of the Internet Governance Strategy 2016-2019 and noted that the final report (SG/Inf(2019)39) had been transmitted by the Secretary General to the Committee of Ministers. It further took note of the ongoing work within the Internet Governance Task Force, including regarding the development of a Digital Governance Strategy 2020-2023;
- took note of the information provided by the Secretariat:
  - o on the significant Council of Europe participation in the Internet Governance Forum (IGF) 2019 (25-29 November 2019, Berlin) where five sessions were organised or co-organised by the Council of Europe on the subjects of anti-discrimination, data and privacy protection, law

enforcement and cross-border data access, online content moderation and attribution of responsibility for adverse effects of AI-based tools' application;

- on the Council of Europe participation in the Internet Governance Forum (IGF) France 2019 (Paris, 4 July 2019);
- of the recent work of the Council of Europe Thematic Co-ordinator on Information Policy (TC-INF) - in particular, the exchange of views with partner business companies that took place on 18 June 2019, the interest expressed by a number of companies to join the cooperation platform and current plans for upcoming TC-INF meetings.

Concerning the Conference of ministers responsible for media and information society (*Artificial intelligence - Intelligent politics. Challenges and opportunities for media and democracy*, Nicosia, Cyprus, 28-29 May 2020):

- took note of the state of preparations for the conference (including the outcomes of the preparatory visit by the Secretariat and the CDMSI Chair to the host country, and the progress report submitted to the Committee of Ministers). It further took note of the call for information regarding the ministries responsible for media and information in the Council of Europe member States and the necessity to urgently provide the necessary information for the timely preparation of their participation in the conference;
- took note of the outcomes of the final meeting of the drafting group in charge of preparing the Ministerial resolutions and the Conference's final declaration that took place on 15 October 2019 in Strasbourg;
- discussed the draft Nicosia Resolution on freedom of expression and digital technologies, the draft Nicosia Resolution on the changing environment in media and information, the draft Nicosia Resolution on safety of journalists and the draft Final Declaration of the Ministerial Conference and proposed amendments to the texts. They further noted that, following their transmission to the GR-H in March 2020, for comments, the final drafts would be submitted to CDMSI for approval, at its following plenary meeting, to take place on 27 May 2020 in Nicosia, Cyprus, on the eve of the ministerial conference, before their planned adoption by the ministers meeting in Nicosia.
- had a tour de table and took note of legislative developments and other initiatives in the field of freedom of expression, media and internet in France, Greece, Monaco, the Republic of Moldova, San Marino and Switzerland;
- took note of the information provided by the Secretariat on:
  - the initiatives and developments in the European Union in the field of artificial intelligence;
  - recent and pending projects of the European Audio-visual Observatory, following an exchange of views with the representatives of the Observatory, including the Secretariat of European Platform of Regulatory Authorities (EPRA). The CDMSI members expressed their high appreciation for the work of the Observatory and underlined its importance and relevance for the work of the Committee;
  - the participation of its representatives in meetings of partner bodies and committees of the Council of Europe (T-CY, CDDH), as well as in other events of relevance to their work (Octopus Conference, IGF 2019, World Forum for Democracy 2019);
  - written information on the latest relevant developments in the work of other Council of Europe institutions and bodies in the field of freedom of expression, media and internet governance;
- provisionally agreed to hold its next Plenary meeting following the Ministerial conference on 24-26 November 2020. They further agreed that the CDMSI Bureau will hold its meeting in late March - early April 2020, concrete dates to be defined in written procedure.

**Resource implications**

The financing of the activities described in this report is assured.

**Evaluation of completed activities**

The Committee expressed its satisfaction with the successful completion of its work on the two draft recommendations (on the human rights impacts of algorithmic systems and on promoting a favourable environment for quality journalism) and noted the interest drawn and general support received for the two documents in the process of their preparation.

The Committee also noted with great interest the developments related to the Council of Europe AI related work, including the envisaged development of a future legal instrument in the field, to which its work on algorithmic systems and responsibility for AI has been contributing substantially.

**Any changes to the composition of the Committee Bureau**

The CDMSI held elections of the Chairperson, Vice Chairperson and members of the CDMSI Bureau:

- Ms Inge Welbergen (the Netherlands) was elected Chairperson of the CDMSI until the end of 2020. Mr Thomas Schneider (Switzerland) was elected Vice Chairperson of the CDMSI until the end of 2020.
- Mr Taavo Kumiste (Estonia), Mr Iordanis Giamouridis (Greece), Mr Serge Robillard (Monaco) and Mr Skender Adem (Slovenia) were elected members of the CDMSI Bureau until the end of 2021. Ms Kathleen Stewart (the United Kingdom) was elected member of the CDMSI Bureau until the end of 2020.

The CDMSI also elected state representatives to the Committee of Experts on Freedom of Expression and Digital Technologies (MSI-DIG), the Committee of Experts on Media Environment and Reform (MSI-REF), and the joint Committee of Experts on Combating Hate Speech (ADI/MSI-DIS):

- Ms Natali Helberger (Netherlands), Mr Michael R. Kogler (Austria), Mr Joe McNamee (Ireland), Viktors Makarovs (Latvia), Ms Katie Morris (UK), Ms Karmen Turk (Estonia) and Ms Livia Walpen (Switzerland) were elected members of the Committee of Experts on Freedom of Expression and Digital Technologies (MSI-DIG).
- Mr Artur Cozma (Republic of Moldova), Ms Maria Donde (UK), Mr Mr Raphaël Kies (Luxembourg), Ms Helena Mandić (BiH), Mr Marko Milosavljević (Slovenia), Mr Markus Oermann (Germany) and Ms Jadranka Vojvodic (Montenegro) were elected members of the Committee of Experts on Media Environment and Reform (MSI-REF).
- Ms María Rún Bjarnadóttir (Iceland), Ms Antonina Cherevko (Ukraine), Ms Barbara Leith-Staudinger (Austria), Mr Tarlach McGonagle (Ireland) and Mr. Bastiaan Winkel (the Netherlands) were elected members of the joint Committee of Experts on Combating Hate Speech (ADI/MSI-DIS).

**Other observations**

None

**APPENDIX 1**

**17<sup>th</sup> meeting  
3-5 December 2019 (09h30 – 18h00)**

**Palais de l'Europe, Room 11**

**Agenda**

- 1. Opening of the meeting by Mr Thomas Schneider, Chair of the CDMSI**
- 2. Adoption of the agenda**
- 3. CDMSI and its expert committees – Terms of reference and elections**
- 4. Recent developments**
- 5. Standard setting**
  - 5.1 *Committee of experts on Quality Journalism in the Digital Age (MSI-JOQ)*
  - 5.2 *Committee of experts on Human Rights Dimensions of Automated Data Processing and Different Forms of Artificial Intelligence (MSI-AUT)*
- 6. Implementation of Council of Europe adopted standards and best practices**
  - 6.1 *Safety of Journalists*
  - 6.2 *Gender equality*
- 7. Future standard setting activities – Ad-hoc Committee on Artificial Intelligence (CAHAI)**
- 8. Data protection**
- 9. Internet/Digital Governance**
  - 9.1 *Internet Governance Strategy implementation Report and new digital strategy*
  - 9.2 *Internet/Digital Governance activities*
- 10. Cooperation activities**
- 11. Conference of ministers responsible for media and information society (Nicosia, Cyprus, 28-29 May 2020)**
  - 11.1 *Preparations for the Ministerial Conference*
  - 11.2 *Documents of the Ministerial Conference*
- 12. Elections of the CDMSI Bureau and expert committees**
- 13. Relevant work of partner organisations**
- 14. Initiatives in member states**
- 15. Relevant work of other Council of Europe institutions and bodies**
- 16. Participation of CDMSI members in meetings and events**
- 17. Dates of the 2020 Plenary and Bureau meetings**
- 18. Other business**

**APPENDIX 2****Statement by the Russian Federation on draft Recommendation on promoting a favourable environment for quality journalism in the digital age**

We strongly support the idea of equality among media. We are convinced that the draft Recommendation on promoting a favourable environment for quality journalism in the digital age contains insufficient provisions for ensuring equal treatment of all the media by different actors and does not provide for necessary measures against discrimination of the media and fragmentation of international information space. Thus, we cannot support this draft Recommendation.