Steering Committee on Media and Information Society - CDMSI



21st meeting 1 -2 June 2022 (9h30 – 12h30; 14h00 – 17h30h)

6 July 2022

CDMSI(2022)003

Meeting report

1-2 June 2022 Strasbourg, Palais de l'Europe room 9

Morning Session 09:30 – 12:30

1. Opening of the meeting

Mr Jan Kleijssen, Director, Information Society - Action against Crime, Directorate General Human Rights and Rule of Law, welcomed the members, observers and participants of the CDMSI to the first meeting of the 2022-2023 biennium.

Addressing first the situation following the aggression of the Russian Federation against Ukraine, Mr Kleijssen recalled that the flagrant violation of European values and Council of Europe standards by the Russian Federation has resulted in the cessation of its membership as of 16th March 2022. He stressed that support by the Council of Europe to Ukraine, ranging from institutional to financial assistance, will continue as long as necessary.

Regarding intergovernmental and standard setting work, Mr Kleijssen recalled that freedom of expression, media, internet governance and other information society issues are among the Organisation's strategic priorities. He congratulated the Committee on the recent adoption of all deliverables entrusted to the CDMSI in the past biennium and stressed the importance and topicality of the issues the CDMSI is tasked with addressing in the 2022-2023 biennium (sustainable media financing, the use of digital tools for journalism, countering the spread of online mis- and disinformation and SLAPPs). He emphasised the importance of developing synergies with the work of other international organisations that are also currently addressing similar issues and also recalled that in summer 2023, the CDMSI mandate will undergo a mid-term review. Recalling the conclusions of the CDMSI to use the momentum to foster their implementation. Lastly, on the subject of internet governance he informed the CDMSI that the Council of Europe will participate in two major annual events: EuroDIG 2022 and IGF 2022 and encouraged CDMSI members to participate in both forums and use their voices to promote Council of Europe's instruments and standards.

2. Adoption of the agenda and order of business

Mr Taavo Lumiste (Estonia), Chair of the CDMSI, briefly addressed the participants, welcomed the

opportunity to hold the meeting in the hybrid format and a strong onsite presence by the CDMSI members, noting that for some of them this was the first opportunity to exchange in person.

The CDMSI adopted the meeting agenda (Appendix 1) without any changes. The list of participants and information on gender distribution appear in Appendix 2.

3. Freedom of expression in situations of conflict and aggression

Mr Patrick Penninckx, Head of Information Society Department, provided an account of the Council of Europe's action since 24 February 2022 in response to Russian aggression against Ukraine and its consequences for freedom of expression. He recalled the Committee of Ministers' <u>Resolution CM/Res(2022)2</u> of 16 March 2022 leading to the cessation of membership of the Russian Federation in the Council of Europe and explained that the Council of Europe also suspended all relations with Belarus, including its right to participate as an observer in all Council of Europe bodies, including subsidiary structures. Despite the cessation of membership, the European Court of Human Rights will remain competent to deal with cases brought against the Russian Federation until 16 September 2022. The Russian Federation will continue to be a contracting party to the Council of Europe instruments open to non-member States, such as the Convention 108, and will remain bound by the respective financial obligations.

Concerning the Organisation's support to Ukraine, the Organisation provides logistical support and assists with access to basic services for the staff of our Kyiv office, as well as for Ukrainian colleagues and their family members fleeing from the war in Ukraine; the PACE continues to call for humanitarian corridors. Dedicated webpages have been created, such as <u>'Freedom of expression in times of conflict'</u>. Emergency actions are being implemented to support the media sector in Ukraine. The Cybercrime Division is taking steps with a view to contribute to the efforts currently being made to identify electronic evidence of war crimes.

4. Update on the situation in Ukraine

Ms Olha Herasymiuk, Chair of the National Council of Television and Radio Broadcasting of Ukraine and member of the CDMSI in respect of Ukraine, provided an account of the consequences of the war in Ukraine: thousands of deaths, among which journalists, more than nine million people displaced, the destruction of entire cities and villages. Ms Herasymiuk in particular stressed the need for Russian propaganda and disinformation concerning the war in Ukraine to be counteracted across Europe. In this regard, she explained that Ukraine's largest broadcasters have come together to create a 'United news marathon' in Ukraine for a common goal of bringing the truth about the war in Ukraine to the world. She thanked the Council of Europe for their rapid decision on the cessation of Russia's membership and called to continue fighting against disinformation and working towards making the media environment in Europe safer and more transparent. CDMSI members took the floor to express their support and solidarity with Ukraine and the Committee further discussed examples of support action taken by member States (Estonia, Latvia, Hungary, Poland), including steps taken to combat disinformation and propaganda.

5. Follow-up to the CDMSI's previous work. Prospects for the future work

a) Update on the deliverables from the previous biennium

Ms Artemiza Chisca, Secretary to the CDMSI - Head of the Media and Internet Division, congratulated the members on the recent adoption by the Committee of Ministers of all Recommendations approved by the CDMSI at the end of the past biennium. She clarified that three texts received immediate support from the GR-H and were adopted without debate (<u>Recommendation</u> <u>CM/Rec(2022)11 of the Committee of Ministers to member States on principles for media and</u>

communication governance ; Recommendation CM/Rec(2022)12 of the Committee of Ministers to member States on electoral communication and media coverage of election campaigns and Recommendation CM/Rec(2022)13 of the Committee of Ministers to member States on the impacts of digital technologies on freedom of expression). In March, Recommendation CM/Rec(2022)4 of the Committee of Ministers to member States on promoting a favourable environment for quality journalism in the digital age, approved by the CDMSI in December 2019, was adopted by the Committee of Ministers, while the Recommendation CM/Rec(2022)16[1] of the Committee of Ministers to member States on combating hate speech was adopted at the 132nd Session of the Committee of Ministers in Torino on 20 May. Adoption of these deliverables contributes, among others, to the implementation of the conclusions of the Conference of Ministers responsible for media and information society.

She further informed the CDMSI of the decisions of the 132nd Session of the Committee of Ministers in Torino, with an extensive section dedicated to freedom of expression and related work (including the latest CDMSI deliverables) as a confirmation of the importance attached to this sector as one of the Organisation's strategic priorities.

The CDMSI noted with content that all the Recommendations have been published online, accompanied by press releases, and printed as hard copies. They agreed on the importance of promoting these standard-setting documents and ensuring their translation in respective languages of the Council of Europe member States.

The Secretariat further recalled that, according to its Terms of Reference, the CDMSI follows the implementation of the non-binding instruments that it has prepared and supports the implementation of the documents adopted by the Council of Europe in the sphere of the freedom of expression and digital technologies, in the light of the most recent developments in the field.

b) Questionnaire aimed at collecting good practice for the extension of the Implementation Guide to the <u>Recommendation CM/Rec(2016)4 of the Committee of Ministers to member</u> <u>States on the protection of journalism and safety of journalists and other media actors</u>

The Secretariat recalled that the CDMSI has developed an <u>Implementation strategy</u> for Recommendation CM/Rec(2016)4 which foresees, among other actions, the development of an Implementation Guide. The ultimate purpose of the Guide is to support member States in the development and implementation of dedicated action plans on the safety of journalists. Currently the <u>Implementation Guide</u> covers two pillars of the Recommendation CM/Rec(2016)4 (Protection and Prosecution) and needs to be extended to the other two pillars (Prevention and Promotion of information, education and awareness raising). For this purpose, a questionnaire has been prepared and sent out to all CDMSI members. The purpose of this questionnaire is to collect responses detailing good practices in particular areas of interest (strong legal protection, robust implementation measures, awareness-raising campaigns, etc.) and experience which might benefit other member States in their efforts to ensure a safe environment in which journalists and other media actors can express themselves freely and without fear. The deadline for replies was extended until the end of July 2022.

c) Questionnaire for assessment of the state of implementation of <u>Recommendation</u> <u>CM/Rec(2018)2 of the Committee of Ministers to member States on the roles and</u> <u>responsibilities of internet intermediaries</u>

To take stock of the state of implementation of Recommendation CM/Rec(2018)2, a questionnaire has been prepared. Its main purpose is to explore how main provisions of the Recommendation are being implemented across the Council of Europe member States and, based on the responses received, to identify existing best practices, or areas where further guidance and support for implementation may be needed. CDMSI members voiced their concerns regarding the timeliness of this exercise, in view of the upcoming <u>Digital Service Act</u> (DSA) which touches upon issues regarding

the role and responsibilities of internet intermediaries. It was agreed that the deadline for replies to the questionnaire would be mid-September 2022 and that the replies would take into account the developments actual and planned.

d) The state of play with the European Convention on Transfrontier Television (ECTT)

The Secretariat provided background information to the CDMSI members on the reasons for bringing the status of the <u>European Convention on Transfrontier Television (ECTT)</u> to their renewed attention, namely the questions from some member States regarding its status and applicability after Brexit, as well as regarding sanctions on audiovisual media services established abroad.

In particular, questions had been raised whether, in order to respond to the new needs and challenges, it might be necessary to review and possibly update/revise the ECTT in the light of the most recent relevant developments, including those related to European legal frameworks. The Secretariat reminded that matters covered in the ECTT are now also subject to the provisions of the EU's Audiovisual Media Services Directive (AVMSD). After a thorough discussion, the CDMSI concluded that, before any further action, it was necessary to obtain concrete information and examples from members States on the existing concerns regarding the transfrontier reception and (re)transmission of audiovisual programmes/content from member States, as well as information on which (international) instruments were relied on in any such situations. The Secretariat presented several options that could be explored in that regard and possible ways forward.

The CDMSI members agreed to collect and provide further information on issues of concern for member States in their particular contexts, as well as on the possible use of the ECTT. Additionally, the CDMSI decided to set up a reflection group from among its members to examine the relevant issues and member States' positions and based on the data collected to prepare the ground for further reflection at the next Plenary meeting.

e) Proposed exchange of views with the representatives of the <u>Platform for the Safety of</u> <u>Journalists</u>

Mr György Ocskó, the CDMSI delegate from Hungary, proposed an exchange of views with the representatives of the Council of Europe's Platform to promote the protection of journalism and safety of journalists at the next meeting of the CDMSI.

6. Standard setting

6.1. Committee of experts on the Integrity of Online Information (MSI-INF)

Ms Elena Dodonova, Secretary to the MSI-INF, updated the CDMSI members on the outcome of the <u>first MSI-INF meeting</u> on 15-16 March. She informed the CDMSI of the election of Ms Elisabeth Lambert, Head of Counter Online Manipulation, Department for Digital, Culture, Media and Sport, United Kingdom as Chair of the MSI-INF, and Mr Hrvoje Lisičar, Chair of Information Technology Law, Faculty of Law, University of Zagreb, Croatia, as Vice-Chair. She further reported on the progress made by the MSI-INF so far (preparation of the outline for the *Draft guidance note on countering the spread of online mis- and disinformation through fact-checking and platform design solutions in a human rights compliant manner*), and on the timeline agreed.

6.2. <u>Committee of Experts on Increasing Media Resilience (MSI-RES)</u>

Ms Urška Umek, Secretary to the MSI-RES, updated the CDMSI members on the outcome of the <u>first</u> <u>MSI-RES meeting</u> on 31 March - 1 April 2022. The Committee is tasked with preparing two documents by the end of 2023: *Draft Guidelines on the use of digital tools including artificial* *intelligence (AI) for journalism/by journalists* and *Good practices for sustainable media financing*. Ms Umek informed the committee of the election of Mr Ramón Salaverría, Professor of Journalism at the Center of Internet Studies & Digital Life, University of Navarra, as Chair of the MSI-RES, and Mr Manuel Puppis, Professor in Media Systems and Media Structures at the University of Fribourg, as Vice-Chair. The first meeting was dedicated to in-depth discussion on the elements and structure of the future deliverables. Regarding the *Collection of good practices for sustainable media financing*, Ms Umek informed the CDMSI members of the circulation of a short questionnaire prepared by the rapporteurs, aimed at collecting good practices within the member States, with a deadline to provide replies by mid-September.

6.3. Committee of Experts on Strategic Lawsuits against Public Participation (MSI-SLP)

Ms Giulia Lucchese, Secretary to the MSI-SLP, informed the CDMSI members of the outcome of the <u>first MSI-SLP meeting</u> on 4-5 April 2022. The Committee is tasked to prepare a draft *recommendation on strategic lawsuits against public participation (SLAPPs)* by the end of 2023, taking into account the European Convention on Human Rights, relevant Council of Europe's standard-setting documents and the case-law of the European Court of Human Rights in the relevant field. She informed the CDMSI of the election of Ms Karmen Turk, Lecturer, University of Tartu and Partner at the Law Firm TRINITI, Estonia as Chair of the MSI-SLP and Mr Željko Martyn Sampor, Senior State Counsel, Ministry of Culture, Office of the state secretary, Slovak Republic as Vice-Chair. After a presentation of the draft outline and outstanding issues stemming from discussions held during the first Expert Committee's meeting, the CDMSI exchanged with the Secretariat on the synergies between the EU directive on SLAPPs and the work of the MSI-SLP and welcomed a close cooperation on their work on SLAPPs.

7. Digital Governance

7.1. Exchange of views with Ambassador Rasmus Lumi, Council of Europe Thematic coordinator on Information Policy (TC-INF)

Ambassador Rasmus Lumi (Estonia), Council of Europe Thematic Coordinator on Information Policy (TC-INF), updated the CDMSI on his recent work as the TC-INF. He informed the CDMSI of the two recent TC-INF meetings (8 February and 29 April 2022), focusing on several subjects falling under the CDMSI mandate.

Ambassador Lumi further informed the CDMSI of the latest developments related to the <u>Tromsø</u> <u>Convention</u>, that currently has 12 ratifications, and invited CDMSI members to make all possible effort to persuade their capitals of the added value of the Tromsø Convention.

Regarding the Council of Europe's partnership with businesses, he recalled the workshop of 4-5 February 2022 that brought together all members of the <u>digital partnership</u> and offered an occasion for the internet companies and the Council of Europe to present their ongoing and future work and identify potential areas for closer cooperation in 2022-2023. Based on this exchange, a draft workplan for the digital partnership for the next biennium has been prepared. Also, several new partners will be joining the partnership: the international Chamber of Commerce, the LEGO group and Thales.

Regarding the <u>Council of Europe's Digital Agenda for 2022-2025 "Protecting human rights, democracy</u> and the rule of law in the digital environment", Ambassador Lumi informed the CDMSI that the Minister's Deputies took note of it during their 1433rd meeting on 4 May and it is now fully operational and will guide the Organisation's work in the respective areas in the coming years. After his presentation of the main sections of the Digital Agenda, the CDMSI exchanged with the TC-INF regarding their role in its implementation.

Lastly, Ambassador Lumi informed the CDMSI of the holding of the next TC-INF meeting on 28 June 2022.

7.2. Council of Europe involvement in digital governance events (EuroDIG, IGF and other)

The CDMSI took note of the information provided by the Secretariat about the Organisation's planned participation in <u>EuroDIG 2022</u> on 21-22 June, where sessions will be organised on 'New regulatory needs: AI act and data governance act', on 'Responding to disinformation in times of COVID-19 and geopolitical conflict', and on Cybersecurity, to reflect on the subject-matter of the Second Additional Protocol to the Budapest Convention and the UN process.

Regarding <u>IGF 2022</u> (28 November - 2 December 2022, Addis Ababa, Ethiopia), the Secretariat informed the CDMSI of its overarching theme: *Resilient internet for a shared sustainable and common future*. The Council of Europe is submitting proposals for IGF sessions which will address its latest work on content moderation, hate speech, cybersecurity and the ongoing work on AI and the Metaverse.

The Organisation is also participating in the <u>RightsCon 2022</u>, which is a civil society-led space where all stakeholders – from tech compagnies to government representatives, human rights defenders – come together to build a rights-respecting digital future.

8. Information on latest developments in the work of the Council of Europe Committee on Artificial Intelligence (CAI)

Mr Thomas Schneider, the newly elected Chair of CAI, and Mr Kristian Bartholin, Secretary of CAI -Head of Digital Development Unit, provided an update on the latest developments related to the work of the Council of Europe Committee on Artificial Intelligence (CAI). Mr Kristian Bartholin recalled the outcome of the work of the previous ad-hoc Committee CAHAI, which has completed its mandate with producing a <u>feasibility study</u> on 'Possible elements for a legal framework on artificial intelligence, based on the Council of Europe 's standards on human rights, democracy and rule of law'. The CAI is mandated to develop such legal framework, to be submitted to the Committee of Ministers by 15 November 2023.

The <u>first meeting of the CAI</u> was held on 4-6- April 2022 in Rome, in the framework of the Italian Presidency of the Committee of Ministers. In-depth discussions were held on the type and outline of the future legal instrument. Mr Schneider further explained that the legal instrument should have a transversal nature in order to help the Organisation in keeping a coherent approach across all fields and sectors. At the same time, sectorial work relating to artificial intelligence will continue in the framework of specific structures, such as the CDMSI and other steering committees in their fields of competence. Mr Schneider also stressed the importance of keeping a coherent approach with the EU's work on artificial intelligence, while at the same time taking a broader approach in terms of reach and coverage, and maintaining the human rights and rule of law focus, which distinguishes the Council of Europe and creates an added value of its work in this field.

9. Recent country-specific developments in the field of freedom of expression - *tour de table*

The CDMSI made a tour de table to present recent country specific developments in the field of freedom of expression:

- **Austria**: a recent law on "Support for digital transformation of the news media" is intended to promote digital transformation through the modernisation of distribution, creation/renewal of digital infrastructures and provisions for digital content.
- Greece: on 23 May 2022, on the initiative of the Presidency of the Government, the Secretariat General for Communication and Media and five different ministries signed a Memorandum of Understanding to follow up on <u>Recommendation CM/Rec(2016)</u> on the protection of journalism and safety of journalists and other media actors and the 2021 European Commission <u>Recommendation on the protection, safety and empowerment of journalists</u>. The Memorandum

contains a common framework for legislative and non-legislative proposals and initiatives concerning the safety and empowerment of journalists and other media actors and will ultimately lead to the creation of a taskforce on this topic, composed of experts from journalist unions, ministries, civil society organisations and academia.

- France: in the context of the French EU Presidency until the end of the semester, France proposed conclusions on the protection and safety of journalists and other media professionals, which also contains dispositions in relation to the war in Ukraine. The idea is to embrace different angles of the protection of journalists (financial guarantees, employment conditions, protection from physical and online threats and violence).
- Latvia: as of 6 May 2022, the first edition of the newspaper 'Nova Gazeta Europe', published in Latvian and Russian, is available on the internet in English, as well as Medusa, which is still operating in Latvia.
- Hungary: a virtual meeting has been initiated by the Romanian audiovisual regulator with 6 regulators (three from Baltic States, Poland, Hungary and Slovenia) to seek ways to help Ukraine in providing programs to broadcast in Ukraine. A second meeting will be organised in person in Bucharest in September to discuss further steps on this issue.
- Romania: national Romanian radio stations are broadcasting radio programs taken from Ukrainian radio stations in Romania for Ukrainian audiences, and national TV stations are also increasing their special programs intended for Ukrainians who have fled to Romania because of the war.

10. Exchange of views with the European Audiovisual Observatory

Ms Susanne Nikoltchev, Executive Director of the European Audiovisual Observatory (EAO), provided information on the Observatory's ongoing work. Regarding institutional updates, this year marks the 30th anniversary of the Observatory and Estonia is currently holding the Presidency. The EAO has ceased all activity with the Russian Federation after its cessation of membership of the Council of Europe. Ms Nikoltchev elaborated on the Mapping report on national rules applicable to video-sharing platforms: illegal and harmful content online and on the Mapping report on national remedies against online piracy of sports content. The IRIS Newsletter (Legal Observations of the European Audiovisual Observatory) offers monthly reports on the most important legal developments for the audiovisual industry, complemented by the IRIS Special (notably on the Digital Services Act and on the Transparency of media ownership) and IRIS Plus (notably on Governance and independence of public service media and Media regulatory bodies and the challenges of cooperation). The AVMSD Database allows interactive searches across the national transpositions of the revised Audiovisual Media Services Directive in the EU member States and has an integrated AVMSD tracker that shows progress. The Observatory held two events at the 2022 Cannes film festival ('Circulation of European films: is availability enough?'; 'FOCUS 2022: Key trends in the Film Sector'). The CDMSI exchanged with Ms Nikoltchev on the EAO's latest achievements and particularly welcomed the topicality and comprehensiveness of the publication on the implementation of EU sanctions against RT and Sputnik.

Ms Emmanuelle Machet, Head of the Secretariat of the European Platform of regulatory Authorities (EPRA), shared information on EPRA's latest developments: it's work programme focusing on three topics (empowering and protecting children, dis- and misinformation, plurality and trust and, NRAs in a digital environment); <u>EPRA's 55th meeting</u> in Antwerp on 12-13 May that gathered over 150 participants from 51 EPRA members; on cooperation and regular exchanges with the European Regulators Group for Audiovisual Media Services (ERGA), with a plan for a joint Media and Internet literacy event in autumn; partnerships with the University of Vienna and the University of Loughborough; regular updates on the CDMSI work at EPRA events; the next EPRA meeting which will take place in Antalya, Turkey on 12-14 October 2022.

11. Review of progress

11.1. Council of Europe work on data protection

Mr Peter Kimpian, Administrator, Data Protection Unit, presented the latest developments in the Council of Europe's work related to data protection: the main priority is fostering the ratification of the Amending Protocol for the <u>modernisation of Convention 108</u> (Convention 108+), that currently counts 17 ratifications and needs 38 ratifications to enter into force. Once the instrument enters into force, the Committee of Convention 108 will conduct the evaluation and follow up of its implementation. Regarding the other work of the Committee, the Guidelines on digital identity are being finalised; cooperation with MoneyVal on the interpretation of Article 11 of the Convention 108 (+) and the development of Standard Contractual Clauses by the Committee of Convention 108 for State parties to facilitate the free flow of data are ongoing.

11.2. Council of Europe work on combating cybercrime

Mr Alexander Seger, Head of the Cybercrime Division - Secretary to T-CY, updated the CDMSI on the recent opening for signature of the <u>Second Additional Protocol to the Cybercrime Convention</u> on enhanced cooperation and disclosure of electronic evidence. The new instrument complements the <u>Budapest Convention</u> with provisions for a more effective mutual legal assistance, direct cooperation between service providers in other jurisdictions, a clearer framework and stronger safeguards for existing practices of transborder access to data, together with specific data protection requirements. The instrument was open for signature on 12 May 2022 in the framework of <u>an international conference on Enhanced cooperation and disclosure of electronic evidence</u> and has gathered 23 signatures by the Council of Europe members States, but also by the United States of America, Japan, Morocco, Chile, Colombia and others. Mr Seger encouraged CDMSI members to promote the ratification of this instrument with their capitals.

11.3. Council of Europe Cooperation activities on freedom of expression

Mr Shahin Abbasov, Programme Manager, Co-operation on Freedom of Expression Division, Information Society Department, provided information on their work on supporting and promoting the implementation of the Council of Europe standards in the field of freedom of expression, with a focus on the actions taken to address the situation in Ukraine resulting from the Russian aggression. He stressed that despite being one of the biggest and most successful cooperation programmes and achieving serious progress in terms of reform of the media sector, the programme has had to cease all activity in Ukraine since the Russian aggression. However, in the aftermath of the aggression, the Information Society Department has allocated 100.000 euros from the Department's ordinary budget for urgent activities to support the media sector in Ukraine. The Ukrainian Audiovisual Regulator and the National Public Broadcasting Company have also received support aimed at enabling them to continue operating under the new circumstances. Additionally, based on a decision of the Council of Europe Secretary General, the Cooperation Division has prepared a list of proposed measures for the post-war period, with the objective of assisting in the reconstruction and rebuilding of Ukrainian media in line with European standards.

Mr Abbasov further informed the Committee on their activities in respect of other countries which indirectly address the war in Ukraine and its consequences, such as in the Republic of Moldova with a series of trainings on covering war topics and conflicts for journalists of the public sector broadcasters and other media actors. He also informed the CDMSI of the holding of a regional conference in Tbilisi in June to address media coverage during wartime.

11.4. The Council of Europe Taskforce on freedom of expression

The Secretariat informed the CDMSI of the latest developments related to the Taskforce on freedom of expression, intended to foster information exchange among different sectors of the Organisation in this field and to trigger discussion at the appropriate level, particularly at the Committee of Ministers. The CDMSI took note of the third Task Force meeting (7 February 2022) and of the decision to focus the Secretary General's next report to the Committee of Ministers on political expression, duly taking into due consideration the work already produced by the Council of Europe, including Recommendation on media pluralism and transparency of media ownership, Recommendation on electoral communication and media coverage of election campaigns and Recommendation on promoting a favourable environment for quality journalism in the digital age. The previous Secretary General's reports focused on the issues of safety of journalists and on worrying issues stemming, among others, from alerts on the Platform for the safety of journalists (obstruction of the media coverage of public events; broadcasting bans and blocking access to the internet; strategic lawsuits against public participation (SLAPPs)).

12. Information from other Council of Europe institutions and bodies - PACE

Mr Roberto Fasino, Head of the Secretariat of the Committee on Culture, Science, Education and Media of the Parliamentary Assembly, provided an overview of the recent and ongoing work of the Committee. The three main areas of the Committee's work are: 1) threats to freedom of expression and information, 2) ethics of journalists and media self-regulation, 3) the societal impact of information and communication technologies and the safety and protection of human rights in the cyberspace.

Regarding the first area of work, Mr Fasino informed the CDMSI of pending thematic reports on freedom of expression, particularly on SLAPPs (report to be adopted in 2023), and of the "general" reports on threats to freedom of expression in Europe, with a new report to be launched before the end of 2022. Concerning the SLAPPs report, Mr Fasino encouraged close cooperation with the MSI-SLP to create synergies between their work and achieve a greater impact.

Regarding ethics of journalists and media self-regulation, the Committee has adopted four reports with a common thread concerning the need to ensure access to quality information to counter the phenomena of disinformation and propaganda threatening our democracies. In 2021, the Commission adopted the reports on "Media freedom, public trust and the citizens' right to know' (May) and "The role of the media in times of crisis" (December).

Regarding the Committee's third area of work, several reports have been adopted since 2018 ("Internet Governance and Human Rights", December 2018; "Social media: social thread or threats to human rights?", March 2019; "Media education in the new media environment", October 2019; "Towards an internet Ombudsman institution", December 2020). Mr Fasino also informed the CDMSI of the recent adoption, on 10 May 2022, of the Resolution on "The control of online communication: a threat to media pluralism, freedom of information and dignity" and the recent launch of the report on "Youth and the media", expected to be finalised by the beginning of 2023.

13. Participation in past and future events of relevance for the CDMSI

Mr Taavo Lumiste, Chair of the CDMSI, updated the members of his participation in past and future events of relevance for the CDMSI: the UN-EU High level policy dialogue on safety of journalists and media freedom on 24 February; an exchange with the Bureau of the Steering Committee on Democracy and Governance (CDDG) working on democratic governance issues where they discussed

working methods and respective work agendas; his welcoming addresses to all three CDMSI Committees of Experts at their first meetings; participation in the Council of Europe Conference of Ministers of culture on behalf of the CDMSI.

Ms Maja Zarić informed the CDMSI members of her participation in the Council of Europe and European Union led conference on child and youth participation for Europe (Cork, Ireland, May 23-25), held under the Irish Presidency of the Committee of Ministers.

14. Information update from the EBU

Ms Nicola Frank, Head of Institutional and International Relations, <u>European Broadcasters Union (EBU)</u> informed the CDMSI of the latest developments at the EBU. Since the beginning of the war, the EBU and its members have been offering support to Ukraine, organising fundraisers and humanitarian aid and initiatives, and as of 25 May, the Russian Federation is suspended from the organisation.

A joint conference of the Council of Europe and the EBU will take place on the 22 November this year and will be hosted by the Parliament of Lithuania. The aim is to address the political, economic and technical challenges that the public service media sector is facing. The conference would be split into three different parts: public service media in times of crisis, pressure and expectations, and looking into the future. The Conference is planned as a high-level event, gathering EBU members, representatives of the Lithuanian and other parliaments, the Council of Europe, regulatory authorities, civil society organisations and journalists' associations. The envisaged outcome of the conference would be recommendations on how to improve the PSM sector and, should this be necessary, how applicable standards should be reviewed.

15. Information from other Council of Europe institutions and bodies – continuation

15.1. Office of the Council of Europe Commissioner for Human Rights

Mr Stefano Montanari, Head of Communications Unit / Adviser to the Commissioner for Human Rights, stressed that the topic of freedom of expression remains high on the Commissioner's agenda. With regard to country work, Mr Montanari informed members of the publication of a country report on Malta in February, containing recommendations on safeguarding media freedom and ensuring the safety of journalists, particularly on continuing the investigation of the murder of Daphne Caruana Galizia. He further informed of the regular Dialogue of the Commissioner with authorities through exchanges of letters (to Azerbaijan concerning a media law causing concerns in terms of media pluralism; to Spain concerning a law on citizen security; to the UK regarding the case of Julian Assange and possible chilling effects on media freedom).

From a thematic perspective, the Commissioner carried out work related to the necessity to increase protection of journalists during conflict; the lack of investigations of crimes against journalists; disinformation; SLAPPs. On the latter, he informed the CDMSI of the meeting between the Commissioner and Ms Vera Jourova, Vice-President of the European Commission for Values and Transparency, in the beginning of the year to discuss media markets and SLAPPs, with a view to enhancing the cooperation with the EU on these issues.

He concluded by announcing the upcoming launch of a newsletter on the Commissioner's work and confirmed that the Commissioner would address the CDMSI at their next Plenary in autumn.

15.2. Latest information from other Council of Europe institutions and bodies

Information was provided in written form.

16. Exchange with META representatives

The CDMSI held an exchange of views with Ms Marisa Jimenez, European Public Policy Director, META and Ms Anne Hobson, Policy Manager at Reality Labs, META Platforms, on the Metaverse project and the implications of development of virtual realities from the perspective of the Council of Europe's values and principles (human rights, democracy and rule of law). The exchange was moderated by Jan Kleijssen, Director, Information Society - Action against Crime, Directorate General Human Rights and Rule of Law.

Ms Hobson expanded on META's guiding principles when working on the Metaverse (to be explicit and transparent on how it works; take into account best practices, use safety centres; include marginalised communities, privacy, the notion of "personal boundary"), stressing that the Metaverse will not only be used for games, but includes features for education, work, social interactions, fitness, entertainment, travel. She further stated that in its actions META seeks guidance in a wide range of international treaties and welcomes further engagement with the Council of Europe on this topic.

Ms Jimenez, when discussing policy perspectives with the CDMSI, explained that the Metaverse constitutes a "future that is not there yet", and will require a new model of governance as it cannot be regulated like social media. CDMSI members highlighted the crucial role of the human rights by design approach and the importance of META's cooperation with international organisations on the issue of human rights protection and other issues of potential concern for democracy and the rule of law. Both META representatives and the CDMSI expressed readiness to continue exchanges and cooperation in this regard.

17. Applications for observer status

The CDMSI approved, following the presentation of their mandate and ongoing activities by the two applicant organisations and an exchange with their representatives, the applications for observer status to the Committee of experts on Strategic Lawsuits against Public Participation (MSI-SLP) of <u>Amnesty International</u> and the <u>Council of Bars and Law Societies of Europe (CCBE)</u>.

18. Adoption of the abridged report

The CDMSI discussed and unanimously adopted, with minor revisions, the Abridged report of its meeting, as prepared by the Secretariat.

19. Date and place of next meeting

The CDMSI agreed to hold its next Plenary meeting on 7-9 December 2022.

APPENDIX 1

AGENDA

- 1. Opening of the meeting
- 2. Adoption of the agenda and order of business
- 3. Freedom of expression in situations of conflict and aggression
- 4. Update on the situation in Ukraine
- 5. Follow-up to the CDMSI's previous work. Prospects for the future work
 - a) Update on the deliverables from the previous biennium
 - b) Questionnaire aimed at collecting good practice for the extension of the Implementation Guide to the Recommendation CM/Rec(2016)4 of the Committee of Ministers to member States on the protection of journalism and safety of journalists and other media actors
 - c) Questionnaire for assessment of the state of implementation of Recommendation CM/Rec(2018)2 of the Committee of Ministers to member States on the roles and responsibilities of internet intermediaries
 - d) State of play with the European Convention on Transfrontier Television (ECTT)

6. Standard setting

- 6.1 Committee of Experts on Integrity of Online Information (MSI-INF)
- 6.2 Committee of Experts on Increasing Media Resilience (MSI-RES)
- 6.3 Committee of Experts on Strategic Lawsuits against Public Participation (MSI-SLP)
- 7. Digital Governance
 - 7.1 Exchange of views with Ambassador Rasmus Lumi, Council of Europe Thematic co-ordinator on Information Policy (TC-INF)
 - 7.2 Council of Europe involvement in digital governance events (EuroDIG, IGF and other)
- 8. Information on latest developments in the work of the Council of Europe Committee on Artificial Intelligence (CAI)
- 9. Recent country-specific developments in the field of freedom of expression tour de table
- 10. Exchange of views with the European Audiovisual Observatory
- 11. Review of progress
 - 11.1 Council of Europe work on data protection
 - 11.2 Council of Europe work on combating cybercrime
 - 11.3 Council of Europe co-operation activities on freedom of expression
 - 11.4 The Council of Europe taskforce on freedom of expression
- 12. Information from other Council of Europe institutions and bodies
 - 12.1 PACE
 - 12.2 Office of the Council of Europe Commissioner for Human Rights
 - 12.3 Latest information from other Council of Europe institutions and bodies

- 13. Participation in past and future events of relevance for the CDMSI
- 14. Information update from the EBU
- 15. Exchange of views with META on issues of common interest
- 16. Applications for observer status
 - a) Application by Amnesty International
 - b) Application by the Council of Bars and Law Societies of Europe (CCBE)
- 17. Date and place of next meeting
- 18. Other business
- 19. Approval of the abridged meeting report

APPENDIX 2

List of participants / Liste de participants

Total number of participants: / Nombre total des participants : 100 Gender distribution: 53 men (53%) / 47 women (47%) Parité entre hommes : 53 hommes (53%) / 47 femmes (47%)

MEMBERS / MEMBRES

WEWDERST WEWDRES	
ALBANIA / ALBANIE	Mr/M. Sokol Gjoka Director of International Organizations/ Directeur des organisations internationales Ministry for Europe and Foreign Affairs/ Ministère de l'Europe et des Affaires étrangères
ANDORRA / ANDORRE	Waiting for a nomination / en attente d'une nomination
ARMENIA / ARMENIE	Ms/Mme Anna Karapetyan Senior Specialist at the International Legal Cooperation Department of the Ministry of Justice of the Republic of Armenia/ <i>Spécialiste principale au département de la coopération juridique</i> <i>internationale du ministère de la justice de la République</i> <i>d'Arménie</i>
AUSTRIA / AUTRICHE	Mr/M. Matthias Traimer Head of Department, Media Affairs and Information Society/Chef du service Médias et société de l'information Federal Chancellery, Constitutional Service/ Chancellerie fédérale, Service constitutionnel
AZERBAIJAN / AZERBAÏDJAN	Ms/Mme Jamala Aliyeva Senior Adviser / Department for Work with NGO's and Communication / Chef de la division de la politique de communication du département du travail avec les ONG et de la communication Presidential Administration of the Republic of Azerbaijan / Administration présidentielle de la République d'Azerbaïdjan

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	Specialist on Media Development Issues / Spécialiste des questions de développement des médias Head of International Relations and Strategic Planning of the Media Development Agency of the Republic of Azerbaijan / Chef des relations internationales et de la planification stratégique de l'Agence de développement des médias de la République d'Azerbaïdjan
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	Mr Nick Socquet Media Advisor/ Conseiller médias Department of Culture, Youth and Media/Département de la culture, de la jeunesse et des médias Flemish Government / Gouvernement flamand
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BULGARIA/BULGARIE	Ms/Mme Nelly Stoyanova Head of Information Society Policy Department/Chef du département de la politique de la société de l'information Ministry of Transport, IT and Communications of Republic of Bulgaria/Ministère des transports, de l'informatique et des communications culture de la République de Bulgarie
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CYPRUS/CHYPRE	Ms/Mme Sunny Papadimitriou Tofa Press and Information Officer/ <i>Attaché de presse et d'information</i> Ministry of Interior/ <i>Ministère de l'Intérieur</i>
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REPUBLIQUE DE	<i>justice, de l'égalité et de la gouvernance</i> Ms/Mme Larisa Turea Member of the Republic of Moldova Audiovisual Council / <i>Membre</i>
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	Mr/M. Atakan Erdem Expert / Expert Radio and Television Supreme Council (RTUK) / Conseil suprême de la radio et de la télévision (RTUK) International Relations Department / Département des relations internationales
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	Mr/M. Amit Thapar

Head of Film and High-End TV Policy / Responsable de en matière de cinéma et de télévision haut de gamme Department for Digital, Culture, Media and Sport/ Dépar numérique, de la culture, des médias et des sports	
--	--

OBSERVERS AND PARTICIPANTS / OBSERVATEURS ET PARTICIPANTS

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	Ms.Mme Marisa Jiménez Martín Director and Deputy Head of EU Affairs / <i>Directrice et cheffe adjointe</i> <i>des affaires européennes</i>
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COUNCIL OF EUROPE / CONSEIL DE L'EUROPE

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THÉMATIQUE DU	

CONSEIL DE L'EUROPE SUR LA POLITIQUE D'INFORMATION (TC-INF)	
COMMITTEE OF EXPERTS ON INCREASING RESILIENCE OF MEDIA (MSI-RES) / COMITÉ D'EXPERTS SUR LE RENFORCEMENT DE LA RÉSILIENCE DES MÉDIAS (MSI-RES)	Mr/M. Ramón Salaverría Chair of the MSI-RES / <i>Président de MSI-RES</i>
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DGI - INFORMATION SOCIETY - ACTION AGAINST CRIME DIRECTORATE / DIRECTION DE LA SOCIÉTÉ DE L'INFORMATION - LUTTE CONTRE LA CRIMINALITÉ

Mr/M. Jan Kleijssen

Director / Directeur

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Head of Media and Internet Division / Chef de la Division Médias et Internet Media and Internet Division / Division Médias et Internet

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