

18 November 2022

CDMSI BU(2022)02

## **Report of the 23rd meeting (2022)**

Meeting held via videoconference

### **1. Opening of the meeting**

The CDMSI Chair, Mr Taavo Lumiste, opened the meeting. Two Bureau members were excused, with the gender distribution being two women (30%) and three men (70%).

### **2. Adoption of the agenda and order of business**

The Bureau members adopted the agenda of the meeting (Appendix 1) and agreed on minor changes in the order of business.

### **3. Freedom of expression in time of conflict and aggression**

The secretariat informed the Bureau about the Council of Europe's support steps taken with regard to Russia's aggression against Ukraine (in addition to more targeted cooperation and assistance measure): a [webpage](#) on freedom of expression in times of conflict, a [webinar](#) dedicated to a testimony from a journalist in Marioupol, a regional [conference](#) in Tbilisi on "media in times of war", an [upcoming webinar](#) on November 25 on electronic evidence of war crimes, and upcoming activities in support of Russian journalists in exile. The secretariat further recalled that the Russian Federation ceased to be a party of the European Convention on Human Rights on 16 September 2022 and made reference to the work of the Commissioner with regard to the ongoing war. These include Human Rights Comments on the [need to reinforce the safety of journalists covering conflict](#), on [supporting Russian and Belarusian civil society and human rights defenders](#), and keynote interventions at the [European Parliament](#) seminar on safeguarding media freedom in Europe and at the [European Anti-SLAPP conference](#).

### **4. Follow-up to the CDMSI's previous work.**

The Bureau was informed of the latest updates and advancement of the draft reports regarding the questionnaires circulated on measures taken to implement [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](#) and measures taken to implement [Recommendation CM/Rec\(2018\)2 of the Committee of Ministers to member States on the roles and responsibilities of internet intermediaries](#). After a discussion, the Bureau instructed the Secretariat to extend the deadline for collecting answers to both questionnaires until the 25<sup>th</sup> of November.

With regard to the implementation of [CM/Rec\(2022\)16 on combating hate speech](#), the Bureau exchanged on the foreseeable review of the state of implementation of the recommendation, to be circulated within two years and took note of the desire of the partner committee CDADI to already circulate a brief questionnaire with three questions related to hate speech in times of war. The Bureau recommended that the proposed questionnaire be sent as a joint request by the two partner steering committees, as a way to avoid duplication and facilitate coordination of relevant authorities at national level.

#### **5. Work progress related to the [European Convention on Transfrontier Television \(ECTT\) – report on the first steps taken by the reflection group on the ECTT](#)**

The secretariat informed the Bureau of the State of play with the work of the reflection group set up to examine the situation with the [European Convention on Transfrontier Television \(ECTT\) – report on the first steps taken by the reflection group on the ECTT](#). After a discussion on subsequent steps to be taken, the Bureau entrusted the secretariat to circulate a paper summarising previous discussions and outcomes of the work of the reflection group. This will serve as support for related exchanges between CDMSI members at the 22<sup>nd</sup> plenary in December and possible proposals for future work on the ECTT.

#### **6. Ongoing standard setting work - CDMSI expert committees' work progress**

The secretariat reported to the Bureau on the 2<sup>nd</sup> meetings of the three expert committees and their respective deliverables, all on the agenda of the December plenary. It was agreed that the aim of the December discussion is for CDMSI members to be introduced the drafts, hold of first exchange on the general lines of the future deliverables, as proposed by the expert committees and, as appropriate, make comments and suggestions for the future work on the drafts.

- The 2<sup>nd</sup> meeting of the [Committee of Experts on Increasing Media Resilience \(MSI-RES\)](#), was held on 29-30 September, and experts discussed the advancement of their *Draft guidelines on the use of digital tools including artificial intelligence (AI) for journalism* and *Collection of good practices for sustainable media financing*. The Secretariat additionally provided an update on the questionnaire on the national legislation and practices in relation to media funding and stressed the need for some concrete suggestions with regard to the draft guidelines on AI, particularly on additional recommendations to member States.
- The [Committee of experts on the Integrity of Online Information \(MSI-INF\)](#) held its second meeting on 5-6 October, and experts discussed the advancement of 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*.
- The [Committee of Experts on Strategic Lawsuits against Public Participation \(MSI-SLP\)](#), held its second meeting on 18-19 October to discuss and make advance the *Draft recommendation on strategic lawsuits against public participation (SLAPPs)*

The drafting rapporteurs have been entrusted to revise the draft deliverables in the light of the discussions held. The revised versions will be discussed by the three expert committees during their third meetings in spring 2023, also taking account of the feedback received from the CDMSI.

#### **7. Preparations for the future Council of Europe campaign on the protection of journalists' safety**

The Secretariat informed the Bureau members of the objectives and targets of the future Council of Europe campaign on the protection of journalist's safety for the period 2022-2027. They were further informed of the holding of the fourth meeting of the secretariat

Taskforce on Freedom of expression and media in October, led by Mr Christos Giakoumopoulos, Director General Human Rights and Rule of Law and coordinator of the taskforce, and during which the concept of the campaign was presented and discussed with relevant sectors of the Council of Europe, stressing the importance of the involvement and coordination with all sectors in the house.

## **8. Elections**

The secretariat informed the members of the existence of a vacant seat in the MSI-INF committee, to be filled through elections by the CDMSI. The Bureau also discussed forthcoming elections for the CDMSI leading organs (one Bureau seat for a duration of one year and positions of Chair and Vice-Chair), which will be on the agenda of the upcoming 22<sup>nd</sup> CDMSI plenary. The Bureau entrusted the secretariat to circulate among CDMSI members a reminder of the call for candidates for MSI-INF and information on the rules and procedures for elections, based on the [Resolution CM/Res\(2021\)3 on intergovernmental committees and subordinate bodies, their terms of reference and working methods](#).

## **9. Digital Governance**

The Bureau took note of the information provided by the Secretariat on the following points:

- The Council of Europe's involvement in the organisation of the [Internet Governance Forum](#) (IGF 2022) to be held in Addis Ababa, Ethiopia on 28 November - 2 December 2022. The Bureau instructed the secretariat to circulate the IGF leaflet informing on this participation to CDMSI members and to provide an overview of the IGF 2022 conference at the plenary meeting.
- The latest updates with regard to the [Council of Europe digital partnership, in particular](#) the addition of two companies to the partnership (the International Chamber of Commerce and the LEGO group). The Bureau further discussed the upcoming exchange with META at the plenary, where META will present a discussion paper on their policies regarding data protection, privacy, free speech and safety online, and exchanged on other possible formats of discussion between META and the CDMSI for the future.
- Mr Thomas Schneider (Switzerland), Chair of the [CAI - Committee on Artificial Intelligence](#) provided information on the latest developments in the work of the CAI, in charge of developing a legally binding instrument critical to ensuring that human rights, democracy and the rule of law are appropriately safeguarded in the context of the development and use of AI systems. The CAI held its [second plenary meeting](#) on 21-23 September 2022 where it held the first reading of the Zero Draft Convention prepared by the Chair with the assistance of the Secretariat. These negotiations are set to continue in the beginning of January 2023 and are scheduled to end by September 2023.

## **10. Data protection**

The Bureau took note of the information provided by Ms Isabelle Servoz-Gallucci, Head of Data Protection Unit - Secretary to the [Consultative Committee of the Convention for the protection of individuals with regard to automatic processing of personal data \(T-PD\). Convention 108](#) is an open Convention gathering 55 parties, to which the Russian Federation remains a party. The modernised [Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data \(Amending protocol CETS n°223](#), also

known as Convention 108+) has reached 23 ratifications (needing 38 in total to enter into force) and Ms Servoz stressed the need to raise awareness not only to member States but also to the private sector on Convention 108+.

#### **11. Information on latest developments in the Council of Europe's work and other partner institutions of relevance for the CDMSI** (planning for the next CDMSI Plenary meeting)

The Bureau welcomed the exchange of views with the Council of Europe Commissioner for Human Rights, Ms Dunja Mijatović [Commissioner for Human Rights](#) and with the new TC-INF, Ms Aloisia Wörgetter, Ambassador Extraordinary and Plenipotentiary, Permanent Representative of Austria to the Council of Europe.

The Bureau further took note of the publication of a recent report of [the Congress on local and regional authorities on hate speech and fake news](#) and their impact on the working conditions of elected representatives and welcomed the future exchange with the Vice-President of the Congress on local and regional authorities at the CDMSI plenary in December, to discuss their future report on local and regional media.

The Bureau also welcomed the planned exchange with a representative of the European Commission on ongoing legislative processes on issues relating freedom of expression and the media, in particular the future MFA, and stressed the importance of coordination and synergies.

#### **12. Participation in events of relevance for the CDMSI**

The Bureau took note of the holding and advancement of events of relevance for the CDMSI, in particular:

- the upcoming [Public Service Media for Democracy](#) Conference in Vilnius, jointly organised by the Council of Europe and the EBU and hosted by the Parliament of Lithuania on 22 November 2022;
- The recent [European Anti-SLAPP Conference](#) held in Strasbourg on 20 October 2022, jointly organised by The European Centre for Press and Media Freedom (ECPMF) and the Coalition Against SLAPPs in Europe (CASE), under the patronage of the European Parliament and with the support of the Council of Europe.

#### **14. Other business**

The date and place of the 24<sup>th</sup> Bureau meeting will be determined at a further stage.

## Appendix 1

**Bureau of Steering Committee  
on Media and Information  
Society - CDMSI-BU**

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

23<sup>rd</sup> meeting  
Thursday 3 November 2022  
(9h30 – 12h30; 14h00 – 17h00)

*Meeting held via videoconferencing*

26 October 2022  
BU(2022)0J2rev

CDMSI-

### Agenda

**3 November 2022**

Morning Session 9:30 - 12:30

<p><b>1. Opening of the meeting</b></p> <p>Mr Taavo Lumiste, Chair of the CDMSI</p>
<p><b>2. Adoption of the agenda and order of business</b></p> <p><i>Draft agenda</i></p>
<p><b>3. Freedom of expression in time of conflict and aggression</b></p> <ul style="list-style-type: none"><li>- Information and exchange of views (update by members and the Secretariat on cooperation and support steps)</li></ul>
<p><b>4. Follow-up to the CDMSI's previous work.</b></p> <p>Information provided by the Secretariat and discussion</p> <ul style="list-style-type: none"><li>• Update on the questionnaires circulated on<ul style="list-style-type: none"><li>- measures taken to implement <a href="#">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</a></li></ul></li></ul>

<ul style="list-style-type: none"> <li>- measures taken to implement <a href="#">Recommendation CM/Rec(2018)2 of the Committee of Ministers to member States on the roles and responsibilities of internet intermediaries</a></li> <li>• Follow-up to implementation of <a href="#">CM/Rec(2022)16 on combating hate speech</a></li> </ul>
<p><b>5. Work progress related to the <a href="#">European Convention on Transfrontier Television (ECTT)</a> – report on the first steps taken by the reflection group on the ECTT</b></p> <p>Information provided by the Secretariat</p> <p>Discussion on subsequent steps</p>
<p><i>10:45 – 11:00 Coffee break</i></p>
<p><b>6. Ongoing standard setting work</b> - CDMSI expert committees’ work progress</p> <p><b>6.1 <a href="#">Committee of Experts on Increasing Media Resilience (MSI-RES)</a></b></p> <p>Information provided by the Secretariat</p> <ul style="list-style-type: none"> <li>- <i>Report of the 2<sup>nd</sup> meeting of the MSI-RES (29-30 September 2022)</i></li> <li>- <i>Draft guidelines on the use of digital tools including artificial intelligence (AI) for journalism</i></li> <li>- <i>Collection of good practices for sustainable media financing – update on the questionnaire on the national legislation and practices in the field</i></li> </ul>
<p><b>6.2 <a href="#">Committee of experts on the Integrity of Online Information (MSI-INF)</a></b></p> <p>Information provided by the Secretariat</p> <ul style="list-style-type: none"> <li>- <i>Report of the 2<sup>nd</sup> meeting of the MSI-INF (5-6 October 2022)</i></li> <li>- <i>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</i></li> </ul>
<p><b>6.3 <a href="#">Committee of Experts on Strategic Lawsuits against Public Participation (MSI-SLP)</a></b></p> <p>Information provided by the Secretariat</p> <ul style="list-style-type: none"> <li>- <i>Report of the 2<sup>nd</sup> meeting of the MSI-SLP (18-19 October 2022)</i></li> <li>- <i>Draft recommendation on strategic lawsuits against public participation (SLAPPs)</i></li> </ul>

## **7. Preparations for the future Council of Europe campaign on the protection of journalists' safety**

Information provided by the Secretariat

Discussion

Afternoon session 14:00 – 17:00

## **8. Elections**

For information and discussion

**8.1** Election to replace one MSI-INF member

**8.2** Forthcoming elections for the CDMSI leading organs

[Resolution CM/Res\(2021\)3 on intergovernmental committees and subordinate bodies, their terms of reference and working methods](#)

## **9. Digital Governance**

Information provided by the Secretariat

**9.1** Council of Europe Committee on Artificial Intelligence (CAI) - Information on latest developments in the work of the CAI – by Thomas Schneider, Chair of the CAI, and the secretariat [CAI - Committee on Artificial Intelligence](#)

**9.2** Council of Europe participation in the IGF 2022 (28 November - 2 December 2022, Addis Ababa, Ethiopia) [Internet Governance Forum](#)

**9.3** Steps taken in the framework of the [Digital Partnership](#)

## **10. Data protection**

Information provided on latest developments by the T-PD Secretariat

## **11. Information on latest developments in the Council of Europe's work and other partner institutions of relevance for the CDMSI** (planning for the next CDMSI Plenary meeting)

### **11.1 Relevant Council of Europe work**

*Information provided by the Secretariat*

- Committee of Ministers' Informal exchange of views on media freedom and safety of journalists, 28 September 2022

- GR-H informal exchange of views with representatives of civil society on "Addressing disinformation and propaganda within a human rights framework", 6 October 2022

*Information from Council of Europe institutions and bodies (planned exchanges)*

- Exchange of views with the Council of Europe Commissioner for Human Rights, Ms Dunja Mijatović [Commissioner for Human Rights](#)
- Exchange of views with the new TC-INF, Ms Aloisia Wörgetter, Ambassador Extraordinary and Plenipotentiary, Permanent Representative of Austria to the Council of Europe (TBC)
- Exchange of views with the Secretariat of the European Audiovisual Observatory (TBC) [European Audiovisual Observatory](#)
- Exchange of views with a representative of the Congress of Local and Regional Authorities of the Council of Europe (TBC) [Congress of Local and Regional Authorities](#)

### **11.2 Relevant work of external partners**

**European Union** – the future [Freedom of Media Act](#) and the SLAPPs package [The Commission proposal for a Directive The Commission Recommendation](#)

- exchange of views with a representative of the European Commission (TBC)

**META** - *Follow-up to the exchange held by the CDMSI in June 2022*

- exchange of views on Meta's policy regarding users' rights (TBC)

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

## **13. Participation in events of relevance for the CDMSI**

Information provided by the Bureau members

Information provided by the Secretariat, in particular:

- [Public Service Media for Democracy](#), Vilnius, joint conference of the Council of Europe and the EBU hosted by the Parliament of Lithuania, Vilnius, 22 November 2022
- [European Anti-SLAPP Conference](#), Strasbourg, 20 October 2022

## **14. Other business**

- Date and place of the next meeting



## **Appendix 2**

### **List of participants**

23rd CDMSI Bureau meeting

3 November 2022, online

#### **Members of the Bureau**

Mr Taavo Lumiste, Estonia (Chair)  
Deputy Permanent Representative  
Permanent Representation of Estonia to the Council of Europe

Ms Inge Welbergen, Netherlands (Vice-Chair)  
Legal officer - Media  
Ministry of Education, Culture and Science  
Directorate-General of Culture and Media - Media and Creative Industries

Mr Emir Powlakic, Bosnia and Herzegovina  
Head of Audiovisual and Media Services  
Communications Regulatory Agency

Mr Marius Jitea, Romania (excused)  
Public Manager  
General Secretariat of the Government of Romania

Ms Maja Zaric, Serbia  
Head of Unit for International Cooperation  
Ministry of Culture and Media

Mr Skender Adem, Slovenia (excused)  
Undersecretary  
Ministry of Culture of Republic of Slovenia

Mr Thomas Schneider, Ambassador, Switzerland  
Director of International Affairs  
Federal Department of the Environment, Transport, Energy and Communication DETEC  
Federal Office of Communications OFCOM

#### **Secretariat**

Ms Artemiza-Tatiana Chisca, Secretary to the Steering Committee on Media and Information Society (CDMSI) - Head of Media and Internet Division, Directorate General Human Rights and Rule of Law

Ms Urška Umek, Secretary to the MSI-RES Committee - Head of Media Unit, Media and Internet Division, Directorate General Human Rights and Rule of Law

Ms Giulia Lucchese, Secretary to MSI-SLP Committee – Administrator, Media and Internet Division, Directorate General Human Rights and Rule of Law

Ms Isabelle Servoz-Gallucci, Secretary to the Consultative Committee of the Convention for the protection of individuals with regard to automatic processing of personal data (T-PD) -

Head of Data Protection Unit, Information Society Department, Directorate General Human Rights and Rule of Law

Ms Emma Gruden, Assistant, Media and Internet Division, Directorate General Human Rights and Rule of Law

Ms Irina Todorova-Tomova, Assistant, Media and Internet Division, Directorate General Human Rights and Rule of Law

Ms Joanna Szelezniak, Assistant, Media and Internet Division, Directorate General Human Rights and Rule of Law

Ms Marie Gasser, Trainee, Media and Internet Division, Directorate General Human Rights and Rule of Law