

09/06/2020

CDMSI-BU(2020)002

Report of the 18th (extra-ordinary) meeting (27 May 2020)
(meeting held via videoconferencing)

1. Opening of the meeting

The CDMSI Chair, Ms Inge Welbergen (the Netherlands) opened the meeting. The gender distribution among six attending Bureau members was one woman (17%) and five men (83%). One member of the Bureau was absent pending replacement by election.

Mr Jan Kleijssen, Director, Information Society - Action against Crime, welcomed the members of the Bureau and thanked them for their commitment and for their flexibility and readiness to convene an extra-ordinary meeting to ensure due continuity of CDMSI's work. He expressed appreciation for the maintained contact and interaction between the Bureau and the Secretariat and stressed its particular importance in the current circumstances. He also thanked the Bureau for their initiative regarding the preparation of a report on the impacts of the COVID-19 crisis on freedom of expression and informed them of the intention of the Secretary General to prepare and present a toolkit on this subject to the Ministers' Deputies in June.

Mr Kleijssen updated the Bureau about the current situation in the Organisation: gradual return to the office from 11 May 2020, with 80% of staff still working from home and a further increase of staff numbers in the premises expected in June; work of the Committee of Ministers and other Council of Europe bodies continuing in the online format. He further informed the Bureau about the discussion of certain procedural questions regarding the online working format, namely the question of decision-making, taking place in the Committee of Ministers in parallel with the meeting of the Bureau and intended to provide the necessary clarifications.

Lastly, he welcomed the fact that a representative from Cyprus, member of the host country's organising team for the Conference of Ministers responsible for media and information society was joining the Bureau meeting and expressed appreciation for the host country's commitment, cooperation and continuous engagement.

2. Adoption of the agenda

The Bureau adopted the agenda of its meeting, adding to it item 4.3 - conclusions and proposals of the Bureau on items 4.1 and 4.2 of the agenda and presentation by the Secretariat of a document summarising the proposals of the Bureau, to be communicated to all CDMSI members for comments/tacit approval pending preparation of the full report of the meeting of the Bureau.

The agenda appears in Appendix 1. The list of participants appears in Appendix 2.

3. The COVID-19 pandemic and Council of Europe committees' work - procedures for online meetings and decision-making

Mr Patrick Penninckx, Head of the Information Society Department, informed the Bureau in more detail on the issue of procedures for online meetings and decision-making, referring in particular to the Resolution CM/Res(2011)24 and the Terms of Reference of the CDMSI and other Council of Europe committees that in principle allow for the online format of work. He stressed that in his view this issue was equally important for all Council of Europe committees which will need to align their working methods with the clarifications provided by the Committee of Ministers with whom the final decision lies.

He further stressed the importance of maintaining the committees' ongoing work despite the current unprecedented circumstances and expressed hope that the Greek Chairmanship of the Committee of Ministers will take the task of outlining a roadmap for the Organisation in the shift to new (online) working methods as one of their priorities.

The Bureau took note of this information and asked to be updated about the outcome of related discussions in the Committee of Ministers.

4. Planning

4.1 Conference of Ministers responsible for media and information society

Ms Inge Welbergen, Chair, explained that under this item the Bureau needed to discuss possible scenarios for the way forward with the Conference of Ministers responsible for media and information society and to agree on one preferred scenario that will be communicated as a proposal to the CDMSI for their comments/tacit approval. Subsequently, this will be communicated to the GR-H, at their upcoming meeting of 9 June 2020 and, ultimately, to the Committee of Ministers for final endorsement.

She then invited Ms Sunny Papadimitriou Tofa, Press and Information Officer, Ministry of Interior, the Republic of Cyprus, representing the host country's organising team for the Conference of Ministers responsible for media and information society, to present the position of the host country.

Ms Sunny Papadimitriou Tofa informed the Bureau that Ms Sophia Michaelides, former Director, Press and Information Office, Ministry of Interior, the Republic of Cyprus, was no longer in office. She further explained that due to current travel restrictions differing across Council of Europe member States and the general unpredictability of the situation, the host country saw significant complications with maintaining the event in October 2020 and in particular - a high risk of low attendance, notably by Ministers. She re-confirmed the commitment of the Republic of Cyprus to host the Ministerial Conference and proposed postponement of the event to 10-11 June 2021.

The Secretariat then presented, as request by the Bureau during its 17th meeting held on 28 April 2020, possible scenarios for the way forward with the Conference of Ministers responsible for media and information society.

After an exchange of views and a detailed deliberation the Bureau took the view that a fully online or hybrid (physical/online) format did not meet the specific needs of the event; that maintaining the Ministerial Conference in October 2020 as a physical meeting presented considerable risks to the success of the event and that cancellation of the Ministerial Conference, as matters currently stand, was not justified by the circumstances, taking into account the importance, topicality and the unique nature of the event. They therefore, also duly taking into consideration the host country's position, took the view that postponement of the Ministerial Conference would be the most suitable scenario to follow.

The Bureau further took note of the procedures to follow in the case of postponement of the Ministerial Conference, including in the case of preparation of an additional resolution of the Ministerial Conference on the impacts of the COVID-19 crisis on freedom of expression (as discussed at the 17th meeting of the Bureau of CDMSI held on 28 April 2020, - see the meeting report, item 5.1).

They agreed to make the following proposals:

- to uphold the host country's position regarding the postponement of the Conference of Ministers responsible for media and information society to 10-11 June 2021;
- to invite the Secretariat to revisit the draft programme of the Conference of Ministers responsible for media and information society with a view to cover the impacts of the COVID-19 crisis on freedom of expression, to prepare another draft resolution of the Ministerial Conference addressing the impacts of the COVID-19 related crisis on freedom of expression, as well as revisit the draft final declaration of the Ministerial Conference to ensure its alignment with these adjustments in the programme and the outcome documents.

4.2 CDMSI meetings in 2020 and 2021

Ms Artemiza-Tatiana Chisca, Head of Media and Internet Division, Directorate General Human Rights and Rule of Law, Secretary to the Steering Committee on Media and Information Society (CDMSI) presented proposals for the planning of work for the CDMSI and its Bureau for the 2020-2021 biennium. She advised that, in view of the disruptions caused by the COVID-19 related crisis, adding extra days to the upcoming CDMSI Plenary meetings might appear necessary. Lastly, she informed the Bureau that for the 19th CDMSI Plenary meeting scheduled for 24-26 November 2020 the Secretariat has already made arrangements both for physical and virtual rooms, with simultaneous interpretation.

Taking into account the need to ensure due continuity and progress in the work of the CDMSI and its expert committees, and bearing in mind the link between the planning of CDMSI meetings in the 2020-2021 biennium and the holding of the Conference of Ministers responsible for media and information society, the Bureau agreed to propose the following planning:

- 29 September 2020 – 19th CDMSI Bureau meeting;
- 24-26 November 2020 – 18th CDMSI Plenary meeting;
- March/April 2021 – 20th CDMSI Bureau meeting;
- June 2021 (eve of the Ministerial Conference) – 19th CDMSI Plenary meeting;
- October/November 2021 – 21st CDMSI Bureau meeting;
- November/December 2021 – 20th CDMSI Plenary meeting.

4.3 Conclusions and proposals of the Bureau on items 4.1 and 4.2 of the agenda - Presentation by the Secretariat of a document with the proposals of the Bureau to the CDMSI

The Secretariat presented a document summarising the proposals of the Bureau to the CDMSI on items 4.1 and 4.2 of the agenda.

Bearing in mind the need to inform the Committee of Ministers about the developments regarding the Conference of Ministers responsible for media and information society, ideally - already at the GR-H meeting of 9 June 2020, and to have the Committee of Ministers' agreement for the above proposals, the Bureau took note of this document and instructed the Secretariat:

- to circulate the document among Bureau members after the meeting, with a deadline for comments/tacit approval till 27 May 2020, close of business;
- after approval by the Bureau, to communicate the proposals to the CDMSI for their comments/tacit approval by 5 June 2020, pending preparation of the full report of the 18th meeting of the Bureau;
- to explore CDMSI interest for more detailed information or additional clarifications on the forthcoming Conference of Ministers responsible for media and information society and the planning of CDMSI work and, if requested, to organise one or more informal Q&A sessions (in English and/or French) via videoconferencing pending the next CDMSI meeting.

5. Reports, studies and other documents/activities of relevance for CDMSI

The Bureau took note of the information provided by the Secretariat on the documents/activities of relevance for the CDMSI:

- *Implementation guide to CM/Rec(2016)4 on the Protection of journalism and safety of journalists and other media actors* (the finalised text had been taken note of by the CDMSI at its 17th meeting of 3-5 December 2019 and was later revisited by the Secretariat with a view to ensure further user-friendliness, as well as to adjust the document for future conversion into an online user-friendly tool. The document will be ready for publication online in the nearest time, and the online tool expected in autumn 2020);
- *Analytical report on the implementation of the CM/Rec(2013)1 on gender equality and media* (text refined and ready for publication online in the nearest time; topicality of the issue constantly growing);
- *Qualitative study on fear as a factor affecting choices between self-censorship and ethical journalism in Europe* (text being finalised, publication expected before October 2020);
- *recent/pending assessment of member states' (draft) legislation on freedom of expression* (legal assessment of the Ukrainian audio-visual law currently being finalised; consultation on integrating the gender dimension in media legislation of Azerbaijan ongoing. Support and cooperation with member States on legislative reforms is highly appreciated);
- *draft report on the impacts of the COVID-19 related crisis on freedom of expression* (work in progress, a questionnaire has been sent to the CDMSI to collect CDMSI's delegate's informal assessment of the impacts of the COVID-19 related crisis on freedom of expression and about the existing good practices. The report could further serve as a basis for the preparation of an additional resolution for the Ministerial Conference, as well as inform the reflection on the CDMSI Terms of Reference for the next biennium. Member States' responses to the questionnaire are encouraged within the deadline of 14 June 2020; a first draft of the report is expected after summer).

6. Recent and forthcoming events

The Bureau took note of the information provided by the Secretariat on the recent and forthcoming events of relevance for the CDMSI:

- the *Webinar on the impact of COVID-19 on media freedom*, organised by the Media and Internet Division, Council of Europe. The discussion has provided an opportunity to share experience among journalists, media professionals, researchers and civil society, including experts from MSI-DIG and MSI-REF, and to discuss the effects of

COVID-19 on media reporting, public discourse, sustainability of the media sector and restrictions on freedom of expression and media freedom. A recording of the discussion will be made available on the Council of Europe Freedom of Expression website;

- *IGF-2020* (Katowice, 2-6 November 2020), expected to be held in a physical meeting. Participation of Council of Europe representatives foreseen - Council of Europe will be represented by Jan Kleijssen, Director, Information Society - Action against Crime; proposals for sessions submitted within deadline and awaiting the outcome of the selection process;
- *EuroDIG-2020* (virtual meeting, 10-12 June 2020) - participation of Council of Europe representatives foreseen in several sessions, including participation of Mr Patrick Penninckx, Head of the Information Society Department, in the opening panel debate;
- *European Conference on the occasion of the 70th Anniversary of the European Convention of Human Rights* (5 May 2020, online); European Parliament Committee on Civil Liberties (LIBE) *exchange of views on disinformation in COVID-19 time* (14 May 2020, online); web-conference "*Democracy Talks: The role of Public Broadcaster in time of crisis*", jointly organised by the Embassy of Sweden to Ukraine and the EU-CoE joint project "EU and Council of Europe working together to support freedom of media in Ukraine" (14 May 2020); European Law Students Association (ELSA) *webinar on "Artificial Intelligence and Human Rights"* (26 May 2020); other relevant events - participation by Mr Patrick Penninckx, Head of the Information Society Department.

The Bureau advised that the Secretariat communicate the direct link to the recording of the *Online discussion on the impact of COVID-19 on media freedom*, when available, to all CDMSI members, observers and participants.

7. Other business

Mr Taavo Lumiste (Estonia) informed the Bureau about the [UN Security Council Arria-formula meeting on "Cyber Stability, Conflict Prevention and Capacity Building"](#) which took place virtually on 22 May 2020 under the Estonian Presidency of the UN Security Council. He highlighted three main conclusions of that meeting: a) existing international law applies in cyberspace and provides comprehensive guidance for responsible state behaviour in cyberspace; b) the cyber-stability framework that has been developed and agreed upon must be implemented; c) it is crucial to advance cyber capacity building and promote confidence in cyberspace. Regional organisations and other mechanisms of international cooperation, including the Council of Europe, have a key role in this process and help increase transparency and understanding between states, thus contributing to conflict prevention.

APPENDIX 1

**18th (extra-ordinary) meeting
Tuesday 27 May 2020 (10h00 – 12h00)**

Meeting held via videoconferencing

Agenda

- 1. Opening of the meeting by Mr Jan Kleijssen, Director, Information Society - Action against Crime, Directorate General Human Rights and Rule of Law**
- 2. Adoption of the agenda**
- 3. The COVID-19 pandemic and Council of Europe committees' work - procedures for online meetings and decision-making**
- 4. Planning**
 - 4.1 *Conference of Ministers responsible for media and information society (Nicosia, Cyprus – rescheduled to 22-23 October 2020)*
 - 4.2 *CDMSI meetings in 2020 and 2021*
 - 4.3 *Conclusions and proposals of the Bureau on items 4.1 and 4.2 of the agenda - Presentation by the Secretariat of a document with the proposals of the Bureau to the CDMSI*
- 5. Reports, studies and other documents/activities of relevance for CDMSI**
- 6. Recent and forthcoming events**
- 7. Other business**

APPENDIX 2

List of participants

Members of the Bureau

Ms Inge Welbergen, the Netherlands (Chair)

Legal officer - Media

Ministry of Education, Culture and Science

Directorate-General of Culture and Media | Media and Creative Industries

Mr Thomas Schneider, Ambassador, Switzerland (Vice-Chair)

Director of International Affairs

Federal Department of the Environment, Transport, Energy and Communication DETEC

Federal Office of Communications OFCOM

Switzerland

Mr Taavo Lumiste (Estonia)

Deputy Permanent Representative

Permanent Representation of Estonia to the Council of Europe

Mr Iordanis Giamouridis (Greece)

Head of Department for Audiovisual and Electronic Media

Directorate for Media, Secretariat General for Communication & Media, Ministry for Digital Policy and Media

Mr Serge Robillard, Monaco

Chargé des relations institutionnelles

Délégation Interministérielle pour la Transition Numérique

Mr Skender Adem (Slovenia)

Undersecretary, Ministry of Culture of Republic of Slovenia

Invited participants

Ms Sunny Papadimitriou Tofa, Press and Information Officer, Ministry of Interior, the Republic of Cyprus

Secretariat

Mr Jan Kleijssen, Director, Information Society - Action against Crime, Directorate General Human Rights and Rule of Law

Mr Patrick Penninckx, Head of Information Society Department, Directorate General Human Rights and Rule of Law

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

Ms Charlotte Altenhöner-Dion, Head of Internet Governance Unit, Secretary to MSI-DIG Committee, Media and Internet Division, Directorate General Human Rights and Rule of Law

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

Ms Elena Dodonova, Administrator, 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

Ms Dominique Wulfran, Assistant, Media and Internet Division, Directorate General Human Rights and Rule of Law