

*Committee of experts on quality journalism
in the digital age (MSI-JOQ)*



**Draft Recommendation CM/Rec(20XX)XX of the Committee of Ministers to
member states on promoting a favourable environment for quality
journalism in the digital age**

4th draft as of 16 May 2019

Preamble

1. Freedom of expression is a human right enjoyed by all individuals, and a cornerstone of democracy. Media freedom and ethical journalism are likewise central to the functioning of democratic societies as they help individuals form and express their opinions, monitor governmental actions and inaction, and participate as informed citizens in democratic processes. Journalists seeking to provide accurate and reliable information in accordance with the standards of the profession enjoy the highest protection under Article 10 of the Convention for the Protection of Human Rights and Fundamental Freedoms (ETS No. 5, "the Convention").

2. Quality journalism, with its unwavering commitment to the pursuit of truth, fairness, and accuracy, to independence, transparency and humanity, and a strong sense of public interest in promoting accountability in all sectors of society, remains as essential as ever to the health of democracies. It may take different forms in different geographical, legal and societal contexts, yet with a common goal of fulfilling the role of public watchdog in a democratic society and of contributing to public awareness and enlightenment. All types of media, in their increasing variety, have an important role to play in fulfilling the promise of journalism at a time when the ever-growing amount of information accessible by large audiences stretches societal abilities to gauge its accuracy and reliability. Journalistic practices that uphold this role and the values and principles set forth above should be acknowledged as a public good.

3. For quality journalism to prosper, governments must respect freedom of expression and ensure a favourable environment for media freedom, as set out in 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. Policies promoting quality journalism and positive steps taken to implement them should in no case undermine media freedom and editorial autonomy.

4. The digital revolution has opened up unprecedented opportunities for human communication across borders, including by creating new expressive spaces for people in non-democratic regimes and for the informational needs of underserved groups and communities. The development of online tools has also been beneficial to journalism, by facilitating, among others, data journalism and large-scale cross-border collaboration among investigative journalism organisations and initiatives.

5. At the same time, rapid technological development, which has caused a shift towards an increasingly digital, mobile and social media environment, resulted in the media becoming dependent on online platforms to publish and promote their work. This has had profound disrupting effects on the news business generally and the preservation of quality journalism in particular. The unrelenting pace of information sharing online undermines depth and accuracy of reporting. Distribution of media content has been radically transformed, and human editorial choices are being increasingly replaced by the non-transparent algorithms of major global online platforms, driven by commercial considerations of scale, shareability and monetisation. Surveillance of journalists and their sources has also become easier and more pervasive.

6. The new information ecosystem has also radically transformed the news consumption habits, especially among the youth. The sheer abundance of information, often accessed through non-selective and uncritical news aggregators and increasingly shared through closed messaging apps, along with algorithmic manipulation and dispersed attention spans have made it markedly more difficult for many to identify and access quality journalism. In

some ways, the business models of online platforms and other intermediaries, which have become a main source of news and information for large global audiences, appear to facilitate or even incentivise the spread of sensationalist, misleading and untrustworthy media content, contributing to a growing divide in society.

7. Democracies have witnessed the growing threats posed by the spread of disinformation and online propaganda campaigns, including as part of large-scale coordinated efforts to subvert internal democratic processes as well as those of other countries. These threats have led to a number of high-level public enquiries and efforts, including by the Council of Europe, to understand and develop ways of dealing with mass disinformation. At the same time, in the present environment of intensified political partisanship unscrupulous politicians have used the “fake news” agenda to launch self-serving attacks against critical media and tighten legal restrictions on legitimate expression.

8. In this increasingly polarised information ecosystem, individuals’ trust in media, as well as trust in politics, institutions and expertise, has declined to a worryingly low level. Many traditional media outlets are unable to counteract these processes due to a declining reader and viewer base. They are struggling to adapt their operations to an online environment and to stay connected to the communities they serve. Enhanced professionalism, better journalism and fact-checking efforts, transparency and higher accountability within media companies and digital intermediaries can contribute to (re)establishing trust and healthy relationships between media actors and audiences. Moreover, operating in a digital environment should consistently rest on firm legal and ethical standards, in particular regarding the use of user-generated content, of user personal data, tracking, copyright and the respect of privacy.

9. Media and Information Literacy (MIL) is a key factor to enable individuals to deal with the media in a self-determined way. The development of cognitive, technical and social skills and capacities linked to MIL enables people to:

- effectively access media content and critically analyse information, empowering people with the skills and knowledge to understand how media is produced, funded and regulated as well as confidence and competence to make informed decisions about which media they use;
- understand the ethical implications of media and technology, and
- communicate successfully, including by interpreting, creating and publishing content.

MIL initiatives for all age groups - not only children and students - which promote the skills and knowledge required to recognise and value quality journalism, or that illustrate the benefits of quality journalism to various audiences, should therefore receive maximum support from the member states.

10. Financial sustainability remains one of the most formidable challenges of our era for quality journalism. Traditional, advertising-based media business models have been disrupted, while the transformation of major online platforms in many respects into publishing companies has, to a great extent, separated news production from news dissemination and made the viability of the media contingent on changing algorithmic policies and practices. Both traditional and digital-first publishers are facing severe financial problems. The trend toward greater concentration and convergence in the news media sector and across national markets threatens the diversity of sources and viewpoints, a fundamental tenet of democracy. Local journalism has been especially hard hit by the new economic fundamentals and is on the verge of disappearing entirely in many places, stripping communities of crucial watchdogs over local governments and public affairs. Also investigative journalism and cross-border journalism, both critical to the oversight function

of the media and the credibility of the sector but coming at a high cost, have been severely affected by financial constraints.

11. Financial pressures have led to relentless and prolonged cost-cutting and layoffs, increasing the precariousness of journalism and degrading working conditions for large numbers of media professionals who, in pursuit of gainful employment, are willing to assume ever-increasing responsibilities as well as risks to their health and safety. The push towards “faster” and less expensive news, exacerbated by lacking opportunities for journalists to train and develop, becomes a vicious cycle that lowers standards and makes journalism less attractive as a career path for the next generation.

12. A part of the media sector has had some success in developing new business models for quality journalism, through a combination of increased digital subscriptions and membership fees, advertising revenue, donations from users and other actors, and non-profit models, among others. Making such funding models sustainable will be crucial for the future of quality journalism in the digital age. However, it will be equally important to ensure that everyone has access to a diverse range of journalistic content, irrespective of income levels and other socio-economic barriers.

13. Public service media and not-for-profit community media must be able to maintain their crucial roles in this context. They should be supported in their progress towards digital transformation, including through adequate means and funding, in order to retain their social value and relevance. Public service media, largely considered as a trusted and reliable source of information, can have a stabilising effect on the media sector, in so far as its independence from political and commercial pressures is ensured.

14. Governments, major online platforms and other commercial actors, such as large advertisers, also have a fundamental role to play in supporting quality journalism and ensuring the integrity of our information ecosystems, as public goods and part of the companies’ corporate social responsibilities. Given the scale of the disruption to the financial foundations for quality journalism as we have known it, it is hard to imagine that the latter may survive and prosper without significant mandatory transfers of revenue from major platforms, which have accumulated unprecedented levels of wealth by monetising third-party content and user data and attention.

15. Recognition should be given to the efforts of some online platforms to prevent the use of their networks as conduits for large-scale disinformation and manipulation of public opinion, as well as to give greater prominence to generally trusted sources of news and information by improving their distribution, findability and visibility. However, the effects of these measures must be studied carefully, including as to their impact as “gatekeepers” on the free flow of information and ideas in democratic societies. It is essential, in this respect, that private operators provide the highest possible level of transparency on the technical and self-regulatory policies that undergird their preventive measures and standard operations, and that they act in full compliance with the internationally recognised human rights and fundamental freedoms of their users.

16. An enabling environment for quality journalism is open to experimentation and innovation with contents, formats and distribution methods, it supports collaboration across media sectors and platforms, and is able to sustain creative and innovative ideas through positive measures and adequate financial support. Member states, online platforms and other relevant stakeholders will need to work collaboratively to support an independent, diverse and economically viable media environment.

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Under the terms of Article 15.b of the Statute of the Council of Europe (ETS No. 1), the Committee of Ministers recommends that governments of member States:

i. fully implement the Guidelines set out in the Appendix of this Recommendation;

ii. in implementing the Guidelines, take account of the relevant case law of the European Court of Human Rights and previous Committee of Ministers' recommendations to member States and declarations, notably:

- Recommendation CM/Rec(2018)1 on media pluralism and transparency of media ownership;**
- Recommendation CM/Rec(2018)2 on the roles and responsibilities of internet intermediaries;**
- Recommendation CM/Rec(2016)1 on protecting and promoting the right to freedom of expression and the right to private life with regard to network neutrality;**
- Recommendation CM/Rec(2016)4 on the protection of journalism and safety of journalists and other media actors;**
- Recommendation CM/Rec(2016)5 on Internet freedom;**
- Recommendation CM/Rec(2011)7 on a new notion of media;**
- Recommendation CM/Rec(2007)3 on the remit of public service media in the information society;**
- Recommendation Rec(2000)23 on the independence and functions of regulatory authorities for the broadcasting sector;**
- Declaration on the financial sustainability of quality journalism in the digital age (13 February 2019);**
- Declaration on the manipulative capabilities of algorithmic processes (13 February 2019);**
- Declaration on the role of community media in promoting social cohesion and intercultural dialogue (11 February 2009),**

as well as the related international standards;

iii. promote the goals of this Recommendation at the national level, ensure its translation into the national and minority languages of the country, engage and co-operate with all interested parties to achieve the widest possible dissemination of its content in a variety of publicity materials, and exchange their expertise and practices on a cross-border level with a view to establishing consistent policies on supporting quality journalism;

iv. review regularly the measures taken to implement this Recommendation with a view to enhancing their effectiveness.

In addition, member States should ensure that all other relevant stakeholders (all media actors including relevant internet intermediaries, academics, self- and co-regulation bodies, civil society, etc.) are aware of their respective roles, rights and responsibilities to sustain a favourable environment for quality journalism as outlined in the Appendix of this Recommendation.

Appendix to Recommendation CM/Rec(20XX)XX

Guidelines on promoting quality journalism in the digital age

These guidelines are designed to stimulate and reinforce independent, accurate and reliable quality journalism, committed to the pursuit of truth and to the need to minimise harm, as a pillar for the functioning of democracies. The guidelines are organised into three sections: Funding, Ethics and Education. Within each section, detailed guidance is offered to member states and other relevant stakeholders on how to fulfil their various obligations, combining legal, administrative and practical measures through coherent and complementary strategies. The first section is primarily, but not exclusively, addressed to States, whereas the two subsequent ones concern a wider range of stakeholders, which States are however encouraged to support.

1. Funding: promoting quality journalism as a public good

1.1. General principles for a sustainable media environment

1.1.1. Financial sustainability: Ensuring the financial sustainability of quality journalism is fundamental to securing a favourable environment for freedom of expression, which States are required to guarantee in law and in practice. This is especially so at a time when the business models and circumstances that have traditionally supported quality journalism are being radically transformed by new economic realities and the digital evolution.

1.1.2. State action: States are encouraged to assess the need for corrective and proactive measures, of a legislative, regulatory and/or facilitating nature, and take the necessary steps aimed at ensuring the financial sustainability of quality journalism as a public good and the structural conditions for its development. Such assessments and support measures should pay particular attention to the situation of those parts of the sector that are facing increasing financial challenges, such as local journalism, investigative journalism and cross-border journalism.

1.1.3. Targeted support: Any proactive or corrective measures taken by States should take into account the distinct roles and important contributions to quality journalism of different media actors, including commercial media, public service media, community media, and independent journalists, whether traditional, digital-based or mixed. They should all be eligible, in principle, to benefit from state policies and measures aimed at enhancing the financial viability of the sector, with the understanding that targeted differentiated support for specific types of journalism may be more effective than generalised measures. National frameworks providing for support measures should include appropriate safeguards to protect the editorial independence and operational autonomy of all media.

1.1.4. Public service media: As noted in multiple existing Council of Europe recommendations and other instruments, public service media have a special role to play in promoting diversity and setting quality standards. States should ensure stable and sufficient funding for public service media in order to guarantee their editorial and institutional independence, innovation, high standards of professional integrity and enable them to properly fulfil their remit and deliver quality journalism. Furthermore, existing funding schemes for public service media should not be compromised by diverting such funds to support measures or schemes aimed at other media sectors.

1.1.5. **Community and local media:** In upholding media diversity as a basis of quality journalism, States can develop and promote a range of funding opportunities, including at the local level, such as the allocation of part of the license fee or of other public funds, to ensure that community media, as well as other types of media serving local and rural communities, have space to operate on all distribution platforms and have adequate resources to do so.

1.2. Working conditions of journalists

1.2.1. **Employment tenure and rights:** Support policies should include measures to counter the progressive deterioration of the working conditions of journalists in the digital age, which is a major contributing factor to the decline of quality journalism. States should increase efforts to adequately enforce their existing national regulatory frameworks towards ensuring, that journalists are employed, as far as possible, on regular contracts, receive full social benefits, and otherwise enjoy all labour rights guaranteed by law. Appropriate provisions should be provided for in the national employment laws to effectively enable returning to the profession from maternity, paternity, adoption or parental leave.

1.2.2. **The role of professional associations:** Trade unions and journalists' associations also have an important role to play in promoting quality journalism, and in assisting the profession to adapt to new business models and technological changes. Among other priorities, they should defend the rights of the rapidly growing number of freelance journalists, and advocate on their behalf for a core of common rights enjoyed by salaried employees, including minimum pay. Media and professional associations should diversify themes and fields of training, and develop specific support programmes especially for young professionals and other colleagues exposed to particularly precarious working conditions. Furthermore, freelance journalists, project-based professionals and other media practitioners in precarious forms of employment should fully benefit from protection mechanisms aimed at ensuring the safety of journalists and other media actors in line with the requirements of Recommendation CM/Rec(2016)4.

1.2.3. **Work-related health issues:** Due to the nature of journalistic activities, notably those involving covering stressful or traumatic events, as well as those related to the pressures of the changing media environment, journalists face an increased risk of developing work-related trauma or other mental health issues. To counter this risk, trade unions and journalists' associations should, in collaboration with media companies and other relevant stakeholders including journalism schools, develop educational materials and trainings to raise awareness on the implications of covering traumatic news assignments. Relevant media stakeholders should also develop practical resources for supporting journalists suffering from work-related stress or trauma, such as mental health counselling.

1.2.4. **Women journalists:** Trade unions and journalists' associations should collaborate with media companies and other relevant stakeholders in strengthening gender-ethical journalism and fighting discrimination, including discrimination in the workplace in terms of pay, working and treatment conditions, as well as in taking action and initiatives towards the eradication of harassment and violence against women journalists.

1.3 Institutional and fiscal measures

1.3.1. **Tax relief for media companies:** In securing an enabling economic environment, States should pay particular attention to the development of general, viewpoint-neutral policies, including a favourable tax or regulatory status, that seek to support innovation in terms of production and dissemination of journalistic content, development of new tools and services and the development of alternative or adapted business models for quality journalism. Any tax exemptions or exemptions from other charges should in principle apply equally to traditional, online or mixed-platform media and be granted through non-discriminatory and transparent procedures. Particular incentives can be offered to newsrooms that hire new staff.

1.3.2. **Not-for-profit status:** To allow for experimentation of various funding models, States should consider removing any regulatory obstacles to the establishment and operation of media operators as charities or not-for-profit entities, and should allow for donations that benefit fully from any legally available tax or other advantages. Such not-for-profit entities should furthermore be allowed to engage in commercial activities linked with and subordinate to their main purpose, provided that the earnings are fully used for their journalistic activities in public interest.

1.3.3. **Criteria for non-profit status:** Reasonable, transparent and objectively justifiable public interest criteria may be imposed as part of the general requirements for obtaining not-for-profit status. They may include, but are not limited to, production of a certain percentage of independent journalistic and editorial content, regularity of publication or broadcast, compliance with generally accepted professional standards and ethical codes, availability to the general public, adherence to efficient, transparent and independent self-regulatory structures, etc. Adherence to such criteria should be assessed and monitored by an independent body enjoying functional and operational autonomy.

1.3.4. **Tax relief for users:** States should consider complementing any policies aimed at promoting and facilitating the production and dissemination of quality journalistic content by encouraging its consumption through tax or other incentives for individuals who use subscription-based services for accessing digital content.

1.4. Direct support measures

1.4.1. **Complementary direct support:** Where general, indirect measures of support are deemed, or appear to be, insufficient to address market failure or adverse market conditions, whether generally or with respect to specific issues or sub-sectors, States should also consider adopting policies and incentives providing for financial and other direct support to quality journalism. Such measures could include specific targeted support for particular types of journalistic practice offering original research or reporting such as investigative journalism, local reporting and other resource-intensive or endangered forms of journalism of high public value. Media stakeholders and civil society organisations should be consulted in the elaboration of any measures providing for direct financial or other support.

1.4.2. **Criteria for awarding direct support:** Measures of direct support should rest on a clear legal basis and be allocated in full respect of the editorial and operational autonomy of the beneficiaries. Such support should necessarily pursue at least one legitimate objective of general interest of media policy, such as, but not limited to, promotion of media pluralism and diversity, support to professional ethics, support to accurate and reliable journalism, promotion of equality, innovative journalistic practices, adaptation to the digital age, or media literacy. Any direct or indirect subsidies or other forms of financial support should be granted on the basis of objective, equitable and viewpoint-neutral criteria, within the

framework of non-discriminatory and transparent procedures, and should be administered by a body enjoying functional and operational autonomy, such as an independent media regulatory authority.

1.4.3. Periodic reviews of support schemes: The conditions for granting support should be reconsidered periodically to ensure that they remain fit for purpose in view of market and technological changes. Independent bodies responsible for the allocation of direct subsidies should publish annual reports on the use of public funds to support media actors.

1.4.4. Support for investigative journalism: States should consider, in close collaboration with national associations of journalists, relating trade unions or independent non-governmental organisations, the establishment of national funds, grants and/or other targeted assistance to investigative journalism, or support to existing funds or projects aimed at financing investigations of public interest issues, as well as at providing training to journalists and other media practitioners in the practice of investigative journalism, supporting collaborative networks of investigative journalism organisations, and developing digital tools capable of enhancing journalism research and reporting. The statutes of such funds should guarantee that they are non-profit, operated by an independent body and guided by the principles of transparency and accountability. Such funds could receive public grants and subsidies and private donations whose transparency must be guaranteed.

1.4.5. Self- and co-regulation: Press councils and other media self- and/or co-regulation mechanisms should have access to financial support schemes in order to secure their independence and financial sustainability, subject to appropriate safeguards for protecting their autonomy and independence.

1.5. Redistribution mechanisms between online platforms and media companies

1.5.1. State policies: To improve the conditions for self-financing of quality journalism, States should consider introducing appropriate frameworks aimed at ensuring fair treatment of content producers and the media by online platforms. Such frameworks should, in particular, ensure that media content is clearly attributed on platforms, they should enable media organisations to effectively build direct relationships with their audiences through appropriate access to the usage data, and create the necessary conditions for equitable sharing of revenues arising from the monetisation of media content on online platforms.

1.5.2. Data sharing: Media companies should be able to engage with users directly online and to have access to all relevant audience data, including all data collected by online platforms on the usage of their content, in order to be able to offer users an optimal experience and improve their services, in line with the user preferences and taking into account specific usage patterns on individual platforms. Access to the data is also necessary for media companies to be able to obtain revenues from the dissemination of their content on online platforms, whether from advertising/commercial communications or from subscriptions or other payments, and also for their marketing activities. Data should be provided in a transparent manner, disclosing the methodology of collection. Transparent and participatory mechanisms should be developed through close cooperation between media companies and online platforms to address this issue, as appropriate underpinned by legal obligations and backstop powers for independent oversight mechanisms. Any data processing needs to be in full compliance with the data protection requirements arising from the existing legal frameworks for privacy and data protection including relevant international standards set forth in the Convention for the Protection of Individuals with regard to

Automatic Processing of Personal Data as modernised in the Amending Protocol (CETS No. 223, "modernised Convention 108").

1.5.3. Transparency of advertising: In light of the major online platforms' dominance over the online advertising market, measures should be undertaken to improve the transparency of their advertising systems and practices through close collaboration between the relevant platforms, media stakeholders and advertisers, as appropriate underpinned by legal obligations and independent oversight mechanisms. These measures should aim to address any unjustified restrictions on competition that may negatively affect media companies' advertising revenues, and they should also aim to avoid diverting advertising revenues from credible news sources to sources of disinformation and blatantly false content, instead rewarding credible sources of news identified as such according to transparent criteria developed in line with the approaches set out in paragraph 2.2.3. of these Guidelines. Furthermore, helping individuals become more aware of how online advertising works through MIL initiatives may also increase pressure on online platforms to increase transparency.

1.5.4. Financial redistribution: States should elaborate measures to address the media companies' limited ability to compete with major online platforms for advertising revenues from their data-driven marketing services, in an attempt to address market dominance. To that end, they should consider adopting redistributive measures aimed at equitable sharing of advertising and marketing revenue among media companies that produce such content, and major online platforms and other internet intermediaries that benefit significantly from its distribution. Such measures should go beyond the payment of any fees applicable under copyright laws and should seek to benefit media publishers of different sizes and profiles, consistent with their specific contributions to public interest journalism.

1.5.5. Voluntary contributions of online platforms: Online platforms, other relevant internet intermediaries and advertisers that engage in large-scale dissemination and monetisation of third-party content should recognise their responsibility to make significant contributions to media publishers or public entities, financially and through other means, to the preservation of quality journalism in the markets in which they have a significant business presence. Ultimately, there will be little information of value to distribute if the primary creators of such valued content increasingly disappear. In addition to any state-mandated measures, intermediaries are therefore urged to establish voluntary support programmes for quality journalism, which should be administered in broad accordance with the principles outlined above for government subsidy programmes. Such programmes should be independent from the choice of tools and platforms of the beneficiaries and there should be strong guarantees for the editorial autonomy of the benefiting media. These programmes should also extend to the development and promotion of MIL initiatives that empower individuals to recognise and value quality journalism. Online platforms are encouraged to partner with civil society, governments, educational institutions, and other stakeholders to support efforts aimed at improving critical thinking and digital media literacy.

2. Ethics and quality: rebuilding and maintaining trust

2.1. Production of quality content

2.1.1. Fact-checking: News production involves the use of multiple sources of information, including user-generated content. In order to preserve credibility, news production and

especially breaking news coverage, must be accurate and transparent. Several practices, including tools, techniques and ethical guidelines, are available to support the inclusion of social news gathering, the use of user-generated content during emergencies or using eyewitness video as evidence as part of the news production process. These practices should be integrated into basic journalism training and position fact-checking and objective selection of sources as a cornerstone of quality journalism. In particular, media should exercise vigilance and verify stories originating on anonymous private forums, messaging apps or social media before amplifying them, in order to avoid spreading disinformation. Joint fact-checking projects between multiple newsrooms, universities, NGOs and online platforms can have beneficial effects, especially in pre-electoral periods.

2.1.2. Rebuilding and Maintaining Trust: Media companies, in cooperation with national associations of journalists, relating trade unions and independent NGOs, should develop and adopt a shared code of good practice on transparency to rebuild trust and healthy relationships with audiences and media content contributors. Such codes should be subject to appropriate compliance mechanisms. Examples of trust indicators could include:

- media company's mission statement, editorial standards and overall ethics policy, in particular correction procedures and rules on the use of anonymous sources;
- information about ownership of the outlet and policies related to editorial independence from sources of funding, including grants and donations;
- details about the journalist/author/reporter, including their expertise and other stories they have worked on, except where disclosure of identity might expose the persons concerned to personal risks or reprisals for their work;
- disclosure of any artificial intelligence software tools such as 'robot journalism' used in news production;
- citations and references in relation to sources, in particular those behind facts and assertions in investigative or in-depth stories;
- clarity about nature of content and distinctions between opinion, analysis, promotional/commercial contents and factual information, as well as labels to distinguish user-generated content from professional news reports;
- background on how articles and coverage were built, including information about why reporters chose to pursue a story, the process behind it and whether it has local origins or expertise;
- documenting and sharing efforts made to include multiple perspectives, to increase representation of all genders and communities and to diversify sources of information and expertise;
- encouraging feedback and participation by the public on coverage priorities, in contributing to the reporting process and in ensuring accuracy; and
- developing journalistic algorithmic ethics to address the impact of algorithms and AI on editorial independence and journalistic professionalism.

2.1.3. Self-regulation: The media commitment to verification and quality control should be complemented by effective voluntary media self-regulatory mechanisms such as ombudspersons and press/media councils. Audiences should be made aware of, and have access to understandable and transparent complaints mechanisms allowing them to flag content breaching the journalistic professional and ethical standards, also when distributed online. Complaints should be handled by independent bodies tasked with upholding journalistic professional and ethical standards. Such independent bodies should have stable financing and meaningful powers, in particular to require the publication of prominent corrections and critical adjudications.

2.1.4. **Inclusion:** Balanced representation and equal participation of all groups in society in the news and in the media in general, whether as professionals, as expert sources or as main actors in stories, are important indicators of quality journalism. Efforts must be made by media companies to include multiple perspectives, increase representation of all genders and communities and to diversify sources of information and expertise, whilst maintaining diversity inclusion as the guiding principle. More efforts are also needed to develop innovative formats that promote dialogue and participation across different segments of the population. MIL initiatives can help individuals, especially those from minority or disadvantaged communities to develop the skills and confidence to engage with the media and participate in the public sphere. The opportunities provided by the digital environment for addressing audiences with special needs should be further explored and enhanced. It is important that accurate and reliable information is available in different languages and technical standards, in order to include minorities and disabled persons, to fulfil the right to receive and impart information and ideas as foreseen by Article 10 of the Convention.

2.1.5. **Gender:** Media companies should enhance their efforts towards a fair gender portrayal and participation in the news on- and offline, as experts and as journalists. Guidelines, activities and projects aimed at strengthening the position of women in the media and promoting best practices in gender equality should be specifically drawn up, measured and rewarded as indicators of quality journalism.

2.1.6. **Children:** The information needs of children of different age categories should be specifically addressed through the availability of factual quality content suited to their interests and literacy levels. Newsrooms are encouraged to promote opportunities for youth involvement in quality content production. Community media activities involving different age groups in journalistic training and production contribute to exchange and dialogue across generations, and also need specific support.

2.2. Dissemination of quality content

2.2.1. **Gatekeeping:** Digital, multi-platform distribution environments and gateways with curated/sponsored content and passive and active filtering to meet user preferences now influence the access to, and the findability of, quality content including public service media content. States, in collaboration with online platforms, media companies and other relevant stakeholders, should address the challenges related to the online distribution of public interest media content and seek appropriate regulatory responses to ensure that such content is universally available, easy to find and recognised as a source of trusted information by the public.

2.2.2. **Non-discrimination:** Online platforms and other intermediaries that give access to, host and index news and other journalistic content, aggregate such content and enable its searches, or perform any other functions and services related to such content, should support the work of the media in full respect of their independence. The online platforms' criteria for the visibility, findability and accessibility of content, whether applied by automated processes alone or in combination with human decisions, should not restrict access to any source of news or other journalistic content based merely on its political or other opinion or on any other characteristics which may render differential treatment discriminatory within the meaning of Article 14 of the Convention.

2.2.3. **Due prominence:** Effective access to quality journalistic content should be guaranteed to all individuals, irrespective of income levels and any other barriers. To that end, independent and transparent self-regulatory media initiatives, open to multi-

stakeholder participation, should develop criteria for identifying credible content that could be applied, whether through human or automated means, in the process of media distribution and consumption. Online platforms and other relevant internet intermediaries should make use of those criteria to promote reliable providers of news and quality journalism, for which purpose they should continually improve their internal processes and operations, including by ensuring their enhanced transparency.

2.2.4. Algorithmic accountability: Online platforms and media companies should in any event, and beyond the minimum legal requirements, operate as transparently as possible, in particular by giving users the tools they need to understand the functioning of algorithms and the criteria affecting access, distribution and prioritisation of content, or lack thereof.

2.2.5. Use of AI tools: Guidelines and policies for the use of AI tools in content creation and distribution by media companies need to take into account the impact of automation on freedom of expression and human rights in general. Values such as diversity and non-discrimination should be integrated into algorithmic design, based on dialogue on established values and on a new perspective on how to translate central public values. Technology-driven dominance and competitive advantages of large organisations with access to data needed to develop AI, particularly intermediaries or third-party technology providers, may lead them to have considerable control over automated editorial processes. Policy recommendations should address the question of how to preserve a fair legal playing field and avoid exacerbating disparities. MIL initiatives can help individuals recognise and value transparency measures and understand the implications of automation of news production.

2.2.6. Monitoring and oversight: Compliance with the responsibilities of online platforms concerning access, distribution and prioritisation of news and other media content should be subject to monitoring and oversight by independent overseers. This could be ensured by means of regular reporting by the relevant online platforms about how decisions relating to content curation are made. The oversight function could be entrusted to independent national media regulatory authorities or other designated bodies, which should have the necessary powers, resources and decision-making authority to be able to carry out their remit in an effective, transparent and accountable manner.

2.3. Data protection

2.3.1. Privacy: Media companies processing personal data of the users of their online services and using tracking and profiling mechanisms for commercial purposes should comply with the existing legal frameworks for privacy and data protection including relevant international standards set forth in the Modernised Convention 108. When a media company is using a third-party platform which may involve the processing of personal data, respective responsibilities, particularly regarding data subjects' rights and information obligations, should be clearly determined and agreed between the parties. Media companies should not be held responsible for the data processing activities of third-party platforms for their own commercial purposes which are based on the latter's own privacy policies or terms.

2.3.2. Users' rights: Media companies should ensure that all processing, including collection, retention, aggregation, storage, adaptation, alteration, linking, sharing, migrating across, or manipulation by multiple devices, of personal data of their users (data subjects), is based on the free, specific, informed and unambiguous consent of the user with respect to a specific purpose, or another legitimate basis laid down by law. All stages of data

processing operations should comply with the principle of privacy by default and privacy by design, as well as the principles of fairness and transparency, accountability of data controllers, data security and the rights of data subjects. In particular, but not only, the users (data subjects) should be able to:

- have access to data protection guidelines that are accessible and understandable, regardless of individual media literacy levels;
- receive information about the processing of their personal data and
- obtain access to such data;
- obtain rectification or erasure of incorrect, inaccurate or incomplete personal data;
- request that personal data be erased when it's no longer needed or if processing it is unlawful;
- object to the processing of personal data for marketing purposes or on grounds relating to a particular situation;
- have a remedy if a request for information or, as the case may be, access, communication, rectification or erasure is not complied with.

2.3.3. Awareness: States, the media sector and other relevant stakeholders should adopt various measures, including MIL initiatives, to foster individuals' knowledge about their rights in relation to data protection, as well as to promote responsible use of personal data by individuals themselves and ensure children's personal data are only processed on the grounds of parental consent as established by national laws.

2.4. Future-proof media development

2.4.1. Engagement: Creating a more organic, grounded relationship with audiences can make quality journalism more sustainable. Media should look for new formats to promote dialogue on issues of public interest, building on the potential for constructive debate and a dialogue-oriented attitude that can be gained within online communities when they feel they are taken seriously. Online audience/comments moderation should become a core asset of professional journalism, provided sufficient investments in training and in resources for managing online news discussions are made by media companies and employers. Free, open-source commenting platforms can facilitate inviting questions and feedback from the community, help newsrooms hold commenters to the rules and spotlight their best work. A contributions section to explicitly invite readers to share their "experience and knowledge", instead of their opinions, enables to include perspectives from communities that often go uncovered.

2.4.2. Innovation: Media companies should consciously support the introduction of new technologies, capturing opportunities whilst balancing out effective needs and assessing the impact on their audiences.

For quality journalism to prosper, media companies specifically need to support the development of:

- innovative, collaborative journalistic projects, also involving freelance journalists;
- transition of printed publications to the digital environment through adequate tools, software and technological infrastructure;
- business and digital leadership skills of media practitioners, including skills for audience measurement and analysis.

2.4.3. Local media: Rebuilding trust and healthy relationships with (local) audiences can be achieved through collaborative practices such as hyperlocal online newsrooms and other

innovative approaches that enable journalists and the public to work together on issues that are original, relevant and popular. In particular, mechanisms for support of the following should be developed:

- development of viable business models for hyperlocal journalism;
- building a digital presence for small, particularly local media outlets;
- capacity-building of non-profit and community media serving the needs of local communities, including linguistic needs.

2.5. Favourable political and social environment

2.5.1. Pluralism: States maintain the specific responsibility of ensuring sufficient variety in the overall range of media types providing independent, quality journalism, bearing in mind differences in terms of their purposes, functions and geographical reach. As xxx in the Recommendation CM/Rec(2018)1, the complementary nature of different media types also strengthens external pluralism and can contribute to creating and maintaining diversity of media content.

2.5.2. Disinformation: Disinformation undermines trust in media and threatens democracy. Concerted national and/or transnational efforts to counter disinformation and propaganda should receive full support from States on an on-going basis, not only during election campaigns. As information manipulation feeds on divisions and tensions, strengthening the resilience and cohesion of societies should be a long-term European goal. A well-informed and media literate society (including journalists, the media, online platforms, NGOs, etc. as well as individuals) is an essential part of the defence against information manipulation in democratic societies. The media sector has a critical role to play in collaborating with a range of other sectors to create and promote MIL initiatives to help citizens recognise and avoid disinformation.

2.5.3. PSM contribution to society: Independent public service media have an important social function as a trusted source of information, not just portraying events but also explaining complex situations and changes, being comprehensive and inclusive, allowing the public to distinguish the important from the trivial and highlighting constructive solutions to important challenges. States maintain the specific responsibility of ensuring that public service media are able to operate independently, and that PSM content is universally available, including online.

2.5.4. Social value of investigative reporting: States should encourage the development of independent initiatives aimed at highlighting the impact of investigative reporting on social changes, in order to raise awareness and appreciation about the social benefits of investigative journalism and news media and, more generally, quality journalism produced in line with editorial and ethical standards of the profession and generate wide support for its mission.

2.5.5. Political non-intervention: Politicians and public officials should refrain from taking actions which undermine the independence of the media, such as interfering politically in their operations, stigmatising and discrediting the media, threatening journalists or exercising undue financial control over media. Such actions have a chilling effect on the right of the media to report freely and lead to self-censorship in relation to criticism of government policy and political figures.

3. Education and training

3.1. Media and Information Literacy for the digital age

3.1.1. **MIL is key:** MIL initiatives empower individuals to make informed choices by critically analysing and producing information, by understanding how media functions and how they are funded and regulated, and by understanding the ethical implications of media and technology. The development of these skills by individuals can help to foster an environment favourable to quality journalism in the digital age. Therefore, MIL initiatives that promote the skills and knowledge required to recognise and value quality journalism, or that illustrate the benefits of quality journalism to various audiences, should receive maximum support by States.

3.1.2. **State measures:** States should define the promotion of MIL as an explicit aim of their media, information, and education policies and invest adequate resources in MIL and in developing strategies for collaboration, communication and education, together with international and civil society organisations, media companies, public service media, and other relevant actors, in order to empower individuals to acquire the knowledge and to develop skills to deal with the media in a self-determined way. MIL should be integrated in state measures on education of all age groups, meaning especially that MIL should be an essential part of school curricula from primary school on. Therefore, integration of MIL in teacher's education and further training is necessary. State measures on civic education addressing older age groups should cover MIL as well. Research on concepts and strategies of fostering individuals' MIL and the transfer of its results into practice should be supported.

3.1.3 **Support for independent MIL initiatives:** States should establish adequately funded financing instruments for independent MIL initiatives. Independent MIL initiatives of media companies, public service media, and community media, independent regulatory bodies, civil society actors and other relevant actors should be provided with possibilities to get support in terms of organisation, consultation, and evaluation. "Train the trainer" initiatives are helpful instruments because of their leverage effect.

3.1.4 **Support for cross-sector collaboration:** A wide range of sectors are involved in the promotion of the skills and knowledge required to recognise and value quality journalism. Initiatives involving cross-sector collaboration have significant reach and engagement, as working in partnership is a key aspect of delivering significant media literacy projects. States should demonstrate leadership in this area by actively supporting and funding the development of national networks to facilitate cross-sector communication and collaboration.

3.2. Training opportunities for media professionals

3.2.1. **Profession:** In a scenario where the journalistic profession is becoming less attractive because of financial constraints, threats and pressures, states should encourage and promote careers in journalism by publicly recognising that quality journalism is central to the functioning of democratic societies. Training institutions should aim to make their curricula more accessible and diversified, promote practical experiences as well as theoretical approaches, and deliver ethical training to all future actors of the media industry. Topics related to civic education, workings of democratic states, elections and referenda should be taught as part of basic journalistic skills.

3.2.2. **MIL for newsrooms:** Specific media literacy programmes are also needed for newsrooms, in particular to promote newsroom collaboration, community-building and participatory audience engagement; and to anchor verification and debunking by journalists and non-journalists as a cornerstone of quality journalism, covering why fact-checking is important, what to check, the process of verification, common mistakes and how to avoid them, as well as finding funding for fact-checking operations. Additionally, newsrooms need to learn more about cognitive processes; how the human brain perceives and processes news, how to counter confirmation bias, how to deal appropriately with debunking false claims, or what are the effects of bad/violent/voyeuristic news on news consumption.

3.2.3. **Upskilling:** Media and individuals committed to producing quality journalism should have access to life-long training opportunities. They should be able to regularly update their skills and knowledge, specifically in relation to their duties and responsibilities in the digital environment, through fellowship programs and financial support. Public service media should organise systematic workshops and trainings of verification techniques and encourage the exchange of good practice in the area of countering disinformation and propaganda, looking for synergies with other quality news partners. Adequate training and retraining opportunities should be made available to journalists, especially those working in lesser-used and minority languages and/or local and regional communities.

3.2.4. **Specialisations:** Specific training opportunities should be made available in the fields of science, health, environment, engineering, and other specialised subjects of public interest, ideally motivating journalism students to acquire skills and theory of journalistic coverage of such fields.

3.2.5. **Community media:** Community media play an important role in training future journalists and in promoting inclusion by meeting the various communicative and media needs of different segments of society, offering spaces for self-representation to the otherwise 'voiceless' and reflecting diverse communities as integral and respected parts of the audience. They should be supported in encouraging students and youth to report and craft their own journalism — improving media literacy as well as general learning through research, identifying experts, conducting interviews, producing and broadcasting a work of journalism. Furthermore, support should be provided for exchanging good practices in multilingual and intercultural media training to strengthen inclusive quality media productions across Europe.