

**MSI-DIG(2021)10EN
12 October 2021**

**3rd meeting, 20-21 September 2021
Online meeting via KUDO**

MEETING REPORT

Opening of the meeting

1. The meeting was opened by Ms Natali Helberger, Chair of the MSI-DIG. Mr Jan Kleijssen, Director, Information Society - Action against Crime Directorate, Directorate General Human Rights and Rule of Law, apologised for not being able to join the meeting and deliver a welcome address as planned.
2. The agenda of the meeting (Appendix 1) was adopted without amendment. Of the 49 participants (Appendix 2), there were 34 women (69%) and 15 men (31%). The meeting was attended by 12 members; Ms Fanny Hidvegi apologised.
3. Ms Urska Umek, Secretary of the [MSI-REF](#),¹ replacing Ms Elena Dodonova, Secretary of the MSI-DIG (apologised), provided information about:
 - the adoption of the [Guidance note on best practices towards effective legal and procedural frameworks for self-regulatory and co-regulatory mechanisms of content moderation](#) by the [CDMSI](#)² at its 19th Plenary meeting (19-21 May 2021), and the launch of the Guidance note at the [Ministerial Conference](#);³
 - the progress made by the [MSI-REF](#) on the three deliverables under their mandate: (i) *draft recommendation on principles for media and communication governance*; (ii) *draft recommendation on electoral communication and media coverage of election campaigns*; (iii) *draft guidance note on the prioritisation of public interest content*. To ensure due alignment of the texts in development by the two Expert Committees, approaches of the MSI-DIG and the [MSI-REF](#) have been coordinated, while the remit of each text has been clearly described, to outline and distinguish the perspective taken;

¹ Committee of Experts on Media Environment and Reform

² Steering Committee on Media and Information Society

³ Conference of Ministers responsible for Media and Information Society "Artificial intelligence – Intelligent politics: Challenges and opportunities for media and democracy" (10-11 June 2021)

- the progress made by the [ADI/MSI-DIS](#)⁴ on the *draft recommendation on combating hate speech*, focusing on the structure of the draft document, which now also includes an explanatory memorandum, and on its a comprehensive approach that differentiates between types of hate speech and distinguishes responses to it depending on the degree of gravity.

Draft recommendation by the Committee of Ministers to member States on the impacts of digital technologies on freedom of expression: conclusions and decisions

4. The MSI-DIG welcomed the information about the public consultation process on the *draft recommendation on the impacts of digital technologies on freedom of expression* and took note of the reasoning provided by the two co-rapporteurs (Ms Alexandra Borchardt and Mr Cristian Vaccari) and the Secretariat regarding the integration of comments, with a view to presenting a well-balanced text. The Committee then went through the entirety of the text item by item, discussing and re-formulating where necessary and incorporating additional comments as provided by members and participants of the MSI-DIG.
5. The members of the MSI-DIG agreed per consensus on the draft recommendation as finalised on 21 September and provisionally approved the document, on condition that before final approval the text should be submitted to the [T-PD Bureau](#)⁵ for consideration and comments, to ensure that the guidelines pertaining to data protection are compatible with the Convention 108(+). In particular, the MSI-DIG entrusted the Secretariat to seek the opinion of the T-PD Bureau on guideline 1.10. on Privacy and guidelines included in section 6 "Independent Research for Evidence-Based Rulemaking" of the appendix to the draft recommendation.
6. It was agreed that any comments received from the [T-PD Bureau](#) will be integrated in the text by the rapporteurs, with the assistance of the Secretariat, following which the draft recommendation will be sent to MSI-DIG members for final approval.

Any other business

7. The third meeting having been the last meeting of the MSI-DIG, members expressed their satisfaction with the progress made during the two years of its mandate, commending the rapporteurs – Ms Alexandra Borchardt, Mr Cristian Vaccari and Mr Joe McNamee – for their dedication and commitment, but also acknowledging that the absence of on-site meetings and exchanges (due to restrictions on travel and public gatherings) has make the tasks before the MSI-DIG even more demanding. They further stressed the importance and topicality of the MSI-DIG work and reiterated the need for ongoing vigilance and preoccupation regarding the impacts of fast-evolving technologies on human rights, democracy and the rule of law.
8. In line with established practice, the Secretariat will prepare a draft meeting report to be sent to the Chair and Vice-Chair for consideration. Thereafter, the Secretariat will send the draft report to the MSI-DIG, allowing for comments within five full working days. In the absence of comments, the report will be deemed finalised and will be transmitted to the [CDMSI](#) for information.

⁴ Committee of Experts on Combating Hate Speech, also subordinate to the Steering Committee on Anti-Discrimination, Diversity and Inclusion (CDADI)

⁵ Bureau of the Consultative Committee of the Convention for the protection of individuals with regard to automatic processing of personal data (Convention 108)

Appendix 1

3rd meeting of the Committee of Experts
on Freedom of Expression and Digital Technologies (MSI-DIG)

20-21 September 2021
Council of Europe, Strasbourg
(online)

DRAFT ANNOTATED AGENDA

20 September 2021

09:30 – 10:30

1. Adoption of the agenda
2. Information by the Secretariat – Relevant activities of the Council of Europe and reference work of other expert committees subordinate to the Steering Committee on Media and Information Society (CDMSI)

10:30 – 12:00

3. Discussion of the draft recommendation by the Committee of Ministers to member States on the impacts of digital technologies on freedom of expression, with a view to possible finalisation of the document

13:30 – 16:00

4. Welcoming remarks by Mr Jan Kleijssen, Director, Information Society - Action against Crime Directorate, Directorate General Human Rights and Rule of Law
5. Continuation of point 3

21 September 2021

09:30 – 12:00

6. Continuation of point 3

13:30 – 15:30

7. Continuation of point 3

15:30 – 16:00

8. Other business

Appendix 2 / Annexe 2

21 September 2021

MSI-DIG(2021)09

Committee of Experts on Freedom of Expression and Digital Technologies

/ Comité d'experts sur la liberté d'expression et les technologies numériques

(MSI-DIG)

3rd meeting – 20-21 September 2021 / 3^{ème} Réunion – 20-21 septembre 2021**List of participants / liste de participants****COMMITTEE MEMBERS / MEMBRES DU COMITÉ**

REUTERS INSTITUTE FOR THE STUDY OF JOURNALISM / INSTITUT REUTERS POUR L'ETUDE DU JOURNALISME	Ms/Mme Alexandra BORCHARDT Head of Digital Journalism Fellowship, Hamburg Media School; Senior Research Associate, Reuters Institute for the Study of Journalism <i>Responsable de la bourse de journalisme numérique, École des médias de Hambourg ; Associée de recherche principal, Institut Reuters pour l'étude du journalisme</i>
UNIVERSITY OF AMSTERDAM / UNIVERSITÉ D'AMSTERDAM	Ms/Mme Natali HELBERGER Professor of Law and Digital Technology, with a special focus on AI, University of Amsterdam, The Netherlands <i>Professeure de droit et de technologie numérique, avec un accent particulier sur l'IA, Université d'Amsterdam, Pays-Bas</i>
ACCESS NOW / ACCESS NOW	Ms/Mme Fanny HIDVÉGI [Apologised / Excusée] Europe Policy Manager <i>Responsable de la politique européenne</i>
FEDERAL CHANCELLERY / CHANCELLERIE FEDERALE	Mr/M Michael R. KOGLER Legal advisor, Deputy Head of Department for Media (Law), Political Parties (Law), Federal Chancellery, Austria <i>Conseiller juridique, Chef adjoint, Département des médias (Droit), des partis politiques (Droit), Chancellerie fédérale, Autriche</i>
UNIVERSITY OF BELGRADE / UNIVERSITE DE BELGRADE	Mr/M Đorđe KRIVOKAPIC Assistant Professor, Business Systems Organisation Department, Faculty of Organisational Sciences <i>Professeur assistant, Département d'organisation des systèmes d'entreprise, Faculté des sciences organisationnelles</i>
KU LEUVEN CENTRE FOR INFORMATION TECHNOLOGY & INTELLECTUAL PROPERTY LAW / CENTRE DE DROIT DE L'INFORMATIQUE ET DE LA PROPRIETE INTELLECTUELLE DE LA KU LEUVEN	Ms/Mme Aleksandra KUCZERAWY Post-doctoral Researcher, Lecturer in Media Law <i>Chercheuse postdoctorale, Conférencière en curriculum de droit des médias</i>
	Mr/M Joe McNAMEE Independent Consultant, Ireland <i>Consultant indépendant, Irlande</i>

MINISTRY OF FOREIGN AFFAIRS / MINISTERE DES AFFAIRES ETRANGERES	Mr/M Viktors MAKAROVŠ Special Envoy on Information Security Issues, Ministry of Foreign Affairs, Latvia <i>Envoyé spécial pour les questions de sécurité de l'information, Ministère des affaires étrangères, Lettonie</i>
KING'S COLLEGE LONDON / KING'S COLLEGE DE LONDRES	Mr/M Martin MOORE Senior Lecturer in Political Communication Education & Director of the Centre for the Study of Media, Communication and Power <i>Maître de conférences en éducation à la communication politique et Directeur du Centre pour l'étude des médias, de la communication et du pouvoir</i>
DEPARTMENT FOR DIGITAL, CULTURE, MEDIA AND SPORT (DCMS) / DEPARTEMENT POUR LE NUMERIQUE, LA CULTURE, LES MEDIAS ET LE SPORT (NCMS)	Ms/Mme Katie MORRIS Head of Online Harms Regulatory Policy, Department for Digital, Culture, Media and Sport (DCMS), United Kingdom <i>Responsable de la politique de réglementation des préjudices en ligne, Département pour le numérique, la culture, les médias et le sport (NCMS), Royaume-Uni</i>
UNIVERSITY OF TARTU / UNIVERSITE DE TARTU	Ms/Mme Karmen TURK Lawyer and partner at a pan-Baltic law firm TRINITY, Estonia; lecturer in IT-Law program, University of Tartu, Estonia <i>Avocate et associée d'un cabinet juridique pan-balte TRINITY, Estonie ; Conférencière en curriculum de droit informatique, Université de Tartu, Estonie</i>
LOUGHBOROUGH UNIVERSITY / UNIVERSITÉ DE LOUGHBOROUGH	Mr/M Cristian VACCARI Professor of Political Communication and Co-Director of the Centre for Research in Communication and Culture at Loughborough University <i>Professeur de communication politique et co-directeur du Centre de recherche en communication et culture de l'université de Loughborough</i>
SWISS FEDERAL OFFICE OF COMMUNICATIONS / OFFICE FEDERAL SUISSE DE LA COMMUNICATION	Ms/Mme Livia WALPEN Senior Policy Advisor for International Relations <i>Conseillère politique principale pour les relations internationales</i>

COUNCIL OF EUROPE MEMBER STATES / ÉTATS MEMBRES DU CONSEIL DE L'EUROPE

GEORGIA/ GEORGIE	Mr/M Levan MAISURADZE Chief Specialist of Legal Department, Georgian National Communications Commission <i>Spécialiste en chef du département juridique, Commission nationale géorgienne des communications</i>
GEORGIA/ GEORGIE	Mr/M Pavle BERIA Chief Specialist at Legal Department, Georgian National Communications Commission <i>Spécialiste en chef du département juridique, Commission nationale géorgienne des communications</i>
GEORGIA/ GEORGIE	Mr/M Ivane MAKHARADZE Head of Audio-Visual Media Services Regulation Department <i>Chef du Département de la réglementation des services de médias audiovisuels</i>
GREECE / GRÈCE	Ms/Mme Eftychia KATSIGARAKI Director General, Directorate General of Legal Affairs And Human Rights, Ministry of Justice <i>Directrice générale, Direction générale des affaires juridiques et des droits de l'homme, Ministère de la justice</i>

GREECE / GRÈCE	Ms/Mme Spyridoula KARYDA Counselor, Council of State <i>Conseillère, Conseil d'État</i>
REPUBLIC OF MOLDOVA / REPUBLIQUE DE MOLDOVA	Ms/Mme Cristina CEREVATE Minister of Foreign Affairs and European Integration, Council of Europe and Human Rights Section <i>Ministre des affaires étrangères et de l'intégration européenne, Section des droits de l'homme du Conseil de l'Europe</i>
REPUBLIC OF MOLDOVA / REPUBLIQUE DE MOLDOVA	Ms/Mme Tatiana BURAGA Alternate expert at CDMSI. Audiovisual Council member <i>Expert suppléant au CDMSI. Membre du Conseil audiovisuel</i>
ROMANIA / ROUMANIE	Ms/Mme Alexandra ENESCU University lecturer PhD, associate professor at the University of Bucharest. Bureau Chief - Public Relations Department <i>Professeur de doctorat à l'Université de Bucarest. Chef du Bureau - Département des relations publiques</i>
ROMANIA / ROUMANIE	Ms/Mme Raluca DOCA Expert within the Directorate of Public Policies and Priorities <i>Experte au sein de la Direction des politiques publiques et des priorités</i>
RUSSIAN FEDERATION / FÉDÉRATION DE RUSSIE	Mr/M Alexey SAZHINOV Deputy to the Permanent Representative of the Russian Federation to the Council of Europe <i>Adjoint au Représentant permanent de la Fédération de Russie auprès du Conseil de l'Europe</i>
TURKEY / TURQUIE	Mr/M İsmail ŞAHİN Inspection Judge, Department of Human Resources <i>Juge d'inspection, Département des ressources humaines</i>
TURKEY / TURQUIE	Ms/Mme Müge ASI Member of Radio and Television Supreme Council, Ankara <i>Membre du Conseil Supérieur de l'Audiovisuel, Ankara</i>
TURKEY / TURQUIE	Ms/Mme Evren US Member of Radio and Television Supreme Council, Ankara <i>Membre du Conseil Supérieur de l'Audiovisuel, Ankara</i>

NON-MEMBER STATES HAVING OBSERVER STATUS WITH THE COUNCIL OF EUROPE / ETATS NON-MEMBRES AYANT LE STATUT D'OBSERVATEUR AUPRES DU CONSEIL DE L'EUROPE

JAPAN / JAPON	Mr/M Hikaru IWAKI Consul (Magistrate), Consulate-General of Japan in Strasbourg <i>Consul (Magistrat), Consulat Général du Japon à Strasbourg</i>
JAPAN / JAPON	Mr/M Tetsushi HIRANO Chargé de mission, Consulate General of Japan in Strasbourg <i>Chargé de mission, Consulat Général du Japon à Strasbourg</i>
MEXICO / MEXIQUE	Ms/Mme Lorena ALVARADO QUEZADA Deputy to the Permanent Representative, Permanent Representation of Mexico to the Council of Europe <i>Adjointe à l'Observateur Permanent, Mission Permanente du Mexique auprès du Conseil de l'Europe</i>

NON-MEMBER STATES OF THE COUNCIL OF EUROPE / ETATS NON-MEMBRES DU CONSEIL DE L'EUROPE

MOROCCO / MAROC	Ms/Mme Samira BELLALI Vice-Consul, Consulate General of the Kingdom of Morocco in Strasbourg <i>Vice-Consul, Consulat Général du Royaume du Maroc à Strasbourg</i>
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OTHER PARTICIPANTS / AUTRES PARTICIPANTS

EUROPEAN BROADCASTING UNION (EBU) / UNION EUROPÉENNE DE RADIO-TÉLÉVISION (UER)	Ms/Mme Nicola FRANK Head of Institutional and International Relations <i>Responsable des relations institutionnelles</i>
ORGANISATION FOR SECURITY AND CO-OPERATION IN EUROPE (OSCE) / ORGANISATION POUR LA SÉCURITÉ ET LA COOPÉRATION EN EUROPE (OSCE)	Ms/Mme Julia HAAS Assistant Project Officer, Office of the Representative on Freedom of the Media <i>Chargée de projet adjoint, Bureau du Représentant pour la liberté des médias</i>
EUROPEAN COMMISSION / COMMISSION EUROPÉENNE	Ms/Mme Diana VLAD-CÂLCIC Policy Officer, Directorate-General for Communication Networks, Content and Technology, e-commerce & Platforms <i>Responsable des politiques, Direction générale des réseaux de communication, du contenu et de la technologie, du commerce électronique et des plates-formes</i>
EUROPEAN UNION AGENCY FOR FUNDAMENTAL RIGHTS / AGENCE DES DROITS FONDAMENTAUX DE L'UNION EUROPÉENNE	Ms/Mme Nienke VAN DER HAVE Programme officer/seconded national expert at the Research and Data Unit <i>Administratrice de programme/experte nationale au Groupe de la recherche et de l'unité des données</i>
ICON / ICON	Ms/Mme Lennig PEDRON ICON, Co-founder & President, Switzerland <i>ICON, co-fondateur et président, Suisse</i>
ARTICLE 19/ ARTICLE 19	Ms/Mme Maria Luisa STASI Senior Legal Officer, Article 19, Defending freedom of expression and information, United Kingdom <i>Conseillère juridique principale, Article 19, Défendre la liberté d'expression et d'information, Royaume-Uni</i>
ICI BUCHAREST	Ms/Mme Gabriela TATU National Institute for Research & Development in Informatics - ICI Bucharest <i>Institut national de recherche et de développement en informatique - ICI Bucarest</i>
UNIVERSITY OF CAMBRIDGE / UNIVERSITÉ DE CAMBRIDGE	Ms/Mme Christina ANGELOPOULOS Lecturer in Intellectual Property Law. Member of the Centre for Intellectual Property and Information Law (CIPIL) <i>Conférencier en droit de la propriété intellectuelle. Membre du Centre pour le droit de la propriété intellectuelle et de l'information (CIPIL)</i>

SECRETARIAT / SECRETARIAT

DIRECTORATE GENERAL HUMAN RIGHTS AND RULE OF LAW / DIRECTION GENERALE DROITS DE L'HOMME ET ETAT DE DROIT	Mr/M Jan KLEIJSEN [Apologised / Excusé] Director, Information Society – Action against Crime Directorate, Directorate General Human Rights and Rule of Law <i>Directeur, Direction de la société de l'information et de la lutte contre la criminalité, Direction générale Droits de l'Homme et Etat de droit</i>
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INFORMATION SOCIETY DEPARTMENT / SERVICE DE LA SOCIETE DE L'INFORMATION	Mr/M Patrick PENNINCKX [Apologised / Excusé] Head of Information Society Department <i>Chef du Service de la société de l'information</i>
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INFORMATION SOCIETY DEPARTMENT / SERVICE DE LA SOCIETE DE L'INFORMATION	Ms/Mme Elena DODONOVA [Apologised / Excusée] Administrator and Secretary to the Committee of Experts on Freedom of Expression and Digital Technologies (MSI-DIG), Media and Internet Division <i>Administratrice et Secrétaire du Comité d'experts sur la liberté d'expression et les technologies numériques (MSI-DIG), Division médias et internet</i>
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INFORMATION SOCIETY DEPARTMENT / SERVICE DE LA SOCIETE DE L'INFORMATION	Ms/Mme Daria CHEREPANOVA Assistant, Division for Co-operation on Freedom of Expression <i>Assistante, Division de la coopération sur la liberté d'expression</i>
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INFORMATION SOCIETY DEPARTMENT / SERVICE DE LA SOCIETE DE L'INFORMATION	Ms/Mme Irina TODOROVA TOMOVA Assistant, Media and Internet Division <i>Assistante, Division médias et internet</i>

INTERPRETERS / INTERPRÊTES

Ms/Mme Amanda BEDDOWS
Ms/Mme Elisabetta BASSU (21/9)
Mr/M Didier JUNGLING (20/9)

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Mr/M Lucas MICHEL