



**3rd meeting, 30-31 March 2023
(Strasbourg, Palais de l'Europe, Room 6 and online)**

MSI-RES(2021)11
3 June 2023

Meeting report

Opening and agenda

1. The meeting was opened by the Chair of the MSI-RES Mr Ramón Salaverría Aliaga. Mr Patrick Penninckx, Head of Information Society Department, welcomed the members and participants and informed them about the recent developments in the Council of Europe.
2. Focusing on the issues related to the work of the MSI-RES, the Council of Europe's Committee on Artificial Intelligence (CAI) is well underway with the preparation of the Framework Convention on Artificial Intelligence, Human Rights, Democracy and the Rule of Law. At its 4th Plenary meeting on 1-3 February, the CAI decided to make the revised "[Zero Draft](#)" [Convention](#) public. In the stage of negotiating the draft, all CoE observer states (Canada, Japan, the Holy See, Mexico and the USA) and a number of important non-member States (Israel) are currently in the stage of negotiating specific sections of the draft, which is to provide comprehensive responses to the concerns raised by AI technologies as regards both *ex ante* (risk and impact assessment requirements) and *ex post facto* (procedural rights and safeguards) regulation. The Convention will aim to provide a cross-cutting set of basic rules and principles on the development, design and application of AI, while the [CoE Digital Agenda 2022-2025](#) adopted in May 2022 explicitly states that also sector-specific guidance should be developed, mentioning among others the impact of AI on freedom of expression.
3. As the current work programmes are approaching finalisation, the Council of Europe is preparing its programmatic focuses for the quadrennium 2024-27 which will be informed by the conclusions of the [Fourth Summit of Heads of State and Government of the Council of Europe](#) held on 16-17 May 2023 in Reykjavík. In the area of freedom of expression, the Organisation is expected to continue its work on phenomena such as hate speech and disinformation, online violence against journalists and defamation, while also tackling emerging issues such as the implications of immersive technologies for freedom of expression, media plurality and the role of regulatory authorities in the digital, platform-based environment, or platforms' impact on self-determination and freedom of thought.

4. The agenda (Appendix I) was adopted with one amendment reflected in the text. According to the list of participants (Appendix II), of 28 members and participants, there were 18 women (64%) and 10 men (36%). The meeting was attended by twelve members (eleven in person and one online), while one member excused himself and provided input in writing.

Elections

5. With only one candidate proposed for each of the functions, the MSI-RES unanimously re-elected Ramón Salaverría Aliaga (Spain) as its Chair and Mr Manuel Puppis (Switzerland) as its Vice-Chair for another term of one year. The elections were conducted by a show of hands since no member requested a secret ballot.

Conclusions and decisions

6. The MSI-RES reviewed the revised drafts of its two deliverables, the Draft guidelines on the responsible implementation of artificial intelligence (AI) in journalism (MSI-RES(2022)07) and the Good practices for sustainable media financing (MSI-RES(2022)08). The structure and objectives of the documents having been confirmed at the second meeting of the Expert Committee, the discussion first focused on the logic of individual sections of the respective texts and the links between them, their clarity and coherence and the identification of possible missing elements. The MSI-RES members largely confirmed the logic and elements on which the two deliverables are built.
7. The members and participants then discussed individual guidelines and/or conclusions, reaching agreement on several substantive points and framing the messages to be conveyed, as described in more detail below. The MSI-RES also worked on refining the language, tone and readability of the respective documents. The Expert Committee welcomed the changes and adjustments made by the rapporteurs since the previous meeting and provided a number of concrete comments to already well-developed and advanced texts, as specified below. Further input in writing was requested on individual open questions to facilitate the finalisation of the texts.
8. It was decided that both deliverables would be revised by the rapporteurs in line with the meeting conclusions and written input of the members, to be submitted to the Steering Committee on media and information society (CDMSI) plenary meeting on 14-16 June, for discussion and further orientations. The MSI-RES members and participants would thereupon have the opportunity to provide further concrete suggestions in writing, before the final revision of the texts to be completed by mid-September 2023. The Secretariat would in the meantime regularly alert the Expert Committee to specific questions on which input would be requested by the rapporteurs.
9. The MSI-RES decided that the draft documents should be further revised, also in light of the outstanding comments by the CDMSI, before they could be published on the public website to allow the wider public to consult them and provide any possible comments, with the timeline to be decided once all MSI-RES and CDMSI comments and suggestions would be collected. As the drafts have already been shared with a number of media practitioners and members' own networks, many suggestions from the relevant stakeholders have already been integrated.

[Draft Guidelines on the responsible implementation of Artificial Intelligence \(AI\) in journalism](#)

10. Rapporteurs Mr Richard Fletcher and Ms Natali Helberger presented the changes made to the Draft guidelines which are to offer guidance around the following questions: what factors should influence the decision to use AI tools in newsrooms; how to determine which editorial processes are suitable for automation; what factors should be considered in deciding whether to develop own AI tools or procure ready-made AI software; how to incorporate AI tools into editorial processes; how to reinterpret journalistic values in light of AI applications and how to embed them in the implementation of AI systems; what editorial responsibilities are attached to the implementation of AI systems in newsrooms; how to ensure that AI developers are acquainted with the special characteristics of journalistic production/distribution; how platforms can support the media digitalisation process; what training to provide to media professionals on the use of AI tools; how to ensure proper oversight and control over the use of AI in journalism; what appeal mechanisms should be available to the audiences, and how States, regulators and self-regulatory bodies can contribute to a responsible use of AI in journalism.
11. The Draft guidelines are being developed in parallel with the Council of Europe's Framework Convention on Artificial Intelligence, which is explicitly acknowledged in the Guidelines, underlining that additional sectoral guidance on the implementation of AI can be useful for relevant stakeholders. The Draft guidelines are to include, where appropriate, references to the Framework Convention, however those will be added in the final stage of the drafting process, once the text of the Convention is more settled. In addition, adjustments will be made at that time to the terminology, definitions, and any other relevant elements of the Draft guidelines which may overlap with the Convention.
12. The MSI-RES members and participants provided constructive comments to the revised text, confirming the four target groups of the Draft guidelines, media organisations, AI developers, platforms and States. Regarding the description of journalistic tasks which can benefit from the use of AI systems, it was suggested to categorise them with reference to the journalistic production chain (news gathering, production, distribution), and it was also suggested to retain only one description of how AI technologies are implemented in journalism. In terms of scope, there may be a variety of technologies used for different journalistic tasks, so rather than to focus on the design and construction of AI tools, the Draft guidelines focus more on the specific challenges related to the implementation of such systems in newsrooms (e.g. risk analysis of AI implementation, the importance of human oversight and, more generally, governance issues, or indeed the skills and knowledge required for the implementation of AI tools). This will be further clarified in the next revision of the text.
13. The MSI-RES discussed how to best articulate that a decision to employ AI tools should not be purely commercial or technical but should be based on a reflection of how technology can best contribute to the effective execution of journalistic tasks and to the wider democratic role of the media. Furthermore, the Expert Committee agreed that a decision to automate certain journalistic tasks, or those related to them, constitutes an editorial decision which should be subject to editorial responsibility. The MSI-RES suggested that such a decision should be based on legal and technical considerations of what is feasible to automate. Regarding legal frameworks, it was suggested to specify that they include international human rights standards.
14. Regarding AI systems that need to be trained on data, the members discussed whether the guidance provided should be reconsidered in light of generative AI. It was also argued that a particular duty of care is needed if models are trained on data and that responsible data extraction practices need to be put in place. The MSI-RES members and participants further discussed the factors to guide the decision on what kind of AI tools to acquire, suggesting that legal questions might be added to the list as well as factors pertaining to the infrastructure required to enable the use of AI tools, data storage and processing.

There should be transparency around the use of journalistic AI systems, so it was agreed to call on the media organisations to disclose which of their editorial processes are AI-supported and to be transparent about their staff training. In the same vein, the members and participants agreed to strengthen guidance on the responsible use of AI in self-regulatory codes and industry guidelines, possibly also by introducing an industry standard to encourage compliance (similar to the reliability labels or ratings). Also, they decided to reinforce the guidance on risk analysis in relation to whether or not to implement AI tools for particular tasks, together with the appropriate level of human oversight.

15. In terms of long-term investments in journalistic AI, it was confirmed that public service media (PSM) are well positioned to be at the forefront of innovation, and in some countries are doing so. The MSI-RES agreed that PSM mission extends to algorithms and development of public interest-oriented AI, which may in some cases require expanding their remit.
16. The Expert Committee further discussed the continued importance of traditional journalistic values which however need to be reconsidered in light of the implementation of journalistic AI, and what new standards or priorities are emerging and should operationalise the traditional values (data quality and fairness, security, transparency towards the audience, etc.). It was furthermore suggested to reconsider the audience-centred ethical values that should be pursued by the news media in the implementation of AI tools, and also whether values relevant for automated journalistic production differ from those involved in the traditional production.
17. As regards the responsibilities of external technology developers, the MSI-RES considered whether some of the journalistic obligations related to the processes of applying AI solutions may also be relevant for the technology providers. Furthermore, regarding platforms' responsibilities related to the automated distribution of journalistic content, it was decided to refer, where relevant, to the existing instruments on which this section is built, such as recommendations [CM/Rec\(2022\)11](#) on principles for media and communication governance and [CM/Rec\(2022\)4](#) on promoting a favourable environment for quality journalism in the digital age, rather than to restate already established positions, whilst maintaining a specific focus on the implementation of AI systems. In addition, one of the annexes to the Draft guidelines, which are in the process of development, will provide a table with issues relevant to AI addressed in the existing documents.
18. Lastly, the members and participants confirmed the approach as regards States' responsibilities in the area of automated journalistic production, including the need for support such as the creation of funding schemes, as part of States' obligation to guarantee media pluralism. States can also make decisive contributions when it comes to enacting frameworks for access to training data, open data approaches, etc. It was decided to check throughout the text and ensure that the guidelines in other sections are properly translated into States' responsibilities. The members and participants also discussed the possible roles of regulators and self-regulatory bodies and concluded to include guidance on their contribution to developing standards for what is entailed in responsible use and development of journalistic AI.

[Draft Good practices for sustainable news media financing](#)

19. Rapporteurs Ms Elda Brogi and Ms Helle Sjøvaag presented the revised draft of Good practices for sustainable media financing, pointing to the changes made following the discussion at the second meeting of the Expert Committee. The members welcomed the changes and certain sections of the report were deemed of particular value to understanding the issue of media financing, such as the description of the economic characteristics of journalism and its business model.

20. The rapporteurs revised the introduction and consolidated the findings made so far into an executive summary, to be completed with the findings regarding member states' regulatory policies and practices for supporting news media. Regarding the selection of the policy reports and the academic literature outlined in the report, some members suggested further academic sources which might complement the chosen reports; however, it was also agreed that only the most relevant academic reports should be included. As explained by the rapporteurs, the selection had been made based on individual reports' focus on media funding, and thus their particular relevance to this report. It was further agreed to summarise the findings of the academic literature according to the issues raised rather than the findings of individual reports, to identify the common points across all of the reports mentioned. In addition, the findings of individual sections have been summarised in text boxes throughout the report to draw attention to the most important information.
21. The core section of the report, which analyses different business models and provides examples of good practices for sustainable financing, has been further developed since the second meeting of the Committee, with several more examples added under different models. The members agreed that it might be useful to classify individual models into a logical order, e.g., from the most to the least prevalent/important. It was further suggested to distinguish between the traditional models of funding and those that appear as an alternative, as well as to synthesise the characteristics of individual models to extract their respective advantages and disadvantages and evaluate whether they constitute good practices. For example, it was mentioned by some members that, in the long term, the media might be more sustainable and enjoy public trust if they were less reliant on the collection of vast amounts of data involved in programmatic advertising. Another example is crowdfunding which, although a good tool for people to support the media or to engage in specific projects, is not considered to provide long-term prospects for sustainable financing.
22. Regarding the donation model, the advantages and disadvantages of media development aid were discussed. While such aid can help sustain a particular country's media, it is politically sensitive as it can create pressure and dependencies and act as a propaganda channel. In addition, cooperation between different media companies was added to the list as an alternative business model, as it has been on the rise and described as a good practice in several recent policy and academic reports. Creating collaborative, also cross-border networks can prove a suitable solution for establishing the proper conditions for the news media to operate with comparable means to those of the big platforms. Several examples of collaborative networks were mentioned for possible inclusion in the report.
23. Analysis of direct and indirect government support is ongoing, and more examples will be added in the final revision. However, the MSI-RES members and participants argued that there is a need to clarify what constitutes good practice in this model and provide some examples that meet the established criteria. Lastly, the MSI-RES affirmed that redistribution of copyright revenues, a policy approach adopted by the EU and some other countries to improve the bargaining power of news media over digital platforms, cannot as yet be considered financially sustainable; agreements between the media and platforms are difficult to negotiate, and as a result only major media organisations tend to profit from them.
24. A significant part of the MSI-RES discussion focused on the recommendations provided in the report for both member states and news organisations on policies and practices that can contribute to sustainability. The members identified several general recommendations which, although considered useful, could not be drawn directly from the findings of the report. Therefore, it was suggested to divide the recommendations into two categories, a general one laying down structural conditions for a sustainable media financing and a

group of recommendations that follow from the findings of this report. It was furthermore suggested to add that state support should focus on interventions that boost public interest journalism, facilitate innovative practices, counter disinformation, etc.

Any other business

25. The MSI-RES agreed to hold its next meeting in Strasbourg on 5-6 October 2023. 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-RES, allowing for comments within five full working days. In the absence of comments, the report will be deemed adopted and will be transmitted to the CDMSI for information.

Appendix I

Agenda

MSI-RES(2023)10
22 March 2023

3rd Meeting of the Committee of Experts on Increasing Resilience of Media

Draft Agenda
30-31 March 2023

Hybrid meeting
(Strasbourg, Palais de l'Europe, Room 6 / online via the KUDO platform)

Day 1 – 30 March

09:00-09:30 – *KUDO tests*

09:30 – 11:00

1. Opening of the meeting

Patrick Penninckx, Head of information Society Department

2. Adoption of the agenda and order of business
3. Information by the Secretariat

Information on relevant developments in the standard-setting and other work of the Council of Europe bodies and structures

4. Elections

Election of Chair and Vice-Chair

11:00 – 11:30 - coffee break

11:30 – 13:00

5. Discussion of the Draft Guidelines on the responsible implementation of artificial intelligence (AI) in journalism

13:00 – 14:30 - lunch break

14:30 – 16:00

5. Discussion of the Draft guidelines – continued

16:00 – 16:30 - coffee break

16:30 – 18:00

5. Discussion of the Draft guidelines – continued
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Day 2 – 31 March

09:00-09:30 – KUDO tests

09:30 – 11:00

6. Discussion of the Good practices for sustainable media financing

11:00 – 11:30 - coffee break

11:30 – 13:30

6. Discussion of the Good practices - continued

13:00 - 14:30 - lunch break

14:30 – 17:00

6. Discussion of the Good practices - continued
7. Any other business
8. Date and place of the next meeting (item moved to the first day)

Appendix II

List of participants / liste de participants

31 March 2023

Committee of Experts on Increasing Resilience of the Media (MSI-RES)

Comité d'experts sur le renforcement de la résilience des médias (MSI-RES)

3rd meeting, 30–31 March 2023
Hybrid meeting, Council of Europe, Strasbourg

3^e réunion, 30–31 mars 2023
Réunion hybride, Conseil de l'Europe, Strasbourg

List of participants / liste de participants

COMMITTEE MEMBERS / MEMBRES DU COMITÉ

Ms / Mme Ludmila ANDRONIC

Lecturer / Conférencière

Department of Journalism and Communication Sciences / Département de journalisme et des sciences de la communication

Moldova State University / Université d'État de Moldavie

Republic of Moldova / République de Moldavie

Ms / Mme Eida BROGI

Scientific Coordinator at the Centre for Media Pluralism Media Freedom / Coordinatrice scientifique au Centre pour le pluralisme des médias et la liberté des médias

Professor (part-time) at the European University Institute / Professeur (à temps partiel) à l'Institut universitaire européen

Florence

Italy / Italie

Ms / Mme Roxana CLINCIU

Deputy director / Directrice adjointe

Public Diplomacy and Strategic Communication Directorate / Direction de la diplomatie publique et de la communication stratégique

Ministry of Foreign Affairs / Ministère des affaires étrangères

Romania / Roumanie

Ms / Mme Solvita DENISA–LIEPNIECE

Principal media literacy advisor (disinformation resilience), Baltic Centre for media excellence / Conseillère principale en éducation aux médias (résilience à la désinformation), Centre balte pour l'excellence des médias

Latvia / Lettonie

Ms / Mme Maria DONDE

Head of International Content Policy / Chef de la politique de contenu international

Office of Communication (OFCOM) / Bureau de la Communication (OFCOM)

United Kingdom / Royaume-Uni

Ms / Mme Céline FLAMMANG

Senior policy advisor / Conseillère

Department of Media, Connectivity and Digital Policy / *Service des médias, de la connectivité et de la politique numérique*
Ministry of State / *Ministère d'État*
Luxembourg

Mr / M. Richard FLETCHER
Senior Research Fellow / *Chercheur principal*
Reuters Institute of the Study of Journalism / *Institut Reuters d'étude du journalisme*
United Kingdom / *Royaume-Uni*

Ms / Mme Natali HELBERGER
Professor in information law / *Professeur de droit de l'information*
Institute for Information Law / *Institut du droit de l'information*
University of Amsterdam / *Université d'Amsterdam*
Netherlands / *Pays-Bas*

Mr / M. Marko MILOSAVLJEVIĆ
Professor, Head of Communication Department / *Professeur, Chef du département de la communication*
Faculty of Social Sciences / *Faculté des sciences sociales*
University of Ljubljana / *Université de Ljubljana*
Slovenia / *Slovénie*

Mr / M. Manuel PUPPIS (Vice-Chair)
Professor in Media Systems and Media Structures / *Professeur en systèmes et structures médiatiques*
University of Fribourg / *Université de Fribourg*
Switzerland / *Suisse*

Mr / M. Ramón SALAVERRÍA ALIAGA (Chair)
Professor of Journalism / *Professeur de journalisme*
Center for Internet Studies & Digital Life / *Centre d'études de l'Internet et de la vie numérique*
University of Navarra / *Université de Navarre*
Spain / *Espagne*

Ms / Mme Helle SJØVAAG
Professor of Journalism / *Professeur de journalisme*
University of Stavanger / *Université de Stavanger*
Norway / *Norvège*

Mr / M. R. L. VREEKAMP (excused/excusé)
Founder of Future Journalism Today Academy / *Fondateur de l'Académie Future Journalism Today*
Netherlands / *Pays-Bas*

PARTICIPANTS AND OBSERVERS / PARTICIPANTS ET OBSERVATEURS

COUNCIL OF EUROPE MEMBER STATES /

TÜRKIYE / TURQUIE	Mr / M. Yusuf DEMİRTAŞ Vice Head of International Relations Department/Expert / Vice-Chef du département des relations internationales
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	<p>Radio and Television Supreme Council (RTÜK) / Conseil suprême de la radio et de la télévision (RTUK)</p> <p>Mr / M. Atakan ERDEM Expert / Expert Radio and Television Supreme Council (RTÜK) / Conseil suprême de la radio et de la télévision (RTUK) International Relations Department / Département des relations internationales</p>
GREECE / GRECE	<p>Ms / Mme Nicole STELLOS Media Policy expert, Presidency of Government/ <i>Expert en politique des médias, Présidence du gouvernement</i></p>

NON-MEMBER STATES / ÉTATS NON-MEMBRES

MOROCCO / MAROC	<p>Mr / M. Othmane ALAMI LAKTIB Executive, Legal Studies Department, High Authority for Audio-visual Communication (HACA) <i>Cadre, Département des études juridiques, Haute Autorité de la Communication Audiovisuelle (HACA)</i></p> <p>Ms / Mme Chanaz EL AKRICHI Head of Division of Cooperation, <i>Ministry of Culture, Youth and Sports- Department of Communication</i> <i>Cheffe de Division de la Coopération, Ministère de la Culture, de la Jeunesse et des Sports- Département de la Communication</i></p> <p>Ms / Mme Meriem KHATOURI Director of Studies and Media Development, <i>Ministry of Culture, Youth and Sports- Department of Communication</i> <i>Directrice des Etudes et du Développement des Médias, Ministère de la Culture, de la Jeunesse et des Sports</i></p>
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COUNCIL OF EUROPE DEPARTMENTS AND BODIES / DÉPARTEMENTS ET ORGANES DU CONSEIL DE L'EUROPE

EUROPEAN AUDIOVISUAL OBSERVATORY/ OBSERVATOIRE EUROPEEN DE L'AUDIOVISUEL	<p>Ms / Mme Maja CAPPELLO Head of the Department for Legal Information/ <i>Chef du département de l'information juridique</i></p> <p>Ms / Mme Justine RADEL Junior Analyst/ <i>Analyste junior</i></p> <p>Ms / Mme Amélie LACOURT Junior Analyst/ <i>Analyste junior</i></p>
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Conference of INGOs/ <i>Conférence des OING</i>	Mr / M. Gilbert FLAM
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OTHER INSTITUTIONS / AUTRES INSTITUTIONS

ARTICLE 19	Ms / Mme Maria Luisa STASI Head of Law & Policy for digital markets / <i>Responsable du droit et de la politique des marchés numériques</i>
EUROPEAN COMMISSION / <i>COMMISSION EUROPEENNE</i> <i>DG CNECT Unit I3</i>	Mr / M. Marijn DUIJVESTEN Policy Officer for news media financing/ <i>Chargée de mission pour le financement des médias d'information</i>
EUROPEAN BROADCASTING UNION	Ms / Mme Nicola FRANK Head of Institutional and International Relations Director General's office / <i>Chef des relations institutionnelles et internationales</i> <i>Bureau du directeur général</i> Ms / Mme Sophia WISTEHOBE Legal Counsel / <i>Conseiller juridique</i>
Reporters without Borders (RSF)	Mr / M. Bertrand MOSSIAT Outreach & Development Manager/ <i>Chargé de la promotion et du développement</i>
Organization for Security and Co-operation in Europe/ <i>Organisation pour la sécurité et la coopération en Europe</i>	Ms / Mme Julia HAAS SAIFE Project Officer & Gender Focal Point, Office of the Representative on Freedom of the Media/ <i>SAIFE Chargée de projet et point focal pour l'égalité des sexes, Bureau du représentant pour la liberté des médias</i>

SECRETARIAT / SECRETARIAT

Information Society Department, Directorate General Human Rights and Rule of Law / <i>Service de la société de l'information, Direction générale Droits de l'Homme et Etat de droit</i>	Mr / M. Patrick PENNINGX Head of Department / <i>Chef de Service</i>
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Information Society Department / Service de la société de l'information	Ms / Mme Artemiza-Tatiana CHISCA Head of Media and Internet Division, Secretary to the Steering Committee on Media and Information Society (CDMSI) / <i>Chef de la Division médias et internet, Secrétaire du Comité directeur sur les médias et la société d'information (CDMSI)</i>
Information Society Department / Service de la société de l'information	Ms / Mme Urška UMEK Secretary of MSI-RES committee, Head of Media Unit, Media and Internet Division / <i>Secrétaire du Comité MSI-RES, Chef de l'unité médias, Division médias et internet</i>
Information Society Department / Service de la société de l'information	Ms / Mme Giulia LUCCHESI Secretary to the Committee of Experts on Strategic Lawsuits against Public Participation (MSI-SLP) / <i>Secrétaire du Comité d'experts sur les poursuites stratégiques contre la participation publique (MSI-SLP)</i>
Information Society Department / Service de la société de l'information	Ms/Mme Katarzyna SZWED Secretary to the Committee of Experts on the Integrity of Online Information (MSI-INF) / <i>Secrétaire du Comité d'experts sur l'intégrité de l'information en ligne (MSI-INF)</i>
Information Society Department / Service de la société de l'information	Ms / Mme Irina TOMOVA Assistant / Assistante
Information Society Department / Service de la société de l'information	Ms / Mme Magdalena PENEVA Assistant / Assistante

INTERPRETERS / INTERPRETES

Mr / M. Nicolas GUITTONNEAU

Ms / Mme Barbara GRUT

Mr./ M. Jean-Jacques PEDUSSAUD

TECHNICIAN KUDO / TECHNICIEN KUDO

Mr / M. Hugo ROHM