

28 April 2023

CDMSI-BU(2023)002

**Bureau of the Steering Committee
on Media and Information**

Draft Report

24th meeting (13 April 2023)

Hybrid meeting - in person and via Kudo

1. Opening of the meeting

Mr Patrick Penninckx, Head of the Information Society Department, opened the meeting. In his opening remarks Mr Penninckx underlined the importance of the standard setting work of the Council of Europe as well as expounded upon the planned campaign for the safety of journalists. He further referred to the Council of Europe actions related to the protection of freedom of expression, access to information and journalism in times of war, including through workshops involving Belarussian and Russian journalists in exile. Subsequently a brief discussion ensued.

2. Adoption of the agenda and order of business

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

3. Follow-up to the CDMSI's previous work

The Bureau was informed of the latest updates and advancements regarding the outcomes of the questionnaires circulated to CDMSI members on the measures taken to implement [Recommendation CM/Rec\(2016\)4 of the Committee of Ministers to member States on the protection of journalism and safety of journalists and other media actors](#) and measures taken to implement [Recommendation CM/Rec\(2018\)2 of the Committee of Ministers to member States on the roles and responsibilities of internet intermediaries](#). From both questionnaires, the responses received from Member States will serve as valuable data for presenting substantiated information during the forthcoming plenary meeting.

The former was submitted with a view to collect data and best practices regarding the implementation of selected pillars of CM/Rec(2016)4, i.e. "prevention" and "promotion of information, education and awareness raising". The purpose is to extend existing Implementation Guide *How to protect journalists and other media actors?*. The Bureau was informed that a preliminary draft of the extended Guide was submitted to the Secretariat and that a consolidated draft will be shared with CDMSI members ahead of their June Plenary meeting.

4. Work progress related to the [European Convention on Transfrontier Television \(ECTT\)](#)

The secretariat informed the Bureau of the State of play regarding the [European Convention on Transfrontier Television \(ECTT\)](#) and its potential future revision, summarising the main findings from the questionnaire circulated amongst the national regulatory authorities and facilitated by the European Platform of Regulatory Authorities (EPRA). It would appear that, while individual issues have arisen in cross-border context between the EU and non-EU jurisdictions, they have largely been resolved through formal or informal cooperation of the national regulators. Some concerns raised by the regulators relate to retransmission of programmes involving state propaganda and disinformation and originating from countries that are not parties to the ECTT. This is an issue that merits the attention of the Steering Committee but can be addressed outside the scope of the ECTT.

Considering a variety of responses received from member states (2022) and national regulatory authorities (2023), the Bureau noted that there is, as yet, insufficient support for any particular course of action to be taken at this stage regarding the ECTT. Following a rich discussion, the Bureau members agreed that the challenges relating to the ECTT remain vital and the CDMSI should continue to follow the developments in the area of cross-border provision of media services; however, the question of specific steps to be taken regarding the ECTT would be revisited in the future. The Bureau entrusted the secretariat with drafting of a document summarising the recent developments and the main takeaways of the discussion held by the reflection group and the regulators' responses, indicating subsequent steps to be taken by the CDMSI for keeping the topic on the agenda.

5. Future work of the CDMSI/future terms of reference

The Bureau took note of the proposals for main deliverables (2024-2027) and expressed itself favourably on the main topics to be addressed, debating on the exact wording and prioritisation of individual tasks. It was suggested to give a higher priority to the planned Guidance note on the human rights impacts of augmented and virtual reality applications as well as to the topics related to the impacts of generative AI. However, it was agreed that more time was needed to address this aspect in detail. The Bureau discussed the possibility of closer cooperation with the external partners, such as the members of the Digital Partnership. The members of the Bureau also expressed concern about limiting the planned number of Expert Committees to two instead of three.

6. Council of Europe Campaign for the protection of journalists' safety

The Secretariat informed the Bureau members on the current state of play regarding the launch of the Council of Europe campaign on the protection of journalist's safety for the period 2022-2027, scheduled for the 5th of October, in Riga, in the framework of the high-level conference jointly organized with Latvia under the Latvian Presidency of the Committee of Ministers.

The Bureau took note of the extent of external and internal cooperation necessary to set ground for the campaign, the scope of international involvement required for it to be successful, and the level of national commitment expected from the Member States. The members of the Bureau were assured that the secretariat will provide guidelines for the designation of national focal points and national committees (including the deadlines for their nomination), as well as for the potential national action plans regarding the safety of journalists.

7. Ongoing standard setting work - CDMSI expert committees' work progress

The secretariat informed the Bureau on the meetings of the three expert committees and their respective deliverables, all on the agenda of the June plenary. It was agreed that the aim of the June discussion is for CDMSI members to examine and discuss the advanced drafts and, as appropriate, make comments and suggestions for the final work on the drafts.

The 3rd meeting of the [Committee of Experts on Increasing Media Resilience \(MSI-RES\)](#), was held on 30-31 March, and experts discussed the advancement of *Draft guidelines on the implementation of artificial intelligence (AI) in journalism* and the collection of *Good practices for sustainable media financing*. Following the comments and suggestions made at the MSI-RES meeting, both documents are undergoing revision and will be submitted to the CDMSI plenary in the revised form. The Secretariat additionally provided insight on the dynamics between the Draft guidelines and the ongoing work on the future Convention on Artificial Intelligence, Human Rights, Democracy and the Rule of Law.

The [Committee of experts on the Integrity of Online Information \(MSI-INF\)](#) held its third meeting on 27-28 March, and experts discussed the advancement of the *Draft guidance note on countering the spread of online mis- and disinformation through fact-checking and platform design solutions in a human rights compliant manner* as well as agreed on the proposed outline of the Explanatory Memorandum expected to accompany the Guidance Note.

As the Bureau meeting preceded the meeting of the [Committee of Experts on Strategic Lawsuits against Public Participation \(MSI-SLP\)](#) held on 18-19 April, the secretariat informed the Bureau about the current state of play regarding the *Draft recommendation on strategic lawsuits against public participation (SLAPPs)* and advancements predicted to occur during the said meeting. The secretariat informed that it was organised as a full presential meeting, and that a large number of members, observers and participants confirmed their attendance. Regarding the Explanatory Memorandum, which the members decided to produce to accompany the draft Recommendation, a preliminary draft will be elaborated before the CDMSI Plenary, while a consolidated draft will be presented in September. At its June session, the CDMSI was expected to examine the draft recommendation and possibly agree on the subsequent open consultation phase, to take place during the summer.

The final versions of the drafts will be discussed by the three expert committees during their 4th – last - meetings in autumn 2023, also taking account of the feedback received from the CDMSI and, for the draft recommendation, through the open consultation.

8. Digital Governance

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

- Mr Thomas Schneider (Switzerland), Chair of the [CAI - Committee on Artificial Intelligence](#) provided information on the latest developments in the work of the CAI, in charge of developing a legally binding instrument critical to ensuring that human rights, democracy and the rule of law are appropriately safeguarded in the context of the development and use of AI systems. At its 4th Plenary meeting on 1-3 February, the CAI decided to make the revised ["Zero Draft" \[Framework\] Convention on Artificial Intelligence, Human Rights, Democracy and the Rule of Law](#) public. The 5th plenary meeting will take place on 19 - 21 April.
- The Secretariat provided information on the latest developments regarding the expansion of the Digital Partnership which enables companies to participate in an array of intergovernmental activities and related work of the Council of Europe,

including when shaping internet/digital policy. The Bureau was informed about current ongoing communications with additional interested partners as well as about the interest Council of Europe has in the Metaverse, its impact on human rights, democracy and the rule of law, potential benefits and legal challenges inherently tied to it.

Furthermore the ongoing cooperation with Institute of Electrical and Electronics Engineers ([IEEE](#)), one of the partners under the Digital Partnership, was discussed, focusing on the development of a joint report on the benefits and challenges of Virtual Reality (VR), drafted in a human rights centric way.

The Bureau was further informed of the Council of Europe participation in forthcoming events related to digital governance, in particular the 2023 meetings of RightsCon (Costa Rica, 5-8 June), EuroDIG (Tampere, 19-21 June) and IGF 2023 - Internet Governance Forum (Kyoto, 8 - 12 October).

9. Information on latest developments in the Council of Europe's work and other partner institutions of relevance for the CDMSI

The Bureau welcomed the information about the ongoing fruitful exchanges and cooperation with other Council of Europe bodies and their secretariat, including the Secretariat of the Human Rights Commissioner, that of the European Audiovisual Observatory and of the Parliamentary Assembly of the Council of Europe. It confirmed that Ms Teresa Ribeiro, OSCE Representative on Freedom of the Media and Mr Stefan Schennach, First Vice-Chairperson of the PACE Committee on Culture, Science, Education and Media will be invited in the CDMSI plenary meeting in June 2023.

10. Other business

The date and place of the 25th Bureau meeting will be determined at a further stage.

Appendix 1

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

24th meeting
Thursday 13 April 2023
(9h30 – 12h30; 14h00 – 17h00)

Hybrid Meeting

CDMSI-BU(2023)001



23 March 2023

Draft Agenda

13 April 2023

Morning Session 9:30 - 12:30

3. Opening of the meeting. Information on recent developments

Mr Patrick Penninckx, Head of the Information Society Department

- The [Fourth Council of Europe summit](#)
- Freedom of expression in time of conflict and aggression

4. Adoption of the agenda and order of business

Draft agenda

5. Follow-up to the CDMSI's previous work.

Information provided by the Secretariat and discussion

- Update on the outcomes of the questionnaires circulated to CDMSI members on
 - measures taken to implement [Recommendation CM/Rec\(2016\)4 of the Committee of Ministers to member States on the protection of journalism and safety of journalists and other media actors](#)
 - measures taken to implement [Recommendation CM/Rec\(2018\)2 of the Committee of Ministers to member States on the roles and responsibilities of internet intermediaries](#)

6. Work progress related to the [European Convention on Transfrontier Television \(ECTT\)](#)

Information provided by the Secretariat

Discussion on subsequent steps

10:45 – 11:00 Coffee break

7. Ongoing standard setting work - CDMSI expert committees' work progress

5.1 [Committee of Experts on Increasing Media Resilience \(MSI-RES\)](#)

Information provided by the Secretariat. Discussion.

- *Draft guidelines on the use of digital tools including artificial intelligence (AI) for journalism*
- *Collection of good practices for sustainable media financing*

5.2 [Committee of experts on the Integrity of Online Information \(MSI-INF\)](#)

Information provided by the Secretariat. Discussion.

- *Draft guidance note on countering the spread of online mis- and disinformation through fact-checking and platform design solutions in a human rights compliant manner*

5.3 [Committee of Experts on Strategic Lawsuits against Public Participation \(MSI-SLP\)](#)

Information provided by the Secretariat. Discussion.

- *Draft recommendation on strategic lawsuits against public participation (SLAPPs)*

Afternoon session 14:00 – 17:00

8. Future work of the CDMSI/future terms of reference.

9. Council of Europe Campaign for the protection of journalists' safety

Information provided by the Secretariat. Discussion.

Presentation of the Conclusions of the [Annual report](#) of the Council of Europe [Platform for the protection of journalism and the safety of journalists](#)

10. Digital Governance

Information provided by the Secretariat

- 8.1 Council of Europe Committee on Artificial Intelligence (CAI) - Information on latest developments in the work of the CAI – by Thomas Schneider, Chair of the CAI, and the secretariat [CAI - Committee on Artificial Intelligence](#)
- 8.2 Steps taken in the framework of the [Digital Partnership](#)
[IEEE](#) report on Metaverse
- 8.3 Council of Europe participation in forthcoming events related to digital governance

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

9.1 Relevant Council of Europe work

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

- Exchange of views with the Secretariat of the European Audiovisual Observatory (TBC) [European Audiovisual Observatory](#)
- Exchange of views with a representative of the (secretariat of the) PACE (tbc) [Parliamentary Assembly of the Council of Europe](#)

9.2 Relevant work of external partners

- Invitation for Ms [Teresa Ribeiro, OSCE Representative on Freedom of the Media](#) to the CDMSI plenary meeting in June 2023.

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

13. Participation in events of relevance for the CDMSI

Information provided by the Bureau members

Information provided by the Secretariat

14. Other business

- Date and place of the next meeting

Appendix 2

List of participants

24th CDMSI Bureau meeting

13 April 2023, hybrid

Members of the Bureau

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

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

Ms Aneta Gonța, Republic of Moldova
Vice-president of the Audiovisual Council of the Republic of Moldova

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

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

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

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

Secretariat

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

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

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

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

Ms Katarzyna Schwed, Secretary to the MSI-INF Committee, Media and Internet Division, Directorate General Human Rights and Rule of Law

Ms Rodica Ciochina, Project Manager, Media and Internet Division, Directorate General Human Rights and Rule of Law

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