Extract from the document CM(2021)131-addfinal

STEERING COMMITTEE ON MEDIA AND INFORMATION SOCIETY (CDMSI)

Set up by the Committee of Ministers under Article 17 of the Statute of the Council of Europe and in accordance with Resolution CM/Res(2021)3 on intergovernmental committees and subordinate bodies, their terms of reference and working methods.

Type of committee: **Steering committee**

Terms of reference valid from: **1 January 2022 until 31 December 2025**[18]

PILLAR/PROGRAMME/SUB-PROGRAMME ▼

Pillar: Human Rights
Programme: Effective ECHR implementation
Sub-programme: Freedom of expression and information, media and data protection

MAIN TASKS ▼

Under the authority of the Committee of Ministers, the CDMSI will steer the Council of Europe's work in the fields of freedom of expression, media, digital governance and other information society-related issues and oversees the work on personal data protection. The CDMSI advises the Committee of Ministers and takes part in standard-setting activities on all questions within its area of expertise, including freedom, independence, pluralism and diversity of media; safety of journalists; support for professional journalism, protection and promotion of human rights, in particular freedom of expression as protected by Article 10 of the European Convention on Human Rights, both online and offline. The CDMSI facilitates and promotes co-operation among Council of Europe member States by developing common policies, reviewing their implementation and fulfilling any other activity which might be assigned to it by the Committee of Ministers.

In particular, the CDMSI is instructed to:

(i) ensure the follow-up of the relevant decisions taken at the 131st Session of the Committee of Ministers (Hamburg, 21 May 2021),[19] and in particular contribute to the implementation of the key strategic priorities relating to its specific field of expertise as identified in the Strategic Framework of the Council of Europe, and respond to the respective key findings and challenges set out in the Secretary General's 2021 Report on the state of democracy, human rights and rule of law "A democratic renewal for Europe";

(ii) evaluate, plan and carry out standard-setting activities in areas within its expertise, including review and consolidation of existing instruments, in the light of the digital transformations*;*

(iii) promote and facilitate awareness raising on Council of Europe standards and their implementation by member States in its fields of competence;

(iv) identify emerging issues and challenges to member States in areas within its expertise, conduct studies and legal analyses on freedom of expression and media-related issues, with a special focus on the challenges arising for freedom of expression from digital transformations and undue influence on democratic processes, and make proposals to the Committee of Ministers;

(v) ensure follow-up to the conclusions and recommendations of the Council of Europe Conference of Ministers responsible for Media and Information Society (10-11 June 2021), including the final declaration, and Committee of Ministers' decisions taken subsequent to the Ministerial Conference;

(vi) oversee the Implementation Strategy of Recommendation CM/Rec(2016)4 on the safety of journalists and other media actors: further develop, promote and disseminate an Implementation Guide as a tool to boost the implementation of the recommendation; provide guidance for the drafting of national action plans on the safety of journalists and other media actors, create tools for sharing best practices and training in the field; initiate and co-ordinate a comprehensive campaign to promote the protection of journalism and the safety of journalists and support corresponding campaigns at national level;

(vii) support the implementation of the documents adopted by the Council of Europe in the sphere of the freedom of expression and digital technologies, in the light of the most recent developments in the field;

(viii) co-ordinate standard-setting work in respect of the protection of personal data and the right to private life, in close association with other relevant Council of Europe bodies such as the T-PD and the CDCJ;

(ix) follow and, as appropriate, contribute to the substantive aspects of co-operation programmes with Council of Europe member States and support activities within national initiatives in the field of the media and information society;

(x) take the European Convention on Human Rights and the evolving jurisprudence of the European Court of Human Rights into consideration in its thematic work;

(xi) follow the implementation of the non-binding instruments that it has prepared as well as conventions for which it has been given supervision by the Committee of Ministers; without prejudice to the mandates of intergovernmental committees of the Council of Europe that already follow the work of monitoring mechanisms, follow the activities of the relevant monitoring and other bodies or convention mechanisms;

(xii) orient and oversee the activities carried out by its subordinate bodies, notably the Committee of Experts on the integrity of online information (MSI-INF), the Committee of Experts on Increasing Resilience of Media (MSI-RES) and the Committee of Experts on Strategic Lawsuits against Public Participation (MSI-SLP) (cf. separate terms of reference);

(xiii) hold an exchange of views annually in order to evaluate its activities and advise the Committee of Ministers and the Secretary General on future priorities in its sector, including possible new activities and those that might be discontinued;

[18] These terms of reference are approved for the first biennial period 2022-2023. For the second biennial period 2024-2025, they are approved on a provisional basis, subject to confirmation upon the adoption of the budget for 2024-2025.
[19] CM/Del/Dec(2021)131/2a, CM/Del/Dec(2021)131/2b, CM/Del/Dec(2021)131/2c and CM/Del/Dec(2021)131/3.

(xiv) take due account of the following mainstreamed perspectives in the performance of its tasks: gender, youth, children's rights, rights of persons with disabilities, and Roma and Traveller[20] issues;

(xv) where relevant, contribute to building cohesive societies and to strengthening the role and meaningful participation of civil society in its work;

(xvi) in accordance with decisions CM/Del/Dec(2013)1168/10.2 of the Committee of Ministers, carry out, at regular intervals, within the limits of the available resources and bearing in mind its priorities, an examination of some or all of the conventions for which it has been given responsibility,[21] in co-operation, where appropriate, with the relevant convention-based bodies, and report back to the Committee of Ministers;

(xvii) contributes to the achievement of, and review progress towards, the UN 2030 Agenda for Sustainable Development, in particular with regards to Goal 5: Gender equality and Goal 16: Peace, Justice and Strong.

MAIN DELIVERABLES ▼

Under the authority of the Committee of Ministers, the CDMSI is instructed to complete the following deliverables, within the following deadlines:

	Deadline ▼
1. Guidance note on countering the spread of online mis- and disinformation through fact-checking and platform design solutions in a human rights compliant manner (cf. terms of reference of MSI-INF)	31/12/2023
2. Guidelines on the use of digital tools including artificial intelligence for journalism/by journalists (impact assessment and guidance) (cf. terms of reference of MSI-RES)	31/12/2023
3. Good practices for sustainable media financing (cf. terms of reference of MSI-RES)	31/12/2023
4. Draft Recommendation on strategic lawsuits against public participation (SLAPPs) (cf. terms of reference of MSI-SLP)	31/12/2023
5. Practical media and information literacy tools to help adult media users understand the digital media environment and navigate their media choices, in engaging formats and user-friendly language	31/12/2023
6. Study on the human rights impacts of digital voice assistants (implications for privacy, security, freedom of expression - engagement with content, interoperability, and liability)	31/12/2023
7. Revised Implementation Guide of the Recommendation CM/Rec(2016)4 on the safety of journalists and other media actors, in particular as regards the dimensions of 'prevention' and 'promotion'; Practical guidance on the elaboration of dedicated national action plans on the safety of journalists	31/12/2023
8. Subject to the adoption of a Recommendation on combating hate speech, review promising practices at national level of the implementation of relevant aspects of the Recommendation within its mandate (in cooperation with CDADI).	31/12/2024
9. Analysis and guidance on integrating effective transparency criteria in the governance models for content moderation	31/12/2025
10. Study on the role of social media and other digital platforms in the public debate / formation of public opinion, its implications for human rights, and strategies for the Council of Europe and its member States to mitigate its adverse effects, in the light of the conclusions and recommendations of the Council of Europe Conference of Ministers responsible for Media and Information Society (10-11 June 2021)	31/12/2025
11. Study on the implications of digitalisation on individuals' self-determination in the online environment: ensuring human rights, freedom of choice and action	31/12/2025
12. Subject to the adoption of a Recommendation on combating hate speech, review report on the implementation of relevant aspects of the of the Recommendation (jointly with CDADI)	31/12/2025
13. Good practices on addressing specific risks, challenges and threats that women journalists and other media actors face on account of their gender, also in the online environment	31/12/2025
14. Campaign to promote the protection of journalism and the safety of journalists and support corresponding campaigns at national level	31/12/2025
15. Guidelines on the defamation in the media, based on the case law of the European Court of Human Rights, to further develop the Guidelines on safeguarding privacy in the media	31/12/2025

[20] The term "Roma and Travellers" is used at the Council of Europe to encompass the wide diversity of the groups covered by the work of the Council of Europe in this field: on the one hand a) Roma, Sinti/Manush, Calé, Kaale, Romanichals, Boyash/Rudari; b) Balkan Egyptians (Egyptians and Ashkali); c) Eastern groups (Dom, Lom and Abdal); and, on the other hand, groups such as Travellers, Yenish, and the populations designated under the administrative term "*Gens du voyage*", as well as persons who identify themselves as Gypsies. The present is an explanatory footnote, not a definition of Roma and/or Travellers.

[21] Cf. relevant decisions of the Committee of Ministers (CM/Del/Dec(2013)1168/10.2) and list of Conventions in document CM(2021)132.

COMPOSITION ▼

MEMBERS:

Governments of member States are invited to designate one or more representatives of the highest possible rank in the fields of freedom of expression, media, safety of journalists digital governance and data protection policies.

The Council of Europe will bear the travel and subsistence expenses of one representative from each member State (two in the case of the State whose representative has been elected Chair).

Each member of the Committee shall have one vote. Where a government designates more than one member, only one of them is entitled to take part in the voting.

In accordance with decisions CM/Del/Dec(2013)1168/10.2 of the Committee of Ministers, in cases where there is no convention-based body including all the Parties, non-member States are invited to take part, with a right to vote, in the committee meetings pertaining to the conventions to which they are Parties.

PARTICIPANTS:

The following may send representatives, without the right to vote and at the charge of their corresponding administrative budgets:

- Parliamentary Assembly of the Council of Europe;
- Congress of Local and Regional Authorities of the Council of Europe;
- European Court of Human Rights;
- Commissioner for Human Rights of the Council of Europe;
- Conference of INGOs of the Council of Europe;
- Committee on Artificial Intelligence (CAI);
- Council of Europe Committee on Counter-Terrorism (CDCT);
- European Commission against Racism and Intolerance (ECRI);
- European Committee on Legal Co-operation (CDCJ);
- Consultative Committee of the Convention for the Protection of Individuals with regard to automatic processing of personal data (T-PD);
- Cybercrime Convention Committee (T-CY);
- Steering Committee for Human Rights (CDDH);
- Steering Committee for Education (CDEDU);
- European Committee on Democracy and Governance (CDDG);
- Joint Council on Youth (CMJ);
- European Audiovisual Observatory;
- Committees or other bodies of the Council of Europe engaged in related work, as appropriate.

The following may send representatives, without the right to vote and without defrayal of expenses:

- European Union (one or more representatives, including, as appropriate, the European Union Agency for Fundamental Rights (FRA));
- Observer States to the Council of Europe: Canada, Holy See, Japan, Mexico, United States of America;
- Organisation for Security and Co-operation in Europe (OSCE);
- Organisation for Economic Co-operation and Development (OECD);
- Organization of American States (OAS);
- UN agencies (United Nations Educational, Scientific and Cultural Organisation (UNESCO));
- International Telecommunication Union (ITU).

OBSERVERS:

The following may send representatives, without the right to vote and without defrayal of expenses:

- Belarus;
- non-member States with which the Council of Europe has a Neighbourhood Partnership including relevant co-operation activities.

Observer status may be requested in accordance with Article 8 of Resolution CM/Res(2021)3 on intergovernmental committees and subordinate bodies, their terms of reference and working methods.

WORKING METHODS ▼

	Plenary meetings ▼			Bureau meetings ▼		
	Members incl. Chair	Meetings per year	Days per meeting	Members	Meetings per year	Days per meeting
2022	48	2	3	7	2	2
2023	48	2	3	7	2	2
2024	48	2	3	7	2	2
2025	48	2	3	7	2	2

The rules of procedure of the Committee are governed by Resolution CM/Res(2021)3 on intergovernmental committees and subordinate bodies, their terms of reference and working methods.

The CDMSI will appoint from amongst its members up to 5 Rapporteurs on mainstreamed perspectives, including a Gender Equality Rapporteur.

Subject to the agenda, the chairs of its subordinate structures may be invited to attend CDMSI's Bureau and/or plenary meetings.

SUBORDINATE STRUCTURE(S) ▼

The CDMSI coordinates, supervises and follows the work of its subordinate bodies:

- (2022-2023) Committee of Experts on the integrity of online information (MSI-INF) (cf. separate terms of reference);
- (2022-2023) Committee of Experts on Increasing Resilience of Media (MSI-RES) (cf. separate terms of reference)
- (2022-2023) the Committee of Experts on Strategic Lawsuits against Public Participation (MSI-SLP) (cf. separate terms of reference).

BUDGETARY INFORMATION* ▼

	Meetings per year	Days per meeting	Members reimbursed	Plenary in €K	Bureau in €K	Working groups in €K	Secretariat (A, B)
2022	2	3	48	130.3	12.8	-	2 A; 1 B
2023	2	3	48	130.3	12.8	-	2 A; 1 B
2024	*2*	*3*	*48*	↔	↔	-	↔
2025	*2*	*3*	*48*	↔	↔	-	↔

*The costs include the per diem, travel costs, interpretation, translation and document printing. These costs are calculated on the basis of the 2021 standard costs.