Conference of Ministers responsible for Media and New Communication Services

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The first Council of Europe Conference of Ministers responsible for Media and New Communication Services, entitled “A new notion of media?”, was held on 28-29 May 2009 in Reykjavik, Iceland. The last comparable interministerial conference, the 7th European Ministerial Conference on Mass Media Policy, was held in Kyiv, Ukraine, in 2005 (see IRIS 2005-7: 2).

A number of texts were adopted at the Reykjavik Conference:

- Political declaration;

- Resolution & Action Plan - “Towards a new notion of media”;

- Resolution - “Internet governance and critical Internet resources”;

- Resolution - “Developments in anti-terrorism legislation in Council of Europe Member States and their impact on freedom of expression and information”.

The crucial background paper for the conference, “A new notion of media? Media and media-like content and activities on new communication services”, by Dr. Karol Jakubowicz, maps out and analyses relevant terrain in a comprehensive fashion.

The Political Declaration adopted at the Conference reaffirms many of the principles relating to freedom of expression and the media that define relevant Council of Europe standards. It also recognises the changing nature of the media and of the manner in which content is generated and disseminated by traditional and novel forms of communications technologies.

The Resolution and Action Plan, both entitled “Towards a new notion of media”, pick up on these themes in much greater detail. The former recalls that the fundamental objectives of the media are: “to provide news, information or access to information; to set the public agenda; to animate public debate or shape public opinion; to contribute to development or to promote specific values; to entertain; or to generate an income or, most frequently, a combination of the above”. It notes that “the content itself is evolving due to the way in which information is gathered and content is created, disseminated or distributed, sought, selected

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and received". It attributes this to "technical reasons, related to the communication platforms used, and to the presentation of content, which offers a perception of enhanced choice and interaction", as well as new business models. All of this pleads for a thorough re-examination of conventional thinking about the media, their role and their relationship to fundamental human rights.

As such, the Resolution explores the suitability of different regulatory techniques (e.g., self- and co-regulation) and tools (e.g., media literacy) for the fulfillment of relevant objectives in an evolving media environment. It addresses the need to uphold respect for fundamental rights and values such as freedom of expression and information, pluralism and diversity, public service ethos, human dignity, privacy, participatory potential, and the rights and best interests of children.

The Resolution, "Internet governance and critical Internet resources", explains that the Internet "relies on a variety of resources which are indispensable for its functioning and which, because of their very nature, can at any one time have a considerable impact on the ability of large numbers of users to access or fully benefit from the Internet". In this connection, the signatory Ministers, inter alia:

- Call on all State and non-State actors to explore ways, building upon current arrangements, to ensure that critical Internet resources are managed in the public interest and as a public asset, ensuring the delivery of public service value, in full respect for international law, including human rights law;

- Call also on these actors to ensure full compatibility and interoperability of TCP/IP so as to guarantee the ongoing universal nature and integrity of the Internet;

- Invite the Council of Europe to explore the feasibility of elaborating an instrument designed to preserve or reinforce the protection of the cross-border flow of Internet traffic [...]

The Resolution on anti-terrorism and freedom of expression and information explores a relationship that has tended to be increasingly frictional in recent times and reiterates that freedom of expression and information are of central importance for combating terrorism. The Ministers (notwithstanding one State Delegation's reservation to the second paragraph cited below) stated their resolve to:

- pursue and redouble co-operation and efforts to protect effectively, in law and in practice, the right to freedom of expression and information while vigorously combating terrorism;

- review our national legislation and/or practice on a regular basis to ensure that any impact of anti-terrorism measures on the right to freedom of expression and information is consistent with Council of Europe standards, with a particular

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emphasis on the case law of the European Court of Human Rights.

1st Council of Europe Conference of Ministers responsible for Media and New Communication Services, 'A new notion of media?', 28-29 May 2009, Reykjavik, Iceland, Adopted Texts, Doc. No. MCM(2009)011

http://www.coe.int/t/dghl/standardsetting/media/MCM(2009)011_en_final_web.pdf

Karol Jakubowicz, A new notion of media? Media and media-like content and activities on new communication services

http://www.ministerialconference.is/media/images/a_new_notion_of_media_web_version.pdf

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