Ministerial Conference on Artificial Intelligence, Media and Democracy

IRIS 2021-7:1/3

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The Council of Europe Conference of Ministers responsible for Media and Information Society, entitled, 'Artificial Intelligence – Intelligent Politics: Challenges and opportunities for media and democracy', organised jointly with the Republic of Cyprus, was held online on 10-11 June 2021. The previous ministerial conference on similar issues ('Freedom of Expression and Democracy in the Digital Age: Opportunities, Rights, Responsibilities') was held in Belgrade in 2013 (see IRIS 2014-2:1/3).

Participating ministers in the Conference adopted a Final Declaration and four Resolutions:

1) Resolution on freedom of expression and digital technologies

2) Resolution on the safety of journalists

3) Resolution on the changing media and information environment

4) Resolution on the impacts of the COVID-19 pandemic on freedom of expression

The Final Declaration introduces the key focuses of the theme-specific resolutions in a scene-setting way. It provides a detailed survey of: the opportunities and threats arising from the design and deployment of a range of digital technologies, including artificial intelligence (AI); threats and violence against journalists and other media actors; ongoing developments in the media and online environments, and the particular challenges for freedom of expression during the COVID-19 pandemic and infodemic. One of the Conference's key themes is central: how existing threats to the safety of journalists and to freedom of expression and media freedom are accentuated in times of crisis. Against this backdrop, the Final Declaration invites the Council of Europe "to pursue, as a matter of priority and with due allocation of resources, its efforts […] to uphold and guarantee the effective enjoyment of the rights protected by Article 10 of the European Convention on Human Rights".

The Final Declaration also invites the Council of Europe to "continue to provide annual assessments of the state of freedom of expression in Europe, under the authority of the Secretary General of the Council of Europe, with concrete

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proposals for action, including as regards journalists' safety, and the promotion of a favourable environment for journalism resting on the standards of professional ethics in the digital age". It is useful to note that a draft recommendation on promoting a favourable environment for quality journalism in the digital age was submitted to the Committee of Ministers in March 2020, but it has not been adopted yet. The draft recommendation provides detailed guidance to member States on these issues.

Central focuses of the Resolution on freedom of expression and digital technologies include how digital technologies and AI tools are being used by media and news organisations, journalists, and online platforms, and how they affect users' autonomy and experiences. Duties and responsibilities, transparency and media and information literacy are all important themes. There is also due attention for "effective human oversight over automated journalistic processes"; verification processes for the accuracy of content and the credibility of sources; "protection from the dangers of data exploitation", and "exposure to full diversity of media content and sources, especially with respect to marginalised groups".

The previous ministerial conference in 2013 provided an important impetus for the Council of Europe's work on the safety of journalists. The second Resolution adopted at the latest ministerial conference continues that work, emphasizing how important it is for Member States to fully and effectively implement Committee of Ministers CM/Rec(2016)4 on the protection of journalism and safety of journalists and other media actors (see IRIS 2016-5:1/3). The Participating Ministers commit "to devise, based on [...] CM/Rec(2016)4 and best practices of Council of Europe member States and other jurisdictions, dedicated national action plans on the safety of journalists, setting a comprehensive and effective programme of activity, with urgency-based priorities and adequate resources for their implementation". Such dedicated national action plans should be characterized by strong political leadership and the effective involvement of relevant actors. The "specific risks, challenges and threats that women journalists and other media actors face on account of their gender, also in the online sphere" are singled out for prompt and decisive action. The need to address threats and violence against journalists and other media actors on grounds of various characteristics is also identified. The Ministers further "commit to dedicate specific attention and resources to stemming impunity for killings of, attacks on and ill-treatment of journalists and other media actors". Continued support for the Platform to promote the protection of journalism and the safety of journalists was also called for.

Besides the general focuses of the Resolution on the changing media and information environment, viz., fast-paced developments in the field and their various implications for society and for individuals, there are noteworthy specific focuses on responsibility for online content; the promotion of media and

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information literacy (MIL) projects, and online electoral communication. For instance, the Resolution invites the Council of Europe to "[d]evelop guidance on online electoral communication, campaigning and media coverage, in the light of the changes in campaigning techniques, to ensure a platform neutral application of the principles of fairness, transparency and equal opportunity in politic al processes, as well as the application of [Council of Europe] data protection principles".

The Resolution on the impacts of the COVID-19 pandemic on freedom of expression was drafted largely in response to the pandemic and infodemic that have defined the past 18 months, but it also looks ahead. Its central message is to underscore the importance of robust and resilient frameworks of protection for freedom of expression, media freedom, pluralism and diversity, and public debate. The Resolution recognises the importance of MIL projects and of close cooperation with "journalists and media associations to explore the long-term structural conditions needed to promote an enabling economic environment for media, including during times of crisis, that does not reduce their role to fact-checking or publishing government messages but one that fosters media freedom, pluralism and diversity by facilitating coverage of the widest possible range of voices and opinions".

The Final Declaration and each of the Resolutions envisage regular review, in consultation with relevant stakeholders, and reporting on implementation measures.

The Russian Federation entered an interpretive statement at the adoption of the Conference's final documents, in which it sets out its objections to various premises and positions, and "dissociates itself from the content of" the Resolutions on the safety of journalists and on the impacts of the COVID-19 pandemic on freedom of expression. The objections concern inter alia the use of the terms "gender", "sexual orientation" ("in the list of grounds for threats, abuse and intimidation faced by journalists") and "other media actors" (which it intends to apply "only to media professionals as provided for in the national legislation of the Russian Federation"). The interpretive statement claims there is "no sufficient scientific data and evidence confirming that women-journalists are affected by the mentioned human rights violations more than men". The Russian Federation explains why it is "unable to support the activities of" the Platform to Promote the Protection of Journalism and Safety of Journalists and that it "sees no need to develop a national action plan on the safety of journalists" due to the protection afforded by the existing national legal framework. These objections are strikingly at odds with some of the main lines of the Conference's outcome documents.

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Final Declaration and Resolutions, Council of Europe Conference of Ministers responsible for Media and Information Society, 'Artificial Intelligence – Intelligent Politics: Challenges and opportunities for media and democracy', 11 June 2021,

https://www.coe.int/en/web/freedom-expression/media2021nicosia

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