

HUMAN RIGHTS,
DEMOCRACY
AND THE RULE OF LAW

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

DROITS DE L'HOMME,
DÉMOCRATIE
ET ÉTAT DE DROIT

European Parliament
Committee on Civil Liberties
Justice and Home Affairs (LIBE)



Presentation
6 November 2019

Media Freedom, Freedom of Expression and the protection of investigative journalists

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Daphne Caruana Galizia murder



Media Freedom Platform **Alert**

10 Feb 2017

Malta Economy Minister Issues four Libel Suits and Warrants Against Blogger Daphne Caruana Galizia

Media Freedom Platform **Alert**

17 October 2017

Investigative Journalist Daphne Caruana Galizia Killed by Car Bomb

PACE resolution

27 June 2019

Resolution 2293 "Daphne Caruana Galizia's assassination and the rule of law in Malta and beyond: ensuring that the whole truth emerges"

Maltese government **action**

23 September 2019

Maltese government ordered a public inquiry into the murder of journalist Daphne Caruana Galizia, following up on a June 2019 PACE resolution demanding the setting up of an independent public inquiry into her death within three months.

PACE declaration

4 October 2019

Daphne Caruana Galizia inquiry in Malta 'does not meet the Assembly's expectations'

MAJOR CHALLENGES

- **Two assassinations of journalists in Europe** investigating corruption and organised crime
- **Restrictive legislation** that undermines their freedom of speech and association
- **Adverse impacts of the digital revolution** on the financial viability of quality journalism
- **Shutdowns of media outlets** and criminal prosecutions of journalists
- **Growing responsibilities of major online platforms** for containing the spread of disinformation and terrorist propaganda, protecting user privacy and other interests

What are the risks ?

- ✓ **Intimidation of journalists**
- ✓ **Hybrid attacks and disinformation**
- ✓ **Foreign electoral interference**
- ✓ **Hate speech online**

What is at risk ?

- ✓ **Media freedom**
- ✓ **Freedom and safety of journalists**
- ✓ **Democratic governance**

CURRENT FOCUS



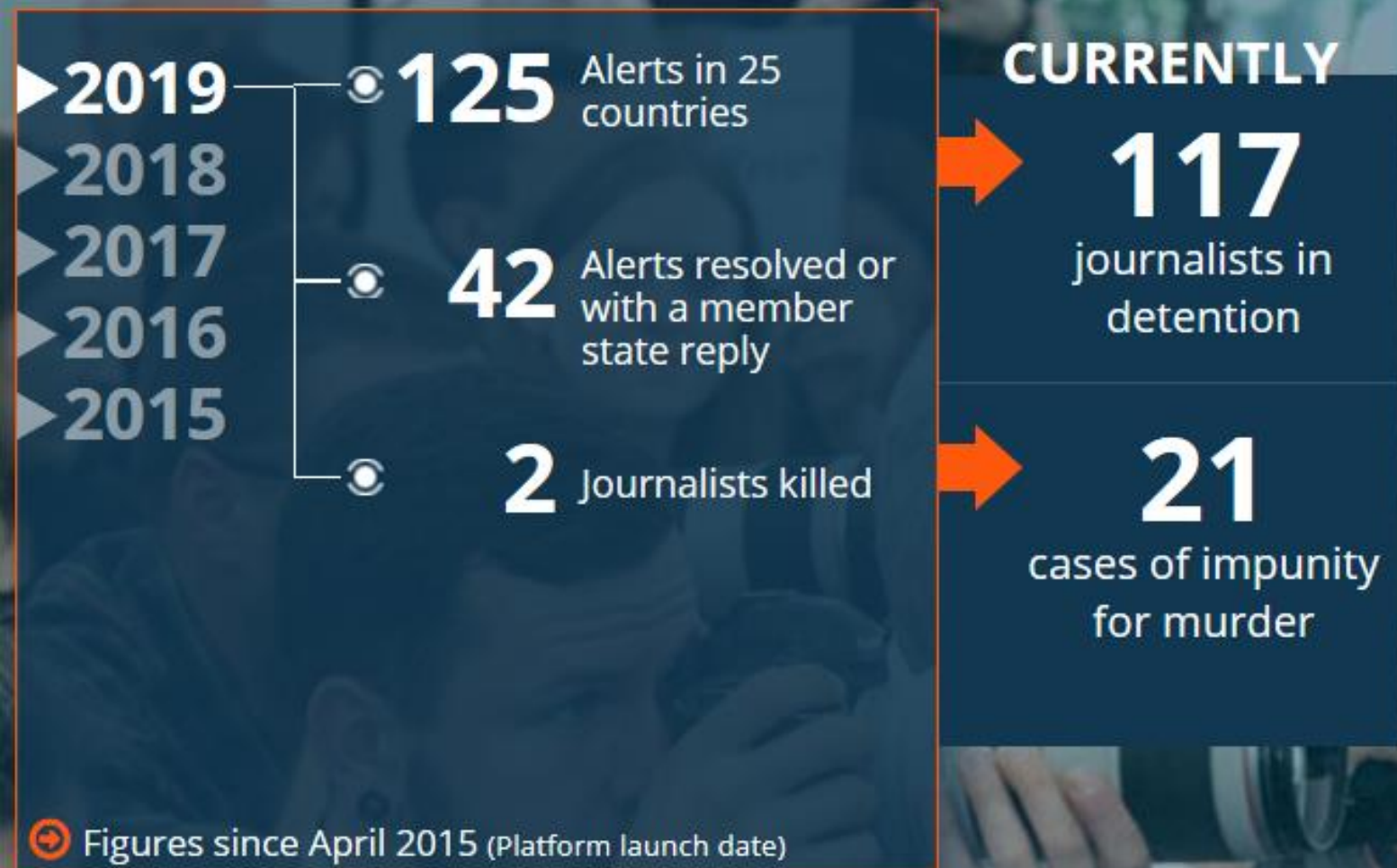
NEW PRIORITIES

Areas of expertise:

- ✓ **Safety of journalists**
- ✓ **Freedom of expression**
- ✓ **Media freedom**
- ✓ **Policy development**
- ✓ **Hate speech online**

Are journalists free and safe ?

Platform to promote the protection of
journalism and safety of journalists



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NEW PRIORITIES

European survey of
“Journalists under pressure”

Recommendation on
safety of journalists and
other media actors

Guidelines to states on how to
protect journalists

Qualitative study of journalists’
experiences and responses

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NEW PRIORITIES

Promote **media pluralism**

Ensure effective **protection of journalists**

Address the **manipulation of public opinion**

Assess the shift of electoral **communication to the internet**

Guide media and **communication in electoral processes**

CHALLENGES AHEAD



NEW PRIORITIES

Social media distribution of news

Growing **information disorder**

Weak regulation in the field

Help users value and use

quality media content

Guide public participation in

content creation

Stimulate users engagement with

hate speech online

Major event



(Last) call for quality journalism

International Conference
Ljubljana, 28-29 November 2019

Organised by the
Council of Europe in
partnership with the
**Ministry of Culture
of Slovenia**

KEY TOPICS:

- **Quality journalism – what do we talk about when we talk about it?**
- Enabling quality – a shared responsibility
- **How to win back public trust: ethics, quality, accountability**
- Search for quality – through the use of AI tools
- **A media literate public: MIL is the key!**
- What future for quality journalism



REPUBLIKA SLOVENIJA
GOV.SI

PACE reports in preparation



- ✓ **Threats to media freedom** and journalists' security in Europe
- ✓ **Towards an Internet Ombudsman** institution
- ✓ **Media education** in the new media environment
- ✓ **New forms of public debate** on the rapid advancement in science and technology
- ✓ **Preventing discrimination** caused by the use of artificial intelligence
- ✓ **Need of democratic governance of AI**

Future policy orientations



- **How free can media be ?**
How media environment challenges are reflected in the national legislations
- **Challenges of online campaigning**
How to address the shift of electoral communication to the internet
- **Prioritisation of public interest content**
How to make relevant quality content more accessible and visible
- **Responsibilities of business companies**
involved in AI development in protecting and ensuring freedom of expression
- **Regulation of Artificial Intelligence**

Thanks for your
attention !



further resources:

www.coe.int/freedomofexpression

www.coe.int/media-freedom

www.coe.int/parliamentaryassembly

www.coe.int/AI

Facebook Page

Information Society Group

Who shapes public opinion ?

DID GOOGLE MANIPULATED ~~X~~ 'MILLIONS' OF 2016 VOTES FOR HILLARY?

I know what you did there.

You don't have any proof!



received by human rights activists over social media.

HELP STOP THESE THREATS



Yesterday at 21:14 · Like · Reply

SAT 5:45PM

i am gonna rape you to death
fuckin darkies lover

Policing Social Media

FACEBOOK Transparency Report (3Q 2018)

NUDITY
21 million
removals
99,8% by AI

HATE SPEECH
2,5 million
removals
38% by AI

**TERRORIST
CONTENT**
1,9 million
removals
99,5% by AI

**GRAPHIC
VIOLENCE**
3,4 million
removals
85,6% by AI



ESTABLISHED NORMS



CURRENT PRIORITIES

- **CM recommendation on hate speech**
- **ECRI** General Policy Rec. (2015) 15 on combating hate speech, which provides **detailed guidelines for member states**
- **Art. 10 ECHR** and the **Court's case law**
- **Partnership with companies**
Exchange of experience and cooperation in policy making
- **Awareness raising activities**
Regional conference in Zagreb, Croatia, 6-7 November 2018
- **Cooperation Projects**
JUFREX (Reinforcing Judicial Expertise on FoE in SEE)

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NEW PRIORITIES

Enhance the **cooperation framework with business partners**

Address the business models of large online platforms from the anti-trust and competition law point of view

Develop legal frameworks for the design and development of AI tools (ethics by design)

Promote balanced legislative frameworks for **combating illegal online content**

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NEW PRIORITIES

Committee of Ministers

- Declaration on the manipulative capabilities of algorithmic processes
- Recommendation “on the roles and responsibilities of internet intermediaries”

Commissioner for Human Rights

- Recommendation “Unboxing artificial intelligence: 10 steps to protect human rights”

Parliamentary Assembly

- Draft report “Need for democratic governance of artificial intelligence”
- Recommendation “Technological convergence, artificial intelligence and human rights”

CAHAI

- Develop a legal framework for the development, design and application of artificial intelligence

Major event

Artificial Intelligence - **Intelligent Politics** Challenges and opportunities for media and democracy

Ministerial Conference, Cyprus, 28-29 May 2020

KEY TOPICS:

- **The Impacts of AI-powered Technologies on Freedom of Expression**
- The changing Paradigm in Media and Information
- **Taking action to ensure the Safety of Journalists**
- Roles and responsibilities of private actors involved in AI development in protecting and ensuring freedom of expression



COUNCIL OF EUROPE
Conference of Ministers
responsible for **Media
& Information Society**
NICOSIA 2020

