

# Minutes of the First Meeting of the High-Level Expert Group on Fake News<sup>1</sup>

15 January 2018, Brussels, Belgium

## **Morning Session: 10:00- 13:00 (Berlaymont Building, Room Schumann)**

### **1. Purpose of the meeting**

The meeting was the first session of the High-Level Group of Experts ("HLEG"), convened by the European Commission to advise on the challenges posed by fake news and the spread of disinformation online and to recommend potential policy initiatives. The HLEG consists of 39 experts drawn from relevant social and economic spheres, in particular online platforms, press and broadcast media, other news organisations, civil society organisations and academia. The individual members were selected by the Commission pursuant to a call for applications for the selection of the High Level Expert Group on Fake News published on: <http://ec.europa.eu/transparency/regexpert/index.cfm?do=groupDetail.groupDetail&groupID=3567&NewSearch=1&NewSearch=1>.

The principal focus of the first meeting was to define the working methods of the HLEG, establish subgroups, and communicate a schedule for the work of the HLEG and the subgroups.

The meeting was not open to the public and was not broadcasted or webcasted.

### **2. Welcoming remarks of Commissioner Gabriel**

Mariya Gabriel, Commissioner for the Digital Economy and Society, welcomed the HLEG members and thanked them for their willingness to contribute their expertise to the Commission's initiative on fake news. She introduced the HLEG's Chair, Professor dr. Madeleine de Cock Burning from Utrecht University.

Commissioner Gabriel offered some preparatory remarks underlining the importance of freedom of expression and access to reliable information for decision-making in democratic societies.

### **3. Introductory remarks of Director General Viola**

Roberto Viola, Director General of the Directorate-General for Communications Networks, Content and Technology ("DG CNECT"), also thanked the members for their participation and offered some introductory comments on how the fake news initiative feeds into the work and mission of DG CNECT.

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<sup>1</sup> Published in the Register of Commission Expert Groups and Other Similar Entities, code number E03567.

#### **4. Adoption of the agenda and group introductions**

Upon the recommendation of the Chair, the agenda for the meeting was adopted without opposition.

At the Chair's invitation, the members of the HLEG individually introduced themselves and provided an overview of their professional background and relevant expertise.

#### **5. Remarks by the Chair; discussion of procedures and working methods**

The Chair offered some introductory comments, remarking that the challenge before the group is multi-dimensional and will require multi-dimensional solutions, and that the HLEG comprises an extraordinary range of high expertise.

The Chair noted that the group's activities will be governed by the Rules of Procedure ("RoP"), which will be circulated to the group and must be signed by all members. The Chair highlighted the following:

- The RoP include a confidentiality clause, which members should carefully take into account – it covers all work undertaken for the group, whether in plenary group or subgroup format. (Point 18)
- Observers may attend the group's meetings. Members should contact the Chair if they would like to invite an observer. (Point 8)
- The Commission, as Secretariat, will draft minutes of plenary group meetings. These will cover main decisions but not the details of discussions. (Point 11)
- Documents produced by the Group may be published if the Group so decides. (Point 16)
- All Members signed the RoP and are committed to the confidentiality clause (Point 18).

The Chair then outlined a proposal for organising the HLEG's underlying work in subgroups, which would report into the HLEG, as follows:

- Subgroup 1: Scope of the problem in the light of fundamental principles
- Subgroup 2: Roles and responsibilities of online platforms. Best practices.
- Subgroup 3a: Roles and responsibilities of news media organisations/press
- Subgroup 3b: Roles and responsibilities of broadcast media
- Subgroup 4: Roles and responsibilities of civil society organizations

Regarding this structure, the Chair explained that:

- Subgroup 1's task would be to develop a report that can function as an introduction to the HLG's general report and addresses the scope of the HLG's work, definitions, the applicable legal framework, general roles and responsibilities of stakeholders, and a list of optional regulatory and non-regulatory measures.

- Subgroups 2-4 should each provide a report with primary some SMART recommendations targeted at their respective stakeholder groups, as well as some other SMART recommendations.
- As a starting point, it is recommended that subgroups be composed of members whose competencies match the domain of the respective subgroups. The Commission together with the Chair has developed a members list for the subgroups in keeping with this concept.
- Since cross-fertilisation being a key strength for a group of the HLEG's diverse competencies, it will also be arranged for that a group of "second readers" to be established in parallel to review and comment upon the draft reports of the subgroups.
- It is further recommended that one "challenger" be designated for each subgroup, from outside the subgroup's competency area, to participate in the subgroup's meetings and the development of the subgroup's report.

The Chair stated that the first meetings of the subgroups would take place following the lunch break, and the main tasks for today would be to:

- choose a chair/moderator and a rapporteur;
- agree on a method of communication and on meeting methodologies; and
- agree on a common understanding of what the subgroup will cover in its report, and report back to the main group during its afternoon session.

The Chair took questions from the members concerning the proposed subgroup structure and working methods of the HLEG. Following further discussion, the morning session of the meeting was adjourned.

## **Afternoon Session: 14:30 – 17:45 (Rue Philippe Lebon, 3)**

The five subgroups held their first meeting.

### **6. Reports from the Subgroups**

At the invitation of the Chair, the subgroups reported on their first meetings.

#### **Subgroup 1**

During its first round of discussions, the subgroup pointed to the need to move away from the narrow concept of fake news and to analyse the wider and deeper phenomenon of misinformation/disinformation, having regard to the content, impact and intent underpinning its online spread. Disinformation, which is not illegal but is intentionally spread to deceive the public, can be underpinned by political or economic motives and can cause harm to society by distorting public-opinion forming. It was also pointed out that freedom of expression and the right to hold opinions implies the right of citizens to have access to information based on verifiable facts.

#### **Subgroup 2**

During its first round of discussions, the subgroup started identifying key concepts and looking for possible solutions for fake news. Discussions focussed on platform and media organisation definitions, the problem definition of fake news, and the motivation behind fake news. Solutions could be imagined in a wide area of activities, such as increasing transparency of financial interests, collaborating more with research, fostering media literacy, extending news rating services, reducing spam, or additional regulation.

#### **Subgroup 3A**

During its first round of discussions, the subgroup pointed to how various forms of mis/disinformation may need a different response and underlined that debunking is only partially useful. More transparency is needed from platforms on effects of debunking. More real-time information related to the displayed content would empower readers to judge what they are reading. The group highlighted how press is held accountable and transparent on media ownership and funding sources while social media accounts are not. On future actions, it was mentioned how the press should move in setting up standards to distinguish "quality" (journalistic) content/sources. This would help in the overall effort to regain trust. The discussion on fake news is closely linked to financial issues.

#### **Subgroup 3B**

During its first round of discussions, the subgroup pointed to the discrepancy between the legislation regulating the European broadcasters and the absence of regulation for platforms. This distorts the media market and threatens the traditional media ecosystem. Self-regulation or co-regulation could be one of the solutions envisaged. The subgroup also explored ways to increase the trustworthiness of quality journalism through awareness-raising and media literacy activities.

#### **Subgroup 4**

During its first round of discussions, the subgroup pointed to the need to face up to the economic challenges created by the fake news phenomenon; the need to make advertisers responsible for their decisions; the need to encourage citizens to inform themselves on different editorial viewpoints, not just those they feel comfortable with; the challenge to aid

real transparency through a clear understanding of the decisions made by platforms; and finally to examine the issues around content discovery - "findability" - and the economic aspects thereof. There was some scepticism over the effectiveness of self-regulation given experiences in advertising.

The Chair thanked the members for their efforts and adjourned the meeting.

## **7. Next steps**

- Subgroups should report to the Chair and Secretariat with their draft conclusions by close of business 2 February 2018. Second readers should report to Chair, subgroup chairs and Secretariat
- The next meeting of the HLEG will take place on 7 February 2018.

## **8. List of participants**

A list of the members of the HLEG is attached as Annex I. Member Kai Gniffke was absent.

## **Annex I**

### **Attendance list – Meeting of 15/01/2018**

<b>Last Name</b>	<b>First Name</b>	<b>Organisation</b>	<b>Country</b>	<b>1<sup>st</sup> meeting attendance</b>
DE COCK BUNING (Chair)	Madeleine	Utrecht University	NL	Present
Allan	Richard	Facebook	US	Present
Bargaoanu	Alina	University of Bucharest	RO	Present
bechmann	Anja	Digital Footprints / Digital society	DK	Present
Berild Lundblad	Nicklas	Google	US	Present
Curran	Noel	EBU	CH	Present
Dzsinich	Greg	Cyan	FR	Present
FRAU-MEIGS	Divina	Sorbonne Nouvelle University	FR	Present
Fubini	Federico	Journalist	IT	Present
Gniffke	Kai	ARD	DE	Absent
GOYENS	Monique	BEUC	BE	Present
GUTIERREZ VELAZQUEZ	Ricardo	European Federation for Journalists	ES	Present
Jiménez Cruz	Clara	Objetivo/ Maldita.es	ES	Present
LECLERCQ	Christophe	EurActiv	BE	Present
Lemarchand	Grégoire	European Federation for Journalists	FR	Present
MACDONALD	Raegan	Mozilla Firefox	US	Present
Mantzarlis	Alexios	IFCN Poynter	US	Present
MARKOVSKI	Veni	Internet expert	BG	Present
NIELSEN	Rasmus Kleis	Reuters Institute for Journalism Oxford	DK	Present
Nieri	Gina	Mediaset	IT	Present
Niklewicz	Konrad	Civic Institute	PL	Present

Polák	Juraj	RTVS	SK	Present
POLLICINO	oreste	Bocconi University	IT	Present
RAAG	ILMAR	Media executive	EE	Present
Rae	Stephen	Independent News and Media	IE	Present
Riotta	Giovanni	journalist	IT	Present
ROZUKALNE	Anda	Riga Stradings University	LV	Present
SALO	Mikko	Faktabaari	FI	Present
Schwetje	Sonja	RTL Group	DE	Present
Steenfadt	Olaf	Reporters sans frontières	DE	Present
Stjärne	Hanna	Sveriges Television, represents Nordic Public Service Broadcasting	SE	Present
Sundermann	Marc	Bertelsmann	BE	Present
TURK	Ziga	University of Ljubljana	SI	Present
Turner	Stephen	Twitter	US	Present
VAISBRODĖ	Neringa	Communication adviser	LT	Present
VAN WIJK	Wout	NEWS MEDIA EUROPE	BE	Present