

Minutes of the Third Meeting of the High-Level Expert Group on Fake News¹

23 February 2018

Rue Froissart 36, Brussels, Belgium

Morning Session (Plenary): 09:30 –12:30

1. Purpose of the meeting

The meeting was the third session of the High Level Expert Group on Fake News (HLEG), following up on the HLEG's second meeting, in Brussels, on 7 February 2018. The HLEG was 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. It consists of 39 experts representing relevant stakeholders, 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](#).

The focus of the third meeting was on the review of the Preliminary Draft Report, which was sent by the Chair to the HLEG on 21 February, and which was based on further edited papers by the subgroups. The subgroups established during the first meeting were:

- Subgroup 1 (**SG1**): Scope of the problem in the light of fundamental principles
- Subgroup 2 (**SG2**): Roles and responsibilities of online platforms.
- Subgroup 3a (**SG3a**): Roles and responsibilities of news media organisations/press
- Subgroup 3b (**SG3b**): Roles and responsibilities of broadcast media
- Subgroup 4 (**SG4**): Roles and responsibilities of civil society organizations

In particular, the objective of the meeting was to agree on next steps in order to finalise the HLEG report at the final HLEG meeting which would take place on 7 March 2018.

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

2. Approval of the draft agenda and the draft minutes

The HLEG's Chair, Professor dr. Madeleine de Cock Burning from Utrecht University, welcomed the members to the third meeting of the HLEG, and thanked them for the excellent and hard work undertaken in producing the Subgroup papers.

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

The Chair noted that draft minutes of the HLEG's second meeting, on 7 February 2018, had been circulated and asked whether the group had any comments. Apart from a mistake in the attendance list, there were no comments on these minutes. Upon the recommendation of the Chair, the minutes were approved.

As regards the agenda of the third meeting, several HLEG members suggested continuing in a plenary discussion instead of breakout sessions. The Chair decided accordingly and the meeting continued in plenary.

3. Review of the preliminary draft HLEG report

The Chair noted that the preliminary draft HLEG report, sent on 21 February, draws out the areas of broad consensus, and proposed the meeting to focus on areas where opinions remained divergent with an aim at identifying solutions.

The Chair repeated the broad outline for the final HLEG report, as already set forth in the previous meeting:

- i. Problem definition
- ii. Measures already taken by stakeholders
- iii. Key principles and general (short- and long-term) objectives
- iv. Responses and actions
- v. Conclusions: specific objectives (including concrete actions) for each stakeholder, based on roles and responsibilities, incl. possible actions to be taken up by the Commission.

Instead of addressing measures already agreed upon (section 2) for which further contributions will be sent in writing to the Chair, the group decided to focus on two major long term objectives:

- The definition of a Code of Conduct to tackle online disinformation;
- The creation of an European network of fact checkers, NGO and researchers.

The Chair opened the floor to discussion. Several members said that the current draft report puts too much of the burden on press and broadcasters, and that there is an over-emphasis on fact checking, verification tools and training. In addition, some members found that the draft report was too soft on platforms.

In response, the Chair clarified that the Code of Conduct to be developed by the HLEG group should address all stakeholders (platforms, media and fact checkers). As regards platforms, the Chair proposed the following 8 commitments:

- Platforms must ensure that the use of users' data for advertisement placements is subject to a permanent mechanism of review.

- Platforms must ensure that sponsored content, including political advertising, is clearly marked.
- Platforms must take the necessary measures to enable privacy-compliant access to data for fact-checking and research activities.
- Platforms must make available to their users advanced filtering tools.
- Popular news items should be accompanied by different news sources representing alternative viewpoints.
- Platforms must provide user-friendly tools to enable users to link-up with trusted fact-checking and ensure that "trust indicators" are effectively integrated in their content ranking algorithms.
- Platforms must improve the systems that make it possible for users to flag potentially false information.
- Platforms must cooperate with news outlets adhering to the Code of Conduct in order to provide information regarding the functioning of their algorithm.

As regards the other stakeholders, the Chair suggested that the Code of Conduct makes reference to existing Codes of Conduct and Ethical Principles that the media sector already adheres to. Furthermore it will also address fact checkers by asking them to conform to the existing IFCN Code of Conduct.

A discussion was held on whether or not there should be a sectorial inquiry. Members were divided both on the need of such an inquiry and on its scope.

Several members welcomed the idea of multi-stakeholder fora ("safe spaces"), yet it was noted that the process should be transparent and serve public interest and be free from corporate and political interests. Hence, collaboration models need to be developed to get continuous access to platforms' data beyond academic testing, and beyond regular standardised datasets, without risk of misuse/algorithm gaming, and without political interference.

The Chair proposed continuing this discussion after lunch and adjourned the morning session.

Afternoon Session (Plenary): 13:30 –17:00

The afternoon session focused on short and medium term achievable solutions. The discussion entailed when and how KPIs could be developed, which collaboration models could be foreseen and how an independent mechanism of reviewing progress/compliance could be set up and enforced.

HLEG members agreed on the need to define the general principles for a Code of Conduct in the HLEG report. The Code of Conduct would focus on platforms, while referring to existing codes for journalists and fact-checkers.

The Code would build on standards already being used, such as IFCN standards and press standards (set by a multitude of organisations, including media and press councils). Regarding platforms, it would build on the 8 points presented in the morning. The report would call for further work in order to finalise the Code of Conduct and define the KPIs needed to assess the impact, both at EU and Member State level.

The group discussed at length the European network of fact-checkers, NGOs and researchers and several examples were proposed as potential models such as the Alliance for Safer Internet (or Better internet for Kids), the Radicalisation Awareness Network, the European Centre of Excellence for Hybrid Threats, the Dutch Cybersecurity centre, the Forum on Counterterrorism.

The HLEG also re-emphasised the need for independent monitoring mechanisms.

Finally, the Chair proposed having an independent assessment (to be financed by the EC) of the proposed code of conduct and KPIs by November 2018. In the context of such assessment, failure to achieve the KPIs could lead the Commission to consider regulatory back-stop remedies.

4. List of participants

A list of the members of the HLEG is attached as Annex I.

Annex I

Attendance list – Meeting of 23/02/2018