

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

7 March 2018

Walter Hallstein Room, Berlaymont, Brussels, Belgium

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

1. Purpose of the meeting

The meeting was the fourth session of the High Level Expert Group on Fake News (HLEG), following up on the HLEG's third meeting, in Brussels, on 23 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 purpose of the fourth meeting was to finalise the HLEG Report, for which a draft was sent by the Chair to the HLEG on 6 March, based on their feedback on earlier versions.

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, noted that draft minutes of the HLEG's third meeting, on 23 February 2018, had been circulated and asked whether the group had any comments. Three requests were made to add clearer references to the proposed responsibilities/principles for internet platforms, a reference to the sector enquiry into platforms (for which the group is divided) and to clarify the fact that the Code of Conduct would focus on platforms, while for journalists and fact-checkers it would refer to existing codes. The group agreed and changes were made accordingly.

3. Review of the draft HLEG report

The Chair made a very brief presentation of the draft HLEG report, sent on 6 March, and explained that final changes could be agreed upon in plenary between 11h and 16h, before presenting the report to Commissioner Gabriel at 16h.

Before doing so, she gave the word to Roberto Viola, Director General of DG Connect. Robert Viola thanked the HLEG for their hard work. He was given the draft final report and

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

thanked the group for delivering a report that is concrete and actionable. He emphasised that the group should continue working independently and that his presence should merely be seen as a sign of interest.

The Chair invited the subgroups, formed during the 1st HLEG meeting, to voice their remarks:

- Subgroup 1 (**SG1**): Academia
- Subgroup 2 (**SG2**): Online platforms
- Subgroup 3a (**SG3a**): Press
- Subgroup 3b (**SG3b**): Broadcast media
- Subgroup 4 (**SG4**): Civil society organisations

SG1 said they were pleased to see that much of their work was reflected in the final report. They emphasised that the work of the proposed Coalition needs to be collaborative and independent. That said, they found the report balanced and they urged the other groups to work towards agreement.

SG2 agreed with the collaborative approach. They suggested that the 10 principles for platforms should be understood as a starting point, an inspiration for best practices. The Chair reacted saying that the group cannot stay too vague. SG2 suggested providing transparency on services rather than the functioning of algorithms, suggesting it would not be useful for other actors. Other subgroups disagreed. The Chair reacted suggesting to keep algorithms, specifying when it's useful, and asked members to work on an alternative text over lunch. SG2 suggested that the proposed timing was too fast to test effectiveness. Other groups disagreed.

SG3a made two main points: The composition of the coalition needs further clarity: it is important to explain who puts it together and include practitioners/specialists. Chair agreed but said this can be defined later. Secondly, the group asked to clearly state that advertising revenues of disinformation is much higher than for quality content. The group agreed and the text was included.

SG3b suggested emphasising that regulatory responses need to be based on very precise definitions, directly linked to the disinformation problems at hand, ensure due process, as well as accountability and proportionality, taking the fundamental rights perspective as a starting point. The subgroup questioned the need for a sector inquiry: it is not clear whether it can focus only on platforms, plus it would take a long time. SG4 reacted by re-emphasising the need for such enquiry. The HLEG discussed inconclusively. The subgroup continued by saying consumption of news has never been so high, while revenues have never been so low. Academics agreed, saying that quality news is much more expensive than other social media content. The Chair asked member to work on concrete suggestions for the text over lunch.

SG4 agreed on the overall report but explained the need for a backstop, either in the form of a sector inquiry or in the form of potential regulation. The Chair suggested that the independent consultants should look into this when monitoring progresses.

The Chair opened the floor to all HLEG members for detailed, specific comments to the Final Report.

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

Afternoon Session (Plenary): 14:00 –17:00

In the afternoon, the process of incorporating comments to the Final Report was continued, including the alternative sentences developed over lunch. For each text, the Chair asked agreement of the group. If no objections were raised, the text was adjusted accordingly.

At the question raised by Rasmus Nielsen on sector inquiry, Paolo Cesarini explained the legal procedure.

This process finished at 16h20. After which the Chair asked the HLEG to vote on the agreed text.

The report was approved by 38 of the HLEG members, with one provisional suspension of vote. There were six provisional approvals, pending approval from the respective organisations. For those seven organisations, it was agreed to receive their feedback on 8 March.

Ziga Turk voted in favour of the report but asked for the following comment to be included in the minutes of the meeting. This was approved. "The proposed Coalition is risky. The threat of regulatory measures after a year of operation may motivate the platforms to interfere with the flow of ideas on their platforms in ways to please the governments. This could potentially lead to outsourcing of interference to “freedom to receive and impart information” which is against the principles of the Convention and the Report itself. A balanced composition of the Coalition that includes free speech advocates should be able to mitigate this risk."

The Chair thanked the HLEG for a remarkable result in such a short timeframe.

Commissioner Gabriel joined the meeting after the votes, repeating her gratitude to the HLEG for their commitment on this important topic. She had read the draft final report with great interest and she looked forward to reading the Final HLEG report.

4. List of participants

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

Annex I

Attendance list – Meeting of 07/02/2018

Last Name	First Name	Organisation	Country	2 nd meeting attendance
De Cock Buning (Chair)	Madeleine	Utrecht University	NL	Present
Allan	Richard	Facebook	US	Absent Substituted
Bargaoanu	Alina	University of Bucharest	RO	Present
Bechmann	Anja	Digital Footprints / Digital society	DK	Present
Berild lundblad	Nicklas	Google	US	Absent Substituted
Curran	Noel	EBU	CH	Present
Dimitrov	Dimitar	Wikimedia	BG	Present
Dzsinich	Greg	Cyan	FR	Present
Frau-Meigs	Divina	Sorbonne Nouvelle University	FR	Present
Fubini	Federico	Journalist	IT	Present
Gniffke	Kai	ARD	DE	Present
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	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	Absent – substituted by Lyn Trytsman-Gray
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
Von Reppert-Bismarck	Juliana	Lie Detectors	DE	Present
Whitehead	Sarah	Sky News	UK	Present
Wardle	Claire	First Draft	US	Present