Dis/misinformation, Plurality & Trust

Understanding the evidence to design better interventions
<u>*Thematic session*</u>
13 October 2022

Background document – final revised post meeting version of 22 December 2022[1]
EPRA Secretariat

1. Dis/misinformation, Plurality & Trust: a delicate balancing act

Plurality and trust are perceived as cornerstones for a sustainable and reliable media landscape and are thus twin pillars for democratic societies. Even though these two notions have always been challenged, the last years have witnessed a significant disruption of the traditional frames of reference. Online technologies have enabled a huge expansion in the access to media content and sources and, in turn, to an apparent increase of media plurality. But plurality per se does not guarantee diversity of content. Plurality does neither guarantee trustworthy content nor trust from the users. The new communication formats that have impacted the whole linear and non-linear industry, together with the passions or fatigue aroused by the successive ongoing crises and the rise of user-generated content beyond editorial control have led to growing concerns about dis/misinformation and to, rather ironically, a disturbing pluralistic world.

---

[1] **Disclaimer:** this document has been produced for an internal meeting by EPRA, an informal network of 55 regulatory authorities in the field of audiovisual media services. It is not a fully comprehensive overview of the issues, nor does it represent the views or the official position of EPRA or of any member within the EPRA network.

> *How dis/misinformation, plurality and trust respond to and connect with each other?*

Dis/misinformation and trust are often presented as connected vessels while information disorder might also be seen as the downside of plurality. This session aims to provide an in-depth analysis of the current state-of-play and of its impact on the public's consumption and perceptions, with a view to design more effective solutions and interventions.

> *How can regulators help preserve a pluralistic, trusted and reliable media environment?*

A topic in line with EPRA's work

This topic, as well as the angle chosen to discuss it, are consistent with the work carried out so far by EPRA. Plurality has regularly been in the spotlight during EPRA meetings, addressed under various approaches to respond to the evolving media environment and the disruptive role played by online media providers. From the assessment of plurality in an online world and the challenge of sustainable and diverse media content to the effect of online technologies and algorithms systems, plurality was at the core of several EPRA meetings and discussions[2]. On these occasions, several regulators expressed concerns about the growing personalisation of content and advertising and its potential impact on plurality and editorial responsibility[3].

In parallel, the topic of disinformation has been indirectly covered by EPRA through looking at the challenges to monitor plurality or to empower citizens or youth within EPRA's Media Literacy Taskforce[4].

The recent exchanges within EPRA have underlined the complexity of media plurality and the accelerator effect of crises on information disorders: Internet is now the main distribution means and access point and, as pointed out by Eleonora Mazzoli[5], the link between readers and publishers is weakening while the sources to content are multiplied. As was highlighted in 2016[6], the willingness of young people to pay for news and the trust in news and media keep decreasing (Reuters Digital News Institute reports[7]). Such continuous trends counterbalance the obvious advantages of having immediate and easy access to a very wide range of news.

In line with the EPRA Work Programme for 2022, this thematic plenary session aim at providing a comprehensive picture of the interplay between the supply chain of content, the plurality of media and the user's perceptions and consumption while addressing the question of "what can be done".

---

[2] **45th EPRA meeting** in Edinburgh: Filters, algorithms and diversity - News in the digital age // **41st EPRA meeting** in **Berne**: How to ensure a sustainable ecosystem for media content in Europe - How to ensure and assess media pluralism and diversity of media content // **38th EPRA meeting** in Vilnius: Assessing plurality in an online world.

[3] Edinburgh 45th EPRA meeting: Filters, algorithms and diversity - Minutes of the meeting

[4] EMIL: Summary of the 7th meeting dedicated to "empower children & youth": https://www.epra.org/attachments/emil-summary-of-7th-meeting

[5] EPRA Podcast 2020: "Media plurality in the age of algorithms: new challenges to monitor pluralism and diversity" ; see also the background document

[6] 45th EPRA meeting - Plenary session 1: News in the digital age – Minutes of the meeting

[7] Reuters Digital News Report was presented for the first time to EPRA members in 2016 at the 42nd EPRA meeting in Nuremberg. Providing in-depth data on news consumptions and perceptions, it helps assess the current state of play, trends and challenges faced by the media industry towards their audience. (Plenary session 2: "The regulators toolkit to encourage diversity of sources and output", presentation by David Levy from the Reuters Institute).

The current picture: more connection leading to more disconnection?

It is worth reminding ourselves that dis/misinformation content is rather exceptional in the media. However, according to some studies, "*the normalisation and weaponization of the term 'fake news', especially by politicians these last years, might increase the perception that misleading information is widespread and might lead to disbelieve an accurate information ("knowledge resistance") and mistrust in media institutions*"[8]. Also, according to Divina Frau-Meigs[9], the trust of the audience and the strategies to reconnect and engage with users are key and as important as the quality of debunked content.

But reconnecting with the audience might turn out to be a more difficult task than expected. The new generation already tends to turn their back to websites and apps, preferring to access news via online intermediaries such as social media, search engines or mobile aggregators. The fast-growing role played by TikTok also illustrates the switch among the youngest users to more visual and user-generated content. The business models that have been developed over recent years (online subscription or paywall), might suffer from the significant decrease of interest and trust in news in most of the European countries as well as from the ongoing cost-of-living crisis[10]. In addition, digitalisation has significantly reduced media revenues mostly due to a highly concentrated online advertising market[11]. As a result, the long-term sustainability of professional media outlets and their assigned role as "watchdog of democracy" are weakened.

To sum up the current challenges that professional and news media face, Jochen Spangenberg[12] suggests that to preserve democratic, free, open and pluralistic societies, media would need sufficient funding, independence (including from politicians), regulation, an audience fully reachable technically and media literacy.

A complex, multi-level response: the European legal & regulatory framework

Trust, dis/misinformation and plurality have become crucial concerns for everyone - *the media providers, the online intermediaries, the users but also politicians and governments* - as behind these issues lies the challenge of preserving democracy as understood in our modern European societies.

As a result, these issues are now at the heart of European debates. Set up in January 2018, the High-Level Expert Group on Fake News and Online Disinformation has advised the European Commission in its final report against simplistic solutions and encouraged long-term responses aiming at empowering users, enhancing transparency, safeguarding diversity and sustainability and promoting media literacy and research on the impact of dis/misinformation[13]. A Committee of Experts on

---

[8] Lecheler, S., & Egelhofer, J. L. (2022). Disinformation, Misinformation, and Fake News: Understanding the Supply Side. In: Strömbäck, J., Wikforss, Å., Glüer, K., Lindholm, T., & Oscarsson, H. (Ed.).Knowledge Resistance in High-Choice Information Environments, Routledge: 69-87.

[9] Article "How disinformation reshaped the Relationship between Journalism and Media and Information Literacy: Old and New Perspectives Revisited", @2022 Informa UK limited, trading as Taylor & Francis Group.

[10] The 2022 Reuters Digital News Report: https://reutersinstitute.politics.ox.ac.uk/digital-news-report/2022

[11] Media Pluralism Monitor 2022: https://cmpf.eui.eu/mpm2022-results/

[12] Deputy Head of Research & Cooperation Projects / Innovation Manager at Deutsche Welle and Chairman of CEDMO Advisory Board

[13] Report of the independent High-level Group on fake news and online disinformation: A multi-dimensional approach to disinformation (https://ec.europa.eu/newsroom/dae/document.cfm?doc_id=50271)

Increasing Resilience of Media of the Council of Europe was also set up in January 2022 to provide good practices for sustainable news media[14].

In parallel, the recently published Study on Media Plurality and Diversity Online[15] highlights the fragility of print and traditional media as online players often remain outside of the scope of media concentration regulation and advertising revenues are mostly captured by online platforms.

Legal responses at the European level have emerged to promote a more transparent, sustainable and diverse media environment. The Digital Services Act (DSA) aims at securing more transparency on the systemic organisation of online media and more public accountability for major online intermediaries, while the Digital Markets Act (DMA) intends to defend a more balanced and fair digital services market. Furthermore, the strengthened version of the Code of Practice on Disinformation should allow a more efficient enforcement and assessment of the signatories' commitments while providing tools and support to citizens, researchers and the fact-checking community in the fight against dis/misinformation. In addition, the upcoming European Media Freedom Act (EMFA) regulation aims at strengthening media pluralism, protecting editorial independence and promoting professional media content. However, the coordination with the existing legislation, especially the Audiovisual Media Services Directive, the implementation and enforcement framework for the upcoming regulations remain at this stage rather blurred.

In such a flurry of intertwined rules and in a context of high expectations, it might be challenging to clearly identify and frame what could be the role of the audiovisual regulators.

2. Objectives of the session

Building on this state-of-play and in keeping with previous discussions among EPRA members, this session aims at shedding light on the overall media system, the journey of media content and the impact on the audience while identifying the appropriate levers for action – with a particular focus on the regulators' role.

The speakers and panellists will sketch a comprehensive picture of the media ecosystem and exchange on remedies. The discussion will not cover the question of content curation but will address the broader challenge of defending a pluralistic, sustainable and trustworthy media environment to make it a safer public place to learn, exchange, debate and express oneself.

At a time when voices are calling for more financing, diversity, quality content, trustworthiness and transparency for the sake of democracy, this EPRA session aims to facilitate the sharing of knowledge and expertise between academics and regulators for a better understanding of such a complex environment and the identification of a range of possible remedies.

---

[14] MSI-RES Committee of Experts on Increasing Resilience of Media: https://www.coe.int/en/web/freedom-expression/msi-res#{%22114418776%22:[0]}

[15] Study financed by the European Commission and gathering four academic partners: the Centre for Information Technology and Intellectual Property of KU Leuven, the Institute for Information Law of the University of Amsterdam, and the Vrije Universiteit Brussels (Studies in Media, Innovation and Technology), under the leadership of the Centre of Media Pluralism and Media Freedom of the European University Institute.

In addition, the topic of Dis/misinformation, Plurality and Trust will be further explored through dedicated EPRA online meetings of the EMIL Taskforce, the AI & Regulators Roundtable and the discussion group on video-sharing platform regulation to cover other specific aspects of the theme.

3. Structure of the session

The plenary session, steered by EPRA senior Vice-Chairperson *Maria Donde*, will be structured in two separate parts, both followed by debate with the audience.

➢ **1st part: understanding the evidence and setting the scene**

- The session will open with a (recorded) setting the scene piece by Professor *Sophie Lecheler*, from the Communication Department of the **University of Vienna**, on the complexity of the supply of actual but also perceived dis/misinformation and its implications for news' consumption and people's behaviour.

- Her speech will be followed by the presentation of two case-studies. Firstly, *Anthony Szynkaruk*, Principal, Content Policy at **Ofcom** (UK), will present Ofcom's understanding of the role of online intermediaries and algorithms on plurality and people's perception based on in-depth research undertaken by the regulator. Secondly, *Václav Štětka* from the **Illiberal Turn project** will discuss the outcomes of his research on news consumption and political polarization in Central and Eastern Europe based on population surveys, in-depths interviews and other data collection's methods.

➢ **2nd part: Designing and implementing effective solutions and interventions (panel)**

- This panel discussion will be chaired by *Maria Donde* and segmented around key findings from the 2022 Reuters Digital News Report presented by *Kirsty Park* from the **DCU Institute for Future Media and Journalism** (FuJo). Drawing on this enlightening analysis of consumption trends in Europe, the panellists will debate and exchange views on the potential solutions to implement or to design, to preserve a trustworthy and pluralistic media environment.
  The panel is composed of *Frédéric Bokobza* (**Arcom**-FR and chair of the subgroup 2 of **ERGA**[16]), *Ľuboš Kukliš* (**EPRA** Chairperson and chair of the subgroup 3 of **ERGA**[17]), *Olaf Steenfadt* (independent expert at **Media Global Registry**) and *Ali-Abbas Ali* (Director of Broadcasting Competition at **Ofcom**-UK).

---

[16] Completion of the EU regulatory framework relevant for media
[17] Countering disinformation and strengthening democracy in the digital environment

4. Summary of the session

Dis/misinformation, plurality and trust: contradictory or complementary, these inter-related topics are core challenges for a democratic society, and presently at the heart of many debates in Europe and the European legislation - *from the revised Audiovisual Media Services Directive to the Digital Services Act and now the European Media Freedom Act*.

At the regulatory level, how can media authorities address these challenges?

PART I: Understanding the evidence

❖ **Keynote introduction** by **Sophie Lecheler**, Vienna University (AT) (*video recorded*)
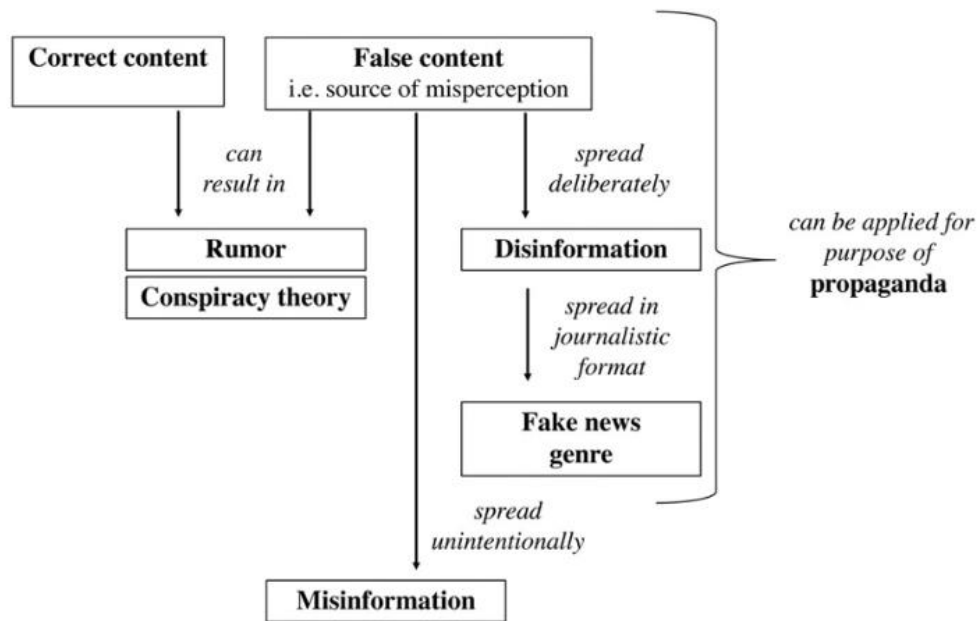

Key points:

1. **The definition and boundaries of Disinformation, Misinformation and Fake News**

According to Sophie Lecheler, dis/misinformation should be understood and studied as a process:

creation → dissemination → sharing → alteration

Approaching the problem as a process helps provide a clear and specific definition for terms usually indifferently and imprecisely used in the public sphere.

Correct content

False content
i.e. source of misperception

can result in

spread deliberately

Rumor
Conspiracy theory

Disinformation

can be applied for purpose of **propaganda**

spread in journalistic format

Fake news genre

spread unintentionally

Misinformation

Source: Egelhofer J. L., & Lecheler, S. (2019). Fake news as a two-dimensional phenomenon: A framework and research agenda. *Annals of the International Communication Association, 43(2), 97-116*

Dis- and misinformation are the results of an accidental or intentional "faulty" information supply chain.

The major challenge to accurately identify the type of content is to detect and assess the real intent behind each step of a content's supply: *who supplies it? who produces it? What is the motive? Does the supplier know it is a false information?*

2. The supply chain of actual falsehoods

Behind dis/misinformation, there are four types of actors: political actors, clandestine actors, media actors and citizens.

The various actors and the intent factor

Political actors	Clandestine actors	Professional media and journalists	Citizens
- Intentional - Inaccurate media reporting - Unintentionally: Knowledge resistance* or misinformed	- Presumed intentionally (*ex: foreign state acting in the shadow*)	- Accidental creation or dissemination - Intentional creation or dissemination (*financial motives, hyper-partisan media…*)	- Unintentionally: Knowledge resistance* or misinformed - Intentionally for financial or popularity gain

*Disbelieving an accurate information.

The role of platforms in the spread of dis/misinformation: transparency and accountability are necessary to be able to better understand and curb the spread of mis/dis-information.

3. The supply chain of perceived falsehoods

As revealed by several studies, there are more and more concern from citizens about mis/dis-information. Although it helps raise awareness and encourages people to carefully read online content, the side effect is a growing mistrust towards media.

The use of "fake news" accusations by politicians to counter criticism from media and by mass media itself as a "buzzword", has led to a dangerous normalisation of the term thus nurturing grounds for censure – *from governments* – and mistrust – *from the population*.

4. The impact on societies, citizens and media plurality

More precisely, the phenomenon of perceived falsehood can affect media plurality as it might provide reasons for:

- Restricting press freedom;
- Defunding public service broadcasters and limiting press subsidies;
- Destabilising States;
- Increasing mistrust, polarisation and impairing knowledge acquisition.

Key message:

More empirical data is needed on the <u>channels and supply chains</u> of such content to clearly identify the type of actors behind it, to fully understand the intention[18], motivations and professionalisation of dis/misinformation campaigns and properly assess the full impact of dis/misinformation as well.

Furthermore, the effect of the supply of <u>perceived falsehood</u> should not be underestimated and it might have significant indirect impact on <u>media plurality</u>.

☞ For more material on Sophie Lecheler's work, see the annex.
@ sophie.lecheler@univie.ac.at https://polcom.univie.ac.at

❖ **How to make Internet and online intermediaries effective channels for supporting plurality and democracy?** by **Anthony Szynkaruk**, Ofcom (UK)

≡ Link to Anthony Szynkaruk's presentation

<u>Ofcom and media plurality</u>: Assessing plurality is part of Ofcom's mission. But so far, the framework and regulatory tools are essentially focused on traditional media (*ownership concentration rules and possibility to access a range of viewpoints*). The role of online intermediaries - *search engines, aggregators, social media* - and their impact on media sustainability and actual content prominence are not taken into account.

---

[18] One of the panellists remarked that a regulatory approach based on intent is particularly difficult to prove for regulators.

→ Basic premise: the need to acknowledge and to adapt plurality assessment to the structural changes in the news system.

1. The structural changes

According to surveys conducted in the UK, the use of online intermediaries to access news has doubled in ten years, Facebook is now the third most important news source after the BBC and ITV.

Although newspapers brands remain quite prominent online, the surveys also indicates that these trends are likely to expand as the young generation is turning its back on newspapers for the clear benefit of social media.

- **Perceived consumption vs. actual consumption:** the reality behind the surveys' results

Passive tracking data show that people underestimate the amount of news they encounter and their use of online intermediaries in general.

- The perceived role of online intermediaries:

Most people are unclear and/or unaware of the role and impact of online intermediaries on what they see online[19]. While respondents express concern about the impact on other people's behaviours – but not on themselves -, some welcome the convenience of having only content that matches their interests and some worry about the risks to news plurality. Paradoxically, while using them, people tend to mistrust online intermediaries, and even more social media, especially when it comes to impartiality.

 - The users' expectations:

Opinions are clearly divided, with some people calling for a total control on how their data are used and others willing to have tailored content delivered to them without being involved.

In reality, as seen with cookies' settings, providing control tools to users does not necessarily mean that they will use them[20]. Control tools need to be provided in an effective and empowering manner.

→ *How to efficiently empower users online and address the potential for harm to plurality?*

2. Ofcom's approach

Ofcom has launched a process to reform UK's plurality legal framework. As part of this process, the regulator has identified and analysed four main areas of potential harms related to the use of online intermediaries:

Echo chambers // Algorithm bias // Misinformation // Polarisation

---

[19] Only 36% of the respondents think that the selection of content is personalised.
[20] According to an Ipsos/Ofcom survey, 43% always accept cookies.

As a result, Ofcom's plan for the future plurality assessment is to:

- Stop treating intermediaries as distributors only;

- Adopt a pro-active regulatory approach by making intermediaries accountable for their actions and providing meaningful users' choices;

- Expand knowledge and develop measurement tools with the involvement of the industry.

Update November 2022: Following a consultation launched in 2021 and the publication of a statement on the future of media plurality in November 2021, Ofcom has published a discussion document based on the outcomes of this research and calls for comments and input from stakeholders with a view to eventually drafting formal recommendations for consideration by the UK Government.

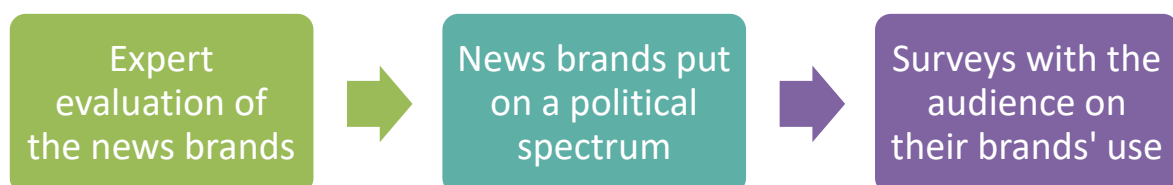👉 Link to Ofcom's study Media plurality and online news discussion document: https://www.ofcom.org.uk/research-and-data/multi-sector-research/media-plurality

❖ **The Illiberal Turn**, by **Václav Štětka**

≡ Link to **Václav Štětka's presentation**

The Illiberal Project[21] (*May 2019 – October 2022*) in a nutshell: This project, conducted by Loughborough University, aimed at carrying out a comparative study of news consumption and political polarisation in Central and Eastern Europe[22]. Based on a multi-method research strategy, the final report covers data collected between November 2019 and June 2020.

Methodology: The study focuses on a sample of 15/17 outlets for each region, selected in collaboration with local experts. The objective was to select experts and media from various backgrounds and opinions to avoid internal echo chambers.

The process:

| Expert evaluation of the news brands | → | News brands put on a political spectrum | → | Surveys with the audience on their brands' use |

Main findings:

- The significant political and cultural polarisation observed among the population extends to media systems, especially in regions with shorter democratic history and illiberal tendencies.

---

[21] EPRA was a supporting partner of the Illiberal Turn project.

[22] Focusing on four countries: the Czech Republic, Hungary, Poland and Serbia.

- In most countries, the majority of the audience watches traditional media and governmental sources of information while also accessing media that do not match their political views (except in Serbia where there is a significant closed group accessing only conservative pro-government media). However, a polarisation of the media can be observed: there is no sizeable proportion of audiences with a balanced news consumption, except in the Czech Republic.

- In all countries, distrust is more prevalent than trust and the trend is emphasised in countries with most polarised media systems[23].

- Except in the Czech Republic, private and opposition media are the most trusted in the countries covered.

- The reasons that survey respondents indicate to explain their trust in their preferred news source vary from the "perceived objectivity and/or independence of the media" to the "alignment with their own views".

> → *How does the audience assess trust? What does the audience take into account?*

> - The perceived independence (especially in the Czech Republic): all political parties underline the importance of having independent media.

> - The professionalism expert assessment of the media: it is strongly correlated to the level of trust in the Czech Republic, the impact is less obvious in Serbia, however.

Key message:

The results of the study suggest a **correlation between media trust and polarisation**.

Polarised media contribute to the erosion of people's sensibility and lead to higher selective news exposure. In countries with **neither strong media brands nor independent and impartial public media services**, the media ecosystem is more likely **to fall prey to polarisation**, escalating the trends to partisanship.

Improving media trust requires efforts to **de-polarise the media landscape** and to **safeguard editorial independence**, especially towards public service media.

☞ For more in-depth material on the Illiberal Turn project, see their [Media Policy Recommendations: Rebuilding trust and countering polarization in (post)pandemic times](#).

---

[23] Hungary and Serbia

❖ **Panellists**: **Ali-Abbas Ali**, *Ofcom (UK)*, **Frédéric Bokobza**, *Arcom (FR) & ERGA*, **Ľuboš Kukliš**, *EPRA Chairperson/Chair of ERGA SG3*, **Olaf Steenfadt**, *Independent expert - Global Media Registry*

<u>Preliminary remarks from the panellists on the balance between research and actions</u>: As a regulator, it is important to understand the effects and behaviours generated by misleading content and to know how to build on data analysed in research and studies. However, investing in research should not be used by stakeholders and government to evade their responsibilities. There is a risk to be overwhelmed by too many studies when there is an urgent need to translate the research data into concrete, long-term and effective actions.

The second part of the session was organised around three segments, illustrated by introductive data from the Reuters Digital News Report, presented by **Dr Kirsty Park**, *FuJo (IE)* – Partner of the Reuters Digital News Report.

👉 For more details of Kirsty Park's analysis, methods and outcomes: see Kirsty' presentation and her explanatory remarks.

o **Segment 1: Attitudes to news and trust/disinformation**

> **Reuters Digital News Report insights**: For most countries, less than 50% of people have trust in news (*with no significant change over the last years, except in Northern Europe where trust is increasing*). A drop in interest in news – *a phenomenon known as "news fatigue"* - is observed in every country surveyed over the last five years. Likewise, the rate of news avoidance is increasing in most countries: people avoid the negative impact of news on their mood and the excessive coverage of topics such as politics and Covid-19. Concerns about dis/misinformation remain pretty stable since 2018.

👉 **Focus on the strengthened Code of practice on Disinformation:** a tool to enhance online trust?

Signed on June 2022, the new version of the code is the result of the outcomes of the monitoring by ERGA of the previous Code of practice and the recommendations of the European Commission. Including key performance indicators and a broader range of obligations, the new code aims at <u>strengthening transparency</u> and effective implementation of the commitments by the signatories. Even though the code essentially focuses on dis/misinformation, providing transparency on platforms' content supply mechanisms might help build a more trustful relationship between the users, the signatories, the European Commission and the media regulators.

Next steps: The signatories and ERGA are now working on a template to collect data which will enable the regulators (ERGA), the Commission and the signatories to assess the implementation and impact of the Code. Seen as a co-regulatory tool, the Code is entitled to become one of the Codes of conduct within the Digital Services Act[24] (Article 45).

The real challenge is now to ensure an effective implementation of the signatories' commitments. An old proverb states that "trust arrives on foot and leaves on horseback", meaning it's hard to gain and easy to lose.

Focus on the upcoming European Media Freedom Act (EMFA): (how) does the new legislative proposal address the issue of trust?

Trust is at the core of the EMFA proposal[25]. Covering a broad range of media (*press, online media, radio, TV*), the proposal mainly focuses on news and current affairs content, the most prominent source of mis/disinformation.

The EMFA proposal aims at strengthening trust in news by safeguarding independence of media and ensuring transparency of media outlets:

- Media ownership transparency and disclosure of conflicts of interest (Article 6);
- Protection from member States' interference in the editorial freedom of media outlets, including the protection of their sources and the prohibition of spyware targeting journalists (Article 4);
- Independence and sustainability of public service media providers (Article 5);
- Strengthened coordination between media regulators regarding third party media outlets in case of threat to public security.

Along with the EMFA proposal, a Recommendation from the Commission[26], not legally binding but which has already entered in force, proposes the implementation of editorial standards and internal rules by the media sector to safeguard independence, integrity and encourages providers and member States to promote media ownership transparency.

NB: the EMFA proposal is still at the beginning of the adoption process and might be amended.

Focus on media ownership: how to deliver comprehensive and transparent data on media ownership to the general public?

The panellists underlined the key role played by transparency in building a trustful relationship with the users. The audience should have the right to know who delivers news, who owns and controls the media outlets. Most of the data are there but not always accessible nor comprehensible for the general public.

---

[24] Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act) (Text with EEA relevance).

[25] Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing a common framework for media services in the internal market (European Media Freedom Act) and amending Directive 2010/13/EU.

[26] Commission Recommendation (EU) 2022/1634 of 16 September 2022 on internal safeguards for editorial independence and ownership transparency in the media sector.

- Brief presentation of the Media ownership monitor by Olaf Steenfadt: Launched in 2015, the project emerged from an unsuccessful call for legal and policy actions from non-governmental organisations to provide media ownership transparency. In reaction, the project - *managed since 2019 by the Global Media Registry (GMR), an independent non-profit social enterprise* – was launched to collect and analyse data publicly available on media ownership. The aim is to provide journalistic treatment of the data to deliver it in a more comprehensible manner to the general public.

The same approach underpins the Journalism Trust Initiative, aimed at developing and implementing indicators for trustworthiness of journalism.

Trust and disinformation vs. regulation

What is actually happening? Dis/misinformation has always existed. Online technologies only have amplified the phenomenon. Regulators need to have the ability to test the rules and procedures in the online environment and to analyse the outcomes provided by the online intermediaries. Trust is earned by ensuring the safety of the product offered to customers. In the aviation industry for instance, users do not need to understand how planes fly, but they need to trust the safe design and construction of the planes. Similarly, safety should be the guiding principle for online players when building and operating their services. Regulators should be entitled to go behind the blackboard and to request relevant data to online providers to assess the safety of the services provided.

→ The current main challenge, as illustrated in all the tools and perspectives presented below, is the difficulty to access data from online players.

- o **Segment 2: Realities of consumption - challenges to the news market**

Reuters Digital News Report insights: While traditional media (TV, radio) remain the main sources of news, social media is increasingly used as the main gateway to news and the business model of subscription and paywalls is struggling to serve as an economically viable model. Text, however, remains the favourite format for news.

Focus on the economic sustainability of media

Internet is a huge disrupter and media are facing an imbalanced bargaining position:

- online advertising does not compensate the decreasing offline advertising revenues;

- media outlets struggle to access and use consumers' data, the new online exchange currency.

→ More regulation is needed to keep a fair level playing field and media regulators should stay up to date on emerging business models.

The EMFA proposal tries to address the issue of sustainability of news media providers by imposing fair principles to state subsidies and advertising (*transparent, open, non-discriminatory and monitored by regulators*) and by attempting to smoothly tackle the clear imbalance between online platforms and traditional media (*encouraging the access to very large platforms' data, general principles to apply to audience measurement*)[27].

In the UK, Ofcom and the Competition and Markets Authority (CMA) have recently provided advice to the Government on how consumers and content providers, including newspapers, could benefit if the bargaining power of the biggest tech firms is properly managed[28].

Further external input on this issue:

The "Study on media plurality and diversity online" prepared for the European Commission and published in May 2022 emphasises the need for "revenue generated from content and mixed revenue models", as the most efficient way to guarantee long-term sustainability and higher degree of independence[29].

Focus on the reliability of media:

Sustainable media need trust but also trustworthiness and trustworthiness requires objectivity. Currently, recommender systems are driven by engagement and favour sensationalism and clickbait. To gain trustworthiness, Olaf Steenfadt suggested putting in place three things:

- Trustworthiness criteria (*relying on independently verifiable editorial processes, not content-based*);

- A certification from independent auditors (*ethic as a label, brand safety*);

- Legal enforcement of these criteria.

○ **Segment 3: Generation Z and the future (trends and challenges)**

Reuters Digital News Report insights: A clear gap is widening between the oldest and youngest generation in terms of news consumption. The generation Z (18-24) shows a low and decreasing level of trust and interest in news and, unsurprisingly, online and social media are the most important gateway to news.

Key points raised by the panellists:

---

[27] Section 6 of the EMFA's proposal, Article 23 and 24.

[28] The CMA and Ofcom have engaged with UK media publishers and the major platforms and drawn on the recent work undertaken in other jurisdictions, in particular Australia and France.

[29] Study financed by the European Commission and gathering four academic partners: the Centre for Information Technology and Intellectual Property of KU Leuven, the Institute for Information Law of the University of Amsterdam, and the Vrije Universiteit Brussels (Studies in Media, Innovation and Technology), under the leadership of the Centre of Media Pluralism and Media Freedom of the European University Institute.

- Research shows that, even within the same age group, very different news consumption habits are observed (as in France for instance). Young people use different platforms, each platform potentially turning into an echo chamber;
- There is no silver bullet solution and multi-level actions, from all stakeholders, are needed;
- Public media services have a huge role to play. It is crucial that they manage to reach the young generation.

Points raised by the floor:

- The term "news" is open to interpretation as no common definition was suggested by Reuters in the framework of the survey → *What does the new generation understand by "news"?*

- Properly legally addressing dis/misinformation and having the right remedy is a challenge as the cause and intention behind the spread of such content cover a broad spectrum (*negligence, lack of knowledge, misled people, intentional act...*)

> → Ofcom (UK) tries to circumvent this challenge by adopting a systemic approach rather than a content-based approach. This idea is to focus on platforms' design and mechanisms to limit content dissemination instead of on the content and source of the content.

5. Annex: A brief overview of key reference documents, reports and research

➢ Articles, reports & studies

- Lecheler, S., & Egelhofer, J. L. (2022). **Disinformation, Misinformation, and Fake News: Understanding the Supply Side**. In: Strömbäck, J., Wikforss, Å., Glüer, K., Lindholm, T., & Oscarsson, H. (Ed.).Knowledge Resistance in High-Choice Information Environments, Routledge: 69-87: https://www.taylorfrancis.com/chapters/oa-edit/10.4324/9781003111474-4/disinformation-misinformation-fake-news-sophie-lecheler-jana-laura-egelhofer

- Jana Laura Egelhofer & Sophie Lecheler, April 2019: "**Fake news as a two-dimensional phenomenon: a framework and research agenda**":
https://www.tandfonline.com/doi/full/10.1080/23808985.2019.1602782

- Divina Frau-Meigs, 14 June 2022 "**How Disinformation Reshaped the Relationship between Journalism and Media and Information Literacy (MIL): Old and New Perspectives Revisited**":
https://www.tandfonline.com/doi/10.1080/21670811.2022.2081863

- **Study on media plurality and diversity** online 16 September 2022, financed by the European Commission and written by Centre for Media Pluralism and Media Freedom (CMPF), European University Institute CiTiP (Centre for Information Technology and Intellectual Property) of KU Leuven Institute for Information Law of the University of Amsterdam (IViR/UvA) Vrije Universiteit Brussels (Studies in Media, Innovation and Technology, VUB- SMIT): https://op.europa.eu/en/publication-detail/-/publication/475bacb6-34a2-11ed-8b77-01aa75ed71a1/language-en/format-PDF/source-266745163

- A multi-dimensional approach to disinformation - **Report of the independent High-level Group on fake news and online disinformation** (European Commission):
https://ec.europa.eu/newsroom/dae/document.cfm?doc_id=50271

▪ **The illiberal Turn project:**

- **Second annual report**: https://www.illiberal-turn.eu/news/second-annual-report-published/

- "**Rebuilding trust and countering polarization in (post)pandemic times**" - Recommendations for media policies and journalistic practices: https://www.illiberal-turn.eu/news/recommendations-for-media-policies-and-journalistic-practices-launched/
(EPRA news: https://www.epra.org/news_items/epra-cooperation-the-illiberal-turn-has-released-its-recommendations-for-media-policies-and-journalistic-practices)

- European Audiovisual Observatory, Iris special: **Transparency of media ownership**, December 2021: https://rm.coe.int/iris-special-2021-02en-transparency-of-media-ownership/1680a57bf0

- Forum on Information and Democracy: **Working group on the sustainability of journalism** - a new deal for journalism, June 2021: https://informationdemocracy.org/wp-content/uploads/2021/06/ForumID_New-Deal-for-Journalism_16Jun21.pdf

- Forum on Information and Democracy: working group on infodemics - policy framework, November 2020:https://informationdemocracy.org/wp-content/uploads/2020/11/ForumID_Report-on-infodemics_101120.pdf

- EDMO: Enhancing Content Reliability by Prominence. Indicators for Trustworthy Online Sources - Report, 2021:
https://edmo.eu/reports/#:~:text=Enhancing%20Content%20Reliability%20by%20Prominence.%20Indicators%20for%20Trustworthy%20Online%20Sources%20%2D%20Report%2C%202021

- Update December 2022: European Audiovisual Observatory, Iris plus "**User empowerment against disinformation online**", December 2022:
https://rm.coe.int/iris-plus-2022en3-user-empowerment-against-disinformation/1680a963c4

> Mappings or relevant initiatives

- The **Council of Europe Committee of Experts on Increasing Resilience of Media** (MSI-RES):
https://www.coe.int/en/web/freedom-expression/msi-res#{%22114418776%22:[0]}

- The **Council of Europe Committee of Experts on the Integrity of Online Information** (MSI-INF):
https://www.coe.int/en/web/freedom-expression/msi-inf#{%22117439015%22:[4]}

- The **Reuters Digital News Report**: https://www.digitalnewsreport.org/
Results for 2022: https://reutersinstitute.politics.ox.ac.uk/digital-news-report/2022
(EPRA news: https://www.epra.org/news_items/reuters-digital-news-report-2022-innovative-journalism-vs-news-fatigue-and-disconnection)

- The **Media Pluralism Monitor** by the Centre for Media Pluralism and Media Freedom:
https://cmpf.eui.eu/media-pluralism-monitor/
Results for 2022: https://cmpf.eui.eu/mpm2022-results/
(EPRA news: https://www.epra.org/news_items/media-pluralism-monitor-2022-confirmation-of-the-trends-observed-in-recent-years)

- The **Journalism Trust Initiative**: https://www.journalismtrustinitiative.org/fr/
This initiative, launched by Reporters Without Borders, aims at developing and implementing indicators for trustworthiness of journalism to promote and reward compliance with professional norms and ethics.

- **Ofcom's study** (UK) "Media plurality and online news", November 2022:
https://www.ofcom.org.uk/news-centre/2022/who-controls-the-news-we-see-online
This new Ofcom study, presented at the 56th EPRA meeting, explores influence of online gatekeepers on choice in news.