



Conference Report

ENGLISH only

Stockholm Conference on Media Freedom in the OSCE Region: Increasing Public Trust in Independent Media through the Implementation of OSCE Commitments

Introduction

The Stockholm Conference on Media Freedom in the OSCE Region, co-organised by the Swedish OSCE Chairpersonship and the OSCE Representative on Freedom of the Media, examined the implementation of OSCE participating States' commitments on the right to freedom of expression and media freedom as an integral part of the OSCE concept of comprehensive security. In particular, the Conference discussed four separate but interrelated topics related to the role of free and independent media in a democracy: creating and safeguarding a pluralistic media environment; ensuring that journalists can operate freely and the importance of national-level mechanisms for their safety; the promotion of access to official information through a culture of transparency; and the specific role of the media in ensuring fair elections – all with a view to how OSCE participating States can increase public trust in independent media through the implementation of OSCE commitments, and thereby strengthen media freedom as such.

The conference took place against a backdrop of growing concerns about the resilience of independent media and journalists operating in a climate of increased hostility. Speakers throughout the conference highlighted growing media freedom restrictions and attacks against journalists across the OSCE region, reiterating concerns expressed by the OSCE Representative on Freedom of the Media. These include physical and online attacks against journalists, detention of journalists as a consequence of their work, legal harassment such as vexatious legal cases brought by state and private actors, attacks on journalists covering protests by both police and demonstrators, verbal attacks by political leaders and more structural problems related to the control of private media, public service media and regulatory bodies by government representatives and other political actors.

Barbara Trionfi from the International Peace Institute acted as rapporteur for this report.

Corr.1*) due to change of distribution status, text remains unchanged

Summary

The conference clearly identified the responsibility of states to create a climate of trust in the media as a pillar of a healthy democratic system. Speakers noted how political leaders have often failed to build trust and some even encourage antagonism against the media, blaming journalists of bias, corruption, inaccuracy and acting against the interests of the general public. Speakers agreed about the highly damaging effects of this anti-media rhetoric, which only serves the purpose of silencing criticism and retaining power.

Many speakers highlighted the current economic fragility of many private news media as a problematic issue, as it prevents the independent media from fulfilling functions such as informing the public and serving as watchdogs of those in power. Speakers also noted that governments in some OSCE participating States have taken advantage of the economic challenges that the media currently face as a consequence of the ongoing digital transition and the loss of advertising revenue so as to rein in the independent media sector and curtail critical coverage.

Speakers emphasised that journalists are the public eyes and ears for their audiences. This role is especially important today, in light of the widespread disinformation on the internet. In divided societies and conflict situations, there are actors who are willing to go to great lengths to control the media message, even with violence, if necessary.

The dissemination of reliable information by the authorities is not only a stepping stone in the fight against disinformation and misinformation, but also a key element of public trust.

Several speakers at the conference agreed that the spread of disinformation is currently one of the greatest threats to democracy in the OSCE region. They also raised the need to identify solutions to counter disinformation and hate speech without limiting freedom of expression and media freedom beyond the limits established by international law and standards, which require that any restriction must be non-discriminatory, prescribed by law, for a legitimate aim, necessary and proportionate to the evaluated risk.

While highlighting the problematic aspects of disinformation and hate speech, particularly on social media platforms, some speakers noted that the current push for removal of content deemed as harmful, coupled with a lack of a clear definition of hate speech and disinformation, may lead to an excessive removal of content, which would amount to censorship. This could result in even greater damage to freedom of expression and media freedom.

Throughout the conference, speakers also highlighted the importance of truly independent public service media in countering disinformation, misinformation, hate speech and their negative consequences on the population. Speakers referred to studies demonstrating how societies with access to independent and robust public service media tend to be less divided

and unaffected by the type of hyperpolarisation seen in societies consuming primarily private commercial media. Speakers identified a balanced coexistence of public and commercial media, supported by truly independent regulatory bodies, as a fundamental pillar of strong democracies.

In this context, conference participants also discussed the need to identify funding models for the news media that strike the right balance between public and commercial funds, ensure editorial independence and reward quality, public-interest journalistic content. Looking ahead, foundations and philanthropy must play an important role in supporting resource-intensive investigative journalism, in particular where the commercial model cannot succeed. Moreover, news media rely increasingly on their audiences to support their work through different models of crowdfunding, from subscriptions and memberships to cooperative ownership models. The success of this often community-based, crowd-funded, small-scale journalism is what will guarantee a plurality of voices even in repressive environments, and they deserve the OSCE participating States' support.

General recommendations from the sessions:

- Political leaders must be vocal in condemning attacks against journalists and reiterating the importance of a free and independent media to society. Clear and open political support for journalism and journalists' safety is key to developing public trust in independent media and, in turn, trust in the democratic system, which builds on checks and balances.
- Public service media play an important role in countering disinformation and polarisation, both by disseminating accurate and fact-based information and by educating the public to recognise disinformation. In order to fulfil this function, public service media must be independent from political, religious and business interests and enjoy credibility within society, and must be based on sustainable funding.
- A pluralistic media landscape comprising both public service and commercial media must have a thoroughly developed regulatory framework that ensures that the media can operate freely and serve the public interest. This is only possible if the regulatory bodies consist of experts and are truly independent from governments, political forces and business interests.
- Private media greatly contribute to a pluralistic media environment, but they have been suffered economic hardship that threatens their survival. Governments and state institutions must develop strategies to support commercial media in ways that promote editorial independence and journalistic quality.
- It is important to thoroughly understand how artificial intelligence (AI) influences the dissemination of content – including disinformation and misinformation on social media platforms and search engines – so as to define clear regulatory principles in line with human rights and media freedom online. Additional research in this area is recommended.

- Transparency in public administration is achieved not only through proper implementation of freedom of information legislation, but also through proactive dissemination of information in an understandable way. Governments and state institutions must develop strategies to proactively make information available in a way that is accessible and understandable to non-expert audiences.

Opening session:

OSCE Chairperson-in-Office and Swedish Minister for Foreign Affairs, H.E. Ann Linde and the OSCE Representative on Freedom of the Media, Teresa Ribeiro opened the conference.

In her opening address, **Ms Linde** stressed that challenges to the rights to freedom of expression and media freedom are among the most pressing matters facing democratic societies. She emphasised the importance of addressing media freedom in the larger context of human rights and comprehensive security, which are areas of immediate and legitimate concern to all OSCE participating States. She also raised the need to implement and abide by the OSCE commitments on the right to freedom of expression and media freedom, as well as prioritising the safety of journalists – particularly the distinct risks facing female journalists. In addition, she highlighted the unique and crucial mandate and work of the RFoM.

Ms Ribeiro expressed particular concern over the growing distrust and anti-media sentiment across the OSCE region, which undermines one of the fundamental pillars of society and often goes hand in hand with physical attacks, declining online safety and increased violence against journalists covering public assemblies. She emphasised that a safe environment for journalists and public trust in the media enable independent media to provide reliable, trustworthy information. Ms Ribeiro also highlighted the importance of multilateralism, dialogue and cooperation to ensure effective implementation of the OSCE commitments, which remains paramount to safeguarding freedom of expression and media freedom.

Professor Timothy Garton Ash then held a keynote address titled ‘Are we losing the media we need for democracy?’. He identified repressive governments, fragmentation of media and business models that are not strong enough for the plurality needed as threats. Mr Garton Ash spoke about ‘the paradoxical result of the digital revolution, which has led to a fragmented information reality’, as it prevents societies from making decisions based on shared facts. He identified algorithms used by social media platforms and search engines to prioritise information and micro-target audiences as being at the core of the problem. These algorithms are optimised for engaging the reader rather than for democracy. Consequently, they tend to prioritise content that would be removed under ethical standards of journalism, such as disinformation and hate speech. Mr Garton Ash highlighted three areas in need of recognition: that digital and media literacy are important at all levels, that the role of the journalist and the many forms of journalism are central, and that the media landscape should be understood

like a table needing four legs to remain steady – public service broadcasting with independent fund management, public commercial media, crowd-based or community-based media funding and philanthropic media funding.

Mr Garton Ash underlined that, in the search for an information model that supports democratic values, we find ourselves caught between the risk of overregulating – and thus falling into the trap of state control of information – and underregulating – and thus leaving decisions about the dissemination of information in the hands of private actors, most commonly identified as the tech giants.

According to Mr Garton Ash, the OSCE participating States have a unique opportunity to identify, as part of a transatlantic dialogue, a regulatory model that supports the values and principles to which they have committed, by rejecting censorship and promoting quality information.

Session 1: Facilitating a safe media environment through national strategies, experiences, and action plans

For years, the OSCE's efforts to promote safety of journalists as a core element of media freedom have focused on the need to work at national level. The commitments of OSCE participating States to protect journalists, most recently through the Milan Decision ([OSCE Ministerial Council Decision No. 3/18 on the Safety of Journalists](#)), must be effectively implemented at national level. Participating States have been urged to develop national mechanisms and action plans specifically aimed at creating an environment in which journalists can operate safely and without fear of retaliation.

This session covered the achievements of some of existing national-level mechanisms for the promotion of journalists' safety, the challenges that they have faced, and the obstacles to and possibilities of establishing functioning national action plans in countries that do not currently have them. In particular, the participants discussed the advantages and limitations of existing mechanisms in Serbia, the United Kingdom and Sweden, and efforts to set up a functioning mechanism to protect journalist safety in Kazakhstan.

Setting the tone for the session, Swedish photojournalist and author **Paul Hansen** noted the difference it makes for journalists operating in dangerous environments to know that their governments and employers have their back and will do whatever they can to protect them. This includes providing safety training and equipment, access to the best medical care and assistance to evacuate journalists out of a country when their lives are at risk. Most local journalists, interpreters and fixers in conflict regions do not have these privileges, which means they take additional risks to ensure that the public receives accurate and timely information.

While it is the role of governments to create an environment in which journalists can operate safely, they should never lead interference with journalistic independence. There must be a clear separation between the state and the free press, and the protection of journalists cannot be used as a pretext to limit press freedom.

The key to the success of all mechanisms discussed during this session is a clear multi-stakeholder cooperation, including representatives of journalist associations, publishers, civil society, police, the justice system and, ideally, the highest representatives of the government, demonstrating a clear sign of political will.

For the past seven years, authorities in Serbia have been working with journalists' associations and international partners, such as the OSCE Mission to Serbia, as part of the Permanent Working Group for Safety of Journalists. The aim of this work is to identify practical solutions to create safer conditions for journalists to work. **Branko Stamenković**, Deputy Public Prosecutor of the Republic of Serbia and Member of the Permanent Working Group noted that this cooperation has achieved important results and brought about positive change. The focus during the initial stage has been on the prosecution of well-known cases. The Working Group has also been looking at ways to strengthen the criminal justice system, possibly also through amendments to the penal code specifically aimed at increasing protection of journalists.

Public scrutiny of the Permanent Working Group has also resulted in criticism of its work, which Mr Stamenković noted is also a consequence of a disconnect between the expectations of the media community and the actual possibilities that any criminal justice system can offer.

The UK recently adopted a National Action Plan for the Safety of Journalists, whose development was guided by a National Committee including representatives of journalists, publishers, press freedom organisations and the Minister for Home Office. **Janis Makarewich-Hall**, Deputy Director for Press, Radio and Media Freedom at the UK Department for Digital, Culture, Media and Sport, said that the National Committee has looked at international examples in this area and discussed the focus of the action plan in the UK media environment. It soon became clear that there was a need to focus on online attacks against journalists, women in particular, and that this required a joint effort of all stakeholders.

With the aim of ensuring that journalists operating in the UK are as safe as possible and that there is no impunity for perpetrators, the UK Action Plan also foresees an annual survey among journalists and editors to understand the developing situation. The Plan also includes training for police on the role of journalists, a media literacy strategy aimed at improving public recognition of the value of journalists, targeted support for journalists and employers to build the resources they need to promote safety, and work with social media platforms to tackle online harassment.

Online harassment is also the primary focus of the Swedish Action Plan ‘Defending Free Speech’, which also specifically emphasises the vulnerabilities of freelancers, who do not have media organisations offering them support and protection. **Filippa Arvas Olsson**, Senior Advisor at the Swedish Ministry of Culture, stressed the importance of political leadership in the Action Plan, which resulted in a clear political focus on safety of journalists and the role of journalists in society, and much greater awareness within the judicial system about the challenges journalists face and better dialogue between media and the authorities. The implementation of the Plan has been under way for some years and one key finding is that it can be advantageous to incorporate both already on-going relevant activities and new initiatives in the Plan to improve co-ordination. At present, the work is addressing the important issue of organisational and political sustainability of the Plan: what should the next step be?

Today, it is easier for journalists in Sweden to report harassment thanks to a new police unit for democracy and hate crime; there is a better dialogue and greater understanding between journalists, police and prosecutors, and media houses have dedicated greater attention to journalist safety. Moreover, a commission of inquiry is currently analysing the criminal code to see if it provides sufficient protection for journalists.

Other positive examples of successful national action plans for journalists’ safety highlighted during the conference are those of Germany and France.

The session also spotlighted a country that has yet to develop a national action plan for safety of journalists: Kazakhstan. Local civil society organisations do a great deal of work to improve the safety of journalists and stop impunity for crimes against media workers, improve media legislation, monitor press freedom violations, and train media and civil servants. In these efforts, civil society seeks cooperation with state institutions and international human rights organisations. **Tamara Kalejeva**, President of the Adil Soz Foundation in Kazakhstan, noted that the greatest challenge for civil society’s efforts is the lack of political will to prioritise journalists’ safety and develop a national action plan to promote it.

Commentors from the floor, deplored the fact that some OSCE participating States not only have failed to implement national action plans but have also taken deliberate action to repress free media and target independent journalists in order to suppress critical voices.

Recommendations from the session:

- States should ensure the effective implementation of OSCE commitments, including by enforcement at national level and at the level of organisations and institutions.
- National action plans should include multi-stakeholder cooperation, with high-level representatives of the government fully endorsing these Plans to show political support.

- States should develop a methodology to assess the achievements and limits that any existing action plan needs address.
- While states have the responsibility to create the conditions for journalists to operate safely, they should ensure to preserve a clear separation between the state and the media.
- To ensure the success of a national action plan, states should raise sufficient awareness among law enforcement agencies about how to address challenges that journalists face.
- States should ensure a system in which journalists are encouraged to inform the government and the general public if the actions of the government or the police are not effective.
- States should provide strong political support to the work of journalists as this greatly contributes to their safety.

Session 2: A pluralistic media environment

This session focused on opportunities and challenges in promoting a pluralistic media environment, where public service and commercial media co-exist within a properly regulated environment. The regulatory framework should leave sufficient space for press freedom and editorial independence, while also limiting monopolies and ensuring access to a multiplicity of news sources.

Panellists stressed the need for public service broadcasters to be fully independent from state, commercial or religious interests and to be able to offer impartial information that brings communities together. The independence of the public service broadcaster relies on two pillars: 1) a funding model that ensures the independence of the broadcaster from the government of the day and 2) supervisory and regulatory bodies comprised of experts rather than political representatives.

Participants emphasised that a strong independent public service broadcaster is now more important than ever in countering the spread of disinformation. Nevertheless, political pressure on the editorial decisions of public service broadcasters has increased.

Cilla Benkö, CEO & Director General of Radio Sweden, said that the independence of Radio Sweden is preserved thanks to the fact that it is controlled by a foundation with no political or other affiliation, and is publicly funded through taxpayer money. Swedish Radio plays a special role in offering a public arena where facts are shared and discussed, and delivers news only and not opinions.

Ms Benkö stressed that in a truly pluralistic media environment, the public service broadcaster exists side-by-side with strong commercial media, which also require a functioning business model that preserves their independence and quality.

Corina Cepoi, Chief of Party of Internews in Moldova, raised that the creation and support of an independent public service broadcaster requires the right political and societal conditions. This includes sufficient appreciation among the general population of the role of the public service broadcaster so as to generate acceptance for fees and other forms of taxes to support their public mission. These conditions are not present in all OSCE participating States. She also noted that a regulatory body that has limited independence and is too close to political interests represents a challenge to establishing independent public service media in Moldova. A proposal for a better regulatory framework, which would allow the development of a vibrant and pluralistic media market in the country, has been under consideration in the Parliament for a long time, but has stalled in the legislative process. The COVID-19 pandemic has shifted the attention of legislators to other areas, and they have failed to appreciate the need of an independent and pluralistic media to face the effects of the pandemic.

In countries where no independent public service media exist, and there seems to be no political will to establish one, civil society must organise and provide clear evidence of the unique value that an independent public service broadcaster can offer by gathering real-life examples. Civil society organisations must seek alliances with the political parties that support this and with other interest groups, and generate pressure on the government. It is vital to clearly differentiate between a public service broadcaster and a state broadcaster that is controlled by the government and lacks editorial independence.

Addressing the challenges to ensuring the independence of the regulatory bodies, **Maria Donde**, Deputy Chair of the European Platform of Regulatory Authorities (EPRA), raised the issue of plurality in the age of algorithms and asked how technology can be used to promote plurality. For the past three decades, EPRA has served as a forum to share best practices among European regulators. This includes the areas of media concentration, editorial practices that ensure plurality, independent oversight of the public service broadcaster and the development of local media.

According to Ms Donde, today's challenge is to understand the best framework for regulating online content and preserving freedom of speech and plurality. First, it is necessary to clearly understand the impact of personalised content curation on people's susceptibility to misinformation in order to assess what regulatory framework is needed.

She also made clear that only truly independent regulators can carry out the functions above in the interest of the people and in support of democratic standards. Clear guidelines exist to ensure the independence of the regulators, but they will only be effective if there is a clear political will.

The panel also discussed the importance of trust and the key role that politicians play in promoting public trust. Panellists expressed dismay at direct attacks by political representatives against the media and journalists, accusing them of being tools for other

interests. This creates a climate of distrust in the media. These sentiments trickle down from the political leaders to the general population and compromise society's cohesion.

Speakers also identified existing threats both on the availability and consumption side. In terms of the availability of accurate, independent news, there are threats related to the sustainability of the production of independent content, which is closely linked to the concentration of the media and advertising markets, as well as safety threats. As far as the consumption side is concerned, there is a need to increase and expand digital and media literacy programmes to ensure that there is greater appreciation for quality and pluralistic media content and to raise the demand for it, which in turn creates a demand for availability.

Recommendations from the session:

- Strengthen independent public service media, including their efforts to counter disinformation and divisive discourse that is typical to disinformation. Recognise their unique value in promoting greater cohesion within society.
- States should ensure funding models for public service broadcasters that preserve editorial independence. The selection of the best funding model for the public broadcaster should take into consideration the specific conditions in the country.
- Regulatory frameworks should limit the cartel agreements and price dumping that are typically associated with media organisations belonging to politicians or associated with political parties.
- States need to analyse which funding models for commercial media incentivise high-quality, independent news content.
- States should promote digital and media literacy, which contributes to generating demand for news media content and information that serves the public interest.
- Public service media should play a role in educating the public and delivering media literacy to help people recognise quality content.
- States should encourage development of self-regulatory mechanisms in parallel with the statutory regulatory framework.
- States should consider various measures to support the independent media, such as reduced value-added tax for media products, proper compensation for journalists when their content is used, and neutral state subsidies for news media.
- Regulators need to pay particular attention to regulating media ownership in a way that promotes independence and plurality without posing an additional challenge to news media's business model.
- In order to define the appropriate regulatory framework to promote plurality of news and information sources on social media, additional research is needed to understand the impact of personalised content curation on people's susceptibility to misinformation and access to information.

Session 3: Transparency of Public Authorities

This session covered the ways in which transparency in public administration allows the media to perform its role in informing the public about issues of public interest and holding public authorities accountable for their actions. The session specifically highlighted the advantages and characteristics of a well-functioning e-government and how State responses to the COVID-19 pandemic has affected access to information.

Panellists agreed that greater transparency is an important aspect of the fight against disinformation and misinformation. When credible information is not provided on time, it creates a breeding ground for the spread of ‘fake news’ and disinformation, and can contribute to growing distrust in society as well as towards the government.

Digital tools have become especially useful during the pandemic to ensure the flow of information and easier access to information. In countries where freedom of information requests are paper-based, the pandemic has significantly slowed the flow of information.

Properly implemented freedom of information laws are a cornerstone of transparency. **Shushan Doydoyan**, President and founder of the Freedom of Information Center of Armenia, noted that delays in providing requested information are generally not caused by an effort to withhold information but rather a consequence of poor administration.

Panellists agreed that, in order to effectively implement freedom of information laws and ensure open government, there is a need to focus on educating both civil servants and those who request information. Young civil servants, in particular, tend to support transparency but often lack the expertise to consistently ensure it. Civil servants should also be trained to recognise disinformation, so as to avoid contributing to its dissemination, as this would severely compromise people’s trust in public officials and increase the risk that public authorities inadvertently share misinformation, thus lending it credibility.

Another challenge that was raised is the fact that public authorities generally do not disclose information proactively, only doing so following freedom of information requests. Proactive disclosure of information promotes trust and pre-empts disinformation.

It was emphasized that it is important that authorities develop a communications strategy to provide information in a way that is useful and truly accessible to the people. This includes making information understandable by using language that is comprehensible to a non-expert audience. This is also important for the media, as many journalists may not have the necessary level of expertise on technical issues. It is the responsibility of public officials to reach out to the media to communicate the information effectively. Typical channels for proactively disseminate information are official websites, social media and the news media.

In addition to freedom of information laws, open public meetings contribute to open government. **Suzanne J. Piotrowski**, Associate Professor in the School of Public Affairs and Administration at Rutgers University, spoke about how open public meetings are not only an avenue for participation, but also an important avenue to access information, which is shared during the meetings. During the COVID-19 pandemic, open public meetings, which are traditionally held exclusively in person with little to no virtual access, moved online, which provides more possibilities for transparency. It remains to be seen if the meetings will remain online or go back to being held in person after the pandemic.

Katrin Nyman Metcalf, Adjunct Professor of Law and Technology at Tallinn University of Technology, spoke about the advantages of e-governance to promoting transparency, such as the ability to provide better access and rapid services, and in cutting costs.

Real e-governance includes the possibility of direct interaction in order to access one's own data and other information. Close cooperation between legal and technical experts is needed to ensure that people only have access to the information to which they are legally entitled. This is particularly important in order to ensure that authorities do not collect or access data excessively.

Participants expressed concerns about an increased risk to data protection and privacy due to the electronic availability of data. In addressing this, Ms Nyman Metcalf noted that technology should be seen as an ally in data protection and that proper technology can actually ensure greater data protection than the lack thereof.

An important, yet seldom discussed aspect of transparency is the transparency in the judiciary. **Guilherme France**, Senior Researcher at the Center for Ethics, Transparency, Integrity and Compliance at Fundação Getulio Vargas, Brazil, emphasised that a transparent judiciary allows for public scrutiny, making courts efficient and strengthening the rule of law. Greater transparency of the judiciary also encourages public evaluation of judges, who feel compelled to provide stronger justification for their decisions. This, in turn, strengthens the judicial system as a whole.

According to Mr France, primary challenges to open justice are the absence of specific norms and regulations, the lack of international standards regarding which documents should be made available by which courts and when information should be made available so as to avoid jeopardising an investigation.

Like other aspects of transparency, we must also ensure in the judicial field that documents are not only publicly available but also fully understood.

Panellists also touched on the topic of transparency of media ownership. While they were in agreement that such ownership transparency would increase trust, some expressed concerns about imposing a requirement on media organisations to reveal their owners in countries

where this may put people at risk, as this could limit the willingness of potential owners and investors to be involved in the news media business.

Recommendations from the session:

- States should facilitate access to information not only through effective implementation of freedom of information laws but also through proactive dissemination of information in language that is understandable to a non-expert audience.
- States should establish financially and politically independent oversight bodies to monitor access to information.
- Public servants should undergo training to learn how to swiftly respond to freedom of information requests, how to proactively disseminate information and how to use fact-checking tools to limit the risk of lie washing.
- States should promote benchmarks against which different judicial systems can be evaluated. This process would allow for identification of best practices, which can improve transparency and accountability of the judiciary.
- States should promote more transformative thinking in regard to using technology for the purpose of transparency in public administration. This involves assessing what obstacles the general public may face in accessing and using the technology, and ensuring strong data protection regulation.
- Existing freedom of information acts need to be constantly re-evaluated to ensure that they are up-to-date and take into consideration technological advances.

Session 4: The role of the media in the democratic process, including elections

This session covered the relationship between media freedom and integrity of the democratic process. Specifically, participants discussed strategies and mechanisms to ensure that the media can fulfil its role before, during and after elections and thereby promote free and fair elections through accurate, balanced, independent and pluralistic information.

Emphasising the importance of OSCE participating States' implementation of the ODIHR election observation recommendations, **Dame Audrey Glover**, former Director of the Office for Democratic Institutions and Human Rights (ODIHR), explained that ODIHR election monitoring teams closely analyse what happens in the media. Free coverage of elections and transparency about the implementation of rules regulating access to the media by political parties are needed in order to build confidence in the election system. Findings about media coverage are included in the reports published by ODIHR after the elections.

Ms Audrey Glover stressed that ODHIR election monitors often register efforts to interfere in the work of the media through various forms of attack coming not only from governments, but also from businesses, e.g. in the form of vexatious legal threats.

Elections take place today in an information environment in which it is increasingly difficult for journalists to operate. Disinformation is particularly harmful to the electoral process, as it negates the concept of informed choice, as voters go to the polls with false information.

Explaining how media performance during elections can be analysed and assessed, **Giuseppe Milazzo**, Senior Media Analyst at the Pavia Observatory, pointed to the need to consider the overall degree of independence of the media from the political system. To do so, monitors and analysts refer to existing OSCE and other international standards, both binding and non-binding, and best practices. A key principle is the clear separation of editorial content and political advertisement, which is needed to avoid confusion of the electorate.

Adam Baxter, Director of Standards and Audience Protection at Ofcom, highlighted the need for stricter regulation of the media, particularly the broadcasting sector, during elections. Mr Baxter noted that requirements of due impartiality and due accuracy are stricter during elections.

Linear broadcasting is a highly regulated space, particularly during elections, which are some of the most significant events for democracy in any country. Ofcom steps up its efforts in many ways during elections, such as by creating a special committee that can reach decisions about media complaints in a short period of time, generally within a couple of days.

Looking at the information disseminated on social media, speakers discussed whether the same standards of regulation that apply to linear broadcasting should be obligatory for digital platforms. One underlying concern is that legal electoral frameworks are not keeping pace with the rapid development of social media and the use of machine learning technologies and AI. As social media gain in importance in the context of elections, stable and sound laws and principles are needed to provide guidance on what is permissible and not permissible, and on enforcement.

Indeed, there are both positive and negative aspects of the online dissemination of election-related content. On the one hand, it allows for a broad dissemination of information and increases the chances for participatory democracy, such as enhanced voter mobilisation. On the other hand, it poses challenges linked to polarisation, the dissemination of disinformation and unlabelled micro-targeting.

Referring to concerns expressed by the OSCE Representative on Freedom of the Media about having algorithms on social media platforms driven by commercial or political interests, **Armin Rabitsch**, Senior Election Expert and Chairperson of Election-Watch.EU, noted that most AI tools lack transparency, accountability and effective remedies. “We are confronted with black

boxes”, Mr Rabitsch noted. Together with other experts, Mr Rabitsch drafted a “Policy paper on AI and freedom of expression in political competition and elections” for the OSCE #SAIFE project, which spotlights on AI’s impact on freedom of expression.

The primary areas of risk identified in connection with the dissemination of electoral content on social media platforms are disinformation campaigns and ‘deepfakes’ (the replacement of a person in an image with another person’s likeness, with the purpose of deceiving viewers), amplification and weaponization of hate speech, micro-targeting of voters, racial and gender stereotyping possibly strengthened by biases embedded in the algorithms and bots interfering in the electoral process.

Regarding regulation of social media platforms in a manner that respects fundamental rights and freedoms, participants discussed various efforts at international level to define international principles and guidelines – particularly in the EU, with the European Commission recently putting forward its draft Digital Services Act (DSA) and draft Digital Markets Act (DMA), and a draft regulation setting out harmonised rules on AI. Finalising and adopting these will take time due to a diversity of approaches across EU Members States, with some proposing a human rights approach to the regulatory framework while others are pushing for a more libertarian and business-oriented approach. EU guidelines in this area could eventually serve as guidance for a global approach.

While concerns about disinformation and hate speech are legitimate, speakers also highlighted the danger of excessive removal of content, which would amount to censorship.

Recommendations from the session:

- In order to guarantee the integrity of the electoral process, States should introduce stricter regulation of the broadcasting sector based on clear and transparent guidelines implemented by an independent regulator during elections.
- Any assessment of media performance in the context of elections must be based on existing international standards in this area.
- States and other actors should promote independent research and analyses to assess which regulatory principles can best address challenges connected to social media content in the context of elections.
- Any regulation of digital platforms must take into consideration the unique advantages that they offer in ensuring democratic engagement and enjoyment of human rights. Any regulation must also fully respect human rights, and should uphold an open, free and secure internet.

Concluding session

The conference was concluded by Swedish Minister for International Development Cooperation H.E. Per Olsson Fridh, Swedish Minister for Culture and Democracy H.E. Amanda Lind, and the OSCE Representative on Freedom of the Media, Teresa Ribeiro.

The two ministers noted that the OSCE participating States' commitments on human rights, democracy and the rule of law are strong and clear. They highlighted the crucial role that journalists and other media actors play in holding public institutions and officials accountable, and hence for democracy as such. They also stressed the need for national media policy to reinforce media support and to promote media plurality and media literacy. They also highlighted the importance of ensuring the safety of journalists – an issue that has also come into focus at national level in Sweden.

Ms Ribeiro emphasised that journalism is a public good that must be protected and supported. She stressed that the effective implementation of the existing OSCE commitments would provide for a favourable environment in which media can operate without restriction to fulfilling their task of reporting on issues of public interest, to investigating and speaking truth to power. In closing, Ms Ribeiro highlighted that preserving media freedom as a foundation for democracy and coherence of societies requires daily concerted efforts.