

<b>Subgroup 3 – 2022 Terms of Reference (ToR)</b>	
<b>Name of Subgroup</b>	Countering disinformation and strengthening democracy in the digital environment
<b>SG Chair, NRA</b>	<b>Ľuboš Kukliš</b> , The Council for Broadcasting and Retransmission (Slovakia)
<b>Background</b>	<p>The Subgroup on countering disinformation and strengthening democracy in the digital environment is a continuation of ERGA’s long term focus on the challenges that fast-changing informational environment poses to media plurality. The work of Subgroup 3 reflects the ambition of ERGA to take an active role in discussions on the future disinformation policy in the EU and becoming a key player in the oversight of the platforms when applying the Code of Practice.</p> <p>In 2018 ERGA focused on the topic of internal media plurality. The Subgroup gathered rules that the EU member states (and some other European countries) employ to safeguard pluralistic and duly objective discourse on the most important political questions and processes, such as elections.</p> <p>In 2019 ERGA was asked by the Commission to monitor the implementation of the Code of Practice on Disinformation. In its report the Subgroup identified several shortcomings of the mechanism and made recommendations on how to make it more effective – particularly by enhancing transparency and moving from self-regulation to a more effective co-regulatory model.</p> <p>In 2020 ERGA’s Subgroup on disinformation continued in this line of work, conducting interviews with external experts, organising events with platforms and other relevant stakeholders and networks, and preparing reports focusing on definitions of disinformation and related concepts, media literacy activities, relations between platforms and researchers, fact-checkers, and on handling of users’ complaints.</p> <p>In 2021 ERGA has again been asked by the European Commission to monitor the effectiveness of the Code of Practice in the context of online disinformation about COVID-19. The results of the monitoring were presented in two reports adopted by ERGA in November and December 2021. The monitoring led to a set of recommendations for signatories of the strengthened Code.</p> <p>As is stated in the ERGA Work Programme 2022, ERGA, building on the guidance and experience of the 2021 Subgroup, will continue its work on disinformation, political advertising and other issues relating to the European Democracy Action Plan. To this end, the subgroup will draft in close consultation with the Board both short strategic papers and position papers to be adopted by ERGA members to feed into the European debates in this regard. The Subgroup will furthermore provide assistance to the European Commission, when requested.</p> <p>Where necessary, the subgroup will liaise with Subgroup 2 to inform and share positions on interconnected issues – specifically, but not exclusively in relation to the European Media Freedom Act.</p> <p>Moreover, given the importance of media literacy for the democratic discourse and debate, the group will dedicate resources to inform all</p>

	<p>members on developments concerning media literacy measures implemented or initiatives dedicated to disinformation that can be observed at EU level and in other regulatory networks.</p>
<p><b>Subgroup scope and purpose</b></p>	<p>The Subgroup's general purpose is:</p> <ol style="list-style-type: none"> <li>1. to cooperate with the European Commission, the members of the permanent taskforce and other relevant stakeholders for the development of the Code of Practice on Disinformation,</li> <li>2. to be actively involved in the set-up of the permanent taskforce as envisaged in the European Commissions' Guidance and to contribute to the general outset and design of the group's discussions (e.g. in the development of standardised procedures as set out by ERGAs recommendation No. 8 in the Subgroup's 2021 report<sup>1</sup>), to prepare capacities for monitoring of the strengthened Code of Practice on Disinformation and to prepare a report on monitoring based on ERGA's activities in 2022,</li> <li>3. to set up a taskforce within the Subgroup dedicated to developing a position on the proposed regulation on the transparency and targeting of political advertising and closely follow its adoption,</li> <li>4. to organise, where necessary, up to two public events, closed-door meetings, including workshops with relevant stakeholders dedicated to co-regulatory framework of the future-proof approach to disinformation and the proposal for Regulation on transparency and targeting of political advertising,</li> <li>5. to follow the European Democracy Action Plan implementation, through the participation in stakeholders forums, research projects, public consultations and legislative processes regarding topics related to the SG scope,</li> <li>6. to coordinate with Subgroup 2 to inform and share positions on interconnected issues, including on the European Media Freedom Act,</li> <li>7. to explore topics linked to external plurality, such as media ownership and structural questions of media markets,</li> <li>8. to coordinate with the media literacy liaison team, where relevant.</li> </ol>

<sup>1</sup> ERGA Recommendations for the new Code of Practice on Disinformation, available at: [https://erga-online.eu/wp-content/uploads/2021/11/ERGA-RECOMMENDATIONS-2021\\_11.pdf](https://erga-online.eu/wp-content/uploads/2021/11/ERGA-RECOMMENDATIONS-2021_11.pdf)

### Subgroup 3 Deliverables

<b>Deliverable 1</b>	<b>Deliverable type</b>	Statement/Position paper on the proposed regulation on the transparency and targeting of political advertising
	<b>Deliverable title</b>	TBD
	<b>Due date</b>	Statement - February 2022; Position paper – June 2022
	<b>Publication</b>	Yes
<b>Deliverable 2</b>	<b>Deliverable type</b>	Position paper on regulation on the transparency and targeting of political advertising informing policy discussions (trilogue negotiations)
	<b>Deliverable title</b>	TBD
	<b>Due date</b>	2 <sup>nd</sup> plenary
	<b>Publication</b>	Yes
<b>Deliverable 3</b>	<b>Deliverable type</b>	Report on the monitoring of Code of Practice
	<b>Deliverable title</b>	TBD
	<b>Due date</b>	2 <sup>nd</sup> plenary
	<b>Publication</b>	Yes
<b>Deliverable 4</b>	<b>Deliverable type</b>	Workshop dedicated to the establishment of the new Code of Practice and its monitoring
	<b>Deliverable title</b>	TBD
	<b>Due date</b>	1 <sup>st</sup> half of 2022 (TBD)
	<b>Publication</b>	No

### Allocated Resources SG3

<p><b>Drafters</b></p> <p><b>Members</b></p> <p><b>Observers</b></p>	<p><u>Chair:</u> Ľuboš Kukliš CBR (Slovakia)</p>
<p>DLM (Germany) AGCOM (Italy) ERC (Portugal)</p>	
<p>KommAustria (Austria) CSA, VRM (Belgium) CEM (Bulgaria) CRTA (Cyprus) RRTV (Czechia) TTJA (Estonia) ARCOM (France) NCRTV (Greece) KAVI (Finland) AEM (Croatia) NMHH (Hungary) BAI (Ireland) NEPLP (Latvia) RTK (Lithuania) ALIA (Luxembourg) BA (Malta) CvdM (Netherlands) KRRiT (Poland) AKOS (Slovenia) CNMC (Spain) MPRT (Sweden) IMC (Iceland)* NMA (Norway)*</p>	
<p>AMA (Albania) AVMU (North Macedonia) OFCOM (Switzerland) RTUK (Turkey)</p>	

\* Without voting rights (Article 1 of the ERGA Rules of Procedure)

**Workflow for Subgroup 3 (internal and external milestones)**

<b>Date</b>	<b>Action/deliverable</b>	<b>Internal Subgroup only</b>	<b>External CN, Plenary, Publication</b>
<b>2022</b>			
January	1st SG3 Meeting	All members	
February	Meeting with Commission to gather common understanding	Chair	
February	Meeting of SG3 drafters	Drafters	
February	ERGA Statement on the proposed regulation on the transparency and targeting of political advertising	Drafters	Publication
April (TBD)	SG3 Workshop to the establishment of the new Code of Practice and its monitoring	All members	
April	2 <sup>nd</sup> SG3 Meeting	All members	
May TBD	Contact Network	Chair	CN
June TBD	Plenary meeting	Chair	Plenary
September	3 <sup>rd</sup> SG Meeting	All members	
November	Contact Network	Chair	CN
December	ERGA Plenary Meeting	Chair	Plenary