

ICA 2022 PRE-CONFERENCE

ALTERNATIVE CONTENT REGULATION ON SOCIAL MEDIA

Date
Wednesday, May 25th, 9h30-18h00

Conference venue
Paris-Panthéon-Assas University
92 rue d'Assas
75006 Paris

Free Registration Fee
Registration is free but required at carism@u-paris2.fr.
ICA membership is not required to participate in the preconference.

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ORGANIZERS

Center for Interdisciplinary Research and Analysis of the Media
(CARISM, IIP, Panthéon-Assas University)
Working Group on Internet Governance and Regulation,
Institut des Sciences de l'Internet, l'Algorithme, la Société et l'Institution (ISIAS/CNRS)



Media Literacy as an alternative regulation of social media: the implications of a complex European policy

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Content of the conference

Introduction : why Media literacy became an alternative regulation of social media

- 1. Media literacy as an "alternative" regulation of digital media in European policies (Agnès Granchet)**
- 2. Dispersal of media literacy among heterogeneous actors at the risk of a confusion of roles (Sophie Jehel)**
- 3. "Alternative regulation" through education : the *Adoprivacy* project, (Marie Chagnoux)**



1 Media literacy as an "alternative" regulation of digital media in European policies



1.1 Injunctions to States

- **Incentive to promote media literacy**

- European Union

- Recommendation 2006/952/EC of the European Parliament and of the Council of 20 December 2006 on the protection of minors and human dignity and on the right of reply in relation to the competitiveness of the European audiovisual and on-line information services industry

- Protectionist approach and economic purpose

- Skills limited to "*responsible use of audiovisual and on-line information services*"

- Incentive reinforced by the AVMS Directive 2010/13/EU of 10 March 2010 : media literacy, a criteria to assess the applicable law ?

- Council of Europe

- Recommendation CM/Rec(2018)7 of the Committee of Ministers to member States on Guidelines to respect, protect and fulfil the rights of the child in the digital environment (Adopted by the Committee of Ministers on 4 July 2018) : **Digital literacy as a means to protect children**

- Recommendation CM/Rec(2022)4 of the Committee of Ministers to member States on promoting a favourable environment for quality journalism in the digital age (Adopted by the Committee of Ministers on 17 March 2022) : **Central role of Media and Information Literacy**

1.1 Injunctions to States

- **Obligation to develop media literacy**

- Directive 2018/1808 of 14 November 2018 amending Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) in view of changing market realities
 - Binding obligation (article 33a) : “*Member States shall promote and take measures for the development of media literacy skills.*”
 - Broadening the concept of “*media literacy*” (Recital 59)

- Implementation in France

- **Media and Information Literacy Plan (2018)** with a budget of 3 million euros in order to support MIL actors (libraries, popular education structures, etc.)
- **Circular of 22 January 2022**, entitled “Generalisation of media and information literacy”, considered as “*a component of actions relating to the values of the Republic*”



1.2. Injunctions to platforms

* Article 28b of the Directive 2018/1808 of 14 November 2018

- Content of the video-sharing platforms' obligations : “*providing for effective media literacy and tools and raising users' awareness of those measures and tools*”
- **Aim of public interest** (State delegation to private actors ?) : Protecting minors and the general public from dangerous or illegal “*programmes, user-generated videos and audiovisual commercial communications*”
- **No general obligation to monitor transmitted or stored content** and technical intermediaries' limited liability (Articles 12 to 15 of Directive 2000/31/EC)
- Implementation of the video-sharing platforms' obligations
- **Injunction to States for platforms monitoring** : “*Member States shall ensure that all video-sharing platform providers under their jurisdiction take appropriate measures*” and “*apply such measures*” (use of coregulation ?)
- **Action by regulatory bodies** and tasks of The European Regulators Group for Audiovisual Media Services (ERGA) : “*to exchange experience and best practices on the application of the regulatory framework for audiovisual media services, including on accessibility and media literacy*” (article 30b)



* Order No. 2020-1642 of 21 December 2020 transposing Directive (EU) 2018/1808 into French law and amending the Act of 30 September 1986 on freedom of communication : “*The Conseil supérieur de l'audiovisuel (ARCOM since January 2022) ensures that providers of video-sharing platforms provide for media literacy and user awareness measures.*”



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**Dispersal of media literacy among heterogeneous actors
at the risk of a confusion of roles**

2. Dispersal of MIL among heterogeneous actors



Educational actors are in the minority

1. State actors:

12 public authorities involved in MIL in 2016

- Regulation bodies (ARCOM – ex CSA; CNIL)
- Public independant authorities (Children Ombudsman, Human Rights Defender)
- Ministry of national Education (especially but not only CLEMI)
- Culture Ministry, Finance Ministry

2. Industrial actors

International Platforms such as Google, Facebook, Microsoft, Social Media (Twitter, Tiktok)

Audiovisual public sector : Arte ; France TV, France Media Monde

3. Civil Society (>20 main actors en 2020)

« Popular education » association, Family association, protection of Children Rights, Journalists and media, companies in the education sector, specialised association (e-enfance)

2. Multiactors Networks and ressources building but for what outcome ?



The strength of these policies

1. Increase in (often) online resources
2. Large number of networks of actors to share resources and networks

Weaknesses and questions

1. Low level of coordination of actors (specially local actors), who do not always know each other ; coordination is often done at national or central level
2. Over-treatment of some issues (disinformation) and neglect of others (such as privacy and protection of personal data)
3. Public funding based on project, which means precariousness and competition
4. Difficult evaluation especially when the actors are commercial actors who aim above all to extend the users' activities

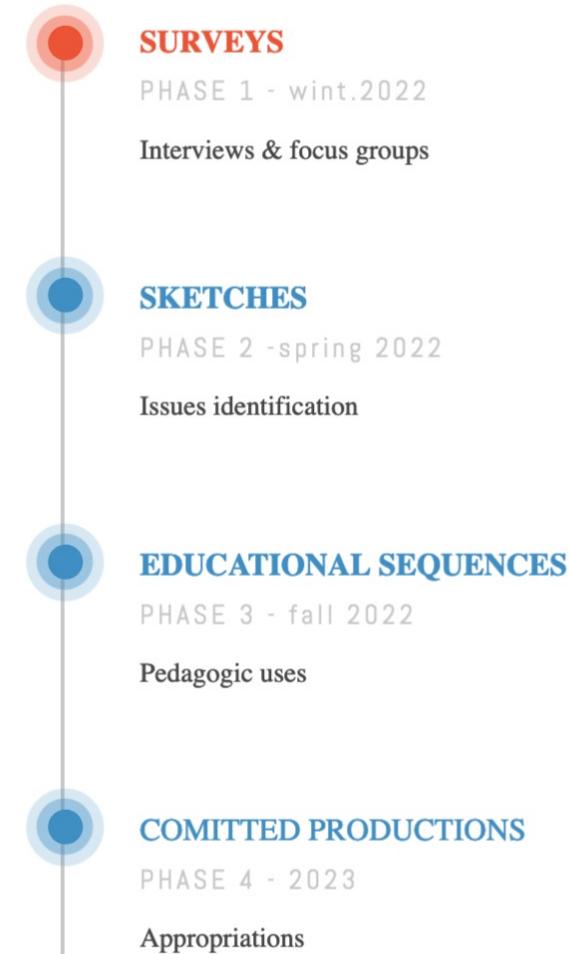


3 *Alternative regulation through education* the Adoprivacy project

3. 1 Adoprivacy – an educational action research



2 years
5 labs
11 researchers
Communication Sciences
Law
Cognitive Psychology
Computer Sciences
10 educational institutions
artists



3. 2 Adoprivacy -- from texts to field



SURVEYS

3 CITIES (Toulouse, Lyon, Paris)

15 semi-directive INTERVIEWS

Teachers, headteachers,
librarians, trainers...

- Mosaic of representations
 - training schemes
 - institutional injunctions
 - implementations
 - theoretical & practical bottle-necks
- Collection of experiences
 - in training sessions
 - in educational and various social contexts
 - in personal and professional contexts

Looking at field experiences facing institution expectations



3. 3 Adoprivacy – actors under pressure

- Initial training deficiencies
 - on a voluntary basis
 - on unsettled topics:
 - constantly evolving environments
 - constantly emerging uses
 - increasing complexities of subjects (law, technology...)

“

Mais ce n'est pas des formations, je ne peux pas... enfin si je fais des formations, c'est sur le bénévolat, sur mon temps personnel et je n'aurais pas tout le monde qui va y assister, voilà. Donc du coup, je le fais de façon informelle.

“

Je ne dirais pas qu'il y a des actions qui seraient menées régulièrement, vous voyez, pour entretenir ça, non. Vous voyez, qui seraient vraiment liées à la problématique que vous m'indiquez, je dirais qu'on n'a pas ça inscrit dans notre emploi du temps par exemple, non.

“

j'imagine que je dois mal paramétrer mes cookies parce que systématiquement, j'accepte les cookies quoi. Je ne sais pas si je devrais le faire, mais c'est tellement compliqué de les paramétrer qu'on n'a pas le temps quoi.

3. 3 Adoprivacy – actors under pressure

- Initial training deficiencies
- Institutionnal « fuzzyness »
 - fuzzyness of the frame of references (PIX, MIL --media and Information literacy...)
 - fuzzyness of media literacy in educational ecosystem
 - no dedicated subject but an intersected and spread topic
 - no dedicated (and trained!) trainer

“

il n'y a pas une discipline totalement dédiée à cela. Évidemment, ça, vous le savez. En revanche, aujourd'hui, dans toutes les disciplines et notamment celles des sciences humaines, cet aspect-là des choses est présent et transversal un petit peu, si vous voulez. Je ne pense pas que dans un enseignement de mathématiques, on puisse facilement trouver un lien.

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Alors, le problème de l'EMI — enseignement aux médias et à l'information — bah comme vous le dirait Murielle en fait, c'est que c'est à la fois comme c'est censé concerter tout le monde, bah au final, ça ne concerne personne. Puisque comme il n'y a pas d'heures consacrées, il y a très peu de collègues qui se saisissent de la chose. Et moi, j'ai connu des établissements où il y avait une heure consacrée par un professeur de doc ou par un professeur de français, mais c'était un choix de l'établissement.

3. 3 Adoprivacy – actors under pressure

- Initial training deficiencies
- Institutionnal « fuzzyness »
- Elusive audience
 - privacy as a« tricky » question for teenagers
 - rifts between awareness/ignorance:
 - concrete risks of social media (harassment,...)
 - but ignorance of non-social dangers (personnal data processing...)

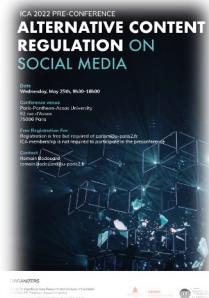
“
je pense que les élèves n'ont évidemment pas conscience lorsqu'ils se dévoilent dans tous les sens du terme d'ailleurs sur les réseaux sociaux.

“
quelque chose pour lequel ils sont très sensibles, mais pas sensibilisés du coup

“
cette sensibilisation par les professeurs, comme tous les sujets qui sont en lien avec les élèves comme la sexualité, la sensibilité à l'égalité, tout ça, je pense qu'il faut des intervenants extérieurs aussi qui viennent.

Conclusion

- Insurmountable gap between :
 - delegating authorities
 - actors unable to achieve their mission for heterogeneous reasons
 - platforms : commercial purpose
 - teachers : a lost topic among all the others
 - civil society : lack of coordination and local commitment



**Real need & urgent emergency to collect adults and teenagers experiences
in various educational contexts**

- for a better understanding of uses and ethical dilemmas
- for thinking & crafting remedial measures



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