

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

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COMMITTEE ON ARTIFICIAL INTELLIGENCE (CAI)

ROADMAP

NEGOTIATIONS OF THE DRAFT [FRAMEWORK] CONVENTION

www.coe.int/cai

Background:

The Committee on Artificial Intelligence (CAI) has been tasked by the Committee of Ministers to “establish an international negotiation process and conduct work to elaborate an appropriate legal framework on the development, design, and application of artificial intelligence, based on the Council of Europe’s standards on human rights, democracy and the rule of law, and conducive to innovation, which can be composed of a binding legal instrument of a transversal character, including notably general common principles, as well as additional binding and non-binding instruments to address challenges relating to the application of artificial intelligence in specific sectors, in accordance with the relevant decisions of the Committee of Ministers”.

More specifically, the CAI is instructed to elaborate a [framework] convention on the development, design, and application of artificial intelligence systems based on the Council of Europe’s standards on human rights, democracy and the rule of law, and conducive to innovation, in accordance with the relevant decisions of the Committee of Ministers by 15 November 2023.

Roadmap:

The CAI has been provided with budget for a total of seven Plenary and seven Bureau meetings between 1 January 2022 and 15 November 2023. It should be noted that Bureau meetings are primarily concerned with planning and procedural matters and cannot be used for substantive negotiations.

The 1st Plenary meeting of the Committee was held in Rome on 4 – 6 April 2022. The intention is to primarily devote the six remaining Plenary meetings until 15 November 2023, to the negotiation of the instrument.

Before the 2nd Plenary meeting (21 - 23 September 2022), Delegations received a “Zero Draft” of the instrument prepared by the Secretariat under the aegis of the Chair, and were given the opportunity to submit written comments which were examined together with the “Zero Draft” at that Plenary meeting.

At its 2nd Plenary meeting, the Committee decided to establish a Drafting Group to prepare the draft [framework] Convention. The Drafting Group is composed of potential Parties to the [Framework] Convention, and shall report to the Plenary. Starting from the January meeting, every meeting will consist of a meeting of the Plenary, followed by a meeting of the Drafting Group.

Immediately after each Plenary meeting, the Secretariat will prepare a revised version of the draft instrument for distribution to all Delegations, which may choose to submit written comments in advance of the next Plenary meeting.

The meeting of the Drafting Group during the 3rd Plenary meeting will be focused on the examination of Chapter V of the “Zero Draft”. The Drafting Group meetings of the 4th, 5th, and 6th Plenary meetings will be focused on the examination of the remaining chapters of the draft [Framework] Convention and the Preamble. For these meetings of the Drafting Group, the Chair supported by the Secretariat will present a revised version of the relevant Chapters of the Zero Draft, as basis for its work. At the beginning of each of these meetings, the Drafting Group will revisit the outcomes of its previous session in the light of the comments made by the Plenary. It will also examine any amendment proposals presented in the Plenary regarding the next chapter(s) to be drafted.

The 7th Plenary meeting (13 – 15 September 2023) will be dedicated to the finalisation of the instrument in its entirety with a view to instructing the Secretariat to submit the draft instrument as approved by the CAI to the Committee of Ministers for final adoption. Before this step, however, the Parliamentary Assembly (PACE) must also be given the opportunity to express itself on the draft instrument. This will likely take place between the 5th and the 7th Plenary meetings (i.e., mid-May till mid-September 2023).

After the 7th Plenary meeting and before 15 November 2023, the finalised draft instrument will have to undergo legal and linguistic checks to ensure that it has the required quality for adoption by the Committee of Ministers.

	Proposed date	Activity
2022		
1st Bureau Meeting	24 May	
2nd Plenary Meeting	21 - 23 September	1 st reading of the "Zero Draft" + review of written comments
2nd Bureau Meeting	4 November	
2023		
3rd Bureau Meeting	5 January	
3rd Plenary Meeting	11 - 13 January	Examination of Chapter V of the "Zero Draft": "Final provisions"
4th Plenary Meeting	1 - 3 February	Examination of the Preamble and Chapter VII of the revised "Zero Draft"
4th Bureau Meeting	2 March	
5th Plenary Meeting	19 - 21 April	Examination of Chapters I, IV and V of the revised "Zero Draft"
5th Bureau Meeting	4 May	
6th Plenary Meeting	31 May - 2 June	Examination of Chapters II, III and VI of the revised "Zero Draft"
6th Bureau Meeting	15 June	
7th Bureau Meeting	7 September	
7th Plenary Meeting	13 - 15 September	Finalisation of the draft [Framework] Convention after having received comments thereon from the PACE
	from 15 September	Language and quality check
	According to CM	Submission to CM

Note: the plenary meetings in 2023 will consist of a meeting of the Plenary as well as a meeting of the Drafting Group which will be open to all potential parties to the Convention.