

## **COMMITTEE OF EXPERTS ON HUMAN RIGHTS DIMENSIONS OF AUTOMATED DATA PROCESSING AND DIFFERENT FORMS OF ARTIFICIAL INTELLIGENCE (MSI-AUT)**

*Set up by the Committee of Ministers under Article 17 of the Statute of the Council of Europe and in accordance with Resolution CM/Res(2011)24 on intergovernmental committees and subordinate bodies, their terms of reference and working methods.*

**Type of committee:** Subordinate body

Terms of reference valid from: **1 January 2018 until 31 December 2019**

<b>PILLAR/SECTOR/PROGRAMME</b>
<b>Pillar:</b> Rule of Law <b>Sector:</b> Strengthening the Rule of Law <b>Programme:</b> Information Society and Internet Governance
<b>MAIN TASKS</b>
<p>Under the supervision of the CDMSI, drawing upon the existing Council of Europe standards and the relevant jurisprudence of the European Court of Human Rights, the MSI-AUT will examine the follow-up to be given to the study on the human rights dimensions of automated data processing techniques (in particular algorithms and possible regulatory implications) with a view to the possible preparation of a standard-setting instrument. The MSI-AUT will also study the development and use of new digital technologies and services, including different forms of artificial intelligence, as they may impact peoples' enjoyment of fundamental rights and freedoms in the digital age, with a view to giving guidance for future standard-setting in this field. Furthermore, the MSI-AUT will study the impact of civil and administrative defamation laws and their relation to the criminal provisions on defamation, as well as jurisdictional challenges in the application of those laws in the international digital environment.</p>
<b>SPECIFIC TASKS</b>
<ul style="list-style-type: none"> <li>(i) Examine the follow-up to be given to the study on the human rights dimensions of automated data processing techniques (in particular algorithms and possible regulatory implications) with a view to the possible preparation of a standard-setting instrument;</li> <li>(ii) Carry out a study on the development and use of new digital technologies and services, including different forms of artificial intelligence, as they may impact peoples' enjoyment of fundamental rights and freedoms in the digital age – with a view to give guidance for future standard-setting in this field;</li> <li>(iii) Carry out a study on a possible standard-setting instrument on forms of liability and jurisdictional issues in the application of civil and administrative defamation laws in Council of Europe member States.</li> </ul>
<b>COMPOSITION</b>
<p><b>Members:</b></p> <p>The Committee shall be composed of 13 experts, comprising seven government or member States' representatives, designated by the CDMSI, and six independent experts, appointed by the Secretary General with recognised expertise in the fields of freedom of expression and independence of the media online and off-line.</p> <p>The Council of Europe will bear the travel and subsistence expenses of all 13 members.</p> <p>The composition of the Expert Committee will reflect an equitable geographic distribution amongst the member States and will take account of the gender equality dimension.</p> <p>Other member States may designate representatives without defrayal of expenses.</p> <p><b>Participants:</b></p> <p>The following may send representatives without the right to vote and without defrayal of expenses:</p> <ul style="list-style-type: none"> <li>- the European Union (including, as appropriate, the European Union Agency for Fundamental Rights (FRA));</li> <li>- Observer States to the Council of Europe: Canada, Holy See, Japan, Mexico, United States of America;</li> <li>- the European Audiovisual Observatory;</li> <li>- the Organisation for Security and Co-operation in Europe (OSCE);</li> <li>- UN Agencies (United Nations Educational, Scientific and Cultural Organisation – UNESCO);</li> <li>- representatives of civil society, academic communities and the private sector.</li> </ul>

**Observers:**

The following may send representatives, without the right to vote and without defrayal of expenses:

- Non-member States with which the Council of Europe has a Neighbourhood Partnership including relevant co-operation activities.

**WORKING METHODS****Meetings:**

13 members, 2 meetings in 2018, 2 days

13 members, 2 meetings in 2019, 2 days

The Committee will appoint a Gender Equality Rapporteur from amongst its members.

The rules of procedure of the Committee are governed by Resolution CM/Res(2011)24 on intergovernmental committees and subordinate bodies, their terms of reference and working methods.

**Budgetary information\*****2018**

Meetings per year	Number of days	Members	Plenary €	Bureau €	Subordinate structures / Working groups	Secretariat (A, B)
2	2	13	34 100	-	-	0.5 A; 0.5 B

**2019**

Meetings per year	Number of days	Members	Plenary €	Bureau €	Subordinate structures / Working groups	Secretariat (A, B)
2	2	13	34 100	-	-	0.5 A; 0.5 B

\*The costs presented above take into consideration the per diem, travel, interpretation, translation and document printing. Costs calculated on the basis of the per diem and recharged services costs at their 2018 level.