

**HUMAN RIGHTS,
DEMOCRACY
AND THE RULE OF LAW**

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

**DROITS DE L'HOMME,
DÉMOCRATIE
ET ÉTAT DE DROIT**

The Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law

Ms Louise RIONDEL

Co-Secretary to the Council of Europe Committee on Artificial Intelligence (CAI)

General points

- The **Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law** was **unanimously adopted** at the ministerial session of the Committee of Ministers on 17 May 2024.
- It will be **open for signature** in Vilnius on 5 September 2024.
- The CoE Framework Convention formulates fundamental principles and rules which not only **safeguard human rights, democracy and the rule of law** but at the same time are **conducive to progress and technological innovations**.

Global character of the Framework Convention

- The CoE Framework Convention is **open to non-member States**
- In addition to the EU, all Observer States (**Canada, Japan, the Holy See, Mexico and the United States of America**) and a number of important non-member States (**Australia, Argentina, Costa Rica, Israel, Peru and Uruguay**), **actively and constructively participated** in the negotiations in the CAI

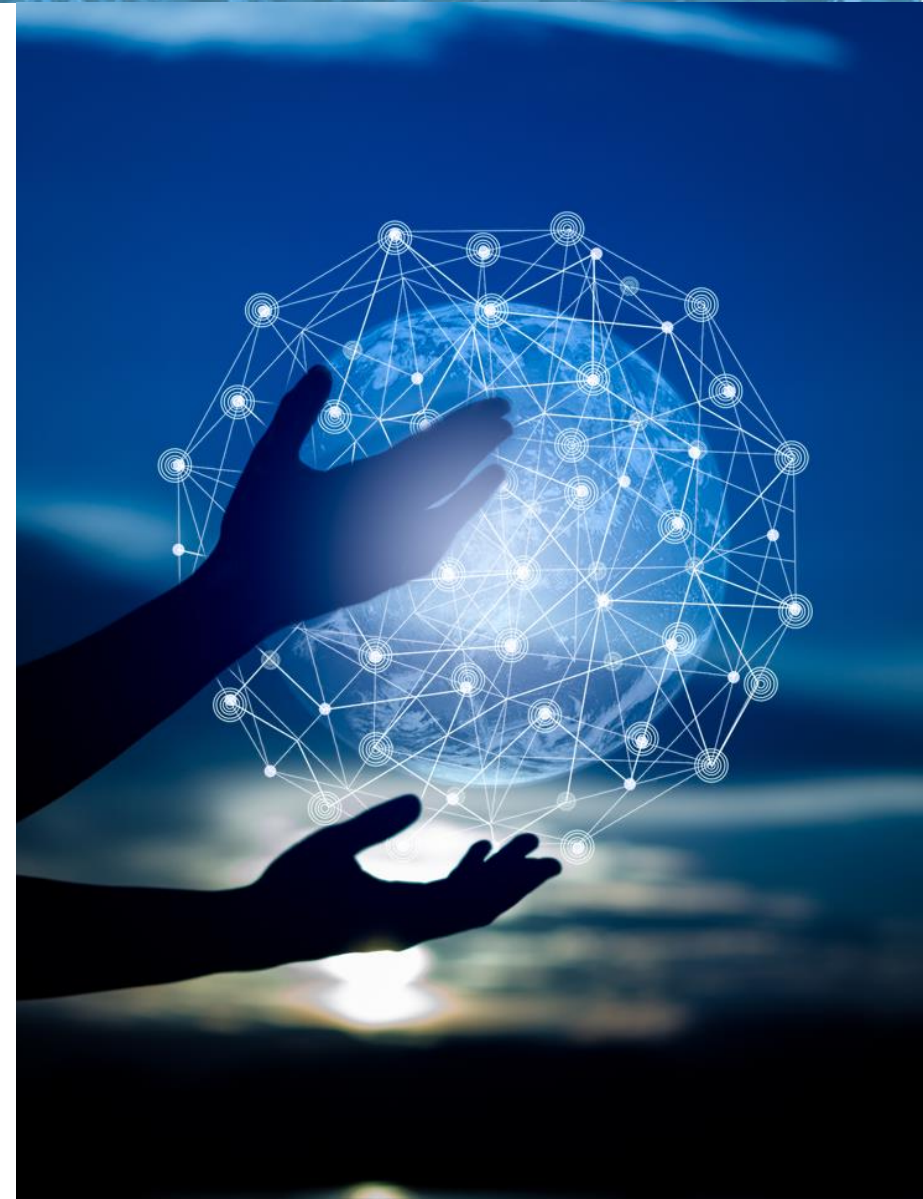


Participation of civil society and industry representatives in the CAI

- **multi-stakeholder involvement** in negotiating Council of Europe's treaties is part of its practice
- Both CAHAI and CAI processes saw **extensive involvement** of civil society, academia and industry representatives

General points

- The CoE Framework Convention is complementary to **the already existing international human rights, democracy and rule of law standards** and aims at filling-in any legal gaps that may have formed as a result of rapid technological advances in the sphere of **human rights law** but also with regards to **the protection of democracy**.
- The CoE Framework Convention, given the high level at which it is operating and in order to remain **future-proof**, does not regulate technology and is essentially **technology neutral**.





Scope of the Convention

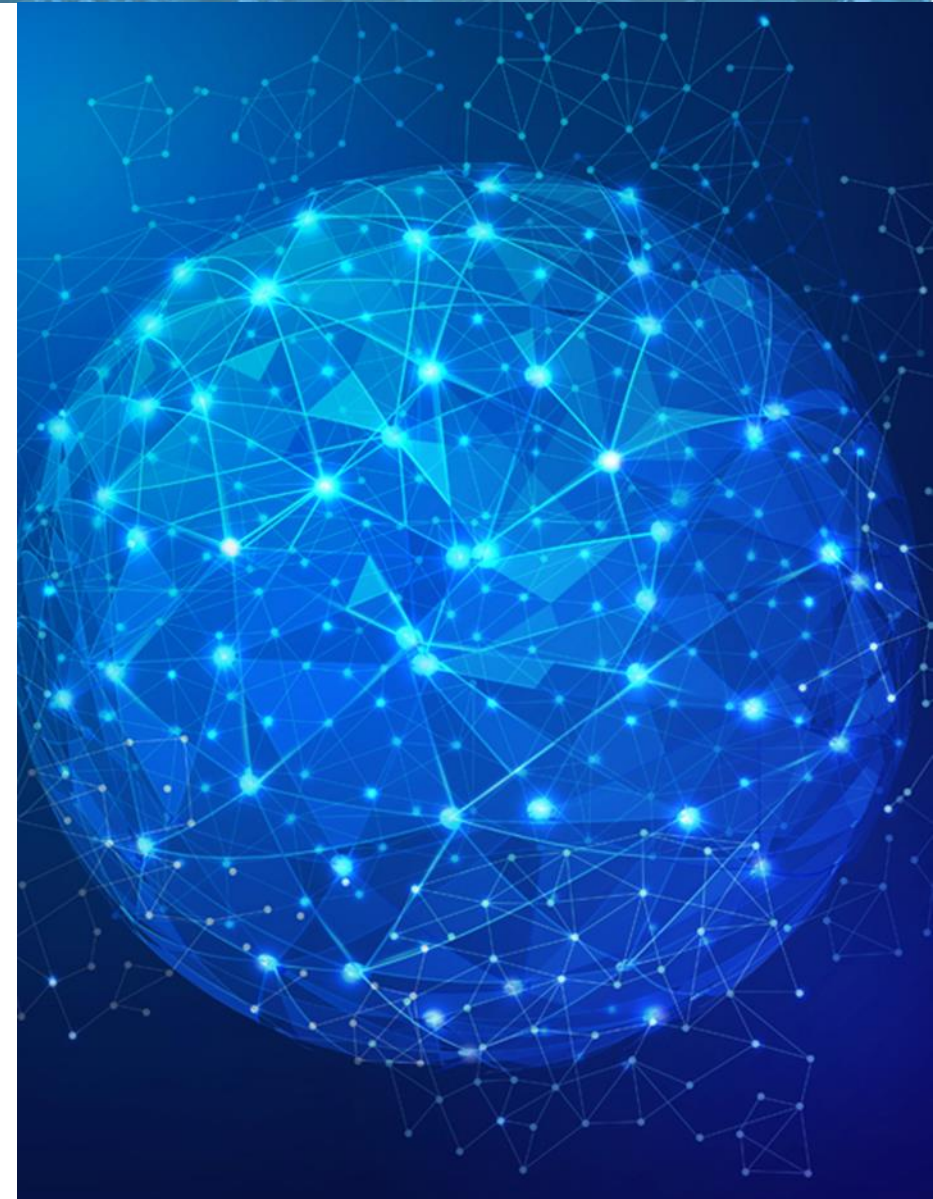
- The CoE Framework Convention applies to both **public and private sectors**.
- Limited exemptions from the scope are foreseen as regards **national security** and **research and development**.
- In line with the Statute of the CoE, matters relating to **national defence** do not fall within the scope of the Convention.

Fundamental principles

- The CoE Framework Convention requires activities within the lifecycle of AI systems to comply with certain fundamental principles. These are the principles of **human dignity and individual autonomy, equality and non-discrimination** as well as the principles of **protection of privacy** and **personal data protection**.
- In addition, the Framework Convention also requires compliance with the principles of **transparency and oversight, accountability and responsibility**, the principle of **safe innovation** and the principle of **reliability**.

Remedies, procedural rights and safeguards

- Parties to the treaty will have to ensure the **availability of legal remedies** where an artificial intelligence system significantly impacts upon the enjoyment of human rights and fundamental freedoms and **procedural safeguards**, including notifying any persons interacting with AI systems that they are interacting with such systems.





Follow-up mechanism and co-operation

- **Conference of the Parties established** to facilitate the effective application and implementation of this Convention
- **Forum for the exchange of relevant and useful information** related to artificial intelligence systems which may have significant positive or negative effects on the enjoyment of human rights, the functioning of democracy and the observance of the rule of law, and to **assist and engage with States that are not Parties in acting consistently with the terms of this Convention and becoming a Party to it.**



Risk and Impact Management Requirements

- Obligation for relevant AI actors to carry out **Risk and Impact Assessments** in respect of actual and potential impacts on Human Rights, Democracy and the Rule of Law
- The CAI is now working on a **Methodology for the Risk and Impact Assessment of AI systems on Human Rights, Democracy and the Rule of Law (HUDERIA)**, a stand-alone and non-binding instrument supporting the Framework Convention with **detailed guidance on risk and impact management issues**.

Thank you for
your attention !



further resources:

www.coe.int/internetgovernance

www.coe.int/dataprotection

www.coe.int/cybercrime

www.coe.int/AI

Facebook Page

CoE Digital Governance