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AD HOC COMMITTEE ON ARTIFICIAL INTELLIGENCE (CAHAI)

2nd Meeting

Strasbourg, 11-13 March 2020

Palais de l'Europe, Room 1

Admission of observers to the CAHAI

Letters received from 20/01/2020

Applications received (chronological order):

1. EEEI (European expertise and expert institute).....	3
2. IEEE standards association (Institute of Electrical and Electronics Engineers).....	5
3. IBA (International Bar association).....	6
4. AI Transparency Institute	8
5. AI Transparency Institute	9
6. Inria (Institut national de recherche en informatique et en automatique).....	10
7. AccessNow.....	12
8. The Future Society.....	14
9. Homo Digitalis.....	16
10. A19	17
11. Algorithm Watch.....	19
12. CCBE (Conseil des Barreaux Européens)	26
13. Women at the Table	28
14. EBU (European Broadcasting Union)	35
15. Together against Cybercrime (Together against Cybercrime).....	38

1. EEEI (European expertise and expert institute)



Shaping Expertise across European Justice Systems

Levallois-Perret le 22 Octobre 2019,

Comité ad hoc sur l'intelligence artificielle
CAHAI

Clementina Barbaro

Livia Stoica Becht

Co-secrétaires

Conseil de l'Europe

Agora, 1 quai Jacoutot

F-67075 Strasbourg Cedex

Madame Barbaro,
Madame Stoica Becht,

Les techniques englobées sous le terme général d'« Intelligence artificielle » envahissent de manière accélérée de nombreux compartiments de nos sociétés. La justice est l'un de ces domaines concernés. L'impact de l'arrivée d'outils de différentes natures, mais relevant tous de la notion d'intelligence artificielle, dans ce domaine suscite de nombreux espoirs mais aussi des interrogations. Dans son document « Charte éthique européenne d'utilisation de l'intelligence artificielle dans les systèmes judiciaires et leur environnement », la CEPEJ a posé 5 principes devant guider l'action des parties prenantes en vue d'une utilisation éthique de ces techniques. Ces principes généraux demandent maintenant à être traduits en principes d'action concrète pour devenir réellement opératoires.

Définir et mettre en œuvre ces principes d'action concrète fera appel à des compétences scientifiques et techniques particulières, notamment dans le domaine des technologies de l'information, mais pas seulement. Ainsi, on peut identifier les points concrets suivants, relatifs aux différents principes de base (liste non exhaustive) :

1 - Principe de respect des droits fondamentaux.

- Que signifie concrètement « éthique par conception » ? Quels critères pratiques doivent-ils être respectés ? Comment s'assure-t-on concrètement qu'ils sont respectés ? Quelles techniques permettent-elles de le vérifier ? Etc.

2 - Principe de non-discrimination

- Derrière ce principe, on trouve la question des biais que peuvent présenter les ensembles de données utilisés, aussi bien que les algorithmes eux-mêmes. Comment établir techniquement l'absence de biais dans une base de données ? dans un algorithme relevant de l'apprentissage profond ? Existe-il des tests permettant de l'établir de manière sûre ? Ces systèmes sont par construction auto-évolutifs, puisqu'ils « apprennent » à mesure de leur utilisation : comment s'assurer qu'un biais ne s'introduit pas dans un système au départ non biaisé ?

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3 - Principe de qualité et de sécurité

- Certification : ce point est certainement l'un des plus ardu. Comment certifier un ensemble de données ? comment établir que les données ont bien été collectées ? Qu'elles n'ont pas été altérées ? Pour les algorithmes, comment certifier un système basé sur l'apprentissage profond ? Quels exemples venant d'autres domaines d'application peuvent inspirer des solutions ?
- Les mêmes questions se posent pour établir la traçabilité de la réalisation de ces systèmes.

4 - Principe de transparence

- Comment assurer la transparence d'un système d'apprentissage profond, alors que, par nature, la définition exacte des logiques à l'œuvre à l'intérieur du système, obtenues par apprentissage, sont inaccessibles ? Faut-il envisager des niveaux de transparence intermédiaires, suffisants pour garantir l'impartialité et l'équité, mais ne nécessitant pas une transparence totale ? Faut-il envisager l'intervention de tiers de confiance chargés de garantir cette transparence aux utilisateurs, sans pour autant exposer indument des données protégées ?
- Audit : comment auditer ces nouveaux systèmes ? C'est un problème proche de celui de la certification initiale.

5 - Principe « under user control » : pour mémoire seulement, ce principe ne semble pas impliquer d'action de nature scientifique.

Les experts de justice, parce qu'ils sont, dans l'écosystème judiciaire, les hommes ou femmes de la science et de la technique, sont bien placés pour apporter à la fois les compétences de leurs domaines de spécialité propres, et aussi leur expérience la matière judiciaire dont ils sont des acteurs importants.

Tel est le sens du travail engagé que nous avons engagé au sein de l'EEEI, en mobilisant les compétences de nos membres : experts de justice, magistrats, avocats et universitaires, à travers l'Europe.

Sur cette base, nous serions très heureux de contribuer, sous la forme qui conviendra, aux travaux engagés sur le même sujet par le comité ad hoc du Conseil de l'Europe (CAHAI).

Dans l'attente de votre accord, nous vous prions d'agréer, Madame Barbaro, Madame Stoica Becht, l'expression de notre haute considération.

Béatrice DESHAYES

Co-présidente



2. IEEE standards association (Institute of Electrical and Electronics Engineers)



Vienna, 26 October 2019

To: Council of Europe's (CoE) Committee of Ministers Ad Hoc Committee on Artificial Intelligence (CAHAI) Secretariat

From: Dr. Clara Neppel, Sr Director, IEEE European Operations

Subject: Application for the CAHAI Observer Status

Dear Sir or Madam,

I am writing to request that you consider extending Observer status to the IEEE at the Ad hoc Committee on Artificial Intelligence (CAHAI).

IEEE, the Institute of Electrical and Electronics Engineers, is the world's largest technical organization, encompassing the fields of engineering, computing, and information technology. We inspire a global community to innovate for a better tomorrow through our more than 423,000 members in over 160 countries, and through our highly cited publications, conferences, technology standards, and professional and educational activities.

As a not-for-profit institution, we are dedicated, under our scientific and technological prism, to supporting and advancing human well-being. We welcome the establishment of CAHAI as a groundbreaking effort in advancing human rights, democracy, and the rule of law. We view its success as of paramount importance in ensuring that humanity might reap the benefits of technology while mitigating its risks.

IEEE is uniquely positioned to contribute to CAHAI's "Main Tasks" and "Specific Tasks", in support of a legal framework for 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. Specifically, IEEE can contribute:

Unmatched expertise pertaining to the development of sound Ethics Certification Processes for Autonomous and Intelligent Systems (A/IS), including through IEEE's [Ethics Certification Program for Autonomous and Intelligent Systems](#) (ECPAIS).

Insights derived from the global, multi-year, multi-stakeholder [IEEE Global Initiative on Ethics of Autonomous and Intelligent Systems](#), whose mission is to ensure that emerging technologies in general, and artificial intelligence in particular, protect and advance human rights and human well-being, consistently with global human rights standards, including ECHR and Convention 108+.

Specific competence at the intersection of A/IS, Ethics, and the law, derived in particular from the IEEE Global Initiative's Law Committee, which [published](#) specific conditions for the trustworthy adoption (or avoidance of adoption) of A/IS in legal systems and the practice of law.

Globally recognized standardization expertise, which can support the development of sound regulatory or other instruments to ensure compliance with the standards of the Council of Europe in the design, development and application of digital technologies in the fields of human rights, democracy and the rule of law.

We would be both honored and energized by an opportunity to lend our expertise in technology, standards-setting, ethics, and A/IS in supporting CAHAI in the realization of its vitally important mission. If granted observer status, IEEE's representative would be Nicolas Economou, Co-Chair, Law Committee of the IEEE Global Initiative on Ethics of Autonomous and Intelligent System.

Sincerely,

Dr. Clara Neppel

3. IBA (International Bar association)



the global voice of
the legal profession®

International Bar Association
4th Floor,
St Bride Street,
London,
EC4A 4AD

28th October 2019

To the kind attention of:
Council of Europe Ad hoc Committee on Artificial Intelligence
Secretariat

CAHAI – Observer Status Request International Bar Association

The International Bar Association (IBA) is the foremost organisation for international legal practitioners, bar associations and law societies. Established in 1947, shortly after the creation of the United Nations, it was born out of the conviction that an organisation made up of the world's bar associations could contribute to global stability and peace through the administration of justice. In the ensuing 70 years since its creation, the organisation has evolved, from an association comprised exclusively of bar associations and law societies, to one that incorporates individual international lawyers and entire law firms. The present membership is comprised of more than 80,000 individual international lawyers from most of the world's leading law firms and some 190 bar associations and law societies spanning more than 170 countries.

The IBA supports the values upon which the Council of Europe is founded which has human rights, democracy and the rule of law at its centre. Artificial intelligence is transforming societies and, given its drastic impact on future generations, the IBA welcomes the establishment of the Council of Europe Ad hoc Committee on Artificial Intelligence (CAHAI). In line with paragraph 8 of Resolution CM/Res(2011)21, the IBA would like to be an observer organization during CAHAI's meetings scheduled for 2020 and 2021. During these meetings, the IBA would be honoured to share its view on the legal challenges associated with artificial intelligence, as defined in recent IBA's initiatives. For instance, in September 2019, the IBA published a report on 'The Future of Work'.¹ This document is the result of a three-year collaboration between the IBA and the International Labour Organization (ILO) and focused on the legal dimensions and implications of disruptive technologies (including artificial intelligence).

Moreover, in August 2019, the IBA has submitted a written contribution to the Council of Europe's consultation on the Draft Recommendation of the Committee of Ministers to member States on the human rights impacts of algorithmic systems. This submission is part of the IBA's work on Business and Human Rights and aims to shed light on the legal challenges faced by business entities, when preventing, mitigating and addressing adverse human rights impact associated with artificial intelligence. The IBA is currently in the process of establishing a working

¹ IBA Report on the future of work: Special Consideration to Law and Disruptive Technologies, September 2019, available at: <https://www.ibanet.org/Document/Default.aspx?DocumentUid=7AE9FC31-ABF4-49D7-974F-F246031825AE>.

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International Bar Association is incorporated as a Not-for-Profit Corporation under the laws of the State of New York in the United States of America and is registered with the Department of State of the State of New York with registration number 07114000655 - and the liability of its members is limited. Its registered address in New York is c/o Capitol Services Inc, 1218 Central Avenue, Suite 100, Albany, New York 12205.

The London office of International Bar Association is registered in England and Wales as a branch with registration number FC028342.



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group of experts to issue guidelines on effective human rights impact assessment for artificial intelligence and would be keen to share this work with CAHAI in the future months.

If you have any questions or require any additional information please do not hesitate to contact us directly (mariapia.sacco@int-bar.org).

Yours faithfully

Maria Pia Sacco

Senior Legal Advisor Legal Policy and Research Unit

International Bar Association

4. AI Transparency Institute



AI Transparency Institute
Rue du centre 14
1025 Saint-Sulpice

Lausanne, le 30 octobre 2019

Dear Sir, Dear Madam,

The AI Transparency Institute is dedicated to a safe, reliable and accountable Artificial Intelligence. With more than 60 members worldwide, it aims at contributing at raising the level of awareness of regulators, businesses and civil society on both benefits and challenges of artificial intelligence and data management. It is based on Switzerland and organized in March 2019 the first AI Governance Forum at the Brocher Foundation (<https://ai-gf.com>). Our next event will be a design competition, in collaboration with EPFL and MIT on the topic of a "data-driven society", during the summer 2020. Artificial intelligence (AI) is a disruptive technology that has the potential to transform many human activities, in areas as diverse as healthcare, education, transport and urbanism. These advances have brought both excitement about the positive potential for AI applications along with concerns about the privacy, autonomy, security, fairness, economic, and military implications of autonomous systems, as well as concerns about the longer-term implications of powerful AI.

We would be pleased to contribute to the discussion in the Working Group on AI and Human Rights at the Council of Europe. I already represented the AI Transparency Institute as an invited expert at the OECD Working Group on Artificial Intelligence. I have a long experience in international relations as I previously worked for the Swiss Confederation and at the United-Nations in International nuclear law and non-proliferation. I have a Ph. D in Law on the General Data Protection Regulation in the digital age and therefore know very well the modernized Convention 108 and its Protocol.

As data protection officer, at EPFL and member of the Ethics Committee, I had to oversee 400 laboratories, and developed a good understanding of both the technology and the impact of Artificial Intelligence in society.

The AI Transparency Institute is a non-profit organisation, without any commercial interest and motivated by the Common Good in the digital age only.

I remain of course at your disposal, would you have any questions and look forward to hearing from you at your earliest convenience.

Kind regards,
Eva Thelisson

5. AI Transparency Institute

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*In Memoriam (1935–2019)

November 06, 2019

Clementina Barbaro and Livia Stoica Becht
Co-secretaries, CAHAI
Council of Europe
Avenue de l'Europe F-67075
Strasbourg Cedex, France

Dear Ms. Barbaro and Ms. Becht:

I am writing to express my interest in joining the Ad Hoc Committee on Artificial Intelligence (CAHAI) as a civil society observer on behalf of Human Rights Watch.

Human Rights Watch investigates and reports on abuses happening in all corners of the world, both online and offline. We have conducted extensive research on the uses of artificial intelligence (AI) to facilitate human rights abuses, such as the development of [lethal autonomous weapons](#) that would select and engage targets without meaningful human control, the deployment of facial recognition to [track, monitor](#) and [profile](#) minorities, and the [automation of welfare administration](#) leading to the wrongful reduction or suspension of lifesaving benefits.

Our research informs our advocacy towards governments and businesses, pushing them to ensure that the development, design and application of AI is consistent with human rights standards. As a member of the [Partnership on AI](#) and the [Global Network Initiative](#), we are experienced in providing human rights guidance on emerging technologies in multi-stakeholder settings.

We believe that our research and advocacy on rights-critical applications of AI can inform CAHAI's work on the human rights dimensions of potential legal frameworks for AI. Our in-depth understanding of international human rights instruments such as the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the UN Guiding Principles on Business and Human Rights, as well as our ongoing efforts to distill these norms into concrete standards for sector-specific applications of AI, will contribute to CAHAI's analysis of rights-based approaches to regulating AI.

Thank you for considering our application to join CAHAI as an observer, and please do not hesitate to reach out if you have any questions.

Yours sincerely,



Amos Toh

Senior researcher, artificial intelligence and human rights



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6. Inria (Institut national de recherche en informatique et en automatique)



Rocquencourt, le 12 novembre 2019

Mesdames,

Ayant pris connaissance des missions et travaux menés par le Comité ad hoc sur l'intelligence artificielle (CAHAI) du conseil de l'Europe, tels que décrits dans le Mandat du 11 septembre 2019 par le Comité des Ministres, je sollicite de pouvoir devenir observateur de ces travaux.

Je suis Directrice de recherche chez Inria, institut de recherche français sur les sciences du numérique. J'ai dirigé des équipes de recherche chez Inria Paris, sur les thématiques de la vision par ordinateur et du couplage entre, d'une part, les modèles numériques de phénomènes physiques et, d'autre part, les données, sous des formes variées, valeurs ponctuelles, images, séquences d'images. Ces deux thématiques de recherche sont incluses dans la thématique de l'intelligence artificielle. J'ai ensuite dirigé le centre Inria Lille – Nord Europe avec des objectifs stratégiques de renforcement des partenariats locaux entre le milieu académique et le milieu industriel sur les domaines liés au numérique, dont naturellement l'intelligence artificielle.

J'ai récemment accepté une mission de représentante d'Inria auprès des institutions Européennes, dans un contexte particulièrement motivant de définition des nouveaux programmes cadres. A ce titre, je suis particulièrement concernée par l'observation des travaux du CAHAI sur l'étude d'un cadre juridique pour la conception, le développement et l'utilisation de l'intelligence artificielle dans les nombreux domaines potentiels d'application de cette technologie.

Inria est un organisme qui emploie 2500 personnes, avec une activité de recherche organisée en 200 équipes-projets, généralement avec des partenaires académiques. L'institut aborde les défis majeurs de l'informatique et des mathématiques, souvent à l'interface des autres disciplines scientifiques. Inria travaille avec de nombreuses entreprises et a également permis la création de plus de 160 startups. L'institut s'est vu, en 2018, confié un mandat de coordination du plan français de recherche en intelligence artificielle. Inria coordonne ou participe également à 3 des 4 Instituts Interdisciplinaires français

en Intelligence Artificielle, à Paris, Grenoble et Nice. Lors du récent Global Forum on Artificial Intelligence for Humanity, le président de la république française, Emmanuel Macron, a annoncé qu'Inria serait appelé à diriger un des deux centres d'expertise qui vont être mis en place dans le cadre du Partenariat Mondial de l'IA, initié au sein du G7 et avec le soutien de l'OCDE. Par ma participation, en tant qu'observatrice au CAHAI, Inria pourra mettre son expertise sur les activités de recherche en IA (deep learning, vision, langage naturel, robotique, ...) ainsi que sa connaissance des problématiques sous-jacente concernant le biais des données, le genre, la discrimination à disposition de ce comité. Ma présence lors des réunions du CAHAI permettrait ainsi d'établir un lien entre l'institut Inria et le comité, au service des travaux menés par le Conseil de l'Europe.

Espérant une réponse positive à ma sollicitation, je vous prie d'agréer, Mesdames, mes cordiales salutations,



Isabelle Herlin
Directrice de Recherche
Représentante d'Inria auprès des Institutions Européennes

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2/2

7. AccessNow



To Mr. Jan Kleijssen
Council of Europe
Avenue de l'Europe
F-67075
Strasbourg Cedex
France

8 November 2019

Re: Access Now's observership application

Dear Director Jan Kleijssen,

I am writing on behalf of Access Now, an organisation which defends and extends digital rights of users at risk around the world.

We are writing to request to join the Ad Hoc Committee on Artificial Intelligence (CAHAI) as an observer, by means of the procedure laid down in the mandate of the group as referenced in Resolution CM/Res(2011)24 on intergovernmental committees and subordinate bodies, their terms of reference and working methods.

In this letter we are seeking the opportunity to join the CAHAI as an observer and we would also like to express interest in any other ongoing work the Council of Europe might have in the field of algorithms, automation, AI and human rights, particularly freedom of expression, privacy and data protection, and non-discrimination.

In order to consider our request, we would like to highlight the following reasons to invite Access Now as an observer to the Committee:

1. our experience and expertise in the field; and
2. our consistent engagement with other Council of Europe bodies, expert groups and relevant work.

1. The CAHAI can benefit from Access Now's experience and expertise on human rights and artificial intelligence

Access Now has been advising policy-makers and other stakeholders, advocating for better and stronger legal frameworks for digital rights for 10 years. Thanks to our diverse team of 80+ staff members across 13 countries, Access Now has been able to promote, defend and uphold fundamental rights around the world.

In the field of algorithms, automated decision-making systems, and artificial intelligence our accomplishments to date include:

- Launching the [Toronto Declaration](#) at RightsCon Toronto (2018) with Amnesty International — a statement on the role and accountability of states and the private sector where human rights harms arise. The Declaration was drafted by over 30 multi-stakeholder experts, including Solon Barocas (Cornell University), Frederike Kaltheuner (Privacy International), and Malavika Jayaram, (Digital Asia Hub), among others.
- Publishing [Human Rights in the Age of Artificial Intelligence](#), a comprehensive report on the potential pitfalls of AI, and how to address AI-related human rights harms.
- Publishing [Mapping Regulatory Proposals on Artificial Intelligence in Europe](#), a comprehensive report outlining and assessing the AI initiatives and policies of EU member states.
- Our European Policy Manager's participation in the European Commission's [High Level Expert Group on Artificial Intelligence](#). Hidvégi is one of HLEG's fifty-two expert members and was directly involved in the drafting of the Group's [Ethics Guidelines for Trustworthy Artificial Intelligence \(AI\)](#) and [Policy and Investment Recommendations](#). In April, we published our [preliminary recommendations](#) to improve the Ethics Guidelines.
- Our selection as a new member of the [Partnership on AI to Benefit People and Society](#), a consortium of civil society organizations and private sector companies dedicated to formulating best practices on AI technologies and advancing the public's understanding of AI.

2. Access Now has consistently and constructively engaged with the Council of Europe

In the field of artificial intelligence we participated in the consultation and drafting of [Unboxing Artificial Intelligence: 10 Steps to Protect Human Rights](#), a set of recommendations published by the Council of Europe Commissioner for Human Rights Commissioner.

Access Now also submitted comments and recommendations on key AI-related initiatives, including the [draft recommendation](#) of the Committee of Ministers to member states of the Council of Europe on the human rights impacts of algorithmic systems;

Furthermore, Access Now has been communicating with the Council of Europe on data protection in relation to the Cybercrime Convention. Access Now contributed to comments in the process of preparation of an additional protocol on e-evidence and has attended the Council of Europe's Octopus Conference in Strasbourg in 2018. Access Now also spoke at various events organised by the Council of Europe, such as the Governing the Game Changer conference in Helsinki in February 2019.

We thank you very much in advance for considering access Now's observership to the CAHAI.

We look forward to hearing your decision.

Yours sincerely,

Fanny Hidvegi
Europe Policy Manager

8. The Future Society



Nicolas MIALHE
President
The Future Society Inc.
23, Winter Street, Apt. 1
02144, Somerville

Paris, 16th November 2019

Reference: 2019-310

Ms. Clementina Barbaro, and
Ms. Livia Stoica
Co-secretary, CAHAI
Council of Europe

Subject: Application for Observer status at CAHAI

Dear Ms. Barbaro,
Dear Ms. Stoica,

On behalf of The Future Society, I would like to submit our application to be admitted as an Observer in the Ad Hoc Committee on AI (CAHAI).

The Future Society is a leading nonprofit organization focused on advancing sound norms for the governance of AI and other emerging technologies. With extensive international presence, including in Paris, London, Brussels, Barcelona, Washington, D.C, New York, Dubai and San Francisco, we leverage a global, multidisciplinary network of experts, practitioners, and institutional partners to develop Policy Research & Advisory Services, Seminars & Summits, and Educational & Leadership Development Programs.

We tackle a broad, but carefully selected, range of short-term and longer-term issues in AI governance and regulation. Our work is organized through three initiatives:

1. The AI Initiative, whose expertise is the examination of the global, social, economic, cultural and geopolitical impact of AI and the development of governance frameworks that will advance human rights as codified, in particular, in the European Convention of Human Rights and Convention 108+.
2. The Law & Society Initiative, whose area of expertise is the impact of AI in legal systems and the advancement of sound norms for its trustworthy adoption.
3. The CitX Initiative, whose area of expertise is AI for urban environments

Since 2015, we have been actively involved in most of the forums dedicated to the ethics and governance of AI, including at the Council of Europe (CEPEJ), OECD (member of the High Level

The Future Society Inc. (EIN # 81-3568099)
23, Winter Street, Apt. 1, 02144, Somerville, U.S.A
info@thefuturesociety.org

Expert Group on AI), UNESCO, European Union, UN High Level Panel on Digital Cooperation, and the World Bank. We believe in the mandate of CAHAI and the need to develop, based on broad multi-stakeholder consultations, a legal framework for the development, design and application of artificial intelligence, based on Council of Europe's standards on human rights, democracy and the rule of law.

Based on this experience, in the capacity of CAHAI Observers, we would contribute a recognized multidisciplinary expertise and experience on the trustworthy adoption of AI in legal systems. Our Law & Society Initiative has been very active on several fronts since 2016. Some of our achievements include:

- The development of an initial principles-based ethical framework in 2017, which served, through a close collaborative effort with the IEEE Global Initiative, as the basis of a common definition of Informed Trust in the adoption of AI in legal systems and the practice of law, which was published earlier this year in the first edition of *Ethically Aligned Design* (Law Chapter);
- Close cooperation with IEEE and the IEEE's Ethics Certification Program for Autonomous and Intelligent Systems ("ECPAIS") with respect to advancing certifications for AI in applications in legal systems;
- Organization, with the collaborative contribution of CEPEJ members, of the groundbreaking, multi-stakeholder "Athens Roundtable on AI & the Rule of Law" in September 2019;
- Organization of the Global Governance of AI Roundtable at the annual World Government Summit; the Roundtable includes a Law Committee, the chairmanship of which has been entrusted to a member of The Future Society since inception;
- Development on an initiative on the Independent Audit of Algorithms, intended to verify the extent to which certain principles (such as the CEPEJ principles), as may be operationalized in standards or regulations, are actually complied with, in accordance with such standards and regulations.
- Active member of the OECD High Level Expert Group on AI and partner of the new AI Policy Observatory

We remain at your disposal should you have any question and look forward to your response.

Sincerely,



Nicolas Mialhe
President

9. Homo Digitalis

November 20, 2019

Clementina Barbaro and Livia Stoica Becht

Co – secretaries, Comité ad hoc sur l'intelligence artificielle (CAHAI)

Council of Europe

Avenue de l'Europe F-67075, Strasbourg CEDEX, France



Re: Request of Homo Digitalis for acquiring observer status at the CAHAI

Dear Ms. Clementina Barbaro and Ms. Livia Stoica Becht,

My name is Eleftherios Chelioudakis and I am writing to you on behalf of [Homo Digitalis](#), a civil society organization based in Athens, Greece. In this letter, I would like to express Homo Digitalis' sincere interest in joining the Ad Hoc Committee on Artificial Intelligence – CAHAI as an observer in accordance with paragraph 8 of Resolution CM/Res(2011)24.

We would be pleased to contribute to the multi-stakeholder consultations for 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. Our research, litigation and advocacy activities are oriented towards the promotion and protection of human rights in the information society, and committed to the development of human-centered technologies and AI applications.

Homo Digitalis has currently over 80 members, who are human rights lawyers, academics, software developers, cybersecurity experts, social scientists and researchers in the humanities' field. The common bond of democracy is binding together these experts, who offer pro bono their knowledge, time and efforts for the realization of our organization's vision.

Moreover, Homo Digitalis is an observer of European Digital Rights (EDRI), the most prominent association of civil and human rights organisations from across Europe that defend rights and freedoms in the digital environment. In addition, Homo Digitalis is member of the Task Force on Artificial Intelligence and Cybersecurity of the Centre for European Policy Studies (CEPS), a leading think tank and forum for debate on EU affairs, ranking among the top ten non-US think tanks.

We would be extremely honored to have the opportunity to participate in the CAHAI and to contribute with our expertise and knowledge in the realization of your mission. Thank you for considering our application and please do not hesitate to contact us in case you need further information. Looking forward to hearing your decision.

Yours sincerely,

Eleftherios Chelioudakis

Co-founder and Secretary of Homo Digitalis

10.A19



ARTICLE 19
Free Word Centre
60 Farringdon Road
London EC1R 3GA
United Kingdom

Mr Gregor Stojin
President of the CAHAI
Council of Europe
Avenue de l'Europe
F-67075 Strasbourg Cedex
FRANCE

Monday 20 January 2020

Dear Mr President,

Re: ARTICLE 19 application for observer status at the CAHAI

ARTICLE 19 Global Campaign for Free Expression ('ARTICLE 19') is an independent human rights organisation that works around the world to protect and promote the rights to freedom of expression and freedom of information. We are writing to apply for observer status before the Ad Hoc Committee on Artificial Intelligence ('CAHAI'). ARTICLE 19 believes that we could contribute positively to the work of the CAHAI for a number of reasons.

ARTICLE 19 has a long history of collaboration with the Council of Europe, going back many years since our creation in 1987. Most recently, ARTICLE 19 has contributed to the work of the Council of Europe in the following areas:

- ARTICLE 19's staff members were nominated as members of the expert committees on the cross-border flow of Internet traffic (MSI-INT), quality journalism in the digital age (MSI-JOQ) and the Human Rights Dimensions of automated data processing and different forms of artificial intelligence (MSI-AUT). We also actively participated in the work of the committee on Internet intermediaries (MSI-NET) as observers.
- We regularly contribute to the standard-setting work of the Council of Europe in the area of safety of journalists and hate speech (ECRI).
- In addition, we have a track-record of third-party interventions before the European Court of Human Rights, on issues ranging from intermediary liability (Delfi v Estonia) to the relationship between data protection and freedom of expression (Satakunnan Markkinapörssi Oy and Satamedia Oy v. Finland) to website blocking (Wikimedia v Turkey, pending).

More specifically, ARTICLE 19 has significant expertise in the area of the human rights impacts of Artificial Intelligence. Our Senior Legal Officer, Gabrielle Guillemin, was involved in the pioneering work

ARTICLE 19 Free Word Centre 60 Farringdon Road London EC1R 3GA United Kingdom

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of the Council of Europe on AI in its report on Algorithms and Human Rights: Study on the human rights dimensions of automated data processing techniques and possible regulatory implications (2017). As mentioned above, she was also nominated as an expert of the MSI-AUT expert committee. As such, she contributed to the elaboration of the Committee of Ministers' recommendation in this area and the broader work of the committee of experts.

ARTICLE 19's work on AI further extends beyond the Council of Europe. Our Senior Programme Officer, Vidushi Marda, has served as an invited AI expert at the World Commission on the Ethics of Scientific Knowledge and Technology, and at the UN Global Pulse, and UNESCO. ARTICLE 19 was integral to ensuring that human rights is the first General Principle within the IEEE's Ethically Aligned Design document. We have also published a number of reports on AI, including one of the first analysis of the intersection between AI, freedom of expression and privacy in 2018, and a critical report that looks at current technical and normative approaches to AI ethics in 2019. ARTICLE 19 is currently also in the process of evidence building on the use of AI and its impact on human rights. We co-led the production of GISWatch, a compendium of AI case studies from around the world, in 2019. Ms. Marda will be presenting research on the use of AI in predictive policing in Delhi at one of the most prestigious AI venues in the world currently, the ACM Fairness, Accountability and Transparency conference, in January 2020. We also regularly contribute to the standard-setting work and knowledge building on AI at the Human Rights Council, as well as at the European Union level. Our Senior Legal Officer Maria Luisa Stasi has analysed and provided comments on the recent work of the European Commission High Level Expert Group on AI, including the first draft and the final version of the Ethics Guidelines for Trustworthy AI. We are therefore able to draw on standard-setting experience at a global level.

We believe that our unique expertise combining in-depth knowledge of European human rights law, technology and freedom of expression issues would be particularly valuable to the work of the CAHAJ.

For the above reasons, we hope that our application will be considered positively by the CAHAJ.

Yours sincerely,



Quinn McKew
Acting Executive Director

11. Algorithm Watch



AW AlgorithmWatch gGmbH | Bergstr. 22 | D-10115 Berlin

Gregor Strojin
President of the Ad hoc Committee on artificial intelligence
Council of Europe - Conseil de l'Europe

F-67075 Strasbourg Cedex – via email

Berlin, December 20, 2019

Application for Observer Status to CAHAI

Dear Mr Strojin,

Following the creation of the Council of Europe's Ad hoc Committee on artificial intelligence and the current deliberation process towards a legal framework for 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, we would like to express our interest in working with CAHAI concerning many aspects of this process.

We welcome the Council of Europe's eagerness on the topic of automated decision-making (ADM) and the intention to provide for a legal framework on Artificial Intelligence. The Council's intention to put its standards on human rights, democracy and the rule of law in the implementation of ADM processes front and centre is commendable and could serve as a very important decision to ensure that the use of ADM systems will not undermine European fundamental rights.

We therefore apply for observer status to CAHAI in order to be able to participate in the process fully. Please find information on

- the degree of representativeness of our organisation;
- the contribution we could make to the fulfilment of CAHAI's main task in the light of our background work and experience;
- our previous experience of cooperation with the Council of Europe and other international organisations in this field;
- any work already engaged on AI related aspects relevant to CAHAI's terms of reference and its planned deliverables.

We remain at your disposal to answer any questions you might have.

Yours sincerely,

Matthias Spielkamp | ms@algorithmwatch.org | +49.30.99.404.9000
AW AlgorithmWatch gGmbH
Bergstr. 22 | D-10115 Berlin
Geschäftsführer: Matthias Spielkamp
Amtsgericht Berlin (Charlottenburg) HRB 186522
Steuernummer: 27/640/02364
GLS Bank | DE 9143 0609 6711 9765 4300 | GENODEM1GLS

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What work on AI related aspects is AlgorithmWatch already engaged in that is relevant to CAHAI's terms of reference and its planned deliverables? What contribution could AlgorithmWatch make to the fulfilment of CAHAI's main task in the light of the organisation's background work and experience?

Momentarily, we are conducting five research projects in close collaboration with some of the best scientists in their respective fields. With this research we produce in state-of-the-art evidence that we continually publish. On the basis of this evidence, we develop policy recommendations that we use to inform regulatory discussion of policy makers in for a like CAHAI, the European Commission, the Internet Governance Forum and elsewhere. Please find a list of our current research projects in Annex I.

Degree of representativeness of our organisation

AlgorithmWatch is the only rights-based NGO globally with a focus on automated decision-making systems and AI. We are frequently invited to discuss the consequences of these systems. You will find a list of participations in Annex II.

Previous experience of cooperation with the Council of Europe and other international organisations in this field.

AlgorithmWatch has been involved with the Council of Europe by way of:

- A keynote at CAHAI's inaugural meeting;
- A presentation at the CoE's two-day High-Level Conference *Governing the Game Changer – Impacts of artificial intelligence development on human rights, democracy and the rule of law*, Helsinki 2019.
- A presentation and a closed-door workshop at the IGF 2019 Pre-Event on *AI and discrimination – whose problem is it?* (organised by the Inclusion and Anti-discrimination division, Council of Europe, together with EQINET).

AlgorithmWatch has been involved in various international processes, among them

- Hearings of the European Parliament
- Membership of the EU's High-Level Expert Group on AI (resigned due to resource constraints in October 2018)
- Hearings of the Joint Research Centre of the European Commission
- The Internet Governance Forum, including membership in the Best Practice Forum on IoT, Big Data, AI
- EuroDIG
- The High Level Group on Internet Governance of the EU Commission

and various others.



Annex I

Automating Society – Taking stock of automated decision-making (ADM) in the EU

The Automating Society Report is the first comprehensive study on the state of automated decision-making in Europe. The report was developed with a network of 15 experts coming from 12 different EU member states (Belgium, Denmark, Finland, France, Germany, Italy, Netherlands, Poland, Slovenia, Spain, Sweden and the UK).

At the moment, we are in the process of producing the second edition, adding four more countries: Estonia, Greece, Portugal and Switzerland as the first non-EU country (and of course a CoE member).

The report focuses on four different issues: Firstly, showing how the different societies are discussing automated decision-making by looking at AI strategies and debates of governments as well as positions from civil society regarding the topic. Secondly exploring the already existing regulatory proposals for example laws, codes of conduct, technical standards or legislative processes. The third issue regards other oversight institutions or mechanisms in place and how they take initiative. Finally, the report shows where ADM systems were already in use in these members states, highlighting the development of risks and opportunities accompanying the implementation of automated decision-making.

Based on the reports findings, we proposed recommendations for policy makers in the EU parliament and Member States parliaments, the EU Commission, national governments, researchers, civil society organizations (advocacy organizations, foundations, labour unions etc.), and the private sector (companies and business associations). These can be found on page 13 of the report [[link](#)]

Funded by Open Society Foundations and Bertelsmann Stiftung.

The AI Ethics Guidelines Global Inventory

With the Inventory, we started to map the landscape of frameworks and principles that seek to set out principles of how ADM systems can be developed and implemented ethically.

The Inventory consists of more than 100 documents coming from a wide range of actors like academia, civil society, government institutions, professional associations, private sector and international organizations. They thus differ in their character ranging from recommendation to voluntary committed statements along with government directives.

While the documents are divers, we found some common traits:

All include the similar principles on transparency, equality/non-discrimination,



accountability and safety. Some add additional principles, such as the demand for AI be socially beneficial and protect human rights. Most frameworks are developed by coalitions, or institutions such as universities that then invite companies and individuals to sign up to these. Only a few companies have developed their own frameworks. Almost all examples are voluntary commitments. There are only three or four examples that indicate an oversight or enforcement mechanism. Apart from around 10 documents, all were published in 2018 or 2019 (some did not have a date). Few include recommendations or examples of how to operationalize the principles.

The Atlas of Automation

AlgorithmWatch's 'Atlas of Automation' provides an overview of ADM systems used in Germany that have relevant impact on people's life chances. It is a compilation – in this case not of maps and graphics, but of topics that are relevant for addressing the question of how these systems affect access to public goods and services as well as exert civil liberties, especially for people who can be considered disadvantaged or marginalised. The Atlas refers not only to the potential for discrimination that results from the automation of processes and decisions, but also to opportunities and advantages that are made possible or conceivable through the use of automated decisions.

The Atlas provides an overview of the actors who have a decisive influence on the discourse about ADM: Authorities, research institutions, interest groups and non-governmental organizations. In addition, it summarizes existing regulatory approaches and consumer protection aspects of ADM systems with an impact on participation. Individual chapters cover the use of ADM systems in specific areas: Health and medicine, work, the Internet, security, education and more.

Part of the Atlas project is a freely accessible online database containing around 150 actors, regulations, software systems and technologies (available in German only). The database can be searched for products, type/methods, actors and regulations. Search results can be filtered by topic and keyword. This database of participatory ADM systems will be expanded continuously.

Funded by Bertelsmann Foundation

Automated Human Resources Management and Labour Rights

Using algorithmic decision making and decision support, in particular, by so-called artificial intelligence, in human resource is a prime example that algorithms strongly affect society as a whole and the everyday life of individuals in highly sensitive areas.

In this project, we are investigating the functionalities of the ADM systems in use. What functionalities are on offer, what information is provided to employers and employees about these functionalities, how are staff members informed that their data is collected to measure their performance, and what rights do or should they



have to influence or object to the use of the system?

We gather information about the available systems and their use in companies to robustly evaluate their impact on employee autonomy and workers' rights. We are identifying and explain how the systems work by building model systems with synthetic employee data, and analyse their implications from legal and ethical perspectives. The analysis will allow us to identify potential gaps in regulation arising from both their use and the results. We will also identify ways in which workers' councils and the wider public should be informed about these systems.

Funded by Hans-Böckler-Stiftung

Governing Platforms

A plethora of regulatory attempts are underway – at EU level and in member states – to mandate Facebook, Google, Twitter, YouTube and other intermediaries to patrol content, by blocking unwanted posts, or ensure plurality and non-discrimination of sources. The reason: the influence of intermediaries on public discourse is perceived as overly powerful and damaging. However, it is doubtful whether current strategies will succeed in strengthening public discourse.

Engaging with civil society and other stakeholders in a participatory design process, we are developing innovative governance/policy proposals and other tools that we will then feed into the EU and member states' policy processes.

Funded by the Civitates Network of European Foundations

Annex II

arbeit plus Innovation Lab

Talk by K. Penner: *Algorithmen und BigData in der Sozialpolitik*
Vienna, December 18, 2019

Enquete Commission Artificial Intelligence of the German Bundestag

Participation of M. Spielkamp in the meeting of the working group *KI und Arbeit, Bildung, Forschung*
Berlin, December 16, 2019

Berlin Institute of Health

Conference *Frauen und Künstliche Intelligenz im Gesundheitswesen*, Talk by V. Thiel
Berlin, December 16, 2019

Johannes Kepler University Linz | Institute for Machine Learning

Lecture Series *Artificial Intelligence*, Lecture by M. Spielkamp
Linz, December 16, 2019

Web Days 2019

Youth conference on the topic *Artificial Intelligence*, talk by K. Penner
Berlin, November 30, 2019

Internet Governance Forum 2019

Participation of M. Spielkamp in the *Open Forum Strengthening Digital Transformation through Digital Security*
Berlin, November 28, 2019

Federal Ministry of the Environment

Conference *KI x Klima: Künstliche Intelligenz im Umweltschutz – eine Erfolgsformel*, project presentation by K. Penner
Berlin, November 26, 2019

Internet Governance Forum 2019

Participation of M. Spielkamp in the *IGF Pre-Event AI and discrimination – whose problem is it?*
Berlin, November 25, 2019

KI & WIR | 1st Convention on Artificial Intelligence and Gender

Talk by V. Thiel: *Medizin, Gender und KI – Chancen zur Verbesserung der Diagnose und Therapie*
Magdeburg, November 24, 2019

FIFF-Konferenz 2019

Talk by V. Thiel: *Viel Lärm um Wenig: Ethische Richtlinien in der Algorithmenentwicklung*
Bremen, November 23, 2019

KI & WIR | 1st Convention on Artificial Intelligence and Gender

Talk by K. Penner: *Die demokratische Dimension von Algorithmen*
Magdeburg, November 22, 2019

Sozialrechtsverbund Norddeutschland

Conference *Digitalisierung und Sozialrecht*, talk by M. Spielkamp: *Kritische Sicht der weiteren Entwicklungen einer Digitalisierung im Sozialrecht*
Reinfeld, November 22, 2019

1st meeting of the Council of Europe Ad hoc Committee on Artificial Intelligence (CAHA)

Presentation by M. Spielkamp: *Inventory of soft law instruments on artificial intelligence*
Strasbourg, November 18, 2019

Hessian State Agency for Civic Education

Panel discussion *Algorithmen und Ethik – Was darf KI?* with V. Thiel and E. Kalogeropoulos
Wiesbaden, November 14, 2019

Volkswagen Foundation | Kick-off "Artificial Intelligence and the Society of the Future"

Presentation by M. Spielkamp: *What can we reasonably expect 'regular people' to understand about automated systems – and how do we deal with the fact that it's not much?*
Herrenhausen, November 8, 2019

Bitkom – Bid Data AI Summit

Session with M. Spielkamp on How to Make your AI Ethics-Proof? A Primer
Berlin, April 10, 2019

Deutsches Institut für Menschenrechte

Participation by K. Penner in workshop on *Die EU auf dem Weg zu interoperablen Datenbanken / Perspektiven für Datenschutz und Kontrolle*
Berlin, April 10, 2019

Haus Neuland

Talk and discussion with K. Penner on *Warum Algorithmen ein Thema für die gesamte Gesellschaft sind – ein Bericht aus der Praxis*.
Bielefeld, April 8, 2019

Körper-Stiftung

Panel discussion with M. Spielkamp on Faktor Mensch: Welche Technik wir wollen
Hamburg, April 8, 2019

Launch event - Atlas of Automation

Launch event of the “Atlas of Automation – Automated decision-making and participation in Germany” at Mozilla Berlin – panel discussion with Tina Klüwer, Julia Borggräfe and Heather West and Lorenz Matzat
Berlin, April 2, 2019

12.CCBE (Conseil des Barreaux Européens)



Madame Clementina Barbaro
Madame Livia Stoica Becht
Co-secrétaires
Comité Ad hoc sur l'intelligence artificielle
Conseil de L'Europe

Envoi par courriel

Bruxelles, le 18 décembre 2019

Objet : Candidature en tant que membre observateur du CAHAI

Madame Barbaro,
Madame Stoica Becht,

Nous souhaitons vous faire part de l'intérêt du CCBE à porter sa candidature pour devenir membre observateur du comité ad hoc sur l'intelligence artificielle (CAHAI) récemment créé, et dont le but est **« d'examiner sur la base de consultations multipartites, la faisabilité et les éléments potentiels d'un cadre juridique pour le développement, la conception et l'application de l'intelligence artificielle, fondé sur les normes du conseil de l'Europe dans le domaine des droits de l'homme, de la démocratie, et de l'état de droit »**. Le CCBE souhaiterait pouvoir ainsi accompagner ses travaux.

Nous estimons que, en raison de sa représentativité constituée des 45 barreaux nationaux des États membres du Conseil de l'Europe, représentant ainsi plus d'un million d'avocats en Europe, et du fait de ses liens étroits avec votre institution entretenus au fil des années pour la défense et la promotion des droits de l'homme, des principes de la démocratie et de l'état de droit, le CCBE pourrait contribuer activement à ce débat sur un possible encadrement de l'usage de l'intelligence artificielle.

Comme vous le savez, le CCBE a accompagné les discussions lors des réunions de la CEPEJ qui ont mené à l'adoption de la « Charte éthique européenne d'utilisation de l'intelligence artificielle dans les systèmes judiciaires ». Le CCBE a soutenu cette démarche et a ainsi pu relayer l'avis des professionnels du droit sur l'élaboration de cette Charte.

Par ailleurs, le CCBE a organisé en novembre 2018 une [conférence](#) sur le thème « *Intelligence artificielle-Justice humaine* » visant à engager une réflexion avec des acteurs majeurs et des organisations d'envergure internationale (Conseil de l'Europe, Agence des droits fondamentaux de l'UE, Commission européenne) sur le rôle que pourrait jouer l'usage d'outils automatisés ou de technologies basés sur l'intelligence artificielle et pouvant remettre en cause les principes de la démocratie et ceux sur lesquels repose le droit à un procès équitable. Lors de cette conférence, nos [ateliers de réflexion](#) ont permis de mettre en lumière un certain nombre de défis pour les avocats en lien avec l'utilisation de l'intelligence artificielle (notamment les enjeux liés à la formation, au respect des droits fondamentaux, à la qualité et à la sécurité des données, aux plateformes en ligne, à l'accès à la justice) qui sont importants aux yeux du CCBE si de tels outils venaient à être introduits dans les cours et tribunaux, ou si leur usage venait à se répandre dans la pratique de la profession d'avocat.

Conseil des barreaux européens – Council of Bars and Law Societies of Europe

association internationale sans but lucratif

Rue Joseph II, 40/8 – B 1000 Brussels – Belgium – Tel:+32 (0)2 234 65 10 – E-mail ccbe@ccbe.eu – www.ccbe.eu

Par ailleurs, le CCBE a aussi pris part aux discussions au niveau de l'Union européenne, en offrant sa contribution au premier projet de lignes directrices du groupe d'experts indépendants de haut niveau sur l'intelligence artificielle de la Commission européenne. Notre contribution est disponible [ici](#) (uniquement en anglais).

Le CCBE est aussi membre du groupe d'experts « *liability and new technologies* » mis en place par la Commission européenne et qui étudie une révision possible de la législation sur la responsabilité relative aux produits à la lumière de l'utilisation de systèmes autonomes et de l'intelligence artificielle.

Le CCBE tient à rappeler l'importance des principes fondamentaux et du respect des droits fondamentaux ainsi que le fait que l'encadrement de l'intelligence artificielle ne se cantonne pas seulement au domaine de la Justice et qu'une attention particulière est nécessaire afin de rendre *réelle* la mise en place de garanties suffisantes. Cela est d'autant plus important face aux risques liés à l'usage de systèmes automatisés dans la prise de décision (reposant sur l'intelligence artificielle) qui peuvent conduire à des décisions affectant (d'une manière ou d'une autre) le statut juridique ou la situation d'un citoyen ou d'une entreprise, que ce soit au niveau de la justice ou dans d'autres domaines avec des conséquences directes sur la situation personnelle (fiscalité, migration, etc.).

Nous élaborons actuellement un document de réflexion générale afin de mettre en avant toutes les problématiques liées à l'usage de l'intelligence artificielle. Ce document à destination de nos membres (barreaux et avocats) permettra de mieux comprendre les implications tout en clarifiant les termes, techniques et usages disponibles à l'heure actuelle. Ce document de réflexion « *CCBE Considerations on the Legal Aspects of Artificial Intelligence* » comporte plusieurs chapitres avec une attention particulière envers « les droits de l'homme et l'intelligence artificielle » ainsi que des aspects pratiques liés à l'usage d'outils dans le domaine de la répression (surveillance de masse, usage de la reconnaissance faciale, cybercriminalité, *predictive policing*, etc.).

Le CCBE se réjouit de la démarche entreprise par le Conseil d'Europe par la création de ce comité ad hoc et espère que sa demande d'acquiescer le statut de membre observateur sera accueillie favorablement.

Le CCBE reste à votre disposition pour toute question ou information.

Veuillez recevoir, Mesdames, l'assurance de ma considération distinguée.



Philip Buisseret
Secrétaire général

13. Women at the Table



WOMEN AT THE TABLE

HE Gregor Strojín
Chair of the Ad hoc Committee on
Artificial Intelligence (CAHA) and
State Secretary at the
Ministry of Justice of the
Republic of Slovenia

9 December 2019

Your Excellency:

Attached is the application by Women at the Table for observer status at the Ad hoc Committee on Artificial Intelligence (CAHA). We trust that this application meets with your approval and look forward to the opportunity to work with Women at the Table in the future.

The point of contact for this application is Ms. Caitlin Kraft-Buchman, CEO / Founder Women at the Table. Phone: + 41 78 609 45 94; email: caitlin@womenatthetable.net.

Yours sincerely,

Caitlin Kraft-Buchman

CEO / Founder Women at theTable
Maison de la Paix
Chemin Eugène-Rigot 2E, Petal 5
1202, Geneva, Switzerland
Phone: +41 78 609 4594
Email: caitlin@womenatthetable.net



WOMEN AT THE TABLE

HE Gregor Strojín
Chair of the Ad hoc Committee on
Artificial Intelligence (CAHAI) and
State Secretary at the
Ministry of Justice of the
Republic of Slovenia

9 December 2019

Your Excellency:

Women at the Table wishes to apply for observer status at the CAHAI. For this purpose, we are pleased to provide the following information:

1. **The official name of the organisation: Women@theTable**

Date of establishment: April 2015

Headquarter office address:

Maison de la Paix
Chemin Eugène-Rigot 2E, Petal 5
1202, Geneva, Switzerland

Website: <https://www.womenatthetable.net> and <https://aplusalliance.org>

Point of contact: Caitlin Kraft-Buchman, CEO / Founder Women at the Table and <A+> Alliance

2. **Governance structure**

Women at the Table is governed by a board according to the statutes of the organisation and headed by Ms Caitlin Kraft-Buchman, Chief Executive Officer, Switzerland

Members of the Board:



WOMEN AT THE TABLE

Ambassador (ret.) Keith Harper, Partner Kirkpatrick, Townsend & Stockton

Kathleen Cravero-Kristoffersson, former President Oak Foundation, Sweden/United States

Katja Iversen, President, Women Deliver, Denmark

Sunny Bates, CEO Sunny Bates Associates, United States

Nick Schlaepfer, consultant, International Trade Centre, UK/Switzerland

3. Background

Women at the Table is a growing global civil society organization based in Geneva, Switzerland; the first organization to focus on systems change by helping feminists gain influence in sectors that have key structural impact: technology, economy, democracy and governance, and sustainability.

Women at the Table was established in 2015 and is responsible for co-founding International Gender Champions, also in 2015, a leadership network that brings together female & male decision-makers to break down gender barriers. Champions include the current UN Secretary General, WHO Director-General, WIPO Director General, WTO and ITU Directors-General, Secretary General of ISO, Executive Secretary ECE, amongst the active Champions who head organizations in Geneva, New York, Vienna, Nairobi, the Hague and Paris. Most recently the IGC network launched a new hub in Paris during the Paris Peace Forum November 2019 with President Emmanuel Macron. In four years, the network has rallied over 350 active Champions and Alumni including from international organizations, governments, civil society.

Since its establishment, Women at the Table has worked with the highest levels of decision-makers to achieve systems changes at the institutional level. It has nurtured solid, trust based relationships with a wide range of national, regional, international and local civil society organisations and intergovernmental agencies across the globe.

Within a short period of time Women at the Table has delivered changes in the way global institutions tackle gender equality. Achievements include:

- The 2017 coalition conception and advocacy of The Buenos Aires Declaration on Trade and Women's Economic Empowerment joined by 120+ Member States and Observers at WTO's MC11. The Declaration represents the first time in WTO history that women are mentioned in an official context of international trade. WTO Director General Azevêdo credited the Declaration for "the growing recognition that trade and trade rules can be a useful mechanism to support women's economic empowerment and giving the issue real momentum at the WTO".
- 2019 Gender-Responsive Standards Declaration, signed by 50+ international, regional and national standards bodies, including the International Standards Organization, pledging to make gender action plans for their institutions within the year.



WOMEN AT THE TABLE

- IGC Disarmament Impact Group, established in Geneva with fellow IGC Champions Executive Director UNIDIR, Ambassadors from Ireland, Namibia, and Canada; nominated for Arms Control Person(s) of the Year 2018.

Women at the Table has proven it is a global expert in conceiving positive systems changes that have institutional impact. It regularly provides expert advice to the highest level of decision-makers within Governments, international organisations and the private sector on advancing gender equality through technology, the economy, democracy and governance and sustainability.

Women at the Table holds special consultative status United Nations Economic and Social Council (ECOSOC) as well as accreditation to the World Trade Organization.

4. Primary areas of Women at the Table activity

Women at the Table's work focuses on sectors that have key structural impact: technology; economy; democracy and governance; and sustainability.

In the context of technology - Women at the Table focuses on gender equality in Artificial Intelligence (AI). Gender equality is integral to all dimensions of inclusive and sustainable development. Gender equality is a crucial feature of democracy and the rule of law and is vital to the realisation of human rights for all. Women have remained largely under-represented and / or excluded from the technology sector and in particular in AI and Automated Decision-Making ADM leadership. This gender gap is replicated at large technology firms and the situation is far worse for people of colour, minority and marginalized populations. From inherent bias in hiring; selection bias and stereotypes in the delivery of ads to women; the refusal to allow women to participate in 20th century drug trials ; and entrenched implicit stereotypes and unconscious bias – women continue to be excluded and left behind.

Rather than improving the world by extracting historical gender biases, machine learning it turns out, is further entrenching discrimination - a situation which is becoming intractable as machines begin to learn from one another. The world has been slow to react to the mounting evidence that gender bias and sexism continue to be pervasive online.

Gender equality in AI is needed - this is particularly urgent given the scale at which AI and ADM systems are being deployed. Accountability (including within legal frameworks), inclusion, and cooperation to advance the values of equality and help to correct for the visibility, quality of interaction and influence of half the world's adult population, is needed now.

Women at the Table in partnership with Ciudadanía Inteligente (based in Santiago, Chile) is leading the <A+> Alliance to mitigate and correct for gender bias in AI. The <A+> Alliance is a multidisciplinary, diverse, global coalition of expert practitioners, academics and activists working to create and apply



WOMEN AT THE TABLE

Inclusive Algorithms (<A+>) that changes the current path of AI at a critical turning point in history. Coordinated by Women at the Table and Ciudadanía Inteligente, <A+> combines field knowledge, multilateral and local expertise administering programs, with a wealth of experience achieving systems change at the institutional level.

The <A+> Alliance addresses this problem at the international, standards, public policy and technical levels, simultaneously. As countries accelerate their pace to use AI and ADMs to address different social problems, policy makers, technologists and governments must be equipped with the basic skills to use human rights as guiding principles in design and to fully realize the potential of technology to identify and counteract biases when designing the digital future.

The <A+> Alliance leverages existing relationships and partnerships at the highest level and is supported by a global advisory board comprised of senior experts from the Data-Pop Alliance/MIT, Yale University, Ecole polytechnique fédérale de Lausanne EPFL, Digital Cities and Digital Rights Project, Decode, the World Wide Web Foundation, the World Bank Group, and others.

The <A+> Alliance was formally launched at the 2019 Internet Governance Forum co-hosted by GIZ, Deutsche Gesellschaft für Internationale Zusammenarbeit.

The <A+> Alliance is also committed to creating low cost targeted pilots that correct for gender bias using cutting research in order to create unbiased algorithmic interventions. These pilots will roll out in multiple geographies in cooperation with local government, local and global academia (convening data and social scientists), citizens, and legacy and start-up tech companies.

Potential pilots under consideration focus on public housing allocation, university scholarship, social protection and social incentives to women who have traditionally been left behind. Other pilots potentially focus on urban mobility and justice / crime prevention.

5. Reasons why Women at the Table is applying for CAHAI observer status

a). Global advancement of gender equality in AI

Women at the Table seeks to ensure gender equality within AI through constructive and substantive contributions at multilateral level legal framework discussions including at the WTO, United Nations in Geneva, International Organization for Standards, WIPO and International Telecommunications Union. Women at the Table seeks to engage constructively and substantively at CAHAI deliberations and broad multi-stakeholder consultations on a legal framework for the development, design and application of AI, based on Council of Europe's standards on human rights, democracy and the rule of law.



WOMEN AT THE TABLE

Granting Women at the Table observer status at the CAHAI would enable CAHAI to take steps in fulfilling its obligation to “take due account of a gender perspective, building cohesive societies and promoting and protecting rights of persons with disabilities in the performance of its tasks”. Establishing a link between Women at the Table and CAHAI could lead to potential synergies between the two and help boost significantly current efforts to examine the feasibility and potential elements on the basis of broad multi-stakeholder consultations, of a legal framework for the development, design and application of artificial intelligence, based on Council of Europe’s standards on human rights, democracy and the rule of law.

b). Innovative and first of its kind multi-disciplinary research on artificial intelligence, gender and machine learning

Women at the Table produces in-depth multi-disciplinary analysis of gender and AI.

In July 2019 Women at the Table released a paper “We Shape Our Tools, and Therefore Our Tools Shape Us”: Affirmative Action for Algorithms, Artificial Intelligence, Automated Decision-Making and Gender. The first paper of its kind to focus specifically on gender, artificial intelligence and automated decision-making, the report speaks of all intersections of women and girls, who serve as a proxy for all groups traditionally invisible and ‘other’ to the system – those traditionally left behind.

The paper highlights the mounting evidence that gender bias and sexism is pervasive in ADM. It also examines the current landscape for AI and covers issues of key interest to CAHAI including mapping risks arising from AI including its notable impacts on the human rights of women, a legal framework for the design and application of AI and international cooperation covering broad multi-stakeholder consultations. The paper provides practical recommendations centred around accountability, inclusion, and cooperation to advance the values of equality and to correct for the visibility, quality of interaction and influence of half the world’s population – women.

In November 2019, Women at the Table released its paper ‘The Deadly Data Gap: Gender and Data’ in the margins of the British Standards Institution (BSI) Standards Conference on 21 November in London, and in advance of the 2nd UN Data Forum in October 2020 to be hosted by Switzerland in Bern. All data tells a story. And like all stories, its power and purpose depend on the protagonist and their point of view. The ‘Deadly Data Gap’ highlights the mounting evidence that the exclusion of women is pervasive in data research, collection and analysis from 20th century drug trials, to the design of safety features in cars, to the work equipment we wear. Data is the lifeblood of our world’s decision-making, and with a data revolution compounded by AI, we are at a critical turning point. Particularly urgent given the inextricable link between data and AI and the scale at which AI is being deployed – data is needed that accurately reflects and represents the lives and diversity of women – then everyone can thrive.

Women at the Table has a number of papers to be released in the first quarter of 2020 including a paper focused on current legal instruments to address gender bias in online recruitment tools in the UK, US and



WOMEN AT THE TABLE

France as well as a paper on gender responsive procurement (further papers will be released throughout 2020). Additionally, the <A+> Alliance has developed open source algorithms for the public and private sector to use to ensure gender equality in ADM.

Women at the Table has established itself as a global expert on gender equality in AI. Women at the Table and the <A+> Alliance's papers and algorithms could be used by CAHAI and contribute to informed decision-making by CAHAI. Women at the Table could provide recommendations to CAHAI on policies and measures to be taken to better protect gender equality - which is a crucial feature of democracy and the rule of law and is vital to the realisation of human rights for all.

c). Connecting the dots – establishing multi-stakeholder connections

Partnerships are at the core of all of Women at the Table's work and an essential means to advance change and ensure gender equality in AI. CAHAI's work includes focusing on exchanging views with leading experts on the impact of AI applications on individuals and society as well as a feasibility study on a Council of Europe legal framework on AI, which will be completed following broad multi-stakeholder consultations with the private sector and civil society.

The <A+> Alliance contributes to ensuring the effective participation of governments and all stakeholders in developing an inclusive information society – it does this by creating and fostering partnerships and ongoing cooperation and initiating dialogue with all stakeholders (for example, technologists, government agencies, civil society and academics) and sharing best practices on how to ensure gender equality in AI and ADM. In this context, Women at the Table and its partners have extensive technical expertise on gender equality in AI and Women at the Table could provide expert speakers at multi-stakeholder consultations.

d). Alignment with Council of Europe's standards on human rights, democracy and the rule of law.

Women at the Table applies a human rights based approach to AI. Women at the Table strongly supports and advocates for AI to be grounded in international human rights law underscored by the International Bill of Human Rights and the core international human rights instruments. This aligns with the Council of Europe's standards on human rights, democracy and rule of law.

6. Annexes

A copy of the Women at the Table's certificate of registration is attached.

w@tt Annual Report 2018 can be found at <https://www.womenatthetable.net/blog/w-tt-s-2018-activity-report>

14.EBU (European Broadcasting Union)



OPERATING EUROVISION AND EURORADIO

DATE 30-12-2019

**ATTENTION MR. GREGOR STROJIN,
CAHAI PRESIDENT**

ANTICIPE PAR COURRIEL:

Clementina BARBARO, CLEMENTINA.BARBARO@COE.INT

Livia STOICA, Livia.STOICA@coe.int ;

Yannick MENECEUR, Yannick.MENECEUR@coe.int

RÉFÉRENCE: CAHAI GROUP EXPERTS

SUJET : EBU CONTRIBUTION TO CAHAI GROUP

Dear Mr. President,

After discussion with the secretariat of the group and with Jan Kleijssen, I'm delighted to inform you that our organization, EBU – European Broadcasting Union, having a formal status of Observer to the Council of Europe, has decided to formally propose Antonio Arcidiacono, our director of Technology and Innovation, as an expert for the work of CAHAI on artificial intelligence, with the specific angle of the impact of A.I. on media and communication.

Antonio Arcidiacono (of which you could find here attached the C.V.), joined EBU in 2018 after having been director of innovation at Eutelsat (the satellite company) and before at ESA (European Space agency), for many years. Since it's arrival at EBU he has launched many different projects concerning A.I. applications to the media sector.

Among the most relevant already in the implementation phase, there are:

- Project PEACH- <https://peach.ebu.io/>, to produce a recommendation system compliant not only with GDPR and Convention 108, but also with Public Service Media values system¹;

¹ PEACH fulfil the main goal of CAHAI to “- take into account relevant existing universal and regional international legal instruments, work undertaken by other Council of Europe bodies as well as ongoing work in other international and regional organisations”.

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- Project Eurovox <https://tech.ebu.ch/eurovox> to produce automatic translations systems that could allow to access, in a reliable way, to the myriads of audiovisual contents made available in non vehicular languages.²

Also EBU is promoting projects of its members to improve service through the A.I. use to lower barriers to access audiovisual contents for people suffering of disabilities.³

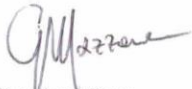
Other projects are in the pipeline (one in particular on automatic detection of fake news), and the EBU is coordinating the efforts of many of its members that are already advanced in using A.I. to better deliver public service values to their citizens. A report has just been released before Christmas on the applications to the news sector. It's called "**News Report 2019 - The Next Newsroom: Unlocking the Power of AI for Public Service Journalism**".⁴

Based on these multiple ongoing experiences and researches, we believe that the contribution that Antonio Arcidiacono could bring to CAHAI activity could be really important and we strongly recommend his cooptation.

I remain fully available to provide any more information you would need to receive on the person and on ongoing other activities that EBU and its members are conducting on A.I. in the media field.

Waiting for a prompt reply (so that we can block its agenda for the next meetings, starting from the one forecasted on March 11 to 13th), I use this opportunity to wish you and the whole secretariat, our best wishes for the new year 2020.

Yours sincerely



Giacomo Mazzone,
Head of EBU institutional relations

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Mail: mazzone@ebu.ch

Annexes:

1. Antonio Arcidiacono's CV

² EUROVOX fulfil the main goal of CAHAI to “- take due account of ... building cohesive societies ... in the performance of its tasks”, through the abolition of the language barriers.

³ These other projects (in particular those of RAI CRIT) “- take due account ... building cohesive societies and promoting and protecting rights of persons with disabilities in the performance of its tasks”.

⁴ Could be accessed at the following link, after registration: <https://www.ebu.ch/news-report-2019>

Antonio Arcidiacono

Antonio is **Director of Technology & Innovation at the European Broadcasting Union (EBU)**. He has extensive experience in conceiving, developing and taking new products and services to market. Since joining the EBU in September 2018, Antonio has launched several initiatives designed to leverage the collective expertise and momentum of the EBU Membership for technology innovation; to deliver key building blocks that enable the digital transformation of public service media, exploiting advances in data science, in production and transmission technologies while strengthening the collaboration of public service media with European policy initiatives, start-ups and academic institutions.

Two of Antonio's most recent initiatives are the launch of the Eurovox project and of the 5G Media Action Group (5G-MAG).

The **EuroVox** project is an open platform leveraging upon state-of-the-art AI technologies, delivering language services for media: combining automatic tools with human verification to give a trusted access to any content to any citizen in their native language.

The **5G-MAG** is a global industry association designed to ensure 5G standards are fit for purpose in media production and distribution, translating existing and future media related 5G standards into operational services, using a multilayer approach combining broadcast and one to one services sustainably serving 100% of the population and 100% of any territory. ;

Antonio has managed teams working on digital TV, satellite communications, IP-based multimedia services, artificial intelligence and mobile telecommunications, and is an internationally recognized expert on those topics, with strong knowledge of the European market. He has worked closely with the leading players in the media, telecoms and academic fields, and with European institutions at a technical, standardization, regulatory and competition level.

During his career, Antonio has also participated in the launch of the first GSM services and was responsible for launching the first digital TV services in Europe; played a central role in the convergence between the broadcasting and the internet in the mid 90's with the launch of the DVB-IP set of standards; oversaw disruptive ideas being translated into new products and commercial services in the satellite sector;

Antonio previously worked as Director of Innovation and a Member of the Management Committee at **Eutelsat** and took part in key phases of its development from an international organization to privatization in 2001 and to the IPO in 2005.

Before joining Eutelsat, Antonio worked for the **European Space Agency**, and prior to that, for Telespazio and Selenia Spazio.

Antonio is also Chair of the 5G-MAG, Chair of the ETSI JTC on Broadcasting and a founding member of the Digital Video Broadcasting (DVB) project.

Antonio manages a team of highly qualified and passionate experts at EBU, has a Doctorate in Electronics & Telecommunications Engineering from the University of Pisa and owns 20 technological patents. He is fluent in Italian, English and French.

15. Together against Cybercrime (Together against Cybercrime)



Official letter : Expression of Interest to join CAHAI

January 16, 2020

Dear Madam/Sir ,

TaC – Together against Cybercrime International is a non-profit anti-cybercrime organisation born in France with its headquarter in Geneva. We are working internationally.

In 2008 we realised the need for civil society action in the fight against cybercrime. In January 2010, TaC International has been born.

Our main task is to assist victims of online illegal activities, develop educational tools on online safety, conceptualise and implement the awareness-raising activities on cybersecurity for different stakeholder groups.

We also have a long time experience in assisting countries in the development of their national legislations on cybercrime and regional strategies on cybersecurity.

We would like to express today our deep interest in joining the Council of Europe Ad Hoc Committee on Artificial Intelligence – CAHAI and to bring our cybersecurity and cybercrime experience from the angle of civil society and users rights in the perspective of Artificial Intelligence.

We would be grateful if you could reserve a collaboration support to us.

Yours sincerely,

Prof.Dr Eduard N.YURCHENKO

President of TaC International