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AD HOC COMMITTEE ON ARTIFICIAL INTELLIGENCE (CAHAI)

3rd meeting

Strasbourg, 15-17 December 2020

Online meeting – KUDO Platform

MEETING REPORT

Prepared by the CAHAI Secretariat

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I. Introduction

1. The Council of Europe's Ad Hoc Committee on Artificial Intelligence (hereinafter referred to as "CAHAI" or "the Committee") held its 3rd plenary meeting online on 15-17 December 2020, in conformity with its terms of reference adopted by the Committee of Ministers on 11 September 2019.

2. The Chair, Mr Gregor Strojin (Slovenia), opened the meeting and welcomed the participants.

II. List of items discussed at the meeting and decisions taken by the CAHAI

Agenda item 1: Opening of the meeting

3. The Chair welcomed Ms Marija Pejčinović Burić, Secretary General of the Council of Europe, Mr Rik Daems, President of the Parliamentary Assembly of the Council of Europe and Prof. Christian Kastrop, State Secretary, the Federal Ministry of Justice and Consumer Protection, on behalf of the German Presidency of the Committee of Ministers, to the meeting.

4. The Chair also welcomed Mr Casper Klynge, Microsoft's Vice President for European Government Affairs, and former Tech Ambassador of Denmark.

5. The Secretary General of the Council of Europe, Ms Pejčinović Burić, congratulated the CAHAI for its valuable work on AI and its progress which has also been welcomed by the Committee of Ministers. Considering the real risks posed by AI for human rights, democracy and the rule of law, the feasibility study clearly shows the need for a rapid action. Although there is not a complete regulatory vacuum, the high number and diversity of instruments may be creating challenges in interpretation and application. Procedural gaps remain, such as in respect to technical robustness and transparency of AI and due to the inherent limitations of soft law instruments. In this regard, she stressed the unique role of the Council of Europe in the pan European family, and her expectation it could provide appropriate guidance in the development of AI while defending human rights, democracy and rule of law.

6. The President of the Parliamentary Assembly of the Council of Europe (PACE), Mr Daems, pointed out the prompt necessity of having a legal instrument regulating AI, recalling also the position assumed by the German Presidency of the Committee of Ministers who has identified AI as a priority. While he recognized the huge benefits of using AI, mostly during the Covid-19 breakout, he also mentioned AI threats. The President of the PACE mentioned in particular the risks linked to facial recognition, to the right to free election and to the manipulation of consumers' behaviour. Looking at the latter threats posed to human rights, democracy and rule of law, self-regulation is not enough. Mr Daems expressed his wishes for a legal instrument that defines the scope and boundaries of AI, with binding and non-binding elements. Finally, he stressed the full support of the PACE for the mandate of the CAHAI and his wish to continue the cooperation.

7. State Secretary Professor Kastrop, recalling the work of UNESCO and European Commission on AI, highlighted the unique influence of the Council of Europe, which, with its 47 member States, goes far beyond the EU boarders. Despite the fact that AI saved lives during the current

pandemic, it poses real risks. He cited the issues of manipulation and surveillance by AI as well as the risk for the freedom of information. Considering that human beings cannot be at the mercy of technology, he highlighted the urgent need for concrete regulatory action and, notably, emphasised the importance of some principles such as transparency. He concluded that clear rules enable certainty and that innovation and human rights can be correlated to one another.

8. Mr Klynge underlined the significant responsibility of Microsoft as tech industry in the AI field and consequently the crucial part observers have to play in working towards an international convention. In this light, he values the multi-stakeholder approach followed by CAHAI. The Council of Europe has a key role to play regarding the important legal, economic and political questions raised by AI. He also emphasised the need for a legal framework in order to ensure a responsible approach to AI. Finally, he expressed the full commitment of Microsoft to do its part as a tech industry and underlined the global outreach of the Council of Europe.

9. The Chair thanked the speakers for their opening remarks and for their words of appreciation for the work of the CAHAI.

Agenda item 2: Adoption of the agenda and order of business

10. The agenda and order of business were adopted without any modifications.

Agenda item 3: General presentation of the draft feasibility study

11. The Committee exchanged views on the general presentation of the study made by the co-Chair of the CAHAI Policy Development Group (CAHAI-PDG) and thanked the CAHAI-PDG co-Chairs and members for their work.

12. The committee expressed its appreciation for the high quality of the draft feasibility study bearing in mind the time constraints under which it has been produced.

13. However, some concerns were raised (the Netherlands, the Russian Federation, Sweden and Israel) on the importance of bringing a neutral conclusion to the study, which should not promote one instrument more than another.

14. The Netherlands, Sweden and Israel emphasised that the current legal gap analysis is not clear enough and should be more thorough.

15. Some other participants (Finland, Germany, Switzerland) highlighted the importance of the complementarity between binding and non-binding instruments and the necessity to pay attention to the risk of duplication with other instruments, such as the Convention 108 and 108+ (the Russian Federation).

16. The Russian Federation highlighted the necessity of the development by member States of a common methodology regarding certification to ensure that AI meets future requirements. It expressed its reservations about that the establishment of a single body of certification under the Council of Europe because of the competencies of member States in this area and the variety and context-dependency applications of AI systems.

17. During discussions on certain substantive points, some participants raised issues concerning the terminology used in the study, such as technological neutrality (Finland) or “democratic” AI; the latter notion would have to be reconsidered when drafting the elements of a future legal framework (the Russian Federation). The importance of specific human rights such as transparency and accountability were pointed out (Access Now), as well as economic and social rights which are missing (Finland).

18. Finland and the Netherlands also expressed their uncertainty regarding the liability principle identified as a human rights’ issue and whether it should be addressed here.

19. Switzerland underlined that effects of AI applications on democracy and the rule of law and compliance requirements in these fields would need to be developed further in the work of the CAHAI.

20. The Russian Federation and Sweden pointed out that the final decision on the most appropriate format for a future legal instrument will be taken by the Committee of Ministers.

21. Finally, the Chair of the CAHAI and the Chair of the CAHAI-PDG, reminded the committee that the feasibility study does not constitute a draft legal framework but a policy document identifying subjects to be further developed in the form of elements of a future legal framework.

Items 3.1 – 3.10 (Chapters 1 to 10)

22. The Committee took note of the presentations of Chapters 1-10 of the feasibility study by the co-Chair of the CAHAI-PDG and Secretariat and expressed its views and comments on the chapters.

23. The Committee reviewed the comments presented by its members, observers and participants and agreed on a consolidated text for Chapters 1-10.

24. Representatives of the European Commission for Democracy through Law of the Council of Europe (Venice Commission) presented the principles for a fundamental rights-compliant use of digital technologies in electoral processes, approved by the Council for Democratic Elections at its 70th meeting (10 December 2020) and adopted by the Venice Commission at its 125th Plenary Session (11-12 December 2020). The relevance of these principles for CAHAI’s work was underlined by the Committee.

25. The views and comments expressed by the members, observers and participants of CAHAI are reflected hereafter.

Item 3.1 Chapter 1 - General introduction

26. No views or comments were raised on Chapter 1 of the draft feasibility study.

Item 3.2 Chapter 2. Scope of a Council of Europe legal framework on artificial intelligence

27. The views and comments shared by delegations regard primarily the question of the definition of AI.

28. Spain argued that the definition of AI at this stage should remain open. A framework convention could make reference to “AI” generally or contain list of characteristics of AI systems, as the risk is that a definition might evolve over time.

29. Andorra highlighted the difficult task of defining AI and insisted on the importance of having a common understanding of the scope and implications of the instrument on reaching a final definition.

30. Regarding the issue of defining AI, Switzerland expressed the need to be aware of the fact that AI is a fast-evolving field and that it may not be possible to find a consensual and clear definition. It may be necessary to describe elements and features of technologies that CAHAI considers falling within the scope of a legal instrument. He added that terms such as “automated decision-making procedures” or “algorithmic data processes” could be more helpful as they can be more precisely defined.

31. The Netherlands appreciated the current approach to adopt a broad perspective of AI and not focusing on definitional particularities. It specified that the definition can be approached based on general problems arising in this scientific discipline. A definition of automated decision-making or something more closely related to human behaviour with regard to technology could be used. Finally, the Netherlands emphasised the need of a broad definition to identify the problems related to AI.

32. The Gender Equality Rapporteur (Jana NOVHORADSKA, Czech Republic) expressed her satisfaction that the gender equality perspective is included in the text however noted the lack of gender data.

33. In the light of these comments, the Chair of the CAHAI suggested to maintain the definition as it is and to address this question further in the next stage under the mandate of the CAHAI-LFG.

Item 3.3 Chapter 3 - Opportunities and risks arising from the design, development and application of artificial intelligence on human rights, the rule of law and democracy. “Green” and “red” areas - meaning respectively positive and problematic examples of artificial intelligence applications from a human rights, the rule of law and democracy perspective, while considering the context-sensitive environment for artificial intelligence design, development and application in Europe and developments at global level.

34. Ireland indicated that the reference to discrimination grounds should be as comprehensive as possible, including LGBTQI+, disability or religion. Reference to intersectionality or multiple/cumulative types of discrimination and to specific phenomenon of proxy discrimination should also be included.

35. Slovenia reminded the committee that finding an AI definition is difficult and pointed to the structured definition of the OECD which can be considered for the next stage.

36. Canada shared the concerns of the Netherlands and Sweden regarding conclusions drawn in the draft feasibility study. It considered that in the next step of the work of CAHAI, a more in-depth analysis of all risks should be included and also as to how current legal instruments meet the risks.

37. The Russian Federation proposed that terms such as “accuracy”, “unjust bias”, “unjust discrimination” or “opacity” should be better determined and need common definitions. In this regard, ISO and ITU documents could provide some help.

38. There were exchanges of views on the question of green and red lines. The Russian Federation stated that it had been convincingly shown by experts that the implications of AI exceed the scope of any other technology, and that the diversity of application contexts of AI calls for a more nuanced understanding of the red line- green line approach. Simply put, a singly red or green line cannot span a range of diverse applications ranging from education and media to legal proceedings and medicine. The Russian Federation believes that a risk-based approach in a specific application context, coupled with a clear mechanism for allocating legal and ethical responsibility for consequences of AI application will, in practice, be more effective than an attempt to draw simplistic red lines which eventually will not serve the public interest and will be detrimental to human and technological development. Therefore, it proposed to substitute the concept of red/green lines with a simple risk-based approach.

39. While there was general agreement on red lines, other participants disagreed on how to approach green lines (Slovenia, IBA, Conference of INGOs, Access Now and Homo Digitalis) and others underlined, that if green lines are deleted, the Committee should make sure that also positive examples of AI applications are further taken into consideration in CAHAI’s work (Belgium).

40. Regarding the use of the term “accountability”, the Russian Federation pointed to the necessity of distinguish between accountability and responsibility in this feasibility study as they are legally different notions.

41. Finally, Japan expressed its appreciation for the work of the CAHAI. This will help the future of AI regulation. It also pointed out the importance of careful consideration before taking further steps towards a legally binding instrument. Japan supports a risk-based approach and a determination of specific ways needed to address risks via use cases, field trials and sandboxes.

Item 3.4 Chapter 4 – The Council of Europe’s work on artificial intelligence to date

42. Several delegations expressed their satisfaction with Chapter 4 in its current format.

43. Minor changes and additions were requested by the ECRI and the Joint Council of Youth. Amendments were also introduced upon the request of the Russian Federation.

44. Ireland highlighted the value of the Budapest convention. However, that Convention only applies to acts which are offences against confidentiality, integrity and availability of computer data so does not capture consequences of AI that are not criminal offenses but may nevertheless be problematic. In this regard, an amending protocol of the Budapest convention alone could not be considered as efficient in the AI field.

Item 3.5 Chapter 5 - Mapping of instruments applicable to artificial intelligence

45. Several delegations expressed their support for Chapter 5 in its current format, stressing its importance for the feasibility study.

46. There was an exchange of views on the possibility to replace “accountability” by “responsibility” in this chapter (Russian Federation) or not (Poland, Joint Council of Youth, Conference of INGOs) and the Committee decided to use both terms where it is needed in order to maintain the distinction between both notions.

47. The Netherlands highlighted that the efficiency of a legal instrument should be considered separately from its legal status. Hard law is not necessarily the best solution to address the challenges raised by AI.

48. Germany underlined that effectiveness goes hand in hand with legal certainty and in this regard, there is a need for a new specific legal instrument that will deal with AI. It indicated the importance of accountability to ensure human oversight.

49. The Netherlands and Sweden indicated that a close look should be taken as to which existing instruments already apply or could be applied to AI.

50. Slovenia pointed out that Chapter 5 highlights the complex nature of AI and asked for a more detailed analysis in order to identify gaps and common ground to reach the common goal of a sustainable AI.

51. Switzerland pointed out that, bearing in mind the requirements in terms of the overall length of the feasibility study, Chapter 5 illustrates to a reasonable extent where regulatory gaps lie.

52. Japan pointed to the challenge of defining a regulation whilst encountering difficulties defining the object to be regulated.

53. The United States underlined the importance of fostering innovation and building trust and expressed support for the adoption of regulatory and non-regulatory instruments.

54. The European Union Agency for Fundamental Rights (FRA) informed the Committee about its recently published report on AI and fundamental rights, which confirms the existence of gaps in the current regulatory framework leading to difficulties of interpretation and application by AI operators. It stressed the need for providing relevant safeguards for fundamental rights by law and pointed out that guidelines, along with a human rights impact assessment, could be beneficial for the process.

55. Furthermore, certain participants underlined that the rights and obligations formulated in existing legal instruments do not explicitly address some AI-specific issues, hampering their effective application to the challenges raised throughout the life cycle of an AI system.

Item 3.6 Chapter 6 - Key findings of the multi-stakeholder consultations

56. No views or comments were raised on Chapter 1 of the feasibility study.

Item 3.7 Chapter 7 - Main elements of a legal framework for the design, development and application of artificial intelligence

57. The Netherlands indicated that Chapter 7 contains an interesting collection of rights and obligations to be considered in an AI context and made general statements in order to serve

future discussions. Firstly, it stated that it should become clear which rights already exit and which are newly proposed. Secondly, any new right or obligation will need justification as being necessary, useful and proportional to the goal that is needs to be achieved. Thirdly, it stressed that rights may need to be balanced with other public interests. For instance, transparency may need to be balanced with the interest of public security. Fourthly, it is not always clear whether the proposed risk-based approach is always taken, as several norms do mention risk explicitly, but others do not.

58. More specifically, regarding paragraph 126, the position of the Netherlands is that the existing liability regime is sufficient and that only where gaps are demonstrated in this regime, new rules would be necessary. With respect to paragraph 103, the Netherlands were of the opinion that it should be mentioned that exceptions may be possible to the right not to be subject to automated decision making. For instance, it should be permissible to automate routine administrative decisions. Finally, the subject of disinformation contained in paragraph 115 and the corresponding proposals in the box should be dealt with at EU level.

59. The Russian Federation made some general comments to chapter 7. Firstly, CAHAI should develop the elements of AI regulation which would ensure that AI solutions or parts of them such as datasets to train AI could be used without hindrance in other State parties of this regulation. Therefore, such Council of Europe's document should have a clear scope of application, define main requirements to the development and use of AI namely the composition of datasets, scope of human control and information provided to the users on AI functioning, personal data protection measures, establish clear certification criteria for AI (instead of red and green lines) and resolve the question of jurisdiction and responsibility for AI actions. The need for and scope of particular requirements should be confirmed by relevant studies. Secondly, it is CAHAI-LFG which should develop the main elements of a legal framework. Therefore, the whole chapter 7 should be put in square brackets. These proposals may serve as an input to the CAHAI-LFG but the group should not be bound by them and it is that group which should make a final draft of this chapter and submit it to the CAHAI Plenary. Specifically, it is proposed to separate "emerging rights" which have no basis in relevant documents from the rights enshrined in the European Convention on Human Rights. Thirdly, the Russian Federation stressed that all the requirements worded in this chapter should be clear, unequivocal and executable.

60. Sweden reiterated that here clarity is needed on which are existing and which are new rights. Care would be needed to ensure that any resulting instrument does not overlap with other legal instruments.

61. Finland stated that new human rights seem to be emerging. He regretted that economic and social rights are not sufficiently addressed in this chapter. Finland expressed doubts on the relevance of including question of liability for damage (Chapter 7.3) as it did not appear to be a human rights issue.

62. Changes reflecting the comments of delegations have been included in the revised version of the feasibility study in Chapter 7 upon a common agreement. This includes questions related to rights and obligations described in that Chapter, such as inclusion of liability (Poland), discrimination (ECRI), disinformation and misinformation (Joint Council of Youth), balance of human rights (CCBE), due diligence (IBA), and responsibility of public authorities (Algorithm Watch) .

63. The Chair reminded the Committee that this specific Chapter will be developed by the CAHAI-LFG.

Item 3.8 Chapter 8 - Possible options for a Council of Europe legal framework on the design, development and application of artificial intelligence based on human rights, rule of law and democracy

64. Ireland indicated that although the Budapest Convention and Convention 108+ address certain aspects of AI, their scope may be too limited and not address the full picture. There is a need to remain technology neutral in any future text.

65. “Homo digitalis” specified that adopting legal rules is a continuous and dynamic process and it is very satisfied of the inclusive way in which Chapter 8 has been drafted and the resulting draft feasibility study.

66. The Netherlands and Sweden requested a clarification on the conclusion of the study in order to keep it open and make it clear that other types of instrument could be considered.

67. The representative from the Consultative Committee of Convention 108 joined the discussions to express his support for a specific AI instrument.

68. Turkey drew the attention of CAHAI to the risk of overlapping and conflict between national and international law and highlighted the importance to ensure harmonization.

69. Greece thanked the CAHAI-PDG for its relevant study which reflects the feasibility of a Council of Europe legal framework and looks forward to continuing the work.

70. The Russian Federation made a number of comments on Chapter 8. In the view of the Russian Federation, the Budapest convention hardly covers any rights, it is more about rather narrow aspects of criminal responsibility. It is too early to conclude whether the format of a framework Convention would be more suitable for an AI-related instrument. Given the diversity of views, customs and cultural traditions in among the members of Council of Europe, the Russian Federation does not consider that the complex nature of AI interaction with the society can be submitted to simple benchmarking (Chapter 8.4). The creation of a European Benchmarking institute will not serve the aims of the Council of Europe. Finally, the idea of creating a single body for certification of AI systems (Chapter 8.5), which will develop and establish uniform European standards for the compliance of all AI systems with the requirements of democracy and the rule of law would be premature, as AI is used in very different ways and it is hardly possible to adopt common standards applicable to all of them.

71. Hungary also pointed out that there is no single best solution and flexibility should be ensured. A combination of legal instruments could be good way forward.

Item 3.9 Chapter 9 - Possible practical mechanisms to ensure compliance and effectiveness of the legal framework (such as for instance the creation of mechanisms of ex-ante-verification and/or certification, oversight by independent authorities, sandboxing, etc.)

72. The Consultative Committee of Convention 108 indicated that sandboxes are important but derogation to regulation should be consistent with criteria and should be reflected in the future instrument.

73. Regarding due diligence including human rights impact assessment, Ireland referred to parallel discussions at EU level. Following a detailed impact assessment, the European Commission will be putting forward a horizontal regulatory proposal within the first quarter of 2021.

74. The International Bar Association (IBA) proposed to include human rights impact assessment as part of due diligence in order to enlarge requirement of companies to meeting their responsibility to general mechanisms. It also mentioned to look at what the EU is doing as regards human rights and the environment.

75. The office of the United Nations High Commissioner for Human rights supported the feasibility study and the strong necessity for a human rights approach on AI regulation. He added that human rights impact assessment is needed and should be based on due diligence.

76. The Russian Federation asked for a cautious approach concerning benchmarking as there would be no precedent and reiterated that is it up to member States to define specific mechanism of oversight.

77. The Institute of Electrical and Electronics Engineers (IEEE) indicated that the U.S. National Institute of Standards and Technology (NIST) has conducted benchmarking procedure on facial recognition, which represents a precedent in the field of AI. It demonstrates that desirable societal objectives can be designed in high-risk AI systems. It also empowers citizens, fosters equality and addresses fears of undermining innovation.

78. Germany expressed the view, that it is possible to have both legal requirements of certification bodies and a voluntary labelling scheme which demonstrates to consumers that AI systems meet special criteria.

79. Regarding Certification and Quality Labelling (Chapter 9.3.2), Turkey pointed out that the CEPEJ considers a specific certification for AI systems in the legal sector such as law enforcement, courts and judiciary. The EU has already different types of certifications and labelling such as CE, Ecolabel, EU Trustmark, Privacy Labelling and Certification under GDPR. All of them have different requirements in terms of obtaining relevant certification and labelling. Turkey found that the CAHAI should take this point into consideration.

80. Azerbaijan congratulated the CAHAI for its work and made general remarks. It supported the argument for further work on terminology as legal scholars and decision makers will rely on this and also expressed support for the AI ecosystem approach and for further recommendations of the draft to concentrate on AI actors, in terms of obligations and responsibility from a legal perspective. Finally, a domain-specific approach of analysis is also relevant.

81. Slovenia recommended mentioning in Chapter 9.5 the need to implement an automatic or semi-automatic system to track the implementation and impact of the CAHAI's legal instrument in academia and industry. Likewise, such an observatory should provide a dynamic landscape of the area of "AI and human rights" as it appears in academia and industry, and possibly monitor societal consequences of AI in the space of AI and human rights from global media.

Item 3.10 Chapter 10 – Final considerations

82. The Russian Federation stated an appropriate legal framework would likely consist of an international comprehensive legally-binding document such as a convention establishing

horizontal principles overarching all different sectors and specific rules on issues of critical importance, which could be combined with national tailored rules and would ensure the required legal certainty. This document would serve as a basis for relevant national legislation. A committee of the parties to the convention could be established, inter alia, to collect and disseminate best practices on AI regulation.

83. The Netherlands underlined that it cannot be concluded from this study that the only next steps are to draft the main elements of a binding legal framework. Also, the alternative of a bottom-up approach should be developed further. Such an approach would allow for learning which rules are needed and at which level (for instance sectoral or horizontal). Soft law instruments should also be considered, both as a complementary instrument to binding legal rules and as an alternative to binding rules where this would be fitting in the context. Also, the Netherlands would like to point out that due consideration should be given to the risk of rules overlapping and being contradictory as well as to the risk of rules being over-detailed and thus not futureproof and possibly creating unnecessary administrative burdens.

84. "Access Now" expressed support for the work of the CAHAI in particular the analysis of gaps in AI regulation. In their view, much effort has already gone into soft law in the field of AI however the Council of Europe could establish the first far-reaching binding legal instrument.

85. Sweden asked for a use of terminology which would keep the conclusion of the study open. In reply the Committee reached consensus on the formulation of paragraph 177 of the feasibility study.

86. The Netherlands, Sweden, Canada and Israel stated that the conclusion of the feasibility study should present different options as alternatives and not recommend one more than another.

87. Estonia expressed its wish for a balance between sending a clear message and taking the concerns raised into consideration. The Chair agreed that presenting too many options may prevent there being a deliverable.

88. Belgium, Germany, Hungary, Poland, the Russian Federation supported a binding instrument in possible combination with complementary non-binding instruments, while underlining that the opinion made by the PACE and industry, soliciting a binding instrument, have to be taken into consideration.

89. Belgium stressed the need to give clear guidance to the committee of Ministers. In its opinion the need for more than soft law instruments in the field of AI could not be ignored.

90. Switzerland and Estonia asked for more insight on next steps, deliverables and mandates of CAHAI working groups.

91. France pointed out the importance of the work of CAHAI and the importance of this work being communicated speedily to the Committee of Ministers in order to obtain more political guidance for the next steps.

92. The Chair of CAHAI took note of the differing opinions and indicated that a detailed meeting report, including main national positions, would be prepared by the secretariat and shared with the CAHAI-LFG.

93. At the end of the discussions, the Committee reached a consensus on the formulation of

paragraph 177 of the feasibility study. The CAHAI should focus its work on the elaboration of the specific elements of an appropriate legal framework. This could include a binding legal instrument, as well as non-binding instruments as appropriate, in parallel with progress that can be made on sectoral instruments.

Agenda item 4: Analysis of the electronic consultation of CAHAI members, observers and participants

94. The Secretariat informed the Committee that a deadline of 17 January has been set to provide comments or new contributions on the analysis of the electronic consultation for CAHAI members and representatives of bodies, committees, observer organisations and partner companies (CAHAI(2020)09-rev2).

Agenda item 5: Hearing of candidates for observer status to the CAHAI (in camera; for Heads of Delegations only)

95. The Committee held a hearing of the four organisations having requested the status of observer to the CAHAI. These organisations were Together Against Cybercrime International (TAC), International Research Center on Artificial Intelligence (IRCAI), ALLAI and International Chamber of Commerce (ICC).

96. The Committee unanimously decided to admit the International Research Center on Artificial Intelligence (IRCAI), ALLAI and International Chamber of Commerce as observers to the CAHAI.

97. With regard to the applicant TAC, the Secretariat recalled that, in the framework of a written procedure in June 2020, unanimity had not been reached for the admission of the applicant to the CAHAI. It had therefore been proposed to further decide on its application at the 2nd plenary meeting on 6-8 July 2020, during which the applicant could not be heard by the CAHAI due to connectivity problems. In line with the CM/Res(2011)24, the Committee decided to refer the matter of the admission of the applicant TAC to the Committee of Ministers for decision.

98. The Committee instructed the Secretariat to notify the organisations of the outcome of the process.

Agenda item 6: Information point, updates provided by CAHAI members, observers and participants

99. The committee took note of the main developments at the domestic and international level as regards instruments and policies on AI, in particular of the adoption of the Ukrainian National Strategy on AI.

Agenda item 7: Information point: Conference on "Protecting Human Rights in the era of AI - Europe as an international standard setter for the regulation of Artificial Intelligence"

100. Germany presented the main elements of the conference that will be organised on 20 January 2021, in the framework of the German Chairmanship of the Committee of Ministers of the Council of Europe and invited the members, participants and observers of the Committee to take part in the event.

101. The Chair welcomed the initiative and took note of the provisional agenda of the event.

Agenda item 8: Information point: draft Committee of Ministers' Declaration on the risks of computer-assisted or artificial-intelligence-enabled decision making in the field of the social safety net.

102. The Committee took note of the information provided by the Secretariat on a draft Committee of Ministers' declaration on the risks of computer-assisted or AI-enabled decision making in the field of social services prepared by the Secretariat of the European Social Cohesion Platform (PECS), namely that the *GR-SOC* (Committee of Ministers Rapporteur Group for Social and Health Questions) decided to transmit the draft declaration to CAHAI for consultation, prior to its approval, and that a consultation process was underway.

Agenda item 9: Co-operation with other international organisations

103. UNESCO presented its ongoing work on artificial intelligence, which includes a first draft of ethical recommendations on AI. The draft contains principles such as respect of human dignity, protection of the environment and inclusiveness, and it is currently undertaking multi-stakeholder consultations. Moreover, the representative of UNESCO stressed the necessity to foster co-operation with stakeholders. In addition, UNESCO is working on policy recommendations which will include the issue of the implementation of education and literacy on AI.

104. The OECD presented its ongoing work on AI, referring both to the implementation of AI principles and on the initiative of development of OECD policy recommendations. The OECD is also dealing with the issue of AI definition, offering CAHAI and other international organisations the possibility to refer to its high-level AI definition.

105. The European Commission presented its ongoing work on AI, mentioning that the CAHAI and the EU are working on the same AI issues, focusing on equal concerns. The official publication of the *"AI White Paper"* took place in February 2020, in the meanwhile various AI initiatives are still ongoing. The representative cited the wide consultations conducted by the EU; of which the results showed the need for regulatory action. Indeed, 90% of the respondents revealed awareness about the potential infringement of human rights by AI. Finally, the European Commission expects a proposal for a horizontal framework for 2021 about high-risk AI applications.

106. The representative of FRA presented its ongoing work on AI; of which the main update is the report "*Getting the future right – Artificial intelligence and fundamental rights"* launched in December. Also, FRA has carried out a mapping of existing policies and laws on AI. Furthermore, FRA highlighted areas of major concern, namely data protection in automated decision-making systems, equality and no-discrimination principles, and justice.

107. The CAHAI thanked the representatives of UNESCO, the OECD, the European Commission and FRA for their updates on their work related to AI and underlined the importance of ensuring continued coordination and complementarity with the initiatives undertaken.

Agenda item 10: CAHAI multi-stakeholder consultations

108. The Committee thanked the co-Chairs of the CAHAI Consultation and Outreach Group

(CAHAI-COG) and its members for their comprehensive preparatory work for the multi-stakeholder consultation and held an exchange of views on the documents presented by the CAHAI-COG. It decided that an extra meeting of the CAHAI will be organised to discuss more thoroughly the different issues related to the multi-stakeholder consultation in February 2021.

109. The Committee agreed on the need to ensure a close coordination among the different CAHAI Working Groups in the framework of the multi-stakeholder consultation and entrusted the Bureau to ensure such coordination. The finalisation of the documents prepared by the CAHAI-COG will be coordinated by the Bureau with input from the three Working Groups.

Agenda item 11: Next steps for the finalisation of the draft feasibility study in view of its submission to the Committee of Ministers

110. The Committee unanimously adopted the feasibility study as amended during the meeting and was informed by the Secretariat that the feasibility study would be submitted to the GR-J (Rapporteur Group on Legal Cooperation) with a view to its further transmission to the Committee of Ministers.

Agenda item 12: CAHAI Working Groups (nominations, calendar, tasks)

111. The Secretariat presented document CAHAI(2020)10ADDREV2 on working methods of the CAHAI for 2021, which envisages that the three previously established working groups would continue to be operational in 2021.

112. The Committee agreed on the updated tasks and terms of references for the three working groups in 2021 and took note of the document, while underlining the need for flexibility in the modalities of implementation of the working groups' terms of reference.

Agenda item 13: Information on the CAHAI Bureau

113. The Committee welcomed the two recently elected members of the Bureau, Mr Andrei Dinculescu (Romania) and Mr David Leslie (United Kingdom) and took note of the information provided by the Secretariat as regards the fourth Bureau meeting which was held on 23 November 2020.

Agenda item 14: Election or re-election of the Chair and the Vice-Chair for 2021

114. The Committee re-elected by acclamation until the end of the mandate of the CAHAI:

Gregor STROJIN (Slovenia) as Chair of CAHAI
Peggy VALCKE (Belgium) as Vice-Chair.

Agenda item 15: Dates and place of the next meetings

115. The Committee took note of document CAHAI(2020)25rev including the dates of CAHAI plenary meetings, Bureau meetings and working group meetings for 2021. The secretariat will notify participants shortly about the date of the plenary meeting on the multi-stakeholder consultation to be held in the second half of February 2021.

Agenda item 16: Any other business

116. No point was raised by delegations.

Agenda item 17: Adoption of the abridged report and close of the meeting

117. The CAHAI adopted the abridged meeting report and list of decisions.

118. The Committee took note that a full meeting report will be made available by 31 January 2021.

119. The Chair thanked all participants for their active participation in the meeting and the Secretariat for its support in organising the meeting.

End of the meeting

APPENDIX I

AGENDA AND ORDER OF BUSINESS

Tuesday, 15 December		
Timing	**Document reference**	**Agenda item**
9.15 am		**1. Opening of the meeting** • Ms Marija Pejčinović Burić, Secretary General of the Council of Europe • Mr Rik Daems, President of the Parliamentary Assembly of the Council of Europe • Prof. Christian Kastrop, State secretary, Federal Ministry of Justice and Consumer Protection, Germany • Mr Casper Klynge, Microsoft's Vice President for European Government Affairs, former Denmark's Tech Ambassador in Silicon Valley
9.55 am	CAHAI (2020)OJ3	**2. Adoption of the Agenda and Order of Business**
10.00 am	Document common to all chapters: CAHAI(2020)23 Draft feasibility study CAHAI (2020)24 Compilation of comments received CAHAI(2020)12 CAHAI-PDG(2020)PV1 CAHAI-PDG(2020)PV2	**3. General presentation of the draft feasibility study** • Presentation by the Co-Chairs of the CAHAI Policy Development Group (PDG) • General comments on the draft feasibility study by CAHAI members, observers and participants
10.30 am		**3. 1 Chapter 1 - General introduction** • Presentation of the chapter (Chair, Secretariat) • Comments by CAHAI members, observers and participants

10.55 am		**3.2 Chapter 2. Scope of a Council of Europe legal framework on artificial intelligence** • Presentation of the chapter (Chair, Secretariat) • Comments by CAHAI members, observers and participants
11.35 am	CAHAI(2020)06-fin CAHAI(2020)09-rev2 *(restricted)*	**3.3. Chapter 3 - Opportunities and risks arising from the design, development and application of artificial intelligence on human rights, the rule of law and democracy. "Green" and "red" areas - meaning respectively positive and problematic examples of artificial intelligence applications from a human rights, the rule of law and democracy perspective, while considering the context-sensitive environment for artificial intelligence design, development and application in Europe and developments at global level.** • Presentation of the chapter (Chair/Co-Chairs PDG) • Comments by CAHAI members, observers and participants
12.00 am		***Lunch break [Optional side event from 1 pm to 2 pm]***
2.30 pm		**Continued] 3.3. Chapter 3 - Opportunities and risks arising from the design, development and application of artificial intelligence on human rights, the rule of law and democracy. "Green" and "red" areas - meaning respectively positive and problematic examples of artificial intelligence applications from a human rights, the rule of law and democracy perspective, while considering the context-sensitive environment for artificial intelligence design, development and application in Europe and developments at global level.** • Presentation of the chapter (Chair/Co-Chairs PDG/Secretariat) • Comments by CAHAI members, observers and participants
3.20 pm		**3.4. Chapter 4 – The Council of Europe's work on artificial intelligence to date** • Presentation of the chapter (Chair, Secretariat) • Venice Commission's principles for a fundamental rights-compliant use of digital technologies in electoral processes • Comments by members, observers and participants
3.50 pm	CAHAI(2020)08-fin CAHAI(2020)07-fin CAHAI(2020)09-rev2 *(restricted)*	**3.5. Chapter 5 - Mapping of instruments applicable to artificial intelligence** • Presentation of the chapter (Chair/Co-Chairs PDG) • Comments by CAHAI members, observers and participants

4.50 pm		**3.6 Chapter 6 - Key findings of the multi-stakeholder consultations** • Presentation of the chapter (Chair, Secretariat) • Comments by CAHAI members, observers and participants
5.00 pm		**Closing of the first day**
Wednesday, 16 December 2020		
9.30 am		**[continued] 3.6 Chapter 6 - Key findings of the multi-stakeholder consultations** • Presentation of the chapter (Chair, Secretariat) • Comments by CAHAI members, observers and participants
9.40 am	CAHAI(2020)08-fin CAHAI(2020)07-fin	**3.7 Chapter 7 - Main elements of a legal framework for the design, development and application of artificial intelligence** • Presentation of the chapter (Chair/Co-Chairs PDG/Secretariat) • Comments by CAHAI members, observers and participants
10.40 am		**3.8 Chapter 8 - Possible options for a Council of Europe legal framework on the design, development and application of artificial intelligence based on human rights, rule of law and democracy** • Presentation of the chapter (Chair/Co-Chairs PDG) • Comments by CAHAI members, observers and participants
11.40 am		**3.9 – Chapter 9 - Possible practical mechanisms to ensure compliance and effectiveness of the legal framework (such as for instance the creation of mechanisms of ex-ante-verification and/or certification, oversight by independent authorities, sandboxing, etc.)** • Presentation of the chapter (Chair/Co-Chairs PDG) • Comments by CAHAI members, observers and participants
12.00 pm		***Lunch break***
2.30 pm		**[Continuation] 3.9 – Chapter 9 - Possible practical mechanisms to ensure compliance and effectiveness of the legal framework (such as for instance the creation of mechanisms of ex-ante-verification and/or certification, oversight by independent authorities, sandboxing, etc.)** • Presentation of the chapter (Chair/Co-Chairs PDG)

		• Comments by CAHAI members, observers and participants
3.10 pm		**3.10 Chapter 10 – Final considerations** • Presentation of the chapter (Chair/Co-Chairs PDG) • Comments by CAHAI members, observers and participants
4 pm	CAHAI(2020)09-rev2 *(restricted)*	**4. Analysis of the electronic consultation of CAHAI members, observers and participants** Presentation by the secretariat followed by discussion
4.30 pm		**5. Hearing of candidates for observer status to the CAHAI (in camera; for Heads of Delegations only)**
5 pm		**Closing of second day**
Thursday, 17 December		
9. 30 am	CAHAI(2019)INF2-rev3	**6. Information point: Updates provided by CAHAI members, observers and participants**
9.40 am		**7. Information point: Conference on "Protecting Human Rights in the era of AI - Europe as an international standard setter for the regulation of Artificial Intelligence" –** Conference organised by the German Chairmanship of the Committee of Ministers
9.45 am		**8. Information point: draft Committee of Ministers' Declaration on the risks of computer-assisted or artificial-intelligence-enabled decision making in the field of the social safety net.**
9. 50 am		**9. Co-operation with other international organisations**
		9.1 Presentation of the ongoing work within UNESCO
		9.2 Presentation of the ongoing work within OECD
		9.3 Presentation of the ongoing work within the European Commission
		9.4 Presentation of the ongoing work within FRA

10.15 am		9.5 Discussion
10.35 am	CAHAI(2020)03rev1-prov CAHAI(2019)04-fin CAHAI-COG(2020)PV1 CAHAI-COG(2020)PV2 CAHAI-COG (2020)04 CAHAI-COG(2020)05	**10. CAHAI multi-stakeholder consultations** Presentation by the Co-Chairs of the Consultation and Outreach Group (CAHAI-COG), followed by comments by CAHAI members, observers and participants
12.00 pm		***Lunch break***
2.30 pm		**11. Next steps for the finalisation of the draft feasibility study in view of its submission to the Committee of Ministers**
3.00 pm	CAHAI (2020)10ADDrev2 CAHAI progress report CAHAI (2020)10ADDrev1	**12. CAHAI Working Groups (nominations, calendar, tasks)** Information provided by the Secretariat followed by discussion
3.50 pm	CAHAI-BU(2020)REP3 CAHAI(2020)22	**13. Information on the CAHAI Bureau**
4 pm	CM/Res(2011)24	**14. Election or re-election of the Chair and the Vice-Chair for 2021**
4.10 pm	CAHAI(2020)25	**15. Dates and place of the next meetings**
4.15 pm		**16. Any other business**
4.20 pm		**17. Adoption of the abridged report and close of the meeting**

5 pm		**End of the meeting**

OTHER EVENT

This event was funded by a voluntary contribution from Japan.

15 December 2020, 13.00 to 14.00 – Online international panel, “Ensuring a democratic governance of AI – Challenges and perspective”

Public and live panel discussion broadcasted on BlueJeans Events (English only) with:

- Ms Deborah Bergamini, member of the Parliamentary Assembly of the Council of Europe (PACE)
- Mr Hiroaki Kitano, President and CEO of Sony Computer Science Laboratories, Inc., CEO of Sony AI, Inc.
- Mr Armando Guìo Español, Consultant of the Development Bank of Latin America and author of the Colombian Ethical Framework on AI

APPENDIX II

List of Participants / *Liste des participants*

MEMBER STATES OF THE COUNCIL OF EUROPE / ETATS MEMBRES DU CONSEIL DE L'EUROPE

ALBANIA / ALBANIE

Ms Sabrina QYPI, Department of Criminal Analyses and Information, Albanian State Police / *Département des Analyses et renseignements criminels, Police d'État albanaise*

ANDORRA / ANDORRE

Ms Jordi ASCENSI, Project Coordinator, Andorra Innovation Hub – Andorra Research & Innovation / *Coordinateur de projet, Centre d'innovation d'Andorre - Recherche et innovation d'Andorre*

Ms Olímpia TORRES BARROS, Third Secretary, Service of General and Legal Affairs, Ministry of Foreign Affairs / *Troisième secrétaire, Service des affaires générales et juridiques, ministère des affaires étrangères*

ARMENIA / ARMÉNIE

Ms Zoya TOVMASYAN, Department of Law and International Treaties, Ministry of Foreign Affairs / *Département du droit et des traités Internationaux, Ministère des affaires étrangères*

AUSTRIA / AUTRICHE

Ms Heidi HAVRANEK, Department for International Relations and Legal Matters, Head of Unit for International Digital Matters and E-Government, Federal Ministry for Digital and Economic Affairs / *Département des relations internationales et des questions juridiques, chef de l'unité des affaires numériques internationales et de l'administration en ligne, ministère fédéral des affaires numériques et économiques*

Mr Martin HACKL, Chief Digital Officer, Federal Ministry of Constitutional Affairs, Reforms, Deregulation and Justice / *Chef de la direction numérique, ministère fédéral des affaires constitutionnelles, des réformes, de la déréglementation et de la justice*

Mr Martin SCHNEIDER, Consultant, Dep III 3, Legal Information and IT, Federal Ministry of Justice / *Consultant, Dep III 3, Information juridique et informatique, Ministère fédéral de la Justice*

Mr Andreas BILGERI, Deputy Permanent Representative, Permanent Representation of Austria to the Council of Europe / *Représentant permanent adjoint, Représentation permanente de l'Autriche auprès du Conseil de l'Europe*

AZERBAIJAN / AZERBAÏDJAN

Mr Fariz T. JAFAROV, Director, E-GOV Development Center / *Directeur, Centre de développement E-GOV*

Mr Gunay KAZIMZADE, Executive Advisor on AI, E-GOV Development Center / *Conseiller exécutif sur l'IA, Centre de développement E-GOV*

Ms Aziza VIDADI, International Relations Specialist, Strategic Development and Communications Department, E-GOV Development Center / *Spécialiste des relations internationales, Département du développement stratégique et de la communication, Centre de développement E-GOV*

Mr Samir MAMMADOV, Senior AI Specialist, E-GOV Development Center / *Spécialiste principal en IA, Centre de développement E-GOV*

Mr Ismayil RASULZADE, Assistant to the Director, E-GOV Development Center / *Assistant du Directeur, Centre de développement E-GOV*

Ms Khayala FATULLAYEVA, E-GOV Development Center / *Centre de développement E-GOV*

BELGIUM / BELGIQUE

Ms Peggy VALCKE, Researcher and Professor in ICT and Media at the Faculty of Law at the KU Leuven / *Chercheuse et professeur en ICT et médias à la faculté de droit à la KU Leuven*

Mme Laureline NOOTENS, Data Protection Officer at the Ministry of the French Community / *Déléguée à la protection des données au sein du ministère de la Communauté française*

Ms Sylvie KORMOSS, FPS Home Affairs - International Unit / SPF Affaires intérieures - Unité internationale

Ms Christel MAHIEU, Head of Privacy protection, FPS Home Affairs / *Responsable de la protection de la vie privée au sein du SPF Affaires intérieures*

Ms Nathalie SMUHA, Independent Expert - Researcher in Law and Ethics of Technology at the KU Leuven Faculty of Law & Head of AI4Belgium's Ethics & Law Working Group / *Expert independent - Chercheur en droit et éthique des technologies à la Faculté de droit de la KU Leuven et Chef du groupe de travail "Ethique et droit" d'AI4Belgium*

BOSNIA AND HERZEGOVINA / BOSNIE-HERZÉGOVINE

Mr Dag DZUMRUKCIC, Minister counsellor, Department for International Legal Affairs, Ministry of Foreign Affairs / *Ministre conseiller, Département des affaires juridiques internationales, Ministère des affaires étrangères*

BULGARIA / BULGARIE

Mme Janeta ROGOVA, Head of Legal activity in the field of transport, communications and e-government Department Legal Directorate, Ministry of Transport, Information Technology and Communications / *Chef de l'activité juridique dans le domaine du transport, des communications et du département de l'e-gouvernement, Direction juridique, Ministère des transports, des technologies de l'information et des communications*

CROATIA / CROATIE

Ms Leda LEPRI, Ministry of Justice and Public Administration / *Ministère de la justice et de l'administration publique*

Ms Gordana LUČAR KORAČ, Ministry of Justice and Public Administration / *Ministère de la justice et de l'administration publique*

Mr Zoran LUSA, Head of Sector, Independent Sector for Digitalization of Justice and Public Administration, Ministry of Justice and Public Administration / *Chef de secteur, Secteur indépendant pour la numérisation de la justice et de l'administration publique, Ministère de la justice et de l'administration publique*

CYPRUS / CHYPRE

Mr Aristos TSIARTAS, Head of Human Rights Department, Ministry of Justice and Public Order / *Chef du Service des droits de l'Homme, Ministère de la justice et de l'ordre public*

CZECH REPUBLIC / REPUBLIQUE TCHEQUE

Ms Monika HANYCH, Legal Counsellor, Office of the Government Agent before the European Court of Human Rights, Ministry of Justice / *Conseillère juridique, bureau de l'agent du Gouvernement auprès de la Cour européenne des droits de l'homme, Ministère de la justice*

Ms Adriana DERGAM, Member of the Council to the Czech Government for Human Rights, Head of Corporate Comm.& Sustainability, Vodafone (Czech Republic) / *Membre du Conseil du gouvernement tchèque pour les droits de l'homme, responsable de la communication d'entreprise et du développement durable, Vodafone (République tchèque)*

Mr Karel KUHNL, Desk officer for the Council of Europe, Ministry of Foreign Affairs / *Officier de bureau pour le Conseil de l'Europe, Ministère des affaires étrangères*

DENMARK / DANEMARK

Ms Josephine GREMAUD ROSENBERG, Ministry of Justice of Denmark, Office of Data Protection / Ministère de la justice du Danemark, Office de la protection des données

ESTONIA / ESTONIE

Ms Siiri AULIK, Adviser, Public Law Division, Ministry of Justice / *Conseillère, division du droit public, Ministère de la justice*

Mr Indrek REIMAND, Head of IT, Ministry of Culture / Responsable informatique, Ministère de la culture

Mr Taavo LUMISTE, Deputy Permanent Representative, Permanent Representation of Estonia to the Council of Europe / *Adjoint au Représentant permanent, Représentation permanente de l'Estonie auprès du Conseil de l'Europe*

Ms Monika MIKIVER, Adviser, Ministry of Justice / *Conseillière, Ministère de la justice*

Mr Ott VELSBERG, Government Chief Data Officer / *Responsable des données du gouvernement*

FINLAND / FINLANDE

Ms Mia SPOLANDER, Deputy to the Permanent Representative, Permanent Representation of Finland to the Council of Europe / *Adjointe au Représentant permanent, Représentation permanent de la Finlande auprès du Conseil de l'Europe*

Ms Kristine ALANKO, Intern, Ministry of Economic Affairs and Employment / *Stagiaire, Ministère des affaires économiques et de l'emploi*

FRANCE

Mr Nicolas AMAR, Deputy to the National Coordinator for Artificial Intelligence / *Adjoint au coordonnateur national pour intelligence artificielle*

Ms Marine KETTANI, Magistrate and Policy Officer at the Ministry of Justice, in charge of innovation and technology issues / *Magistrate et chargée de mission au Ministère de la Justice, en charge des questions d'innovation et de technologies*

Mr Jérémy HUREAUX, Deputy to the Ambassador for Digital Affairs, Ministry of Europe and Foreign Affairs / *Adjoint de l'ambassadeur pour le numérique, Ministère de l'Europe et des Affaires étrangères*

Mme Gaëlle TAILLE, Deputy to the Permanent Representative of France to the Council of Europe / *Adjointe à la Représentante permanente de la France auprès du Conseil de l'Europe*

Mme Victoria LAFAGE-ROUX, Lawyer / *Juriste*

GEORGIA / GÉORGIE

Mr Beka KENKADZE, Senior Lawyer, Private Sector Oversight Department, State Inspector's Service / *Avocat principal, Direction de l'audit du secteur privé et de l'évaluation, Service d'inspection d'État*

Ms Mariam ELKANASHVILI, International Relations and Legal Matters Coordinator of International Relations, Analytics and Strategic Development Department, State Inspector's Service /*, Relations internationales et questions juridiques Coordinateur du département des relations internationales, de l'analyse et du développement stratégique, Service d'inspection de l'État*

GERMANY / ALLEMAGNE

Prof. Christian KASTROP, State secretary from the Ministry of Justice, on behalf of the German Chairmanship of the Committee of Ministers / *Secrétaire d'État du ministère de la justice, au nom de la présidence allemande du Comité des ministres*

Mr Wolfgang TEVES, Head of Division for Digital Strategy; Key Policy Issues of the Information Society, Federal Ministry of Justice and Consumer Protection / *Chef de la Division de la stratégie numérique, questions politiques clés de la société de l'information, ministère fédéral de la justice et de la protection des consommateurs*

Mr Tobias KATZSCHMANN, Federal Ministry of Education and Research / Ministère fédéral de l'Éducation et de la Recherche (Bundesministerium für Bildung und Forschung - BMBF)

Ms Lena Kristina HOCKE, LL.M., Senior Lecturer, Unit Digital Strategy, Fundamental Issues of the Information Society / *LL.M. maître de conférences, unité stratégie numérique, questions fondamentales de la société de l'information*

Mr Rolf MAFAEL, Dr., Ambassador Extraordinary and Plenipotentiary, Permanent Representative of Germany to the Council of Europe and Chair of the Ministers' Deputies / *Ambassadeur extraordinaire et plénipotentiaire, Représentant permanent de l'Allemagne auprès du Conseil de l'Europe et Président des Délégués des Ministres*

Mr Jan MACLEAN, Deputy to the Permanent Representative, Permanent Representation of Germany to the Council of Europe / *Adjoint au Représentant permanent, Représentation permanente de l'Allemagne auprès du Conseil de l'Europe*

Ms Petra DACHTLER, Head of Unit for the OSCE and Council of Europe, Federal Foreign Office / *Chef d'unité pour l'OSCE et le Conseil de l'Europe, Ministère fédéral des affaires étrangères*

Mr Lorenz BARTH, Task Force for the Council of Europe Presidency, Federal Foreign Office / *Task Force pour la présidence du Conseil de l'Europe, Ministère fédéral des affaires étrangères*

Mr Axel BERG, Dr., Ambassador (ret.), Special Advisor - Task Force for the German Presidency of the Council of Europe at the Federal Foreign Office / *Ambassadeur (ret.), Conseiller spécial - Task Force pour la présidence allemande du Conseil de l'Europe au ministère fédéral des Affaires étrangères*

Ms Swantje MAECKER, Policy officer, Cyber Policy Coordination Unit, Federal Foreign Office / *Chargé de mission, Unité de coordination de la cyberpolitique, Ministère fédéral des affaires étrangères*

Ms Regine GRIENBERGER, Dr., Cyber Ambassador of the Federal Foreign Office of Germany / *Cyber-ambassadeur du ministère fédéral des affaires étrangères de l'Allemagne*

Mr Benjamin STAPPENBECK, Ministry of Justice and Consumer Protection / *Ministère fédéral de la justice et de la protection des consommateurs*

Mr Jens HUBER, Federal Foreign Office / *Ministère fédéral des affaires étrangères*

Ms Isabella FLORES OVIEDO, Ministry of Justice and Consumer Protection / *Ministère fédéral de la justice et de la protection des consommateurs*

GREECE / GRÈCE

Ms Aggaliki BOLI, Digital Strategy Directorate, Department of Digital Strategy, Ministry of Digital Governance / *Direction de la stratégie numérique, Service de la stratégie numérique, Ministère de la gouvernance numérique*

Mr Leonidas CHRISTOPOULOS, Secretary General of Digital Governance and Simplification of Procedures, Ministry of Digital Governance / *Secrétaire général de la gouvernance numérique et de la simplification des procédures, Ministère de la gouvernance numérique*

Ms Antigoni GIANNAKAKI, Legal Advisor to the Minister of Digital Governance, Ministry of Digital Governance / *Conseiller juridique auprès du Ministre de la gouvernance numérique, Ministère de la Gouvernance numérique*

Ms Sofia KASTRANTA, Deputy Legal Counsellor, Special Legal Department, Ministry of Foreign Affairs / *Conseillère juridique adjointe, Département juridique spécial, Ministère des affaires étrangères*

Ms Kalliopi POLITOU, Digital Strategy Directorate, Department of Digital Economy, Investments and Digital Skills, Ministry of Digital Governance / *Direction de la stratégie numérique, Département de l'économie numérique, des investissements et des compétences numériques, Ministère de la Gouvernance numérique*

Dr Konstantinos SFIKAS, Directorate of Electronic Government, Department of Open Government, Ministry of Digital Governance / *Direction du gouvernement électronique, Ministère du gouvernement ouvert, Ministère de la gouvernance numérique*

HUNGARY / HONGRIE

Mr Zoltán TURBÉK, Director, Department of International Organizations, Ministry of Foreign Affairs and Trade / *Directeur du département des organisations internationales, Ministère des affaires étrangères et du commerce*

Ms Kata BENCZE, Chief Counsellor, Ministry of Justice / *Conseiller en chef, Ministère de la justice*

Mr Viktor SZABO, Desk Officer, Ministry of Innovation and Technology / *Responsable de bureau, Ministère de l'innovation et de la technologie*

Mr Dezső MIKLÓS, Deputy Director of Alfréd Rényi Research Institute of the Hungarian Academy of Sciences / *Directeur adjoint de l'institut de recherche Alfréd Rényi de l'Académie des sciences de Hongrie*

Mr Balint MOGYOROSI, Desk Officer, Department of International Organizations, Ministry of Foreign Affairs and Trade / *Responsable de bureau, Département des organisations internationales, Ministère des affaires étrangères et du commerce*

ICELAND / ISLANDE

Mr Haraldur STEINTHORSSON, Legal Adviser, Ministry of Finance and Economic Affairs / *Conseiller juridique, Ministère des finances et des affaires économiques*

Ms Lilja JONSDOTTIR, Specialist, Department of Policy Coordination, Prime Minister's Office / *Spécialiste, Département de la coordination des politiques, Cabinet du Premier ministre*

Mr Pétur Berg MATTHÍASSON, Senior Policy Advisor, Prime Minister's Office / *Conseiller politique principal, Cabinet du Premier ministre*

IRELAND / IRLANDE

Ms Eimear FARRELL, Assistant Principal, National AI Strategy & EU industrial policy, Department of Business, Enterprise & Innovation / *Directeur adjoint, Stratégie nationale d'IA et politique industrielle de l'UE, Département des affaires, des entreprises et de l'innovation*

Mr Fiachra BYRNE, Justice Attaché, Permanent Representation of Ireland to the Council of Europe / *Attaché de justice, Représentation permanente de l'Irlande auprès du Conseil de l'Europe*

ITALY / ITALIE

Mr Marco BELLEZZA, Chief Executive Officer, Infratel Italia S.p.A. / *Directeur général, Infratel Italia S.p.A.*

Mr Michele GIACOMELLI, Ambassador, Permanent Representative of Italy to the Council of Europe / *Ambassadeur, Représentant Permanent de l'Italie auprès du Conseil de l'Europe*

Mr Raffaele FESTA, Deputy to the Permanent Representative of Italy to the Council of Europe / *Adjoint*

Ms Serena DELL'AGLI, Executive Assistant, Technical Secretariat of the Managing Director, Infratel Italia S.p.A. / *Assistant exécutif, Secrétariat technique du directeur général, Infratel Italia S.p.A.*

LATVIA / LETTONIE

Ms Janis RATKEVICS, Senior Consultant, Information Society Policy Implementation Coordination Division, Ministry of Environment and Regional Development / *Consultant principal, Division de la coordination de la mise en œuvre de la politique de la société de l'information, Ministère de l'environnement et du développement régional*

LIECHTENSTEIN

Mr Noah OEHRI, Diplomatic Officer, Office for Foreign Affairs / *Diplomate, Office pour les Affaires Etrangères*

Ms Alina BRUNHART - Apologised / *Excusé* - Diplomatic Officer, Division for Security and Human Rights, Office for Foreign Affairs / *Diplomate, Division de la sécurité et des droits de l'homme, Office pour les Affaires Etrangères*

LITHUANIA / LITUANIE

Mr Arūnas CIJŪNAITIS, Ministry of Economy and Innovation / *Ministère de l'économie et de l'innovation*

Mr Darius GAIDYS, Ambassador for Digital Affairs, Ministry of Foreign Affairs / *Ambassadeur pour les affaires numériques, Ministère des affaires étrangères*

Mr Petras JAKAVANOVIS, Senior adviser, Digital Agenda Department, Ministry of Economy and Innovation / *Conseiller, Service de la stratégie numérique, Ministère de l'économie et de l'innovation*

LUXEMBOURG

M. Max GINDT, the Government of the Grand Duchy of Luxembourg, Ministry of State, Media and Communications Service / *le Gouvernement du Grand-Duché de Luxembourg, Ministère d'État, Service des médias et des communications*

M. Thierry ZEIEN, Attaché, Department of State, Media and Communications Services / *Attaché, Ministère d'État, Service des médias et des communications*

MALTA / MALTE

Mr Trevor SAMMUT, Chief Regulatory Officer, Malta Digital Innovation Authority / *Chef de la réglementation, Autorité de l'innovation numérique de Malte*

REPUBLIC OF MOLDOVA / RÉPUBLIQUE DE MOLDOVA

Ms Veronica CRETU - Independent expert / *Expert indépendant*

Ms Corina CALUGARU - Ambassador, Permanent Representative of the Republic of Moldova to the Council of Europe / *Ambassadeur, Représentante permanente de la République de Moldova auprès du Conseil de l'Europe*

MONACO

Mme Hélène AMOURDEDIEU, Policy officer, Head of the legal unit of the Interministerial Delegation in charge of Digital Transition / *Chargée de mission, responsable de la cellule juridique de la Délégation Interministérielle chargée de la Transition Numérique*

MONTENEGRO

Ms Milena NIKCEVIC, Director, Directorate for e-government and cyber security, Ministry of Public Administration / *Directeur, Direction de l'administration en ligne et de la cybersécurité, ministère de l'administration publique*

NETHERLANDS / PAYS-BAS

Mr Floris KREIKEN, Policy Advisor, Ministry of the Interior and Kingdom Relations / *Conseiller politique principal, Ministère de l'intérieur et des relations au sein du Royaume*

Ms Monika MILANOVIC, Legal Advisor, Ministry of the Interior and Kingdom Relations / *Conseillère juridique, Ministère de l'intérieur et des relations au sein du Royaume*

Mr Sander MUL, Senior Policy Adviser, Ministry of Justice and Security / *Conseiller politique principal, Ministère de la justice et de la sécurité*

Ms Laura RIJNAARTS, Legal advisor, Ministry of the Interior and Kingdom Relations / *Conseillère juridique, Ministère de l'intérieur et des relations au sein du Royaume*

Mr Michael VOS, Senior Policy Advisor, AI Policy Team, Ministry of Justice and Security / *Conseiller politique principal, équipe chargée de la politique d'AI, Ministère de la justice et de la sécurité*

NORTH MACEDONIA / MACEDOINE DU NORD

Ms Elena BODEVA, Head of Unit, Directorate for Multilateral Relations and Security Cooperation, Ministry of Foreign Affairs / *Chef d'unité, Direction des relations multilatérales et de la coopération en matière de sécurité, Ministère des affaires étrangères*

Mr Ivica DIMITROVSKI, PhD, Associate Professor, Faculty of Computer Science and Engineering, Ss.Cyril and Metodius University, Skopje / *Professeur agrégé, Faculté d'informatique et d'ingénierie, Université de Ss.Cyril et Metodius, Skopje*

Mr Jasmin HASANOVIKJ, Third secretary, Permanent Mission of the Republic of North Macedonia to the Council of Europe

NORWAY / NORVÈGE

Ms Heather BROOMFIELD, Senior Advisor / *Conseiller principal*

Mr Håkon BERGSJØ, Deputy Director, the Norwegian National Security Authority / *Directeur adjoint, autorité norvégienne de sécurité nationale*

Mr Truls Loke DESBANS, Communications Officer, Permanent Mission of Norway to the Council of Europe / *Chargée de communication, mission permanente de la Norvège auprès du Conseil de l'Europe*

POLAND / POLOGNE

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Mr Rustam TIKHONOV, Director of the Department for Strategic Development and Innovation at the Ministry of Economic Development

Ms Nikita YAKUNOV, Head of Division of Institutions of Innovation Development of the Department for Strategic Development and Innovation at the Ministry of Economic Development of the Russian Federation / *Chef de la division des institutions de développement de l'innovation du département pour le développement stratégique et l'innovation au ministère du développement économique de la Fédération de Russie*

Ms Maria ALEEVA, Deputy Head of Division of Institutions of Innovation Development of the Department for Strategic Development and Innovation at the Ministry of Economic Development of the Russian Federation / *Chef adjoint de la division des institutions de développement de l'innovation du département pour le développement stratégique et l'innovation au ministère du développement économique de la Fédération de Russie*

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Mr Andrey KULESHOV, Advisor on international cooperation and coordination, Center for Artificial Intelligence Science and Technology, Moscow Institute of Physics and Technology / *Conseiller en matière de coopération et de coordination internationales, Centre pour la science et la technologie de l'intelligence artificielle, Institut de physique et de technologie de Moscou*

Mr Konstantin KOSORUKOV, Deputy to the Permanent Representative, Permanent Representation of the Russian Federation to the Council of Europe / *Adjoint au Représentant permanent, Représentation permanente de la Fédération de Russie auprès du Conseil de l'Europe*

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Mr Dmitry BELYAEV, Head of Innovation Infrastructure Division, Department for Strategic Development and Innovation, Ministry of Economic Development of the Russian Federation / *Chef de la division de l'infrastructure de l'innovation, département du développement stratégique et de l'innovation, ministère du développement économique de la Fédération de Russie*

Mr Alan KHUBAEV, Executive Officer, Department for Information Security, Ministry of Digital Development, Communication and Mass Media / *Directeur exécutif, Département de la sécurité de l'information, Ministère du développement numérique, de la communication et des médias*

Ms Margarita BELYAKOVA, Counsellor, Department for Information Security, Ministry of Digital Development, Communication and Mass Media / *Conseiller, Département de la sécurité de l'information, Ministère du développement numérique, de la communication et des médias*

Ms Anna ABRAMOVA, Head of the Department on Digital Economy and AI, MGIMO-University / *Chef du département sur l'économie numérique et l'IA, MGIMO-Université*

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Ms Juraj PODROUŽEK, Digital Policies and International Relations Division Officer, Office of the Deputy Prime Minister of the Slovak Republic for Investments and Informatisation / *Responsable de la division des politiques numériques et des relations internationals, Bureau du vice-premier ministre de la République slovaque pour les investissements et l'informatisation*

Mr Tomáš JUCHA, Director, Department of Digital Policies and International Cooperation, Digital Agenda Division, Office of the Deputy Prime Minister of the Slovak Republic for Investments and Informatisation / *Directeur, Département des politiques numériques et de la coopération internationale, Division de la stratégie numérique, Bureau du vice-premier ministre de la République slovaque pour les investissements et l'informatisation*

Ms Lenka ZUBOROVA, Officer, Department of Digital Policies and International Cooperation, Digital Agenda Division, Office of the Deputy Prime Minister of the Slovak Republic for Investments and Informatisation / *Responsable, Département des politiques numériques et de la coopération internationale, Division de la stratégie numérique, Bureau du vice-premier ministre de la République slovaque pour les investissements et l'informatisation*

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Mr Marko GROBELNIK, Expert researcher in the field of Artificial Intelligence (AI) / *Chercheur expert dans le domaine de l'intelligence artificielle (IA)*

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Ms Victoria ALSINA BURGUES, Industry Assistant Professor and Academic Director, Center for Urban Science and Progress, Associated Faculty, Technology, Culture and Society Department, Senior Fellow, The Governance Lab / *Professeur adjoint en industrie et Directeur académique, Center for Urban Science and Progress, Faculté associée, Département Technologie, Culture et Société, Senior Fellow, The Governance Lab*

Mr Mario HERNANDEZ RAMOS, Senior Adviser, General Directorate Legal International Cooperation and Human Rights, Ministry of Justice / *Conseiller principal, Direction générale de la coopération juridique internationale et des droits de l'homme, Ministère de la justice*

Mr Alberto GAGO FERNÁNDEZ, Senior Adviser, State Secretariat for Digitalisation and Artificial Intelligence, Ministry of Economy and Digital Transformation / *Conseiller principal, Secrétariat d'État à la numérisation et à l'intelligence artificielle, ministère de l'économie et de la transformation numérique*

Ms Laura FLORES IGLESIAS, Deputy Director General of Artificial Intelligence and Digital Enabling Technologies, State Secretariat for Digitalisation and Artificial Intelligence, Ministry of Economic Affairs and Digital Transformation / *Directrice générale adjointe de l'intelligence artificielle et des technologies numériques habilitantes, Secrétariat d'État à la numérisation et à l'intelligence artificielle, Ministère de l'économie et de la transformation numérique*

Mr Enrique BELDA, Director of the Security Technology Centre (CETSE), Ministry of the Interior / *Directeur du Centre des technologies de sécurité (CETSE), Ministère de l'intérieur*

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Ms Tilde BERGGREN, Deputy Director, Department for International Law, Human Rights and Treaty Law, Ministry for Foreign Affairs / *Directrice adjointe, Département du droit international, des droits de l'homme et du droit des traités, Ministère des affaires étrangères*

Ms Caroline PERSSON, Deputy to the Permanent Representative, Permanent Representation of Sweden to the Council of Europe / *Adjointe au représentant permanent, Représentation permanente de la Suède auprès du Conseil de l'Europe*

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Ms Monique COSSALI SAUVAIN, Federal Department of Justice and Police, Federal Department of Justice and Police, Federal Office of Justice, Directorate of Public Law, Head of Unit for Legislative Projects and Methods / *Département fédéral de justice et police, office fédéral de la justice, domaine de direction Droit public, cheffe unité projets et méthodes législatives*

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Ms Livia WALPEN, Senior Policy Advisor International Relations, Swiss Federal Office of Communication (OFCOM), Swiss Federal Department of the Environment, Transport, Energy and Communications (DETEC) / *Conseiller politique principal en relations internationales, Office fédéral de la communication (OFCOM), Département fédéral de l'environnement, des transports, de l'énergie et de la communication (DETEC)*

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Ms Zümrüt MÜFTÜOĞLU, Expert, Presidency of the Republic of Turkey – Digital Transformation Office / *Expert, Présidence de la République de Turquie – Bureau de la transformation numérique*

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Mr Dmytro NIKANDROV, Member of the expert committee on AI, Ministry of the Digital Transition / *Membre du comité d'experts sur l'IA, Ministère de la transition numérique*

Ms Oleksandra KOVALENKO, Head of the Expert Group on Child Online Safety, Ministry of Digital Transition / *Chef du groupe des expert sur la sécurité en ligne des enfants, Ministère de la transition numérique*

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M. Volodymyr BEHEII, Head of Expert Group on AI, Ministry of Digital Transformation of Ukraine / *Chef du groupe des experts sur l'IA, Ministère de la Transformation numérique de l'Ukraine*

Mr Hordii RUMIANTSEV, Ministry of Digital Transformation of Ukraine */ Ministère de la Transformation numérique de l'Ukraine*

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Ms Bethan CHARNLEY, Head of Strategic Projects, Centre for Data Ethics and Innovation / *Chef des projets stratégiques, Centre pour l'éthique des données et l'innovation*

Mr David LESLIE, Research Team Leader in Data Ethics, Governance and Regulation of Digital Technologies, Applied Ethics of Artificial Intelligence, and AI and Society, The Alan Turing Institute / *Chef d'équipe de recherche en éthique des données, gouvernance et réglementation du numérique Technologies, éthique appliquée de l'intelligence artificielle, IA et société, l'Institut Alan Turing*

Ms Thiona PHILIPS, Emerging Tech and Data, Cyber Policy Department, Foreign & Commonwealth Office / *Technologies et données émergentes, Service de la cyberpolitique, Ministère des affaires étrangères et du Commonwealth*

Mr Cailean OSBORNE, Centre for Data Ethics and Innovation / *Centre pour l'éthique des données et l'innovation*

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Ms Judith ORLAND, Program Manager Democracy and AI, Democratic Governance Division, CDDG Secretariat / *Responsable du programme Démocratie et AI, Division de la gouvernance démocratique, Secrétariat du CDDG*

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Mme Cécile GREBOVAL, Programme Manager Gender Mainstreaming / Gender Equality Advisor, / *Responsable de programme, Gender Mainstreaming, Conseillère en matière d'égalité entre les femmes et les hommes*

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Ms Charlotte ALTENHOENER-DION, Head of Internet Governance Uni, DGI – Human Rights and Rule of Law / *Chef de l'unité gouvernance de l'Internet, DGI - Droits de l'homme et État de droit*

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Mr Per IBOLD, Minister Counsellor, Delegation of the European Union to the Council of Europe / *Ministre conseiller, Délégation de l'Union européenne auprès du Conseil de l'Europe*

Mr Cedric LOMBAERTS, Legal Affairs Trainee for the EU Delegation to the Council of Europe / *Stagiaire en affaires juridiques pour la délégation de l'UE au Conseil de l'Europe*

EUROPEAN DATA PROTECTION SUPERVISOR (EDPS) / CONTROLEUR EUROPEEN DE LA PROTECTION DES DONNEES (CEPD)

Mr Achim KLABUNDE, Adviser to the European Data Protection Supervisor (EDPS) / *Conseiller au Contrôleur européen de la protection des données*

Ms Anna Zsofia HORVATH, Trainee at Technology & Privacy Unit / *Stagiaire à l'Unité Technologie et vie privée*

Mr Simeon de BROUWER, Trainee at Policy & Consultation Unit / *Stagiaire à l'Unité politique et consultation*

FUNDAMENTAL RIGHTS AGENCY (FRA) / AGENCE DES DROITS FONDAMENTAUX DE L'UNION EUROPEENNE

Ms Jana GAJDOSOVA, Programme Manager - Just, Digital and Secure Societies, Research & Data Unit / *Gestionnaire de programme - Sociétés justes, numériques et sûres, Unité de recherche et de données*

Mr David REICHEL, Project manager / *Chef de projet*

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Ms Lesia STANGRET, Legal Officer, Global Affairs Canada, Government of Canada / *Juriste, Affaires Mondiales Canada, Gouvernement du Canada*

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Mr Omar BITAR, Senior Analyst, Treasury Board of Canada Secretariat / *Analyste principal, Unité des services juridiques du Secrétariat du Conseil du Trésor du Canada*

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Mr Paolo BENANTI, Professor of Moral Theology and Ethics of Technology, Pontifical Gregorian University / *Professeur de théologie morale et d'éthique des technologies, Université Pontificale Grégorienne*

ISRAEL / ISRAËL

Mr Cedric (Yehuda) SABBAH, Director, International Cybersecurity & IT Law, Office of the Deputy Attorney General (International Law), Ministry of Justice, Israel / *Directeur, Cybersécurité internationale et droit des technologies de l'information, Bureau du procureur général adjoint (droit international), Ministère de la Justice, Israël*

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Mr Yoichi IIDA, Deputy Director General for G7 and G20 Relations, Global Strategy Bureau, Ministry of Internal Affairs and Communications / *Directeur général adjoint pour les relations avec le G7 et le G20, Bureau de la stratégie mondiale, Ministère de l'intérieur et des communications*

Ms Akiko EJIMA, Professor, Meiji University Law School / *Professeur, Faculté de droit de l'université de Meiji*

Ms Arisa EMA, Project Assistant Professor at the University of Tokyo and Visiting Researcher at RIKEN Center for Advanced Intelligence Project in Japan / *Professeur assistant de projet à l'université de Tokyo et chercheur invité au RIKEN Center for Advanced Intelligence Project au Japon*

Ms Chihiro SAITO, Consul, Consulate General of Japan in Strasbourg / *Consul, Consulat général du Japon à Strasbourg*

Mr Hideaki KOJIMA, Special researcher, Consulate General of Japan in Strasbourg / *Chercheur spécial, Consulat général du Japon à Strasbourg*

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Ms Monica VELARDE, Coordinator for Global Issues, Ministry of Foreign Affairs / *Coordinateur pour les questions mondiales, Ministère des affaires étrangères*

Mr Rodrigo RIOJAS,

UNITED STATES OF AMERICA / ÉTATS-UNIS D'AMÉRIQUE

Mr Aamod OMPRAKASH, Foreign Affairs Officer, Bureau of Democracy, Human Rights, and Labor, Office of Multilateral and Global Affairs / *Responsable des affaires étrangères, Bureau de la démocratie, des droits de l'homme et du travail, Bureau des affaires multilatérales et mondiales*

Ms Darragh PARADISO, Deputy Permanent Observer, Consul General, Office of the Permanent Observer of the United States of America to the Council of Europe / *Observateur permanent adjoint, Consul général, Bureau de l'Observateur permanent des États-Unis d'Amérique auprès du Conseil de l'Europe*

Mr Yann AGERT, Consular and Political Assistant / *Adjoint aux affaires consulaires et politiques*

Ms Melissa DYMEK, Global Affairs Officer, Bureau of European Affairs, Office of Policy and Global Issues / *Responsable des affaires mondiales, Bureau des affaires européennes, Bureau de la politique et des questions mondiales*

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Ms Karine PERSET, Administrator – Artificial Intelligence Policy Observatory, Digital Economy Policy Division; Science, Technology and Innovation Directorate / *Administrateur - Observatoire des politiques d'intelligence artificielle, Division de la politique de l'économie numérique, Direction de la science, de la technologie et de l'innovation*

Ms Laura GALINDO, Consultant, Artificial Intelligence Policy Observatory, Digital Economy Policy Division; Science, Technology and Innovation Directorate / *Consultante, Observatoire des politiques d'intelligence artificielle, Division de la politique de l'économie numérique, Direction de la science, de la technologie et de l'innovation*

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Ms Sasha RUBEL, Programme specialist, Digital innovation and transformation, Communication and information sector

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Mr Tim ENGELHARDT, Human Rights Officer, Rule of Law and Democracy Section, Rule of Law, Equality and Non-Discrimination Branch / *Responsable des droits de l'homme, Section "État de droit et démocratie", Direction "État de droit, égalité et non-discrimination*

Ms Isabel EBERT, Business and Human Rights Team, Development and Social and Economic Issues Branch / *Équipe "Entreprises et droits de l'homme", Direction générale du développement et des questions économiques et sociales*

Mr Scott CAMPBELL, Senior Human Rights Officer / Responsable principal des droits de l'homme

Mr Marcelo DAHER, Human Rights Officer / Responsable des droits de l’homme

Ms Nathalie STADELMANN, Human Rights Officer, Business and Human Rights Team, Thematic Engagement, Special Procedures and Right to Development Division / *Responsable des droits de l'homme, équipe "Entreprises et droits de l'homme", Division Engagement thématique, procédures spéciales et droit au développement*

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Ms Alison BERTHET, Human and Digital Rights Strategy Manager, BT Group – Digital Impact & Sustainability / *Responsable de la stratégie des droits de l'homme et du numérique, Impact numérique et durabilité du BT Group*

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European Digital SME Alliance

Mr Stelian BRAD, Prof., President of the Cluj IT Cluster, Full professor in intelligent robotics and innovation management at the Technical University of Cluj-Napoca, Member of European DIGITAL SME Alliance's SME Focus Group on AI / *Président du Cluj IT Cluster, professeur titulaire de robotique intelligente et de gestion de l'innovation à l'Université technique de Cluj-Napoca, membre du groupe de réflexion sur l'IA de l'European DIGITAL SME Alliance*

Mr George SHARKOV, Dr., AI and ETSI TC CYBER Expert for European DIGITAL SME Alliance, Member of the European Commission High-level Expert Group on AI, Member of European DIGITAL SME Alliance's SME Focus Group on AI / *Expert AI et ETSI TC CYBER pour European DIGITAL SME Alliance, membre du groupe d'experts de haut niveau de la Commission européenne sur l'AI, membre du groupe de réflexion sur les PME de European DIGITAL SME Alliance*

Ms Annika LINCK, EU Policy Manager, European DIGITAL SME Alliance, Coordinator of European DIGITAL SME Alliance's SME Focus Group on AI / *Responsable de la politique européenne, European DIGITAL SME Alliance, coordinateur du groupe de réflexion sur l'IA pour les PME de European DIGITAL SME Alliance*

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Institute of Electrical and Electronics Engineers - IEEE

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Mr Caspar KLYNGE, Vice President for European Government Affairs, Denmark's former Tech Ambassador in Silicon Valley / vice-président pour les affaires gouvernementales européennes, ancien ambassadeur technologique du Danemark dans la Silicon Valley

Ms Cornelia KUTTERER, Senior Director of European Government Affairs, Rule of Law & Responsible Tech / *Directeur principal des affaires gouvernementales européennes, de l'État de droit et des technologies responsables*

Ms Evdoxia NERANTZI, Policy Manager, European Government Affairs / *Responsable politique, Affaires gouvernementales européennes*

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Ms Paloma VILLA MATEOS, Manager, Public Policy & Internet / *Gestionnaire, Politique publique et Internet*

Mr Gonzalo LOPEZ BARAJAS, Manager, Public Policy & Internet / *Gestionnaire, Politique publique et Internet*

Mr Pablo BARRIONUEVO, Manager, Public Policy & Internet / *Gestionnaire, Politique publique et Internet*

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Ms Fanny HIDVEGI, Europe Policy Manager, Brussels / *Responsable de la politique européenne, Bruxelles*

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Ms Friederike REINHOLD, Senior Policy Advisor

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Mr Martijn SCHELTEMA, Prof., Partner at Pels Rijcken and Member of the Advisory Panel Business Human Rights Committee, IBA / *Partenaire chez Pels Rijcken et Membre du Comité consultatif Comité des droits de l'homme des entreprises, IBA*

Ms Maria Pia SACCO, Senior Legal Advisor, Legal Policy & Research Unit / *Conseillère juridique principale, Unité des politiques juridiques et de la recherche*

Ms Theodora CHRISTOU, Dr., Convenor of Transnational Law and Governance, School of Law, Queen Mary University of London and member of the IBA Working Group on AI / *Convenor de Droit et gouvernance transnationaux, École de droit, Université Queen Mary de Londres et membre du groupe de travail de l'IBA sur l'IA*

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Together Against Cybercrime International (TaC)

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Lord Tim CLEMENT-JONES CBE, House of Lords Liberal Democrat Spokesperson (Digital) / *Porte-parole libéral-démocrate de la Chambre des Lords (Digital)*

Ms Nathalie SMUHA - Researcher - Department of International & European Law, KU Leuven, Member of the OECD Network of Experts on AI (ONE AI), Former Coordinator of the EC High-Level Expert Group on AI, Belgium / *Chercheur - Département de droit international et européen, KU Leuven, membre du réseau d'experts de l'OCDE sur l'IA (ONE AI), ancien coordinateur du groupe d'experts de haut niveau de la CE sur l'IA, Belgique*

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SECRÉTARIAT GÉNÉRAL DU CONSEIL DE L'EUROPE

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DIRECTORATE GENERAL OF HUMAN RIGHTS AND RULE OF LAW / DIRECTION GÉNÉRALE DES DROITS DE L'HOMME ET DE L'ÉTAT DE DROIT (DG I)

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Mr Patrick PENNINCKX - Head of Department, Information Society Department / *Chef du Service de la société de l'information*

Human Rights Directorate / *Direction des Droits de l'Homme*

Mr Lee HIBBARD, Administrator, Bioethics Unit, Human Rights Directorate / *Administrateur, l'Unité de Bioéthique,*

DIRECTORATE GENERAL OF DEMOCRACY / DIRECTION GÉNÉRALE DE LA DÉMOCRATIE (DG II)

Ms Claudia LUCIANI - Director, Directorate of Human Dignity, Equality and Governance / *Directrice, Direction de la dignité humaine, de l'égalité et de la gouvernance*

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Mme Laetitia DIMANCHE - Project Assistant / *Assistante du projet*

Ms Lucy ANCELIN - Assistant to the CAHAI / *Assistante du CAHAI*

Ms Claire ROBINS - Secretariat, Counter-Terrorism / *Secrétariat, Anti-terrorisme*

Ms Ivana ZEPPA, Trainee, Directorate General of Human Rights and Rule of Law / *Stagiaire, Direction générale des droits de l'homme et de l'état de droit (DGI)*

***

INTERPRETERS / INTERPRÈTES

M. Nicolas GUITTONNEAU
M. Didier JUNGLING