COUNCIL OF EUROPE

CONSEIL DE L'EUROPE

Strasbourg, 23 February 2021   CAHAI(2021)02

AD HOC COMMITTEE
ON ARTIFICIAL INTELLIGENCE
(CAHAI)

Action Plan for the Multi-Stakeholder Consultation

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Action Plan for the multi-stakeholder consultation

Discussion paper
prepared by the CAHAI Secretariat
based on the indications provided by the CAHAI Bureau,
the Co-Chairs of the CAHAI-PDG and of the CAHAI-COG

Summary

This paper makes a number of proposals on the multi-stakeholder consultation, on the basis of previous discussions and decisions by the CAHAI and the orientations provided by the CAHAI Bureau. It recalls the background for the multi-stakeholder consultation and makes a number of proposals as regards the objectives, the calendar, the target groups, the questions to be put under consultation, the format, the methodology and the outputs of the consultation.

Objective

CAHAI delegations are invited to review the proposals set out in this paper, and subject to any further additional comments and changes, approve this paper.

I. Background

1. At its first plenary meeting (18-20 November 2019), the CAHAI held a first exchange of views on the conduct of multi-stakeholder consultations and agreed on the general principles that apply to interactions with relevant actors[1].

2. At its second plenary meeting (6-8 July 2020), the CAHAI agreed to entrust the CAHAI Consultations and Outreach Group (CAHAI-COG) with preparatory work on the multi-stakeholder consultation[2], in particular on the following aspects:

   a. Conduct a stakeholder analysis and mapping;
   b. Develop the modalities and templates for in-country consultations organised by member states;
   c. Develop the calendar of thematic consultations of different stakeholders and other events, based on available financial resources;
   d. Develop an initial consultative document which confirms details of the processes to be followed (and a dedicated CAHAI webpage which will be regularly updated).

3. The CAHAI-COG held two meetings in 2020, the first one on 5-6 October 2020 and the second on 5-6 November 2020, which led to the preparation of two deliverables: a CAHAI-COG Draft Progress Report and the Draft Guidelines to States on national consultations.

4. At its third plenary meeting (15-17 December 2020) the CAHAI thanked the Co-Chairs of the 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 would be organised to discuss more thoroughly the different issues related to the multi-stakeholder consultation in February 2021.

5. 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 would be coordinated by the Bureau with input from the three Working Groups.

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[1]For further information, see CAHAI(2019)04

[2]For further information, see CAHAI(2020)03-rev1

6. On 15 January 2021[3], the Bureau of the CAHAI discussed important aspects of the consultation such as its objectives, the calendar, the target groups, the questions to be put under consultation, the format and the methodology of the consultation as well as its final deliverables.

7. The proposals below are based on the indications provided by the Bureau, with inputs from the Co-Chairs of the CAHAI Policy Development Group (CAHAI-PDG) and the Co-Chairs of the CAHAI-COG.

II. The multi-stakeholder consultation

Objectives

8. The consultation is aimed at feeding the work of the CAHAI-LFG on the preparation of the main elements of a binding legal instrument, by providing the respondents' feedback on key elements of the draft feasibility study as well as on regulatory choices that CAHAI-LFG might come across as part of its work.

Calendar

9. The overall timeframe for the consultation would be between March and the end of April. Once all the technical arrangements for the launching of the consultation are completed on the secretariat's side, the consultation would be announced with one week's notice through CoE/CAHAI media channels and take place for at least one month until the end of April. This would allow the collection and analysis of the replies received, as well as the preparation of a compilation of the replies received and a report for the consultation. This report will be prepared by the secretariat and reviewed by the CAHAI-COG to make sure that the report accurately reflects the information gathered in the framework of the consultation during its third meeting, and then presented to the fifth plenary meeting of the CAHAI on 5-7 July 2021.

Target groups

10. It should be recalled that the CAHAI has by itself a multi-stakeholder composition, involving member and observer States, representatives of different committees, bodies and instances for the Council of Europe, and representatives from civil society, the private sector and the scientific community amongst others, which would be naturally part of the multi-stakeholder consultation.

11. However, there is agreement within the CAHAI-COG and the Bureau that the approach should be broader. The CAHAI-COG, in the above-mentioned Draft Progress Report, made a detailed mapping of the stakeholders which would have to be addressed by the consultation, by explaining, in section 2.1, the rationale of their involvement. The stakeholders, whose list is included as Appendix II to the report, will be specifically contacted by the secretariat and invited to reply to the questionnaire.

12. In addition, both the CAHAI-COG Co-Chairs and the Bureau have agreed that the consultation should be as inclusive as possible and that for this reason, an international open online consultation based on a one-size-fits-all question-based survey, would be the best way forward.

13. As regards respondents, institutional affiliation will be the key requirement to participate in the survey. The respondent is expected to provide the name of the institution to which s/he belongs (i.e. state entities, NGOs, businesses, academic institutions). Contributions could be sent by individual persons, as long as they are part of such an entity as described above. (e.g. an academic that is working for a university, or an expert that is working for a public entity).

14. As regards national consultations, the Bureau agreed that they should be encouraged, and that

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[3]For further information, see the report of the 5th CAHAI Bureau meeting.

member States would be invited to raise awareness as regards the consultations. Although the survey would be available in English and in French, each State could translate it in its national language. It would be up to the States to decide whether to organise national consultations or not. The findings of any national consultations would be communicated to the CAHAI and published on the main page of the consultation, in addition to the deliverables of the international consultation.

Questions to be put under consultation

15. In line with the decision taken by the CAHAI at its third plenary meeting concerning working methods, the CAHAI-PDG was in charge of elaborating the questionnaire for consultation. The questions to be included were discussed first at the CAHAI-PDG meeting of 21-22 January 2021. The discussions highlighted the necessity to use a mixed form of possible questions, using both closed questions, open questions, multiple choice questions and a Likert-type scale in order to reflect any nuances in the answers and allow for comparison of the different priorities of the respondents. The overall number of questions should nonetheless be limited so as to avoid that filling in the question becomes too long.

16. Questions with an obvious yes or no answer that bring no obvious input to the consultation should be avoided. Also, open questions should be well-framed and only asked at the right moment with the length of the reply being limited, otherwise the replies could be difficult to process. Furthermore, added to questions should be a possibility to say 'no opinion/don't know'.

17. The revised questionnaire includes 50 questions, requiring approximately 60 – 75 minutes for completion, appears as Appendix I to this report.

18. The general language of the consultations should be the working languages of the Council of Europe (EN&FR). Should the States wish to conduct the consultations in national languages, the final outcomes of the consultation process shall be translated and provided to the CAHAI in working languages for publication on the CAHAI website alongside other contributions. This should not be too cumbersome considering that many questions are closed questions.

Format, methodology and final deliverables

19. The Bureau agreed that applying a single methodology for consultation (open survey) with a limited set of questions as described above would be the best way forward, in the light of the expected outputs and timelines for the consultation. A single methodology would also facilitate the analysis and a comparable treatment of the responses received.

20. The survey will be hosted on a dedicated website as part of the CAHAI's website. Transparency should be ensured, and all the responses received should be published on this website.

21. The CAHAI-PDG also agreed on the need to make available a short methodological note for the reader so as to explain the purpose of the consultation, how it fits in with the work of the CAHAI and how replies will be processed.

22. At the end of the consultation, two deliverables will be made available to the CAHAI: i) a compilation of the replies received to the online consultation, on the understanding that this should be done in a neutral and non-biased way, without ignoring or silencing any contribution received; and ii) a final report summarising the main findings of the consultation, which will be reviewed by the CAHAI-COG and transmitted to the plenary.

APPENDIX I. Draft questionnaire for the multi-stakeholder consultation

Disclaimer on data protection

Personal data collected with this questionnaire are managed in accordance with the Secretary General's Regulation of 17 April 1989 instituting a system of data protection for personal data files at the Council of Europe and the DGA/DIT(2013)02 Data and Information Management Policy of the Council of Europe.

I, in my capacity as the contact person for replies provided by my delegation, understand that any data, information or assessment, including personal data or confidential information, that I supply to the above survey will be exclusively used by the Council of Europe in the framework of the work undertaken by the CAHAI. I agree to this use being made of any information provided. I understand that, the original replies provided, containing the above personal data, would be deleted by the CAHAI secretariat by [DATE] at the latest.

I formally consent to the use of my personal data and of any other information I supplied as described above. If I submit personal data or confidential information of another person, I confirm that I have obtained the authorisation to do so from that person.

For any request relating to the exercise of your right to the protection of personal data, please contact dpo@coe.int.

For any issues, please contact secretariat.cahai@coe.int

1. **Pre-screening question of the survey:**

   - Your state
   - Institution: Name of the institution/body/company
   - Personal capacity: Your socio-professional category (using an existing list)

   - Your stakeholder groups (choice amongst government & public administration/ private business sector/ civil society/ academic and scientific community / internet technical community)

Section 1: Definition of AI Systems

2. In view of the elaboration of a legal framework on the design, development and application of AI, based on the standards of the Council of Europe on human rights, democracy and the rule of law, what kind of definition of artificial intelligence (AI) should be considered by the CAHAI (select one):

- o No definition, with a legal instrument focused on the effect of AI systems on human rights, democracy and the rule of law.
- o A technologically-neutral and simplified definition, such as "a set of sciences, theories and techniques whose purpose is to reproduce by a machine the cognitive abilities of a human being"[4].
- o A definition focusing on machine learning systems.
- o A definition focusing on automated decision-making.
- o Other (Please explain below)

Limited characters

- o No opinion

3. What are the reasons for your preference?

Limited characters

Section 2: Opportunities and Risks arising from AI Systems

Opportunities arising from AI systems

4. Please select the areas in which AI systems offer the most promising opportunities for the protection of human rights, democracy and the rule of law (select 3 maximum):
- ☐ Banking, finance and insurance
- ☐ Justice
- ☐ Law enforcement
- ☐ Customs and border control
- ☐ Welfare
- ☐ Education
- ☐ Healthcare
- ☐ Environment and climate
- ☐ Election monitoring
- ☐ National security and counter-terrorism
- ☐ Public administration
- ☐ Employment
- ☐ Social networks/media, internet intermediaries
- ☐ Other (which areas and why)

Limited characters

- ☐ No opinion

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[4] See the CAHAI feasibility study, §5.

5. Please indicate which of the following AI system applications in your view have the greatest potential to enhance/protect human rights, democracy and the rule of law? (select 5 maximum):
- ☐ Facial recognition supporting law enforcement
- ☐ Emotional analysis in the workplace to measure employees' level of engagement
- ☐ Smart personal assistants (connected devices)
- ☐ Scoring of individuals by public and private entities
- ☐ Medical applications for faster and more accurate diagnoses
- ☐ Automated fraud detection (banking, insurance)
- ☐ AI applications to predict the possible evolution of climate change and/or natural disasters;
- ☐ AI applications for personalised media content (recommender systems)
- ☐ Deep fakes and cheap fakes
- ☐ Recruiting software/ AI applications used for assessing work performance
- ☐ AI applications to prevent the commission of a criminal offence (e.g. anti-money laundry AI applications)
- ☐ AI applications aimed at predicting recidivism
- ☐ AI applications providing support to the healthcare system (triage, treatment delivery)
- ☐ AI applications determining the allocation of educational services
- ☐ AI applications determining the allocation of social services
- ☐ AI applications in the field of banking and insurance
- ☐ AI applications to promote gender equality (e.g. analytical tools)
- ☐ AI applications used for analysing the performance of pupils/students in educational institutions such as schools and universities

6. Please briefly explain how such applications would benefit human rights, democracy and the rule of law.

Limited characters

7. What other applications might contribute significantly to strengthening human rights, democracy and the rule of law?

Limited characters

Impact on human rights, democracy and the rule of law

8. Please select the areas in which the deployment of AI systems poses the highest risk of violating human rights, democracy and the rule of law (select 3 maximum)
- ☐ Banking, finance and insurance
- ☐ Justice
- ☐ Law enforcement
- ☐ Customs and border control
- ☐ Welfare
- ☐ Education
- ☐ Healthcare
- ☐ Environment and climate
- ☐ Election monitoring
- ☐ National security and counter-terrorism
- ☐ Public administration
- ☐ Employment
- ☐ Social networks/media, internet intermediaries
- ☐ Other

Limited characters

- ☐ No opinion

9. Please briefly explain how such applications might violate human rights, democracy and the rule of law.

Limited characters

10. Please indicate the types of AI systems that represent the greatest risk to human rights, democracy and the rule of law (select 5 maximum):
- ☐ Facial recognition supporting law enforcement
- ☐ Emotional analysis in the workplace to measure employees' level of engagement
- ☐ Smart personal assistants (connected devices)
- ☐ Scoring / scoring of individuals by public entities
- ☐ Medical applications for faster and more accurate diagnoses
- ☐ Automated fraud detection (banking, insurance)
- ☐ AI applications to predict the possible evolution of climate change and/or natural disasters;
- ☐ AI applications for personalised media content (recommender systems)
- ☐ Deep fakes and cheap fakes
- ☐ Recruiting software/ AI applications used for assessing work performance
- ☐ AI applications to prevent the commission of a criminal offence
- ☐ AI applications aimed at predicting recidivism
- ☐ AI applications providing support to the healthcare system (triage, treatment delivery)
- ☐ AI applications determining the allocation of educational services
- ☐ AI applications determining the allocation of social services
- ☐ AI applications in the field of banking and insurance
- ☐ AI applications to promote gender equality (e.g. analytical tools)
- ☐ AI applications used for analysing the performance of pupils/students in educational institutions such as schools and universities

11. Please briefly explain how such applications might violate human rights, democracy and the rule of law.

Limited characters

12. What other applications might represent a significant risk to human rights, democracy and the rule of law?

Limited characters

13. In your opinion, should the development, deployment and use of AI systems that have been proven to violate human rights or undermine democracy or the rule of law be:
- o Banned
- o Not banned
- o Other

  Limited characters
- o No opinion

14. In your opinion, should the development, deployment and use of AI systems that pose *high risks[5] with high probability[6]* to human rights, democracy and the rule of law be:
  ?
- o Banned
- o Subject to moratorium
- o Regulated (binding law)
- o Self-regulated (ethics guidelines, voluntary certification)
- o None of the above
- o No opinion

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[5] high negative impact on human rights, democracy and rule of law
[6] high probability of occurrence of these risks

15. In your opinion, should the development, deployment and use of AI systems that pose *low risks[7] with high probability[8]* to human rights, democracy and the rule of law be:
o Banned.
o Subject to moratorium.
o Regulated (binding law)
o Self-regulated (ethics guidelines, voluntary certification)
o None of the above
o No opinion

16. In your opinion, should the development, deployment and use of AI systems that pose *high risks[9] with low probability[10]* to human rights, democracy and the rule of law be:
o Banned
o Subject to moratorium
o Regulated (binding law)
o Self-regulated (ethics guidelines, voluntary certification).
o None of the above
o No opinion

17. What are the most important legal principles, rights and interests that need to be addressed and therefore justify regulating the development, deployment and use of AI systems? (select 5 maximum):
☐ Respect for human dignity
☐ Political pluralism
☐ Equality
☐ Social security
☐ Freedom of expression, assembly and association
☐ Non-discrimination
☐ Privacy and data protection
☐ Personal integrity
☐ Legal certainty
☐ Transparency
☐ Explainability
☐ Possibility to challenge a decision made by an AI system and access to an effective remedy

18. In your opinion, in what sectors/areas is a binding legal instrument needed to protect human rights, democracy and the rule of law? (select 3 maximum)?
☐ Banking, finance and insurance
☐ Justice
☐ Law enforcement
☐ Customs and border control
☐ Welfare
☐ Education
☐ Healthcare
☐ Social networks/media, internet intermediaries
☐ Environment and climate
☐ Election monitoring
☐ Public administration
☐ Employment
☐ No opinion
☐ Other

Limited characters

Section 3: Potential Gaps in Existing Binding Legal Instruments Applicable to AI

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[7] Low negative impact on human rights, democracy and rule of law
[8] high probability of occurrence of these risks
[9] high negative impact on human rights, democracy and rule of law
[10] Low probability of occurrence of these risks

In the following section, please indicate to what extent you agree or disagree with the following statements or if you have no opinion on a given issue.

19. Self-regulation by companies is more efficient than government regulation to prevent and mitigate the risk of violations of human rights, democracy and the rule of law.

1 I completely disagree	2 I rather disagree	3 Indifferent	4 I rather agree	5 I fully agree	No opinion

20. Self-regulation by companies is sufficient to prevent and mitigate the risk of violations of human rights, democracy and the rule of law

1 I completely disagree	2 I rather disagree	3 Indifferent	4 I rather agree	5 I fully agree	No opinion

21. Which of the following instruments of self-regulation do you consider to be the most efficient?

o Ethics guidelines
o Voluntary certification
o Other

Limited characters

o No opinion

22. Existing international, regional and/or national binding and/or non-binding legal instruments are sufficient to regulate AI systems in order to ensure the protection of human rights, democracy and the rule of law.

1 I completely disagree	2 I rather disagree	3 Indifferent	4 I rather agree	5 I fully agree	No opinion

23. If you responded agree/fully agree to the previous question, please provide examples of existing international, regional and/or national (binding and/or non-binding) instruments that in your view are effective in guiding and regulating the design, development and use of AI systems to ensure compatibility with the standards for human rights, democracy and the rule of law:

Limited characters

24. If you responded disagree/completely disagree to question 23, please indicate why existing international, regional and/or national (binding and/or non-binding) legal instruments are not sufficient to regulate AI systems (select all you agree with):

☐ There are too many and they are difficult to interpret and apply in the context of AI.
☐ They provide a basis but fail to provide an effective substantive protection of human rights, democracy and the rule of law against the risks posed by AI systems.
☐ They lack specific principles for the design, development and application of AI systems.
☐ They do not provide enough guidance to the designers, developers and deployers of AI systems.
☐ They do not provide for specific rights (e.g. transparency requirements, redress mechanisms) for persons affected by AI.
☐ They create barriers to the design, development and application of AI systems.

25. Please indicate other *specific* legal gaps that in your view need to be addressed at the level of the **Council of Europe**

Limited characters

Section 4: Elements of a Legal Framework on AI Systems

In relation to some AI systems, we can reasonably foresee a significant risk to human rights, democracy and the rule of law. Bearing this in mind, in the following section, please indicate to what extent you agree or disagree with the following statements or if you have no opinion on a given issue.

26. Individuals should always be informed when they interact with an AI system in any circumstances.

1 I completely disagree	2 I rather disagree	3 Indifferent	4 I rather agree	5 I fully agree	No opinion

27. Individuals should always be informed when a decision which affects them personally is made by an AI system.

1 I completely disagree	2 I rather disagree	3 Indifferent	4 I rather agree	5 I fully agree	No opinion

28. Individuals should always be informed when an AI system is used in a decision-making process which affects them personally.

1 I completely disagree	2 I rather disagree	3 Indifferent	4 I rather agree	5 I fully agree	No opinion

29. Individuals should have a right to a meaningful explanation of algorithmic based decisions, in particular how the algorithm reached its output.

1 I completely disagree	2 I rather disagree	3 Indifferent	4 I rather agree	5 I fully agree	No opinion

30. Individuals should always have the right that any decision taken by an AI system in the framework of judicial proceedings are reviewed by a "human" judge.

1 I completely disagree	2 I rather disagree	3 Indifferent	4 I rather agree	5 I fully agree	No opinion

31. Individuals should have a right to demand the review of an algorithmic based decision by a human being.

1 I completely disagree	2 I rather disagree	3 Indifferent	4 I rather agree	5 I fully agree	No opinion

32. There should always be a person responsible for reviewing algorithmic based decisions in the public sector and private companies.

1 I completely disagree	2 I rather disagree	3 Indifferent	4 I rather agree	5 I fully agree	No opinion

33. Public institutions should not use AI systems to promote or discredit a particular way of life or opinion (e.g. "social scoring").

1 I completely disagree	2 I rather disagree	3 Indifferent	4 I rather agree	5 I fully agree	No opinion

34. States should be obliged to design, develop and apply sustainable AI systems that respect applicable environmental protection standards.

1 I completely disagree	2 I rather disagree	3 Indifferent	4 I rather agree	5 I fully agree	No opinion

35. The code behind AI systems used in the public and private sectors should always be accessible to the competent public authorities for the purposes of external audit.

1 I completely disagree	2 I rather disagree	3 Indifferent	4 I rather agree	5 I fully agree	No opinion

36. There should be higher transparency standards for public entities using AI than for private entities.

1 I completely disagree	2 I rather disagree	3 Indifferent	4 I rather agree	5 I fully agree	No opinion

37. There should be higher standards for access to an effective remedy for individuals in relation to decisions informed and made by an AI system in the field of justice than in the field of consumer protection.

1 I completely disagree	2 I rather disagree	3 Indifferent	4 I rather agree	5 I fully agree	No opinion

38. Member States should establish public oversight mechanisms for AI systems that may breach legally binding norms in the sphere of human rights, democracy and the rule of law.

1 I completely disagree	2 I rather disagree	3 Indifferent	4 I rather agree	5 I fully agree	No opinion

39. Errors and flaws discovered in AI systems which have led or could lead to the violation of human rights, democracy and the rule of law must be reported to the competent authorities.

1 I completely disagree	2 I rather disagree	3 Indifferent	4 I rather agree	5 I fully agree	No opinion

40. The use of facial recognition in public spaces should be prohibited.

1 I completely disagree	2 I rather disagree	3 Indifferent	4 I rather agree	5 I fully agree	No opinion

41. The information obtained through the use of facial recognition systems should always be reviewed by a human being before being used for purposes that have an impact on individual freedom, such as in relation to a person boarding an airplane, upon police arrest or in the framework of judicial proceedings.

1 I completely disagree	2 I rather disagree	3 Indifferent	4 I rather agree	5 I fully agree	No opinion

42. The use of AI systems in democratic processes (e.g. elections) should be strictly regulated.

1 I completely disagree	2 I rather disagree	3 Indifferent	4 I rather agree	5 I fully agree	No opinion

43. Should a future legal framework at Council of Europe level include a specific liability regime in relation to AI applications?

o   Yes
o   No
o   No opinion

44. If yes, what aspects should be covered?

Limited characters

Section 5: Policies and Measures for Development

45. In your opinion, how useful would the following compliance mechanisms be in preventing and mitigating the risks to human rights, democracy and the rule of law arising from the design, development and application of AI?

	1 Not useful	2 Rather not useful	3 Indifferent	4 Rather useful	5 Highly useful	No opinion
Human rights, democracy and rule of law impact assessments						
Certification and quality labelling						
Audits and intersectional audits[11]						
Regulatory sandboxes						

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[11] [definition]

Continuous automated monitoring						

46. Please indicate what combination of mechanisms should be preferred to efficiently protect human rights, democracy and the rule of law (select 3 maximum).

- ☐ Human rights, democracy and rule of law impact assessments
- ☐ Certification and quality labelling
- ☐ Audits and intersectional audits
- ☐ Regulatory sandboxes
- ☐ Continuous automated monitoring
- ☐ Other

Limited characters

47. Please select which mechanism(s) should be part of either a binding instrument or a non-binding instrument to best protect human rights, democracy and the rule of law.

	Binding instrument	Non-binding instrument	No opinion
Human rights, democracy and rule of law impact assessments			
Certification and quality labelling			
Audits and intersectional audits			
Regulatory sandboxes			
Continuous automated monitoring			
Other [limited characters]			

48. In your opinion, how useful would the following follow-up activities be if implemented by the Council of Europe?

	1 Not useful	2 Rather not useful	3 Indifferent	4 Rather useful	5 Highly useful	No opinion
Monitoring of AI legislation and policies in member States						
Capacity building on Council of Europe instruments, including assistance to facilitate ratification and implementation of relevant Council of Europe instruments						
AI Observatory for sharing good practices and exchanging information on legal, policy and technological developments related to AI systems						
Establishing a centre of expertise on AI and human rights						

49. What other mechanisms, if any, should be considered?

Limited characters

50. Are there any other issues with respect to the design, development and application of AI systems in the context of human rights, democracy and the rule of law that you wish to bring to the attention of the CAHAI?

Limited characters

This non-exhaustive list is meant to provide the CAHAI with examples of groups of stakeholders whose consultation was deemed important.

International regulators/inter-governmental organisations

UN Office of the Secretary General – High Level Group on Digital Cooperation

UN Office of the Secretary General – Global Pulse Initiative

UNICRI – Centre For Artificial Intelligence and Robotics

UNESCO

International Telecommunications Union (ITU)

UNICEF

UN Office of the High Commissioner for Human Rights (OHCHR)

International Labour Organisation (ILO)

World Intellectual Property Organisation (WIPO)

UN Office for Outer Space Affairs (UNOOSA)

UN Special Rapporteur on Racism and Discrimination

UN Conference on Trade and Development (UNCTAD)

UN Special Rapporteur on Freedom of Expression

World Bank

UN Special Rapporteur on Freedom of Assembly and Association

World Food Programme (WTF)

UN Special Rapporteur on Privacy

World Trade Organisation (WTF)

World Economic Forum (WEF)

BRICS

INTERPOL

Eurasian Economic Union

Freedom Online Coalition (FOC) Task Force on AI and Human Rights (T-FAIR

Shanghai Cooperation Organisation

International Organisation for Migration (IOM) – Big Data For Migration Alliance

Conference of INGOs

G 20

UN Development Programme (UNDP)

EU: European Commission - DG Connect - Robotics and AI (Unit A.1)

EU: European Economic and Social Committee

EU: European Commission – Independent High Level Group of Experts on Artificial Intelligence

European Parliament - Special committee on artificial intelligence in a digital age (AIDA)

European Parliament – STOA

European Fundamental Rights Agency (FRA)
European Data Protection Supervisor
European Network of Equality Bodies (Equinet)
OECD – AI Policy Observatory
OECD – Global Partnership on AI
OSCE – Office of the Representative on Freedom of the Media - #SAIFE Project
Council of Europe – Commissioner For Human Rights
Council of Europe – European Committee on Democracy And Governance (CDDG)
Council of Europe – European Committee For Legal Cooperation (CDCJ)
Council of Europe – European Commission Against Racism and Intolerance (ECRI)
CoE Joint Council on Youth (CMJ)
Council of Europe – European Commission For Democracy Through Law (Venice Commission)
Council of Europe – Steering Committee for the Rights of the Child (CDENF)
Council of Europe – Steering Committee on Information and Media Society (CDMSI)
Council of Europe – Gender Equality Commission – Gender Equality Division
Council of Europe – Steering Committee on Anti-Discrimination, Diversity and Inclusion
Council of Europe – European Committee on Crime Problems (CDPC)
Council of Europe – Steering Committee For Education, Policy and Practice (CDPPE)
Council of Europe – European Commission for the Efficiency of Justice (CEPEJ)
Council of Europe – Consultative Committee on Data Protection (T-PD)
Council of Europe – Parliamentary Assembly (PACE)

Science and education
Open AI
European Laboratory for Learning and Intelligence Systems
Leverhulme Centre For The Future of Intelligence
Future of Life Institute
Stanford University – Institute for Human-Centered Artificial Intelligence
The Alan Turing Institute
Stanford University – Digital Civil Society Laboratory
Oxford Internet Institute
Harvard University – Berkman Klein Center for Internet & Society
Berggruen Institute
UC Berkeley Center for Law and Technology
New York University – AI Now Institute
Canadian Institute for Advanced Research (CIFAR)
The Hastings Center (Bioethics Research Institute)
Australian National University (Autonomy, Agency and Assurance (3A) Innovation Institute
Center For Internet and Society (India)

| Digital Asia Hub |
| Ada Lovelace Institute |
| MIT Media Lab |

Civil societies, Standardisation bodies, Technical communities, Multi-stakeholder initiatives, International youth organisations (both orgs non-directly connected with AI but dealing with HRs/civic space that may be affected by it and orgs directly connected with AI/tech issues or that may directly/indirectly influence them)

Business and Human Rights Resource Centre
Civil Society Europe (CSE)
Data & Society
Bill and Melinda Gates Foundation
AlgorithmWatch
European Civic Forum
European Digital Rights
Amnesty International
Privacy International
ARTICLE 19
Physicians for Human Rights
Human Rights Watch
AccessNow
Friends of The Earth
Internet Society (ISOC – Council of Europe partner)
Greenpeace
CIVICUS
Oxfam International
Institute of Electrical and Electronics Engineers (IEEE)
SOLIDAR
Association for the Advancement of AI
CONCORD Europe
Association on Computing Machinery (ACM)
European Citizen Action Service (ECAS)
European Association for AI (EurAI)
Social Platform Europe
Association for the Advancement of AI
The European Association for Local Democracy (ALDA)
Association on Computing Machinery (ACM)
Frontline Defenders
European Association for AI (EurAI)
Chatham House
Partnership on AI to Benefit People and Society (PAI)
WITNESS
European Youth Parliament

Big Brother Watch
Ranking Digital Rights
Center for Democracy and Technology (CDT)
Electronic Frontier Foundation
Future of Privacy Forum (US)
e-Pantswo
Association for Progressive Communication (APC)
Internews
Internet Sans Frontières
Global Partners Digital
Open Global Rights
European Centre for Minority Issues (ECMI)
Centre for Economic and Social Rights (CESR)
European Council for Refugees and Exiles (ECRE)
European Anti-Poverty Network (EAPN)
The Future Society
European Hub For Civic Engagement
Netblocks
Mozilla Foundation
International Organization for Standardization (ISO)
OpenMined
Global Network Initiative (Council of Europe partner)
International Youth Foundation

Private sector (including: Trade unions/business associations; ISPs and internet companies; Social media/networking services; Technology companies (retailers, cloud computing, AI, etc.; Telecommunications companies)
Alphabet Inc (Google – Council of Europe partner)
International Trade Union (ITU)
Microsoft (Council of Europe partner)
European Trade Union Confederation (ETUC)
Facebook
Adobe
Deutsche Telekom (Council of Europe partner)
Mail.ru
Digital Europe (Council of Europe partner)
Yandex
Element AI (Canada - Council of Europe partner)
Reddit
Internet Service Providers' Association (EuroISPA - Council of Europe partner)
YouTube (Google)
European Digital SME Alliance (Council of Europe partner)
Tik Tok

European Telecommunications Network Operators' Association (ETNO - Council of Europe partner)

Ebay

International Communications Consultancy Organisations (ICCO - Council of Europe partner)

Samsung

Global Systems for Mobile Communications (GSMA - Council of Europe partner))

Tesla

British Telecom (BT - Council of Europe partner)

Amazon

JD.com

Alibaba

Tencent

PayPal

IBM (Council of Europe partner)

System Applications and Products in Data Processing)

Sony Group

Baidu

Rakuten

Cloudfare (Council of Europe partner)

Integrate.AI

Telefonica

Verizon

Telenor

AT & T (US – Council of Europe partner)

T-Mobil (US)

America Movil (Mexico)

MTN (South Africa)

Etisalat (UAE)

Bharti Airtel (India)

RIPE Network Coordination Centre (Council of Europe partner)

Deloitte

Ernst & Young

KPMG

PwC

Twitter

Apple (Council of Europe partner)

Intel (Council of Europe partner)

Orange (Council of Europe partner)

Computer & Communications Industry Association (CCIA - Council of Europe partner)

Karspersky (Council of Europe partner)

APPENDIX III. Note on the CAHAI multi-stakeholder consultation

Why this consultation?

In 2020, the Ad hoc Committee on Artificial Intelligence (CAHAI) conducted a feasibility study and carefully examined the reasons why it is necessary today to have an adequate legal framework to protect human rights, democracy and the rule of law in light of the new challenges posed by artificial intelligence (AI) systems, which are being increasingly used in our daily lives and societies. In 2021, the CAHAI began a reflection on the main elements of such a framework, which will be based on the Council of Europe's standards on human rights, democracy and the rule of law.

The CAHAI has decided that **a multi-stakeholder consultation will take place in 2021,** to gather the views of representative institutional actors (not individuals) on some key issues arising in the development of the-above-mentioned elements.

What is the purpose of the consultation?

The aim of the consultation is to **help the CAHAI Legal Frameworks Group,** which is in charge of preparing the main elements of this future legal framework, **inform its choices** based on the feedback that will be collected during the consultation. In effect, the elements will cover key issues such as the values and principles on which the design, development and application of AI should be based, the areas where more safeguards are needed, and the kind of policies and solutions that need to be adopted for AI systems to be respectful of the Council of Europe's values. On these and other issues, it **is important** that **the debate is broad** and allows for the collection of points of view from very different actors: government representatives and public administrations, international organisations, business, civil society, academia and the technical community. A questionnaire has been prepared as a support for the consultation. To answer the full questionnaire, a maximum time of 90 minutes should be sufficient. Answers can be in English or French.

What will happen at the end of the consultation?

Transparency will be an essential principle of the consultation. The various responses received during the consultation will be included in a compilation of responses and will serve as the basis for the development of a specific report, which will be discussed first in the CAHAI Consultations and Outreach Group and then in CAHAI. Both documents will be published on CAHAI's website. The report will then be addressed to the CAHAI Legal Frameworks Group as a non-binding support tool, to be used in its work of preparation of the elements of the legal framework.

Any other questions?

Useful resources:

- CAHAI terms of reference

- Terms of reference of the Legal Frameworks Group (CAHAI-LFG)

- Terms of reference of the Consultations and Outreach Group (CAHAI-COG)

- Feasibility Study

- AI Glossary (source: Council of Europe AI website)

- Artificial Intelligence, Human Rights, Democracy and the Rule of Law: a primer, the Alan Turing Institute [English only]

For any other questions, please contact the secretariat: secretariat.cahai@coe.int