COUNCIL OF EUROPE

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CAHAI-PDG(2020)PV1

AD HOC COMMITTEE ON ARTIFICIAL INTELLIGENCE (CAHAI)

POLICY DEVELOPMENT GROUP

(CAHAI-PDG)

1st online meeting

21-22 September 2020

Abridged Report

Prepared by the Secretariat

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1. Opening of the meeting

1) The Policy Development Group of the Ad hoc Committee on Artificial Intelligence (CAHAI-PDG) held its first meeting online on 21-22 September 2020, in conformity with its terms of reference adopted by the Ad hoc Committee on Artificial Intelligence (CAHAI) at its second plenary meeting (6-8 July 2020) [1].

2) The meeting was chaired by the Secretariat until the designation of the Co-Chairs.

3) The CAHAI-PDG took note of the information provided by Mr Gregor Strojin (Slovenia), Chair of the CAHAI, who in his opening remarks expressed appreciation for the broad and diverse composition of the CAHAI-PDG and recalled that the CAHAI-PDG had been entrusted with the task of expediting the drafting of the main elements of the feasibility study, which is expected to be examined by the CAHAI at its third Plenary meeting, from 15 to 17 December 2020. The Chair stressed the important role of the CAHAI-PDG, underlying that the Group is expected to define possible orientations for the future work of the CAHAI - from a policy, substantive and operational viewpoint - and hence lay down the foundations for the work of the CAHAI Consultation and Outreach Group (CAHAI-COG) and of the Legal Framework Group (CAHAI-LFG). These three Groups need to act in close consultation and synergy.

2. Adoption of the Agenda

4) The agenda and the order of business as set out in Appendix I to this abridged report were adopted by the CAHAI-PDG. The list of participants appears as Appendix II to this report.

3. Designation and Information by the Co-Chairs

5) The CAHAI-PDG took note of the expressions of interest of Mr Wolfgang Teves (CAHAI member in respect of Germany, member of the CAHAI Bureau) and Mr Zoltán Turbék (member of CAHAI in respect of Hungary) in the positions of Co-Chairs, and unanimously designated them as Chair and co-Chair of the CAHAI-PDG.

6) The Co-Chairs shared their background and experience in the field of artificial intelligence (AI). It was explained that each chapter of the draft feasibility study would be worked on by sub-groups, with a view to producing a first draft by the next CAHAI-PDG meeting on 15-16 October 2020. Participants were informed that polls to register expressions of interest to contribute to each chapter would be carried out to that effect.

4. Terms of reference of the CAHAI-PDG for 2020 and CAHAI-PDG tour de table

7) The Secretariat presented the CAHAI-PDG's Terms of Reference and key timelines for the completion of its tasks, as set out in CAHAI's Roadmap[2].

8) A tour de table followed, in which the participants introduced themselves and briefly expressed their views on the scope of the mandate of the CAHAI-PDG, as well as on subjects requiring special attention in the framework of the development of the feasibility study.

[1] See CAHAI (2020)10ADDrev1.

[2] See CAHAI's first progress report, CM(2020)90-final.

5. Elaboration of the elements of the draft feasibility study

9) The CAHAI-PDG discussed the elements to be included under each individual chapter of the feasibility study, focusing in particular on gaps and aspects to be covered in the drafting process and building on the document CAHAI (2020) 21rev, including contributions from CAHAI member states, observers and participants.

5.1. Chapter 3 - Opportunities and risks arising from the design, development and application of AI. "Green" and "red" areas

10) The CAHAI-PDG discussed key aspects and selected elements from the mapping study[3] on this topic which should be included in the section. The following general orientations were considered important to be further developed and/or to be reflected in the drafting process going ahead:

- Member states and observers expressed their support of the main aspects covered and related findings by the above-mentioned mapping study and in particular that AI offers opportunities but can also negatively affect a broad range of human rights, including those set forth in the European Convention on Human Rights (ECHR), as well as the rule of law and democracy;

- The Council of Europe was considered as being uniquely positioned among all stakeholders to develop a methodology to assess if a given AI application has an impact on human rights, rule of law and democracy. The likelihood of the violation and the magnitude it would have in terms of human rights impact should feature amongst the criteria to be considered. The Council of Europe's Human Rights Commissioner's Recommendation on "*Unboxing AI: ten steps to protect human rights*" was referred as a very valuable guidance in this regard.

- Developing a methodology of human rights impact assessment based on Council of Europe's standards was considered of utmost importance and carrying out such an assessment throughout the different stages of design, development and application of an AI system is also key. Experts underlined the importance of addressing not only of risks visible from the outset, but also those which might have not been envisaged and which could arise for instance as unintended effects of the application's deployment. In this connection, risk assessment should be continuous, *ex-ante* and *ex-post*, and supported by concrete evidence and documentation. Effective legal remedies should be available in case of infringement of the standards and rights set out by the Council of Europe.

- The level of obligations incumbent on the operators, for instance in terms of data and record keeping, was considered necessary to be proportionate to the level of risk identified.

- Experts underlined the difficulty of drawing a sharp distinction between "green" and "red" areas, much depending on the context and specific purpose of the application: applications considered "green" in certain contexts could become "red" in other contexts. The stage of development (if it is research or actual implementation of an AI system), and whether an AI system is used in the private or public sector should also be considered. While some uses may appear innovative, their impact on human rights should not be underestimated: for instance, the indiscriminate use of facial recognition or massive surveillance in public spaces raised concerns as to their compliance with data protection and human rights standards. While the Group did not conclude its discussion on whether redlines should be introduced, it took note of the

[3] See CAHAI (2020) 06 fin, on "The Impact of Artificial Intelligence on Human Rights, Democracy and the Rule of Law". Report drafted by Catelijne Muller, LLM, independent Council of Europe's consultant.

positions expressed of the fact that innovation has specific boundaries arising from human rights, rule of law and democracy requirements.

5.2 Chapter 4 – The Council of Europe's work on AI

11) The CAHAI-PDG agreed that the Secretariat would carry out the drafting of this chapter, which should reflect on the work carried out by different Council of Europe bodies and instances to date and under preparation and that it would review the first draft at their next meeting.

5.3 Chapter 5 - Mapping of instruments applicable to AI and related elements of Chapter 8

12) The CAHAI-PDG discussed the mapping of international binding and non-binding instruments, as well as of ethical guidelines, relevant to the design, development and application of AI in the field of human rights, democracy and the rule of law. The Group discussed key aspects and selected elements from the mapping studies[4] on this topic to be included in this chapter. The general orientations coming out from the discussions and which should guide the drafting by the responsible sub-group were as follows:

- Member states and observers expressed their support of the findings of the report CAHAI (2020) 08-fin, in particular that while the existing international legal instruments provide an appropriate and common context, a more specific binding instrument to regulate AI in line with the principles and values enshrined in such instruments would be recommended; and also that a co-regulatory approach – with a binding instrument establishing horizontal principles overarching all different sectors, to be combined with tailored rules set out in additional non-binding sectoral instruments, would provide the necessary flexibility and ability to adapt to an evolving context. Experts underlined their expectations that hard law would provide for the necessary level of guidance to private actors developing self-regulatory frameworks.

- A few delegations stated that existing international legal instruments could be sufficient to meet the challenges arising from AI, and that the feasibility study should underline the identified gaps, if any, in such instruments and substantiate the need for a new legal instrument;

- Member states and observers expressed their support to the main findings of the report CAHAI (2020) 07-fin and to the fact that the most recurring principles identified in the mapping of ethical guidelines could be considered also when developing a future legal instrument on AI. They underlined that human rights considerations, which were mentioned only in just over half the soft law documents reviewed, should be given priority, in line with the orientations provided by the Group under point 5.1.

- Connecting fundamental rights and values with operational principles which would be applicable across all AI applications across all domains and being able to prove how these principles are met through sound evidence, were also considered important aspects to be addressed. This approach, which was referred to as an "integrated AI governance framework" by one participant, would allow assessing to which extent AI systems are built according to the above-mentioned values, a point which was considered important also by other delegations.

[4] See CAHAI (2020) 07-fin, on "AI Ethics Guidelines: European and Global Perspectives". Provisional report by Marcello Ienca and Effy Vayena, independent Council of Europe's consultants; see also CAHAI (2020) 08-fin, on "Analysis of the International legally binding instruments". Final report prepared by Alessandro Mantelero, independent Council of Europe's consultant.

- The participation of private actors in regulatory initiatives should be encouraged, as their views are important for making sure that regulation does not create unnecessary barriers and becomes a supportive framework for innovation.

- It was recalled that a legally binding instrument, should the CAHAI retain this option, would address states parties and that it could also cover their relations with the private sector, depending on the scope of the instrument and the concrete issues decided upon to be covered. The CM/Rec 2016 (3) on human rights and business and to the CM/Rec (2020) 1 on the human rights impacts of algorithmic systems were referred to in this context.

5.4. Chapter 7 – Main elements of a legal framework for the design, development and application of AI

13) The CAHAI-PDG held an exchange of views on the main elements of a legal framework for the design, development and application of AI. The Group reviewed key aspects and selected elements from the above-mentioned mapping studies[5] to be included in the section. In particular, it discussed the key values, rights and principles deriving - in a bottom-up perspective - from sectorial approaches and ethical guidelines, and in a top-down perspective - from human rights, democracy and the rule of law requirements; as well as the roles and responsibilities of states and of private actors in developing AI applications which are in line with human rights, democracy and the rule of law requirements. Liability for damage caused by artificial intelligence was also discussed.

14) The general orientations coming out which should guide the drafting by the sub-group in charge, in addition to the elements developed in the document CAHAI (2020) 21rev, were as follows:

- Member states, observers and participants underlined the need to reflect on how to ensure human oversight and explainability, adopting a precautionary principle in the deployment of AI solutions, and to adopt an inclusive approach, including vulnerable and marginalised groups, in the development of an AI system.

- Rights, values and principles were underlined as the underlying basis of the process of drawing up a legal framework, as they allow identifying gaps, whether substantive or procedural, and understanding how they can be filled. For instance, it was underlined that the right to non-discrimination, while clearly set forth in many international legal instruments, needed to be contextualised to AI. Applied to AI systems, this right should be meant as the right not to be subject to bias in the make-up of an AI system. Likewise, procedural rights may have different implications when applied to AI-based systems: they can be meant as right to transparency or right to explainability for instance. The link between substantive and procedural rights can be very strong: if transparency is not secured, through documentation or recording obligations for instance, substantive rights will not be adequately protected.

- It was underlined that the added value of the Council of Europe, when it comes to the elaboration of a legal instrument on AI, was that it could and should address, in addition to the protection of individual rights also the societal dimensions posed by AI to democracy and the rule of law. Also, as AI affects society as a whole, as such should be subject of an adequate oversight by public authorities. Addressing harm or injuries arising from the design, development and application of AI should not depend solely on the initiative and capacity of individuals to access judicial remedies;

[5] See footnotes 2 and 3 for reference.

- While challenges are often context-specific, there are many cross-cutting principles applying to different sectors (i.e. right to explanation, transparency). Two approaches could be considered: 1) setting principle-based legal norms, in which the focus is on the principle to be respected, with certain flexibility left to developers as to how it should be applied in each sector of application (for instance the right to explainability, or privacy by design in the GDPR); 2) relying on process-based legal norms, which consist in defining a process that the operators should put in place to assess that given principles are embedded in an AI system. These two types of norms can be mixed and can complement each other, and they could be in a future legal instrument on AI at a rather abstract and transversal level, which is, applicable to all sectors. This should be complemented by sectorial standards and guidelines to see how these requirements should be met in each sector.

- Accountability (including vis-à-vis outside bodies) and responsibility of private operators were also considered to be key. The difference between these principles and the principle of liability was underlined: responsibility aims to incentivize the duty of care by the operator, while liability aims to strengthen the security of the system and prevent damages. Embracing strict liability may as a secondary effect reduce the duty of care and transparency requirements.

- As far as AI systems are concerned, there is less responsibility of the end user in creating possible damages, and fundamental choices should be made by designers and operators. The "human in the loop" model could put a too heavy burden on final users who have not been involved in the design or the development of an AI system. The role of the operator - especially in high-impact cases - should not be underestimated, and this is why a system to credential the operator was considered important. For example, as there are standards for doctors, standards for operators could also be put in place.

- Other aspects to be further examined by the Group include whether effective judicial remedies, such as class actions for AI should be ensured; and also to consider business secrecy versus transparency, for instance as regards defining transparency obligations in case of an audit and clearly defining the responsibilities of the different actors involved in the AI chain.

- As set forth in different Council of Europe's instruments and notably the ECHR, it was underlined that states are responsible for ensuring that private actors respect human rights standards and for providing an effective remedy for any persons claiming to have been victims of violations.

5.5. Chapter 2 – Defining the scope of a Council of Europe legal framework on AI

15) The CAHAI-PDG discussed the scope of a Council of Europe legal framework on AI, including the opportunity to provide a definition of AI.

16) The general orientations coming out which should guide the drafting by the sub-group in charge, in addition to the elements developed in the document CAHAI (2020) 21rev, were as follows:

- There were different views as to whether a definition for AI should be provided in a future Council of Europe legal instrument on AI;

  - One delegation argued that while generally a definition would be needed for regulation purposes, in the evolving sphere of AI it is proving impossible to come up with a definition. A technological definition may not be workable from a legal viewpoint, and it might be better not to provide a definition of AI at all. Council of Europe instruments covering technical subjects were referred to as examples of such

an approach, such as the Convention on Human Rights and Biomedicine (the Oviedo Convention), which does not provide a definition of biomedicine but sets out effectively a series of principles and prohibitions concerning bioethics and medical research. Several delegations supported this approach, underlining that the socio-technical aspects of AI should be underscored: if the behavior of the system is important, the interactions with persons are also important. They stressed the risk that definitions may not encompass future innovations, and that the focus should be put on the effects on human rights, rule of law and democracy, and not the underlying technology. They also considered important, like the Oviedo convention did for human cloning, that the CAHAI legal instrument set forth general principles and stops any possible misuses.

- Another delegation referred to the terminology used by other Council of Europe's bodies such as the Steering Committee on Media and Information Society (CDMSI), which refers to "automated decision-making processes", or "algorithmic-based systems", and suggested that a definition *a minima* could be provided, which would cover certain aspects of functioning of AI systems but would also underline that AI is an evolving concept.

- At the end of the discussions, consensus emerged that the CAHAI-PDG should not necessarily devote time to develop a definition. Since AI is a wide concept, a technologically neutral definition focusing on the effects of AI systems on human rights, rule of law and democracy and AI socio-technical implications should be preferred.

- The Secretariat was entrusted with the task of drafting the first version of the chapter, in line with the orientations provided by the CAHAI-PDG and the written contributions received.

5.6 Chapter 9 - Possible practical mechanisms to ensure compliance and effectiveness of the legal framework

17) The CAHAI-PDG discussed possible practical mechanisms to ensure compliance and effectiveness of a Council of Europe legal framework on AI. The general orientations coming out which should guide the drafting by the sub-group in charge, in addition to the elements developed in the document CAHAI (2020) 21rev, were as follows:

- General agreement on the fact that the future legal instrument should consider a wide range of practical mechanisms:

    - Impact assessment tools;

    - Ex-ante verification (certification, label or audit), which should apply to all applications and:
        - Be regularly reviewed/apply throughout the whole life cycle of a systems (in particular for self-learning systems);
        - Have a cross-border character;
        - Be mandatory if an AI system is to be used within the public sector;
        - Be based on a principle of proportionality: the obligations incumbent on the operators should be proportionate with the level of risk or infringement of human rights, rule of law and democracy;
        - Carried out by an independent authority;

    - Ex-post auditing or verification, also to be carried out by an independent authority;

    - Tools allowing greater transparency and oversight should be encouraged: for instance, public registries of all AI systems being used in the public sector

should be put in place to provide information about such systems and their intended purpose;

- Regulatory sandboxes allowing to test given AI applications for a given purpose and for a limited time: the findings of the experimentation would be used to decide as to whether the application(s) should be deployed at a broader scale.

- Building a transdisciplinary culture, such as including humanities in the training of engineers, and vice versa training on data science, AI and computer science in lawyers' curricula;

- General agreement on the need to ensure a balanced approach: verification mechanisms should, on one hand, create the conditions of trust by the users, and on the other hand, not to be too cumbersome for the operators;

- The future legal instrument should set horizontal principles on AI design, development and tools, and provide general guidance for the mechanisms which should be put in place at the level of the states to assess compliance with such principles. It would be up to states to define concretely the criteria and modalities of functioning of such mechanisms.

- Soft law could complement this approach and provide clear and concrete guidance to the operators on the way the principles that will be set forth in a future legal instrument should be applied (for instance by turning the principles into a checklist for operators), as well as on the evidence required to assess compliance with such principles.

6. Discussion of the organisation of future work, distribution of tasks and timelines

18) The Co-Chairs took stock of the expressions of interests to contribute to each individual chapter, as a result of polls and bilateral consultations. The CAHAI-PDG agreed on the composition of each sub-group, as well as on the tasks and timelines (see Appendices III and IV). The importance of respecting the deadlines set in light of the tight calendar was underlined.

19) The CAHAI-PDG agreed to appoint two drafting leaders/coordinators for each sub-group, who will be in charge of coordinating the preparation and submission of the draft individual chapter to the Co-Chairs, for review and finalisation before the next meeting. The Co-Chairs expressed their appreciation and thanked warmly the member and observer states having volunteered to lead the drafting process, and the other members, observers and participants for providing the necessary contributions timely.

7. Dates of the next meeting

20) The CAHAI-PDG took note of its next meeting, scheduled from 15-16 October 2020.

21) The CAHAI-PDG also took note of the dates of the forthcoming CAHAI-COG meetings (5-6 October, and respectively 5-6 November), as well as of the dates of the CAHAI's third plenary meeting (15–17 December 2020).

8. End of the meeting

22) The Co-Chairs thanked all participants for their active participation in the meeting, as well as the Secretariat for the smooth organisation of the meeting.

APPENDIX I

DRAFT AGENDA AND ORDER OF BUSINESS

Monday, 21 September 2020		
Timing	**Document reference**	**Agenda item**
9.30 am		**1. Opening of the meeting** • Mr Gregor Strojin, President of the CAHAI Required action: the CAHAI-PDG will take note of the information provided by the CAHAI President.
9.40 am	CAHAI-PDG(2020)OJ1	**2. Adoption of the Agenda** Required action: the CAHAI-PDG is invited to review and adopt the draft agenda.
9.45 am		**3. Designation and Information by the Co-Chairs** Required action: the CAHAI-PDG is invited to designate the Chair and Co-Chair and take note of the information provided by them.
9.50 am	CAHAI-PDG(2020)INF1 CAHAI-PDG(2020)LOP1	**4. Terms of reference of the CAHAI-PDG for 2020 and CAHAI-PDG Tour de table** • Presentation by the secretariat of CAHAI-PDG's mandate and key timelines for completion of its tasks, followed by discussion • Interventions by members, participants and observers: Required action: Participants are invited to introduce themselves and to briefly express their views on the scope of the mandate of the CAHAI-PDG and of the elements of the feasibility study deserving particular attention. The CAHAI-PDG is invited to note of the information provided. *Time for presentation: 5 minutes; Time for discussion: 45 minutes*
10.40 am	CAHAI (2020)18 CAHAI(2020)21 rev *(restricted)*	**5. Elaboration of the elements of the draft feasibility study**

		Required action: the CAHAI-PDG is invited to discuss all elements of the draft feasibility study, identify further gaps and aspects to be covered, and develop proposals to that effect.
10.40 am	CAHAI(2020)06-fin CAHAI(2020)09REV1 CAHAI(2020)12	**5.1. 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.** • Key aspects and selected elements from the mapping study to be included in this section: general orientations by members, participants and observers • Discussion on the identification of high-risk and high-opportunity AI applications, and how the CAHAI-PDG should reflect on the development of policy and other measures to address risks posed by them and ensure the protection of human rights, rule of law and democracy *Time for contributions and discussion: 60 minutes*
11.40 am		**5.2. Chapter 4 – The Council of Europe's work on artificial intelligence to date** • Key aspects to be included in this section *Time for contributions and discussion: 10 minutes*
11.50 am	CAHAI(2020)08-fin CAHAI(2020)07-fin	**5.3. Chapter 5 - Mapping of instruments applicable to artificial intelligence and related elements of Chapter 8** • Key aspects and selected elements from the mapping studies to be included in this section: general orientations by members, participants and observers *Time for contributions and discussion: 10 minutes*
12.00 pm		***Lunch break***
2.30 pm		**5.3. (continued) Chapter 5 - Mapping of instruments applicable to artificial intelligence and related elements of Chapter 8**

		• Discussion on advantages and limitations of existing international and national instruments and ethical guidelines on artificial intelligence and any considerations for proposals with respect to Chapter 8 • Discussion on elements to be reflected in the sub- section (v) on International legal instruments, ethical guidelines and private actors *Time for contributions and discussion: 40 minutes*
3.10 pm	CAHAI(2020)08-fin CAHAI(2020)07-fin CAHAI(2020) 09 rev1 *(restricted)* CAHAI(2020)12	**5.4. Chapter 7 - Main elements of a legal framework for the design, development and application of artificial intelligence** • Key aspects and selected elements from the mapping studies to be included in this section: general orientations by members, participants and observers • Discussion on key values, rights and principles deriving -in a bottom-up perspective – from sectorial approaches and ethical guidelines, in a top-down perspective – from human rights, democracy and the rule of law requirements *Time for contributions and discussion: 60 minutes*
4.10 pm		• Discussion on roles and responsibilities of member states and of private actors in developing AI applications which are in line with human rights, democracy and the rule of law requirements *Time for contributions and discussion: 50 minutes*
5.00 pm		**Closing of the first day**
Tuesday, 22 September 2020		
9.30 am		**5.4. (continued) Chapter 7 - Main elements of a legal framework for the design, development and application of artificial intelligence** • Discussion on liability for damage caused by artificial intelligence: key aspects and elements to be reflected in Chapter 7 (iii) *Time for contributions and discussion : 40 minutes*
10.10 am	CAHAI(2020)09-rev1 *(restricted)* CAHAI(2020)12	**5.5. Chapter 2 - Defining the scope of a Council of Europe legal framework on artificial intelligence**

		• Discussion on the scope of a Council of Europe legal framework on artificial intelligence, key definitions and elements *Time for contributions and discussion : 40 minutes*
10.50 am		**5.6. 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.)** • Discussion on key aspects and elements to be included in Chapter 9: general orientations by members, participants and observers • Discussion on the range of practical mechanisms and specific proposals to be explored by the CAHAI-PDG *Time for contributions and discussion : 70 minutes*
12.00 am		***Lunch Break***
2.30 pm		**6. Discussion of the organisation of future work, distribution of tasks and timelines** Required action: the CAHAI-PDG is invited to discuss the organisation of its future work, individual allocation of tasks among its members, and timelines for the finalisation of proposals for further consultations as necessary.
4.50 pm		**7. Dates of the next meetings** Dates of the working groups CAHAI-PDG: 12-13 or 15-16 October 2020 (to be confirmed) CAHAI-COG: 5-6 October/5-6 November 2020 Dates of the plenary meeting CAHAI, 15-17 December 2020
4.55 pm		**8. Any other business**
5 pm		***End of the meeting***

APPENDIX II

MEMBERS OF THE POLICY DEVELOPMENT GROUP / *MEMBRES DU GROUPE D'ELABORATION DES POLITIQUES*

MEMBERS OF THE POLICY DEVELOPMENT GROUP / *MEMBRES DU GROUPE D'ELABORATION DES POLITIQUES*

BELGIUM/BELGIQUE

Ms Peggy VALCKE – – Vice-Chair of the CAHAI / Vice-présidente du CAHAI
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

BOSNIA AND HERZEGOVINA / BOSNIE-HERZEGOVINE

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

BULGARIA / BULGARIE

Ms Totka CHERNAEVA – Apologised / Excusé
Head of European Programs and Projects Unit Information Technology Directorate / Chef de l'unité "Programmes et projets européens" Direction des technologies de l'information

ESTONIA / ESTONIE

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

GERMANY / ALLEMAGNE

Mr Wolfgang TEVES – Chair / Président
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

GREECE / GRECE

Mr Konstantinos SFIKAS - Executive, Department of Open Governance and Transparency / Exécutif, Service de la gouvernance ouverte et de la transparence

HUNGARY / HONGRIE

Mr Zoltán TURBÉK – Co-Chair / Co-Président
Director, Department of International Organisations, Ministry of Foreign Affairs and Trade / Directeur, Département des organisations internationales, Ministère des affaires étrangères et du commerce

IRELAND / IRLANDE

Ms Eimear FARRELL - Assistant Principal Officer (lead on national AI strategy), Enterprise Strategy Unit, Enterprise Strategy, Competitiveness and Evaluations Division, Department of Enterprise, Trade and Employment / Administrateur principal adjoint (responsable de la stratégie nationale en matière d'IA), Unité de stratégie d'entreprise, Division de la stratégie d'entreprise, de la compétitivité et des évaluations, ministère de l'entreprise, du commerce et de l'emploi

ITALY / ITALIE

Mr Guido SCORZA – Apologised / Excusé
Lawyer, Adjunct Professor of IT Law, Journalist, member of the Italian Data Protection Authority / Avocat, professeur adjoint de droit des technologies de l'information, journaliste, membre de l'autorité italienne de protection des données

LUXEMBOURG / LUXEMBOURG

Mr Max GINDT - Apologised / Excusé
Department of State, Media and Communications Services / Ministère d'État, Service des médias et des communications

NETHERLANDS / PAYS-BAS

Ms Monika MILANOVIC - Legal advisor Information Society, Public Values and Fundamental Rights, Department of Digital Government, Ministry of the Interior and Kingdom Relations / Conseillère juridique, Société de l'information, valeurs publiques et droits fondamentaux, Département du gouvernement numérique, Ministère de l'intérieur et des relations au sein du Royaume

POLAND / POLOGNE

Mr Robert KROPLEWSKI - Plenipotentiary of the Minister of Digitization for the Information Society, Ministry of Digitization / Plénipotentiaire du ministre de la numérisation pour la société de l'information, Ministère de la numérisation

RUSSIAN FEDERATION / FEDERATION DE RUSSIE

Mr Andrey KULESHOV - Advisor on International Cooperation and Coordination at the Centre for AI Science and Technology, Moscow Institute of Physics and Technology / Conseiller en matière de coopération et de coordination internationales au Centre pour la science et la technologie de l'IA, Institut de physique et de technologie de Moscou

SLOVAKIA / SLOVAQUIE

Ms Barbora ŠIKUTOVA - Legal expert, International Law Section, Department of European Affairs and Foreign Relations, Ministry of Justice / Juriste expert, Section du droit international, Service des affaires européennes et des relations extérieures, Ministère de la justice

SPAIN / ESPAGNE

Mr Alberto GAGO FERNANDEZ - Advisor to the Secretary of State for Digital and AI, / Conseiller auprès du secrétaire d'État au numérique et à l'intelligence artificielle

SWEDEN / SUEDE

Mr Magnus NORDSTRÖM - Deputy director, Europe Division, Department for European Security Policy, Ministry for Foreign Affairs / Directeur adjoint, Division Europe, Service de la politique européenne de sécurité, Ministère des affaires étrangères

SWITZERLAND / SUISSE

Mr Thomas SCHNEIDER - Ambassador, Federal Department of the Environment, Transport, Energy and Communications, Deputy Director, Federal Office of Communications, Head of International Relations / Ambassadeur, Département fédéral de l'environnement, des transports, de l'énergie et de la communication, Vice-Directeur, Office fédéral de la communication, Chef Relations internationales

TURKEY / TURQUIE

Ms G. Benan AKBAS - EU Expert, Directorate General for EU and Foreign Affairs, Ministry of Science and Technology / Expert de l'UE, Direction générale des affaires européennes et étrangères, Ministère de la science et de la technologie

UNITED KINGDOM / ROYAUME-UNI

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Other Member States of the Council of Europe / Autres Etats membres du Conseil de l'Europe

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INTERPRETERS / INTERPRÈTES

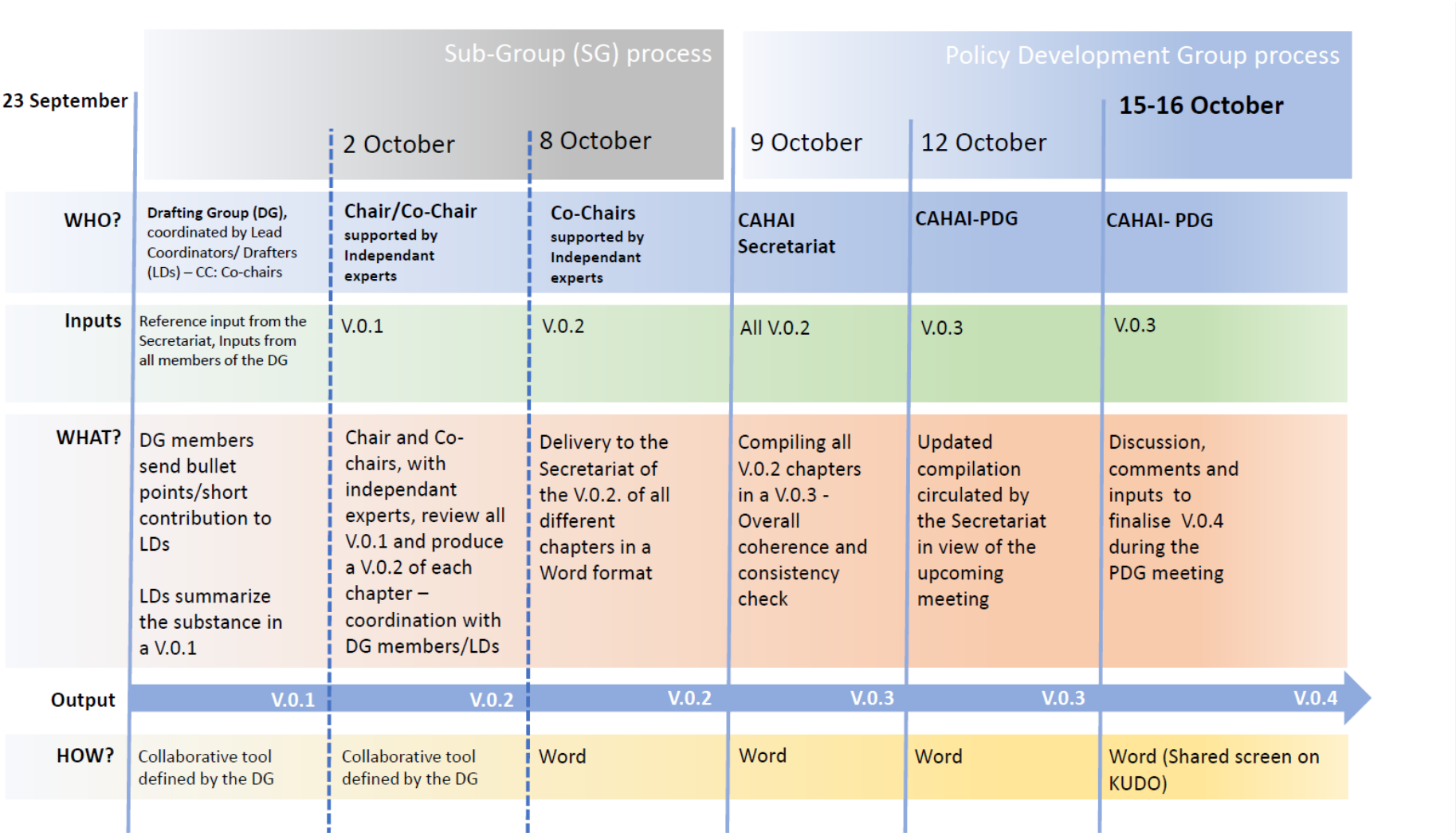
Mr Didier JUNGLING
Ms Bettina LUDEWIG

APPENDIX III

Sub-Group drafting process: allocation of responsibilities based on expressions of interest

Chapter	3 Opportunities and risks	5 Mapping of instruments app. to AI	7 Main elements of a legal framework on AI	8 Options for a CoE legal framework on AI	9 Compliance and effectiveness of a legal framework on AI	1, 2 and 4 Introduction, Scope and CoE's work to date
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APPENDIX IV


Sub-Group (SG) process
Policy Development Group process
23 September
2 October
8 October
9 October
12 October
15-16 October
WHO?
Drafting Group (DG), coordinated by Lead Coordinators/ Drafters (LDs) – CC: Co-chairs
Chair/Co-Chair supported by Independant experts
Co-Chairs supported by Independant experts
CAHAI Secretariat
CAHAI-PDG
CAHAI- PDG
Inputs
Reference input from the Secretariat, Inputs from all members of the DG
V.0.1
V.0.2
All V.0.2
V.0.3
V.0.3
WHAT?
DG members send bullet points/short contribution to LDs
LDs summarize the substance in a V.0.1
Chair and Co-chairs, with independant experts, review all V.0.1 and produce a V.0.2 of each chapter – coordination with DG members/LDs
Delivery to the Secretariat of the V.0.2. of all different chapters in a Word format
Compiling all V.0.2 chapters in a V.0.3 - Overall coherence and consistency check
Updated compilation circulated by the Secretariat in view of the upcoming meeting
Discussion, comments and inputs to finalise V.0.4 during the PDG meeting
Output
V.0.1
V.0.2
V.0.2
V.0.3
V.0.3
V.0.4
HOW?
Collaborative tool defined by the DG
Collaborative tool defined by the DG
Word
Word
Word
Word (Shared screen on KUDO)