COMMITTEE ON ARTIFICIAL INTELLIGENCE (CAI)

3rd Meeting

Agora, Room G03
Strasbourg
11 - 13 January 2023
9.30am - 4.30pm (CET)

LIST OF DECISIONS

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List of Items Discussed and Decisions Taken

The Council of Europe's Committee on Artificial Intelligence (hereinafter referred to as "the CAI" or "the Committee") holding its 3ʳᵈ Plenary meeting in Strasbourg, in hybrid format, from 11 to 13 January 2023, in conformity with its terms of reference adopted by the Committee of Ministers, decided to:

Agenda item 1. Opening of the meeting

- Take note of the opening remarks of Mr Thomas SCHNEIDER, Chair of the CAI, Mr Jan KLEIJSSEN, Director, Directorate of Information Society - Action against Crime, and Ms Claudia LUCIANI, Director, Directorate of Human Dignity, Equality and Governance.

- Thank Mr Jan KLEIJSSEN for his many efforts to promote the work of the Council of Europe on artificial intelligence, not least his key role in the Organisation taking up this important work, and wishing him good luck for the future.

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

- Adopt the agenda and order of business without amendments.

- Adopt, as amended, the report of the 2ⁿᵈ Plenary meeting of the Committee.

Agenda item 3. Information by the Secretariat

- Take note of the information provided by the Secretariat regarding the activities of the Secretariat since the 2ⁿᵈ Plenary meeting, notably its participation in the OECD Digital Economy Ministerial Meeting, 13 – 15 December 2022, Gran Canaria, Spain, and in the IGF, 28 November to 2 December 2022, Addis Ababa, Ethiopia, as well as the meeting held on 18 October 2022 in the AI Coordination Group of the Secretariat.

Agenda item 4. Exchange of information

- Take note of the presentation by Ms Thórhildur Sunna ÆVARSDÓTTIR (Iceland), Chair of the Parliamentary Assembly's Sub-Committee on Artificial Intelligence and Human Rights and thank her for her intervention.

- Take note of the information provided by the representatives of the UNESCO and the European Union on their work on topics of interest to the Committee, as well as the

recent report on "Bias in algorithms – Artificial intelligence and discrimination" by the European Agency for Fundamental Rights (FRA).

Agenda item 5. Working methods

- Take note of and consider the concerns raised by some Observers regarding the decision taken by the Committee at the occasion of its 2nd Plenary meeting to establish a Drafting Group to prepare the draft [Framework] Convention, composed of potential Parties to the [Framework] Convention and reporting to the Plenary.

- Not to revise the aforesaid decision, while underlining the need to ensure an inclusive and transparent negotiation process involving all Members, Participants and Observers and endorsing the Chair's proposal for working methods in this regard.

- Agree to the Revised "Zero Draft" to serve as the basis for the work of the Committee on the drafting of the [Framework] Convention as of the 4th Plenary meeting onwards.

- Dedicate the drafting session at the 4th Plenary meeting to Chapter VII and the Preamble.

- Take note of the concern raised by some Delegations regarding the need for all meetings of the Committee to be held in hybrid format and task the Secretariat to look into the possible options to ensure some form of remote participation for drafting sessions and report back to the Committee thereon.

- Request the Secretariat to provide all working documents well in advance of meetings.

Agenda item 6. Hearing of candidates for observer status with the CAI (in camera; for Heads of Delegations of member States only)

- Take note of the presentations by the representatives for the European Consumer Organisation (BEUC), Digitale Gesellschaft Switzerland, Equinet and World Federalist Movement / Institute of Global Policy in relation to their candidacies for observer status with the CAI.

- Grant observer status with the CAI to all four organisations.

Agenda item 7. Presentation of the Draft Methodology for the Risk and Impact Assessment of AI Systems

- Take note of the presentation by Professor David LESLIE (Alan Turing Institute) and the Secretariat of the Draft Methodology for the Risk and Impact Assessment of AI Systems (HUDERIA).

- Take note of the presentation by Mr Sebastian HALLENSLEBEN (CEN-CENELEC JTC 21) concerning the existing and upcoming technical standards on AI systems and the need for interoperability and complementarity of the work of the relevant standardisation, standard-setting bodies, other intergovernmental organisations and the CAI.

Agenda item 8. Examination of the Draft Methodology for the Risk and Impact Assessment of AI Systems

- Hold an exchange of views on the draft Methodology.

- Without any prejudice to the negotiations of the relevant provisions on risk and impact assessment of AI systems, endorse the Chair's proposal to examine the draft Methodology as a stand-alone non-legally binding instrument, separate from (but supporting) the [Framework] Convention. The precise status of the Methodology (i.e. recommendation, guideline, or other) will be decided at a later stage.

- Task the Secretariat to prepare a revised draft of the Methodology, taking into account comments made by Delegations orally or in writing with a view to presenting this draft to the Committee after the negotiations of the draft [Framework] Convention have been finalised.

- Take note that the Secretariat to this end intends to explore possible synergies with the work of other relevant international organisations in the area of risk and impact assessment of AI systems.

Agenda item 9. Examination of Chapter V of the "Zero Draft": Final provisions of the Draft [Framework] Convention on Artificial Intelligence, Human Rights, Democracy and the Rule of Law (Drafting Group)

- Examine Chapter V of the "Zero Draft" (new Chapter VIII of the revised "Zero Draft"): Final provisions of the Draft [Framework] Convention on Artificial Intelligence, Human Rights, Democracy and the Rule of Law within the Drafting Group, and instruct the

Secretariat to distribute the Draft Chapter with explanatory remarks to the Plenary for examination at its next meeting.

Agenda item 10. Date and place of the next meeting

- Hold its next Plenary meeting in Strasbourg on 1 - 3 February 2023.

Agenda item 11. Any other business

- Take note that no issues were raised under item 11.

Agenda item 12. Adoption of the List of Items Discussed and Decisions Taken, and close of the meeting

- Adopt the List of Items Discussed and Decisions Taken.