

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Strasbourg, 4 November 2022

CAI-BU(2022)06

COMMITTEE ON ARTIFICIAL INTELLIGENCE (CAI)

2nd Bureau Meeting

Venice, Italy

4 November 2022

9 am - 12 pm and 2 - 4 pm (CET)

ABRIDGED REPORT

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1. Opening of the meeting

1. The Chair of the Committee on Artificial Intelligence (CAI), Mr Thomas SCHNEIDER (Switzerland) welcomed the members of the Bureau and outlined the main aims of the meeting namely, to examine the draft HUDERIA document and agree to its distribution to the CAI, and to prepare the 3rd Plenary meeting of the Committee.
2. Mr Jan KLEIJSEN, Director, Information Society – Action against Crime, welcomed all participants to the 2nd meeting of the CAI Bureau. He informed the Bureau of the outcomes of his working visit to the United States of America, where he met with senior members of the administration who expressed great interest in the work of the Committee. He further reiterated that the work currently being undertaken within the EU is parallel to that of the CAI, and reminded participants that member States of the Council of Europe are legally bound by the decisions of the Committee of Ministers regarding the deadlines for submission as well as the content of the draft [framework] convention. Finally, he referred to the draft Methodology for the risk and impact assessment for AI systems (HUDERIA) (hereinafter the “HUDERIA methodology”/“methodology”) which the Bureau would also examine during this meeting, stressing that it could either become an integral part of the future [framework] convention, or alternatively a stand-alone instrument. In any case, the methodology is likely to play a crucial role in supplementing the [framework] convention.

2. Adoption of the agenda

3. The Bureau adopted the agenda without amendments.

3. Information provided by the Chair, Secretariat, and Bureau members

4. The Chair informed the Bureau of his participation in regional and international fora, inter alia the CyFy 2022 conference in India, highlighting the strong interest at global level for the work of the Committee.
5. Mr Kristian BARTHOLIN, Secretary to the CAI, briefly informed the Bureau of the activities of the Secretariat since the 2nd Plenary meeting, including the organisation of the 18th GlobalPolicy.AI meeting in the Council of Europe office in Paris on 21 October 2022, which focused on the participants’ on-going efforts to create risk and impact assessments for AI systems.
6. He further informed the Bureau of on-going discussions with the World Bank regarding the organisation’s possible future participation in the Committee.
7. Ms Işıl Selen DENEMEÇ (Türkiye) extended an invitation to hold a future CAI Bureau or Plenary meeting in Türkiye.
8. Ms Mia SPOLANDER (Finland) extended an invitation to hold a future meeting of the CAI Bureau in Helsinki, Finland.
9. The Secretariat warmly thanked both Bureau members for their invitations, and informed that they will be duly examined in light of budgetary allowances.

4. Examination of the HUDERIA

10. The Secretariat made a presentation of the Draft Methodology for the Risk and Impact Assessment of AI Systems (HUDERIA).

11. The Bureau held an exchange of views on this document, agreeing that, in their view, the methodology should be a stand-alone document, separate from but supporting the [framework] convention. The Bureau further proposed to follow a 3-tier approach to the risk and impact assessment of AI systems, with (1) a general obligation to conduct an assessment, which should include a certain number of steps, to be enshrined in the [framework] Convention, (2) the stand-alone, non-binding methodology to be adopted by the Committee to serve as guidance, and (3) an operationally feasible model for the implementation of the methodology.
12. The Bureau instructed the Secretariat to prepare a document detailing this approach.
13. The Bureau also instructed the Secretariat to distribute the Draft Methodology for the Risk and Impact Assessment of AI Systems (HUDERIA) and the aforesaid document to the Committee for examination at the 3rd Plenary meeting.

5. Next steps in the elaboration of the [framework] convention

14. The Bureau held an exchange of views on how to proceed with the elaboration of the [framework] convention.
15. The Bureau decided that the 3rd Plenary CAI Plenary meeting of 11 - 13 January 2023 should, after examination of the standard “housekeeping” agenda items, be divided into two parts, namely (1) the examination of the Draft Methodology for the Risk and Impact Assessment of AI Systems (HUDERIA) and aforementioned proposal by the Plenary, and (2) the examination of Chapter V of the “Zero Draft” (“Final provisions”) by the Drafting Group composed of the future potential Parties to the [framework] Convention, as agreed by the Committee at its 2nd Plenary meeting.
16. The Bureau further decided that the 4th CAI Plenary meeting of 1 - 3 February 2023 will focus on (1) the examination of outcomes of the 1st meeting of the Drafting Group by the Plenary, and (2) the examination of Chapter III of the “Zero Draft” (“Risk and impact assessment and related measures”).
17. The Bureau instructed the Secretariat to revise document CAI-BU(2022)01 - Roadmap for Negotiations of the Appropriate Legal Instrument on the Development, Design and Application of AI Systems, in order to reflect the aforesaid decisions, and submit it to the Committee. It also instructed the Secretariat to prepare a similar “roadmap” for the work by the Committee on the HUDERIA methodology.

6. Preparation of the 3rd CAI Plenary meeting (11 - 13 January 2023)

18. The Secretariat informed the Bureau that Ms Thórhildur Sunna ÆVARSDÓTTIR (Iceland), Chair of the Parliamentary Assembly’s Sub-Committee on Artificial Intelligence and Human Rights, was invited to give a presentation and hold an exchange of information with the Committee at its upcoming Plenary meeting. Her participation was still to be confirmed.
19. The Bureau welcomed this invitation and encouraged further cooperation with the Parliamentary Assembly of the Council of Europe, as well as other bodies and entities of the Organisation.
20. The Secretariat further informed the Bureau that it had received applications for observer status to the CAI from four organisations, namely “Digitale Gesellschaft Switzerland”, “BEUC

- The European Consumer Organisation”, “Equinet” and the “Transnational Working Group on AI of the World Federalist Movement / Institute of Global Policy”.

21. The Bureau took note of the applications and decided to hold a hearing of representatives of candidates, in camera for Heads of Delegations of member States only, at the next Plenary meeting, with a view to deciding on these applications.
22. The Bureau examined and approved the draft agenda and draft annotated agenda for the 3rd CAI Plenary meeting of 11 - 13 January 2023, as amended by it. It instructed the Secretariat to distribute it to all Delegations.

7. Any other business

23. Mr Blake BOWER (United Kingdom) raised the issue of which outreach and consultation activities the CAI should engage in during the rather next ten months. Having discussed the various options, the Bureau decided to propose to the Committee that since the CAHAI had recently carried out an extensive and broad stakeholder consultation on which the work of the CAI is also based, focus should be on involving such relevant stakeholders as were not already represented in the Committee in the work on the HUDERIA methodology. This should be done through a questionnaire with a limited set of key questions, the replies to which could usefully be fed into the discussions on the methodology by the CAI.