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EUROPEAN COMMITTEE ON DEMOCRACY AND GOVERNANCE (CDDG)

CONTRIBUTION TO THE WORK OF THE CAHAI

Secretariat Memorandum
prepared by the
Directorate General of Democracy
Democratic Governance Division

As CDDG Rapporteur on democracy and technology, Mr Peter Andre (Austria) represents the CDDG at the [CAHAI](#) and actively takes part in its meetings (see below).

At the CAHAI plenaries, Mr Andre updated the CAHAI members about relevant ongoing activities of the CDDG, notably the study on the impact of digital transformation on democracy and good governance. Mr Andre outlined the main chapters of the study and highlighted that the preliminary findings clearly show that digital technologies and AI have the potential to enhance or undermine democracy and governance and thus appropriate measures need to be in place to mitigate risks and harness benefits.

As a member of the [Policy Development Group \(PDG\)](#) of the CAHAI, the Rapporteur actively contributed to the **drafting of the feasibility study**, in particular to Chapter 5 (Mapping of instruments applicable to AI), Chapter 7 (Main elements of a legal framework for the design, development and application of AI) and Chapter 9 (Possible practical and follow-up mechanisms to ensure compliance and effectiveness of the legal framework). Mr Andre highlighted that the 12 Principles of Good Democratic Governance could be used as a guide/checklist for the use of AI systems in the public sector. The principles of transparency, accountability and participation were particularly relevant. Mr Andre also stressed that there is a need to ensure that the use of AI strengthens and deepens democratic institutions and processes and does not undermine them.

Currently, Mr Andre is **co-drafter of the PDG sub-group on “AI in the public sector”**. Mr Andre coordinated the input from the sub-group and presented the first draft of the paper at the PDG meeting on 18-19 March 2021. Among others, the draft paper highlight that AI systems are already in use in the public sector in various member States, even if there is no coherent or common approach; the whole life cycle of AI systems need to be taken into account, especially with regards to procurement; there is a need for investment in AI literacy for public servants and AI could also strengthen democratic structures and should not undermine them.

The draft was well received. Based on the discussion and comments, the co-drafters will further develop the paper with a view to discussing it at the next meeting of the PDG on 27 May 2021.

As a member of the [Legal Frameworks Group of the CAHAI](#) (LFG), Mr Andre will **contribute to the sub-group on “Democracy, Rule of Law and Right to fair trial”** which would take up its work by end of March 2021. The first drafts are expected in April 2021.

To support Mr Andre in his work, Prof. Peter Parycek, an expert consultant on e-Government, AI and democracy, will also take part in both working groups. Mr Parycek will expand and deepen the aspect of democracy and rule of law in the discussions.

List of the meetings attended by the CDDG Rapporteur:

CAHAI plenary

- 1st Meeting, 18-20 November 2019, Strasbourg
- 2nd Meeting, 6-8 July 2020, Videoconference
- 3rd Meeting, 15-17 December 2020, Videoconference
- 4th Meeting, 26 February 2021, Videoconference

Policy Development Group (PDG)

- 1st meeting, 21-22 September 2020, Videoconference
- 2nd meeting, 15-16 October 2020, Videoconference
- 3rd meeting, 21-22 January 2021, Videoconference
- 4th meeting, 18-19 March 2021, Videoconference

Legal Framework Group (LFG)

- 1st meeting, 10-11 February 2021, Videoconference