

Steering Committee on Media and Information Society – CDMSI



Strasbourg, 6 June 2017

CDMSI comments on the Parliamentary Assembly Recommendation 2102 (2017)

“Technological convergence, artificial intelligence and human rights”

1. The CDMSI examined with interest the Parliamentary Assembly Recommendation 2102 (2017) “Technological convergence, artificial intelligence and human rights”¹.
2. The subject-matter of the recommendation is closely related to the internet of things – a phenomenon which is recognised in the Council of Europe Internet Governance Strategy 2016-2019 as “the future of the internet” and a source of increasing risks to the human rights of internet users at the same time. The CDMSI therefore welcomes the attention of the PACE to this subject.
3. The CDMSI is mindful that the Consultative Committee of the Convention for the Protection of Individuals with regard to automatic processing of personal data (T-PD) has also been invited to provide comments on the recommendation and therefore will forgo observations on data protection issues which the T-PD is better placed to cover.
4. Paragraph 9.1 of the recommendation calls for development of guidelines on strengthening transparency, regulation by public authorities and operators’ accountability. In this regard the CDMSI recalls the Recommendation CM/Rec(2016)3 on human rights and business which lays a legal basis for corporate social responsibility of private actors vis-à-vis the exercise of fundamental rights and freedoms. Also, as documents tailored specifically to the online environment, the CDMSI recalls the Recommendation CM/Rec(2016)5 on internet freedom and the Recommendation CM/Rec(2014)6 on a Guide to human rights for internet users

¹ Statement by the Delegation of the Russian Federation in the CDMSI: “Since PACE has suspended the Russian membership and thus our parliamentary delegation has not been able to participate in its activities, which is a very misfortunate fact, we regretfully cannot give any comment on PACE Recommendation 2102 (2017) – “Technological convergence, artificial intelligence and human rights”.

which underline the need for transparency and set for this purpose clear and detailed indicators for evaluation of member states' performance in respecting, protecting and promoting human rights and fundamental freedoms on the internet. Provisions of the Guide to human rights for internet users are suited to serve as a reference point for respective assessment of corporate performance in the ICTs sector.

5. Furthermore, the CDMSI is currently working on a draft recommendation on internet intermediaries which is expected to provide guidance to member states when reflecting on roles and responsibilities of intermediaries vis-à-vis the exercise of fundamental rights and freedoms online and is also preparing a draft report on human rights dimensions of algorithms which is intended to explore algorithmic decision-making with implications for human rights.

6. The CDMSI is pleased to note that in line with paragraph 11 of the recommendation it attaches due importance to cooperation with international organisations and other stakeholders with a view to exchanging good practices and ensuring as much as possible consistency of legal framework at the international level. This is being implemented through participation of experts and representatives from international bodies in the meetings of the CDMSI and its sub-committees, as well as through participation of CDMSI members in internet governance events of both regional and global level.

7. Reflecting in this regard on paragraph 6 of the recommendation the CDMSI recalls the Tunis Agenda for the Information Society which is indeed a reference point for development of internet governance at the global scale. The CDMSI further recalls the Committee of Ministers Declaration of 26 May 2010 on enhanced participation of member states in Internet governance matters – Governmental Advisory Committee (GAC) of the Internet Corporation for Assigned Names and Numbers (ICANN), Declaration of 21 September 2011 on Internet governance principles and Declaration of 3 June 2015 on the World Summit on the Information Society (WSIS) +10 review and the extension of the mandate of the Internet Governance Forum (IGF), which develop and promote the decisions adopted at the World Summit on the Information Society.

8. Mindful of the transborder nature of the internet, the CDMSI is convinced that challenges deriving from technological convergence, artificial intelligence and the internet of things may only be effectively addressed by means of consolidated efforts of all stakeholders. It will therefore continue engaging in international dialogue and will consider enhancing cooperation with international organisations when performing its standard-setting and other activities.