



ARTIFICIAL INTELLIGENCE

While technological progress has always been a driving factor for societies, AI-based technologies stand out as a game changer. Offering vast opportunities for the benefit of people, they have the power to significantly influence the exercise of human rights and to disrupt the functioning of democratic institutions.

Effects are transversal and evident in all spheres, as AI gadgets are becoming part of daily routines, gradually able to predict, reinforce and possibly control human behaviours. The Council of Europe, the continent's leading human rights organisation, is addressing the impacts of AI on human rights, democracy and the rule of law.

Brief overview of the Council of
Europe activities in the field of
artificial intelligence

Thematic
Focus

Information
Society

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About the Council of Europe

The Council of Europe comprises 47 member states, 28 of which are members of the European Union. The Council of Europe's statutory decision-making body, the **Committee of Ministers** is made up of the Ministers for Foreign Affairs of member States.

All Council of Europe member states have signed up to the **European Convention on Human Rights**, a 1948 treaty designed to protect human rights, democracy and the rule of law. The **European Court of Human Rights** oversees the implementation of the Convention in the member states. The Court's case-law makes the Convention a powerful living instrument for meeting new challenges and consolidating the rule of law and democracy in Europe.

Risks and partnerships

The emergence of AI opens countless possibilities to explore its benefits to people and societies. Its impacts are everywhere and present opportunities as well as important challenges for the lives and futures of billions of people. AI-based technologies affect the very core of our personal lives and interactions with others.

The Council of Europe has identified AI as a subject deserving its closest attention. Most of the Council of Europe committees, intergovernmental and expert bodies as well as monitoring structures are exploring the implications of AI for their area of work, such as privacy and data protection, freedom of expression, freedom of thought, conscience and religion, the right to fair trial and the prevention of discrimination.

As it is mostly private sector actors that have in-depth knowledge and skills in the field of digital technologies, the Council for Europe is keen to **cooperate and bring together expertise** from different stakeholders. This leaflet provides a brief and selective overview of activities that may be of interest to the private sector.

High-level conference on AI

A high-level Conference will be organised by the Finnish Chairmanship of the Council of Europe Committee of Ministers and the Council of Europe **in February 2019 in Helsinki, Finland**.

The objective is to engage stakeholders in a critical conversation about the challenges and opportunities that AI carries for individuals, for societies and for the viability of our legal and institutional frameworks. Organising discussions along the three main pillars that represent the Council of Europe core values, human rights, democracy, and the rule of law, panel discussions will explore the individual rights and implications of the use of AI, its societal aspects, and the concerns raised vis-à-vis regulatory and judicial systems.

Implications for human rights

The biennium 2018-2019 will see preparation of a comprehensive **Study of the concept of responsibility for AI**

decision-making systems, mapping legal and ethical considerations within the existing human rights framework.

This work will be carried out by the inter-disciplinary Committee of experts on human rights dimensions of automated data processing and different forms of artificial intelligence (MSI-AUT). Experts are also working on the **capacity of algorithmic processes as powerful tools of manipulation**, with important **individual and societal impacts** on the formation of opinions on public discourse, the media and democratic processes. In addition, a recommendation to member states on how to prevent negative human rights impacts from algorithmic decision-making processes is being prepared.

Substantive criminal law challenges

The European Committee on Crime Problems (CDPC) will examine the substantive criminal law challenges posed by advances in robotics, AI and smart autonomous machinery, including self-driving cars, drones and other forms of robots capable of causing physical harm independent of human operators. The expected outcome of this work is a **possible standard-setting instrument** that might take the form of a Council of Europe convention.

Ethical and legal challenges in biomedicine

The Committee on Bioethics (DH-BIO) will assess ethical and legal challenges raised by developments in the biomedical field, in order to develop standards and tools to assist policy makers in protecting human rights and dignity.

This work will include preparation of: (a) a **Strategic Action Plan on technologies and human rights in the field of biomedicine 2020-2025**, which includes a focus on the protection of vulnerable groups such as children and the elderly; (b) a **Guide on public engagement on fundamental questions raised by the evolution of new technologies in biology and medicine**.

Data protection implications

To address the constantly evolving challenges to the right to privacy and protection of personal data in the context of technological convergence and artificial intelligence, the Council of Europe is preparing a comprehensive **Report on the data protection implications of artificial intelligence**. The report will contain recommendations for limiting the impacts of new technologies on privacy and human dignity. It is carried out by the Consultative Committee of **the only international data protection treaty**, the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data.

Influence on voter behaviour

The Council of Europe is also assessing the impacts of AI-powered micro-targeting techniques, big data in combination with psychometrics and psychographics, on the fairness of **electoral campaigns, voter behaviour**, as well as broader participatory and democratic processes in member states.