Strasbourg, 8 January 2021

Observations of the Steering Committee on Anti-Discrimination, Diversity and Inclusion on Parliamentary Assembly Recommendation 2183 (2020) – "Preventing discrimination caused by the use of artificial intelligence"

1. The Steering Committee on Anti-Discrimination, Equality and Inclusion (CDADI), welcomes PACE Recommendation 2183 (2020) – "Preventing discrimination caused by the use of artificial intelligence".

2. The Recommendation addresses an important challenge for member States which should be dealt with in a timely and comprehensive manner. This challenge has been analysed in the comprehensive study "Discrimination, Artificial Intelligence and Algorithmic Decision-Making" by Prof. Frederik Zuiderveen Borgesius, which provides a basis for the anti-discrimination work in this field.[1] The study underlines the important role of equality bodies and of ECRI in contributing to the prevention and redress of related discrimination.

3. In the Roadmap to Effective Equality adopted by ECRI on the occasion of the conference for its 25th anniversary in September 2019, ECRI stated that it is aware of the potential danger of racial profiling and discrimination that may arise as a result of the increasing use of new technologies such as artificial intelligence and committed to raising awareness about the challenges. At the same time, it pointed out that these new technologies could also be used for combating racism and intolerance, and that it will recommend ways to take advantage of the opportunities they bring.

4. In accordance with its terms of reference, the CDADI will closely follow the results of ECRI's monitoring in this respect and continue to emphasise, within the assessment of the Ad hoc Committee on Artificial Intelligence (CAHAI) of the necessity and feasibility of an international legal framework for artificial intelligence, the potential impact of the use of artificial intelligence on equality and non-discrimination. This will offer guidance to member States where discrimination issues arise due to the use of artificial intelligence, including by highlighting equality bodies' role in investigating specific cases, counselling victims, carrying out litigation, raising awareness with public and private organisations using artificial intelligence and among the general public about the potential risks.

5. The CDADI will be attentive to future developments in this area, contribute as appropriate to the work of the CAHAI, and consider possible future work of its own in this field.

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[1] The study is available on the website of the European Commission against Racism and Intolerance (ECRI) at https://rm.coe.int/prems-126920-gbr-2530-cdadi-covid-19-a5-web/1680a08c96.