

ARTIFICIAL INTELLIGENCE AND EDUCATION

A Critical View Through the Lens of Human Rights, Democracy, and the Rule of Law

INTRODUCTION

This summary builds on the Council of Europe report *Artificial Intelligence and Education: A Critical View Through the Lens of Human Rights, Democracy and the Rule of Law*. The report provides a comprehensive and critical analysis of how artificial intelligence (AI) is impacting education and educational systems. It explores the applications of AI in teaching, learning, and administration, and examines the associated risks and ethical concerns. Framed around the Council of Europe's core values—human rights, democracy, and the rule of law—it addresses the need for a cautious and rights-centred approach to AI in education, while highlighting gaps in evidence, governance, and oversight.



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PROBLEM STATEMENT

The integration of AI in education presents both opportunities and threats. There are concerns about the impact of AI on learners, the ethical considerations surrounding its use, and the potential effects on the educational ecosystem. Specifically, the report raises concerns about:



The need to protect human rights principles in the early design of AI applications



The importance of educators being aware of both the strengths and weaknesses of AI



The possible undermining of free will, independent and critical thinking due to AI



The report proposes a structured view of how AI is integrated into education, grouped into the following areas. Each area raises specific concerns, particularly regarding bias, consent, learner agency, and the risk of over-dependence on automated systems.

01

LEARNING WITH AI

AI systems that support learners, teachers, and institutional management (e.g. intelligent tutoring, chatbots, automatic writing evaluation).

02

USING AI TO LEARN ABOUT LEARNING

Learning analytics and educational data mining used to study and improve teaching and learning processes.

03

LEARNING ABOUT AI (AI Literacy)

Curricula that educate students and teachers on the functioning, implications, and societal impacts of AI technologies. This includes both the technological and human dimensions.

KEY ISSUES AND CHALLENGES

The report identifies multiple, interrelated challenges arising from the use of AI in education (AI&ED):



Human rights implications

The use of AI in education may impact children's rights to autonomy, privacy, dignity, data protection, non-discrimination, and consent.



Democracy and equity

Commercial AI tools may undermine democratic values and educational equity by prioritising individualism and commercial interests over collaboration and social good.



Rule of law

AI applications in education are often introduced without sufficient legal scrutiny. Questions remain over consent, proportionality, accountability, and redress.



Pedagogical risks

AI may reinforce outdated or poor teaching practices and reduce opportunities for critical thinking and independent learning.



Data governance

There is a lack of transparency around how learners' data is collected, used, and monetised by commercial AI providers.



Commercial influence

Many AI tools deployed in schools are developed by private companies with limited oversight, often lacking independent evidence of effectiveness.



Educational ecosystem impact

The deployment of AI tools may shift power from educators and public institutions to private sector actors, reducing national control over education policy and practice.



Educational and ethical considerations

- 01 AI literacy** should go beyond technical knowledge to include critical understanding of power, surveillance, commercialisation, and ethical use.
- 02 Purpose of education** must be clarified to ensure AI supports broader goals, such as democratic participation, social justice, and critical thinking – not merely labour market needs or exam performance.
- 03 Transparency and trust are essential:** stakeholders, including learners and teachers, must understand how AI systems function and be able to assess their appropriateness.
- 04 Equity and access remain pressing concerns:** AI tools often reinforce existing digital divides and may not be designed with diverse learners in mind.

Strategic considerations for the Council of Europe

- 01 Critical monitoring:** Evaluate the current use of AI in classrooms to assess its impact on learners, pedagogies, and rights.
- 02 Value-based guidance:** Ensure all AI developments and deployments in education align with the Council of Europe's human rights and democratic values.
- 03 Cross-sectoral linkages:** Identify intersections between AI&ED and other Council of Europe initiatives on data protection, children's rights, and digital citizenship.
- 04 Capacity building:** Strengthen educators' ability to engage with AI tools critically and ethically and support public understanding of AI's implications.
- 05 Knowledge gaps:** Address the lack of independent research on the pedagogical and societal effects of AI in education, particularly on vulnerable populations.

FURTHER READING & RESOURCES



CM/REC(2019)10

Recommendation of the Committee of Ministers to member States on developing and promoting digital citizenship education



COUNCIL OF EUROPE - 2024

Regulating the use of Artificial Intelligence systems in education – Preparatory study on the development of a legal instrument



COUNCIL OF EUROPE - 2024

The state of artificial intelligence and education across Europe – Results of a survey of Council of Europe member states



COUNCIL OF EUROPE - 2022

1st Working Conference «Artificial Intelligence and education: A critical view through the lens of human rights, democracy and the rule of law» – Conference highlights



COUNCIL OF EUROPE - 2025

Feasibility study for a European Reference Framework for the evaluation of educational technologies – Short version



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2nd Working Conference «Regulating the use of AI systems in education» – Provisional report of the conference



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Regulating artificial intelligence in the education domain: a general approach
Ilkka Tuomi



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Towards a European review framework for AI EdTech systems
Beth Havinga

RECOMMENDATIONS

The report calls for a holistic and balanced approach to AI in education, one that centres on empowering both educators and learners.

Future developments in this field must serve the common good and be guided by ethical principles that reflect the specific context of schools and educational communities. Central to this approach is the need for curricula that address not only the technical functioning of AI systems but also their broader societal implications—framing AI literacy as both a technological and human competence. Any implementation of AI in education should be grounded in the Council of Europe's core values, with a focus on protecting rights, preserving democratic engagement, and reinforcing the rule of law. To this end, the report underscores the importance of critically analysing the current landscape of AI tools in classrooms, identifying points of intersection across Council of Europe initiatives, and supporting stakeholders in developing a deeper understanding of the challenges AI poses. This foundation is essential for fostering responsible, inclusive, and transparent AI integration in education systems.

CONCLUSION

The integration of AI in education must be governed by a clear commitment to human rights, democratic values, and the rule of law. This requires a critical approach that questions assumptions about the benefits of AI, resists unregulated commercial influence, and ensures that technology serves—not replaces—educational purpose. Future developments must be guided by robust evidence, ethical reflection, and meaningful participation from educators, learners, and civil society.

COUNCIL OF EUROPE EDUCATION STRATEGY 2024-2030 “LEARNERS FIRST”



LEARNERS FIRST

Council of Europe Education Strategy 2024-2030



ARTIFICIAL INTELLIGENCE AND EDUCATION PROGRAMME

The Council of Europe is working to ensure that the use of Artificial Intelligence (AI) in education aligns with human rights, democracy, and the rule of law. Through its AI and Education (AI&ED) programme, the Council of Europe is developing legal and policy instruments, guidelines and tools and resources to promote transparent, inclusive, and responsible AI use in education.

