

Human Rights & Artificial Intelligence



OCTOPUS

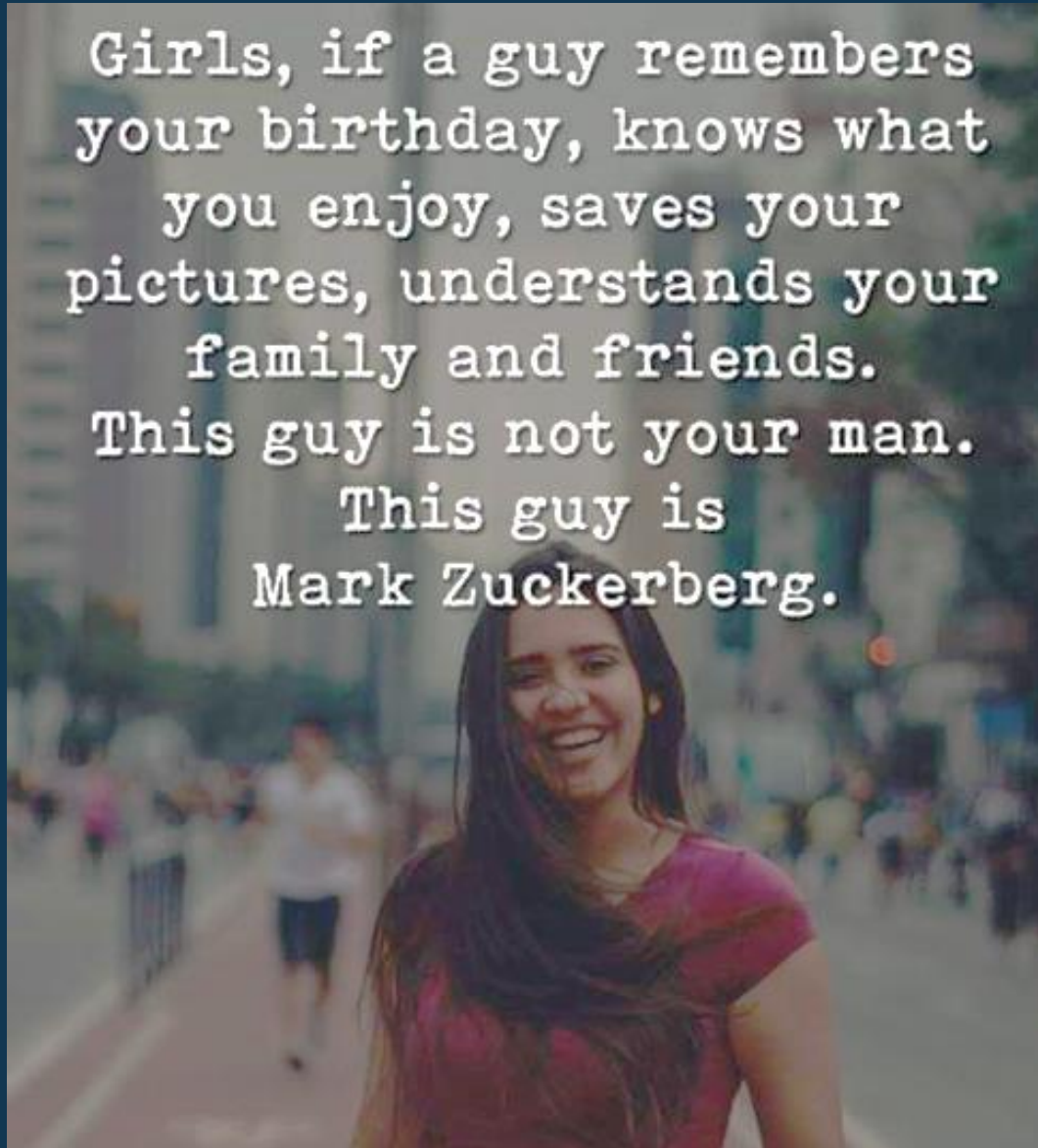
22 November, 2019

Patrick Penninckx

Head of the Information Society Department

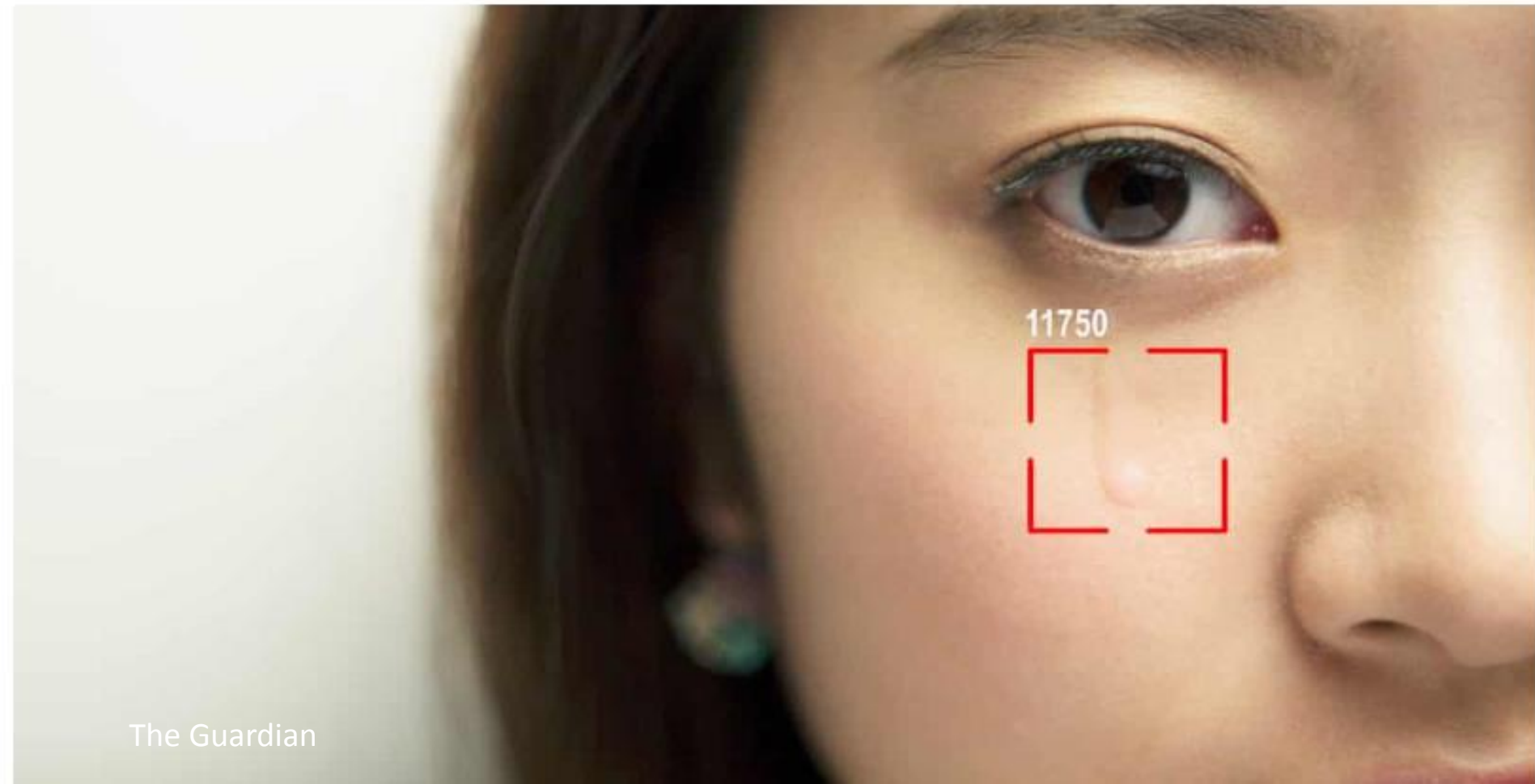
My personal data are public

Girls, if a guy remembers
your birthday, knows what
you enjoy, saves your
pictures, understands your
family and friends.
This guy is not your man.
This guy is
Mark Zuckerberg.



Machines are smart

Machines can now allegedly identify anger, fear, disgust and sadness. 'Emotion detection' has grown from a research project to a \$20bn industry

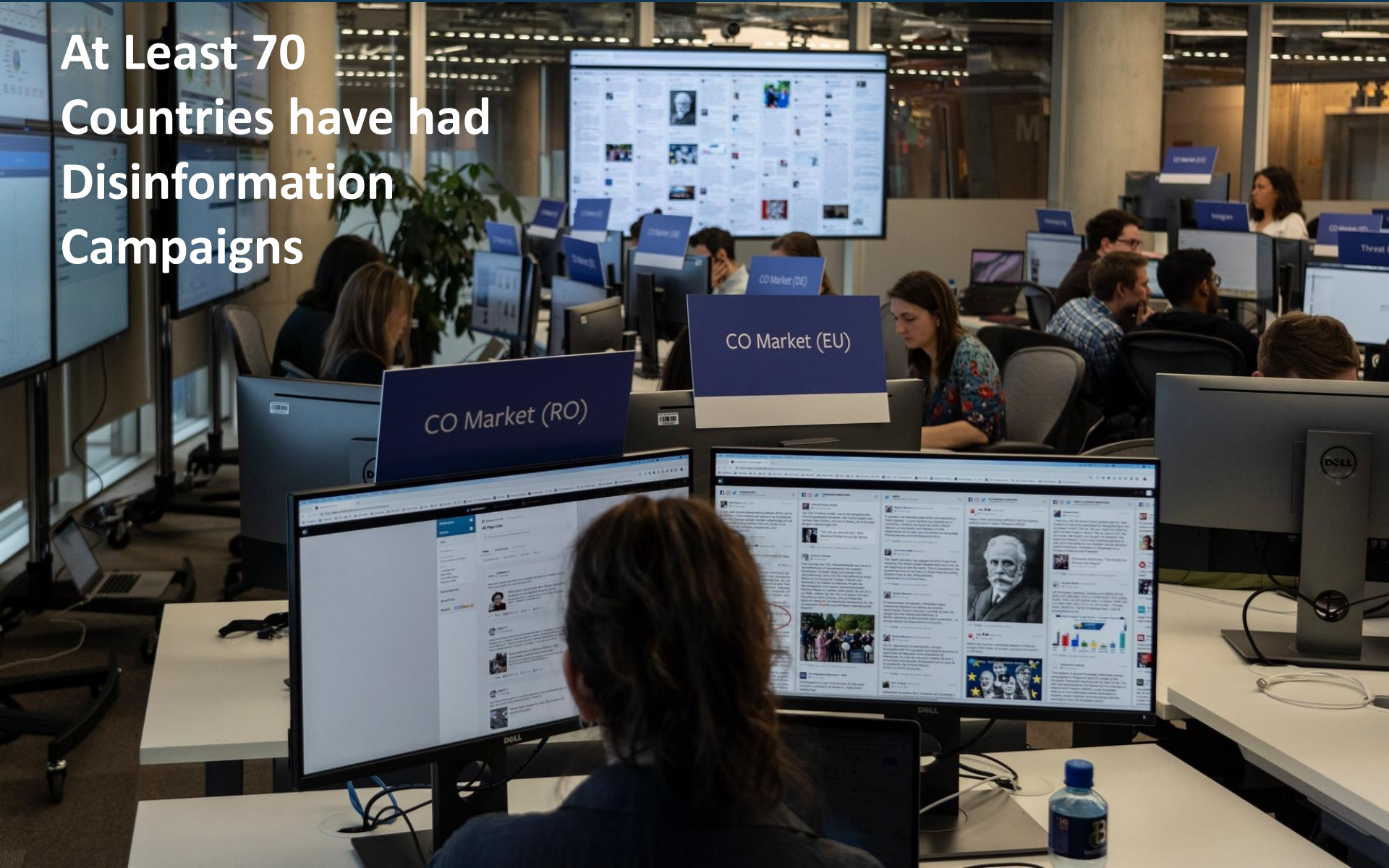


Deep fake



“Fake news”

At Least 70
Countries have had
Disinformation
Campaigns



Public data are not protected

Almost entire population of Ecuador had data leaked !

"Once data has been exposed to the world, it can't be undone,"



I am always watched

Your face: a \$20bn industry

The Guardian



▲ Monitors display a video showing facial recognition software in use at the headquarters of the artificial intelligence company Megvii, in Beijing. Photograph: New York Times/eyevine



I feel threatened by machines



Drones make War and Peace

I like my phone



Who does
not use a
smartphone ?

My phone is my DNA



Source: Internet

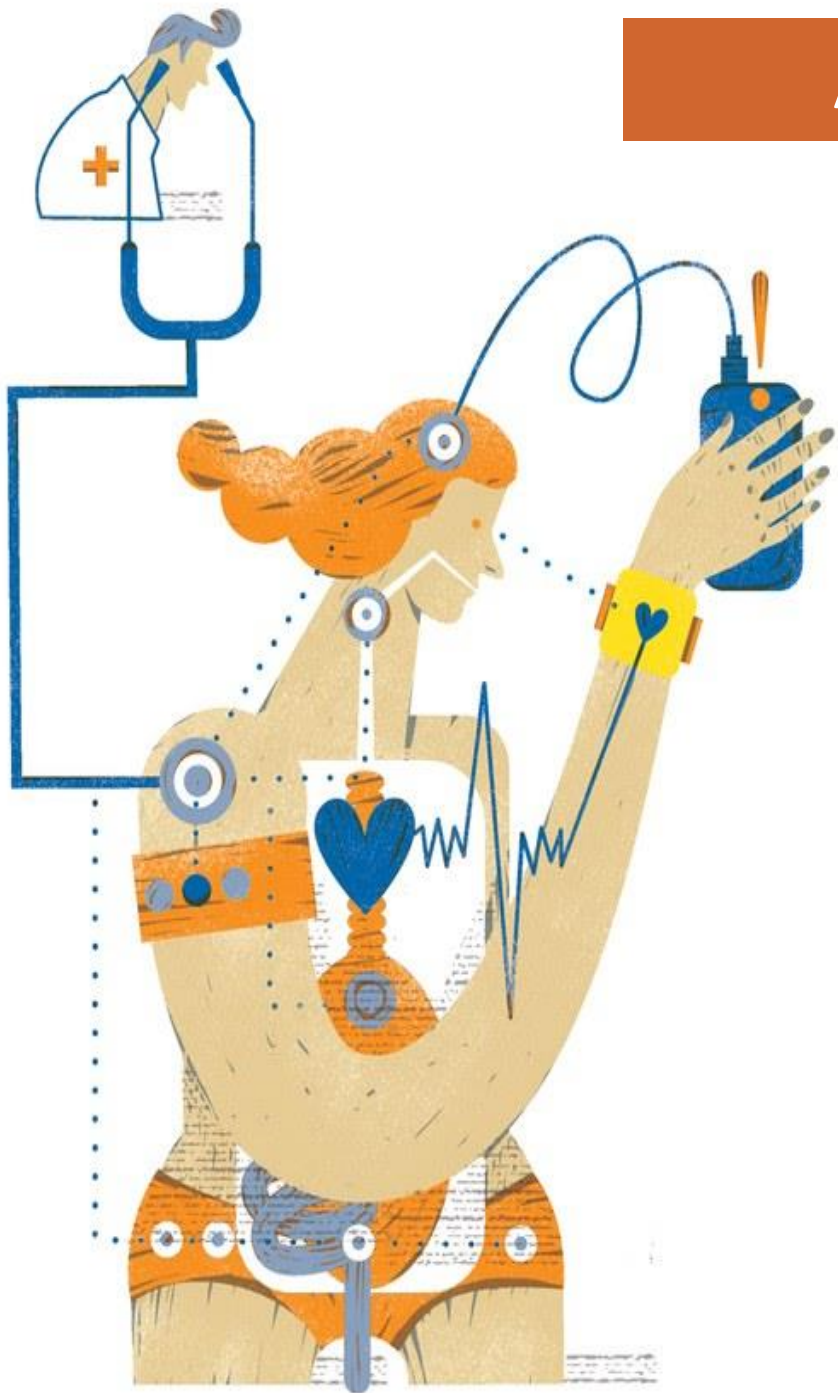
14 sensors!

I am always connected



Asier

AI monitors my health



Medical wearables:
will your doctor soon
prescribe a fit bit ?



I am being profiled



What are we talking about?

Artificial intelligence

Whole discipline
Including developments
totally speculative

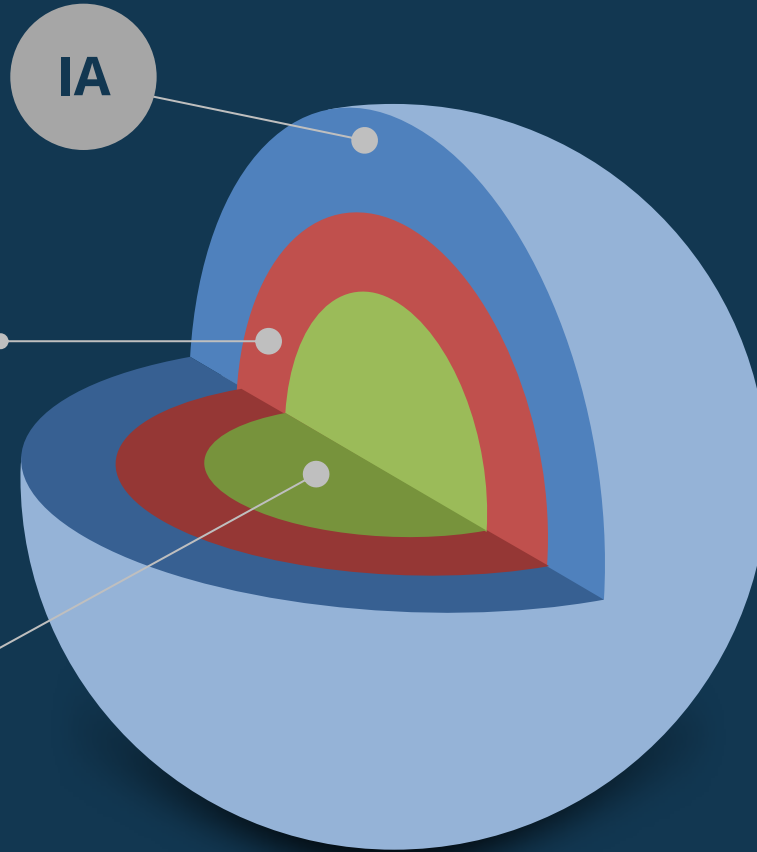
IA

Machine learning

Represents a given environment
by statistical techniques

Deep learning

Machine Learning Category,
based on multiple levels of
neural networks



Where are we going ?

Global AI market in billion euros

2018
8,7

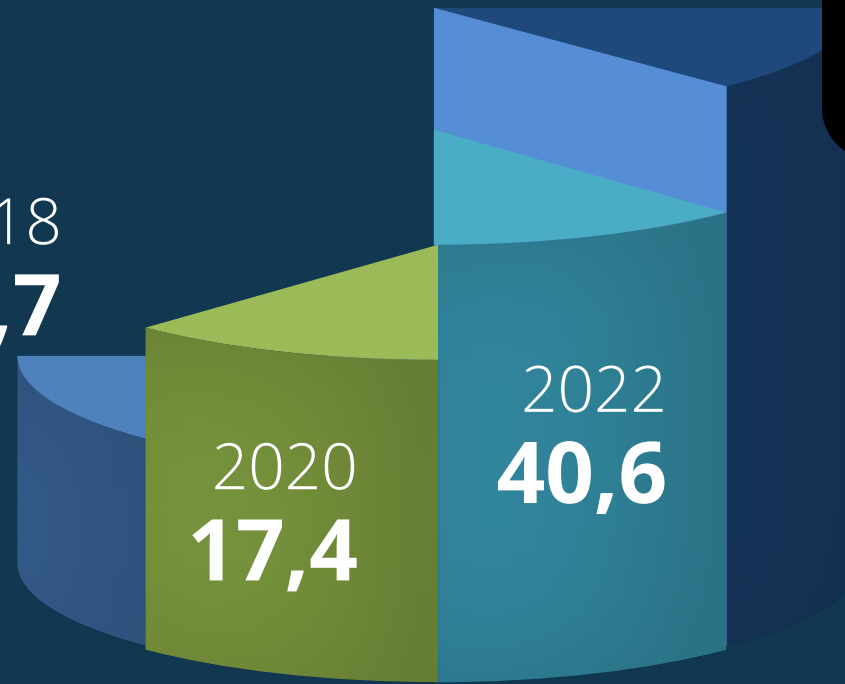
2020
17,4

2022
40,6

2025

92,8

Source: Tractica



The future is uncertain



Artificial intelligence, quantum computing, 5G and the rise of the Internet of Things are just some of the emerging technologies that could aid cybercriminals in ways that could make them more dangerous than ever – and law enforcement must innovate quickly in order to help keep citizens safe.

What is at risk?

- ✓ **Right to private and family life**
- ✓ **Freedom of Expression**
- ✓ **Right to participate in democratic processes, such as elections, free from undue influences**

Council of Europe action

CURRENT FOCUS



- ✓ Data processing and human rights
- ✓ **Use of AI by the Judiciary**
- ✓ Criminal law implications of AI
- ✓ **Bioethics and AI, Environment**
- ✓ Education, Gender equality, Youth
- ✓ **Children, Anti-discrimination**
- ✓ Culture, Eurimages
- ✓ **Elections**

NEW PRIORITIES

Develop a legal framework for the development, design and application of artificial intelligence (CAHAI)

CEPEJ ethical chart



5 principles

- ✓ Principle of **respect of fundamental rights**
- ✓ Principle of **non-discrimination**
- ✓ Principle of **quality and security**
- ✓ Principle of **transparency, neutrality and intellectual integrity**
- ✓ Principle **“under user control”**

ECRI study on discrimination



This study, entitled "**Discrimination, Artificial Intelligence and Algorithmic Decision Making**", prepared by Professor Frederik Zuiderveen Borgesius for the Council of Europe Anti-Discrimination Department, addresses the risks of discrimination caused by algorithmic decision-making and other types of artificial intelligence.

Data Protection

CURRENT FOCUS



NEW PRIORITIES

Promote **Guidelines on Artificial Intelligence** and data protection

Ensure **ratification of the amending protocol** of Convention 108 +

Set guidelines on safeguarding privacy in the fields of:

- **facial recognition**
- **national education systems**
- **abuse of electoral data**
- **profiling**

Cybercrime

CURRENT FOCUS



NEW PRIORITIES

Promote guidance
Note on **mobile devices**

Promote guidance
Note on **election interference**

Adopt the second additional
protocol to the Budapest
Convention on **access to
electronic evidence in the cloud**

Enhance the mechanism for
**international mutual legal
assistance**

Internet Governance

CURRENT FOCUS



NEW PRIORITIES

Enhance the cooperation framework with business partners

Address the business models of large online platforms from the anti-trust and competition law point of view

Develop legal frameworks for the design and development of AI tools (ethics by design)

Promote balanced legislative frameworks for combatting illegal online content

Launch the Digital Governance Strategy 2020-2023

New Media

CHALLENGES AHEAD



NEW PRIORITIES

Social media distribution of news

Growing information disorder

Weak regulation in the field

Help users value and use

quality media content

Guide public participation in

content creation

Stimulate users engagement with

hate speech online

PACE policy focus on AI

Parliamentary Assembly



Upcoming Reports

- **New forms of public debate** on the rapid advancement in science and technology
- **Preventing discrimination** caused by the use of artificial intelligence
- **Need of democratic governance** of AI
- The role of AI in policing and criminal justice systems
- **The human being-machine connection:** the rights or new threats to fundamental freedoms ?

CAHAI mandate

Governing the Game Changer

Helsinki conference
26-27/02/2019



Strasbourg
18-20/11/2019

CAHAI starts

To examine, on the basis of broad multi-stakeholder consultations, the **feasibility and potential elements of a legal framework for the development, design and application of artificial intelligence**, based on Council of Europe standards in the field of human rights, democracy and the rule of law

Future outlook

CHALLENGES AHEAD



NEW PRIORITIES

- How to efficiently regulate Artificial Intelligence ?
- Cooperation with business involved in AI development in **protecting and ensuring human rights**
- How to integrate privacy and data protection in **law enforcement** in a balanced manner
- Law enforcement needs to be innovative and act now in order to keep face with near future **criminal threats**

<http://www.coe.int/ai>

