Consultations & Outreach Group (CAHAI COG)

1ˢᵗ Meeting, 5-6 October 2020

Opening of the Meeting and 2ⁿᵈ day

Mr Gregor Strojin, Chair of the CAHAI

Mr Jan Kleijssen, Director, Information Society-Action against Crime, Council of Europe, and Ms Claudia Luciani, Director of Human Dignity, Equality and Governance

On 23 September 2020, the Committee of Ministers approved the first CAHAI progress report & roadmap setting out key timelines of the process

CAHAI COG should involve right stakeholders on board

Multi-stakeholder consultations should involve wide variety of actors, on specific questions , role model for the Council of Europe

COG – PDG groups' cooperation

Mr Wolfgang Teves, co-chair of CAHAI-PDG pointed out the important issues for policy development:
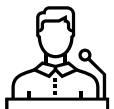
AI applications

Human rights impact assessment
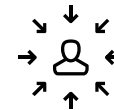
Human oversight

Transparency

Role of private actors

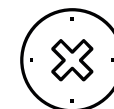AI shaping the democratic discourse
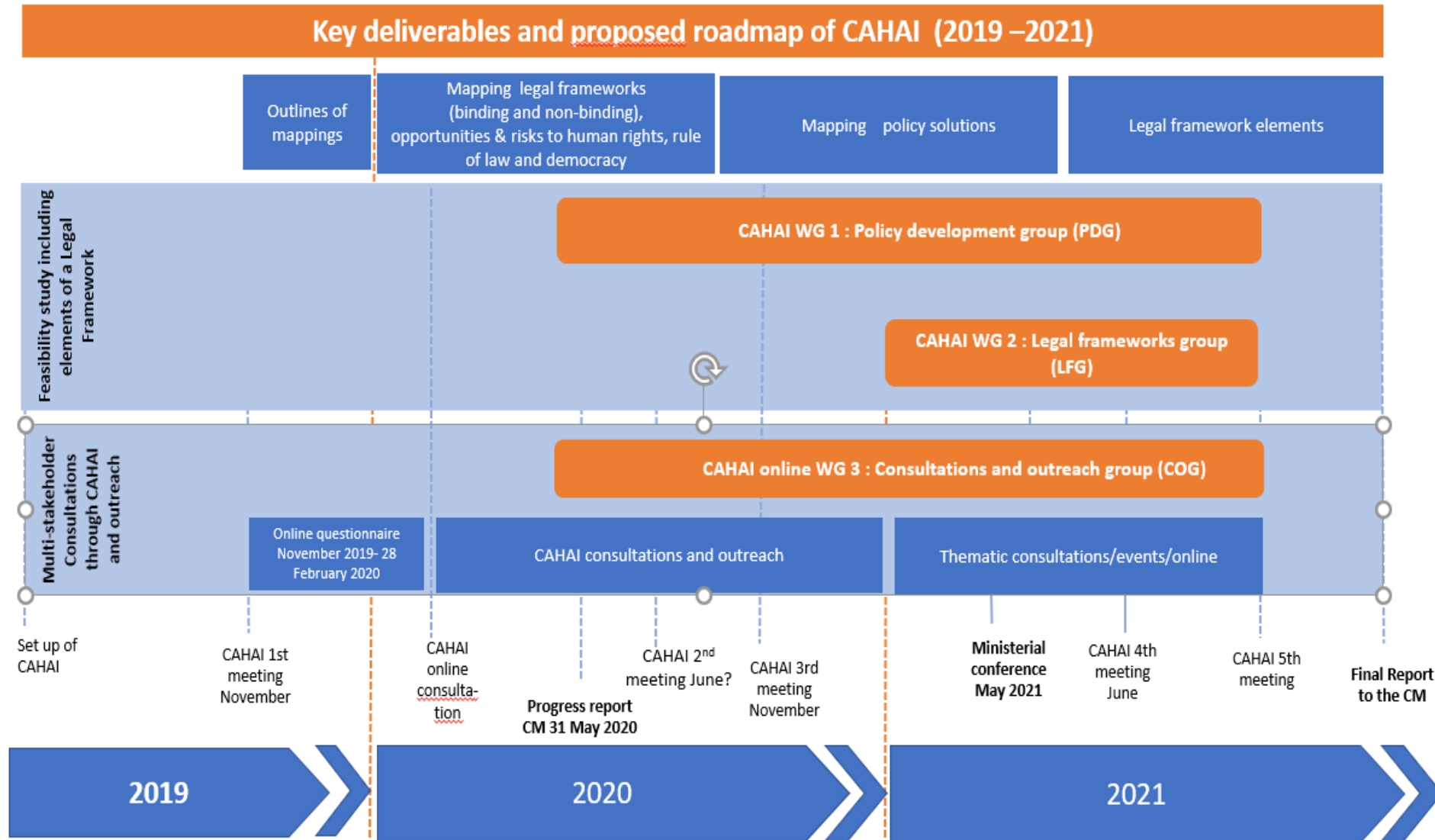
International instruments

Liability

Ethical guidelines

Redlines in the application of AI that could lead to moratoria

Key timelines and outcomes

Key deliverables and proposed roadmap of CAHAI (2019 – 2021)

Outlines of mappings

Mapping legal frameworks (binding and non-binding), opportunities & risks to human rights, rule of law and democracy

Mapping policy solutions

Legal framework elements

Feasibility study including elements of a Legal Framework

CAHAI WG 1 : Policy development group (PDG)

CAHAI WG 2 : Legal frameworks group (LFG)

Multi-stakeholder Consultations through CAHAI and outreach

CAHAI online WG 3 : Consultations and outreach group (COG)

Online questionnaire November 2019- 28 February 2020

CAHAI consultations and outreach

Thematic consultations/events/online

Set up of CAHAI

CAHAI 1st meeting November

CAHAI online consulta- tion

CAHAI 2nd meeting June?

Progress report CM 31 May 2020

CAHAI 3rd meeting November

Ministerial conference May 2021

CAHAI 4th meeting June

CAHAI 5th meeting

Final Report to the CM

2019

2020

2021

Terms of reference of the CAHAI-COG

Public institutions

Private sector

Feasibility and elements of the future regulation of AI should be based on multi-stakeholder approach

International organizations

Academia

Civil society

Key principles of consultations (see *CAHAI (2019)04-fin+*):

1 Provide added value

2 Time flexibility

3 Full transparency

4 Instrumental flexibility

5 Inclusion of all groups of people to the discussion

Task I. Mapping of Stakeholders

I. Mapping of Stakeholders

How should the CAHAI -COG prepare a mapping of relevant stakeholders? Based on which criteria?

How should the CAHAI -COG review the draft analysis of the contributions received from the Secretariat?

How should the CAHAI -COG prioritize stakeholders?

> CAHAI participants proposals (see documents *CAHAI-COG(2020)02 + CAHAI(2020)03-rev1-prov*) – questionnaire (*CAHAI(2020)09rev1*)

1) International organisations, 2) public institutions; 3) civil society, 4) academia, 5) private sector

Examples of discussed issues raised by members

Work of COG linked to work of PDG, once structure in place (and a concrete output available) it will be easier to understand how to use voice of consultation

Ecosystem approach (use the 10 components of the AI ecosystem as a foundation for structuring stakeholders)

High\Low level power + high\low level interest approach

Involve citizens! (with accent to residents)

I. Mapping of Stakeholders – **proposals**

1) **States:** at the national level, public institutions, authorities (including the ombudsman, data protection authorities, equality bodies or ethics bodies) and government agencies;

2) **International regulators:** international organizations, including the OECD, the United Nations (including the UN High Level Group on Digital Cooperation, UNESCO or the International Telecommunication Union - ITU), the OSCE, Interpol, the European Union and their competent bodies working in the field of AI (European Commission, EDPS, FRA);

3) **Science and education:** academic centers, circles or institutes conducting research and applied work in the field of AI (technology, human and social sciences, law in particular),

4) **Civil societies, NGO's and Standardization bodies**. Civil society, including non-governmental organisations such as human rights organisations, trade unions, European consumer organisations Standardization bodies professional associations and standardization bodies (e.g. IEEE or the International Organization for Standardization - ISO).

5) **Private sector**: the private sector in the broadest sense, including both large multinationals and small and medium-sized European companies involved in the development of AI systems or providing AI-related services/products (including cultural services); Business associations (such as the Partnership on AI - PAI); Internet companies – CoE partners

6) **Opinion leaders** (well-known experts). Exact renowned experts such as lawyers, philosophers or doctors, even non-European ones.

7) **Citizens (residents) (!)**

+ Specific accents on a) specific audience b) ensuring diversity and inclusiveness within groups c) regional aspect

+ Internal structuring within group (e.g. "High\Low level power + high\low level interest" approach)

I. Mapping of Stakeholders – **to do (?)**

- **Create the SWG1 "Mapping stakeholders"** (with accent on international level and how to reach national stakeholders) **and designate the coordinator (representative of member state) of the group**
Due: 06 of October

- **Send input on the mapping** (i.e. precise stakeholders in each group, engagement methods and suggestions on the mapping methodology) (SWG 1).
Due: 12 of October

- **Coordinator prepares a preliminary mapping based on contributions received and sends to Co-chairs;**
Due:19 of October

- **Co-Chairs, with the support of the secretariat, to finalise the working document and circulate for comments to CAHAI - COG.**
Due: 22 of October

Task II. Mapping of Tools

II. Tools for consultations

What exact options (tools such as surveys, live discussions etc.) should be considered and proposed by the CAHAI COG for the consultations?

CAHAI participants proposals (see questionnaire (*CAHAI(2020)09rev1*)

Examples of discussed issues raised by members

- Refer to existing initiatives of public consultation (ie **Guidelines of Open Government Partnership**, initiatives presented at the COG meeting) and emerging good practices in the field of public consultations, decision making
- Useful points regardless of methodology and resources – focus on redlines areas, scenario
- The main concern is how to reach marginable groups
- Maybe speaking to NGOs that represent/work with those populations
- Online is a preferable manner
- Good idea – one day worldwide consultations
- Special accent on media and on surveys (especially machine learning format where appropriate)
- Provide with feedback the audience
- Simplify the manner of communication, make it user friendly
- Perhaps dashboard is a good tool

II. Consultations at international level – lessons learnt

Experience of public consultations on European Commission White Paper.

UNESCO experience of consultations on AI Ethics Recommendations

We, the internet open dialogue experience

Multiple choice questions (machine readable) + possibility to express opinions in free text. Avoid position papers

Key tools to allow participants to contribute, facilitating tools, deliberative guide

It's better to engage people to face-to-face discussion. Survey is not the right tool

Avoid lengthy surveys, not too many & very focused questions

Important to ensure gender balance and representation of relevant stakeholders.

Important to be inclusive with a deliberative dialogue both centralised and decentralised

Citizens (general public) result in more diversity, however need to pose questions differently, questions can focus on ethics of AI

Do's: co-design of questions, work with people who will receive the results, so not particularly suitable for CAHAI

Don't: ask question to which there is already a reply; do ask questions where there are doubts or no agreement

II. Consultations – to do (?)

- **Create the SWG2 "Mapping tools" and designate the coordinator (representative of member state) of the group**
Due: 06 of October

- **Develops proposals on all available tools for consultations, with pros and cons** (SWG2).
Due: 12 of October

- **Coordinator prepared the proposed mapping of tools map and sends to the Co-chairs**
Due: 19 of October

- **Co-Chairs, with the support of the secretariat, to finalise the working document and circulate for comments to CAHAI - COG**
Due: 22 of October

Task III. Mapping of National Consultations

How should the CAHAI-COG advise >25 states to organize its work at national level?

What methodology shall we propose to states (depends on Mapping Stakeholders)?

What templates shall we propose to states (depends on Mapping of Tools)?

Are there any country-specific considerations?

Shall we use pilot projects – and who is willing to be the piloting country?

Experience of UK and Ireland on AI regulation consultations

Canadian experience of consultations with citizens on AI

III. Consultations at national level – examples from discussion

1 Problem of having in depth conversations online; lessons shared on the difficulty to address through surveys issues such as discrimination, autonomy and dignity; diversified consultations need to be carried out to overcome this; diversify consultations beyond (technical) academia, (technical) companies, public sector

2 Challenges when asking public, need to make sure public understands fully and work with technical experts to make sure all is understood and correct

3 Need to address possible influences and prejudices of citizens

4 Closed questions on online workshops where multi-stakeholders could be involved

5 Don't deliberate in same way from one country to another, take into account cultural context

6 Must include marginalised people, bear in mind some people do not use internet, eg. through public libraries

III. Consultations at national level – few tips from discussion

- Find a provider/partner in each group. Conduct webinars and guide them.

- Take into account specific national aspects. Perhaps divide the members to geographical groups.

- Refer of member states to their experience. Reach permanent embassies.

- Make specific accents on a) specific audience b) ensuring diversity and inclusiveness within groups c) regional aspect.

- Consider accent on media instruments.

III. Consultations at national level – to do (?)

- **On the basis of work performed by SWG 1 and 2, send your proposals on methodology for national consultations** (COG members).
Due: 19 October

- **On the basis of work performed by SWG 1 and 2, send your proposals on templates for national consultations** (COG members).
Due: 19 October

- **Consolidate the proposals received and identify next steps to be proposed to the CAHAI, for discussion at the second meeting of COG (5-6 November)**
(secretariat; co-chairs).
Due: 26 of October

Task IV. Coordination with the CAHAI-PDG

III. Coordination with the CAHAI-PDG – to do (?)

- **Co-chairs of the two working groups to discuss possible issues and questions that should be further explored in the framework of the multi-stakeholder consultations, based on the draft feasibility study and the CAHAI-COG's proposals with respect to stakeholders, tools and consultations**
- Due: 3 or 4 November (availabilities to be confirmed)