

CDDH comments on the Parliamentary Assembly Recommendation 2183(2020) - PREVENTING DISCRIMINATION CAUSED BY THE USE OF ARTIFICIAL INTELLIGENCE

94th meeting – 15 – 18 June 2021 - CDDH(2021)R94

1. The Steering Committee for Human Rights (CDDH) takes note with interest of the Parliamentary Assembly Resolution 2343(2020), in particular the invitation addressed by the Assembly to the Committee of Ministers, when assessing the necessity and feasibility of an international legal framework for artificial intelligence, to look into the serious potential impact for the rights to equality and non-discrimination.
2. The CDDH reaffirms that all member States are required to respect the rights of equality and non-discrimination in accordance with the European Convention on Human Rights (ETS No. 5) and the European Social Charter (ETS No. 35 and No 163) as they are interpreted by the European Court of Human Rights and the European Committee of Social Rights, respectively.
3. The CDDH supports the work of the CAHAI and other relevant bodies such as the Steering Committee on Anti-Discrimination, Diversity and Inclusion (CDADI) whose 2022-2023 workplan envisages the preparation of a sectoral instrument on AI, non-discrimination and equality.
4. The CDDH felt that the preparation of a handbook on human rights and AI would be highly appropriate. However, to avoid duplications of CDDH activities with those of other relevant Council of Europe bodies, it was proposed to the Committee of Ministers to postpone this work until 2022-2025.

* * *

Text of Recommendation 2183(2020)

PREVENTING DISCRIMINATION CAUSED BY THE USE OF ARTIFICIAL INTELLIGENCE

Parliamentary Assembly

1. The Assembly refers to its Resolution 2343 (2020) on preventing discrimination caused by the use of artificial intelligence. It notes that this resolution was adopted as work by the Ad hoc Committee on Artificial Intelligence (CAHAI) was ongoing within the Council of Europe.
2. The Assembly recalls that equality and non-discrimination are fundamental rights and that all member States are required to respect these rights in accordance with the European Convention on Human Rights (ETS No. 5), as interpreted by the case law of the European Court of Human Rights, and with the European Social Charter (ETS No. 35) and the European Social Charter (revised) (ETS No. 163), as interpreted by the European Committee of Social Rights.
3. The Assembly therefore calls on the Committee of Ministers to take into account the particularly serious potential impact of the use of artificial intelligence on the enjoyment of the rights to equality and non-discrimination when assessing the necessity and feasibility of an international legal framework for artificial intelligence.