



COMMISSIONER FOR HUMAN RIGHTS
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Warsaw Dialogue for Democracy

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Keynote speech by Dunja Mijatović

Council of Europe Commissioner for Human Rights

*Excellencies,
Ladies and Gentlemen,*

Thank you for your kind invitation to this conference and an opportunity to visit Warsaw.

I have been in Poland many times, and this is my second visit to Poland as Commissioner for Human Rights of the Council of Europe.

In August this year, I came to the Auschwitz-Birkenau Memorial to participate in the ceremony of commemoration of the Roma Holocaust during the Second World War.

This time I came to speak at this event, and will also meet with several high-ranking Polish officials and representatives of civil society, to hear their views on how human rights are respected and protected in Poland.

I hope that these meetings will leave me with a better understanding of the situation here.

Coming back to the Warsaw Dialogue and its theme this year, **Democracy 2.0**.

I understand that the conference will explore issues related to the opportunities and threats for democracy and human rights, including those related to the use of new technologies.

But let me first make a very brief detour from the forward-looking and progressive outlook which accompanies this theme, and provoke you a bit with the following observation:

Safeguarding democracy and human rights in the virtual sphere is an important challenge in today's world - with this I could not agree more.

But I think that we should first of all not lose sight of the present day, real-life situation. Of the here-and-now. We should not lose sight of **Democracy 1.0**.

And by this, I understand respecting the Rule of Law; human rights; and democratic institutions.

In a number of European countries, I see today increasingly intolerant attitudes and attempts to pit parts of society against one another, and to scapegoat various social groups, minorities, or professions. This is often accompanied by weakening democratic institutions, limiting civil society freedoms, and divisive language designed to stigmatise the "Other".

Since the beginning of my mandate, I have seen in many member states of the Council of Europe how stigmatising language, persecution, harassment or restrictive legislation is used to obstruct the work of many courageous NGOs and individuals who bring much-needed protection and relief to those in need.

This is a trend that we must denounce and oppose, loudly and clearly.

I believe that it is important to highlight this trend and make this point now, at the outset of today's event, to properly frame the discussions and to keep the big picture in clear view.

Now, back to "**Democracy 2.0**".

Those of you who know me will also know that I very much identify as a social media aficionado.

I have not just one Twitter account, but two, and I make regular use of many other online platforms.

Quite frankly, I am fascinated by all modern technologies and I try to stay up to date with the new developments as much as I can.

And this is why I also decided to make "Artificial Intelligence (AI) and human rights" one of the thematic priorities for my mandate.

To me, it is clear that while new technologies have the potential to help us maximise our time, freedom and satisfaction, if used irresponsibly, they may easily lead us in the opposite direction.

Artificial Intelligence affects a whole range of human rights, from privacy and equality to freedom of expression and assembly. And the potential for damage is huge.

It may reproduce social prejudice or amplify discrimination.

It may be used to unfairly influence public opinion, and tip the scales in democratic elections or referendums.

It may be used to antagonise certain social groups or to confine people in "echo chambers".

Communication technologies like Twitter, being a free and easy channel of communication between voters and politicians, may seem an alluring alternative to the mainstream media, in particular in times where freedom of the press is under pressure.

I have little doubt that, if they stay largely ungoverned as they are today, these new technologies may turn or be used against us and restrict our rights.

That is why we need more urgent reflection.

To prompt such reflection and help member states address the emerging challenges in a human rights-compatible manner, I published a Human Rights Comment on *Safeguarding human rights in the era of artificial intelligence*.

In my comment, I drew the attention of the driving forces in this area, that is: the governments and the private sector, to uphold their responsibility to protect and respect human rights standards.

For them and for you today, I have these *five key messages*:

First, we need **stronger co-operation** between all state actors – governments, parliaments, the judiciary, and the law enforcement – with the private sector and the civil society, in dealing with the human rights challenges posed by new technologies.

Second, we need states to respect the clear boundaries for private life, liberty and security set by the case-law of the **European Court of Human Rights**, notably as regards intrusions into private life and protecting individuals from unlawful surveillance.

Third, states should ensure that the **private sector**, which bears the responsibility for design and implementation of Artificial Intelligence, respects human rights standards.

Fourth, states and the civil society should invest more in public awareness and education to increase the “**AI literacy**” of all citizens so that they can engage with new technologies and better understand their implications for their rights.

And *fifth*: with the advent of Artificial Intelligence and other new technologies, I think that the role of the **civil society** will become more prominent than ever before, by keeping a check on how governments’ make use of these new tools.

So my *fifth* message is to emphasise once again that human rights defenders, national human rights institutions, watchdog NGOs and individual whistle-blowers must be protected and valued, not persecuted and harassed.

They are important actors for the defence of human rights in any healthy democracy. In return, they, too, deserve our vocal support.

This is why I very much appreciate the role of this event as an annual event providing a voice to human rights defenders coming from so many countries around the world.

With this last point, I wish all of you many thought-provoking discussions on these fascinating topics over the next two days.

Thank you.