



Doc. 15346

26 July 2021

Need for democratic governance of artificial intelligence

Reply to Recommendation¹: Recommendation 2181 (2020)

Committee of Ministers

1. The Committee of Ministers has carefully examined Parliamentary Assembly [Recommendation 2181 \(2020\)](#) on “Need for democratic governance of artificial intelligence”.

2. The Committee believes that the issue of regulating artificial intelligence (AI) to ensure effective democratic governance is a major concern at the beginning of the 21st century, due to the increasing use of AI by a number of public bodies, business operators and other entities, and due to its potential impact not only on human rights, but also on many aspects of democratic governance and decision making, including transparency, accountability, ethical conduct, responsiveness and efficiency; all of which are included in the 12 Principles of Good Democratic Governance approved by the Committee of Ministers in 2008.

3. Concerning the preparation of a legally binding instrument and its content referred to in the recommendation, the Deputies draw the attention of the Parliamentary Assembly to the decisions adopted by the Committee of Ministers under item 2b of the agenda of its 131st Session held in Hamburg on 21 May 2021 (2b. Human rights in the digital age) which provides, *inter alia*, that:

“... 3. considering the ever-increasing importance of digital technologies and artificial intelligence, and taking into account the Council of Europe’s role in efficiently protecting and promoting human rights including in the rapidly changing digital area;

i. with regard to artificial intelligence:

- took note of the work of the Ad hoc Committee on Artificial Intelligence (CAHAI) and the feasibility study conducted by the Committee, and of the ongoing work that is due to be completed at the end of 2021;
- decided to give priority to the work on an appropriate legal framework for the development, design and application of artificial intelligence based on the Council of Europe’s standards on human rights, democracy and the rule of law, and conducive to innovation;
- recalled the importance of this work being based on strong evidence and an inclusive consultation process, and undertaken in co-operation with international and supranational partners to ensure a global view of the subject;
- invited its Deputies, while examining the full range of possible options, to focus particularly on a possible legal framework which can be composed of a binding legal instrument of a transversal character, including notably general common principles, as well as additional binding or non-binding instruments to address challenges relating to the application of artificial intelligence in specific sectors, with a view to having negotiations on the transversal instrument started by the 132nd Ministerial Session in May 2022; ...”

1. Adopted at the 1409th meeting of the Ministers’ Deputies (7 July 2021).



4. The Deputies also draw attention to the Declaration of Nicosia, which was adopted on 11 June 2021, on the occasion of the Conference of Ministers responsible for Media and Information Society, co-organised by the Council of Europe and the Republic of Cyprus. The Committee of Ministers was requested to take all necessary steps to implement the actions mentioned in the Final Declaration and the appended Resolutions referring to freedom of expression and digital technologies, the changing media and information environment, the safety of journalists and the impact of the health crisis on freedom of expression.

5. The Ministers' Deputies will not fail to keep the Parliamentary Assembly informed of further developments.