



**Doc. 16398**  
05 May 2026

## Artificial intelligence and migration

**Reply to Recommendation<sup>1</sup>: Recommendation 2300 (2025)**  
Committee of Ministers

1. The Committee of Ministers carefully examined Parliamentary Assembly [Recommendation 2300 \(2025\)](#) on “Artificial intelligence and migration” and forwarded it to the Committee on Artificial Intelligence (CAI), the Steering Committee for Human Rights (CDDH) and the Division on Migration and Refugees (DGI) for information and possible comments. The Committee of Ministers recognises the growing impact of the use of artificial intelligence (AI) on migration and asylum procedures, domains in which decisions influenced by AI could directly affect the human rights and fundamental freedoms protected by the European Convention on Human Rights.

2. The Committee of Ministers shares the Assembly’s recognition of the importance of widespread signature, ratification and implementation of the Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law (CETS No. 225) by all member States and other States. The Committee underlines that this instrument should constitute the baseline for all current and future Council of Europe work in the field of AI, ensuring harmonisation, coherence, and strong human rights guarantees across States Parties. The Committee also emphasises the need for close co-ordination among all Council of Europe committees, bodies and entities dealing with AI to ensure coherence and complementarity both on a pan-European and a global level.

3. As regards the proposal in paragraph 2 of [Recommendation 2300 \(2025\)](#), that the Committee of Ministers prepare a recommendation guiding member States on the use of AI in migration management, it would recall that, in November 2025, the CDDH adopted a Handbook on Human Rights and Artificial Intelligence. The Handbook is intended as an accessible tool primarily to support government officials and policymakers in Council of Europe member States in applying the standards of the European Convention on Human Rights and the European Social Charter and other human rights standards to the use of AI. As a practical resource, it provides insights into how these standards, along with instruments like the Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law, may apply to activities in AI systems’ lifecycle. Focusing on key AI use cases in public governance, both current and reasonably foreseeable, it offers a framework to assess AI’s human rights impacts, considering European Convention on Human Rights and European Social Charter standards.

4. One of the sectors of public governance covered by the Handbook is the use of AI in the context of immigration and border control. Having identified relevant general legal principles, human rights issues, and certain specific AI use-cases in this context, the Handbook gives particular attention to the issues of privacy and data protection, non-discrimination and the right to an effective remedy.

5. In response to paragraph 3 of the recommendation, the Committee of Ministers takes note of the Assembly’s recommendation for strong and enforceable safeguards, as well as the creation of a code of good practice for AI in migration management. The Committee acknowledges these concerns and, in line with the CAI and CDDH’s work, considers that the Handbook, underpinned by the principles of the Framework Convention, can provide a concrete contribution and a practical orientation to ensure transparency, accountability and effective human rights protection in migration management using AI.

---

1. Adopted at the 1558<sup>th</sup> meeting of the Ministers’ Deputies (29 April 2026).



6. With reference to paragraph 4 of the recommendation, the Committee of Ministers concurs with the Parliamentary Assembly regarding the need for awareness-raising and tailored training on the implications of AI in migration management, targeting ombudsman institutions, equality bodies, migration officers, caseworkers and civil society organisations. The Committee notes that the Division on Migration and Refugees (DMR) has already engaged in practical efforts in familiarising stakeholders with these issues. It also notes that future updates to the Council of Europe HELP courses may usefully address AI and migration as resources allow.

7. In response to the recommendation to strengthen co-operation with the European Union, the United Nations and civil society, the Committee of Ministers confirms the centrality of such partnerships. The Committee is committed to maintaining and enhancing this collaboration, mindful of its role and focus on human rights, democracy and the rule of law, with the aim of maximising expertise and ensuring the broadest possible protection of rights for migrants, refugees and asylum seekers in the context of AI whilst avoiding unnecessary duplication or overlap.

8. The Committee of Ministers has also noted that certain formulations in Assembly [Resolution 2628 \(2025\)](#) related to the scope and content of the Framework Convention were not fully congruent with its wording. It recalls that under Article 23 paragraph 2 lit. c of the Framework Convention it falls within the remit of the future Conference of the Parties to express specific recommendations on any question concerning its interpretation or application, including for instance, suggesting interpretations of legal terms contained in the Framework Convention. The resolution implements numerous concerns, links them to the AI topic and contains requests and proposals. The related concerns that have so far been considered independently are linked to the topic of AI, but should be also subject to separate discussion. Operational conclusions should be assessed by a case-by-case examination. Proposals without mentioning alternative solutions and linking issues should not anticipate results of democratic, in particular parliamentary, negotiation processes.

9. Finally, the Assembly will be aware that the issue of migration as a whole and the various challenges it raises for member States remains a priority for the Committee of Ministers. Discussions are currently underway, following the informal ministerial conference on the European Convention on Human Rights and the question of migration held in December 2025, as to how the Council of Europe can best address pressing migration issues and related policies and deter and fight the smuggling and trafficking of migrants, with full respect for their human rights. The Committee of Ministers is committed to continuing its close co-operation with the Parliamentary Assembly and all relevant stakeholders as work progresses in this rapidly evolving field, ensuring that the Council of Europe remains at the forefront of protecting the rights of migrants including in the field and age of AI.